

Enclosure

CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-09-7792

Respondent: Tri Minh Hoang, President  
VN Tractors, Inc.  
4340 I-30 East  
Mesquite, TX 75150

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 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 findings resulting from the inspection 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.

RATIFIED BY EPA:

  
Pamela J. Mazakas, Acting Director, Air Enforcement Division

Date: 8/11/09

APPROVED BY RESPONDENT:

Name (print): TIFFANG HOANG

Title (print): MANAGEMENT

Signature: 

APPROVED BY EPA:

  
Pamela J. Mazakas, Acting Director, Air Enforcement Division

Date: 9/2/09

**Table 1 - Inspection Information**

<b>Entry/Inspection Date(s)</b>		<b>Docket Number:</b>	
September 30, 2008		C A A - 0 9 - 7 7 9 2	
<b>Inspection Location</b>		<b>Entry/Inspection Number(s)</b>	
VN Tractors, Inc.		B 4 0 9 3 0 0 8 1 3 2 0	
<b>Address</b>			
4340 I-30 East			
<b>City:</b>		<b>Inspector(s) Name(s):</b>	
Mesquite		Webster Roberts and Robert Hayes	
<b>State:</b>	<b>Zip Code:</b>	<b>EPA Approving Official:</b>	
TX	75150	Pamela J. Mazakas	
<b>Respondent:</b>		<b>EPA Enforcement Contact:</b>	
Tri Minh Hoang, President		Christopher Thompson 202-564-3313	

**Table 2 - Description of Violation and Vehicles/Engines**

VN Tractors, Inc. imported or caused the importation of two uncertified diesel engines contained in tractors. Therefore VN Tractors, Inc. is liable for two violations of 40 C.F.R. § 89.1003(a)(1).

Equipment Description	Engine Serial #	Engine Power	Engine Mfr.	Build Date	Quantity
Diesel Engine in Jinma Tractor model JM 304 (serial numbers 8121600037 and 8121600035)	08C0400510	22 kW	Jiangsu Jianghuai	2008	1
	06D0400526	25.7 kW	Unknown	2008	1

**Table 3 - Penalty and Required Remediation**

Penalty	\$4,300
Required Remediation	Remediation is export of the listed engines remaining in inventory to a country other than Canada and/or Mexico. The respondent is required to maintain complete and accurate import records, including EPA 3520-21 Declaration Forms, and supporting documentation for five years. The respondent must provide EPA with a report and documentation proving that the remediation has occurred.