

Enclosure


CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. AED-17-8293

Respondent: Rebas Inc., dba Toyota-Lift of Los Angeles
1457 Santa Barbara Drive
Newport Beach, CA 92660

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 \$5,800, 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:


 Evan Belser
for Phillip A. Brooks, Director, Air Enforcement Division

Date: Jan. 4, 2017

APPROVED BY RESPONDENT:

Name (print): SHANKAR BASU

Title (print): President

Signature: 

Date: Jan 11, 2017

RATIFIED BY EPA:


for Phillip A. Brooks, Director, Air Enforcement Division

Date: 2/13/2017

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
April 13, 2016 / April 19, 2016		A E D - 1 7 - 8 2 9 3	
Inspection Location:		Entry/Inspection Number(s)	
MET Price		7 0 0 - 0 0 5 2 0 5 2 - 1	
Address:			
23011 Wilmington Avenue		2 0 1 6 0 4 1 9 1 8 4 3 0 1	
City:		Inspector(s) Name(s):	
Carson		CBPO Hilda Torres and Janice Chan	
State:	Zip Code:	EPA Approving Official:	
CA	90745	Phillip A. Brook	
Respondent:		EPA Enforcement Contact:	
Rebas Inc., dba Toyota-Lift of Los Angeles		Janice Chan (Region 9), (415) 972-3308	

Table 2 - Description of Violation and Vehicles/Engines

The 120 long block engines described below (the Subject Engines) were found to be uncertified with respect to large, spark-ignition engines and equipment standards under Title II of the Clean Air Act (CAA). No emission control information label (ECI label) was found on the inspected Subject Engine, as required pursuant to 40 C.F.R. Part 1068. The EPA has found no evidence that the Subject Engines are otherwise excluded from coverage, even though Rebas submitted two EPA declaration forms 3520-21 with claims for exemptions. CAA § 203(a)(1), 42 U.S.C. § 7522(a)(1), prohibits the importation or introduction into U.S. commerce of new engines unless they are covered by a valid COC and properly labeled, or are properly excluded. By importing the Subject Engines and introducing them into U.S. commerce, Rebas committed 120 violations of CAA §§ 203(a)(1) and 213(d), 42 U.S.C. §§ 7522(a)(1) and 7547(d), and 40 C.F.R. §§ 1068.101(a)(1) and (b)(5).

Engine / Equipment Description	Claimed Engine Manufacturer	Claimed Model Year	Claimed Engine Family	Quantity
Long Block Engine	Toyota Industrial Equipment Manufacturing, Inc.	2015	FT1EB02.204Y	120

Table 3 - Penalty and Required Remediation

Penalty	\$5,800
Required Remediation	Rebas must export the 120 uncertified Subject Engines to a country other than Canada or Mexico, and provide the EPA with a report documenting such exportation.