


Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-16-8262

Respondent: CMT (U.S.A.) Industrial, Inc.
14932 Garfield Avenue
Paramount, CA 90723

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 **\$4,400**, 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.

APPROVED BY EPA:

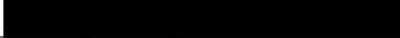

for Phillip A. Brooks, Director, Air Enforcement Division

Date: Mar. 21, 2016

APPROVED BY RESPONDENT:


Name (print): Shuang Chen

Title (print): President

Signature: 

Date: 4-1-2016

RATIFIED BY EPA:


for Phillip A. Brooks, Director, Air Enforcement Division

Date: May 23, 2016

Table 1 – Inspection Information				
Entry Number	Entry Date	Inspection Date	Inspection Location	Inspector(s) name(s)
W69-3387611-3	4/2/2015	4/23/2015	MET Price Transfer 2711 E. Dominguez Street Carson, CA 90810	Janice Chan and Andy Zellinger
W69-3393526-5	5/13/2015	5/19/2015	MET Price Transfer 2711 E. Dominguez Street Carson, CA 90810	Janice Chan and Andy Zellinger
W69-3408923-7	8/25/2015	9/4/2015	MET Price Transfer 2711 E. Dominguez Street Carson, CA 90810	Janice Chan and Elfego Felix

Table 2 - Description of Violation and Equipment/Engines					
<p>The equipment imported in three (3) entries by CMT (U.S.A.) Industrial Inc. (CMT) between April and August 2015 and described below (the Subject Equipment) 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 one or more of the following issues: 1) non-conforming catalysts from specifications in Certificate of Conformity (COC), 2) materially different/adjustable carburetors from specifications in COC, 3) missing Emission Control Information (ECI) labels, and 4) nonconforming fuel tanks from specifications in COC. Specific violations are itemized by entry and equipment below. Thus, CMT has imported the Subject Equipment 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).</p>					
Entry Number	Type of Equipment	Quantity	Claimed Engine Manufacturer	Claimed Engine Family / Equipment Family	Violation
W69-3387611-3	Gasoline Compactor with Water Tank	18	Chongqing Rato Power Manufacturing Corp.	ECRPS.1791GC / ECRPPNHEQDA1	Materially different / adjustable carburetor
W69-3387611-3	Plate Compactor	18	Unknown	None	Missing ECI label
W69-3387611-3	Tamping Rammer	12	Chongqing Rato Power Manufacturing Corp.	ECRPS.1791GC / ECRPPNHEQDA1	Materially different / adjustable carburetor and nonconforming fuel tank
W69-3387611-3	Gasoline Engine	100	Chongqing Dinking Power Manufacturing Co. Ltd.	ECHDS.2151GA / ECHDPNHEQEPA	Nonconforming catalyst
W69-3393526-5	Gasoline Compactor with Water Tank	24	Chongqing Rato Power Manufacturing Corp.	ECRPS.1791GC	Materially different / adjustable carburetor
W69-3393526-5	Tamping Rammer	12	Chongqing Rato Power Manufacturing Corp.	ECRPS.1791GC	Materially different / adjustable carburetor and nonconforming fuel tank from that specified in COC
W69-3393526-5	Gasoline Water Pump	50	Chongqing Dinking Power Manufacturing Co. Ltd.	ECHDS.2151GA	Nonconforming catalyst
W69-3408923-7	Tamping Rammer	18	Shandong Huasheng Zhongtian Machinery Group Co., Ltd.	FSHSS.2121GA / FSHSPNHEQAAA	Materially different / adjustable carburetor and nonconforming fuel tank from that specified in COC

Over

Table 3 - Penalty and Required Remediation

Penalty	\$4,400
Required Remediation	CMT must export to a country other than Canada or Mexico, the 252 pieces of equipment identified above, and provide the EPA with a report documenting such exportation.