

California Air Resources Board

2014  
ENFORCEMENT  
REPORT



June 2015

California Environmental Protection Agency  
 **Air Resources Board**

# **2014 ANNUAL ENFORCEMENT REPORT**

## **CALIFORNIA AIR RESOURCES BOARD ENFORCEMENT DIVISION**

To learn more about ARB Enforcement Programs or to file an air pollution complaint, please visit <http://www.arb.ca.gov>.

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## I. Executive Summary

The California Air Resources Board (ARB, Board) coordinates California's efforts to achieve health-based federal and State air quality standards. Over the last four decades, ozone air quality has dramatically improved in California as a result of our emission control programs. For example, today's cars are 98 percent cleaner than similar mid-1970s models, and new diesel engines are 95 percent cleaner than those manufactured during the 1980s. Since the mid-1970s, peak concentrations as well as the number of unhealthy ozone days exceeding the federal 8-hour standard have been cut in half. This progress occurred while population and vehicle miles traveled increased dramatically. Approximately 66 percent of Californians now live in areas where air quality meets the standard, compared to just 25 percent in 1990. However, significant challenges remain. Even more advanced new emission technologies are necessary to deliver clean air to all of California's citizens.

In its fight for clean air, ARB focuses its efforts on reducing emissions from a growing universe of emission sources, including:

- Mobile sources, such as commercial trucks and buses, passenger vehicles, motorcycles, diesel-powered off-road equipment, off-highway recreational vehicles (OHRV), and off-road engines such as generators and lawn and garden equipment.
- Goods movement sources, such as railroads, ocean-going vessels (OGV), commercial harbor craft (CHC), cargo handling equipment, drayage trucks, and transport refrigeration units (TRU).
- Gasoline, diesel and other fuels, and cargo tanks used to transport these products.
- Area sources which individually emit small quantities of pollutants, but collectively emit significant emissions, including chemically formulated consumer products, aerosol coating products, and composite wood products.

ARB also oversees the efforts of 35 local air pollution control and air quality management districts (local air districts) in controlling air pollution caused by industrial sources located within their jurisdictions. These sources include power plants, refineries, manufacturing facilities, and smaller but more numerous stationary sources such as gasoline service stations, dry cleaners, and chrome platers.

While the sources are numerous and diverse, common to every ARB regulation is the basic principle that air quality goals cannot be attained unless compliance is achieved. The following summarizes enforcement efforts in each of these sectors:

- Mobile source enforcement includes cars, trucks, goods movement equipment and vehicles, and marine vessels. Illegal engines and aftermarket parts are areas of particular concern with cars and trucks, because of the potential for exceeding emissions standards. In 2014, enforcement actions to control emissions from vehicles, engines, and aftermarket parts resulted in over 80 enforcement actions totaling \$6 million. Diesel

emissions are of particular concern because they negatively affect public health through exposure to a toxic air contaminant as well as their contribution to smog. Combined fleet investigations and field enforcement actions for heavy-duty diesel vehicles and goods movement equipment resulted in almost 3,000 actions for \$5 million. Marine programs resulted in 41 enforcement actions for almost \$1 million.

- Fuels enforcement includes gasoline, diesel, and alternative fuels. Although inspections occur throughout the distribution chain, the focus is “upstream” at import vessels and refineries in order to minimize the chance of illegal fuel reaching retail service stations. Inspectors and laboratory personnel evaluate evaporative emissions as well as fuel composition. In 2014, 16 investigations resulted in \$1.6 million in penalties.
- Area sources include consumer products, aerosol coatings, and composite wood products. The health focus is limiting public exposure to toxic compounds as well as preventing excess emissions of volatile organic compounds that contribute to smog formation. Enforcement of these programs in 2014 resulted in 79 enforcement actions and over \$2 million in case settlements.
- Stationary sources are primarily the purview of local air districts. However, ARB has authority to enforce greenhouse gas regulations at facilities. Greenhouse gases with high global warming potential (GWP) are of particular concern. In 2014, six investigations involving high GWP greenhouse gases resulted in almost \$1 million in penalties.

Additionally, enforcement support services include district support activities, hotlines, training and certification, surveillance, and the supplemental environmental projects program. There are numerous programs to support air district activities. Review of districts’ variances resulted in 16 being returned for rehearing by local hearing boards. Complaint investigations and/or training sessions were conducted for the asbestos, landfill methane gas, and perchloroethylene programs.

In 2014, the California Training Program enrolled 6,800 students in 201 online and classroom courses covering 25 subjects. Over 2,000 public agency and private industry personnel were certified in visible emissions evaluation. In the process of settling enforcement investigations, over \$2 million in penalties from 153 case settlements was diverted to support three supplemental environmental project categories. These diverted penalties support projects to help train diesel and small engine mechanics and to help fund cleaner school buses.

ARB achieves success when industry meets its compliance obligations to rules the Board adopts. ARB’s enforcement program is designed to bring recalcitrant companies into compliance with ARB’s regulations in order to promote a fair and level playing field for companies operating in California and to ensure emissions reductions that were envisioned when ARB’s rules were adopted are achieved.

## II. Introduction and Overview

ARB coordinates California's efforts to achieve and maintain health-based federal and State air quality standards, protect the public from exposure to TACs, and address climate change. Since its inception, ARB has been charged with overseeing the efforts of the local air districts in controlling air pollution caused by stationary sources.

In particular, ARB is mandated to address the serious problems caused by mobile sources (cars, motorcycles, trucks, buses, and off-road vehicles and equipment) and the fuels that power them, which are major sources of air pollution in the most populous parts of the state. ARB's responsibilities also include controlling emissions from smaller but more numerous sources of air pollution. These sources include consumer products, other types of mobile sources such as lawn and garden equipment and utility engines, and any sources of toxic air pollutants.

To carry out its responsibilities, ARB has undertaken a multifaceted program of planning, regulation development and implementation, compliance assistance and training, and enforcement. This final component helps ensure that anticipated emissions reductions are achieved and that a level playing field is provided for all participants.

Violations of California air quality laws and regulations span a wide spectrum ranging from nominal breaches of the State's statutes and regulations to deliberate criminal acts. While varying degrees of pollution result from these violations, what remains constant is the unfair economic disadvantage suffered by affected industry members who do comply. To address these varying levels of noncompliance and their effects on the state's public and environmental health and economic welfare, ARB has adopted the following enforcement mission statement:

The Enforcement Division seeks to protect public health and provide safe, clean air to all Californians by reducing emissions of air contaminants through the fair, consistent and comprehensive enforcement of statutory and regulatory requirements, and by providing training and compliance assistance.

This report focuses on ARB's enforcement efforts. It provides brief summaries of several dozen air quality programs currently enforced by the Enforcement Division (ED) as well as highlights of the Division's major accomplishments during the past year. Additional workload, statistical performance data, and a list of major settled cases are included in the appendices. Case settlement summaries further describing all settled cases may be viewed on ARB's website at <http://www.arb.ca.gov/enf/casesett/casesett.htm>.

Questions relating to specific programs may be directed to the appropriate ED contact shown on the Enforcement Program contact list available on ARB's website at <http://www.arb.ca.gov/enf/contacts.htm>.

The Enforcement Division (ED) is responsible for enforcing regulations adopted by the Board. The scope of ED's responsibility encompasses nearly 70 separate air quality programs, including programs structured to reduce:

- Emissions from mobile sources, including emissions generated from commercial trucks and buses, passenger vehicles, motorcycles, diesel-powered off-road equipment, off-highway recreational vehicles, off-road engines like generators and lawn and garden equipment, and aftermarket parts for on- and off-road vehicles.
- Emissions from goods movement sources, such as railroads, ocean-going vessels, commercial harbor craft, cargo-handling equipment, drayage trucks, and transport refrigeration units;
- Emissions from gasoline, diesel, and other fuels from storage, transportation, and consumption;
- Emissions from large industrial sources, such as power plants, petroleum refineries, and manufacturing facilities as well as smaller, but more numerous stationary sources such as gasoline service stations, dry cleaners, and chrome platers.
- Emissions from area sources which individually emit small quantities of pollutants, but collectively emit significant emissions, including chemically formulated consumer products such as air fresheners, hair sprays, and deodorants; aerosol coating products such as paints and solvents; composite wood products; and specialty products such as indoor air cleaning devices and portable fuel containers.

Additionally, ARB provides education and training, as well as technical support services to public agency and industry staff involved in regulating, monitoring, or controlling emissions. Finally, ED's close working relationship with ARB's Legal Office is integral to the success of the Enforcement Program. Division staff develop the cases, most of which are settled directly between ED and the company in violation, resulting in the violator meeting the terms of the settlement, coming into compliance, and paying appropriate civil penalties. For cases that cannot be resolved through this informal process, Legal Office attorneys help negotiate settlements and, when necessary, prepare cases for referral to the California Attorney General's Office, a local district or city attorney, or a U.S. Attorney for civil litigation or criminal prosecution.

