



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 26 2009

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

**CAA MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT**

DOCKET NO. CAA-09-7784

Inspected on June 11, 2009, at Global CFS, Foster Ave., Bensonville, IL 60106,

Goods imported by: Digital Complex, Inc., Chad Austreng (Respondent)

An authorized representative of the United States Department of Homeland Security Bureau of Customs and Border Protection (CBP) conducted an inspection to determine compliance with the Clean Air Act (CAA) regulations promulgated under Sections 205 and 203 of the CAA, 42 U.S.C. §§ 7524 and 7522, and found that Respondent had failed to comply with the CAA regulations as noted on the attached CAA MOBILE SOURCE INSPECTION FINDINGS AND ALLEGED VIOLATIONS FORM (Form), which is hereby incorporated by reference. By its first signature below, the United States Environmental Protection Agency (EPA) ratifies the Inspection Findings and Alleged Violations set forth in the Form.

EPA finds the Respondent is subject to the CAA regulations and has violated the CAA regulations as further described in the Form. The Respondent admits being subject to the CAA regulations and that EPA has jurisdiction over the Respondent and the Respondent's conduct as described in the Form. Respondent does not contest the Inspection Findings, and waives any objections Respondent may have to EPA's jurisdiction.

EPA is authorized to enter into this Expedited Settlement Agreement under the authority vested in the Administrator of EPA by Section 205(c)(1) of the CAA, 42 U.S.C. § 7547(c)(1). The parties enter into this Expedited Settlement Agreement in order to settle the civil violations described in the Form for a penalty of \$ 2,000. The Respondent consents to the payment of this penalty.

This Expedited Settlement Agreement is also subject to the following terms and conditions: Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the violations have been corrected and Respondent has sent a certified check in the amount of \$ 2,000, payable to the "United States of


America,” to: U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000. Respondent has noted on the penalty payment check “AED/MSEB” and the docket number of this case, “CAA-09-7784.”

After this Expedited Settlement Agreement becomes effective, EPA will take no further civil action against the Respondent for the violations of the CAA regulations described in the Form. However, EPA does not waive any rights to take any enforcement action for any other past, present, or future violations by the Respondent of the CAA regulations or of any other federal statute or regulation.

Upon signing and returning this Expedited Settlement Agreement to EPA, Respondent consents to EPA’s approval of the Expedited Settlement without further notice.

This Expedited Settlement Agreement is binding on the parties signing below, and becomes effective upon the EPA Air Enforcement Division Director’s signature. If Respondent does not sign and return this Expedited Settlement Agreement as presented within 30 days of the date of its receipt, along with payment of the penalty amount and a report detailing your corrective action(s), the proposed Expedited Settlement Agreement is withdrawn without prejudice to EPA’s ability to file any other enforcement action for the noncompliance identified in the Form and seek penalties of up to \$37,500 per vehicle/engine in violation.

APPROVED BY EPA:

  
for Pamela J. Mazakas, Acting Director  
Air Enforcement Division

Date: 6/26/09

APPROVED BY RESPONDENT:

Name (print): Chad Austreng

Title (print): President

Signature: 

IT IS SO ORDERED:

  
Pamela J. Mazakas, Acting Director 8/6/09

Date: 7-20-09

**Air Enforcement Division  
CLEAN AIR ACT MOBILE SOURCE INSPECTION FINDINGS AND ALLEGED  
VIOLATIONS FORM**



These Findings, Alleged Violations and Penalties are issued by EPA Air Enforcement Division under the authority vested in the Administrator of EPA by Section 205(c)(1) of the Clean Air Act.CAA-09-7784

Entry/ Inspection Date(s) June 11, 2009	Docket Number: C A A - 0 9 - 7 7 8 4
Facility Name Global CFS	Entry/ Inspection Number(s) B Q T - 0 2 2 2 5 1 3 - 2
Address 860 Foster Ave.	
City: Bensenville	Inspectors Name: Gregory Swat, CBP
State: IL      Zip Code: 60106	EPA Approving Official: Pamela J. Mazakas
Contact: Chad Austreng	Enforcement Contacts: Jacqueline Werner

**Description of Subject Vehicle(s)/Engine(s), Violation(s), and Remediation**

1)

Equipment Description	Engine Family	Make	Engine Manufacturer	Model Year	Quantity
Gasoline-powered skateboards, Model: G-Wheel	9SHSS.0525GA	G-Wheel	Shandong Huasheng Zhongtian Machinery Group Co., Ltd.	2009	50
<b>Description of Violation</b>					
<p>These vehicles were found to be uncertified because they do not conform to the design specifications for engine family 9SHSS.0525GA with respect to the carburetor. These vehicles contain class V handheld engines and exceed the 20 kg (44 lbs) limit for use of such engines in recreational vehicles, which constitutes an additional, independent violation. In addition, no EPA emission control information label was found on the engines. These vehicles were therefore imported in violation of 40 C.F.R. §§ 90.1003(a)(1)(ii), 90.1003(a)(4)(ii), 90.1003(a)(5), and 90.114.</p>					
<b>Description of Remediation</b>					
<p>Digital Complex, Inc. must provide EPA with report and documentation showing that the 50 above-mentioned vehicles have been exported or destroyed.</p>					