

Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-15-MSEB-8195 Respondent:

Gillig LLC
25800 Clawiter Road
Hayward, CA 94545

1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations discovered. The civil violations that are the subject of this Agreement are described in Table 1, attached, and 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 1. 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 a penalty in the amount of \$55,000, further described in Table 2, attached, and incorporated into this Agreement by reference. Respondent agrees to follow the instructions in "CAA Mobile Source Expedited Settlement Agreement Instructions," attached, and incorporated into this Agreement by reference. Respondent certifies that the required remediation, detailed in Table 2, will be carried out.
4. By its first signature below, EPA approves the findings and alleged violations set forth in 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.

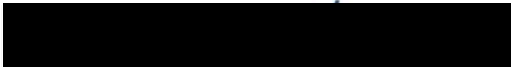
APPROVED BY EPA:



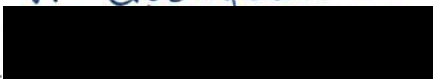
Date: 6/4/2015 [Ⓢ]

for Phillip A. Brooks, Director, Air Enforcement Division

APPROVED BY RESPONDENT:

Name (print): 

Title (print): VP ENGINEERING

Signature: 

Date: 6/18/2015

RATIFIED BY EPA:


Date: 7/21/2015

Phillip A. Brooks, Director, Air Enforcement Division

Table 1 - Description of Violation and Vehicles/Engines

The transit buses described below (the Subject Vehicles) were not covered by a certificate of conformity (COC) before being sold, offered for sale, or introduced into commerce in the United States (U.S.). In addition, the Subject Vehicles bore a defective label that specified an invalid EPA Vehicle Family. The CAA § 203(a)(1), 42 U.S.C. § 7522(a)(1), prohibits the sale, offer for sale, or introduction of vehicles into U.S. commerce unless the vehicles are covered by a COC and bear the required label. By introducing the Subject Vehicles into U.S. commerce without a COC, Gillig LLC (Gillig) committed 1732 violations of the CAA § 203(a)(1), 42 U.S.C. § 7522(a)(1) and 40 C.F.R. Part 1037. By affixing a defective label to each Subject Vehicle and selling the Subject Vehicle for use in the U.S., Gillig committed 1732 violations of CAA § 203(a)(4), 42 U.S.C. § 7522(a)(4) and 40 C.F.R. Part 1037.

Subject Vehicle	Family	Manufacturer	Model Year	Quantity
Medium Heavy Vehicles (Cl. 6-7)	Vocational Vehicle 19.5K – 33K	Gillig LLC	2014	300
Heavy Heavy Vehicles (Cl. 8)	Vocational Vehicle > 33K	Gillig LLC	2014	1432

Table 2 - Penalty and Required Action

Penalty	\$55,000
Required Remediation	Gillig must send a letter to each purchaser that informs the purchaser of the correct EPA Vehicle Family and extends an offer to replace the label with one that bears the correct EPA Vehicle Family at the request of the purchaser.