State law defines environmental justice (EJ) as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. The Board's "Environmental Justice Policies and Actions" established a framework for incorporating EJ into ARB's programs consistent with the directives of State law. Although these policies apply to all communities in California, EJ issues have been raised more in the context of low-income and minority communities.

ARB's EJ policies are intended to promote the fair treatment of all Californians and cover the full spectrum of ARB's activities. Underlying these policies is the recognition that ARB needs to



engage community members in a meaningful way as the Board's activities are carried out. All Californians should have access to the most accurate information available about steps being taken to reduce air pollution in our communities. ARB recognizes the Board's obligation to work closely with all stakeholders, communities, environmental and public health organizations, industry, business owners, other agencies, and other interested parties to successfully implement these policies.

Over the last year, ED continued its coordinated effort with federal, State, and local enforcement agencies, city leaders, and local community groups to improve the quality of life for people living in communities that have been identified as EJ areas. ARB was actively involved with several EJ projects, including installation of no idling signs for commercial trucks in and around EJ communities, participation in CalEPA's EJ Program, promotion of complaint tracking software called "Identifying Violations that Affect Neighborhoods" (IVAN), and involvement with Environmental Justice Network meetings throughout California.

### **2014 Enforcement Accomplishments**

ED Program accomplishments during 2014 are highlighted throughout this report. Program statistics for 2014 are provided in Appendices A through F. A summary listing of significant enforcement settlement agreements reached during 2014 is provided in Appendix G. Accomplishments listed below are provided to show areas of particular focus in 2014.

- Acquired electronic scanners to detect tampering of vehicles' engine control modules during dealership and taxi fleet inspections.
- Assumed responsibility for ARB's Portable Engine and Equipment Programs, providing an opportunity for improved coordination with local air districts.
- Conducted joint investigations with the U.S. Environmental Protection Agency (U.S. EPA) Region 9 where out-of-state fleets were suspected to be noncompliant with the Statewide Truck and Bus (STB) Program.
- Conducted training in ocean-going vessel fuel enforcement for the Hong Kong Environmental Protection Department and the U.S. EPA. Coordinated efforts with federal agencies to enforce international environmental agreements at sea regarding ocean-going vessels.
- Coordinated efforts with other ARB divisions, the California Highway Patrol (CHP), local air districts, port authorities, Mexico-California border authorities, and the media to highlight compliance assistance and enforcement of heavy-duty diesel vehicle and equipment regulations in or near ports and disadvantaged communities, and along major trade corridors.

- Developed enforcement protocols for the Statewide Truck and Bus Program provisions covering good faith extensions, economic hardship, and fraudulent applications.
- Directed funds to Supplemental Environmental Projects (SEPs) such as: The California Air Pollution Control Officers Association (CAPCOA) School Bus and Diesel Emission Reduction SEP (School Bus SEP); the California Community Colleges Council on Diesel Education and Technology (CCDET) Diesel Technology Training SEP; and the Foundation for California Community College Small Off-Road Engines (SORE) Maintenance and Repair Courses SEP.
- Engaged with the regulated community to discuss ARB's at-berth shore power regulations for ocean-going vessels to promote compliance as well as gain an understanding of the challenges in meeting the regulations.
- Executed an MOU with the San Diego Air Pollution Control District (SDAPCD) to enforce various ARB diesel emissions regulations and trained SDAPCD staff on these programs.
- Executed two search warrants at fleets to obtain necessary evidence to prosecute the violators.
- For a China Central TV documentary production, demonstrated: the process of fuel sampling, transport, and analysis at ARB's mobile fuels laboratory; roadside heavy-duty truck inspections and exhaust stack opacity testing; vehicle dynamometer emissions testing and on-board diagnostics interrogation at ARB's Haagen-Smit laboratory; diesel technology classroom and laboratory training at Los Angeles Trade Tech College; and a comprehensive overview of ARB's enforcement programs including policies and procedures.
- Hosted technical staff from the Beijing Environmental Protection Bureau and trained them on ARB programs including climate change, consumer products, enforcement, fuels, mobile sources, and stationary sources.
- Identified manufacturers and distributors of on- and off-road aftermarket parts for motorcycles, cars, trucks and all-terrain vehicles which are being sold illegally to bring them into compliance with regulations; ARB settled its first case against an off-road aftermarket parts manufacturer in 2014.
- Participated in a multi-agency compliance assistance and enforcement initiative for disadvantaged communities in Fresno, led by the California Environmental Protection Agency (CalEPA). This initiative was to promote improved public health conditions while enhancing communication between regulated industries, State and local environmental enforcement agencies, and impacted "environmental justice" communities. ARB's primary contribution was in conducting roadside inspections of heavy-duty vehicles.

- Participated in heavy-duty diesel vehicle emissions remote sensing studies with ARB's Research Division, the University of Denver, and the University of California, Berkeley.
- Presented the online Air Quality Training Program, which is a series of 14 self-paced modules introducing the basics of air pollution control and enforcement, to approximately 700 students.
- Settled a major transit fleet tampering case through litigation mediation. Supported the Truck and Bus Program litigation defense.
- Toured the U.S.-Mexico border with U.S. EPA headquarters, Region 9, and SDAPCD officials to observe heavy duty diesel truck and equipment inspections and enforcement.
- Worked with e-commerce platforms to block the increasing number of online sales of illegal products and equipment. In 2014, staff coordinated with eBay to block certain manufacturers from selling illegal marine crate engines on its auction site.

Additional Enforcement Program accomplishments during 2014 are highlighted throughout this report, and program statistics for 2014 are provided in Appendices A through F. A summary listing of significant Enforcement settlement agreements (\$30,000 and above) reached during 2014 is provided in Appendix G. All settled cases may be viewed on ARB's website at <http://www.arb.ca.gov/enf/casesett/casesett.htm>.

## **2015 Action Items**

ARB will continue to enforce almost 70 regulations. The items described below indicate anticipated areas of particular focus for 2015 within major programs.

- **Environmental Justice** – ARB's field staff conduct roadside inspections of heavy-duty vehicles throughout California for compliance with diesel regulations, especially along major transportation corridors and in or near freight hubs, such as distribution centers, seaports, and intermodal rail yards. In 2015, ARB plans to conduct over half of roadside truck inspections in or near disadvantaged communities, in order to enhance ARB's existing focus on environmental justice (EJ). ARB will continue to work with EJ organizations to identify locations where "No Idling" signs are needed and will work with Caltrans to have these signs installed. ARB will continue to participate in events organized by CalEPA's Environmental Justice Compliance and Enforcement Working Group, a coalition of federal, State, and local environmental agencies. The goal of the Group's coordinated site-specific initiatives is to improve the health of those living, attending school, and working in disadvantaged communities.

- **Sustainable Freight** - Port activities can influence air quality many miles inland. ARB is enforcing regulations related to cargo handling equipment and ship fuel composition and fuel-switching by ocean-going vessels within California Regulated Waters in coordination with federal enforcement agencies in federal Emission Control Areas. ARB will also continue to expand enforcement efforts of the relatively new at-berth shore power regulations affecting ocean-going vessels. In 2015, U.S. EPA authorized ARB to enforce additional requirements in the 2012 amendments to the Mobile Cargo Handling Equipment Regulation. ARB will also have an enforcement presence outside of the ports to assure that cargo is not transferred between “dirty” trucks and “clean” trucks outside port boundaries – a practice known as “dray-off.” Emissions from drayage trucks operating inside ports has decreased dramatically due to enforcement efforts of port authorities.
- **On-Road Heavy-Duty Diesel Vehicles** – Enforcement of the Statewide Truck and Bus Rule will continue to be a major focus. The Enforcement Task Force, established in 2014, will continue to assist small trucking fleets in complying with ARB’s diesel regulations. In 2015, there will be additional focus on brokers and motor carriers that hire trucking fleets to ensure that only compliant fleets are hired. ARB continues to pursue agreements with local air districts and port authorities to enforce State diesel regulations. U.S. EPA is supporting ARB’s efforts by investigating out-of-state motor carriers that operate truck and bus fleets in California, using federal *Clean Air Act* authority.
- **Off-Road Diesel Vehicles and Equipment** – ARB’s Portable Engine and Equipment Programs were transferred to ED in 2014. It is anticipated that this will enhance enforcement efforts of off-road diesel regulations while also supporting local air districts in locating unpermitted portable equipment. It is anticipated that inspections will be primarily at mining and construction sites in 2015.
- **Illegal Vehicle Modifications** – ARB has a multi-pronged approach to ensure that on- and off-road gasoline and diesel vehicles comply with emissions standards. The goal is to prevent uncertified engines from being sold in California, or aftermarket parts installed (on- and off-road cars, trucks, motorcycles, and all-terrain vehicles) that have the potential to increase emissions. In 2015, ARB plans to engage U.S. EPA and major auto manufacturers in discussions in order to develop a way to track replacement engines, known as “crate engines” to their ultimate installation, to insure that they don’t end up in “kit cars” or other uncertified configurations instead of their intended use.
- **Fuels** – ARB enforces regulations related to gasoline, diesel, and alternative fuels. In 2015, the focus of inspections and fuel sampling will be at import locations, such as marine vessels and rail yards. In 2015, ARB also has a goal of inspecting and testing 40 percent of the registered fleet of cargo tanks meaning fuel tanks on transport vehicles.

