

EPA OECA Air Enforcement Division
INSPECTION REPORT

Inspection Date(s):	04/06/2023		
Media:	Air		
Regulatory Program(s)	Title II Mobile Sources		
Company Name:	Medway Imports		
Facility Name:	Customs and Border Protection (CBP) in Port Huron, MI		
Facility Physical Location:	1410 Elmwood Street		
(city, state, zip code)	Port Huron, MI 48060-5471		
Mailing address:	3337 Lapeer Rd., Flint, MI 48503		
(city, state, zip code)			
County/Parish:	St. Clair County		
Facility Contact:	Andrew J. Monarch	Supervisory CBP Officer	
FRS Number:	N/A		
Identification/Permit Number:			
Media Number:	N/A		
NAICS:	N/A		
SIC:	N/A		
Facility Representatives:	Andrew J. Monarch	SCBPO	810-985-7125
EPA Inspectors:	Mario Jorquera	OECA/OCE/AED/VEEB	202-564-1079
	{name}	{affiliation/mailcode}	{phone no.}
State Inspector(s):	{name}	{affiliation/mailcode}	{phone no.}
	{name}	{affiliation/mailcode}	{phone no.}
Other Inspector(s):	Brodie Mack	NHTSA	202-366-6089
	Kim Childers	NHTSA	202-366-2820
Metadata	Title:	Medway Imports Inspection at CBP Port Huron, MI	
	Author:	Mario Jorquera	
	Subject:	Inspection of Potentially Uncertified Mexican Dodge Chargers imported into the U.S.	
	Keywords:	Inspection Report, Vehicle and Engine, Dodge Chargers, Mexico	
EPA Lead Inspector Signature/Date	MARIO JORQUERA (Inspector name)	Digitally signed by MARIO JORQUERA Date: 2023.09.07 17:21:30 -04'00'	Date
Supervisor Signature/Date	MPalermo (Supervisor name)	Digitally signed by MPalermo Date: 2023.09.11 17:36:18 -04'00'	Date

Section I - INTRODUCTION

PURPOSE OF THE INSPECTION

At the request of managers from the National Highway Traffic Administration (NHTSA), on April 6, 2023, EPA HQ Air Enforcement Division, Vehicle and Engine Branch inspector Mario Jorquera joined NHTSA inspectors at the premises of the Customs and Border Protection lot in Port Huron, Michigan to inspect vehicles held by CBP pursuant to their importation by Medway Imports (Medway) in Flint, Michigan. NHTSA had intelligence that suggested nearly 100 Dodge Charger sedans that were claimed as being Canadian despite the fact that they had been built for sale in Mexico had been imported by Medway. The role of the EPA inspector was to check the vehicles for evidence of compliance with EPA requirements and to help determine if the vehicles were truly Mexican and thus ineligible for importation as Canadian vehicles, which have emission control requirements identical to U.S. vehicles.

FACILITY DESCRIPTION

The Medway vehicles were being held in a fenced asphalt lot near the CBP Port Huron, MI offices. About 20 Dodge Chargers were located at this facility. Medway specializes in importing vehicles from Canada for sale and use in the United States. Medway has two facilities: one in Medway, MA and the other in Flint, MI. Medway is a Registered Importer (RI) under NHTSA regulations and makes changes to the Canadian vehicles to meet US. Laws. The changes may include changing the speedometers, lights and glass.

The EPA inspector worked with CBP officers and the NHTSA inspectors at the lot. No Medway personnel were present at this facility. The EPA inspector spent most of his time examining the vehicles imported by Medway stored in the parking lot of the CBP facility.

All vehicles inspected were Model Year (MY) 2020 Dodge Charger sedans manufactured at Fiat Chrysler Automobiles' (FCA's) Brampton Assembly Plant in Ontario, Canada. All vehicles were white and were powered by 5.7 liter V8 engines.

Section II - OBSERVATIONS

Inspector Mario Jorquera proceeded to inspect several of the Dodge Chargers at the facility. The inspection consisted of observing and photographing all the labels on each vehicle, including the EPA Vehicle Emission Control Information (VECI) label in the engine compartment and the DOT label on the end of the driver's side door of the vehicles. Inspector Jorquera also photographed warning labels such as on the sun visors of each vehicle. Mr. Jorquera also checked the owner's manuals in several vehicles. As an additional test, Mr. Jorquera obtained Onboard Diagnostic (OBD) data from some vehicles to determine its consistency with EPA-certified OBD parameters. Mr. Jorquera also checked the underside of several vehicles to ensure that emission control components such as catalytic converters were present.

