



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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U.S. Environmental Protection Agency  
Office of the Hearing Clerk  
Office of Administrative Law Judges  
Ronald Reagan Building, Rm. M1200  
1300 Pennsylvania Ave., NW  
Washington, DC 20460  
oaljfilng@epa.gov

**APR 01 2013**

Re: Filing of *Complaint: In the Matter of CFMOTO Powersports, Inc., and CFMOTO America, Inc.*, CAA-HQ-2013-8038

To Whom It May Concern:

This letter serves to memorialize the filing of the above-referenced matter by means of hand delivery and by e-mail scan, as directed by the Notice of Change of Address ([http://www.epa.gov/oalj/orders/MoveNotice\\_3\\_8\\_13.pdf](http://www.epa.gov/oalj/orders/MoveNotice_3_8_13.pdf)) and the voicemail message of the Office of Administrative Law Judges as heard on March 28, 2013. I am the attorney assigned to this matter on behalf of the Air Enforcement Division, and I am filing this Complaint in this capacity.

If you have any questions, please contact me at the phone number or e-mail listed below, or Robert G. Klepp (202)-564-5805.

Sincerely,

Meetu Kaul, Attorney Advisor  
Air Enforcement Division  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance  
1200 Pennsylvania Ave., NW  
Ariel Rios Building, Room 1147, Mailcode 2242A  
Washington, DC 20460  
Phone: (202) 564-5472  
kaul.meetu@epa.gov

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:

CFMOTO POWERSPORTS, INC., and  
CFMOTO AMERICA, INC.,

Respondents.

Docket No.  
CAA-HQ-2013-8038

COMPLAINT

**Preliminary Statement**

1. This Complaint commences this administrative penalty assessment proceeding under section 205(c)(1) of the Clean Air Act (Act), 42 U.S.C. § 7524(c)(1), and the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits,” 40 C.F.R. Part 22 (Consolidated Rules). 40 C.F.R. § 22.13(a).
2. Complainant in this matter is the United States Environmental Protection Agency (EPA). On the EPA’s behalf, Phillip A. Brooks, Director, Air Enforcement Division, Office of Civil Enforcement, Office of Enforcement and Compliance Assurance, is authorized by lawful delegation to institute civil administrative penalty assessment proceedings under section 205(c)(1) of the Act, 42 U.S.C. § 7524(c)(1); EPA Delegation 7-6-A (August 4, 1994); EPA Redelegations 7-6-A (March 5, 2013).
3. Respondents in this matter are CFMOTO Powersports, Inc., and CFMOTO America, Inc., (collectively Respondents or CFMOTO).

4. CFMOTO Powersports, Inc., is a corporation organized under the laws of the State of Minnesota with an office at 3555 Holly Lane, Suite 30, Plymouth, MN 55447-1285. CFMOTO America, Inc., is a corporation organized under the laws of the State of Michigan, which dissolved in the year 2010.
5. In correspondence to the EPA, Respondents have stated that CFMOTO Powersports, Inc., is a successor entity to and assignee of CFMOTO America, Inc.<sup>1</sup>
6. Respondents are persons under section 302(e) of the Act, 42 U.S.C. § 7602(e).
7. Respondents are certificate of conformity holders and importers of highway motorcycles and recreational vehicles, primarily manufactured by Zhejiang CFMoto Power Co., Ltd. and ChunFeng Holding Group Co. Ltd.
8. The EPA makes the Alleged Violations of Law, below, based on an inspection of vehicles imported by Respondents on or about October 1, 2012, into the Seattle Service Port; and an inspection of vehicles imported by Respondents on or about April and May 2009, into the Dallas/Fort Worth Service Port. These inspections were performed by the EPA, EPA contractors, or employees of the United States Department of Homeland Security's Bureau of Customs and Border Protection (CBP). Additionally, the EPA makes the Alleged Violations of Law based on information Respondents provided to the EPA in response to a December 2010 EPA Request for Information under section 208 of the Act, 42 U.S.C. § 7542 (the Information Request).

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<sup>1</sup> Letter from Boris Parker, Counsel for CFMOTO Powersports, Inc. to Amelie Isin, Environmental Engineer, Mobile Source Enforcement Branch, Air Enforcement Division, Office of Civil Enforcement, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency (Jan. 6, 2011) (on file with recipient).

