

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:)
)
Taotao USA, Inc.,) **Docket No. CAA-HQ-2015-8065**
Taotao Group Co., Ltd., and)
Jinyun County Xiangyuan Industry Co., Ltd.)
)
Respondents.)

RESPONSE TO RESPONDENTS'
MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION

CX026



U.S. Department of Justice

Environment and Natural Resources Division

Environmental Enforcement Section
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March 17, 2015

Phillip A. Brooks, Director
Air Enforcement Division
Office of Enforcement and Compliance Assurance
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Request Pursuant to Section 205(c) of the Clean Air Act for a Waiver of the Penalty Limitation on EPA's Authority to Initiate Administrative Action Against Taotao USA, Inc., et al.

Dear Phill:

This is in response to your letter dated January 30, 2015, requesting a waiver to pursue administrative action against Taotao USA, Inc., and related entities, in connection with the manufacture and sale of highway motorcycles and recreational in violation of the certification requirements of the Act and implementing regulations. I concur with your request for a waiver pursuant to Section 205(c) of the Clean Air Act (CAA), 42 U.S.C. § 7524(c), of the limitation on EPA's authority to assess administrative penalties, in order to pursue administrative action in this matter.

If you have any questions, please call me or Leslie Allen.

Sincerely,

Karen S. Dworkin
Assistant Section Chief
Environmental Enforcement Section