


Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-18-8390

Respondent: Euro Auctions USA LLC
300 Raymond Hill Rd
Newnan, GA 30265

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 **\$43,000**, 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.


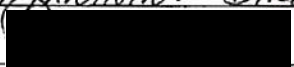
APPROVED BY EPA:




for Phillip A. Brooks, Director, Air Enforcement Division

Date: 6/12/2018


APPROVED BY RESPONDENT:

Name (print): 
Title (print): MANAGING DIRECTOR
Signature: 



Date: 6th / 7 / 2018

RATIFIED BY EPA:



for Phillip A. Brooks, Director, Air Enforcement Division

Date: July 26, 2018

Table 1 - Inspection Information	
Entry/Inspection Date(s): December 1, 2017; February 3 rd & March 12 th , 2018	Docket Number: C A A - 1 8 - 8 3 9 0
Inspection Location(s): Port of Savannah & Port of Baltimore	Entry/Inspection Number(s) 0 0 2 - 8 1 8 4 7 4 8 3 0 0 2 - 8 1 8 5 7 8 0 5 0 0 2 - 8 1 8 6 4 7 2 8
Address: 608 H Folcroft Street	Inspector(s) Name(s): Region 3- Jim Adamiec; Gwen Supplee; Kim Laufenberg
City: Baltimore	EPA Approving Official: Phillip A. Brooks
State: MD Zip Code: 21226	EPA Enforcement Contact: David E. Alexander, Attorney (202) 564-2109
Respondent: Euro Auctions USA LLC	

Table 2 - Description of Violation and Vehicles/Engines					
<p>The six Hamm model year 2015 rollers imported by Euro Auctions USA LLC through the Port of Savannah contain non-road compression ignition (CI) engines compliant with Tier 2 emissions standards. However, Tier 4 final emission standards were required starting with model year 2015 for this type of engine, not Tier 2 final emission standards. The six Hamm rollers were therefore imported in violation of 40 C.F.R. § 1068.101(a)(1) because the engines are 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).</p> <p>In addition, Euro Auctions USA LLC imported one Kubota model U-30S excavator and one Kubota model KX-033 excavator (through the Port of Baltimore) containing CI engines that were neither certified nor exempt, in violation of 40 C.F.R. § 89.1003(a) and 1068.101(a)(1), respectively.</p> <p>Lastly, the two Bomag BW120AD rollers imported by Euro Auctions USA LLC through the Port of Baltimore did not bear the equipment flexibility labels required under 40 C.F.R. § 1039.625(f) and they were therefore imported in violation of 40 C.F.R. § 1068.101(a)(1).</p>					
Entry Number	Equipment Description	Equipment Manufacturer	Equipment Model	Model Year	Quantity
002-81847483, 002-81857805	Roller	Hamm	3411	2015	6
002-81864728	Excavator	Kubota	U-30S	2006	1
002-81864728	Excavator	Kubota	KX-033	1990	1
002-81864728	Roller	Bomag	BW120AD	2017	2

Table 3 - Penalty and Required Remediation	
Penalty	\$43,000
Required Remediation	Euro Auctions USA LLC must export all the Hamm rollers and Kubota excavators described in Table 2 above to a country other than Canada or Mexico, and provide the EPA with a report documenting the exportation. In addition, Euro Auctions USA LLC must send a clear and legible digital copy of the

equipment flexibility labels required under 40 C.F.R § 1039.625(f) to EPA (send to laufenberg.kim@epa.gov) and indicate where and how said label will be permanently affixed to the Bomag BW120AD rollers described in Table 2. The equipment flexibility labels must be permanently affixed in a readily visible location on the equipment as required under 40 C.F.R. § 1039.625(f). A report must be submitted to EPA (sent to laufenberg.kim@epa.gov) that describes, documents, and attests that each piece of equipment is properly labeled, including: a statement that the labels are genuine and appropriate for the equipment flexibility program under 40 C.F.R. § 1039.625, and an affidavit signed by a corporate officer, certifying completion of the required labeling as described here.