

USEPA – Region II  
Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

In the Matter of:

PARTS iD, Inc., and  
PARTSiD, LLC  
Cranbury, New Jersey

Respondents

CONSENT AGREEMENT  
AND  
FINAL ORDER

CAA-02-2022-1205

**CONSENT AGREEMENT**

**Preliminary Statement**

Complainant, the United States Environmental Protection Agency (EPA), and Respondents, PARTS iD, Inc., and PARTSiD, LLC,<sup>1</sup> having agreed that settlement of this matter is in the public interest, and that entry of this Consent Agreement and Final Order (CAFO) without further litigation is the most appropriate means of resolving this matter.

Now, therefore, before any hearing, without adjudication of any issue of fact or law, upon the record, and upon the consent of Complainant, PARTS iD, Inc., and PARTSiD, LLC, it is hereby agreed as follows:

**Procedural Background**

1. This is a civil administrative penalty assessment proceeding instituted under section 205(c)(1) of the Clean Air Act (CAA or the Act), 42 U.S.C. § 7524(c)(1). The issuance of this Consent Agreement and attached Final Order simultaneously commences and concludes this proceeding. *See* 40 C.F.R. § 22.13(b).
2. This Consent Agreement is entered into under Section 205(c)(1) of the CAA, 42 U.S.C. § 7524(c)(1), and the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits”, 40 C.F.R. Part 22.
3. On EPA’s behalf, Dore F. LaPosta, Director of EPA, Region 2, Enforcement and Compliance Assurance Division, is authorized by lawful delegation to institute and settle civil administrative penalty assessment proceedings under CAA Section 205(c)(1).

<sup>1</sup> At the time of the violations, Respondents were known as Onyx Enterprises International Corp. (Onyx), a corporation organized under the laws of the State of New Jersey. On or around November 23, 2020, Onyx merged with Legacy Acquisition Corp. to form PARTS iD, Inc., a publicly traded company. *See* <https://www.partsidinc.com/>. PARTSiD, LLC, is a subsidiary of PARTS iD, Inc.

4. The EPA and PARTSiD have agreed to settle this action, consent to entry of this Consent Agreement, and neither admits nor denies the allegations made herein.
5. This CAFO resolves the alleged violations of Section 203(a)(3)(B) of the Act, 42 U.S.C. § 7522(a)(3)(B) discussed below.
6. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), PARTS iD admits that EPA has jurisdiction over this matter as stated above; consents to the assessment of a civil penalty as stated below; waives any right to contest the violations of law; and waives its rights to appeal the Final Order accompanying this Consent Agreement.

### **Factual Background**

7. PARTS iD, Inc., is a Delaware corporation with its principal place of business at 1 Corporate Drive, Cranbury, New Jersey.
8. PARTSiD, LLC is a limited liability company organized under the laws of the State of New Jersey with its principal place of business at 1 Corporate Drive, Cranbury, New Jersey.
9. PARTS iD, Inc., owns PARTSiD, LLC.
10. PARTS iD, Inc., and PARTSiD, LLC, are each a “person”, as defined in Section 302(e) of the CAA, 42 U.S.C. § 7602(e).
11. This document henceforth refers to PARTS iD, Inc., and PARTSiD, LLC, collectively as “PARTS iD” or “Respondent”.
12. PARTS iD offered for sale, or sold from January 1, 2017, to October 16, 2018, software and hardware designed for use on motor vehicles or engines, including heavy-duty diesel trucks and engines, manufactured by entities such as FCA US LLC and its predecessors (FCA); General Motors Co. (GM); and Ford Motor Co. (Ford). PARTS iD offered for sale and sold aftermarket motor vehicle parts for use on the motor vehicles and motor vehicle engines.

### **Governing Law**

13. This proceeding arises under Part A of Title II of the CAA, CAA §§ 202-219, 42 U.S.C. §§ 7521–7554, and the regulations promulgated thereunder. These laws aim to reduce emissions, including non-methane hydrocarbons (NMHC), oxides of nitrogen (NOx), particulate matter (PM), and carbon monoxide (CO), from sources of air pollution such as motor vehicles or motor vehicle engines.

