

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

Received by
EPA Region 1
Hearing Clerk

DOCKET NO. CAA-01-2022-0063

Respondent: Justin Parker d/b/a 21 Motorsports
1407 Grey Moose Drive
Hartland, ME 04943
justin@21motorsports.com

1. The U.S. Environmental Protection Agency, Region 1 (“EPA”) and Justin Parker d/b/a 21 Motorsports (“Respondent”) enter into this Clean Air Act Vehicle and Engine Expedited Settlement Agreement (“Agreement”) to settle the civil violations specified in the attached Table 1, incorporated into this Agreement by reference, pursuant to Section 205(c)(1) of the Clean Air Act (“CAA”), 42 U.S.C. § 7524(c)(1), and 40 C.F.R. §§ 22.13(b), 22.18(b)(2) and (3). The civil violations that are the subject of this Agreement were discovered through a Reporting Requirement and are described in the attached Table 2, incorporated into this Agreement by reference, regarding the devices specified therein.
2. This Agreement resolves Respondent’s liability for federal civil penalties for the violations alleged in Table 2. This Agreement, upon approval and incorporation in the Final Order, concludes this action under Sections 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”).
3. Respondent admits to being subject to the CAA and its associated regulations and that the United States Environmental Protection Agency (“EPA”) has jurisdiction, pursuant to Section 205(c)(1) of the CAA, 42 U.S.C. § 7524(c)(1), over Respondent and Respondent’s conduct described in Table 2. Respondent neither admits nor denies the findings detailed therein and waives any objections Respondent may have to EPA’s jurisdiction.
4. EPA and Respondent agree that settlement of this matter for a penalty in the amount of **\$5,697** is reasonable and is based upon EPA’s consideration of the statutory factors set forth in Section 205(c)(2) of the CAA, 42 U.S.C. § 7524(c)(2), as applied to the particular facts and circumstances of this case with specific reference to EPA’s June 21, 2019 *Recommendation to Approve Expedited Settlement Agreement Pilot for Clean Air Act Vehicle and Engine Violations -Tampering/Defeat Devices* policy, and the appropriate Adjustment of Civil Monetary Penalties for Inflation, pursuant to 40 C.F.R. Part 19.
5. Respondent agrees to pay the \$5,697 penalty and submit proof of payment to EPA within 30 calendar days of receipt of a copy of the ratified Agreement in accordance with the instructions in “CAA Vehicle and Engine Expedited Settlement Agreement Instructions,” attached and incorporated into this Agreement by reference.
6. Respondent certifies that the required remediation, specified in the attached Table 3 and incorporated into this Agreement by reference, has been carried out.
7. By its first signature below, EPA approves the findings resulting from the reporting requirement and alleged violations set forth in Tables 1 and 2. Upon signing and returning

this Agreement to 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 on the Final Order.

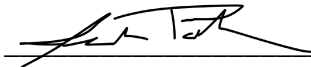
8. By its signature below, Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete to the best of its knowledge and that there has been no material change regarding the truthfulness, 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 Agreement 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 and its officers, directors and agents are 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.
9. The payment made by Respondent pursuant to this Agreement is a penalty within the meaning of Section 162(f) of the Internal Revenue Code, 26 U.S.C. § 162(f), and, therefore, Respondent shall not claim the payment as a tax-deductible expenditure for purposes of federal, state, or local law.
10. Upon EPA's final approval of the Agreement, Respondent expressly waives its right to contest the allegations and its right to appeal the proposed Final Order accompanying the Agreement. Moreover, in entering into this Agreement, Respondent agrees to bear its own costs and attorney's fees related to this Agreement.
11. Respondent acknowledges that this Agreement is binding on the parties signing below and becomes effective on the date of filing with the Regional Hearing Clerk, after ratification of the Agreement and Final Order by the Regional Judicial Officer.
12. EPA reserves any rights and remedies available to it under the CAA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this Agreement and accompanying Final Order following its filing with the Regional Hearing Clerk.
13. The Parties consent to acceptance of digital or original signatures on this Agreement and service of this Agreement by electronic delivery at Respondent's e-mail noted below. Respondent understands that its mailing or e-mail address may be made public when the Agreement and Certificate of Service are filed and uploaded to a searchable database.

APPROVED BY EPA:

Signature & Date: _____

Delegated Official: Karen McGuire, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 1

APPROVED BY RESPONDENT:

Signature & Date:  _____

Name: Justin Parker

Title: Owner

Email: Justin@21motorsports.com

FINAL ORDER

Pursuant to 40 C.F.R. § 22.18(b) and (c) of the Consolidated Rules of Practice, the foregoing Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified. Respondent Justin Parker d/b/a 21 Motorsports is ordered to pay the civil penalty amount specified in the Agreement. The terms of the Agreement will become effective on the date it is filed with the Regional Hearing Clerk.

Signature & Date: _____

Delegated Official: LeAnn Jensen, Regional Judicial Officer
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 1