


Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. AED-17-8324

Respondent: Mr. Wenping Chen
Linemart, Inc.
15650 Salt Lake Ave
City of Industry, CA 91745

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 and 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 **\$2,100** 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:


Phillip A. Brooks, Director, Air Enforcement Division

Date: 2/16/2017

APPROVED BY RESPONDENT:


Name (print): CHEN WEN PING

Title (print): President

Signature: 


Date: 2/21/2017

RATIFIED BY EPA:


Phillip A. Brooks, Director, Air Enforcement Division

Date: 3/2/2017

Table 1 - Inspection Information

| | | | |
|----------------------------------|------------------|---|--|
| Entry/Inspection Date(s): | | Docket Number: | |
| August 17, 2016 | | A E D - 1 7 - 8 3 2 4 | |
| Inspection Location: | | Entry/Inspection Number(s) | |
| Price Transfer Warehouse | | W 6 9 - 3 4 5 5 9 2 3 - 9 | |
| Address: | | | |
| 2711 East Dominguez Street | | 2 0 1 6 0 8 1 7 1 2 1 0 - 0 1 | |
| City: | | Inspector(s) Name(s): | |
| Long Beach | | Kingsley Adeduro, Andrew Zellinger, Matt Salazar and Elfego Felix | |
| State: | Zip Code: | EPA Approving Official: | |
| CA | 90810 | Phillip A. Brook | |
| Respondent: | | EPA Enforcement Contact: | |
| Linemart, Inc. | | Rose Galer (Region 9), 415-947-4289 | |

Table 2 - Description of Violation and Equipment

EPA determined that the 100 spark-ignition marine engines and 50 chain saws imported by Linemart, Inc., on July 28, 2016 (collectively the "Subject Engines"), were not EPA-certified nor exempted or excluded from regulatory requirements. Linemart, Inc. did not include a copy of the certificate of conformity (COC) nor any required engine family and model information. Inspectors did not find emission control information labels on the inspected samples. Linemart, Inc., also submitted an incomplete and inaccurate EPA form 3520-21 which: 1) failed to provide information regarding the engine family and model for any of the Subject Engines, 2) inaccurately claimed that the spark-ignition marine engines were compression-ignition engines, 3) did not distinguish between the spark-ignition marine engines and the chain saws, and 4) did not distinguish between the spark-ignition engines labeled "Ancheer" from the ones labeled "Seahorse". Linemart, Inc., did not claim exemptions or exclusions for the Subject Engines in the submitted EPA Form 3520-21. Thus, Linemart, Inc., has imported the Subject Engines 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), which collectively prohibit the importation of spark-ignition engines or equipment containing these engines, unless they are covered by a valid EPA COC or are properly exempted or excluded.

| Equipment Description | Claimed Engine Manufacturer | Model Year | Claimed Engine Family | Quantity |
|-----------------------|-----------------------------|------------|-----------------------|----------|
| Marine Engines | Unknown | Unknown | Unknown | 100 |
| Chain Saws | Unknown | Unknown | Unknown | 50 |

Table 3 - Penalty and Required Remediation

| | |
|----------------------|--|
| Penalty | \$2,100 |
| Required Remediation | Linemart, Inc. must export the above-mentioned 150 Subject Engines to a country other than Canada and Mexico and provide the EPA with a report documenting such exportation. |

LINEMART INC.
15650 SALT LAKE AVE
CITY OF INDUSTRY
TEL:(626)333-3658 / (626)333-3918

Re: Docket No. – AED-17-8324

Corrective action report

For Entry/inspection number: W69-3455923-9

Dear Cassandra or Whom it may concern:

Bases on this matter Docket number AED-17-8324, and related violated goods have been exported since sometime in last December,2016.

I have attached related export document for your reference.

Your truly

A large black rectangular redaction box covers the signature area. A blue ink scribble is visible above the box, and a blue ink scribble is visible below the box.

