



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219**

**CLEAN AIR ACT
VEHICLE AND ENGINE EXPEDITED SETTLEMENT AGREEMENT**

DOCKET NO. CAA-07-2021-0020

Respondent: S & S Equipment, Inc.
1886 Highway 20
Lawton, Iowa 51030

1. The parties enter into this Clean Air Act Vehicle and Engine Expedited Settlement Agreement (Agreement) in order to settle the civil violation(s) discovered as a result of the inspection(s) specified in Table 1, attached, incorporated into this Agreement by reference. The civil violation(s) that are the subject of this Agreement are described in Table 2, attached, incorporated into the Agreement by reference, regarding the vehicle(s)/engine(s) 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 neither admits nor denies the findings detailed therein, and waives any objections Respondent may have to the EPA's jurisdiction.
3. Respondent certifies that payment of the penalty has been made in the amount of \$21,686. Respondent has followed the instructions in "CAA Vehicle and Engine Expedited Settlement Agreement Instructions," attached, incorporated into this Agreement by reference. Respondent certifies that the required remediation, specified in Table 3 and incorporated into this Agreement by reference, has been carried out.
4. By its signature below, the EPA approves the findings resulting from the investigation and alleged violation(s) set forth in Table 1 and Table 2. Upon signing and returning this Agreement to the 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 Delegated Official's ratifying signature.
5. The parties consent to service of this Agreement by electronic delivery at the Respondent's e-mail noted below.

APPROVED BY RESPONDENT:

Name (print): Tim Seubert
 Title (print): President Email (print): sssales@wiatel.net
 Signature: *Tim Seubert* Date: 1/21/2021

APPROVED AND RATIFIED BY EPA:

Delegated Official: David Cozad, Director Date: _____

Table 1 - Information Collection	
Date(s) Information Collected:	Docket Number:
4/20/2020, 10/20/2020, 11/30/2020	C A A 0 7 2 0 2 1 0 0 2 0
Respondent Location:	
1886 Highway 20	
City:	Inspector(s) Name(s):
Lawton	Delia Garcia, PhD
State: Zip Code:	EPA Approving Official:
LA 51030	David Cozad, Director
Respondent:	EPA Enforcement Contact(s):
S & S Equipment, Inc.	Delia Garcia, PhD ECAD/WB Kasey Barton, ORC


Table 2 - Description of Violations and Vehicles/Engines					
EPA obtained information, including invoices and sales receipts, for products sold and work performed by Respondent on nonroad vehicles or engines. Based on the information collected, Respondent removed or rendered inoperative emissions control devices or elements of design installed on nonroad vehicles or engines after sale to the ultimate purchaser, in violation of Sections 203(a)(3)(A) and 213(d) of the CAA, 42 U.S.C. §§ 7522(a)(3)(A) and 7547(d), and 40 C.F.R. § 1068.101(b)(1). The information further showed that Respondent sold, offered for sale, or installed parts or components where a principle effect of the part or component is to bypass, defeat, or render inoperative an emissions control device or element of design installed on nonroad vehicles and engines, in violation of Sections 203(a)(3)(B) and 213(d) of the CAA, 42 U.S.C. §§ 7522(a)(3)(B) and 7547(d), and 40 C.F.R. § 1068.101(b)(2). Based on the information summarized below, EPA alleges that Respondent has committed ten (10) violations of the CAA and implementing regulations.					
Tampered Motor Vehicle/Engine Violation(s)					
Tampering Date(s)	Model Year	Make	Model	Invoice/ License Plate	Tampered Emission Parts or Components
July 15, 2019	N/A	John Deere	S670 Combine	Inv. #8948	SCRX (DEF delete)
September 18, 2019	NA	New Holland	T8.390 Tractor	Inv. #9055	SCRX (DEF delete)
October 23, 2019	NA	Unknown	Unknown	Inv. #9105	SCRX (DEF delete)
October 23, 2019	NA	Unknown	Combine	Inv. #9105	SCRX (DEF delete)
October 23, 2019	NA	Unknown	Unknown	Inv. #9107	SCRX (DEF delete)
Defeat Device Violation(s)					
Defeat Device Description	Make	Part #	Quantity	Sold, installed, and/or offered for sale?	Date Range
Delete Software	Ekotune	Ekox	5	5	July 2019-October 2019

Table 3 - Penalty and Required Remediation	
Penalty	\$21,686
Required Remediation	In addition to paying the monetary penalty, Respondent must cease and refrain from selling or installing any device that defeats, bypasses, or otherwise renders inoperative an emission component of any motor vehicle or engine regulated by the EPA. Respondent must cease and refrain from tampering with emission control systems on EPA-certified motor vehicles and engines and nonroad engines. Respondent 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."

S & S Equipment, Inc.

Statement Documenting Required Remediation

Respondent, S & S Equipment, Inc. affirmatively states S & S Equipment, Inc. has ceased and will refrain from selling or installing any devices that defeats, bypasses, or otherwise renders inoperative an emission component of any motor vehicle or engine regulated by the EPA. S & S Equipment, Inc. has ceased and will refrain from tampering with emission control systems on EPA-certified motor vehicles and engines and nonroad engines. S & S Equipment, Inc. 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."



Timothy Seubert, owner



Confirmation

Your payment has been submitted to the designated government agency through Pay.gov and the details are below. Please note that this is just a confirmation of transaction submission. To confirm that the payment processed as expected, you may refer to your bank statement on the scheduled payment date. If you have any questions or wish to cancel this payment, you will need to contact the agency you paid at your earliest convenience.

Tracking Information

Pay.gov Tracking ID: 26R1BLJ9

Agency Tracking ID: 76069362063

Form Name: EPA Miscellaneous Payments - Cincinnati Finance Center

Application Name: EPA Miscellaneous Payments

Payment Information

Payment Type: Bank account (ACH)

Payment Amount: \$21,686.00

Transaction Date: 01/21/2021 03:43:47 PM EST

Payment Date: 01/22/2021

Account Information

Account Holder Name: S & S Equipment, Inc.

Routing Number: 073903503

Account Number: *****3913