



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

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

ENFORCEMENT &  
COMPLIANCE ASSURANCE  
DIVISION

FEB 3 2020

Reply to: 20-C04

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. Dan Bolen  
DDM Imports, Inc.  
1902 S Russell Street  
Airway Heights, Washington 99001

Mr. John R Zeimantz  
Registered Agent  
DDM Imports, Inc.  
421 W Riverside Avenue, Suite 1600  
Spokane, Washington 99201

Re: Docket No. CAA-10-2020-0059

Dear Mr. Bolen and Mr. Zeimantz:

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.

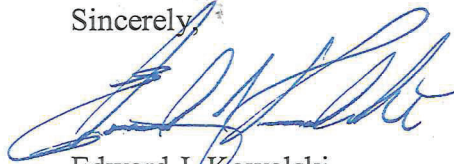
You may resolve violations using an expedited process that involves significantly lower penalties than those sought through the normal settlement process. The U.S. Environmental Protection Agency (EPA) is authorized to enter into the Agreement under the authority vested in the EPA Administrator by Section 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**30 calendar days** of its receipt, and meet all of your obligations under the Agreement, the proposed Agreement is withdrawn, with no need of additional notice to you, and without prejudice to the EPA's ability to file any other enforcement action for the violation(s) identified in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 to seek

penalties of up to \$48,192 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 at (206) 553-1817 or [keenan.john@epa.gov](mailto:keenan.john@epa.gov) with any questions.

Sincerely,



Edward J. Kowalski  
Director

## CAA VEHICLE AND ENGINE EXPEDITED SETTLEMENT AGREEMENT INSTRUCTIONS

**Within 30 days from your receipt of the Agreement, you must pay the penalty as described below:**

**Payment method 1 – Preferred (electronic):** Pay online through the Department of the Treasury using WWW.PAY.GOV. In the Search Public Form field, enter SFO 1.1, click EPA Miscellaneous Payments - Cincinnati Finance Center and complete the SFO Form Number 1.1. The payment shall be identified in the online system with Docket Number listed below.

On the same day after submitting your payment, send an email to [cinwd\\_acctsreceivable@epa.gov](mailto:cinwd_acctsreceivable@epa.gov) and the EPA contact email address noted below. Include in the subject line: "Payment Confirmation for DDM Imports, Inc. [CAA-10-2020-0059]." Attach a copy of the Agreement and your payment receipt to the email.

**Payment method 2 (check):** Mail, via CERTIFIED MAIL, a certified check payable to the United States of America marked with DDM Imports, Inc., and the Docket Number listed below, with a copy of the Agreement to:

U. S. Environmental Protection Agency  
Government Lockbox 979077  
1005 Convention Plaza  
SL-MO-C2-GL  
St. Louis, MO 63101  
Attn: Docket Number [CAA-10-2020-0059]

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**Within 30 days from your receipt of the Agreement, you must email [keenan.john@epa.gov](mailto:keenan.john@epa.gov) a scanned copy of the original signed Agreement, the documentation of your Required Corrective Action taken, and proof of payment (meaning, as applicable, a photocopy of the original certified penalty check or confirmation of electronic payment). If you prefer to mail this information via CERTIFIED MAIL, you may contact the EPA at the number listed below to arrange (Note that mailed information must be postmarked within 30 days of your receipt of the Agreement).**

If you have any questions or would like to request an extension due to extraordinary circumstances, you may contact John Keenan at (206) 553-1817. The EPA will consider whether to grant an extension on a case-by-case basis where appropriate justification is provided. The EPA will not accept or approve any Agreement returned more than 30 days after the date of your receipt of the Agreement unless an extension has been granted by the EPA. If you believe that the alleged violations are without merit (and you can provide evidence contesting the allegations), you must provide such information to the EPA as soon as possible but no later than 30 days from your receipt of the Agreement.

Unless an extension has been granted in writing by the EPA, if you do not sign and return the Agreement with proof of payment of the penalty amount and documentation of your Required Corrective Action(s) within 30 days of your receipt of the Agreement, the Agreement is automatically withdrawn, without prejudice to the EPA's ability to file an enforcement action for the above or any other violations. Failure to return the Agreement within the approved time does not relieve you of the responsibility to comply fully with the regulations, including correction of the violation(s) specifically identified in the enclosed Tables. If you choose not to enter into this Agreement and fully comply with its terms, the EPA may pursue more formal enforcement measures to correct the violation(s) and seek penalties of up to \$48,192 per violation pursuant to 40 C.F.R. § 19.4.

**CLEAN AIR ACT VEHICLE AND ENGINE EXPEDITED SETTLEMENT AGREEMENT**

DOCKET NO. CAA-10-2020-0059

Respondent: DDM Imports, Inc.  
1902 S Russell St  
Airway Heights, WA 99001

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 **\$2,400**. 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:

**LAURIS DAVIES**

Digitally signed by LAURIS DAVIES  
Date: 2020.04.15 14:45:21 -07'00'

Date: \_\_\_\_\_

Delegated Official: Edward J. Kowalski, Director

APPROVED BY RESPONDENT:

Name (print): Daniel Bolen

Title (print): Vice President

Signature: 

Email (print): ddm.importsllc@gmail.com

Date: 2-19-20

RATIFIED BY EPA:

**LAURIS DAVIES**

Digitally signed by LAURIS DAVIES  
Date: 2020.04.15 14:49:43 -07'00'

Date: \_\_\_\_\_

Delegated Official: Edward J. Kowalski, Director

**Table 1 - Inspection Information**

<b>Inspection Date(s):</b>		<b>Docket Number:</b>	
January 3 and 14, 2020		C A A - 1 0 - 2 0 2 0 - 0 0 5 9	
<b>Inspection Location Name:</b>		<b>Entry Number(s):</b>	
Eastport, Idaho		1 8 6 - 2 9 5 8 3 6 7 - 7	
<b>Address:</b>		<b>Date of Entry:</b>	
Hwy 95 N. at Canadian border		January 3, 2020	
<b>City:</b>		<b>Inspector(s) Name(s):</b>	
Eastport		Officer Andrew 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>	
DDM Imports, Inc.		John Keenan	

**Table 2 - Description of Violation and Vehicle**

DDM Imports, Inc. (Respondent) imported the vehicle/engine described at the bottom of Table 2 (the Subject Engine) on or about January 3, 2020. Authorized federal inspectors examined the Subject Engine and found the engine's diesel particulate filter (DPF) had the temperature and pressure sensors disabled by cutting the lines. Additionally, the Subject Engine appeared to have had the diesel oxidation (DOC) removed. The EPA issued Certificate of Conformity covers only those vehicles that conform in all material respects to the certified configuration. The engine manufacturer's certified configuration includes a DOC and functional temperature and pressure sensors on the DPF. 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), 42 U.S.C. §§ 7522(a)(1).

Vehicle Description	Observed Engine Manufacturer	Observed Model Year	EPA Engine Family Name	Quantity
Ford F-350 Pick Up Truck VIN 1FTWW31RX9EB11243	Ford Motor Co. 6.4 liter	2009	9FMXA06.4AGC	1

**Table 3 - Penalty and Required Corrective Action**

Penalty	\$2,400
Required Corrective Action	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 is/are under exclusive control by U.S. Customs and Border Protection (CBP) pending exportation or destruction.