

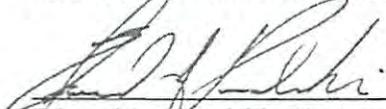
CLEAN AIR ACT MOBILE SOURCE
EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-14-8122

Respondent: Deere & Company

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 incorporated into this Agreement by reference. The civil violations that are the subject of this Agreement are described in Table 2 enclosed, 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 \$6,000, further described in Table 3 incorporated into this Agreement by reference. Respondent agrees to follow the instructions in "CAA Mobile Source Expedited Settlement Agreement Instructions" 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 Region 10's Office of Compliance and Enforcement Director's ratifying signature.

APPROVED BY THE EPA:



Edward J. Kowalski, Director
Office of Compliance and Enforcement

Date: 7/28/2014

APPROVED BY RESPONDENT:

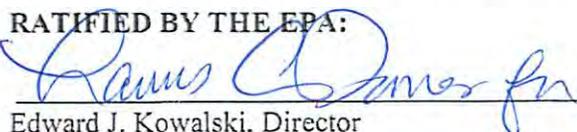
Name (print): Daniel B. Thiemke

Title (print): Standards and Compliance Manager

Signature: Daniel Thiemke

Date: 27 AUG 14

RATIFIED BY THE EPA:



Edward J. Kowalski, Director
Office of Compliance and Enforcement

Date: 9-5-14



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUL 28 2014

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-127

C T Corporation System
Registered Agent for Deere & Company
8040 Excelsior Drive, Suite 200
Madison, Wisconsin 53717

Re: Docket No. CAA-14-8122

Dear Sir/Madam:

An authorized representative of the United States federal government conducted an inspection to determine Deere & Company's (Deere) compliance with the Clean Air Act (CAA) and regulations promulgated thereunder. The details of this inspection are outlined in the enclosed Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement). As a result of the inspection, it was determined that Deere failed to comply with the CAA and the associated regulations. The Agreement describes the violation(s).

Based upon information we currently have, it appears that Deere has not violated the CAA in the previous five years. Because of this, Deere may resolve violations using an expedited process that includes significantly lower penalties than those sought through the normal settlement process. The United States Environmental Protection Agency (EPA) is authorized to enter into the Agreement under the authority vested in the EPA Administrator by Section 205(c)(1) of the CAA, 42 U.S.C. § 7547(c)(1). Should Deere violate the CAA in the future, the EPA will not offer this expedited process again. After the Agreement becomes effective, the EPA will take no further civil action against Deere for the violation(s) described in the Agreement. However, the EPA does not waive any rights to take an enforcement action for any other past, present, or future violations of the CAA or of any other federal statute or regulation.

If Deere does not sign and return the enclosed Agreement as presented within 30 calendar days of its receipt, and meet all of its obligations under the Agreement, the proposed Agreement is withdrawn without prejudice to the EPA's ability to file any other enforcement action for the violation(s) identified in the Agreement and seek penalties of up to \$37,500 per engine in violation. Please refer to "CAA Mobile Source Expedited Settlement Agreement Instructions" enclosed for instructions on accepting this Agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward J. Kowalski".

Edward J. Kowalski
Director

Enclosure

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
Feb. 17, 2014 (entry); Feb. 21, 2014 (inspection)		C A A - 1 4 - 8 1 2 2	
Inspection Location:		Entry/Inspection Number(s)	
Mercer Centralized Examination Station		3 3 6 - 9 7 6 3 4 2 8 - 9	
Address:			
4179 70 th Ave East		3 3 6 - 9 7 5 4 1 1 0 - 4	
City:		Inspector(s) Name(s):	
Fife		John Keenan	
State:	Zip Code:	EPA Approving Official:	
WA	98424	Edward J. Kowalski	
Respondent:		EPA Enforcement Contact:	
Deere & Company		John Keenan, 206-553-1817	

Table 2 - Description of Violation and Vehicles/Engines

The Entries noted above and an additional self-disclosed shipment (of 80 engines) on April 8, 2014, contained the engines described below. An EPA inspection of the engines in the Entries above determined that the engines did not bear the required temporary label designating the engines as partially complete engines. See 40 C.F. R. §§ 1068.325(g) and 1068.262(b). Thus, Deere imported these engines in violation of 40 C.F.R. § 1068.101(a)(1).

Equipment Description	Engine Family	Engine Manufacturer	Engine Model Year	Quantity
Compression Ignition Engines	None/Partially complete	Yanmar	2014	176

Table 3 - Penalty and Required Remediation

Penalty	\$6,000
Required Remediation	Deere & Company must provide the EPA with documentation showing that the engines described in Table 2 have been properly labeled.

John E. Keenan
MS OCE-127
U.S. EPA Region 10
1200 6th Avenue, Suite 900
Seattle, WA 98101

In addition, a photocopy of the signed Agreement and the original certified penalty check, payable to the United States of America with the case name and docket number on the check, must be sent via **CERTIFIED MAIL to:**

U. S. Environmental Protection Agency Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000
Attn: AED/MSEB # (CAA-14-8122)

The Docket Number is located at the top of the left column of the Agreement. Please retain copies of the signed Agreement, the report detailing your corrective actions, and the penalty check for your own records.

If you have any questions or would like to request an extension, you may contact John Keenan of the Office of Compliance and Enforcement at (206) 553-1817. The EPA will consider whether to grant an extension on a case-by-case basis. The EPA will not accept or approve any Agreement returned more than 30 days after the date of your receipt of the Agreement unless an extension has been granted by the EPA. If you believe that the alleged violations are without merit (and you can provide evidence contesting the allegations), you must provide such information to the EPA as soon as possible but no later than 30 days from your receipt of the Agreement.

Unless an extension has been granted by the EPA, if you do not sign and return the Agreement with proof of payment of the penalty amount and a report detailing your corrective action(s) within 30 days of your receipt of the Agreement, the Agreement is automatically withdrawn, without prejudice to the EPA's ability to file an enforcement action for the above or any other violations. Failure to return the Agreement within the approved time does not relieve you of the responsibility to comply fully with the regulations, including correction of the violations that have been specifically identified in the enclosed form. If you decide not to sign and return the Agreement and pay the penalty, the EPA may pursue more formal enforcement measures to correct the violation(s) and seek penalties of up to \$37,500 per vehicle/engine in violation.