

Enclosure

CLEAN AIR ACT VEHICLE AND ENGINE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-04-2019-9967

Respondent: Raider Outboards, Inc.
1855 Shepard Drive
Titusville, FL 32780

1. The parties enter into this Clean Air Act Vehicle and Engine Expedited Settlement Agreement (Agreement) in order to settle the civil violation(s) discovered as a result of the inspection(s) specified in Table 1, attached, incorporated into this Agreement by reference. The civil violation(s) that are the subject of this Agreement are described in Table 2, attached, incorporated into the Agreement by reference, regarding the vehicle(s)/engine(s) 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 neither admits nor denies the findings detailed therein, and waives any objections Respondent may have to the EPA's jurisdiction.
3. Respondent certifies that payment of the penalty has been made in the amount of \$ 24,604. Respondent has followed the instructions in "CAA Vehicle and Engine Expedited Settlement Agreement Instructions," attached, incorporated into this Agreement by reference. Respondent certifies that the required remediation, specified in Table 3 and incorporated into this Agreement by reference, has been carried out.
4. By its first signature below, the EPA approves the findings resulting from the inspection(s) and alleged violation(s) 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 Delegated Official's ratifying signature.
5. The parties consent to service of this Agreement by electronic delivery at the Respondent's e-mail noted below.

APPROVED BY EPA:

 Delegated Official: Suzanne G. Rubini, Acting Director
 Enforcement and Compliance Assurance Division

Date: 8/19/19

APPROVED BY RESPONDENT:

Name (print): George Woodruff
 Title (print): President
 Signature: _____

 Email (print): _____

Date: 9/2/2019

RATIFIED BY EPA:

 Delegated Official: Suzanne G. Rubini, Acting Director
 Enforcement and Compliance Assurance Division

Date: 9/4/19

Table 1 - Inspection Information

Inspection Date(s): 3/19/2019 (CBP) 3/25/2019 (EPA)		Docket Number: CAA-04-2019-9967	
Inspection Location Name: Port of Jacksonville		Entry Number(s): 231-93186900	
Address: 10426 Alta Drive		Date of Entry Detention by CBP: 3/8/2019	
City: Jacksonville		Inspector(s) Name(s): Todd Groendyke/Megan Arias	
State: FL	Zip Code: 32226	EPA Approving Official: Suzanne G. Rubini	
Importer Name (Respondent): Raider Outboards, Inc.		EPA Enforcement Contact: Todd Groendyke	

Table 2 - Description of Violation and Vehicles/Equipment

Raider Outboards, Inc. (Respondent) imported the engine(s) described at the bottom of Table 2 (the Subject Engines) on or about March 8, 2019. Authorized federal inspectors examined the Subject Engines and were unable to find a Certificate of Conformity (COC), a declaration form, or an Emission Control Information (ECI) label which would indicate that the engine was certified by EPA. In communications with EPA, Respondent claimed that the Subject Engines fell under the national security exemption, however the Subject Engines did not meet the requirements of 40 C.F.R. § 1068.225, in part because the engines lacked necessary labels and the EPA had issued no applicable exemption for these Subject Engines. The EPA has found no further evidence indicating the Subject Engines are exempt or otherwise excluded from coverage under Title II the Clean Air Act (CAA) and its implementing regulations. Accordingly, by importing the Subject Engines, Respondent has committed 48 violations of CAA Section 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).

Vehicle/Equipment Description	Observed Engine Manufacturer	Observed Model Year	Observed Engine Family	Quantity
Outboard Motor	Tohatsu Corporation	2018	Not Observed	48

Table 3 - Penalty and Required Remediation

Penalty	\$24,604
Required Remediation	In addition to paying the monetary penalty, Respondent must provide to the EPA documentation showing that the Subject Engines have been destroyed, exported to a country other than Canada or Mexico, or are under exclusive control by U.S. Customs and Border Protection (CBP) pending exportation or destruction.