



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

April 26, 2022

VIA E-MAIL

DELIVERY RECEIPT REQUESTED

Sondra and Robert Decker, Owners
Cryptic Enterprises LLC d/b/a Race City Truck & Equipment
2550 Charlotte Highway
 Mooresville, North Carolina 28115

Email: 73racecitytruck@gmail.com

Dear Sondra and Robert Decker:

Enclosed is a file-stamped Consent Agreement and Final Order (CAFO) which resolves Cryptic Enterprises LLC d/b/a Race City Truck & Equipment, docket no. CAA-05-2022-0015. As indicated by the filing stamp on its first page, we filed the CAFO with the Regional Hearing Clerk on April 26, 2022.

Pursuant to paragraph 33 and 34 of the CAFO, Cryptic Enterprises LLC d/b/a Race City Truck & Equipment must pay the civil penalty in three installments within 30, 180, and 360 days of the filing date. Your electronic funds transfer must display the case name and case docket number.

Please direct any questions regarding this case to Cynthia King, Attorney-Advisor, 312-886-6831.

Sincerely,

Frank,
Nathan

Digitally signed by
Frank, Nathan
Date: 2022.04.14
22:26:17 -05'00'

Nathan Frank, Supervisor
Air Enforcement and Compliance Assurance Section (IL/IN)

Enclosure

cc: Ann Coyle, Regional Judicial Officer/via electronic mail
Coyle.ann@epa.gov

Regional Hearing Clerk/via electronic mail
R5hearingclerk@epa.gov

Cynthia King, Attorney-Advisor/via electronic mail
king.cynthia@epa.gov

Todd Russo, Chief, Air Enforcement Branch,
Enforcement and Compliance Assurance Division,
U.S. EPA Region 4/via electronic mail
russo.todd@epa.gov

Consent Agreement and Final Order

In the matter of: Cryptic Enterprises LLC d/b/a Race City Truck & Equipment

Docket Number: **CAA-05-2022-0015**

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number CAA-05-2022-0015, which was filed on April 26, 2022, in the following manner to the following addressees:

Copy by E-mail to Respondent: Sondra & Robert Decker
73racecitytruck@gmail.com

Copy by E-mail to Cynthia King
Attorney for Complainant: king.cynthia@epa.gov

Copy by E-mail to Ann Coyle
Regional Judicial Officer: coyle.ann@epa.gov

Isidra Martinez
Acting Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:)	Docket No. CAA-05-2022-0015
)	
)	
Cryptic Enterprises LLC)	Proceeding to Assess a Civil Penalty
D/b/a Race City Truck & Equipment)	Under Section 205(c)(1) of the Clean Air
)	Act, 42 U.S.C. § 7524(c)(1)
Moorseville, North Carolina)	
)	
Respondent.)	
<hr/>)	

Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 205(c)(1) of the Clean Air Act (the CAA), 42 U.S.C. § 7524(c)(1), and Sections 22.1(a)(2), 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), as codified at 40 C.F.R. Part 22.

2. Complainant is the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency (EPA), Region 5.

3. Respondent is Cryptic Enterprises LLC d/b/a Race City Truck & Equipment (Cryptic Enterprises), a corporation doing business in North Carolina.

4. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).

5. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

6. Respondent consents to the assessment of the civil penalty specified in this CAFO and to the terms of this CAFO.

Jurisdiction and Waiver of Right to Hearing

7. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

8. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO and its right to appeal this CAFO.

Statutory and Regulatory Background

9. Section 203(a)(1) of the CAA, 42 U.S.C. § 7522(a)(1), prohibits a vehicle manufacturer from selling a new motor vehicle in the United States unless the vehicle is covered by a certificate of conformity (COC).

10. “Motor vehicle” means any self-propelled vehicle designed for transporting persons or property on a street or highway. *See* Section 216(2) of the CAA, 42 U.S.C. § 7550(2); 40 C.F.R. § 85.1703.