14. “Motor vehicle” is defined in Section 216(2) of the CAA, 42 U.S.C. § 7550(2), as “any self-propelled vehicle designed for transporting persons or property on a street or highway.” *See also* 40 C.F.R. § 85.1703 (further defining “motor vehicle”).
15. 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).
16. EPA issues COCs to vehicle manufacturers (also known as original equipment manufacturers or OEMs) under Section 206(a) of the CAA, 42 U.S.C. § 7525(a), to certify that the group of motor vehicles covered by the COC conforms to applicable EPA requirements governing motor vehicle emissions.
17. Under Section 202 of the CAA, 42 U.S.C. § 7521, EPA promulgated emission standards for NMHC, NO<sub>x</sub>, CO and PM. *See generally* 40 C.F.R. Part 86.
18. To obtain a COC for a given motor vehicle test group or engine family, the OEM must demonstrate that each motor vehicle or motor vehicle engine will not exceed established emissions standards for NMHC, NO<sub>x</sub>, CO, PM, and other pollutants. 40 C.F.R. §§ 86.094-21, 86.004-21, 86.1844-01.
19. The COC application must describe, among other things, the emissions-related elements of design of the motor vehicle or motor vehicle engine. This includes all auxiliary emission control devices (AECDs), which are defined as “any element of design which senses temperature, vehicle speed, engine RPM, transmission gear, manifold vacuum, or any other parameter for the purposes of activating, modulating, delaying, or deactivating the operation of any part of the emission control system” of the motor vehicle. 40 C.F.R. §§ 86.094-21, 86.1844-01.
20. “Element of Design” means “any control system (*i.e.*, computer software, electronic control system, emission control system, computer logic), and/or control system calibrations, and/or the results of systems interaction, and/or hardware items on a motor vehicle or motor vehicle engine.” 40 C.F.R. § 86.094-2. For example, OEMs employ various ignition timing and fueling strategies to control emissions, *e.g.*, retarded fuel injection timing as a primary emission control device for NO<sub>x</sub>. OEMs also employ certain hardware devices as emission control systems to manage and treat exhaust to reduce levels of regulated pollutants from being created or emitted into the ambient air. Such devices include catalytic converters, oxygen sensors, and exhaust gas recirculation (EGR) systems.
21. “On-Board Diagnostic System” or “OBD” is a monitoring system, including components and sensors designed to detect, record, and report malfunctions of all monitored emission-related powertrain systems or components. 40 C.F.R. § 86.1806-05(b).

22. Under Section 202(m) of the CAA, 42 U.S.C. § 7521(m), EPA promulgated regulations requiring manufacturers to install OBD systems on heavy-duty diesel vehicles with a gross vehicle weight rating (GVWR) of 14,000 pounds or less beginning with the 2007 model year. 40 C.F.R. § 86.1806-05. The regulations required the OBD system to monitor emission control components for any malfunction or deterioration causing exceedance of certain emission thresholds. When an OBD system detects a problem, a check-engine light on the dashboard of the vehicle alerts the driver that a certain repair or repairs are needed. 40 C.F.R. § 86.1806-05; *see* 40 C.F.R. § 86.1807-17 (requiring OBD for heavy-duty diesel vehicles with a GVWR above 14,000 pounds). Thus, OBD is a critical Element of Design of the motor vehicle.
23. Under the CAA, the term “person” includes individuals, corporations, partnerships, associations, states, municipalities, and political subdivisions of a state. 42 U.S.C. § 7602(e).
24. Section 203(a)(3)(B) of the Act, 42 U.S.C. § 7522(a)(3)(B), prohibits any person from manufacturing, selling, offering to sell, or installing “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 or motor vehicle engine in compliance with regulations” under Title II of the CAA, “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.”
25. It is also a violation for any person to cause any of the acts set forth in CAA Section 203(a), 42 U.S.C. § 7522(a).
26. Persons violating sections 203(a)(3)(B) of the Act, 42 U.S.C. § 7522(a)(3)(B), are subject to a civil penalty of up to \$4,876 for each violation that occurred on or after November 2, 2015, where penalties are assessed on or after December 23, 2020. CAA § 205(a), 42 U.S.C. § 7524(a); 40 C.F.R. § 19.4; Civil Monetary Penalty Inflation Adjustment Rule, 85 Fed. Reg. 83818, 83821 (Dec. 23, 2020).
27. Any violation of Section 203(a)(3)(B) of the Act, 42 U.S.C. § 7522(a)(3)(B), shall constitute a separate offense with respect to each part or component. CAA § 205(a), 42 U.S.C. § 7524(a).

#### **Additional Definitions**

28. Certain terms used in this Consent Agreement are defined as follows:
  - (a) “Defeat Device” means a 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 a motor vehicle emission control device or element of design, including such emission control devices or

elements of design required by regulation under Title II of the CAA. *See* CAA § 203(a)(3)(B), 42 U.S.C. § 7522(a)(3)(B).