Inspections of Dodge Chargers at the CBP Parking Lot:

Inspection #	1
Date	4/6/23
Inspection Photos	3730-3739 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCTXLH215650
Equipment Build Date	September 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

Inspection #	2
Date	4/6/23
Inspection Photos	3740-3748 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCT9LH212951
Equipment Build Date	September 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

Inspection #	3
Date	4/6/23
Inspection Photos	3749-3758 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCT7LH215671
Equipment Build Date	September 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

Inspection #	4
Date	4/6/23
Inspection Photos	3759-3771 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCT8LH212911
Equipment Build Date	September 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

Inspection #	5
Date	4/6/23
Inspection Photos	3772-3782 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCT9LH213016
Equipment Build Date	July 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

Inspection #	6
Date	4/6/23
Inspection Photos	3783-3791 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCTXLH213011
Equipment Build Date	July 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used

Imported?	Yes
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Inspection #	7
Date	4/6/23
Inspection Photos	3792-3800 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCT8LH215713
Equipment Build Date	September 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

Inspection #	8
Date	4/6/23
Inspection Photos	3801-3809 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCT4LH212890
Equipment Build Date	July 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86

Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

Inspection #	9
Date	4/6/23
Inspection Photos	3810-3818 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCT6LH212891
Equipment Build Date	September 2020
ECI Label	Under hood
Company on ECI	FCA US LLC
TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

Inspector Jorquera also examined and scanned a 2019 Dodge Charger operated by a CBP officer to compare it to the vehicles imported by Medway. The details on this vehicle are shown below:

Inspection #	10
Date	4/6/23
Inspection Photos	3819-3826 (Canon)
Inspector	Mario Jorquera
Type of equipment	Highway Motor Vehicle (Sedan)
Brand	Dodge
Equipment Manufacturer	Fiat Chrysler Automobiles N.V.
Model	Charger
VIN	2C3CDXCT9KH579459
Equipment Build Date	January 2019
ECI Label	Under hood
Company on ECI	FCA US LLC

TGN	LCRXV03.65P3
Emission Controls listed	HO2S, SFI, TWC
Engine Build Date	2020MY
Fuel	Gasoline
EPA Regs Certified to	40 C.F.R 40/Chapter-I/Subchapter-C/part-86
Emission Controls Observed	TWC
Used or New?	Used
Imported?	Yes

As shown above, 9 vehicles imported by Medway and one vehicle owned by CBP were examined by inspector Mario Jorquera. In addition to the inspections shown above, inspector Jorquera also obtained data from the Onboard Diagnostic (OBD) system of three Medway vehicles on the lot and the CBP vehicle by means of a data logger. One of the Medway vehicles scanned was in the group listed above, the other two were not. The last five digits of the VIN for the Medway vehicle listed above and also scanned for OBD data at the CBP lot were 213016. The data obtained from these scans is shown in the table 1, below:

Table 1: Analysis of Data Obtained from Scans of Vehicle OBD Systems

	VIN	File	10th digit of VIN	Chassis MY	Local Log Start Time	OBD Compliance (Mode 1, PID 1C)
1	2C3CDXCT8LH212911	3D0617 17.IOS	L	2020	4/6/23 1:17 PM	Hex Value = 1*
2	2C3CDXCT9LH213016	3D0617 25.IOS	L	2020	4/6/23 1:25 PM	Hex Value = 1*
3	2C3CDXCT6LH212924	3D0617 44.IOS	L	2020	4/6/23 1:44 PM	Hex Value = 1*
4	2C3CDXKT9KH579459	3D0618 31.IOS	K	2019	4/6/23 2:31 PM	Hex Value = 1*

* OBD Compliance Value of 1 = California-only (including other "CAA Sec. 177" states) OBD II certified systems. "Certified to California OBD II" should only be included if the actual test group is intended for certification by CARB. The EPA Test Group Name is listed if it was reported under Mode 9 and OBD compliance from Mode 1.

