

**Enclosure**  
**CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT**

DOCKET NO. CAA-17-8366

Respondent: Schuch Heavylift Corp.  
30 Pine Street  
New York, NY 10005

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 \$32,000, 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

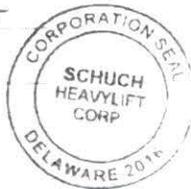
Date: June 9, 2017

APPROVED BY RESPONDENT

Name (print): 

Title (print): General Manager

Signature: 



Date: June 13, 2017

RATIFIED BY EPA:

  
Phillip A. Brooks, Director, Air Enforcement Division

Date: 7/24/17

**Table 1 - Inspection Information**

<b>Entry/Inspection Date(s):</b>		<b>Docket Number:</b>	
May 24, 2017		C A A - 1 7 - 8 3 6 6	
<b>Inspection Location(s):</b>		<b>Entry/Inspection Number(s)</b>	
Port of Baltimore		3 4 4 - 0 8 8 8 0 8 0 4	
Address:			
2901 Childs St.			
<b>City:</b>		<b>Inspector(s) Name(s):</b>	
Baltimore		Amelie Isin, Jim Adamiec	
<b>State:</b>	<b>Zip Code:</b>	<b>EPA Approving Official:</b>	
MD	21226	Phillip A. Brooks	
<b>Respondent:</b>		<b>EPA Enforcement Contact:</b>	
Schuch Heavylift Corp.		David Alexander, Attorney, (202) 564-2109	

**Table 2 - Description of Violation and Vehicles/Engines**

The model year 2013, 405 kW, non-road compression ignition (CI) engine described below (serial # 942.993-C-0905473) and imported by Schuch Heavylift Corp. (Subject Engine) is installed in a model year 2016 crane manufactured by Manitowoc Crane Group Germany GmbH (Subject Equipment). Tier 4 final emission standards were required starting with model year 2014 for this type of engine. The Subject Equipment was imported in violation of 40 C.F.R. §§ 1068.101(a)(1) and (b)(5) because the Subject Engine is not covered by a valid EPA certificate of conformity (e.g. one that applies for the same model year as the model year of the equipment). In addition, the fuel inlets on the Subject Equipment was not labeled "Ultra low sulfur fuel only" as required under 40 C.F.R. § 1039.135(e).

Equipment Description	Engine Manufacturer	Engine Model	Alleged Engine Family	Quantity
Mobile Crane W09400620GWG12087	Daimler	OM502LA	DMBXL15.9RJB	1

**Table 3 - Penalty and Required Remediation**

Penalty	\$31,740
Required Remediation	Schuch Heavylift Corp. must secure written commitment executed by an officer of The Manitowoc Company, Inc. (Manitowoc) to include the Subject Engine and Equipment in Manitowoc's exemption allocation under 40 C.F.R. § 1039.625 and then apply to the Subject Engine a supplemental label that will be durable throughout the engine's useful life and cannot be removed without being destroyed or defaced. The supplemental label will be affixed in a readily visible location on the engine adjacent to the existing emission control information label that is required by 40 C.F.R. § 1039.135 and shall state: "This engine is legal for introduction into United States commerce pursuant to the terms of a settlement agreement with the US EPA, Docket No. CAA-17-8366." In addition, Schuch Heavylift Corp. must apply to the fuel inlets on the Subject Equipment a "Ultra low sulfur fuel only" label as required under 40 C.F.R. § 1039.135(e). Upon completion of these tasks, Schuch Heavylift Corp. must provide the EPA (sent to <a href="mailto:isin.amelie@epa.gov">isin.amelie@epa.gov</a> ) a report, including a legible photograph of the labels as applied, signed by a corporate officer, certifying completion of the required labeling as described above.