- (b) “Catalytic Converter” is a primary emission control component that is used to reduce toxic byproducts of burning fuel (*e.g.*, NO<sub>x</sub>, CO, and HC) into less hazardous byproducts such as carbon dioxide, water vapor, and nitrogen gas.
- (c) “Electronic Control Module” or “ECM” is a computer and primary emission control component installed in a motor vehicle that determines how the motor vehicle functions. An ECM receives input signals from multiple sensors on the motor vehicle. Based on the input signals, and according to the map(s)/tune(s) installed on the ECM, an ECM sends output signals that direct vehicle functions including ignition timing and fueling strategy. The ECM continuously monitors engine and other operating parameters and controls the emission control elements of design such as fueling strategy and emission control device operation.
- (d) “Exhaust Gas Recirculation” or “EGR” is an element of design in motor vehicles that reduces NO<sub>x</sub> emissions, which are formed at high temperatures during fuel combustion. By recirculating exhaust gas through the engine, EGR reduces engine temperature and NO<sub>x</sub> emissions.
- (e) “Diesel Particulate Filter” or “DPF” is a filter that captures soot from engine exhaust, thereby decreasing PM emissions. By design, soot that collects in the DPF is periodically burned off by elevated exhaust temperatures in a process referred to as active or passive regeneration. The DPF includes all hardware, parts, sensors, subassemblies, software, and other components that collectively constitute the system for implementing this emissions control strategy. The DPF is a “device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with [CAA] regulations” within the meaning of Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B) and is also an Emissions-Related Element of Design.
- (f) “Diesel Oxidation Catalyst” or “DOC” (a type of “catalytic converter” or “catalyst”) is a precious-metal coated, flow-through honeycomb structure. As exhaust gas passes through the DOC, the coating of precious metal causes a catalytic reaction that breaks down CO and NMHCs in the exhaust into their less harmful components. The DOC includes all hardware, parts, sensors, subassemblies, software, and other components that collectively constitute the system for implementing this emissions control strategy. The DOC is a “device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with [CAA] regulations” within the meaning of Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B) and is also an Emissions-Related Element of Design.

- (g) “Selective Catalytic Reduction” or “SCR” system (a type of “catalytic converter” or “catalyst”) reduces NOx emissions by chemically converting exhaust gas that contains NOx into nitrogen and water through the injection of diesel exhaust fluid, typically composed of urea. The SCR includes all hardware, parts, sensors, subassemblies, software, and other components, that collectively constitute the system for implementing this emissions control strategy, including the diesel exhaust fluid, or “DEF” injection system. The SCR is a “device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with [CAA] regulations” within the meaning of Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B) and is also an Emissions-Related Element of Design.
- (h) “NOx Adsorption Catalyst” or “NAC” (a type of “catalytic converter” or “catalyst”, a/k/a “NOx trap”) reduces NOx emissions by chemically adsorbing NOx from exhaust gas. The NAC includes all hardware, parts, sensors, subassemblies, software, and other components that collectively constitute the system for implementing this emissions control strategy. The NAC is a “device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with [CAA] regulations” within the meaning of Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 7522(a)(3)(B) and is also an Emissions-Related Element of Design.

#### **Alleged Violations of Law**

- 29. EPA alleges that PARTS iD sold software and hardware that could be used to disable the elements of design that motor vehicle manufacturers employ to meet emission standards.
- 30. Between January 1, 2017, to October 16, 2018, EPA alleges that PARTS iD offered for sale or sold at least two hundred and sixty-six (266) Defeat Devices, including:
  - (a) Two hundred and seven (207) exhaust systems with a principal effect of removing aftertreatment such as the DOC, DPF, NAC, or SCR;
  - (b) Forty-six (46) EGR removal and/or block off kits with a principal effect of bypassing, defeating, or rendering inoperative the EGR; and
  - (c) Thirteen (13) ECM programmers (including hardware commonly referred to as “tuners” and software or firmware commonly referred to as “tunes”), with a principal effect of defeating or rendering inoperative OEM-installed elements of design that control the EGR, SCR, ignition timing, fueling strategies, or other emission controls, or the monitoring function of the OBD allowing for the removal of the EGR, DOC, DPF, NAC, SCR, or other emissions controls.
- 31. EPA alleges the Defeat Devices referenced in the preceding paragraph are parts or components intended for use with, or as part of, motor vehicles or motor vehicle engines, where a principal effect of the parts or components is to bypass, defeat, or render inoperative emission related devices or elements of design that are installed on a motor vehicle or motor vehicle engine in compliance with CAA regulations.

32. EPA alleges that PARTS iD knew or should have known such parts and components were being offered for sale or installed for such use or put to such use.
33. Between January 1, 2017, to October 16, 2018, EPA alleges that PARTS iD committed two hundred and sixty-six (266) violations of Section 203(a)(3)(B) of the Act, 42 U.S.C. § 7522(a)(3)(B).

