

Enclosure

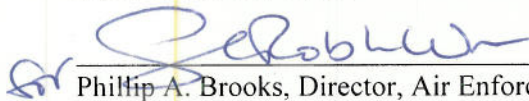
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-11-7948

Respondent: Saman Alishahi
Nationwide Access LLC
15825 Stagg Street
Van Nuys, CA 91406

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 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 \$10,800, 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~~ ^{will be} carried out. ~~has~~ ^{will} been carried out. ~~has~~ ^{will} 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, Director, Air Enforcement Division

Date: October 13, 2011

APPROVED BY RESPONDENT:

Name (print): NADER BINAFAY / Saman Alishahi

Title (print): MEMBERS

Signature: NADER BINAFAY

Date: 11/18/11

RATIFIED BY EPA:


Phillip A. Brooks, Director, Air Enforcement Division

Date: 12/2/11

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
7/29/11		C A A - 1 1 - 7 9 4 8	
Inspection Location:		Entry/Inspection Number(s)	
Price Transfer Warehouse		W 2 4 0 3 0 6 9 5 0 - 3	
Address:			
2711 E Dominguez St.			
City:		Inspector(s) Name(s):	
Long Beach		The Bionetics Corporation	
State:	Zip Code:	EPA Approving Official:	
CA	90810-1352	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
Saman Alishahi		Jocelyn Adair 202-564-1011	

Table 2 - Description of Violation and Vehicles/Engines

The engines listed below (subject engines) are uncertified or not covered by a certificate of conformity (COC) for engine family BNTWX.066NWA because the subject engines do not conform in all material respects to the engines described in the application for certification of the engine family. First, the subject engines have adjustable parameters and other adjustments that allow adjustment of the engines' air fuel ratio. Moreover, the carburetors are equipped with an idle mixture screw that could be easily adjusted, in spite of the small amount of glue on the screw, and the carburetors are equipped with a slotted jet needle and a removable clip that could be used to raise or lower the jet needle. The application does not describe any adjustable parameters and states that adjustments are prevented with effective limits or stops. Second, the subject engines' intake air system lacks an air filter, while the application describes by photograph that the test engine's intake air system has an air filter. Each difference between the design of the imported engines and the design of the certified engines is a material difference. Consequently, the engines are not eligible for coverage under the COC for EF: BNTWX.066NWA. In addition, the emission label on the imported engines is missing the date of manufacture and the manufacturer's trademark, and indicates an incorrect ignition timing specification. By importing 1,248 uncertified subject engines, Nationwide committed 1,248 violations of section 203(a)(1) of the Clean Air Act (CAA), 42 U.S.C. §§ 7522(a)(1), and the recreational vehicle and engine regulations, 40 C.F.R. §§ 1051.115 and 1068.101(a)(1).

Equipment Description	Engine Family	Manufacturer	Model Year	Quantity
Skyhawk Model GT5A Bicycle Engine Kits	BNTWX.066NWA	JiangYan YuanDong Engine Factory	2011	1,248

Table 3 - Penalty and Required Remediation

Penalty	\$10,800.00
Required Remediation	Export 1,247 engine kits to a country other than Canada, Mexico, or the U.S. Territories. (The single engine kit that EPA tested and rendered inoperable need not be exported.)