

Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. MSEB 2017-8291

Respondent: Equipsource LLC dba Lifan Power
2205 Industrial Park Road
Van Buren, AR 72956

1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations discovered as a result of the inspection specified in Table 1, attached, incorporated into this Agreement by reference. The civil violations that are the subject of this Agreement are described in Table 2, attached, incorporated into the Agreement by reference, regarding the vehicles/engines specified therein.
2. Respondent admits to being subject to the Clean Air Act (CAA) and its associated regulations and that the United States Environmental Protection Agency (EPA) has jurisdiction over the Respondent and the Respondent's conduct described in Table 2. Respondent does not contest the findings detailed therein, and waives any objections Respondent may have to the EPA's jurisdiction.
3. Respondent consents to the payment of a penalty in the amount of **\$1,600** further described in Table 3, attached, incorporated into this Agreement by reference. Respondent agrees to follow the instructions in "CAA Mobile Source Expedited Settlement Agreement Instructions," attached, incorporated into this Agreement by reference. Respondent certifies that the required remediation, detailed in Table 3, has been carried out.
4. By its first signature below, the EPA approves the findings resulting from the inspection and alleged violations set forth in Table 1 and Table 2. Upon signing and returning this Agreement to the EPA, Respondent consents to the terms of this Agreement without further notice. Respondent acknowledges that this Agreement is binding on the parties signing below, and becomes effective on the date of the EPA Air Enforcement Division Director's ratifying signature.

A _____ EPA:

Evan Belser

Date: Dec. 8, 2016

for Phillip A. Brooks, Director, Air Enforcement Division

APPROVED BY RESPONDENT:

Name (print): LARRY COTTEN

Title (print): CEO

Signature: _____

Date: 12/13/2016

RATIFIED BY EPA:

Evan Belser

Date: Jan. 23, 2017

for Phillip A. Brooks, Director, Air Enforcement Division

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
April 14, 2016		C A A - 1 6 - 8 2 9 1	
Inspection Location:		Entry/Inspection Number(s)	
FCL Logistics		G L 5 - 5 0 5 0 4 8 0 - 4	
Address:			
23011 Wilmington Avenue		2 0 1 6 0 4 1 4 1 0 3 9 0 1	
City:		Inspector(s) Name(s):	
Carson		Janice Chan, Nathan Dancher, Andrew Zellinger	
State:	Zip Code:	EPA Approving Official:	
CA	90745	Phillip A. Brook	
Respondent:		EPA Enforcement Contact:	
Equipsource LLC dba Lifan Power		Nathan Dancher (Region 9), 415-972-3482	

Table 2 - Description of Violation and Equipment

The 18 gasoline generators imported by Equipsource LLC dba Lifan Power (Equipsource) on or about April 6, 2016 and described below (the Subject Generators) were found to be uncertified with respect to new, small nonroad spark-ignition equipment and engine standards under Title II of the Clean Air Act (CAA) due to the absence of a Pulsed Air Injection Recirculation device (PAIR) which is specified in the Certificate of Conformity (COC) for claimed engine family ECLGS.2121CB. Because a COC covers only equipment that is materially the same as that described in the Certification Summary Information Report, the Subject Generators are not covered by a valid COC. The EPA has found no evidence that the Subject Generators are otherwise excluded from Coverage. Specific violations are below. Thus, Equipsource has imported the Subject Generators in violation of CAA Sections 203(a)(1) and 213(d), 42 U.S.C. §§ 7522(a)(1) and 7547(d), and the regulations codified at 40 C.F.R. §§ 1068.101(a)(1) and (b)(5).

Equipment Description	Claimed Engine Manufacturer	Model Year	Claimed Engine Family	Quantity
Portable Generator with Gasoline Engine	Lifan Industry (Group) Co. Ltd.	2014	ECLGS.2121CB	18

Table 3 - Penalty and Required Remediation

Penalty	\$1,600
Required Remediation	Equipsource must export the above mentioned 18 uncertified Subject Generators to a country other than Canada or Mexico, and provide the EPA with a report documenting such exportation.