### Terms of Agreement

34. As a condition of settlement, PARTS iD agrees to the following: By signing this Consent Agreement, the undersigned representative(s) of PARTS iD certifies that from the date of signature PARTS iD (i) 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); and (ii) will not manufacture, sell, offer for sale, or install any part or component whose principal effect is to bypass, defeat, or render inoperative any device or element of design installed on or in a vehicle or engine in compliance with Title II of the CAA, including those described in Paragraph 30 above, in violation of Section 203(a)(3)(B) of the CAA, 42 U.S.C. § 522(a)(3)(B). Toward this end, PARTS iD is aware of EPA's November 23, 2020 "Tampering Policy: The EPA Enforcement Policy on Vehicle and Engine Tampering and Aftermarket Defeat Devices under the Clean Air Act".
35. Civil Penalty: Taking into account the particular facts and circumstances of this matter, with specific reference to the penalty factors set forth in Section 205(c) of the CAA, 42 U.S.C. § 7524(c), EPA has determined that it is fair and proper to assess a civil penalty of **Four Hundred Ninety-One Thousand Four Hundred Seventy-Four Dollar (\$491,474)** for the violations listed in this CAFO. In accordance with 40 C.F.R. § 13.18 and EPA's *Guidance on Evaluating a Violator's Ability to Pay a Civil Penalty in an Administrative Enforcement Action* (2015) (the 2015 EPA Guidance), EPA has determined that Respondent demonstrated an inability to pay the entire penalty in a single payment within thirty (30) days and that installment payments are in EPA's best interest. The civil penalty shall be paid as follows:
  - (a) Within thirty (30) days of the effective date of this CAFO, PARTS iD shall pay to EPA a 1<sup>st</sup> Payment of \$49,147.40 (PARTS iD 1<sup>st</sup> Payment).
  - (b) Within ninety (90) days of the effective date of this CAFO, PARTS iD shall pay to EPA a 2<sup>nd</sup> Payment of \$49,147.40, plus, under the 2015 EPA Guidance, interest at an annualized rate of 5% accruing as of the day after the PARTS iD 1<sup>st</sup> Payment.
  - (c) The balance shall be paid in twelve (12) equal monthly installments between January 2, 2023, and December 1, 2023. Interest shall accrue, under the 2015 EPA Guidance, at an annualized rate of 5% on the balance remaining as of the day after the PARTS iD 1<sup>st</sup> Payment.

Each payment of the civil penalty set forth in this Paragraph shall be made by submitting a bank, cashiers, or certified check, payable to the order of the "Treasurer, United States of America". Each check should be sent via regular mail to:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

Alternatively, PARTS iD may make payments via express mail to:

U.S. Bank  
Government Lockbox 979077  
1005 Convention Plaza  
Mail Station SL-MO-C2GL  
St. Louis, MO 63101

PARTS iD shall note the case name and docket number of this matter (“*In the matter of PARTS iD, Inc., and PARTSiD, LLC*, Docket No. CAA-02-2022-1205”) on each check and in an accompanying cover letter, and shall simultaneously provide copies of each check and cover letter to:

Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway - 16E-023  
New York, NY 10007  
**Maples.Karen@epa.gov**

and

Robert DeLay  
Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
290 Broadway - 16W-011  
New York, NY 10007  
**Delay.Robert@epa.gov**

36. Nothing in this Consent Agreement shall be construed as prohibiting, altering or in any way limiting the ability of EPA to seek any other remedies or sanctions available by virtue of Respondent’s violation of this agreement or of the statutes and regulations upon which this agreement is based, excluding any violations resolved by this CAFO, or for Respondent’s violation of any applicable provision of law, excluding any violations resolved by this CAFO, nor waiver of any defense, objection or response the Respondent may assert in response to any claim that the agreement is violated.
37. This CAFO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state, or local law, nor shall it be construed to be a ruling on, or



- determination of, any issue related to any federal, state, or local permit.
38. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to the CAA for the violations alleged in this CAFO. Nothing in this CAFO is intended to nor shall be construed to operate in any way to resolve any criminal liability of the Respondent. Compliance with this CAFO shall not be a defense to any actions subsequently commenced pursuant to Federal laws and regulations administered by EPA for matters not resolved by this CAFO, and it is the responsibility of Respondent to comply with such laws and regulations.
  39. Respondent's undersigned representative to this Consent Agreement certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this Consent Agreement and to execute and legally bind Respondent to it.
  40. This CAFO constitutes a settlement by EPA of all claims for federal civil penalties pursuant to Section 202 of the CAA for the violations listed in this CAFO. Compliance with this CAFO shall not be a defense to any other actions subsequently commenced pursuant to federal laws and regulations administered by EPA for matters not addressed in this CAFO, and it is the responsibility of Respondent to comply with all applicable provisions of federal, state, or local law. EPA reserves all its other criminal and civil enforcement authorities, including the authority to seek injunctive relief and the authority to respond to conditions that may present an imminent and substantial endangerment to public health, welfare, or the environment.
  41. Interest (other than that due under Paragraph 35), Costs, and Late Payment Penalties.
    - (a) Pursuant to 42 U.S.C. § 7524(c)(6), EPA is entitled to assess interest and penalties on debts owed to the United States and a charge to cover the cost of processing and handling a delinquent claim.
    - (b) Failure to pay the full amount of the penalty assessed under this Consent Agreement may subject Respondent to a civil action to collect any unpaid portion of the proposed civil penalty and interest. In order to avoid the assessment of interest (except interest due under Paragraph 35 of this Consent Agreement), administrative costs, and late payment penalty in connection with such civil penalty, as described in the following Paragraph of this Consent Agreement, Respondent must timely pay the penalty.
    - (c) If Respondent fails to make any payment by the required due dates set forth in Paragraph 35 of this Consent Agreement, the total penalty amount plus all accrued interest, shall become due immediately to the United States upon such failure. Interest shall continue to accrue on any unpaid amounts until the total amount due has been received by the United States; however, no interest shall be payable on any portion of the Civil Penalty that is paid timely. Respondent shall be liable for such amount regardless of whether EPA has notified Respondent of its failure to pay or made a demand for payment. All payments to the United States under this paragraph shall be made by bank, cashiers, or certified check as described in Paragraph 35 of this Consent Agreement.

