



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

JUN 28 2019

CERTIFIED MAIL NO: 7015 3010 0000 3883 5222
RETURN RECEIPT REQUESTED

Suning Chen
Luck Yong International Trade, LTD
13936 Valley Blvd.
La Puente, CA 91746

Suning Chen
Luck Yong International Trade, LTD
1790 Ajax Circle
City of Industry, CA 91748

Re: Docket No. R9-CAA-19-1017

Dear Mr. Chen:

An authorized representative of the United States federal government conducted an inspection to determine your company's 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 your company failed to comply with the CAA and the associated regulations. The Agreement describes the violations.

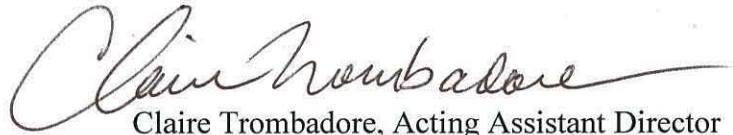
You may resolve violations using an expedited process that involves significantly lower penalties than those sought through the normal settlement process. The United States Environmental Protection Agency (EPA) is authorized to enter into the Agreement under the authority vested in the EPA Administrator by Section 205(c)(1) of the CAA, 42 U.S.C. § 7524(c)(1). After the Agreement becomes effective, the EPA will take no further civil penalty action against your company 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 you do not sign and return the enclosed Agreement as presented within **30 calendar days** of its receipt, and meet all of your obligations under the Agreement, the proposed Agreement is

withdrawn, with no need of additional notice to you, and without prejudice to the EPA's ability to file any other enforcement action for the violation(s) identified in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 \$47,357 per violation pursuant to 40 C.F.R. § 19.4. Please refer to "CAA Vehicle and Engine Expedited Settlement Agreement Instructions," attached, for instructions on accepting this Agreement. If you have any questions, please call Matt Salazar at 415-972-3982.

EPDS 8/5/08

Sincerely,

A handwritten signature in cursive script that reads "Claire Trombadore". The signature is written in black ink and is positioned above the printed name and title.

Claire Trombadore, Acting Assistant Director
Enforcement and Compliance Assurance Division
U.S. EPA Region 9

Enclosure

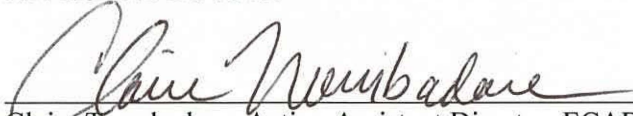
Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. R9-CAA-19-1017

Respondent: Mr. Suning Chen
Luck Yong International Trade, LTD
13936 Valley Blvd.
La Puente, CA 91746

1. The parties enter into this Clean Air Act Vehicle and Engine 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 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 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 **\$4,680**. 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 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 Delegated Official's ratifying signature.
5. The parties consent to service of this Agreement by electronic delivery at the Respondent's email noted below.

APPROVED BY EPA:



Claire Trombadore, Acting Assistant Director, ECAD, U.S. EPA Region 9

Date: 6/28/19

APPROVED BY RESPONDENT:

Name (print): _____

Title (print): _____

Email (print): _____

Signature: _____

Date: _____

RATIFIED BY EPA:

Claire Trombadore, Acting Assistant Director, ECAD, U.S. EPA Region 9

Date: _____

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
May 30, 2019		R 9 - C A A - 1 9 - 1 0 1 7	
Inspection Location:		Entry/Inspection Number(s)	
FCL Logistics		G L 5 - 5 2 1 0 7 1 6 8	
Address:			
23011 Wilmington Ave			
City:		Inspector Name:	
Carson		Daniel Haskell	
State:	Zip Code:	EPA Approving Official:	
CA	90745	Claire Trombadore	
Respondent:		EPA Enforcement Contact:	
Luck Yong International Trade, LTD.		Scott Connolly (Region 9), (415) 947-4141	

Table 2 - Description of Violation and Vehicles/Engines

Luck Yong International Trade, LTD (respondent) imported the engines described at the bottom of Table 2 (the Subject Engines) on or about May 22, 2019. An authorized federal inspector examined the Subject Engines and did not find any emission control information (ECI) labels affixed to the engines. The inspector was not able to identify a known engine family for the Subject Engines, which are also not certified under an EPA certificate of conformity (COC). The EPA has found no evidence indicating the Subject Engines are exempt or otherwise excluded from coverage under Title II of the Clean Air Act (CAA) and its implementing regulations. Accordingly, by importing the Subject Engines, Respondent has committed 150 violations of CAA Sections 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 1068.101(b)(5).

Vehicle Description	Claimed Engine Manufacturer	Observed Model	Observed Engine Family	Quantity
Gasoline Chainsaws	None Claimed	Unknown	Unknown	150

Table 3 - Penalty and Required Remediation

Penalty	\$4,680
Required Remediation	In addition to paying the monetary penalty, Respondent must provide to the EPA documentation showing that the Subject Engines have been destroyed, exported to a country other than Canada or Mexico, or are under exclusive control by U.S. Customs and Border Protection (CBP) pending exportation or destruction.