



OFFICE OF CIVIL ENFORCEMENT

WASHINGTON, D.C. 20460

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND EMAIL

IN THE MATTER OF: Yoder & Frey Auctioneers

Yoder & Frey Auctioneers, LLC
2384 Grant Road
North Baltimore, OH 45872
info@yoderandfrey.com

Registered Agent:
Corporation Service Company
1160 Dublin Road, Suite 400
Columbus, OH 43215

ATTENTION: Mr. Peter Clark, Chief Executive Officer

Request for Information Under § 208(a) of the Clean Air Act, 42 U.S.C. § 7542(a)

The United States Environmental Protection Agency (“EPA”) hereby requires Alex Lyon and Son Auctioneers, and any of its parent organizations, affiliates, predecessors, successors, and assignees (“Alex Lyon” or “you”), to submit certain information as part of an EPA investigation to determine Alex Lyon’s or your client’s compliance with Section 203 of the Clean Air Act (“CAA”), 42 U.S.C. § 7522, and the applicable regulations at 40 C.F.R. Parts 1039 and 1068. Examples of equipment regulated under these Parts include, but are not limited to excavators, tractors, bulldozers, loaders, mining dump trucks and cherry pickers. Appendix A provides definitions, Appendix B provides instructions for your responses to this request, and Appendix C specifies the information that you must submit.

The EPA issues this Request for Information (“Information Request”) under Section 208(a) of the CAA, 42 U.S.C. § 7542(a). Under Section 208(a), the Administrator of the EPA may require any person who is subject to the CAA to provide information necessary to determine whether the person has acted in compliance with these requirements and the regulations promulgated thereunder. The Administrator has delegated this authority to the undersigned Manager of the Air Enforcement Division in the office of Civil Enforcement of the Office of Enforcement and Compliance Assurance.

You must submit responses to this Information Request to the EPA representative listed below **within thirty (30) calendar days from the date you receive this Information Request**. Please carefully review

the instructions, definitions, and specific requests as you prepare your response. If you anticipate being unable to fully respond to the Information Request by this date, you must contact Mario Jorquera at (202) 564-1079 or Jorquera.Mario@epa.gov to request an extension. Any such request should be made in writing as soon as possible after receipt of this Information Request and must explain why an extension is necessary and include a proposed timeline for providing the requested information. The EPA will review your request and may extend the time in which your response must be provided to some or all of the questions.

Failure to provide the requested information may result in the initiation of a civil action pursuant to Section 205(b) of the CAA, 42 U.S.C. § 7524(b). Failure to provide all requested information in its entirety, and in the format requested, may result in additional inquiries and penalties. Pursuant to Sections 208 and 307 of the CAA, 42 U.S.C. §§ 7542(a)–(b), 7607(a), EPA may request additional information, inspections, or depositions. It is important that your responses be clear, accurate, organized, and complete. We will regard any information that is misleading, false, incomplete, or submitted without regard to its accuracy as a violation of the CAA and/or criminal statutes. We may use any information submitted in response to this Information Request in an administrative, civil, or criminal action.

You must submit all requested information under an authorized signature with the following certification (provided in Appendix E):


The EPA may use any information submitted in response to this Request for Information in an administrative, civil, or criminal action.

You are entitled to assert a business confidentiality claim covering all or part of the information provided in response to this Information Request as specified in the Confidentiality of Business Information (“CBI”) regulations, 40 C.F.R. Part 2, Subpart B. However, no CBI claim may be made with respect to emissions data as defined at 40 C.F.R. § 2.301(a)(2). You must specify the page, paragraph, and sentence when identifying the information subject to your CBI claim. Appendix E of this Information Request specifies the assertion and substantiation requirements for business confidentiality claims. EPA may, without further notice, provide the public with any information not subject to a CBI claim.

Please submit the requested information electronically to Mario Jorquera, Air Enforcement Division, U.S. Environmental Protection Agency, at jorquera.mario@epa.gov. Please note that the EPA server will not allow attachments over 20 MB and will not accept documents saved in a .zip file. Alternatively, you may want to provide documents in response to this Information Request through a secure file sharing site. Please let us know your preference for electronic document submittal.

Any questions concerning this Information Request should be directed to Mario Jorquera at (202) 564-1079 or Jorquera.Mario@epa.gov or have your attorney contact Caitlin Meisenbach (202) 565-0062 or Meisenbach.Caitlin@epa.gov.

MARK
PALERMO

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Digitally signed by MARK
PALERMO
Date: 2024.07.02
11:39:43 -04'00'

Mark J. Palermo, Chief
Vehicle and Engine Enforcement Branch
Air Enforcement Division

Enclosures