- **Climate Change** – The newest category of regulations to come under the purview of ED are greenhouse gas (GHG) regulations. Sulfur hexafluoride and many refrigerants are high global warming potential GHG. High global warming potential GHG are of particular concern because they persist in the atmosphere for many years, thereby inordinately affecting climate change, even in very low concentrations. The primary focus in 2015 will be continued enforcement of ARB’s Regulation for Reducing Sulfur Hexafluoride Emissions from Gas Insulated Switchgear and the Regulation for the Management of High Global Warming Potential Refrigerants from Stationary Sources.
  
- **Enforcement Training** – ED has a training program for regulators, the regulated community, and environmental professionals that focuses on stationary sources of air pollution. Many courses are classroom based, often including field trips to facilities; some online courses have been developed as well. Training and certification in visible emission evaluation is also provided by ARB. In 2015, ARB plans to convert the first portion of the Fundamentals of Enforcement (FOE) course into an interactive online training course. This will allow students to be prepared for the face-to-face visible emissions evaluation instruction and certification portion of the training while spending less time away from the workplace.

### III. Enforcement Programs Summary

#### 1. Mobile Source Enforcement Programs

##### A. Overview of Mobile Source Enforcement Programs

California has long been the world leader in combating air pollution generated from motor vehicles and other mobile sources. Because of the state's severe air quality problems, California is the only state authorized under the federal *Clean Air Act* to set its own mobile source emissions and fuels standards. Under this authority, ARB has established an aggressive program to reduce emissions from numerous mobile sources.

Although heavy-duty diesel vehicles comprise less than two percent of California's on-road fleet, they produce over 45 percent of the nitrogen oxide (NOx) and over 65 percent of the particulate matter (PM) emissions attributed to motor vehicles. Because of the toxic nature of the soot particles found in diesel exhaust, the emissions from these vehicles are of particular concern, especially in populated areas. Diesel-powered vehicle and equipment programs that ED is responsible for enforcing include:

- **Statewide Diesel Fleet Enforcement Programs** – Periodic Smoke Inspection Program (PSIP), Statewide Truck and Bus Program (STB), Tractor-Trailer Greenhouse Gas (SmartWay) Program, and coordination with Carl Moyer and Proposition 1B Incentive Grant Programs.
- **Specialized Diesel Fleet Enforcement Programs** – Solid Waste Collection Vehicle Program, Urban Transit Bus and Transit Fleet Vehicle Programs, Public Agency and Utility Fleet Program, and Drayage Truck Regulation Program.
- **Diesel Equipment Enforcement Programs** – Transport Refrigeration Unit Program, Verified Diesel Emission Control Strategies Program, and Off-Road Heavy-Duty Diesel Vehicle Program.
- **On-Road Field Enforcement Programs** - Complement fleet investigations and include the Heavy-Duty Vehicle Inspection Program, Emission Control Label Program, Statewide Truck and Bus Program, Selective Catalytic Reduction Program, Drayage Truck Regulation Program, Commercial Vehicle Idling Program, Off-Road Diesel Vehicle Program, Environmental Justice Community and Mexican Border Programs, and Specialized Fleet Vehicle Inspection Programs.
- **Goods Movement Programs** – Railroad Memorandum of Understanding Program, Commercial Harbor Craft and Marina Fuel Dock Programs, Cargo Handling Equipment Program, Ocean-Going Vessel Program, and the At-Berth Regulation Program.

ED's mobile source enforcement responsibilities also encompass programs structured to reduce emissions from other mobile sources, including:

- **Vehicle and Motorcycle Enforcement Programs** – Non-California Certified Vehicle and Motorcycle Programs, Off-Highway Recreational Vehicle Program, Dealership and Fleet Tampering Programs, and Marine Craft and Outboard Engine Programs.
- **Engine and Aftermarket Parts Enforcement Programs** – Engine Programs (large spark-ignition (LSI) engines, In-Use LSI Fleet Regulation, compression-ignition engines, and small off-road engines); Aftermarket Parts Programs; Refrigerant Canister , Portable Fuel Container, and Marine Fuel Tank program inspections are conducted in conjunction with engine and aftermarket parts field inspections; Laboratory and Certification Fraud Program supports the Vehicle and Engine Programs.

A summary of each of these programs and ED's significant accomplishments during 2014 is provided below.

Fleet investigations complement on-road field enforcement programs. Fleet investigations generally begin with a company audit related to numerous diesel regulations. If there are suspected violations, an investigation ensues. If an investigation results in a case, the case is usually settled administratively. If an agreement cannot be reached, the case is referred for civil or criminal litigation. Because there are numerous heavy-duty diesel programs, for manageability, they are grouped into Statewide Diesel Fleet Enforcement Programs, Specialized Diesel Fleet Enforcement Programs, and Diesel Equipment Enforcement Programs.

## **B. Statewide Diesel Fleet Enforcement Programs**

The Statewide Diesel Fleet Enforcement Program focuses on the Periodic Smoke Inspection Program, the Statewide Truck and Bus Program, the Tractor Trailer Greenhouse Gas Program, and verification of compliance with diesel regulations prior to ARB releasing incentive funds.

### **Periodic Smoke Inspection Program**

The Periodic Smoke Inspection Program (PSIP) encompasses all heavy-duty diesel truck and bus fleets consisting of two or more vehicles with a gross vehicle weight rating (GVWR) greater than 14,000 pounds and in certain instances greater than 6,000 pounds GVWR. PSIP requires that fleet operators complete annual Society of Automotive Engineers (SAE) J1667 electronic opacimeter inspections of vehicle exhaust opacity and repair vehicles with excessive emissions. Additionally, vehicle engines must be EPA-certified and labeled accordingly. Fleet owners who fail to perform required PSIP tests are subject to penalties of \$500 per vehicle per year. About 14,000 diesel truck and bus fleets with roughly 800,000 vehicles are subject to this program.

### 2014 Accomplishments

- ✓ Closed 207 PSIP investigations with \$916,876 in penalty assessments.
- ✓ Conducted monitoring and tracking on companies that tamper with in-use diesel PM filters (e.g. tampering by running empty canisters, removing back pressure wires, or improperly swapping components).

### **Statewide Truck and Bus Program**

The Statewide Truck and Bus Program (STB) encompasses all heavy-duty diesel trucks and buses with a GVWR of greater than 14,000 pounds, including federal government and private business fleets. The program requires that fleet operators either retrofit or repower or replace diesel vehicle engines, and that they maintain them. The program also requires specified disclosures by dealers whenever a used diesel truck or bus is sold. Implementation of the program commenced January 1, 2012, with compliance deadlines extending to 2023. Over one million trucks and buses are subject to this program.

### 2014 Accomplishments

- ✓ Closed 265 Truck and Bus Program cases with \$980,024 in penalty assessments.

### **Tractor-Trailer Greenhouse Gas (SmartWay) Program**

The Tractor-Trailer Greenhouse Gas (TTGHG) (SmartWay) Program, adopted pursuant to the *Global Warming Solutions Act*, requires tractors and trailers to have enhanced aerodynamic equipment (e.g., low rolling resistance tires and aerodynamic skirts) that reduce wind resistance, improve fuel economy, and decrease carbon dioxide, nitrogen oxide, and other emissions. These technologies, collectively referred to as SmartWay Technologies, will continue to be phased in over the next several years. The program also requires specific disclosure whenever used tractors or trailers are sold that do not have the new aerodynamic equipment. About 1.5 million trucks and trailers are subject to this program.

### 2014 Accomplishments

- ✓ Participated in the development of industry outreach and education strategies. Enforcement of this program will begin when ARB receives a U.S. EPA waiver.



## **Carl Moyer and Proposition 1B Incentive Grant Programs**

The Carl Moyer Program provides incentive grants to reduce emissions from heavy duty diesel (HDD) engines. The grants help to offset the cost of replacing older, high-polluting engines with newer engines certified to more stringent emission standards. The Proposition 1B Program provides grants to upgrade diesel equipment that is used for freight movement. Before the grant funds are released, ED staff complete compliance status checks to determine whether there are any outstanding violations involving the vehicle or the vehicle's registered owner. If an outstanding violation is found, the vehicle's owner must provide proof of compliance and pay all civil penalties before the grant funds will be released.

### **2014 Accomplishments**

- ✓ Closed 230 funding and other statewide program investigations with \$48,250 in penalty assessments

## **C. Specialized Diesel Fleet Enforcement Programs**

Specialized Diesel Fleet Enforcement Programs encompass fleets of vehicles that perform specialized tasks such as waste collection or public transportation. They include solid waste collection vehicles, urban transit bus and transit fleet vehicles, and public agencies' and utilities' vehicles.