### **Jurisdiction**

9. This action is brought under section 205(c)(1) of the Act, 42 U.S.C. § 7524(c)(1), and the Consolidated Rules.
10. Under the Act, the EPA may administratively assess a civil penalty if the penalty sought is less than \$295,000, unless the EPA and the United States Department of Justice jointly determine that a matter involving a larger penalty amount is appropriate for an administrative penalty assessment. 42 U.S.C. § 7524(c)(1); 40 C.F.R. § 1068.125(b); *see also* 40 C.F.R. § 19.4 (adjusting the penalty cap for inflation).
11. The EPA and the United States Department of Justice jointly determined that this matter, although it may involve a penalty amount greater than \$295,000, is appropriate for an administrative penalty assessment.
12. The Environmental Appeals Board acts as the Presiding Officer for this proceeding until Respondents file an answer because Complainant commences this administrative penalty assessment proceeding at the EPA Headquarters. 40 C.F.R. § 22.4(a)(1); EPA Delegation 1-38-B.

### **Governing Law**

13. The Alleged Violations of Law, below, arise under Part A of Title II of the Act, 42 U.S.C. §§ 7521–7554, and the regulations promulgated thereunder. These laws aim to reduce emissions from mobile sources of air pollution, including hydrocarbons, oxides of nitrogen, carbon monoxide, and particulate matter.
14. General definitions:
  - (a) The term “commerce” means commerce between any place in any State and any place outside thereof. 42 U.S.C. § 7550(6).

- (b) The term “engine family” means a group of engines of a single model year that are expected to have similar emission characteristics throughout their useful life. 40 C.F.R. §§ 86.420-78, 1051.230.
- (c) The term “manufacturer” means any person engaged in the manufacturing or assembling of new motor vehicles, new motor vehicle engines, new nonroad vehicles or new nonroad engines, or importing such vehicles or engines for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles, new motor vehicle engines, new nonroad vehicles or new nonroad engines received by him in commerce. 42 U.S.C. § 7550(1); 40 C.F.R. § 1051.801.
- (d) The term “model year” means a manufacturer’s annual production period (as determined by the Administrator) which includes January 1 of such calendar year. If the manufacturer has no annual production period, the term “model year” shall mean the calendar year. 40 C.F.R. §§ 86.402-78, 1051.801.
- (e) The term “person” includes individuals, corporations, partnerships, associations, states, municipalities, and political subdivisions of a state. 42 U.S.C. § 7602(e).

15. Highway motorcycles:

- (a) The term “motor vehicle” means any self-propelled vehicle designed for transporting persons or property on a street or highway. 42 U.S.C. § 7550(2), 40 C.F.R. § 85.1703.
- (b) The term “motorcycle” refers to highway motorcycles and means a motor vehicle that weighs less than or equal to 793 kilograms (1,749 pounds) with a headlight, tail-light, stop-light, and two or three wheels. 40 C.F.R. § 86.402-98.

- (c) The vehicles identified herein as “highway motorcycles” meet the definition of “motorcycle” at 40 C.F.R. § 86.402-98, are a type of “motor vehicle,” and are subject to the emission standards and other requirements under 40 C.F.R. Part 86.
- (d) Model year 2006 and later highway motorcycles must satisfy air pollutant emission standards in 40 C.F.R. §§ 86.401-2006, 86.410-2006. These emission standards impose limits on emissions of oxides of nitrogen, carbon monoxide, hydrocarbons, evaporative emissions, and impose other requirements.
- (e) To demonstrate that a highway motorcycle satisfies emission and other standards, it must be covered by an EPA-issued certificate of conformity (“COC”). *See* 40 C.F.R. § 86.407-78.
- (f) Each COC states that it “does not cover vehicles sold, offered for sale, introduced, or delivered for introduction into commerce in the U.S. prior to the effective date of the [COC].” Each COC also states that it covers only those vehicles produced during the model year production period stated on the COC. *See* 40 C.F.R. § 86.437-78(a)(2)(ii).
- (g) A manufacturer or person may not import or sell a model year 2006 or later highway motorcycle unless it is covered by a COC or otherwise exempt from the prohibition on importing uncertified motorcycles. 42 U.S.C. § 7522(a)(1); 40 C.F.R. § 86.407-78; *see* 42 U.S.C. § 7550(1) (defining *manufacturer* to include importers).
- (h) A manufacturer of any motorcycle shall, at the time of manufacture, affix a permanent and legible label that contains specified information, including an identification of the exhaust emission control system. The label shall be affixed in

such a manner that it cannot be removed without destroying or defacing the label.  
40 C.F.R. § 86.413-2006(a).

