



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

APR 1 2009

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

CAA MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-09-7778

On January 17, 2007, at 405 N. Washington St., Shelby, NC 28150,

Owned or operated by: Reborn Company, LLC, Evan Amaya (Respondent)

An authorized representative of the United States Environmental Protection Agency (EPA) 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, 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 \$ 1,350. The Respondent consents to the assessment 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 \$ 1,350, 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-09-7778".

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 \$32,500 per vehicle/engine in violation.

APPROVED BY EPA:

Pamela J. Mazakas
Pamela J. Mazakas, Acting Director
Air Enforcement Division

Date: 3/30/09

APPROVED BY RESPONDENT:

Name (print): EVAN AMAYA

Title (print): Member / Manager

Signature: [Handwritten Signature]

IT IS SO ORDERED:

Pamela J. Mazakas
Pamela J. Mazakas, Acting Director
Air Enforcement Division

Date: 4-23-09

MAY 1 2009

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.

Entry/ Inspection Date(s)	Docket Number:															
January 17, 2007	<table border="1" style="margin: auto;"> <tr> <td>C</td><td>A</td><td>A</td><td>-</td><td>0</td><td>9</td><td>-</td><td>7</td><td>7</td><td>7</td><td>8</td> </tr> </table>	C	A	A	-	0	9	-	7	7	7	8				
C	A	A	-	0	9	-	7	7	7	8						
Facility Name	Entry/ Inspection Number(s)															
Reborn Company, LLC	<table border="1" style="margin: auto;"> <tr> <td>B</td><td>2</td><td>0</td><td>1</td><td>1</td><td>7</td><td>0</td><td>7</td><td>0</td><td>0</td><td>0</td><td>1</td><td></td><td></td><td></td> </tr> </table>	B	2	0	1	1	7	0	7	0	0	0	1			
B	2	0	1	1	7	0	7	0	0	0	1					
Address																
405 N. Washington Street	<table border="1" style="margin: auto;"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>															
City:	Inspectors Name:															
Shelby	The Bionetics Corporation															
State: Zip Code:	EPA Approving Official:															
NC 28150	Pamela J. Mazakas															
Contact:	Enforcement Contacts:															
Evan Amaya	Jacqueline Werner															

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

1)

Equipment Description	Engine Family	VIN	Engine Serial #	Manufacturer	Model Year	Quantity
Vehicle model "Defender" with diesel engine	LLR3.9T5FSS5	SALHV1144JA321569	16L90190B	Land Rover	1988	1
Vehicle model "Discovery" with diesel engine	Unknown	Unknown	Unknown	Land Rover	1996	1
Description of Violation						
Reborn Company, LLC installed 2 diesel engines with alternative fuel conversion kits into vehicles originally certified with gasoline engines. Therefore the company is liable for 2 violations of the federal tampering prohibition contained in section 203(a)(3) of the Clean Air Act, 42 U.S.C. § 7522(a)(3).						
Description of Remediation						
If the listed vehicles are still in the U.S., Canada, or Mexico, remediation is to notify the owner and offer to restore the vehicles/engines to the certified condition at no cost to the owner. The respondent is required to maintain complete and accurate records, including invoices with customer names, addresses, vehicle VINs, vehicle model information, and description of work performed, for five years.						