### **Solid Waste Collection Vehicle Program**

The Solid Waste Collection Vehicle (SWCV) Program requires that solid waste haulers retrofit or repower diesel-powered SWCV engines or replace the vehicles. The regulations apply to diesel-powered residential and commercial SWCVs with a GVWR of 14,000 pounds or more of model year 1960 through 2006 engines. Program requirements were initially adopted during 2003 and phased in over a multi-year period extending from 2004 through 2010. About 200 fleets and 12,500 vehicles are subject to this program.

### **2014 Accomplishments**

- ✓ Closed 17 SWCV fleet cases with \$45,750 in penalty assessments.

## **Urban Transit Bus and Transit Fleet Vehicle Programs**

The Urban Transit Bus (UB) and Transit Fleet Vehicle (TFV) Programs require that fleet operators retrofit or repower diesel-powered vehicle engines, or replace the vehicles, and maintain them. The UB regulations apply to diesel or alternative fuel-powered vehicles greater than 35 feet in length. The TFV regulations apply to vehicles weighing more than 8,500 pounds but less than 35,000 pounds, including service vehicles, tow trucks, dial-a-ride buses, paratransit buses, charter buses, and specified commuter service buses. Gasoline-powered TFVs are exempt. Fleet operators may be public agencies or their independent contractors. Program requirements were phased in over a multi-year period extending from 2001 through 2010. About 175 fleets and 12,600 vehicles are subject to these programs.

### **2014 Accomplishments**

- ✓ Closed four TFV investigations with \$14,000 in penalty assessments.
- ✓ Closed three UB investigation with \$387,750 in penalty assessments

## **Public Agency and Utility Fleet Program**

The Public Agency and Utility (PAU) Fleet Program encompasses state and local government fleets and fleets operated by public utilities. The program requires that fleet operators retrofit or repower diesel-powered vehicle engines, or replace the vehicles, and maintain them. Program requirements were adopted during 2005 and are being phased in over a multi-year period extending through 2014 (or 2017 in the case of smaller population counties). About 574 fleets and 30,000 vehicles are subject to this program.

### **2014 Accomplishments**

- ✓ Closed six PAU investigations with \$50,500 in penalty assessments.

## **Drayage Truck Regulation Program**

The Drayage Truck Regulation (DTR) Program focuses on diesel-powered vehicles which transport cargos arriving from, or being delivered to, California's ports and intermodal rail yards. Oftentimes, this cargo is containerized and is transported over short distances between an ocean port, rail ramp, or shipping dock and another nearby location, such as a distribution center. Typically, specialized trucking firms are used for these services. The program requires that fleet operators retrofit or repower diesel-powered vehicle engines, or replace the vehicles, and maintain them.

Program requirements became effective during 2010 and have been phased in over a multi-year period extending through 2013. About 100,000 vehicles, including 80,000 vehicles based outside of California, are subject to this program.

#### 2014 Accomplishments

- ✓ Closed 41 DTR investigations with \$106,100 in penalty assessments.

### **D. Diesel Equipment Enforcement Programs**

Diesel Equipment Enforcement Programs enforce regulations that are not directed at on-road diesel vehicles themselves. These programs relate to diesel-powered cooling systems, i.e., transport refrigeration units that may be mounted on trucks, trailers, or containers; verified diesel emission control strategies, that are part of some diesel vehicles' emission controls; and off-road equipment used at locations such as construction sites, mines, and airports.

#### **Transport Refrigeration Unit Program**

The focus of the Transport Refrigeration Unit (TRU) TRU Program is on trucks, truck trailers, rail cars, and containers equipped with diesel-powered cooling systems. The program includes requirements, beginning during 2009, to register California-based TRUs in ARB's Equipment Registration (ARBER) system. TRU engines must meet either the Low Emission TRU or the Ultra-Low Emission TRU in-use performance standards. The requirements are to be phased in over a multi-year period extending from 2010 through 2019, depending on the model year of the engine. About one million TRUs are subject to this program. Owners of TRUs found in violation of applicable standards are subject to penalties ranging from \$300 to \$1,000 per violation.

#### 2014 Accomplishments

- ✓ Completed 2,443 TRU inspections and issued 798 citations.
- ✓ Closed 37 TRU investigations with \$68,350 in penalty assessments.
- ✓ Continued coordinated efforts through the California Community College based CCDET program, enabled the Santa Ana College Diesel Technology Program to install donated diesel particulate filters (DPF) on and repair TRUs used by the not-for-profit Montebello, California,-based Heart of Compassion Food Bank. Another CCDET college, LA Trade Tech College, conducted PSIP tests on the food bank's trucks. As a result of these efforts, this food bank continues to serve the greater Los Angeles region while reducing diesel particulate emissions.

## **Verified Diesel Emission Control Strategies Program**

The Verified Diesel Emission Control Strategies (VDECS) Program focuses on requirements related to repowering or retrofitting older diesel-powered vehicles by installing additional ARB-verified emissions control devices on the vehicle's engine or exhaust system. The requirements are intended to ensure compatibility between the emissions control device and the vehicle's engine and to ensure compliance with emissions reduction, equipment durability, and warranty standards. Most diesel-powered vehicles in California are required to have an ARB-verified retrofit installed unless the vehicle is specifically exempted or is equipped with a DPF from the manufacturer.

### **2014 Accomplishments**

- ✓ Closed 13 VDECS investigations with \$834,462 in penalty assessments.

## **Off-Road Heavy-Duty Diesel Vehicle Program**

The Off-Road Heavy-Duty Diesel (HDD) Vehicle Program encompasses diesel-powered construction equipment, such as bulldozers and backhoes, and other off-road, self-propelled, diesel-powered equipment such as airport ground support and mining equipment. The program's requirements were phased in during 2008, beginning with five-minute time limits on idling. Additionally, off-road HDD equipment dealers were required to disclose to new and used equipment buyers if the equipment sold is not compliant with the program's requirements. Beginning in 2009, all off-road HDD equipment was required to be registered with ARB through the Diesel Off-Road On-Line Reporting System (DOORS) and labeled with an ARB-assigned equipment identification number. The program's regulations require owners to repower, replace, or retrofit the equipment and keep it properly maintained. Approximately 180,000 pieces of equipment are subject to this program.

### **2014 Accomplishments**

- ✓ ARB received U.S. EPA authorization to enforce the Off-Road Diesel Vehicle (ORDV) Regulation.
- ✓ Closed 47 off-road HDD equipment investigations with \$19,650 in penalty assessments.

## **E. On-Road Field Enforcement Programs**

On-road field enforcement programs complement fleet investigations. Every heavy-duty diesel vehicle traveling on California roadways is subject to inspection and testing. Enforcement staff conducts these inspections, sometimes in cooperation with other governmental agencies at the federal, State, or local level, including U.S. Immigration Customs Enforcement, U.S. EPA, the

California Highway Patrol, the California Department of Toxic Substances Control, the State Board of Equalization, and local law enforcement agencies.

ARB has also developed enforcement agreements and contracts with several air districts, including the San Joaquin Valley, Bay Area, North Coast, and San Diego air districts to enable district inspectors to perform specified mobile source enforcement services. The Bay Area Air Quality Management District (AQMD) provides targeted enforcement services, including inspections of commercial harbor craft, drayage trucks, cargo-handling equipment, and TRUs at the Port of Oakland. ARB has also developed an agreement with the Port of Los Angeles granting the Port Authority the ability to issue citations to port trucks in their jurisdiction. Similar agreements are being explored with other air districts and with the Port of Long Beach. ARB also provides training and support to the local partners to enable them to effectively enforce ARB's regulations.

On average, Enforcement staff inspects about 25,000 to 30,000 vehicles (or other equipment) per year. Profiles of the major categories of roadside inspections performed by Enforcement staff are provided below.

### **Heavy-Duty Vehicle Inspection Program**

The Heavy-Duty Vehicle Inspection Program (HDVIP) focuses on identifying Heavy Duty Diesel (HDD) powered trucks and buses that have tampered engines or are emitting excessive smoke. Owners of vehicles found in violation of applicable standards are subject to minimum penalties of \$300 per violation. The citations must be cleared by repairing the engine, performing an additional opacity test to confirm reduced smoke levels, submitting repair receipts, and paying penalty assessments.

#### **2014 Accomplishments**

- ✓ Completed 8,217 HDVIP inspections and issued 89 citations.

### **Emission Control Label Program**

The Emission Control Label (ECL) Program requires that all HDD powered vehicles be equipped with engines that meet California or U.S. EPA-equivalent emissions standards. Additionally, a compliant ECL containing the engine's emissions certification profile and other pertinent information must be properly affixed to the vehicle/engine. Inspections for compliance with ECL Program requirements are usually completed concurrent with HDVIP inspections. Owners of vehicles found in violation of applicable standards are subject to minimum penalties of \$300 per violation.

### 2014 Accomplishments

- ✓ Completed 8,231 ECL inspections and issued 496 citations.