- (i) A manufacturer of any motorcycle may not sell or lease a vehicle unless the proper emissions information label is affixed to the vehicle in accordance with regulations. 42 U.S.C. § 7522(a)(4)(A); *see* 42 U.S.C. § 7541(c)(3) (detailing the labeling compliance provision).

16. Recreational vehicles:

- (a) The term “recreational vehicle” includes, inter alia, all-terrain vehicles and off-highway motorcycles. 40 C.F.R. § 1051.801.
- (b) The term “all-terrain vehicle” is defined as a nonroad vehicle that is either:
  - (a) designed to travel on four low-pressure tires, has a seat designed to be straddled by the operator and handlebars for steering control, and is intended for use by a single operator and no other passengers; or
  - (b) has three or more wheels and one or more seats, is designed for operation over rough terrain, is intended primarily for transportation, and has a maximum vehicle speed of 25 miles per hour or higher. 40 C.F.R. § 1051.801.
- (c) The term “off-highway motorcycle” is defined as a two-wheeled vehicle with a nonroad engine and a seat. 40 C.F.R. § 1051.801.
- (d) Each vehicle identified herein as a “recreational vehicle” or “all-terrain vehicle” or “off-highway motorcycle” meets the definition of such vehicle and is subject to the emission standards and other requirements set forth in 40 C.F.R. Parts 1051 and 1068. The requirements of 40 C.F.R. Parts 1051 and 1068 also apply to new engines used in recreational vehicles. 40 C.F.R. §§ 1051.1(a), 1068.1(8).

- (e) Model year 2006 and later new recreational vehicles and engines with displacement less than or equal to 1000 cc, maximum engine power less than or equal to 30 kW, and maximum vehicle speed higher than 25 miles per hour must satisfy air pollutant emission standards in 40 C.F.R. §§ 1051.101–1051.115. 40 C.F.R. § 1051.1. These emission standards impose limits on emissions of oxides of nitrogen, carbon monoxide, hydrocarbon, and exhaust opacity.
- (f) To demonstrate that an imported recreational vehicle satisfies emission standards, it must be covered by an EPA-issued COC. 40 C.F.R. § 1068.301(b); *see* 40 C.F.R. Part 1051 Subpart C (outlining COCs and the application requirements).
- (g) Each COC states that it “does not cover vehicles sold, offered for sale, introduced, or delivered for introduction into commerce in the U.S. prior to the effective date of the [COC].”
- (h) A manufacturer may not sell, offer for sale, introduce into commerce, or deliver for introduction into commerce into the United States a model year 2006 or later recreational vehicle unless that recreational vehicle is covered by a COC. 42 U.S.C. §§ 7522(a)(1), 7547(d); 40 C.F.R. § 1068.101(a)(1); *see* 42 U.S.C. § 7550(1), 40 C.F.R. § 1068.30 (defining *manufacturer* to include importers). Additionally, no person may import an uncertified model year 2006 or later recreational vehicle. 40 C.F.R. § 1068.101(a)(5).

17. A manufacturer who, between March 15, 2004, and January 12, 2009, sold, offered for sale, introduced into commerce, delivered for introduction into commerce, or imported into the United States a highway motorcycle or recreational vehicle that was not covered



by a COC, or who sold or leased a mislabeled motor vehicle is subject to a civil penalty of up to \$32,500 for each such vehicle. 42 U.S.C. § 7524(a); 40 C.F.R. §§ 19.4. This penalty amount increased from \$32,500 to \$37,500 for violations that occur after January 12, 2009. 40 C.F.R. § 19.4 (describing the penalties and increasing them to account for inflation).

