

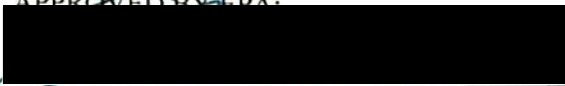
Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-16-8289

Respondent: Wacker Neuson Logistics Americas LLC
N92 W15000 Anthony Avenue
Menomonee Falls, WI 53052


1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations discovered as a result of 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 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 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 \$24,710, 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:~~


for 
Phillip A. Brooks, Director, Air Enforcement Division

Date: June 15, 2016

APPROVED BY RESPONDENT:


Name (print): 

Title (print): 

Signature: 

Date: 6/16/2016

~~RATIFIED BY EPA:~~

for 
Phillip A. Brooks, Director, Air Enforcement Division

Date: July
June 8 2016

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
April 27, 2016		C A A - 1 6 - 8 2 8 9	
Inspection Locations:		Entry/Inspection Number(s)	
Port of Norfolk		4 2 0 - 2 0 2 7 0 6 8 4	
Address:			
420 Woodlake Dr.			
City:		Inspector(s) Name(s):	
Chesapeake		Amelie Isin	
State:	Zip Code:	EPA Approving Official:	
VA	23320	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
Wacker Neuson Logistics Americas LLC		David Alexander, Attorney, (202) 564-2109	

Table 2 - Description of Violation and Vehicles/Engines

The 840 partially complete engines described below and imported by Wacker Neuson Logistics Americas LLC (Subject Engines) were neither covered by a certificate of conformity nor exempt, as a partially complete engine under 40 C.F.R. § 1068.260(c) or otherwise, from the Clean Air Act's certification requirements at the time of importation. As a result, by importing the Subject Engines into the United States, Wacker Neuson Logistics Americas LLC committed 840 violations of 40 C.F.R. §§ 1068.101(a)(1).

Equipment Description	Manufacturer	Model	Alleged Engine Family	Entry Number(s)	Quantity
Partially Complete Engines	Wacker Neuson Production Americas LLC	WM80	GW1XS.0805MR	420-20270684	840

Table 3 - Penalty and Required Remediation

Penalty	\$24,710
Required Remediation	Wacker Neuson Logistics Americas LLC must: (i) in accordance with 40 C.F.R. § 1068.260(c), submit a running change to the certification application for engine family GW1XS.0805MR to EPA's Verify database documenting their intent to use this exemption; and (ii) submit a statement from a corporate official committing to completing the final assembly of these engines under EPA engine family GW1XS.0805MR by December 31, 2016. Pursuant to section 208 of the Clean Air Act, 42 U.S.C. § 7542, Wacker Neuson Logistics Americas LLC is hereby required to provide isin.amelie@epa.gov by no later than January 16, 2017, documentation proving that the Subject Engines were completed under EPA engine family GW1XS.0805MR.