### **Statewide Truck and Bus Program**

The Statewide Truck and Bus Program is described in the Statewide Diesel Fleet Enforcement Programs section of this document. Fleet audits conducted in that program are complemented by on-road field vehicle inspections. Field Enforcement staff cites noncompliant vehicles. Owners of vehicles found in violation of the applicable standards are subject to penalties starting at \$1,000 per vehicle per month of violation.

### 2014 Accomplishments

- ✓ Conducted 5,372 truck and bus inspections and issued 1,155 citations.

### **Selective Catalytic Reduction Program**

The Selective Catalytic Reduction Program focuses on the chemical concentration of the diesel exhaust fluid used with new truck catalysts. The urea concentration of the diesel exhaust fluid must be greater than 32.5 percent and is checked during inspection. Owners of vehicles found in violation of this standard are subject to minimum penalties of \$300 per violation.

### 2014 Accomplishments

- ✓ Performed 275 diesel exhaust fluid inspections and found no violations.

### **Drayage Truck Regulation Program**

The Drayage Truck Regulation Program is described in the Statewide Diesel Fleet Enforcement Programs section of this document. Fleet audits conducted in that program are complemented by on-road field vehicle inspections. This regulation applies to on-road diesel-fueled trucks that transport cargo to and from California's ports and rail yards. Communities situated near these locations are heavily impacted by truck emissions which contribute to many adverse health effects, including asthma and cancer. The regulation applies regardless of a vehicle's state or country of origin, requires recordkeeping and reporting in the State's Drayage Truck Registry, and emission reductions through retrofits and newer engines.

### 2014 Accomplishments

- ✓ Conducted 1,784 inspections at ports, rail yards, and various other roadside locations throughout the state, with 144 citations issued.

## **Commercial Vehicle Idling Program**

California has a regulation aimed at curbing the length of time diesel vehicles idle their engines. This regulation is structured to reduce public exposure to diesel particulates. The Commercial Vehicle Idling (CVI) Program applies to heavy duty diesel (HDD) powered vehicles with a gross vehicle weight rating (GVWR) of 10,000 pounds or more, and generally prohibits these vehicles from idling for more than five minutes. In lieu of idling a vehicle's main engine, drivers can utilize on-board auxiliary power systems, battery systems, truck stop electrification systems, and other alternative power sources. CVI inspections are oftentimes completed at truck stops or at loading/unloading facilities such as distribution centers. Drivers found in violation of applicable vehicle idling standards are subject to minimum penalties of \$300 per violation.

### **2014 Accomplishments**

- ✓ Completed 2,757 CVI inspections and issued 453 citations.
- ✓ Pursuant to requirements set forth in AB 233 (Jones, Chapter 592, Statutes of 2007), "No Idling" signs are being installed in EJ communities that are assigned the highest priority.

## **Off-Road Diesel Vehicle Program**

Off-road diesel-powered construction equipment, such as bulldozers and backhoes, and other off-road self-propelled, diesel-powered equipment, such as airport ground support and mining equipment, must be registered with ARB through DOORS and labeled with an ARB-assigned equipment identification number. Additionally, off-road diesel vehicles (ORDVs) are subject to limits on idling. Owners (or operators) of equipment found in violation of applicable standards are subject to minimum penalties of \$300 per violation.

### **2014 Accomplishments**

- ✓ Completed 336 ORDV inspections and issued 79 citations.

## **Environmental Justice Community and Mexican Border Programs**

Enforcement staff targets many of its on-road enforcement operations toward HDD trucks operating within designated environmental justice (EJ) communities, including seaports in Los Angeles, Long Beach, Port Hueneme, Oakland, and Stockton, as well as at major distribution centers, rail yards, and truck stops in and near residential communities. To mitigate excessive toxic emissions from Mexico-domiciled vehicles, Enforcement staff maintains on-road vehicle inspection sites at the Otay Mesa, Calexico, and Tecate border crossings and at other nearby locations. A primary focus of EJ community inspections is on drayage trucks and TRUs.

### 2014 Accomplishments

- ✓ Completed 10,949 inspections in EJ community and Mexican Border areas including HDVIP, CVI, ECL, TRU, and drayage truck inspections and issued 842 citations as a result of these inspections.

### **Specialized Fleet Vehicle Inspection Programs**

Trucks and buses may also be subject to fleet-specific regulations. Specialized fleets include solid waste collection vehicles, urban and transit buses, and public agency and utility fleet vehicles. For any of these types of vehicles, the scope of the inspection encompasses applicable specialized fleet requirements.

### 2014 Accomplishments

- ✓ Completed 193 specialized fleet inspections and issued 42 citations.

### **Citation Administration Program**

A citation is written when a field inspector identifies a vehicle or piece of equipment out of compliance with one or more heavy-duty diesel regulations, such as the Transport Refrigeration Unit, Statewide Truck and Bus, and Emissions Control Label regulations. The Citation Administration Program is responsible for resolving citations and for conducting citation investigations of HDD fleets. Closing a citation involves proof of corrective action as well as paying a penalty. A citation is rescinded if it is determined that there is no violation. The process also checks for multiple citations issued to the same company or vehicle/equipment. Multiple citations may result in investigation of the entire fleet.

A Truck and Bus Task Force was created to assist trucking companies in meeting the Small Fleet provision of the Truck and Bus rule.

### 2014 Accomplishments

- ✓ Closed 2,082 citations with \$1,683,200 in penalty assessments.
- ✓ Assisted over 200 trucking companies in meeting the Small Fleet provision.

## **F. Goods Movement Enforcement Programs**

To reduce public exposure to health risks associated with diesel particulate matter, new regulations were implemented in 2006 governing rail yards, ports, and marinas. These regulations are collectively referred to as the Goods Movement Program. Goods Movement



Program enforcement is a major, growing responsibility involving field inspections of rail yards and locomotives, ocean going vessels (OGV), commercial harbor craft (CHC), marina fuel docks, cargo handling equipment, and transport refrigeration units (TRU). If violations are identified, they are investigated and resolved. A summary of each of these programs and ED's significant accomplishments during 2014 are provided below.

### **Railroad Memorandum of Understanding Program**

In 2005, ARB entered an agreement with Union Pacific Railroad (UP) and BNSF Railway to reduce diesel PM emissions from idling locomotives. One of the most significant elements of the ARB/Railroad Statewide Agreement (Agreement) is the statewide idle-reduction program. This program limits the amount of time locomotives are allowed to idle, reducing the emissions in and around rail yards. Another element of the Agreement is a low sulfur diesel fuel requirement for locomotives operating in California. Inspections are conducted twice a year, during the spring and fall, to evaluate locomotives for compliance with the standards identified in the Agreement. In addition, ARB staff collects samples of locomotive diesel fuel to verify compliance with the sulfur fuel standards.

#### **2014 Accomplishments**

- ✓ Inspected 2,057 locomotives, closed 7 cases, and \$2,800 in penalty assessments.

### **Commercial Harbor Craft and Marina Fuel Dock Programs**

The Commercial Harbor Craft (CHC) Program encompasses about 3,325 harbor craft operating at roughly 120 shoreline and inland harbors throughout the state. CHC include tugboats, crew boats, and excursion (tour) vessels. Enforcement staff inspects vessels for compliance with emission, fuel, and recordkeeping requirements.

The Marina Fuel Dock Program focuses on harbor refueling facilities and equipment. Enforcement staff collects samples of marine diesel fuel and reviews records at fueling docks located on both coastal and inland waterways.

#### **2014 Accomplishments**

- ✓ Completed 125 CHC inspections. One case was closed with a \$1,500 penalty assessment.

## **Cargo Handling Equipment Program**

The Cargo Handling Equipment (CHE) Program focuses on diesel powered mobile cargo handling equipment used at major port and rail facilities throughout California, including yard trucks, rubber tire gantries, side picks, and forklifts.

### **2014 Accomplishments**

- ✓ Completed 74 inspections, and closed 11 cases with \$675,758 in penalty assessments.

## **Ocean-Going Vessel Program**

In 2008, ARB adopted a regulation focusing on the reduction of PM, NO<sub>x</sub>, and sulfur oxide emissions from ocean-going vessels (OGVs) within regulated California waters (RCW). Inspections of OGVs were conducted at the ports of Los Angeles, Long Beach, San Pedro, Oakland, Richmond, Stockton, Sacramento, Hueneme, Benicia, and San Diego.

### **2014 Accomplishments**

- ✓ Inspected 861 vessels, issued 27 notices of violation (NOV), and closed 27 cases with \$312,969 in penalty assessments.

## **At-Berth Regulation Program**

In December 2007, ARB approved the "Airborne Toxic Control Measure for Auxiliary Diesel Engines Operated on Ocean-Going Vessels At-Berth in a California Port" Regulation, commonly referred to as the At-Berth Regulation. Its purpose is to reduce emissions from diesel auxiliary engines on container ships, passenger ships, and refrigerated-cargo ships while berthing at a California port. In January 2014, a majority of the fleets became subject to the Reduced Onboard Power Generation Option requiring at least 50 percent fleet compliance.