11. “Motor vehicle engine” means an engine that is designed to power a motor vehicle. *See* Section 216(3) of the CAA, 42 U.S.C. § 7550(3).

12. EPA issues COCs to motor vehicle and motor vehicle engine manufacturers to certify that a particular group of motor vehicles or motor vehicle engines conforms to applicable EPA requirements governing motor vehicle emissions. *See* Section 206(a) of the CAA, 42 U.S.C. § 7525(a).

13. EPA promulgated emissions standards for particulate matter, nitrogen oxides, hydrocarbons, and other pollutants applicable to motor vehicles and motor vehicle engines,

including standards for heavy-duty diesel engines (HDDE). *See* Section 202 of the CAA, 42 U.S.C. § 7521; 40 C.F.R. Part 86.

14. To meet the emission standards in 40 C.F.R. Part 86 and qualify for a COC, HDDE motor vehicle manufacturers may utilize devices and elements of design such as exhaust gas recirculation (EGRs) or clean gas induction systems (CGIs), diesel oxidation catalysts (DOCs), diesel particulate filters (DPFs), and/or selective catalytic reduction systems (SCRs).

15. Modern HDDE motor vehicles are equipped with electronic control modules (ECMs). ECMs continuously monitor engine and other operating parameters and control the emission control devices and elements of design, such as the engine fueling strategy, EGR/CGI, DOC, DPF, and SCR.

16. Under Section 202(m) of the CAA, 42 U.S.C. § 7521(m), EPA promulgated regulations for motor vehicles manufactured after 2007 that require HDDE motor vehicles to have numerous devices or elements of design that, working together, can detect problems with the vehicle's emission related systems, alert drivers to these problems, and store electronically-generated malfunction information. *See* 40 C.F.R. §§ 86.005-17, 86.007-17, 86.1806-05. These devices or elements of design are referred to as "onboard diagnostic systems" or "OBD" systems.

17. It is unlawful for "any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under [Title II of the CAA] prior to its sale and delivery to the ultimate purchasers ...or for any person knowingly to remove or render inoperative any such device or element of design after such sale and delivery to the ultimate purchaser" *See* Section

203(a)(3)(A) of the CAA, 42 U.S.C. § 7522(a)(3)(A), 40 C.F.R. § 1068.101(b)(1). This is also referred to as “tampering.”

18. It is unlawful for “any person to manufacture or sell, or offer to sell, or install, any part or component intended for use with, or as part of, any motor vehicle or motor vehicle engine, where a principal effect of the part or component is to bypass, defeat, or render inoperative any device or element of design installed on or in a motor vehicle engine in compliance with regulations under [Title II of the CAA], and where the person knows or should know that such part or component is being offered for sale or installed for such use or put to such use.” *See* Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B), 40 C.F.R. § 1068.101(b)(2). These parts or components are also referred to as “defeat devices.”

19. The Administrator of EPA (the Administrator) may assess a civil penalty of up to \$5,179 per motor vehicle, motor vehicle engine, or part or component for violations that occurred after November 2, 2015, where penalties are assessed on or after January 12, 2022, under Section 205(a) of the CAA, 42 U.S.C. § 7524(a) and 40 C.F.R. Part 19.

Factual Allegations and Alleged Violations

20. Respondent is a “person,” as that term is defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e).

21. On April 29, 2020, EPA issued a written Information Request (Request) to Respondent pursuant to Section 208 of the CAA, 42 U.S.C. § 7542. The Request sought information related to the Respondent’s purchase of, and/or installation of, parts, components, and services which bypass, defeat, or render inoperative any emission control component, element of design, or emissions related part or component for the period of January 1, 2017, to the date of the Request.

22. On November 20, 2020, Cryptic Enterprises responded to the Request stating that from January 1, 2017 to September 17, 2020, the company had not “manufactured, offered for sale, sold and/or installed any part, component, or product (such as an EGR block plate, straight exhaust pipe, tune, tuner, ECM re-calibration, or other similar product) which bypass, defeat, or render inoperative any emission control components or elements of design, or emissions related parts or components” In its response Cryptic Enterprises did state that they installed a single after-market Full-Tilt Performance Manifold.