### **Alleged Violations of Law**

18. Respondents are each “persons.”
19. Respondents are each “manufacturers.”
20. COUNT ONE: Respondents imported approximately 1,117 uncertified highway motorcycles (the “Subject Highway Motorcycles”).
  - (a) The Subject Highway Motorcycles are among the Subject Vehicles, detailed in Appendix A attached hereto.
  - (b) The Subject Highway Motorcycles are highway motorcycles governed by 40 C.F.R. Part 86 which, due to their model year, require certification according to the standards and procedures in 40 C.F.R. § 86.407.
  - (c) The approximate 1,117 Subject Highway Motorcycles are uncertified because they were imported prior to the effective date of the COC. By engine family:
    - (1) Approximately 2 highway motorcycles from engine family 7CFMC.250SA1 were imported on or about March 19, 2007, but the effective date of the COC for that engine family is April 12, 2007.
    - (2) Approximately 92 highway motorcycles from engine family 8CMAC0.15NFG were imported on or about September 18, 2007, but the effective date of the COC for that engine family is February 1, 2008.

(3) Approximately 294 highway motorcycles from engine family 8CMAC0.25NFG were imported on or about either September 18, 2007, or November 3, 2007, but the effective date of the COC for that engine family is February 1, 2008.

(4) Approximately 729 highway motorcycles from engine family 9CMAC0.15ELF were imported on or about one of seven dates: (1) November 18, 2008, (2) December 15, 2008, (3) February 4, 2009, (4) February 20, 2009, (5) February 23, 2009, (6) February 24, 2009, or (7) May 19, 2009. However, the effective date of the COC for that engine family is May 20, 2009.

(d) Therefore, Respondents committed approximately 1,117 violations of 40 C.F.R. § 86.407-78 and 42 U.S.C. § 7522 when they imported the uncertified Subject Highway Motorcycles.

21. COUNT TWO: Respondents imported approximately 237 uncertified recreational vehicles (the "Subject Recreational Vehicles").

(a) The Subject Recreational Vehicles are among the Subject Vehicles, detailed in Appendix A attached hereto.

(b) The Subject Recreational Vehicles are recreational vehicles governed by 40 C.F.R. Part 1051 which, due to their model year, require certification according to the standards and procedures in 40 C.F.R. Part 1051 Subpart C.

(c) The approximate 237 Subject Recreational Vehicles are uncertified for the following reasons:

(1) Approximately 232 recreational vehicles were imported prior to the effective date of the COC. By engine family:

(a) Approximately 200 recreational vehicles from engine family 8CMAX0.50NFG were imported on or about either September 18, 2007, or November 21, 2007, but the effective date of the COC for that engine family is February 1, 2008.

(b) Approximately 32 recreational vehicles from engine family BCMAX0.50NFG were imported on or about June 5, 2009, but the effective date of the COC for that engine family is October 20, 2010.

(2) Approximately 5 recreational vehicles were imported without any applicable COC or exemption.

(d) Therefore, Respondents committed approximately 237 violations of 40 C.F.R. § 1068.101(a)(1) and 42 U.S.C. §§ 7522 and 7547 when they imported the uncertified Subject Recreational Vehicles.

22. COUNT THREE: Respondents sold or leased (or caused the foregoing acts with respect to) approximately 1,063 highway motorcycles with nonconforming labels (the “Misabeled Highway Motorcycles”).

(a) The EPA discovered the Misabeled Highway Motorcycle violations through the Information Request and the 2009 inspection.

(b) The EPA previously identified labeling violations in the 2009 inspection of vehicles in engine families 9CMAC0.15ELF and ACMAC0.25NFG.

- (c) The EPA extrapolates the labeling violations found in the sample vehicles inspected in 2009 to all other vehicles from the same engine families that were imported and sold by Respondents and were identified by the EPA through the Information Request.
- (d) The Mislabeled Highway Motorcycles are among the Subject Vehicles detailed in Appendix A attached hereto.
- (e) The Mislabeled Highway Motorcycles are highway motorcycles governed by 40 C.F.R. Part 86 which, due to their model year, require labeling according to the standards and procedures in 40 C.F.R. § 86.413-2006(a).
- (f) Approximately 867 motorcycles from engine family 9CMAC0.15ELF and approximately 196 motorcycles from engine family ACMAC0.25NFG have emission control information labels that are missing information about the emission controls installed.
- (g) Because of the age of the vehicles at issue, the EPA has a reasonable basis to conclude that the Mislabeled Highway Motorcycles have been sold.
- (h) Therefore, Respondents committed approximately 1,063 violations of 42 U.S.C. § 7522 when they sold or leased (or caused the foregoing acts with respect to) the Mislabeled Highway Motorcycles with nonconforming labels.