### **2014 Accomplishments**

- ✓ Inspected 26 terminals to assess shore power readiness for At-Berth Regulation.
- ✓ Audited 2,013 fleet plans to determine fleet readiness with At-Berth Regulation

## **G. Vehicle and Motorcycle Enforcement Programs**

### **Non-California Certified (49-State Certified) Vehicle and Motorcycle Programs**

New on-road vehicles and motorcycles must meet California-specific exhaust and evaporative emissions standards and be certified by ARB. U.S EPA has separate standards for vehicles operating outside of California (49-state certification). California certifications are issued by the Emissions Compliance, Automotive Regulations and Science Division (ECARSD). ED is responsible for investigating cases involving the manufacture, distribution, and sale of non-California certified on-road vehicles and motorcycles and cases involving vehicle modifiers (e.g., conversion to run on alternative fuel).

Enforcement staff also investigates cases involving illegal imports and sales of non-California certified new cars and trucks, defined as vehicles with fewer than 7,500 miles, with various exceptions such as for military service personnel. Some of these investigations are initiated based on receipt of Certificates of Noncompliance (CNC) from smog check stations. About 10 to 20 percent of CNCs are issued to dealerships or fleets and are further reviewed for compliance. Most of the remaining CNCs are issued to individuals, government agencies, or emergency first responders and are not further reviewed as these CNCs rarely involve noncompliant activity.

#### **2014 Accomplishments**

- ✓ Closed 34 non-California certified vehicle cases with \$621,000 in penalty assessments.

### **Dealership and Fleet Tampering Programs**

Health and Safety Code (HSC) section 43012 provides ARB with authority to enter any new or used car dealership to ensure that vehicles offered for sale are equipped with required emission controls. A violation is subject to a \$500 penalty along with proof of correction. Section 43008.6 of H&SC provides ARB with the authority to enter any commercial fleet to ensure that their vehicles are equipped with required emission controls and, for 1996 and later model year vehicles, a functional onboard diagnostic system. A violator is subject to a \$1,500 penalty and removal of the vehicle from service until corrected. Enforcement staff inspects automobile dealerships and commercial fleets to ensure compliance with these requirements and that emissions control systems are not tampered.

#### **2014 Accomplishments**

- ✓ Closed three dealership and fleet tampering cases with \$3,500 in penalty assessments.

## **Marine Craft and Outboard Engine Programs**

The Recreational Marine Engine Program requires that new recreational watercraft such as fishing boats and ski boats, personal watercraft such as jet skis, and outboard marine engines, must meet specified exhaust and evaporative emissions requirements and be certified by ARB. Certifications are issued by the Emissions Compliance, Automotive Regulations and Science Division (ECARSD).

### **2014 Accomplishments**

- ✓ It is anticipated that in 2015, a U.S. EPA authorization will be approved that will enable ARB to enforce the Spark Ignition Marine Engine Regulation. When this occurs, ED can move forward on investigations in the category of greater than 500 horsepower engines that have been pending the authorization's approval.

## **H. Engine and Aftermarket Parts Enforcement Programs**

Large spark-ignition (LSI) engines (those rated 25 horsepower or more), compression-ignition (CI) engines, and small off-road engines (SORE) (those rated less than 25 horsepower) are required to be certified by ARB and must meet specified exhaust and evaporative emissions standards.

**Large Spark Ignition Engines** – There are more than 90,000 off-road LSI engines in California. Many LSI engines have no emission controls and some remain in operation for decades. One uncontrolled LSI engine can emit as much hydrocarbon (HC) and NO<sub>x</sub> in three eight-hour shifts as a new car certified to California's cleanest emission standard does over its entire lifetime. On January 1, 2010, new emission standards and test procedures for off-road LSI engine powered equipment were enacted. The new standards establish more stringent combined HC and NO<sub>x</sub> emission standards for off-road LSI engine manufacturers and verification procedures for manufacturers of retrofit emission control systems intended for use on LSI engines.

**In-Use LSI Fleet Regulation** - The In-Use Off-Road Large Spark-Ignition Engine Fleet Regulation (LSI Fleet Regulation) requires fleet operators to conduct a baseline inventory of their fleet and then achieve fleet average emission standards. The vehicles utilizing these engines are found in public and private industries as diverse as manufacturing, wholesale and retail goods movement, utilities, and construction.

**Compression-Ignition Engines** – This program focuses on new compression-ignition (CI) engines which are found in a wide variety of off-road farming, construction, and industrial vehicles and equipment including tractors, excavators, dozers, scrapers, portable generators, TRUs, irrigation pumps, welders, compressors, scrubbers, and sweepers. Off-road CI engine

certification provisions include requirements to demonstrate compliance with the applicable emission standards as well as labeling and warranty obligations.

**Small Off-Road Engines** – SOREs are used with lawn mowers, trimmers, edgers, leaf blowers, weed whackers, chainsaws, generators, small gas-powered scooters, and numerous other products. New SORE standards, which became effective in 2010, reduce these engines' emissions by 70 percent. SORE manufacturers also must demonstrate that their equipment's emission levels remain low after extended use (ranging from 50 hours for residential equipment to 500 hours for commercial products).

#### 2014 Accomplishments

- ✓ Closed 15 LSI, CI, and SORE cases with \$1,866,629 in penalty assessments.
- ✓ The LSI Fleet Regulation received U.S. EPA authorization in April 2012. Audits began in 2014.

#### Aftermarket Parts Program

The Aftermarket Parts Program encompasses a broad range of aftermarket parts, including catalytic converters, fuel injectors, turbo chargers, superchargers, computer devices, sensors, and other engine performance enhancers. New aftermarket parts must demonstrate that they do not adversely affect emissions or emission control systems and must be certified by ARB. Aftermarket parts are sold by automobile dealers, retail auto parts stores, general merchandise retailers, marine equipment stores, motorcycle shops, and many other types of businesses.

#### 2014 Accomplishments

- ✓ Closed 14 on-road aftermarket parts cases with \$2,751,935 in penalty assessments.
- ✓ Closed one off-road aftermarket parts case with \$90,000 in penalty assessments.

#### Refrigerant Canister Program

The Refrigerant Canister Program (Do-It-Yourself Automotive Refrigerant Can Emissions Reduction Program) is structured to reduce GHG emissions by reducing the emissions of fluorinated hydrocarbons normally used in automobile air conditions, and focuses on do-it-yourself motor vehicle repair and air conditioning suppliers. The program requires that aftermarket automotive refrigerant be packaged in cans that will not leak the unused portion after the can is opened. Additionally, to encourage recycling and collection of unused refrigerant, the program requires deposits on all purchases.

## **Portable Fuel Container Program**

This program regulates portable fuel containers of up to ten gallons (including utility jugs, etc.) which are used for gasoline, diesel, kerosene, and other fuels. The regulations require that these containers and spouts meet performance standards for durability, diurnal emission standards, are leak-proof, and have automatic shut off. Manufactures must apply for certification and obtain an executive order to sell these containers in California.

### **2014 Accomplishments**

- ✓ Closed five portable fuel container cases with \$23,963 in penalty assessments.

## **Marine Fuel Tank Program**

This program regulates portable outboard marine tanks and their components, including fuel hoses and fittings, primer bulb assemblies, and caps, which are used to store and supply fuel to outboard marine engines. The regulations require that new fuel tanks and their components meet performance standards for durability, diurnal emission standards, are leak-proof, and have self-sealing caps. Manufacturers must apply for certification and obtain an executive order in order to sell marine fuel tanks and components in California.

### **2014 Accomplishments**

- ✓ Enforcement staff prepared for audit testing of performance standards and other requirements by continuing to gather information on manufacturers that are certified with ARB.

## **Laboratory and Certification Fraud Program**

The Laboratory and Certification Fraud Program focuses on investigating and building criminal and/or civil cases against manufacturers, laboratories, and certification contractors who prepare ARB certification applications using false emissions test data or improperly use carry-across laboratory data.

### **2014 Accomplishments**

- ✓ Closed two laboratory and certification fraud cases with \$909,500 in penalties.

## **2. Fuels Enforcement Programs**

The Fuels Program regulates motor vehicle fuels, including California reformulated gasoline (CaRFG) and diesel fuel, as well as cargo tank vapor recovery systems. The Program's enforcement activities include sampling and testing of fuel produced or imported for use in California, and sampling and testing of fuels at key distribution nodes and retail service stations. Additional enforcement activities include evaluation of compliance data submitted by regulated entities, registration of fuel distributors and oxygenate blenders, registration and inspection of cargo tanks, investigation of violations, and resolution of these cases. Such enforcement activity also involves outreach and support to clarify complex aspects of the regulations through training seminars, individual company meetings, website information, and telephone support to the regulated industry and the general public. A summary of each of these programs and ED's significant accomplishments during 2014 is provided below.