23. On December 2, 2020, EPA contacted Cryptic Enterprises to discuss how Cryptic Enterprises had conducted its search for information to respond to EPA’s Request. Based on the discussion, EPA asked Cryptic Enterprises if they wished to supplement their response.

24. On December 18, 2020, Cryptic Enterprises submitted a revised response (Revised Response) and withdrew their November 20, 2020, response. In its Revised Response, Cryptic Enterprises admitted to purchasing and reselling ‘defeat devices’ and produced a limited set of partially redacted bank statements showing the purchase of numerous products from Diesel Spec Inc, Freedom Diesel, GearboxZ, and Egrdeletekit.com. All of these companies are known manufacturers and distributors of aftermarket defeat devices. In a separate exhibit to its revised response, the company provided a spreadsheet listing the purchase and install of 10 defeat devices.

25. On January 21, 2021, EPA and Cryptic Enterprises held a conference call during which EPA requested that Cryptic Enterprises explain what was purchased from Diesel Spec Inc., asked Cryptic to produce copies of all Diesel Spec Inc. receipts and invoices, and related Cryptic Enterprise’s receipts and invoices.

26. On February 26, 2021, Cryptic Enterprises responded to EPA, stating that they had “checked through their records and did not find any invoices or paperwork.”

27. On April 15, 2021, EPA issued a finding of violation (FOV) to Respondent alleging violations of Sections 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B), related to Cryptic Enterprises’ sale and/or installation of parts or components that bypass, defeat, or render inoperative elements of design of those engines that were installed by the original equipment manufacturer in order to comply with CAA emission standards. In the FOV, EPA also alleged violations of Section 203(a)(2)(A) of the CAA, 42 U.S.C. § 7522(a)(2)(A) for failing to provide EPA information required under Section 208(a) of the CAA, 42 U.S.C. § 7542(a).

28. On June 1, 2021, Respondent sent EPA a complete copy of bank statements for March 2017 through September 2020. The bank statements contained approximately 341 Diesel Spec Inc charges, 22 KrazyOnHighway charges, 21 PDQ Performance charges, an AlienTech charge, 2 EGRDeleteKit charges, and 6 charges from Freedom Diesel. On July 13, 2021, EPA notified Respondent that the bank statements provided did not match their December 18, 2020, Revised Response.

29. After repeated attempts, EPA was unable to obtain a supplemental response from the Respondent. On November 30th, 2021, EPA conducted a CAA inspection of Cryptic Enterprises.

30. On February 24, 2022, EPA and Cryptic Enterprises discussed settlement of the matter.

31. The defeat devices sold by, and/or installed by Respondent, are parts or components that were intended for motor vehicles and were designed for use with motor vehicles and motor vehicle engines for which each manufacturer obtained COCs establishing compliance with CAA emissions standards.

32. Respondent sold, offered to sell, and installed parts or components, including EGR block plate kits, exhaust kits, and ECM tunes, intended for use with, or as part of, a motor vehicle or motor vehicle engine, where a principal effect of the part or component was to bypass, defeat or render inoperative devices and elements of design that control emissions, such as the engine fueling strategy, EGR/CGI, DOC, DPF, SCR, OBD systems, installed on or in a motor vehicle or motor vehicle engine in compliance with the CAA. Respondent knew or should have known that such part or component was being offered for sale or installed for such use or put to such use in violation of Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B).

Civil Penalty

33. Based on analysis of the factors specified in Section 205(c) of the CAA, 42 U.S.C. § 7524(c), the facts of this case, the Respondent’s ability to pay, the compliance steps that Respondent has taken and agree to take, Respondent’s certifications set forth herein, and Respondent’s cooperation in resolving this matter, Complainant has determined that an appropriate civil penalty to settle this action is \$61,745.50.

