



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 155  
Seattle, Washington 98101-3188

ENFORCEMENT AND  
COMPLIANCE ASSURANCE DIVISION

Reply TO: 20 – C04

SEP 30 2019

**CERTIFIED MAIL — RETURN RECEIPT REQUESTED**

Mr. Matthew Dunn  
Registered Agent  
AllWest Imports, LLC  
10504 West 21<sup>st</sup> Avenue  
Spokane, Washington 99224-9726

**Re: Docket No. CAA-10-2020-0005**

Dear Mr. Dunn:

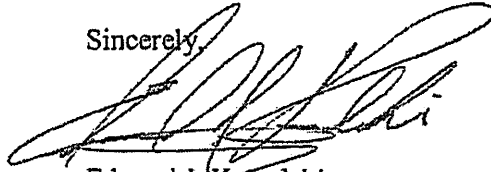
An authorized representative of the United States federal government conducted an inspection to determine your company's compliance with the Clean Air Act (CAA) and regulations promulgated thereunder. The details of this inspection are outlined in the enclosed Clean Air Act Vehicle and Engine Expedited 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within 30 calendar days of its receipt, and meet all of your obligations under the Agreement, the proposed Agreement is withdrawn, with no need of additional notice to you, and without prejudice to the EPA's ability to file any other enforcement action for the violation(s) identified in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.

Please contact John Keenan by telephone at (206) 553-1817, or by email at [keenan.john@epa.gov](mailto:keenan.john@epa.gov) with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. J. Kowalski', written over a horizontal line.

Edward J. Kowalski  
Director

Enclosure

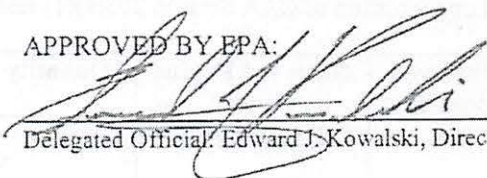
CLEAN AIR ACT VEHICLE AND ENGINE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-10-2020-0005

Respondent: Matthew Dunn, Registered Agent  
AllWest Imports, LLC  
10504 West 21<sup>st</sup> Ave.  
Spokane, WA 99224-9726

1. The parties enter into this Clean Air Act Vehicle and Engine Expedited Settlement Agreement (Agreement) in order to settle the civil violation(s) discovered as a result of the inspection(s) specified in Table 1, attached, incorporated into this Agreement by reference. The civil violation(s) that are the subject of this Agreement are described in Table 2, attached, incorporated into the Agreement by reference, regarding the vehicle(s)/engine(s) 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 \$3,000. 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 corrective action, 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(s) and alleged violation(s) 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 e-mail noted below.

APPROVED BY EPA:

  
Delegated Official: Edward J. Kowalski, Director

Date: 9/30/2019

APPROVED BY RESPONDENT:

Name (print): MATT DUNN

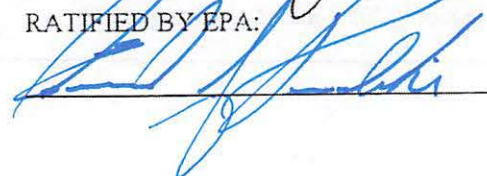
Title (print): President

Signature: 

Email (print): Matt@allwestimports.com

Date: 10-8-19

RATIFIED BY EPA:



Date: 10/17/2019

Delegated Official: Edward J. Kowalski, Director

Table 1 - Inspection Information	
<b>Inspection Date(s):</b>	<b>Docket Number: CAA-</b>
August 17, 2019	1 0 - 2 0 2 0 - 0 0 0 5
<b>Inspection Location Name:</b>	<b>Entry Number(s):</b>
Eastport, Idaho	B G K - 0 5 3 0 8 2 6 8
<b>Address:</b>	<b>Date of Entry Detention by CBP:</b>
Hwy 95 N. at Canadian border	August 10, 2019
<b>City:</b>	<b>Inspector(s) Name(s):</b>
Eastport	John Keenan (U.S. EPA); Officer Hoggan (U.S. CBP)
<b>State:</b> <b>Zip Code:</b>	<b>EPA Approving Official:</b>
ID              83826	Edward J. Kowalski
<b>Importer Name (Respondent):</b>	<b>EPA Enforcement Contact:</b>
AllWest Imports, LLC	John Keenan