**Relief Sought: Civil Penalty**

- 23. Complainant seeks an administrative penalty against the Respondents for the Alleged Violations of Law.
- 24. Complainant makes no specific penalty demand in this Complaint, as authorized by 40 C.F.R. § 22.14(a)(4)(ii).

25. As detailed above in Paragraph 17, Respondents are subject to a civil penalty that is the sum of not more than \$32,500 or \$37,500 for each and every Subject Highway Motorcycle, Subject Recreational Vehicle and Mislabeled Highway Motorcycle.
26. Complainant reserves its right to seek the maximum civil penalty authorized by the Act.
27. In determining the amount of the civil penalty in this matter, the Act requires that the EPA take into account certain penalty factors, namely “the gravity of the violation, the economic benefit or savings (if any) resulting from the violation, the size of [Respondents’] business, [Respondents’] history of compliance with this subchapter, action taken to remedy the violation, the effect of the penalty on [Respondents’] ability to continue in business, and such other matters as justice may require.” 42 U.S.C. § 7524(c)(2).
28. Complainant proposes to account for the Act’s penalty factors by using the EPA’s Clean Air Act Mobile Source Civil Penalty Policy – Vehicle and Engine Certification Requirements (2009) (Penalty Policy), *available at* <http://www.epa.gov/compliance/resources/policies/civil/caa/mobile/vehicleengine-penalty-policy.pdf> (last visited March 20, 2013). This Penalty Policy calculates civil penalties based on the number of violative engines, their horsepower, the egregiousness of the violations, remedial action, and other legal and equitable factors. Generally, certification violations are “major” egregiousness and label violations are “minor” egregiousness. Penalty Policy at 13–14. Here, Complainant alleges certification and labeling violations for 1,451 highway motorcycles and 237 recreational vehicles.

### **Opportunity to Request a Hearing**

29. Respondents have a right to request a Hearing on any material fact alleged in this Complaint or the appropriateness of the proposed civil penalty. Respondent may request such a Hearing in a written Answer. 40 C.F.R. § 22.15(c).
30. Hearing Procedures are set out in the Consolidated Rules at 40 C.F.R. §§ 22.21–22.26. A copy of the Consolidated Rules is enclosed with this Complaint.

### **Answer**

31. If Respondents contest material facts upon which this Complaint is based, contend that a civil penalty is inappropriate, or contend that Respondents are entitled to judgment as a matter of law, then Respondents must within 30 days after receiving this Complaint file an original and one copy of a written Answer that conforms to 40 C.F.R. § 22.15.
32. Respondents may file an Answer by any method permitted by the Consolidated Rules and the Office of Administrative Law Judges. *See* EPA Office of Administrative Law Judges, *EPA Office of Administrative Law Judges Practice Manual* 9–10, 13–14 (July 2011), available at <http://www.epa.gov/oalj/orders/alj-practice-manual.pdf> (last visited March 28, 2013); *see also* EPA Office of Administrative Law Judges, *Notice of Change of Address*, available at [http://www.epa.gov/oalj/orders/MoveNotice\\_3\\_8\\_13.pdf](http://www.epa.gov/oalj/orders/MoveNotice_3_8_13.pdf) (noting the new location of the Office of Administrative Law Judges). Filing options include mail, commercial delivery, overnight mail, or hand delivery, to the following addresses:

If filing by UPS, FedEx, DHL or other courier, or personal delivery, address to<sup>2</sup>:

U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Ronald Reagan Building, Rm. M1200  
1300 Pennsylvania Ave., NW  
Washington, DC 20460

If filing by the United States Postal Service, address to:

U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Mail Code 1900R  
1200 Pennsylvania Ave., NW  
Washington, DC 20460

33. Respondents must also send a copy of the Answer to the EPA attorney assigned to this matter, Meetu Kaul. The Answer shall be served personally, by USPS (including certified mail, return receipt requested, Express Mail, and Priority Mail), or by any reliable commercial delivery service. 40 C.F.R. § 22.5(b)(2). If using USPS (except Express Mail), Respondents must use the following address:

Meetu Kaul  
U.S. EPA, Air Enforcement Division  
1200 Pennsylvania Ave., NW  
Mailcode 2242A  
Washington, DC 20460

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<sup>2</sup> Please note, at the time of this filing, the Office of Administrative Law Judges was in the process of moving offices. Respondents should confirm the proper mailing and/or delivery address when filing their Answer.