34. Respondent must pay the above civil penalty plus accrued interest in no more than three (3) installments, with interest, as follows:

<u>Installment</u>	<u>Due By</u>	<u>Payment</u>	<u>Principal</u>	<u>Interest (4%)</u>
Payment #1	Within 30 days of effective date of CAFO	\$20,581.83		
Payment #2	Within 180 days of effective date of CAFO	\$20,787.65	\$20,581.83	\$205.82
Payment #3	Within 360 days of effective date of CAFO	\$20,684.75	\$20,581.83	\$102.91

35. Respondent must pay the installments by electronic funds transfer, payable to “Treasurer, United States of America,” and sent to:

Federal Reserve Bank of New York
ABA No. 021030004
Account No. 68010727
33 Liberty Street
New York, New York 10045
Field Tag 4200 of the Fedwire message should read:
“D68010727 Environmental Protection Agency”

In the comment or description field of the electronic funds transfer, state Respondent’s name and the docket number of this CAFO.

36. Respondent must send a notice of payment that states Respondent’s name and the docket number of this CAFO to EPA at the following addresses when it pays the penalty:

Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
r5airenforcement@epa.gov

Cynthia King (C-14J)
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
king.cynthia@epa.gov

Regional Hearing Clerk (E-19J)
U.S. Environmental Protection Agency, Region 5
r5hearingclerk@epa.gov

37. This civil penalty is not deductible for federal tax purposes.

38. If Respondent does not pay timely any installment payment as set forth in Paragraph 34, above, the entire unpaid balance of the civil penalty and any amount required by Paragraph 39, below, shall become due and owing upon written notice by EPA to Respondent of the delinquency. EPA may request the Attorney General of the United States to bring an action to collect any unpaid portion of the penalty with interest, nonpayment penalties and the United States enforcement expenses for the collection action under Section 113(d)(5) of the CAA,

42 U.S.C. § 7413(d)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

39. Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any overdue amount from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 26 U.S.C. § 6621(a)(2). Respondent must pay the United States enforcement expenses, including but not limited to attorney fees and costs incurred by the United States for collection proceedings. In addition, Respondent must pay a quarterly nonpayment penalty each quarter during which the assessed penalty is overdue. This nonpayment penalty will be 10 percent of the aggregate amount of the outstanding penalties and nonpayment penalties accrued from the beginning of the quarter. 42 U.S.C. § 7413(d)(5).

Other Conditions

40. By signing this Consent Agreement, Respondent agrees to the following: (i) Respondent will not remove or render inoperative any emissions-related device or element of design installed on or in a motor vehicle or motor vehicle engine in violation of Section 203(a)(3)(A) of the CAA, 42 U.S.C. § 7522(a)(3)(A); (ii) Respondent will not manufacture, sell, offer for sale, or install any part or component in violation of Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B); and (iii) Respondent acknowledges receipt of EPA's November 23, 2020 "Tampering Policy: The EPA Enforcement Policy on Vehicles and Engine Tampering and Aftermarket Defeat Devices under the Clean Air Act".

41. By signing this Consent Agreement, Respondent understands that the violations addressed in this CAFO may be considered as a "History of Noncompliance" for any future violations of Title II of the CAA, 42 U.S.C. § 7522(a)(3)(A) and (B), by Respondent or any other

business entity owned or operated by Robert or Sondra Decker, as addressed in the January 18, 2021, Clean Air Act Title II Vehicle & Engine Civil Penalty Policy.

42. By the date of Respondent's signature on this CAFO, Respondent shall remove all defeat devices from any and all vehicles and engines owned or operated by Respondent and ensure any vehicle and engine not matching the COC for that engine make/model is returned to its certified configuration (i.e. install the required emission controls and return the ECM to its factory settings).

43. By the date of Respondent's signature on this CAFO, Respondent shall permanently destroy or return to the manufacturer all defeat devices in its inventory and/or possession (including, but not limited to, any remote tuning devices or EGR block plates, such as those manufactured or sold by Diesel Spec Inc.).

