

Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. AED-17-8296

Respondent: AHA Motorsports Inc.
1270 Champion Circle, Suite 100
Carrollton, Texas 75006

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 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 does not contest the findings detailed therein, and waives any objections Respondent may have to the EPA's jurisdiction.
3. Respondent consents to the payment of a penalty in the amount of **\$2,060** 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, the 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 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 Air Enforcement Division Director's ratifying signature.

APPROVED BY EPA:


for Phillip A. Brooks, Director, Air Enforcement Division

Date: Feb. 21, 2017

APPROVED BY RESPONDENT:

Name (print): Mei Liu

Title (print): president

Signature: 

Date: 02/27/17

RATIFIED BY EPA:


for Phillip A. Brooks, Director, Air Enforcement Division

Date: 3/20/17

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
June 14, 2016		A E D - 1 7 - 8 2 9 6	
Inspection Location:		Entry/Inspection Number(s)	
FCL Logistics		0 6 5 - 3 9 8 7 8 6 0 - 0	
Address:			
23011 Wilmington Avenue		2 0 1 6 0 6 1 4 1 7 1 0 0 0	
City:		Inspector(s) Name(s):	
Carson		Aasim Rawoot, Nathan Dancher, Elfego Felix	
State:	Zip Code:	EPA Approving Official:	
CA	90745	Phillip A. Brook	
Respondent:		EPA Enforcement Contact:	
AHA Motorsports Inc.		Nathan Dancher (Region 9), 415-972-3482	

Table 2 - Description of Violation and Equipment

The 9 UTVs imported by AHA Motorsports (AHA) on or about June 6, 2016 and described below (the Subject UTVs) were found to be uncertified with respect to new, small nonroad spark-ignition equipment and engine standards under Title II of the Clean Air Act (CAA) due to having a non-conforming catalyst based on the specifications of the Certificate of Conformity (COC) for the claimed engine family GHJSX.177XYA. Specifically, testing and analysis of the precious metal (PM) content of the sampled catalyst revealed that it is materially different from the certified design. Because a COC covers only equipment that is materially the same as those described in the Certification Application, the Subject UTVs are not covered by a valid COC. The EPA has found no evidence that the Subject UTVs are otherwise excluded from Coverage. Specific violations are below. Thus, AHA has imported the Subject UTVs in violation of CAA Sections 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).

Equipment Description	Claimed Engine Manufacturer	Model Year	Claimed Engine Family	Quantity
UTVs with Gasoline Engine	Taizhou Nebula Power Co., Ltd.	2016	GHJSX.177XYA	8

Table 3 - Penalty and Required Remediation

Penalty	\$2,060
Required Remediation	AHA must export the above mentioned 8 uncertified Subject UTVs to a country other than Canada or Mexico, and provide the EPA with a report documenting such exportation.



AHA Motorsports Inc.

1250 Champion Cir, STE100
Carrollton TX 75006
972-907-1121

Report of Corrective actions

02/27/2017

U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re: Case AED-17-8296

Dear EPA officer

This is to reply the mail for case AED-17-8296 and report of our corrective actions.

First of all, I want to apologize for this problem. We were importing from this manufacturer for 9 UTVs, because they told us that the UTV is EPA certified and showed us their EPA certificate. We were not aware any violation until notice from your office.

We have paid the fine and signed contract, you can find attached copy. All the 9 utvs have already been returned back to China. We will make sure everything is correct before importing anything next time.

We have changed our address to 1250 champion cir ste100 carrollton tx 75006, future response please mail to this address.

A handwritten signature in black ink, appearing to read 'mei liu', with a long, sweeping horizontal line extending to the right.

