

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

In the Matter of:

PEACE POWER SPORTS, INC. d/b/a
LUXE USA,
Respondent.

Docket No. CAA-HQ-2014-8063

ANSWER TO ADMINISTRATIVE COMPLAINT

NOW COMES Respondent Peace Power Sports, Inc. d/b/a Luxe USA, through counsel, and hereby responds to the Complaint of the Environmental Protection Agency in the above-captioned matter:

Response to Numbered Paragraphs of Complaint

1.

This paragraph is a statement of law and requires no response.

2.

This paragraph is a statement identifying Complainant and requires no response.

3.

The allegations contained in this paragraph are denied.

4.

This paragraph is a statement of law and requires no response.

5.

The allegations contained in this paragraph are admitted.

6.

The allegations contained in this paragraph are admitted to the extent that certain inspections have occurred with respect to Respondent but Respondent has insufficient to either admit or deny the dates of said inspections, the locations of said inspections, or the parties involved.

7.

This paragraph is a statement of law and requires no response.

8.

This paragraph is a statement of law and requires no response.

9.

This paragraph is a statement of law and requires no response.

10.

This paragraph is a statement of law and requires no response.

11.

This paragraph is a statement of definitions and requires no response.

12.

This paragraph is a statement of law and requires no response.

13.

This paragraph is a statement of law and requires no response.

14.

This paragraph is a statement of law and requires no response.

15.

This paragraph is a statement of law and requires no response.

16.

The allegations contained in this paragraph are denied.

17.

The allegations contained in this paragraph are denied.

18.

This paragraph is a statement of law and requires no response.

19.

This paragraph is a statement of law and requires no response.

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This paragraph is a statement of law and requires no response.

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This paragraph is a statement of law and requires no response.

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This paragraph is a statement of law and requires no response.

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This paragraph is a statement of law and requires no response.

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This paragraph is a statement of law and requires no response.

29.

This paragraph is a statement of law and requires no response.

General Denial

Respondent denies each and every allegation of the Complaint not specifically admitted. To the extent that any allegation of fact in the Complaint remains unanswered, Defendant denies such allegation.

Defenses to the Claims Alleged

1. Respondent disputes the penalty proposed by Complainant as inappropriate and unwarranted, based on the allegations of the complaint.
2. Complainant has not provided a statement of reasoning for the proposed penalty.
3. Respondent has complied with the provisions of Part A of Title II of the Clear Air Act, 42 U.S.C. §§ 7521–7554, and the regulations promulgated thereunder.
4. Respondent reserves its right to present any other defenses to the Complaint in the future.

Request for a Hearing

Based on the above, Respondent hereby requests a hearing to dispute the allegations of the Complaint, as well as the proposed penalty assessment.

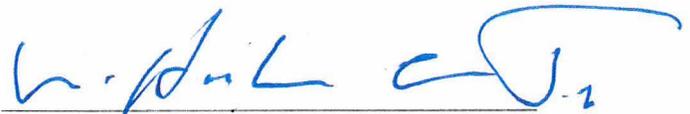
Submitted his 23rd day of June 2014.

SMITH COLLINS, LLC

Attorneys for Respondent

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By:


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CERTIFICATE OF SERVICE

I CERTIFY that on this same date, a true copy of this document was sent via U.S.

Mail to:

Evan M. Belser
U.S. EPA, Air Enforcement Division
1200 Pennsylvania Ave., N.W.
Mailcode 2242A
Washington, DC 20460


W. Anthony Collins, Jr.
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