

Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-13-8035

Respondent: PLBF Global LLC

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 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 EPA's jurisdiction.
3. Respondent consents to the payment of a penalty in the amount of \$12,000, 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, 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 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:



Phillip A. Brooks, Director, Air Enforcement Division

Date:

APPROVED BY RESPONDENT:

Name (print): BRIONY HOMIER

Title (print): PRESIDENT

Signature: 

Date: 5-13-13

RATIFIED BY EPA:


Phillip A. Brooks, Director, Air Enforcement Division

Date: 7/22/2013

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
August 16, 2012		C A A - 1 3 - 8 0 3 5	
Inspection Location:		Entry/Inspection Number(s)	
MacMillan Piper Centralized Examination Station		D Q 1 - 0 1 9 4 1 9 6 - 0	
Address:			
1762 Sixth Avenue South			
City:		Inspector(s) Name(s):	
Seattle		John Keenan	
State:	Zip Code:	EPA Approving Official:	
WA	98134	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
PLBF Global LLC		Julie Vergeront (R10), 206-553-1497	

Table 2 - Description of Violation and Vehicles/Engines

An EPA inspection of the engines described in the Table below and imported by PLBF Global LLC revealed that the engines have a catalyst that has 34% less volume than the certified catalyst design, have an adjustable parameter that was not part of the disclosed design specification, and contain a label that does not include the required information (missing the date of manufacture on the label or elsewhere on the engines). A Certificate of Conformity (COC) covers only those engines that are materially the same as the certified engine design. Since the catalyst design and the presence of adjustable parameters are material differences from the certified design, EPA has determined that the engines are not covered by a COC. In addition, EPA has determined that the engines do not bear the required labels since the labels are missing key information. The importation of engines that are not covered by a COC or engines that do not bear the required labels is prohibited under 40 C.F.R. § 1068.101(a)(1). Thus, PLBF Global LLC committed 605 violations of 40 C.F.R. § 1068.101(a)(1) by importing the engines.

Equipment Description	Engine Family	Manufacturer	Model Year	Quantity
4000XL Generator	CCSPS.2081XA	Chongqing Shineray Agricultural Machinery Co., Ltd.	2012	200
4000XLT Generator	CCSPS.2081XA	Chongqing Shineray Agricultural Machinery Co., Ltd.	2012	405

Table 3 - Penalty and Required Remediation

Penalty	\$12,000
Required Remediation	PLBF Global LLC must provide EPA with a report and documentation showing that the 605 engines described in Table 2 have been either destroyed or exported outside of the U.S., Canada, or Mexico.