- (d) In the event that any portion of the civil penalty amount described in Paragraph 35 is not paid when due without demand, under 42 U.S.C. § 7524(c)(6) of the CAA, Respondent will be subject to an action to compel payment, plus interest, enforcement expenses, and a nonpayment penalty. Interest (except interest due under Paragraph 35 of this Consent Agreement) will be assessed on the civil penalty if it is not paid when due. In that event, such interest will accrue from the due date at the “underpayment rate” established under 26 U.S.C § 6621(a)(2). In the event that a penalty is not paid when due, an additional charge will be assessed to cover the United States’ enforcement expenses, including attorney’s fees and collection costs. In addition, a quarterly nonpayment penalty will be assessed for each quarter during which the failure to pay the penalty persists. Such nonpayment penalty shall be 10 percent of the aggregate amount of Respondent’s outstanding civil penalties and nonpayment penalties hereunder accrued as of the beginning of such quarter. In any such collection action, the validity, amount, and appropriateness of the penalty shall not be subject to review.
42. The civil penalty provided under this CAFO, and all interest, nonpayment penalties, and charges described in this CAFO, shall represent penalties assessed by EPA within the meaning of 26 U.S.C. § 162(f) and are not tax deductible for purposes of federal, state, or local law. Accordingly, Respondent agrees to treat all payments made pursuant to this CAFO as penalties within the meaning of 26 C.F.R. § 1.162-21, and further agrees not to use these payments in any way as, or in furtherance of, a tax deduction under federal, state, or local law.
43. This Consent Agreement and attached Final Order apply to and are binding on Respondent, its successors, and assigns.
44. Nothing in this Consent Agreement shall relieve Respondent of the duty to comply with all applicable provisions of the CAA or other federal, state, or local laws or statutes, nor shall it restrict EPA’s authority to seek compliance with any applicable laws or regulations.
45. This Consent Agreement and attached Final Order shall become effective upon execution of the Final Order by the Regional Administrator.
46. Respondent consents to service upon Respondent by a copy of this CAFO by an EPA employee other than the Regional Hearing Clerk.
47. Except as provided in Paragraph 41(d) of this Consent Agreement, each party shall bear its own costs and attorney’s fees in connection with the action resolved by this CAFO.

The foregoing Consent Agreement *In the Matter of PARTS iD, Inc., and PARTSiD, LLC*, Docket No. CAA-02-2022-1205, is Hereby Agreed and Approved for Entry.

**For PARTS iD, Inc.:**

DocuSigned by:  
John Pendleton 9/28/2022  
0D9844E43FF84AE...  
Signature Date

Printed Name: John Pendleton

Title: EVP, Corporate and Legal Affairs

Address: 1 Corporate Dr, Suite C, Cranbury, NJ 08512

Respondent's Federal Tax Identification Number: 81-3674868

**For PARTSiD, LLC:**

DocuSigned by:  
John Pendleton 9/28/2022  
0D9844E43FF84AE...  
Signature Date

Printed Name: John Pendleton

Title: EVP, Corporate and Legal Affairs

Address: 1 Corporate Dr, Suite C, Cranbury, NJ 08512

Respondent's Federal Tax Identification Number: 85-3035607

The foregoing Consent Agreement *In the Matter of PARTS iD, Inc., and PARTSiD, LLC*, Docket No. CAA-02-2022-1205, is Hereby Agreed and Approved for Entry.

**For Complainant:**

**Anderson, Kate** Digitally signed by  
Anderson, Kate  
Date: 2022.09.30  
13:22:44 -04'00'

*for*

**Dore F. LaPosta**, Director  
Enforcement and Compliance Assurance Division  
United States Environmental Protection Agency  
Region 2

\_\_\_\_\_  
Date

**BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

In the Matter of:

PARTS iD, Inc., and  
PARTSiD, LLC  
Cranbury, New Jersey

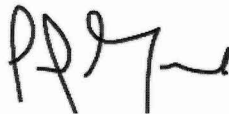
Respondent.

