

Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-09-7798

Respondent: Tatsunari Noya
Forward Trading International, Inc.
14971 Chestnut St., Suite H
Westminster, CA 92683

1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations discovered during 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 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 EPA's jurisdiction.
3. Respondent consents to the payment of the penalty in the amount specified in Table 3, attached, incorporated into the 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, EPA ratifies the inspection findings and alleged violations set forth in Table 1 and Table 2. Upon signing and returning this Expedited Settlement Agreement to EPA, Respondent consents to EPA's approval of the Expedited Settlement without further notice. Respondent acknowledges that this Expedited Settlement Agreement is binding on the parties signing below, and becomes effective upon the EPA Air Enforcement Division Director's signature.

APPROVED BY EPA:


for Pamela J. Mazakas, Acting Director, Air Enforcement Division

Date: 9/15/09

APPROVED BY RESPONDENT:

Name (print): TATSUNARI NOYA

Title (print): PRESIDENT

Signature: 

RATIFIED BY EPA:


for Pamela J. Mazakas, Acting Director, Air Enforcement Division
for Phillip A. Brooks,

Date: 4/15/2010

Table 1 - Inspection Information

Entry/Inspection Date(s)		Docket Number:	
March 17, 2009		C A A - 0 9 - 7 7 9 8	
Inspection Location		Entry/Inspection Number(s)	
Forward Trading International, Inc.		B 2 0 3 1 7 0 9 0 9 1 0	
Address			
14971 Chestnut St., Suite H			
City:		Inspector(s) Name(s):	
Westminster		Ben Foster and Timothy Mackie, Bionetics Corporation	
State:	Zip Code:	EPA Approving Official:	
CA	92683	Pamela J. Mazakas	
Respondent:		EPA Enforcement Contact:	
Tatsunori Noya		David Alexander	

Table 2 - Description of Violation and Vehicles/Engines

Forward Trading International, Inc. imported 3 minitrucks and declared them as nonroad vehicles, but the vehicles were not covered by a certificate of conformity, possessed features that make them suitable for operation on streets, and did not have any device to limit their speed to under 25mph, a requirement for the nonroad classification. Thus, the vehicles meet the definition of a motor vehicle. Motor vehicles must be covered by an EPA-issued certificate of conformity—a requirement these minitrucks do not meet. Therefore Forward Trading International, Inc. is liable for 3 violations of 42 U.S.C. § 7522(a)(1) for importing motor vehicles not covered by a certificate of conformity.

Equipment Description	Engine Family	Manufacturer	Model Year	Quantity
Minitruck serial # S83P-104521	none	Daihatsu	1992	1
Minitruck serial # S83P-082659	none	Daihatsu	1992	1
Minitruck serial # DD51T-454325	none	Suzuki	1996	1

Table 3 - Penalty and Required Remediation

Penalty	\$1,900
Required Remediation	Export the listed vehicles remaining in inventory.