

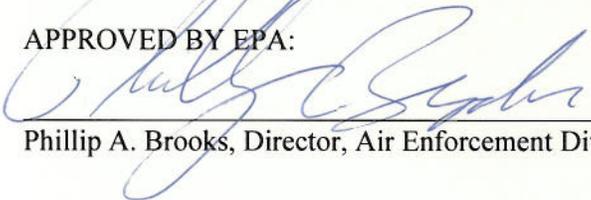
Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-14-8068

Respondent: Scott Lancaster
Bad Boy Mowers, Inc.
102 Industrial Dr.
Batesville, AR 72501

1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations 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 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 \$212,000 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: 5/14/14

APPROVED BY RESPONDENT:

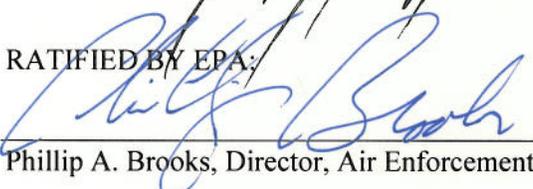
Name (print): Scott J. Lancaster

Title (print): General Counsel

Signature: 

Date: 6/4/2014

RATIFIED BY EPA:



Phillip A. Brooks, Director, Air Enforcement Division

Date: 6/16/2014

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
10/3/2011-10/4/2011		C A A - 1 4 - 8 0 6 8	
Inspection Location(s):		Entry/Inspection Number(s)	
Tractor Supply Company; Landscaper Supply Company		B 3 1 0 0 3 1 1 0 9 3 0 B 3 1 0 0 4 1 1 1 3 0 0	
Address:			
See below			
City:		Inspector(s) Name(s):	
See Below		Charles Woolford and Benjamin Foster	
State:	Zip Code:	EPA Approving Official:	
VA	See Below	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
Scott Lancaster		David Alexander, 202-564-2109	

Table 2 - Description of Violation and Vehicles/Engines

On or before October 3, 2011, Bad Boy Mowers, Inc. (Bad Boy), sold or offered for sale, through the Tractor Supply Company located at 6499 Market Drive, Gloucester, VA 23601, one zero turn mower equipped with an engine manufactured by Kohler Co. On or before October 4, 2011, Bad Boy sold or offered for sale, through Landscaper Supply Company, located at 300 Battlefield Blvd. North, Suite C, Chesapeake, VA 23320, two zero turn mowers equipped with engines manufactured by Kawasaki Heavy Industries, LTD. After further communication with Bad Boy's certification representative and Bad Boy's fuel tank manufacturer, Charloma, Inc., the United States Environmental Protection Agency has determined that Bad Boy sold or offered for sale a total of 5,095 of these mowers (Subject Mowers), that were not covered by a certificate of conformity for running loss emissions, as required by 40 C.F.R. Part 1060. In addition, the fuel tanks on the Subject Mowers are not covered by the limited exemption for rotationally molded plastic fuel tanks because they are missing the required exemption label under 40 C.F.R. § 1054.145(m). The sale of equipment that is uncertified or that does not bear the correct labels is prohibited by 40 C.F.R. § 1068.101(a)(1) and (b)(5). Bad Boy committed 5,095 separate violations of 40 C.F.R. § 1068.101(a)(1) and (b)(5) by selling, or offering for sale, the 5,095 Subject Mowers.

Engine Manufacturer	Engine Family	Model Year	Quantity
Kawasaki Heavy Industries, LTD.	BKAXS.7262CB	2011	3,080
Kohler Co.	BKHXS.7252GB	2011	2,015

Table 3 - Penalty and Required Remediation

Penalty	\$212,000
Required Remediation	Bad Boy has already obtained running loss certificates from EPA for model year 2012 and subsequent model years. Since the Subject Mowers have already been sold and are no longer in Bad Boy's control, there is no additional remediation required.