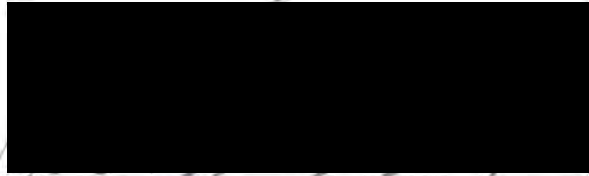
If using USPS Express Mail or any other carrier, Respondents must use the following address:

Meetu Kaul  
U.S. EPA, Air Enforcement Division  
1200 Pennsylvania Ave., NW  
Ariel Rios Building, Room 1147  
Washington, DC 20004

34. Respondents' failure to request a Hearing or to file a written Answer within the 30 days after receiving this Complaint may result in the waiver of their right to contest allegations set forth in this Complaint or a default judgment pursuant to 40 C.F.R. § 22.17.



Respectfully Submitted,



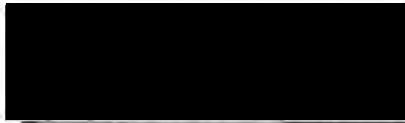
April 1, 2013

Date

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Phillip A. Brooks, Director  
Air Enforcement Division  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance

1200 Pennsylvania Ave., NW  
Ariel Rios Building, Room 1117, Mailcode 2242A  
Washington, DC 20460  
(202) 564-0652  
Fax: (202) 564-0069  
brooks.phillip@epa.gov



April 1, 2013

Date

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Meetu Kaul, Attorney Advisor  
Air Enforcement Division  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance

1200 Pennsylvania Ave., NW  
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kaul.meetu@epa.gov

## APPENDIX A

### Subject Vehicles

<u>Alleged Engine Family</u>	<u>Vehicle Type</u>	<u>Number of Vehicles</u>	<u>Violation</u>
<b>Subject Highway Motorcycles</b>		<b>1,117</b>	
7CFMC.250SA1	Highway Motorcycle	2	A
8CMAC0.15NFG	Highway Motorcycle	92	A
8CMAC0.25NFG	Highway Motorcycle	294	A
9CMAC0.15ELF	Highway Motorcycle	729	A
<b>Subject Recreational Vehicles</b>		<b>237</b>	
8CMAX0.50NFG	Recreational Vehicle	200	A
BCMAX0.50NFG	Recreational Vehicle	32	A
None	Recreational Vehicle	5	B
<b>Mislabeled Highway Motorcycles</b>		<b>1,063</b>	
9CMAC0.15ELF	Highway Motorcycle	867	C
ACMAC0.25NFG	Highway Motorcycle	196	C

#### **Table Key: Description of Violations**

- Violation A: Uncertified because the vehicles were imported prior to the effective date of the COC.
- Violation B: Uncertified because the vehicles are not covered by any applicable COC.
- Violation C: Vehicles contain noncompliant emission control information labels.

CERTIFICATE OF SERVICE

I certify that the foregoing Complaint, dated, April 1, 2013, was sent this day in the following manner to the addressees listed below:

Original by E-mail Scan and by Hand Delivery to:

U.S. Environmental Protection Agency  
Office of the Hearing Clerk  
Office of Administrative Law Judges  
Ronald Reagan Building, Rm. M1200  
1300 Pennsylvania Ave., NW  
Washington, DC 20460  
oaljfilng@epa.gov

Copy and a Copy of the Consolidated Rules of Practice by Certified Mail, Return Receipt Requested to:

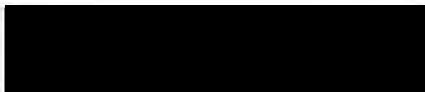
Attorney for Respondents:

Boris Parker  
Parker & Wenner, P.A.  
2100 Fifth Street Towers  
Minneapolis, MN 55402

Registered Agent for CFMOTO Powersports, Inc.:

CFMOTO Powersports, Inc.  
Attention: Adam Tao  
3555 Holly Lane, Suite 30  
Plymouth, MN 55447-1285

April 1, 2013  
Date



Meetu Kaul, Attorney Advisor  
Air Enforcement Division  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance

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