### **A. Fuels Program**

The Fuels Program primarily focuses on sampling gasoline and diesel fuel products from a cross-section of industry locations, including refineries, import vessels, distribution and storage facilities, bulk purchaser/consumer facilities, and retail service stations. The collected samples are representative of about 15 to 20 percent of the gasoline and diesel sold in California, on an annual basis. Within California, there are two main import centers (i.e., Service Port - Los Angeles/Long Beach Seaport and San Francisco Seaport), 13 production centers (refineries), about 100 distribution nodes (terminals and bulk plants), and about 10,000 retail gasoline stations.

#### 2014 Accomplishments

- ✓ Collected 2,763 samples of gasoline and 504 samples of diesel fuel, for a total of 3,267 samples, representing about 2.60 billion gallons of gasoline and 706 million gallons of diesel fuel; completed approximately 24,000 analyses of the samples collected.
- ✓ Closed 16 fuels cases, with \$1,599,700 in penalty assessments.

### **B. Reformulated Gasoline and Diesel Notification Program**

The California Reformulated Gasoline (CaRFG) and Diesel regulations establish standards for gasoline and diesel used in motor vehicles. Each regulation provides fuel producers and importers with alternative compliance options to comply with California's standards. Compliance monitoring and enforcement is accomplished principally by reviewing the data submitted for compliance with applicable rules.

## 2014 Accomplishments

- ✓ Reviewed and received 3,070 formulation reports submitted by producers and importers of diesel and CaRFG.

### **C. Cargo Tank Vapor Recovery Program**

The Cargo Tank Vapor Recovery Program is responsible for ensuring the reduction of volatile organic compounds (VOC) emissions from gasoline cargo tanks. The Cargo Tank Program requires that cargo tank owners test and self-certify compliance with vapor and leak control standards as well as register their cargo tanks with ARB. Cargo tank inspections are conducted at fuel terminals and loading racks throughout California.

Enforcing compliance with cargo tank certification requirements includes reviewing submitted data for anomalies, observing testing at industry facilities to verify that proper equipment and procedures are used, and random inspections of ARB-certified testers to ensure that leak tests are conducted properly. Enforcement staff also conducts random inspections of cargo tanks for compliance with liquid and vapor release standards. The majority of cargo tank inspections are conducted at fuel terminals and loading racks by pressurizing the cargo tank with nitrogen gas after it is loaded with fuel and then inspecting the tank for liquid and vapor releases.

## 2014 Accomplishments

- ✓ Registered 5,452 cargo tanks with ARB.
- ✓ Inspected 360 cargo tanks -- pressured tested 162 cargo tanks, observed 131 tests, issued 11 citations, closed 21 cases, and collected \$9,500 in penalties.

### **D. Red-Dyed Diesel Program**

The Board of Equalization (BOE) contracts with ARB to conduct field inspections to identify the illegal use of untaxed diesel fuel. Untaxed fuel is dyed red so that it can be distinguished from non-exempt fuel. Visual inspections for red-dyed diesel fuel are usually completed concurrent with HDVIP inspections. Field inspectors obtain a sample of the fuel if it appears to be red-dyed so that ARB laboratory staff may then analyze the samples for the presence of red dye. If a violation is found, the case is referred to BOE. When requested, Enforcement staff conducts investigations of companies suspected of illegally using red-dyed diesel fuel.



## 2014 Accomplishments

- ✓ Completed 5,562 red-dyed diesel fuel inspections. ARB identified one violation and referred the case to BOE to pursue enforcement action.

### **3. Consumer Products Enforcement Programs**

To achieve air quality standards and reduce the public's exposure to toxic air contaminants (TACs), it is necessary to reduce emissions from many small sources such as consumer products and specialty products. ARB has enforced statewide regulations to reduce volatile organic compound (VOC) emissions from consumer products and aerosol coatings for over 15 years, and has also regulated TACs and global warming compounds (GWC). Additionally, ED is increasingly responsible for enforcement of newer regulations governing composite wood products and indoor air cleaning devices. A summary of each of these programs and ED's significant accomplishments during 2014 is provided below.

#### **A. Consumer Products Program**

The Consumer Product Program encompasses more than 25,000 products in 165 product categories (129 chemically formulated product categories and 36 aerosol coating product categories), including aerosol paints, adhesives, antiperspirants and deodorants, cleaning and degreasing products, polishes, personal and beauty care products, lawn and garden products, lubricants, disinfectants, sanitizers, automotive specialty products, paint thinners, and solvents. These products are examples of common everyday products that are made with ozone-forming VOCs. To reduce smog and public exposure to hazards associated with smog, ARB regulates the amount of VOCs permissible in these products. The regulations also help to reduce emissions of TACs and GWCs.

Enforcement staff travels throughout California, to inspect and collect product samples for laboratory analysis. Staff also purchases samples online and through mail order outlets. Following receipt of the results of the laboratory analysis or performance testing, staff conducts an additional investigation to determine whether the product violates applicable regulations. If a violation is found, staff negotiates a settlement with the product's manufacturers or retailers, or refers the case for civil litigation or criminal prosecution.

## 2014 Accomplishments

- ✓ Closed 79 consumer products cases, with \$2,058,625 in penalty assessments.

## **B. Composite Wood Products Program**

Formaldehyde is a toxic air contaminant in which ARB has stringent emissions standards for, from composite wood products containing urea-formaldehyde resin. Products meeting these requirements are designated as Phase 2 compliant. The Composite Wood Products Program encompasses a broad range of products, such as hardwood plywood, particle board, medium-density fiberboard, and other finished goods that are made from these materials, including decorative wall coverings, cabinetry, subflooring, shelving, household and office furniture, and children's toys. Composite wood panel manufacturers are required to have a third party verification program and fabricators of finished goods are required to use complying panels. In 2014, the last sell-through period ended and all finished goods must be made using Phase 2 complying composite wood products.

### 2014 Accomplishments

- ✓ Provided assistance to the Transportation and Toxics Division, Industrial Strategies Division, and the Monitoring and Laboratory Division in preparing samples for the interlab study and equivalency testing.
- ✓ Continued investigations on composite wood in laminate and engineered hardwood flooring.

## **C. Indoor Air Cleaning Device Program**

This program limits the ozone emitted from indoor air cleaning devices. All air cleaning devices, including ozone-generating devices and electrostatic precipitator devices, sold in California, after October 18, 2010, must certify using independent laboratory testing to meet a 0.05 ppm ozone emission limit and also comply with specified labeling and notification requirements.

### 2014 Accomplishments

- ✓ One major air cleaning device case was settled, with \$120,000 in penalty assessments.

## **4. Greenhouse Gas Enforcement Programs**

ED is responsible for monitoring compliance and enforcing multiple greenhouse gas (GHG) emission reduction programs established pursuant to the *Global Warming Solutions Act* (AB 32, Chapter 488, Statutes of 2006). The Tractor-Trailer Greenhouse Gas (TTGHG) (SmartWay) Program and the Refrigerant Canister Program were discussed previously (see "Mobile Source Enforcement Programs"). The Landfill Methane Gas Enforcement Program, the Refrigerant

Management Program (RMP), the Sulfur Hexafluoride Reduction Enforcement Program, and several other current and prospective GHG enforcement programs are discussed below.

## **A. Landfill Methane Gas Program**

The Landfill Methane Gas Program requires facilities to collect methane gas generated from landfills. The air districts generally have authority over stationary source emissions, including landfills. ARB has developed enforcement agreements with several air districts allowing them to enforce the requirements directly. ED's compliance monitoring and enforcement responsibilities under the Landfill Methane Gas Program are expected to be limited to landfills located in other parts of the state.

### 2014 Accomplishments

- ✓ Held six Landfill Methane Gas Control Program training classes for air district staff.
- ✓ Conducted five investigations, including two complaint investigations.
- ✓ Participated in developing cooperative agreements with local air districts for the enforcement of the Landfill Methane Gas Program.

## **B. Refrigerant Management Program**

The Refrigerant Management Program (RMP) is structured to reduce refrigerant (halogenated compound) leaks from commercial and industrial refrigeration systems and equipment, focusing on larger refrigeration systems and equipment. It is estimated that about 12,000 refrigeration units are subject to the program. The program requires facilities to check for and repair leaks, maintain records, and report data to ARB's Research Division. ED's RMP compliance monitoring and enforcement responsibilities are expected to include regulated businesses that operate facilities with refrigeration systems throughout the state, such as grocery store chains.

### 2014 Accomplishments

- ✓ Conducted 15 investigations, including one complaint.
- ✓ Issued one NOV; resolved two NOVs issued for emissions and reporting violations in 2013, with \$160,800 in penalty assessments.

## **C. Sulfur Hexafluoride Reduction Program**

The Sulfur Hexafluoride Reduction Program is composed of three separate regulations structured to limit the use of sulfur hexafluoride in semi-conductor applications, nonelectric applications, and at electricity generation and transmission facilities dispersed throughout the state. The program includes emission limits and record keeping requirements. ED's compliance monitoring and enforcement responsibilities are limited to the electricity transmission facility component of the program.