Docket No.  
**CAA-02-2022-1205**

**FINAL ORDER**

Pursuant to 40 C.F.R. § 22.18(b) and (c) of EPA's Consolidated Rules of Practice, and Section 205(c) of the Clean Air Act, 42 U.S.C. § 7524(c), the foregoing Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified.

The Respondent is ORDERED to comply with all terms specified in the Consent Agreement, effective immediately.



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**Lisa F. Garcia**, Regional Administrator  
United States Environmental Protection Agency  
Region 2

Date: 9/30/2022

APPENDIX A  
SUMMARY  
AFTERMARKET AUTOMOTIVE PRODUCT LIST<sup>2</sup>

PART OR COMPONENT	EFFECT ON EMISSION CONTROL DEVICES	QUANTITY
Tuners or Tunes for Diesel Trucks	Override on-board diagnostic (OBD) codes to facilitate removal of diesel oxidation catalyst (DOC), diesel particulate filter (DPF), exhaust gas recirculation (EGR), and/or Selective Catalytic Reduction (SCR) system.	13
Delete Pipes	Remove and bypass diesel oxidation catalyst (DOC), diesel particulate filter (DPF), and/or Selective Catalytic Reduction (SCR) system.	207
Exhaust Gas Recirculation Removal Kits	EGR removal and bypass	46
<b>TOTAL</b>		<b>266</b>

<sup>2</sup> Onyx Enterprises submitted the information listed in Appendix A under claim of Confidential Business Information.

## DETAILED AFTERMARKET AUTOMOTIVE PRODUCT LIST

Manufacturer	Part Number	Name
aFe	49-04007NM	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	49-02003NM	Atlas Aluminized Steel Turbo-Back Exhaust System with Single Side Exit
	49-03039NM	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	49-03077NM	Atlas Aluminized Steel Turbo-Back Exhaust System with Single Side Exit
	49-04090NM	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	49-04053	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	49-04002	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	49-03006NM	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	49-03003NM	Atlas Aluminized Steel Turbo-Back Exhaust System with Single Side Exit
	49-43027	Mach Force XP 409 SS DPF-Delete Race Pipe with Bungs
	49-46127-B	Large Bore HD 409 SS Downpipe-Back Exhaust System with Single Side Exit
	49-02003	Atlas Aluminized Steel Turbo-Back Exhaust System with Single Side Exit
	49-44076-B	Rebel Series 409 SS Turbo-Back Exhaust System with Dual Side Exit
	49-03098NM	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	49-04035-1	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	49-04035NM	Atlas Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
BD Diesel Performance	1090001	EGR Cooler Delete Kit
Billy Boat Exhaust	FPIM-0905	Catalytic Converter Delete Pipe with Resonator
Borla	60626	Stainless Steel Catalytic Converter Delete Pipes
DC Sports	HCD5526	304 SS Polished Catalytic Converter Delete Pipe
	SCD7049	304 SS Polished Catalytic Converter Delete Pipe
Deviant Race Parts	73111	EGR Delete/Up-Pipe Combo
	95140	EGR Upgrade Kit
Flo-Pro	57123	Race Stainless Steel Cat-DPF Delete Pipe without Bungs
	868NB	Race Aluminized Steel Cat-DPF Delete Pipe without Bungs
	27113NB	Race Aluminized Steel Cat-DPF Delete Pipe without Bungs
	SS837NB	Race Stainless Steel Cat-DPF Delete Pipe without Bungs
	21124	Race Aluminized Steel Cat-DPF Delete Pipe
	EC64	EGR and Cooler Delete Kit

653NB	Aluminized Steel Muffler Delete Downpipe-Back Exhaust System with Single Rear Exit
10810	Race Aluminized Steel Cat-DPF Delete Pipe
801NM	Aluminized Steel Muffler Delete Downpipe-Back Exhaust System with Single Side Exit
30800R	Stainless Steel Up Pipe Set without EGR
837NB	Race Aluminized Steel Cat-DPF Delete Pipe without Bungs
EGR60	EGR and Cooler Delete Kit
SS653NB	409 SS Muffler Delete Downpipe-Back Exhaust System with Single Rear Exit
834	Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
SS652NB	409 SS Downpipe-Back Exhaust System with Single Rear Exit
664NM	Aluminized Steel Muffler Delete Downpipe-Back Exhaust System with Single Side Exit
SS801	409 SS Downpipe-Back Exhaust System with Single Side Exit
852NB	Aluminized Steel Downpipe-Back Exhaust System with Single Rear Exit
SS633NB	409 SS Muffler Delete Downpipe-Back Exhaust System with Single Side Exit
634NM	Aluminized Steel Muffler Delete Downpipe-Back Exhaust System with Single Side Exit
1839	Aluminized Steel Muffler Delete Race Turbo- Back Exhaust System with Single Side Exit
SS664NM	409 SS Muffler Delete Downpipe-Back Exhaust System with Single Side Exit
1636	Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
SS1648	409 SS Race Turbo-Back Exhaust System with Single Side Exit
SS819	409 SS Race Turbo-Back Exhaust System with Single Side Exit
18213	Race Aluminized Steel Cat-DPF Delete Pipe without Bungs
SS857NB	Race Stainless Steel Cat-DPF Delete Pipe without Bungs
864NM	Aluminized Steel Muffler Delete Downpipe-Back Exhaust System with Single Side Exit
SS824NM	409 SS Muffler Delete Race Turbo-Back Exhaust System with Single Side Exit
302202	EGR Delete Kit
834NM	Aluminized Steel Muffler Delete Downpipe-Back Exhaust System with Single Side Exit
644	Aluminized Steel Muffler Delete Race Turbo- Back Exhaust System with Single Side Exit
1848	Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
213000	EGR and Cooler Delete Kit