Table 2 - Description of Violation and Vehicle				
<p>AllWest Imports, LLC (Respondent) imported the vehicle/engine described at the bottom of Table 2 (the Subject Engine) on or about August 17, 2019. Authorized federal inspectors examined the Subject Engine and found the engine's exhaust gas recirculation (EGR) system, the oxidation catalyst (OC), the diesel particulate filter (DPF) and the selective catalytic reduction (SCR) systems had all been removed. The EPA issued Certificate of Conformity is only valid if the vehicle is in the certified configuration. The engine manufacturer's certified configuration includes EGR, OC, DPF and SCR systems. The EPA has found no further evidence indicating the Subject Engine is exempt or otherwise excluded from coverage under Title II the Clean Air Act (CAA) and its implementing regulations. Accordingly, by importing the Subject Engine, Respondent has committed one violation of CAA Section 203(a)(1) and 42 U.S.C. §§ 7522(a)(1).</p>				
Vehicle Description	Observed Engine Manufacturer	Observed Model Year	Observed Engine Family	Quantity
Dodge 3500 Pick Up Truck VIN 3C63R3DL5DG559464	Cummins 6.7 liter	2013	DCEXD06.78WV	1

Table 3 - Penalty and Required Corrective Action	
<b>Penalty</b>	\$3,000
<b>Required Corrective Action</b>	In addition to paying the monetary penalty, Respondent must provide to the EPA documentation showing that the Subject Engine has/have been destroyed, exported, or are under exclusive control by U.S. Customs and Border Protection (CBP) pending exportation or destruction.

### Certificate of Fact

Use this form to make a statement of fact.

License plate/Registration number		Vehicle Identification Number (VIN) or Hull Identification Number (HIN) 3C63R3DL5DG559464	
Model year 2013	Make DODGE	Model RAM 3500	
I certify that  I CERTIFY UNDER PENALTY OF PERJURY, THAT THE ABOVE STATED VEHICLE HAS BEEN RETURNED BACK TO CANADA. WHILE IN CANADA THE VEHICLE WAS RESTORED TO ITS ORIGINAL MANUFACTURED EQUIPMENT AND SHIPPED BACK INTO THE UNITED STATES.			
<i>I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.</i>			
<u>2019OCT09 SPOKANE</u> Date and place (city or county) signed		<u>X</u> Signature  <u>MATTHEW DUNN, PRESIDENT, ALLWEST IMPORTS</u> Printed name of person signing this document	

**Keenan, John**

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**From:** Matthew Dunn <mattdunn2012@gmail.com>  
**Sent:** Tuesday, October 15, 2019 8:03 AM  
**To:** Keenan, John  
**Subject:** Fwd: Pay.gov Payment Confirmation: EPA Miscellaneous Payments



Payment has been submitted on behalf of Allwest Imports, LLC for Docket # CAA-10-2020-0005. I have also mailed in the original copy.

----- Forwarded message -----

From: <notification@pay.gov>  
Date: Tue, Oct 15, 2019 at 8:00 AM  
Subject: Pay.gov Payment Confirmation: EPA Miscellaneous Payments  
To: <mattdunn2012@gmail.com>



An official email of the United States government



Your payment has been submitted to Pay.gov and the details are below. If you have any questions regarding this payment, please contact Craig Steffen at (513) 487-2091 or [steffen.craig@epa.gov](mailto:steffen.craig@epa.gov).

Application Name: EPA Miscellaneous Payments  
Pay.gov Tracking ID: 26KS27J0  
Agency Tracking ID: 75862488179  
Transaction Type: Sale  
Transaction Date: 10/15/2019 11:00:53 AM EDT  
Account Holder Name: Allwest Imports, LLC  
Transaction Amount: \$3,000.00  
Card Type: Visa  
Card Number: \*\*\*\*\*2176

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.



Pay.gov is a program of the U.S. Department of the Treasury, Bureau of the Fiscal Service

Respectfully,  
Matthew Dunn  
Allwest Imports, LLC  
509-991-4024