Ricky Wang

Manager

Linemart Inc

15650-15680 Salt Lake Ave

City of Industry CA 91745

Tel:626-333-3658

20715

O.M.B No. 1551-0003

19 CFR 10.60, 10.61, 123.41, 123.42
 Entry No. W69-34559239
 Port LONG BEACH, CA 2709
 Date 08/09/2016

**TRANSPORTATION ENTRY AND MANIFEST
 OF GOODS SUBJECT TO CBP
 INSPECTION AND PERMIT**

Bureau of Customs and Border Protection

Entry No. 755 861 816
 Class of Entry I.E. 63
 (I.T.) (T.E.) (WD.1E) (Drawback, etc.)

PORT FIRST U.S. PORT
 CODE NO. 2709 OF UNLADING LONG BEACH, CA
 PORT OF LONG BEACH, CA 2709 DATE 11/10/2016

Entered or imported by LINEMART INC. Importer/IRS # 33-128874 to be shipped

in bond via COSCO CONTAINER LINES AMERICAS, INC. IRS# 20-232118000 consigned to

CBP Port Director LONG BEACH, CA 2709 Final foreign destination HONG KONG 58201

Consignee VT-LOGISTICS (HK) LTD. RM 416, 4/F., WAH SHIN CENTRE, 11-13 SHING YIP STREET KWUN TONG, KOWLOON, HONG KONG

Foreign port of lading NINGBO, CHINA 57020 B/L No. MAEU589259805 Date of sailing 07/13/2016

Imported on the GUSTAV MAERSK 626N Flag _____ on 08/09/2016 via _____

Exported from CHINA on 07/13/2016 Goods now at PRICE DOMINGUEZ MET TRACKER#26215

| Marks and Numbers of Packages | Description and Quantity of Merchandise Number and Kind of Packages (Describe fully as per shipping papers) | Gross Weight in Pounds | Value (Dollars only) | Rate | Duty |
|-------------------------------|---|------------------------|-------------------------------------|------|------|
| 2016 NOV 14 PM 3:53 | 125 CTNS OF BOAT ENGINE & CHAIN SAW | 3544 LBS (1607.50 KGS) | (ESTIMATED NOT VERIFIED USD7325.50) | | |
| | *****US CUSTOMS REFUSAL** CARRIER: COSCO SCAC CODE: COSU BOOKING NO. : 8013886930 VESSEL: WAN HAI 802 006W | | | | |
| | CONVEYANCE QUANTITY DATE | DELIVERED | RECEIVED | | |
| | PRICE TRANSFER, INC 125 CTNS 11/10/2016 IRS#95-2934295-00 BOND#270700415 SCAC CODE : PCTF | | | | |

G.O. No. Check if withdrawn for Vessel supplies (19 U.S.C. 1309)

CERTIFICATE OF LADING FOR TRANSPORTATION IN BOND AND/OR LADING FOR EXPORTATION FOR
LONG BEACH, CA 2709
 (Port)
 WITH THE EXCEPTIONS NOTED ABOVE, THE WITHIN-DESCRIBED GOODS WERE:
 Delivered to the Carrier named above, for delivery to the CBP Port Director at destination sealed with CBP seals Nos. 104098 or the packages (were) (were not) labeled, or corded and sealed.
 on _____ (Date)
 as verified by export records.
 (Inspector) _____ (Date) 11-18-16

I truly declare that the statements contained herein are true and correct to the best of my knowledge and belief.
 Entered or withdrawn by LINEMART INC
5650-15680 SALT LAKE AVE
(CITY OF INDUSTRY, CA 91745)
 To the Inspector: The above-described goods shall be disposed of _____
 For the Port Director _____
 Received from the Port Director of the above CBP location the merchandise described in this manifest for transportation and delivery into the custody of the CBP officers at the port named above, all packages in apparent good order except as noted hereon.
COSCO CONTAINER LINES AMERICAS, INC.
IRS#20-232118000
 Attorney or Agent of Carrier

CCLU 3447545