	1849	Aluminized Steel Muffler Delete Race Turbo- Back Exhaust System with Single Side Exit
	11112	Race Aluminized Steel Cat-DPF Delete Pipe with 4-Bolt Flange and Adapter
	301008	EGR and Cooler Delete Kit
	835NB	Race Aluminized Steel Cat-DPF Delete Pipe without Bungs
	819	Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
	1674	Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
	SS664	409 SS Downpipe-Back Exhaust System with Single Side Exit
	833NB	Aluminized Steel Muffler Delete Downpipe-Back Exhaust System with Single Rear Exit
	301005	EGR Cooler Delete Kit
	SS1673	409 SS Muffler Delete Race Turbo-Back Exhaust System with Single Side Exit
	824	Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
	1874	Aluminized Steel Downpipe-Back Exhaust System with Single Side Exit
	301004	EGR and Cooler Delete Kit without Bypass Hose
Invidia	HS09N7ZTPPB	Stainless Steel Test Pipes with Celfix and Bracket
	HS02N3ZTP2B	Stainless Steel Test Pipes with Celfix and Bracket
Jamo Performance Exhaust	D005TB-MD	409 SS Turbo-Back Exhaust System with Single Side Exit
	C002DB	409 SS Downpipe-Back Exhaust System with Single Side Exit
	C002DB-MD	409 SS Downpipe-Back Exhaust System with Single Side Exit
	F004DB	409 SS Downpipe-Back Exhaust System with Single Side Exit
	C003DB-MD	409 SS Downpipe-Back Exhaust System with Single Side Exit
	F003TB	409 SS Turbo-Back Exhaust System with Single Side Exit
	F005DB-MD	409 SS Downpipe-Back Exhaust System with Single Side Exit
	D506TB-MD	409 SS Turbo-Back Exhaust System with Single Side Exit
	F004DB-MD	409 SS Downpipe-Back Exhaust System with Single Side Exit
	AD503TB-MD	Aluminized Steel Turbo-Back Exhaust System with Single Side Exit
Jet-Hot	JH-000018	409 SS Off-Road Exhaust Y-Pipe
Kooks Headers & Exhaust	25103100	Stainless Steel Off-Road X-Pipe with OEM Outlet
	28553100	Stainless Steel Off-Road Y-Pipe with OEM Outlet
	28613100	Stainless Steel Off-Road Y-Pipe with OEM Outlet
	28603100	Stainless Steel Off-Road Y-Pipe with OEM Outlet
MagnaFlow	17004	Black Series Stainless Steel Turbo-Back Exhaust System with Single Side Exit

	18982	Custom Builder Aluminized Steel Downpipe- Back Exhaust System with Single Side Exit
	17012	Black Series Stainless Steel Turbo-Back Exhaust System with Single Side Exit
	18980	Custom Builder Aluminized Steel Downpipe- Back Exhaust System with Single Side Exit
	18945	Custom Builder Aluminized Steel Turbo-Back Exhaust System with Single Side Exit
	17927	Pro Series Stainless Steel Turbo-Back Exhaust System with Single Side Exit
MBRP	S6212409	XP Series 409 SS Off-Road Turbo-Back Exhaust System with Single Side Exit
	S6126409	XP Series 409 SS Turbo-Back Exhaust System with Single Side Exit
	S6004409	XP Series 409 SS Off-Road Downpipe-Back Exhaust System with Single Side Exit
	S61160SLM	SLM Series 409 SS Turbo-Back Exhaust System with Single Side Exit
	C6044P	Competition Aluminized Steel Race Downpipe- Back Exhaust System with Single Side Exit
	C6044PLM	Competition Aluminized Steel Race Downpipe- Back Exhaust System with Single Side Exit
	S61160409	XP Series 409 SS Turbo-Back Exhaust System with Single Side Exit
	C6126PLM	Competition Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
	C6268PLM	Competition Aluminized Steel Race Downpipe- Back Exhaust System with Single Side Exit
	C6146PLM	Competition Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
	C6004PLM	Competition Aluminized Steel Race Downpipe- Back Exhaust System with Single Side Exit
	S60200BLK	Black Series Aluminized Steel Off-Road Downpipe-Back Exhaust System with Single Side Exit
	CFAL458	Aluminized Steel Race Pipe
	S60200SLM	SLM Series 409 SS Off-Road Downpipe-Back Exhaust System with Single Side Exit
	CDS9442	409 SS Race Pipe with Muffler
	CFAL457	Aluminized Steel Race Pipe
	C6143SLM	Competition 409 SS Race Turbo-Back Exhaust System with Single Side Exit
	CDAL441	Aluminized Steel Race Pipe without Muffler
	DS9417	409 SS Catalytic Converter Test Pipe
	C6116PLM	Competition Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
	C6142P	Competition Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
	C6143P	Competition Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit

