

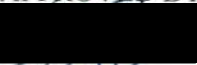
Enclosure

CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. AED-17-8352 Respondent: McCormick International USA, Inc.
2590 Brechinridge Blvd.
Duluth, GA 30096

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 \$25,800, 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 carried out.
4. By its first signature below, the EPA approves the findings resulting from the inspection and the alleged violations set forth in Tables 1 and 2. Upon signing and returning this Agreement to the EPA, Respondent consents to the terms of this Agreement without further notice. Respondent acknowledges 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 THE EPA:

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

Date: March 31, 2017

APPROVED BY RESPONDENT:


Name (print): TIAGO BONOMO

Title (print): CEO

Signature: 

Date: April 10, 2017

RATIFIED BY THE EPA:


Phillip A. Brooks, Director, Air Enforcement Division

Date: April 26, 2017

for

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
Aug. 21, 2015 (inspection); Nov. 25, 2015 (Information Request Issued Date)		A E D - 1 7 - 8 3 5 2	
Inspection Location:		Entry/Inspection Number(s)	
Mercer Exam Station		E E 9 - 0 2 4 5 2 1 3 - 9	
Address:			
4179 70 th Ave East			
City:		Inspector(s) Name(s):	
Fife		John E. Keenan	
State:	Zip Code:	EPA Approving Official:	
WA	98424	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
McCormick International USA, Inc.		John Keenan, 206-553-1817	

Table 2 - Description of Violations and Vehicles/Engines

McCormick International USA, Inc. (McCormick) imported four pieces of Equipment (Subject Equipment) described below. The engines installed in the Subject Equipment were neither covered by an EPA-issued Certificate of Conformity nor were they exempt from the Clean Air Act's certification requirement. Specifically, the Subject Equipment was not exempt under the Transition Program for Equipment Manufacturers (TPEM) because: (1) they did not have the label as required by 40 C.F.R. § 1039.625(f); and (2) McCormick failed to have a bond of the necessary amount and duration as required by 40 C.F.R. § 1039.626(a)(9). Thus, McCormick violated of 40 C.F.R. §§ 1068.101(a)(1) when it imported the Subject Equipment.

Equipment Description	Equipment Manufacturer	Engine Manufacturer	Engine Model Year	Quantity
Tractors	New Holland	FPT Industrial SPA	2015	4

Table 3 - Penalty and Required Remediation

Penalty	\$ 25,800
Required Remediation	McCormick has already applied necessary labels and obtained an adequate bond. No additional remediation is required.



U.S. Environmental Protection Agency Miscellaneous Payment Form

* Denotes a required field

*Individual or Business: Individual Business

*Debtor Name: McCormick International USA, Inc.

*Address: 2590 Breckinridge Blvd. *City: Duluth

*State: GA *Zip: 30096

*Phone Number: 678-924-9885 Email Address: _____

*Type of Payment:

*Invoice #:

FOIA# _____ (i.e. EPA-R5-2014-001234)

Site ID or Bill# _____ (i.e. 05J3 or 2750630T101)

Court Order# or Bill# AED-17-8352 (i.e. CWA-05-2006-0101 or 2750643W101)

Citation# or Bill# _____ (i.e. NAV-9-06-125 or 2750606U101)

Bill# or DCN (Travel) _____ (i.e. 0563XMT100 or 27C0607M101)

Bill# or description _____ (i.e. Jury Duty or Permit Fee)

*Payment Amount: \$ 25,800.00

Installments?

Region _____

Comments regarding this payment:

* Are you paying for yourself or another party? Self Payment Third Party Payment

Third Party Debtor Name: _____