44. Within 14 calendar days from the Respondent's signature on this CAFO, Respondent shall certify to EPA with proof via email that Respondent has completed the actions required in Paragraphs 42 and 43, above.

45. Within 14 calendar days from the Respondent's signature on this CAFO, Respondent shall remove from its webpages and any social media platform(s) all advertisements, photos, videos, and information that relate to performing tampering and/or selling, offering to sell, and/or installing defeat devices except advertisements, photos, videos, or information relating to how to comply with the CAA.

46. Within 14 calendar days from date of the Respondent's signature on this CAFO, Respondent shall post a publicly-accessible announcement about Respondent's settlement with EPA on Respondent's current website homepage(s), Respondent's social media homepage(s), including, but not limited to, all Facebook, Twitter, Pinterest, and Instagram accounts associated

with Respondent and its subsidiaries. The announcement shall remain posted for at least 60 calendar days from the date the announcement is posted. Respondent shall use the text contained in Appendix A (Announcement) in at least 12-point font, or another notice reviewed and approved by EPA, to provide such announcement. Respondent shall provide EPA with proof of posting the announcement within 30 calendar days from the Effective Date of this CAFO.

47. Within 30 calendar days from the date of Respondent's signature on this CAFO, Respondent shall notify, in writing, all customers who purchased any defeat devices of Respondent's settlement with EPA. Respondent shall use the letter contained in Appendix C (Letter), or another letter reviewed and approved by EPA, to provide such notice. The Letters shall be transmitted by certified U.S. Mail, return receipt requested. Respondent shall notify EPA with proof of mailing within 30 calendar days from the Effective Date of this CAFO to verify that all letters have been sent.

48. Failure to comply with Paragraph 40 of this CAFO may constitute a violation of Sections 203(a)(3)(A) and (B) of the CAA, 42 U.S.C. § 7522(a)(3)(A) and (B), and Respondent could be subject to penalties of up to the statutory civil penalties in 40 C.F.R. § 19.4.

49. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission, true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy, or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this CAFO, including information about Respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that

EPA may have, civil or criminal, under law or equity in such event. Respondent is aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

50. For purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 162-21(b)(2), performance of the Other Conditions Section above (Paragraphs 40-47) is restitution, remediation, or required to come into compliance with the law.

General Provisions

51. The parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: king.cynthia@epa.gov (for Complainant) and 73racecitytruck@gmail.com (for Respondent).

52. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in this CAFO.

53. The effect of the settlement described in Paragraph 52, above, is conditioned upon the accuracy of Respondent's representations to EPA.

54. The CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law.

55. This CAFO does not affect Respondent's responsibility to comply with the CAA and other applicable federal, state and local laws. Except as provided in Paragraph 52, above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal laws administered by EPA.

56. Respondent certifies that it is fully complying with Sections 203(a)(3)(A) and (B) of the CAA, 42 U.S.C. § 7522(a)(3)(A) and (B).

57. This CAFO constitutes an “enforcement response” as that term is used in EPA’s January 18, 2021, Clean Air Act Title II Vehicle & Engine Civil Penalty Policy to determine Respondent’s “full compliance history” under Section 205(b) of the CAA, 42 U.S.C. § 7524(b).

58. The terms of this CAFO bind Respondent, its successors and assigns.

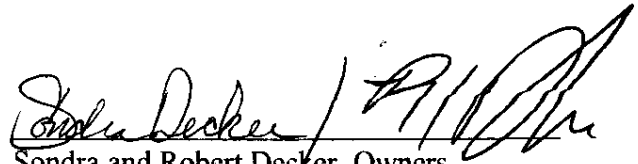
59. Each person signing this consent agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

