



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1201 ELM STREET, SUITE 500  
DALLAS, TEXAS 75270

DEC 04 2019

CLEAN AIR ACT VEHICLE AND ENGINE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO: CAA 06-2020-3311

Respondent: Mark Pal  
Luxury Countertops LLC  
63246 Old Military Road  
Pearl River, LA 70452

1. The parties enter into this Clean Air Act Vehicle and Engine Expedited Settlement Agreement (Agreement) in order to settle the civil violation discovered as a result of the inspection specified in Table 1, attached, incorporated into this Agreement by reference. The civil violation that is the subject of this Agreement is described in Table 2, attached, incorporated into the Agreement by reference, regarding the vehicle/engine 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 neither admits nor denies the findings detailed therein and waives any objections Respondent may have to the EPA's jurisdiction.
3. Respondent certifies that payment of the penalty has been made in the amount of \$1,940.00. Respondent has followed the instructions in "CAA Vehicle and Engine Expedited Settlement Agreement Instructions," attached, incorporated into this Agreement by reference. Respondent certifies that the required remediation, specified in Table 3 and incorporated into this Agreement by reference, has been carried out.
4. By its first signature below, the EPA approves the findings resulting from the inspection and alleged violation 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 Delegated Official's ratifying signature.
5. The parties consent to service of this Agreement by electronic delivery at the Respondent's e-mail noted below.

APPROVED BY EPA:

Date: 12/5/19

Delegated Official: Cheryl T. Seager, Director, Enforcement and Compliance Assurance Division

APPROVED BY RESPONDENT:

Name (print): MARK PAL

Title (print): owner / CEO

Email (print): mark@luxurycountertops.com

Signature:

Date: 01-03-2020

RATIFIED BY EPA:

Date: 1-22-2020

Delegated Official: Cheryl T. Seager, Director, Enforcement and Compliance Assurance Division

*Luxury Countertops LLC Vehicle & Engine Imports ESA*

<b>Table 1 - Inspection Information</b>	
<b>Inspection Date(s):</b>	<b>Docket Number:</b>
May 28, 2019	0 6 2 0 2 0 3 3 1 1
<b>Inspection Location Name:</b>	<b>Entry Number(s):</b>
U.S. Customs and Border Protection (CBP) Warehouse: Dupuy Storage	A D P - 1 9 0 0 9 3 8 0
<b>Address:</b>	<b>Date of Entry Detention by CBP:</b>
6101 Terminal Drive	May 30, 2019
<b>City:</b>	<b>Inspector(s) Name(s):</b>
New Orleans	Officer Melinda Tonglet (CBP)
<b>State:</b> <b>Zip Code:</b>	<b>EPA Approving Official:</b>
LA              70131	Cheryl Seager
<b>Importer Name (Respondent):</b>	<b>EPA Enforcement Contact:</b>
Luxury Countertops LLC	Brandon Bammel, Physical Scientist, 214-665-8545 Justin Lannen, Enforcement Attorney, 214-665-8130

<b>Table 2 - Description of Violation and Vehicles/Equipment</b>				
<p>Luxury Countertops LLC (Respondent) imported the Diesel Dumper Truck (Subject Engine) described at the bottom of Table 2 on or about May 21, 2019. Authorized federal inspectors examined the Subject Engine and were unable to find an Emission Control Information (ECI) label written in English or anything to indicate EPA certification. No further evidence was provided by Respondent to the EPA indicating the Subject Engine is exempt or otherwise excluded from coverage under Title II the Clean Air Act (CAA) and its implementing regulations. Accordingly, by importing the Subject Engine, Respondent has committed a violation of CAA Section 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).</p>				
Vehicle/Equipment Description	Observed Engine Manufacturer	Observed Model Year	Observed Engine Family	Quantity
Diesel Dumper Truck	Quanchai	2019	Unknown	1

<b>Table 3 - Penalty and Required Remediation</b>	
Penalty	\$1,940.00
Required Remediation	In addition to paying the monetary penalty, Respondent must provide to the EPA documentation showing that the Subject Engine has been seized, destroyed, exported to a country other than Canada or Mexico, or is under exclusive control by U.S. Customs and Border Protection (CBP) pending disposition.