	C6270P	Competition Aluminized Steel Race Downpipe-Back Exhaust System with Single Side Exit
	C6020PLM	Competition Aluminized Steel Race Downpipe-Back Exhaust System with Single Side Exit
	C6262P	Competition Aluminized Steel Race Downpipe-Back Exhaust System with Single Side Exit
	C6044304	Competition 304 SS Race Downpipe-Back Exhaust System with Single Side Exit
	DAL417	Aluminized Steel Catalytic Converter Test Pipe
	CFGS9020	409 SS Non-Catted Y-Pipe
	S6212SLM	SLM Series 409 SS Off-Road Turbo-Back Exhaust System with Single Rear Exit
	C6147PLM	Competition Aluminized Steel Race Turbo-Back Exhaust System with Single Side Exit
OZ Tuner	OZ-COL-EGR-KIT	EGR Delete Kit
	OZ-AC-E98-LWN-SE	EFILive AutoCal with Special Edition Custom DSP4 ECM Tuning
	OZ-ET-E98-LWN-SE	EFILive Special Edition Custom DSP4 ECM Tuning
	OZ-ACC-67-1317	EFILive AutoCal with Custom CSP4 ECM Tuning
	OZ-ACD-LMM	EFILive AutoCal with Custom DSP5 ECM Tuning
PPE	116111101	Race Exhaust Manifold with Single Turbo Up-Pipes and D-Pipes
River City Diesel	RCD-6.0EGRK	EGR Delete
Sinister Diesel	SD-EGRD-6.7C-10	EGR Valve Cooler Delete Kit
	SD-EGRD-6.7C-07	EGR Valve Cooler Delete Kit
	SD-EGRD-LMM	EGR Valve Cooler Delete Kit
	SD-EGRD-LLY-IE	EGR Valve Cooler Delete Kit
	SD-EGRD-6.7P-FP	EGR Delete Kit
	SD-EGRD-6.7P-NPT	EGR Delete Kit
	SD-EGRD-LBZ-IE	EGR Valve Cooler Delete Kit
	SD-560P-AS	Assault 409 SS Turbo-Back Exhaust System with Single Side Exit
	SD-466-01	409 SS Downpipe-Back Exhaust System with Single Side Exit
	SD-EGRD-LLY	EGR Valve Cooler Delete Kit
	SD-YPIPE-6.0-CW	Race Series Stainless Steel Ceramic Coated Y-Pipe Set with Heat Wrap
	SD-EGRD-6.4-IE	EGR Valve Cooler Delete Kit
	SD-CS-LBZ-EGRD	Complete Solution EGR Delete Kit
	SD-YPIPE-6.0	Race Series Stainless Steel Y-Pipe Set
Stainless Works	CT14HOR	304 SS Mill Long Tube Non-Catted Exhaust Header Assembly with Performance Connect Off-Road X-Pipe
	CT14HORY	304 SS Mill Long Tube Non-Catted Exhaust Header Assembly with Factory Connect Off-Road Y-Pipe
	FT16ECODP	304 SS Off-Road Downpipe
	08F150HOR	304 SS Mill Long Tube Non-Catted Exhaust Header Assembly with Performance Connect Off-Road X-Pipe

	SS14HOR	304 SS Long Tube Non-Catted Exhaust Header Assembly with Factory Connect Off-Road X-Pipe
	RAM09HORYST	304 SS Mill Long Tube Non-Catted Exhaust Header Assembly with Factory Connect Off-Road Y-Pipe
	CT07HOR	304 SS Mill Long Tube Non-Catted Exhaust Header Assembly with Performance Connect Off-Road Pipes
	FT15ECODP	304 SS Off-Road Downpipe
Torque Solution	TS-EGR-002	EGR Delete Kit
	TS-EGR-001	EGR Delete Kit
	TS-SU-282	EGR Delete Kit with Laser Engraved "TS" Logo
Weapon-R	Weapon-R953-400-105	Stainless Steel Turbo Housings and Cat-Delete Pipe