Section III – AREAS OF CONCERN

Upon importing these vehicles, Medway declared them to be admissible under Code FF in EPA's 3520-1 declaration form for motor vehicles. Code FF is for Canadian "identical" models

imported for resale or lease. In using this code, the importer must demonstrate that the vehicles are truly Canadian by means of Canadian emission control labels, registrations or titles, or a letter from the vehicles' manufacturer that the vehicle is identical to a U.S. EPA certified version with respect to emissions. The importer is also required to satisfy all labeling, warranty and CAFE requirements as specified by EPA.

NHTSA informed inspector Jorquera that Medway had provided a letter from the manufacturer indicating that the vehicles were built for the Canadian market. However, FCA representatives denied that the letter had originated with them. The vehicles Inspector Jorquera examined had no labels that suggested they were Canadian. In fact, all of the labels that were obviously installed by the manufacturer were in Spanish, including the tire and load limit labels, the airbag warnings on the sun visors and the owner's manuals. There were several labels that appeared to be installed by Medway, including the EPA VECI labels under the hood, the Canadian certification labels, the DOT tire safety label and the DOT Federal Motor Vehicle Safety Standards (FMVSS) compliance labels.

Inspector Jorquera observed that the labels installed by Medway were of very poor quality when compared to those installed by the Original Equipment Manufacturer (OEM). Medway's labels had poor print quality and easily peeled off. In addition, several Medway labels were obviously placed over other (presumably OEM) labels that had been removed. The Medway labels also had obvious errors that an OEM would never make. For example, the FMVSS labels required by DOT listed the date of manufacture of each vehicle, but the months listed on the label had no relationship to the serial numbers at the tail end of each vehicle's Vehicle Identification Number (VIN). These discrepancies are shown in the Table 2:

Table 2: Comparison of vehicle serial number and month of manufacture

Last 6 Digits of VIN (in ascending order)	Claimed month of manufacture in 2020
212890	July
212891	September
212911	September
212951	September
213011	July
213016	July
215650	September
215671	September
215713	September

OEMs assign the serial number portion of VINs in a sequential manner. So, it is very unlikely that the vehicle with VIN 2C3CDXCT4LH212890 was built in July while the next vehicle built, which has VIN 2C3CDXCT6LH212891, was built in September. Clearly, these labels were crafted with no attention to the regulatory requirement to provide accurate dates. Another problem with the labels required by DOT is that the tire safety label indicates the vehicle is a

“Multipurpose Vehicle”, whereas the Dodge Chargers are clearly passenger cars (Both definitions are in DOT regulations at Title 49, Subtitle B, Chapter V, Part 571).

Similar problems occur with the EPA VECI labels installed under the hood of all inspected vehicles had the EPA Test Group Name LCRXV03.65P3, yet indicated the engines were 5.7 liter V8 engines. This label has an internal inconsistency that OEM labels would be unlikely to have, and does not correspond to the label that FCA included in its application for a Certificate of Conformity (COC) for MY 2020 Dodge Chargers equipped with their 5.7 liter engines for sale in the U.S. and Canada. The LCRXV03.65P3 Test Group Name is only for FCA’s 3.6 liter V6 engine. FCA’s 5.7 liter engine has Test Group Name LCRXV05.75P5, and this was the number reported by the OBD system in the two cars tested. Accordingly, it is evident that the VECI labels installed in the inspected vehicles did not correspond to those vehicles.

Based on the evidence discussed above, inspector Jorquera believes all of the vehicles he examined were manufactured in Canada for the Mexican market, and, as such, are not Canadian vehicles. Even if these vehicles were Canadian vehicles, Medway does not meet the requirements necessary to use Code FF in the EPA 3520-1 declaration form as a rationale for claiming the vehicles are eligible for importation, because the VECI labels used on all vehicles correspond to a different engine configuration than that with which they are equipped.

Section IV – FOLLOW UP

EPA will be following up with Medway to discuss resolving any possible violations triggered when all of these vehicles were imported into the U.S.

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 160 photos taken on 04/06/2023 with the Cannon camera (IMG_3730-IMG_3826.JPG)

Appendix 2 -- COC Application for TGN LCRXV03.65P3.pdf

Appendix 3 – COC Application for TGN LCRXV05.75P5.pdf