

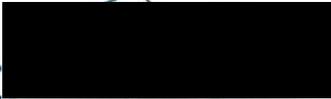
Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-15-8238

Respondent: JMC Motors LLC
381 E. Chilton Drive
Chandler, AZ 85225

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 \$8,800, 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:



Date: Oct. 30, 2015

for Phillip A. Brooks, Director, Air Enforcement Division

APPROVED BY RESPONDENT:

Name (print): WAYNE F HUNNELL

Title (print): PARTNER

Signature: 

Date: Nov 20, 2015

RATIFIED BY EPA:



Dec. 2, 2015

for Brooks

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
April 6, 2015 / April 15, 2015		C A A - 1 5 - 8 2 3 8	
Inspection Location:		Entry/Inspection Number(s)	
MET Price		B Y R - 0 0 1 1 2 9 1 - 4	
Address:			
2751 Dominguez Street		2 0 1 5 0 4 1 5 0 9 3 7	
City:		Inspector(s) Name(s):	
Long Beach		Kingsley Adeduro	
State:	Zip Code:	EPA Approving Official:	
CA	90810	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
JMC Motors LLC		Janice Chan (Region 9), (415) 972-3308	

Table 2 - Description of Violation and Vehicles/Engines

The 12 all-terrain vehicles described below (the Subject ATVs) were found to be uncertified with respect to recreational vehicle and engine standards under Title II of the Clean Air Act (CAA). Two sampled catalysts taken from the exhaust system from one of the Subject ATVs during the April 15, 2015 inspection were found to be materially different from the catalyst design specified in the Application for the Certificate of Conformity (AFC and COC, respectively) for claimed engine family EJMCX01.5ROV. Specifically, testing and analysis of the substrate volume and precious metal (PM) content of the sampled catalysts revealed that they are materially different from the certified design. In addition there was a discrepancy in the manufacturer indicated on the Subject ATVs and the AFC. Because a COC covers only vehicles that are materially the same, including catalyst design and manufacturer as those described in the AFC, the Subject ATVs are not covered by a valid COC. The EPA has found no evidence that the Subject ATVs are otherwise excluded from the requirements of the CAA. CAA § 203(a)(1), 42 U.S.C. § 7522(a)(1), prohibits the importation or introduction into U.S. commerce of new recreational vehicles or recreational vehicle engines unless they are covered by a valid COC or are properly excluded. By importing the Subject ATVs JMC committed 12 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).

Equipment Description	Claimed Engine Manufacturer	Claimed Model on Equipment	Model Year	Claimed Engine Family	Quantity
All-Terrain Vehicles	JMC Motors LLC	RL1500	2015	EJMCX01.5ROV	12

Table 3 - Penalty and Required Remediation

Penalty	\$8,800
Required Remediation	JMC must export the twelve (12) uncertified Subject ATVs to a country other than Canada or Mexico, and provide the EPA with a report documenting such exportation.