60. Each party agrees to bear its own costs and attorney’s fees in this action.

61. This CAFO constitutes the entire agreement between the parties.

Cryptic Enterprises LLC d/b/a Race City Truck & Equipment, Respondent

4-12-2022 / 4-12-2022
Date


Sondra and Robert Decker, Owners
Cryptic Enterprises LLC d/b/a Race City Truck &
Equipment

United States Environmental Protection Agency, Complainant

**MICHAEL
HARRIS**

Digitally signed by
MICHAEL HARRIS
Date: 2022.04.21
15:57:02 -05'00'

Michael D. Harris
Division Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 5

Consent Agreement and Final Order
In the Matter of: Cryptic Enterprises LLC d/b/a Race City Truck & Equipment
Docket No. CAA-05-2022-0015

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

Date

ANN COYLE Digitally signed by ANN
COYLE
Date: 2022.04.22
13:55:33 -05'00'

Ann L. Coyle
Regional Judicial Officer
U.S. Environmental Protection Agency
Region 5

Appendix A: Announcement

On **X Date**, Cryptic Enterprises LLC d/b/a Race City Truck & Equipment (Cryptic Enterprises) entered into a settlement with the United States Environmental Protection Agency (EPA) to resolve alleged violations of Section 203(a)(3)(A) and 203(a)(3)(B) of the Clean Air Act, related to the removal and/or rendering inoperative of emission control devices and elements of design and the manufacturing selling, offering to sell, and/or installing defeat devices for use on heavy-duty diesel engines.

By signing a consent agreement with EPA, Cryptic Enterprises has certified that it will comply with Section 203(a)(3) of the CAA, which makes it unlawful for: “(A) any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under [Title II of the CAA] prior to its sale and delivery to the ultimate purchasers, or for any person knowingly to remove or render inoperative any such device or element of design after such sale and delivery to the ultimate purchaser; or (B) for any person to manufacture or sell, or offer to sell, or install, any part or component intended for use with, or as part of, any motor vehicle or motor vehicle engine, where a principal effect of the part or component is to bypass, defeat, or render inoperative any device or element of design installed on or in a motor vehicle engine in compliance with regulations under [Title II of the CAA], and where the person knows or should know that such part or component is being offered for sale or installed for such use or put to such use.”

Cryptic Enterprises will pay a penalty of \$61,745.50 and comply with the consent agreement to ensure ongoing compliance with the Clean Air Act.

If you have any questions regarding this announcement, please ask for Sondra or Robert Decker.

Thank you,
Sondra & Robert Decker

Appendix B: Letter

To Whom It May Concern:

On **X Date**, Cryptic Enterprises LLC d/b/a Race City Truck & Equipment (Cryptic Enterprises) entered into a settlement with the United States Environmental Protection Agency (EPA) to resolve alleged violations of Section 203(a)(30)(A) and 203(a)(3)(B) of the Clean Air Act, related to the removal and/or rendering inoperative of emission control devices or elements of design and selling, offering to sell, and/or installing defeat devices for use with heavy-duty diesel engines.

By signing a consent agreement with EPA, Cryptic Enterprises has certified that it will comply with Section 203(a)(3) of the CAA, which makes it unlawful for: “(A) any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under [Title II of the CAA] prior to its sale and delivery to the ultimate purchasers, or for any person knowingly to remove or render inoperative any such device or element of design after such sale and delivery to the ultimate purchaser; or (B) for any person to manufacture or sell, or offer to sell, or install, any part or component intended for use with, or as part of, any motor vehicle or motor vehicle engine, where a principal effect of the part or component is to bypass, defeat, or render inoperative any device or element of design installed on or in a motor vehicle engine in compliance with regulations under [Title II of the CAA], and where the person knows or should know that such part or component is being offered for sale or installed for such use or put to such use.”

Cryptic Enterprises will pay a penalty of \$61,745.50 and comply with the consent agreement to ensure ongoing compliance with the Clean Air Act.

If you have any questions regarding this letter, please ask for Sondra or Robert Decker.

Thank you,
Sondra & Robert Decker