

Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-13-8033

Respondent: Cliff Feldmann
Feldmann Engineering & Manufacturing
Co., Inc.
520 Forest Avenue
Sheboygan Falls, Wisconsin 53085

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 inspections 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 this 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 a penalty in the amount of \$12,000, 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, 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 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
Phillip A. Brooks, Director, Air Enforcement Division

Date: 12-5-12

APPROVED BY RESPONDENT:

Name (print): CLIFF FELDMANN

Title (print): PRESIDENT

Signature: Cliff Feldmann

Date: 12/6/2012

RATIFIED BY EPA:

Phillip A. Brooks
Phillip A. Brooks, Director, Air Enforcement Division

Date: 12-12-12

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
11-1-2012		C A A - 1 3 - 8 0 3 3	
Inspection Location:		Entry/Inspection Number(s)	
U.S. CBP Portal, ND		M 9 6 - 2 1 1 7 3 7 7 - 9	
Address:		Inspector(s) Name(s):	
301 Railway Avenue West		Jason Durick, Brent Ruminski, Steve Strackbein, Colin Wang	
City:		EPA Approving Official:	
Portal		Phillip A. Brooks	
State:	Zip Code:	EPA Enforcement Contact:	
ND	58772	David Alexander (202) 564-2109	
Respondent:			
Cliff Feldmann			

Table 2 - Description of Violation and Vehicles/Engines

Feldmann Engineering and Manufacturing Co., Inc. (Feldmann) imported the engines listed in the table below (Subject Engines). The Subject Engines bore emission control information (ECI) labels that do not meet the requirements of 40 C.F.R. § 1054.135 because the labels a) do not display a date of manufacture (DOM), nor is the DOM stamped elsewhere on the engines, and b) do not contain the correct heading.

Feldmann committed 3,000 violations of 40 C.F.R. § 1068.101(a)(1) by importing engines that do not bear the required labels.

Equipment Description	Engine Family	Manufacturer	Model Year	Entry Number	Number
2-stroke gasoline engine	CSHSS.0525GC	Shandong Huasheng Zhongtian Machinery Group Co., Ltd.	2012	M96-21173779	3,000

Table 3 - Penalty and Required Remediation

Penalty	\$12,000
Required Remediation	Install replacement ECI labels that comply with 40 C.F.R. § 1054.135, and submit a written report documenting that each Subject Engine received a complying label in accordance with instructions contained in the letter from the EPA dated November 19, 2012.