Mei Liu

President

Notice to Purchaser - In the event that this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

Cashier's Check - Customer Copy

No. 1234806071

Void After 90 Days

30-1/1140

Date 02/27/17 09:41:29 AM

NTX

CARROLLTON BANKING CENTER

0006 0006100 0257

Pay



****\$2,060.00****

Two Thousand Sixty and 00/100 Dollars

To The Order Of UNITED STATES OF AMERICA

DOCKET NUMBER: AED-17-8296

Not-Negotiable
Customer Copy
Retain for your Record

Remitter (Purchased By): AHA MOTORSPORTS INC

001641003763

Bank of America, N.A.
SAN ANTONIO, TX

00-53-3364B 11-2010



Cashier's Check

No. 1234806071

Notice to Purchaser - In the event that this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

Void After 90 Days

30-1/1140

Date 02/27/17 09:41:29 AM

NTX

CARROLLTON BANKING CENTER

0006 0006100 0257

Pay



****\$2,060.00****

Two Thousand Sixty and 00/100 Dollars

To The Order Of UNITED STATES OF AMERICA

DOCKET NUMBER: AED-17-8296

Remitter (Purchased By): AHA MOTORSPORTS INC

Bank of America, N.A.
SAN ANTONIO, TX

AUTHORIZED SIGNATURE

00-53-3364B 11-2010

⑈ 1234806071 ⑈ ⑆ 114000019 ⑆ 001641003763 ⑈

■ THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. ■ HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT

SUNWAY EXPRESS, INC. (fmc oti# 019241n)

BILL OF LADING

Shipper/Exporter AHA MOTORSPORTS INC 1250 CHAMPION CIR STE 100, CARROLLTON, TX 75006 U.S.A.		Document No. OE1138	B/L NO. SNYE1187
Consignee TAI ZHOU NEBULA CO., LTD. MODERN SCIENCE AND TECHNOLOGY INDUSTRIAL PARK OF TAI ZHOU JIANGYAN DISTRIC, CHINA		Export References No.	
Notify Party TAI ZHOU NEBULA CO., LTD. MODERN SCIENCE AND TECHNOLOGY INDUSTRIAL PARK OF TAI ZHOU JIANGYAN DISTRIC, CHINA		Forwarding Agent References	
Pre-Carriage By		Point And Country Of Origin	
Place Of Receipt		Domestic Routing/Export Instructions CHINA INT'L FREIGHT CO., LTD 17 FL, NO. 1, HENAN SOUTH ROAD, SHANGHAI, CHINA 200002 TEL: 86-021-63365500 FAX: 86-021-63366767	
Ocean Vessel/Voyage/Flag APL MINNESOTA 050W	Port Of Loading LOS ANGELES,CA	Onward Inland Routing	
Port Of Discharge SHANGHAI, CHINA	For Transshipment To	Place Of Delivery	Final Destination (For The Merchants Ref.)

Particulars Furnished By Shipper

Container No. / Seal No. Marks and Numbers	No. of Cont. or Other Pkgs.	Description of Packages and Goods	Gross Weight	Measurement
CONTAINER NO./ SEAL NO. HDMU6425262 / 8959853		SHIPPER'S LOAD & COUNT : 1 X 40' CONTAINER STC 17 PACKAGES UTILITY TERRAIN VEHICLE AND PARTS	3,644.999 KGS	22.000 CBM
CY / CY		"FREIGHT PREPAID" "EXPRESS B/L"	CLEAN ON BOARD NOVEMBER 23, 2016 APL MINNESOTA 050W LOS ANGELES,CA	
THESE COMMODITIES, TECHNOLOGY OR SOFTWARE WERE EXPORTED FROM THE UNITED STATES IN ACCORDANCE WITH THE EXPORT ADMINISTRATION REGULATIONS, DEVIATION CONTRARY TO U.S LAW PROHIBITED				

TELEX RELEASE

Freight And Charges Revenue Tons Rate Per	Prepaid	Collect
"FREIGHT PREPAID AS ARRANGED"		
TOTAL CHARGES		

IN ACCEPTING THIS BILL OF LADING, the shipper, owner and consignee of the goods, and the holder of the bill of lading expressly accept and agree to all its stipulations, exceptions and conditions, whether written, stamped or printed, as fully as if signed by such shipper, owner, consignee and/or holder. No agent is authorized to waive any of the provisions of the within clauses.
IN WITNESS WHEREOF, the master or agent of the said ship has affirmed to THREE bills of lading, all of this tenor and date. ONE of which being accomplished, the others to stand void.

DATED AT _____ 11/23/2016

SUNWAY EXPRESS, INC. (fmc oti# 019241n)

AS AGENT FOR, THE CARRIER,, HYUNDAI
MERCHANT MARINE (AMERICA) INC

By _____