



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101-3188

ENFORCEMENT AND
COMPLIANCE ASSURANCE DIVISION

SEP 30 2019

Reply To: 20 – C04

CERTIFIED MAIL — RETURN RECEIPT REQUESTED

Mr. Daniel Arrotta
Registered Agent
Mt. Spokane Truck & RV, LLC d.b.a. All United Imports
6623 N Division Street
Spokane, Washington 99208-3939

Re: Docket No. CAA-10-2020-0004

Dear Mr. Arrotta:

An authorized representative of the United States federal government conducted an inspection to determine your company's compliance with the Clean Air Act (CAA) and regulations promulgated thereunder. The details of this inspection are outlined in the enclosed Clean Air Act Vehicle and Engine Expedited Settlement Agreement (Agreement). As a result of the inspection, it was determined that your company failed to comply with the CAA and the associated regulations. The Agreement describes the violations.

You may resolve violations using an expedited process that involves significantly lower penalties than those sought through the normal settlement process. The United States Environmental Protection Agency (EPA) is authorized to enter into the Agreement under the authority vested in the EPA Administrator by Section 205(c)(1) of the CAA, 42 U.S.C. § 7524(c)(1). After the Agreement becomes effective, the EPA will take no further civil penalty action against your company for the violation(s) described in the Agreement. However, the EPA does not waive any rights to take an enforcement action for any other past, present, or future violations of the CAA or of any other federal statute or regulation.

If you do not sign and return the enclosed Agreement as presented within **30 calendar days** of its receipt, and meet all of your obligations under the Agreement, the proposed Agreement is withdrawn, with no need of additional notice to you, and without prejudice to the EPA's ability to file any other enforcement action for the violation(s) identified in the Agreement and seek penalties of up to \$47,357 per violation pursuant to 40 C.F.R. § 19.4. Please refer to "CAA Vehicle and Engine Expedited Settlement Agreement Instructions," attached, for instructions on accepting this Agreement.

Please contact John Keenan by telephone at (206) 553-1817, or by email at keenan.john@epa.gov with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Kowalski", written over a horizontal line.

Edward J. Kowalski
Director

Enclosure

cc: Mt. Spokane Truck & RV, LLC
d.b.a. All United Imports
15010 N Newport Hwy
Mead, WA 99021-5036

Table 1 - Inspection Information

Inspection Date(s):		Docket Number: CAA-	
August 17 and 22, 2019		1 0 - 2 0 2 0 - 0 0 0 4	
Inspection Location Name:		Entry Number(s):	
Eastport, Idaho		1 8 6 - 2 9 4 9 0 2 9 5	
Address:		Date of Entry Detention by CBP:	
Hwy 95 N. at Canadian border		August 19, 2019	
City:		Inspector(s) Name(s):	
Eastport		John Keenan (U.S. EPA); Officer Hoggan (U.S. CBP)	
State:	Zip Code:	EPA Approving Official:	
ID	83826	Edward J. Kowalski	
Importer Name (Respondent):		EPA Enforcement Contact:	
Mt. Spokane Truck & RV, LLC d.b.a. All United Imports		John Keenan	

Table 2 - Description of Violation and Vehicle

Mt. Spokane Truck & RV LLC d.b.a. All United Imports (Respondent) imported the vehicle/engine described at the bottom of Table 2 (the Subject Engine) on or about August 17, 2019. Authorized federal inspectors examined the Subject Engine and found the engine's exhaust gas recirculation (EGR) system had been disabled, and the oxidation catalyst (OC) and the diesel particulate filter (DPF) system had been removed. The EPA issued Certificate of Conformity is only valid if the vehicle is in the certified configuration. The engine manufacturer's certified configuration includes EGR, OC and DPF systems. The EPA has found no further evidence indicating the Subject Engine is exempt or otherwise excluded from coverage under Title II the Clean Air Act (CAA) and its implementing regulations. Accordingly, by importing the Subject Engine, Respondent has committed one violation of CAA Section 203(a)(1) and 42 U.S.C. §§ 7522(a)(1).

Vehicle Description	Observed Engine Manufacturer	Observed Model Year	Observed Engine Family	Quantity
Dodge 2500 Pick Up Truck VIN 1D7KS28A97J593511	Cummins 6.7 liter	2007	7CEXK06.7TXW	1

Table 3 - Penalty and Required Corrective Action

Penalty	\$1,700
Required Corrective Action	In addition to paying the monetary penalty, Respondent must provide to the EPA documentation showing that the Subject Engine has/have been destroyed, exported, or are under exclusive control by U.S. Customs and Border Protection (CBP) pending exportation or destruction.

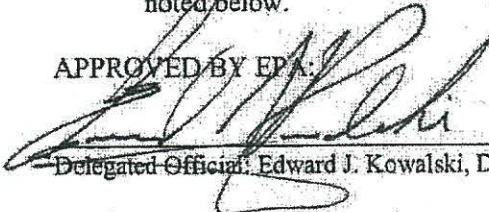
CLEAN AIR ACT VEHICLE AND ENGINE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-10-2020-0004

Respondent: Mt. Spokane Truck & RV, LLC
d.b.a. All United Imports
6623 N Division St.
Spokane, WA 99208-3939

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 **\$1,700**. 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 corrective action, 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:

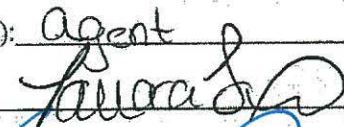

Delegated Official: Edward J. Kowalski, Director

Date: 9/30/2019

APPROVED BY RESPONDENT:

Name (print): Tamara Law

Title (print): Agent

Signature: 

Email (print): admin@highwaytruck.com

Date: 10/16/19

RATIFIED BY EPA:


Delegated Official: Edward J. Kowalski, Director

Date: 11/12/2019