

Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-14-8060

Respondent: Craig Reilly, President
Crazy Coolers, LLC
60002 Triangle Drive, Suite A
Raleigh NC 27617

1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations 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 being subject to the Clean Air Act (CAA) and its associated regulations and that the United States Environmental Protection Agency (the 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 \$6,500, 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:


Phillip A. Brooks, Director, Air Enforcement Division

Date: 6/16/2014

APPROVED BY RESPONDENT:

Name (print): Craig J. Reilly

Title (print): President

Signature: 

Date: 07/02/14

RATIFIED BY EPA:


Phillip A. Brooks, Director, Air Enforcement Division

Date: 7/9/14

Table 1 - Inspection Information

| | | | |
|----------------------------------|------------------|-----------------------------------|--|
| Entry/Inspection Date(s): | | Docket Number: | |
| 05/30/13 | | C A A - 1 4 - 8 0 6 0 | |
| Inspection Location: | | Entry/Inspection Number(s) | |
| Norfolk, VA | | E J D - 0 0 1 8 4 4 1 - 5 | |
| Address: | | | |
| 60002 Triangle Drive, Suite A | | | |
| City: | | Inspector(s) Name(s): | |
| Raleigh | | Mario Jorquera | |
| State: | Zip Code: | EPA Approving Official: | |
| NC | 27617 | Phillip A. Brooks | |
| Respondent: | | EPA Enforcement Contact: | |
| Craig Reilly | | Mario Jorquera, 202-564-1079 | |

Table 2 - Description of Violation and Vehicles/Engines

On May 30, 2013, Crazy Coolers, LLC (CC) caused the importation of 360 motorized coolers (Subject Coolers) equipped with small nonroad spark-ignition (SNRSI) engines manufactured by Shandong Huasheng Zhongtian Machinery Group (Shandong Huasheng). CC directed IC Solutions to import the Subject Coolers on its behalf. Investigation revealed that these Subject Coolers were equipped with engines that are not EPA-certified. The importation of SNRSI engines that are uncertified (or the causing thereof) is prohibited by Clean Air Act sections 203(a)(1) and 213(d), 42 U.S.C. §§ 7522(a)(1) and 7547(d), and the implementing regulations at 40 C.F.R. §§ 1068.101(a)(1) and (b)(5). CC caused 360 separate violations of 40 C.F.R. §§ 1068.101(a)(1) and (b)(5) by causing the importation of the uncertified engines contained in the 360 Subject Coolers.

| Engine Manufacturer | Engine Family | Model Year | Quantity |
|---|---------------|------------|----------|
| Shandong Huasheng Zhongtian Machinery Group | DSHSS.049GA | 2013 | 360 |

Table 3 - Penalty and Required Remediation

| | |
|----------------------|--|
| Penalty | \$6,500 |
| Required Remediation | CC has replaced the 360 uncertified engines installed in the Subject Coolers with certified engines and exported the uncertified engines. CC also provided the EPA with a report and photographs that documented the replacement process, and an affidavit certifying that the required engine replacements were made. These actions were performed pursuant to instructions prescribed in a letter from Mario Jorquera to Craig Reilly dated July 31, 2013 (attached hereto). |