### 2014 Accomplishments

- ✓ Conducted 10 investigations, including four complaints.
- ✓ Resolved four NOVs for emission and reporting violations with \$772,000 in penalty assessments.

## **IV. Enforcement Programs Support Summary**

### **1. Air District Enforcement Support Services**

Enforcement support services provided by ED to local air districts include variance review services, federal enforcement and compliance data collection support, continuous emissions monitoring system (CEMS) services, stationary source and equipment inspection services, asbestos national emissions standards program, and portable engine and equipment programs. A summary of each of these support services and ED's significant accomplishments during 2014 is provided below.

#### **A. Air District Variance Review Services**

Air districts are responsible for permitting stationary sources and reviewing and approving planned and unplanned emissions variances from permitted sources. Enforcement staff reviews reports submitted by the air districts, documenting planned and unplanned emissions variances, and reviews all air district hearing board variance orders for compliance with Health and Safety Code requirements. When a variance order is not compliant with these requirements, Enforcement staff prepares and issues correspondence to the air district and hearing board requiring corrective action. Enforcement staff also maintains a database which

tracks activity related to hearing board orders and provides training and workshops to educate air district staff and hearing board members about the variance hearing process.

#### 2014 Accomplishments

- ✓ Reviewed 279 variances and 355 hearing board meeting notifications.
- ✓ Returned 16 variances for rehearing or revision.

### **B. Federal Enforcement and Compliance Monitoring Data Collection Support**

In 2014, U.S. EPA transitioned its federal enforcement and compliance monitoring data reporting system from the legacy Air Facilities System (AFS) to the modernized Integrated Compliance Information System for Air (ICIS-Air). ICIS-Air is used to store permit, compliance, and enforcement data pertaining to more than 100,000 stationary source emitters nationwide and monitor each facility's compliance status. Enforcement staff reviews facility inspection data posted to ICIS-Air by California's air districts. In some cases (e.g., about 30 smaller, non-delegated air districts), Enforcement staff compiles and reviews facility inspection data submitted by the air districts and posts updates to ICIS-Air on behalf of these agencies. Enforcement staff also prepares and distributes bi-monthly ICIS-Air reports and monthly high priority violator reports to selected air districts, prepares and submits quarterly reports to U.S. EPA, and assists U.S. EPA in training air district personnel to effectively use ICIS-Air.

#### 2014 Accomplishments

- ✓ Received, reviewed, and recorded 118 ICIS-Air reports.
- ✓ Prepared 138 ICIS-Air reports and sent to air districts.

### **C. Continuous Emissions Monitoring System Services**

Continuous Emissions Monitoring Systems (CEMS) are used to monitor stationary source facility emissions on a continuous basis. Any stationary source that an air district requires to install and operate a CEM is required to report any violation of emission limits to the air district, which, in turn must report the violations to ARB. Additionally, Enforcement staff is responsible for reviewing the emissions data reports submitted by some smaller, nondelegated air districts, for sources that have CEMSs installed and that are subject to federal regulations. When appropriate, ED staff reports violations and system audits to U.S. EPA on behalf of the 27 non-delegated air districts.

### 2014 Accomplishments

- ✓ Received and reviewed 17 CEM System reports, forwarding 17 to U.S. EPA.

## **D. Stationary Source and Equipment Inspection Services**

Enforcement staff periodically assists air districts with stationary source inspections (e.g., inspections of sawmills or agricultural facilities during peak operating seasons), stationary diesel engine inspections (e.g., quarry generators and pumps), and inspections and registrations of portable equipment (such as diesel generators).

### 2014 Accomplishments

- ✓ Conducted one stationary source inspection.
- ✓ Supported one air district with the settlement of one stationary source violation for \$500,000 in penalties collected by the District.

## **E. Asbestos National Emissions Standards Program**

This program is structured to prevent the release of asbestos into the environment when buildings are renovated or demolished. The primary objectives of ED's program is to provide training, building inspection, and project oversight services related to renovation or demolition of buildings containing asbestos. These services are usually provided within smaller, nondelegated air districts. Other services provided include reviewing demolition/renovation notifications, investigating complaints, and conducting statewide task force workshop meetings for representatives of the air districts and U.S. EPA, Region 9.

### 2014 Accomplishments

- ✓ Received and reviewed 609 notifications.
- ✓ Conducted 26 inspections, including four complaint investigations.
- ✓ Issued and settled three NOVs, including one issued in 2013, with \$30,000 in penalty assessments.
- ✓ Conducted three training sessions and three task force workshops.

## F. Portable Engine and Equipment Programs

ED implements both ARB's Portable Equipment Registration Program (PERP) and the Portable Diesel-Fueled Engines Air Toxic Control Measure (ATCM).

Owners or operators of eligible portable engines and equipment (units) can register their units under ARB's statewide PERP in order to operate throughout California, without having to obtain individual permits from local air districts. Implementation of PERP involves the evaluation of registration (new and renewal) applications. PERP application evaluations include fee and eligibility determinations; calculating unit emissions; determining and calculating process limitations as necessary to meet regulatory emission limits; determining all applicable requirements and operational conditions for unit registrations; development and transmittal of registration materials to the regulated community; and extensive interaction with the public, new applicants, existing registrants, and local air district engineering and enforcement personnel.

California's local air districts are responsible for inspection of units for which new and renewed registrations have been issued. Local air districts are reimbursed for these inspections through the collection of PERP inspection fees at the time of application. Inspection fees collected for over 10,500 unit registrations issued during calendar year 2013 amounted to \$3,088,405 which was distributed to the 35 local districts during the 3<sup>rd</sup> quarter of 2014.

PERP administration includes acting on as many as 30,000 application actions per year. In 2014, there were 12,750 new and renewal registrations for units - including portable engines, certain other types of equipment, and tactical support equipment (TSE). Appendix D summarizes activities related to new and renewal applications.

On January 1, 2013, the ATCM's portable diesel engine fleet emission standards went into effect. The ATCM's fleet emission standards are applicable to both PERP-registered and locally permitted portable diesel engines. The ATCM requires owners of portable engines to submit a fleet compliance report to ARB. In implementing and enforcing the ATCM, staff is responsible for administering the receipt, review, and cataloging of the required diesel-fueled portable engine fleet reports and compliance statements. Continued implementation and enforcement of this ATCM, including its upcoming 2017 and 2020 standards, necessitates research and the development of numerous technical tools for in-house use in addition to assisting the regulated community and CAPCOA. The research is ongoing; the necessary tools have been developed and are constantly updated by staff.

### 2014 Accomplishments

- ✓ PERP issued approximately 12,750 new and renewed registrations and collected over \$6,600,000 in fees for these registrations and other application actions.

## **2. Enforcement Program Support Services**

Enforcement Program Support Services responsibilities include environmental tip and complaint hotline services, the California Training Program, Fundamentals of Enforcement and Visible Emissions Evaluation (VEE) Program, and surveillance services. A summary of each of these support services and ED's significant accomplishments during 2014 are provided below.

### **A. Environmental Tip and Complaint Hotline Services**

#### **Stationary Source Complaints**

ARB responds to citizen tips and complaints via a 24 hour dedicated complaint line. The tip and complaint line receives communication from citizens regarding potentially dangerous emission releases, persistent odors, visible emissions from businesses, and problems with vapor recovery equipment at gas stations. ED is responsible for answering, screening, redirecting, and responding to phone and on-line complaints and tips, and for following-up to ensure that the issues are appropriately addressed. ARB also responds to tips and complaints received through the CalEPA hotline system where similar communications are logged.

#### **2014 Accomplishments**

- ✓ Reviewed and responded to 1,343 complaints.

#### **Mobile Source Complaints**

ED operates ARB's web based system for receiving Smoking and Idling Vehicle Complaints. All complaints received are screened and processed using the license plate information reported into the system. Staff identifies owners of the vehicles and sends notices requesting that the vehicle be checked for proper engine operation. For complaints of excessive idling, information about the Commercial Idling Regulation is sent to the registered owner. Where appropriate, complaints are referred to the air districts or to ED's Field Operations Branch for follow-up.

#### **2014 Accomplishments**

- ✓ Responded to and closed 8,303 Smoking Vehicle complaints and 204 Commercial and School Bus Idling complaints.



## B. California Training Program

ARB's Training Program provides comprehensive training to regulators, the regulated community, and environmental professionals. This program promotes the understanding of air pollution regulations and control methods for the purpose of reducing emissions and protecting public health, and the environment in California.

These nationally recognized training classes range from introductory for the entry-level professional to complex technical and regulatory classes for the more experienced professional. Topics include: air pollution history, evaluation of visible emissions, analysis of industrial processes, theory and application of emission controls, and waste stream reduction.

California continues to see rapid changes in technology, legislation, and industrial processes. These changes demand continuous improvement of the program in order to remain current, relevant, and accessible. Existing courses are continuously updated and new courses are developed that respond to the evolving compliance needs of government and industry. The Training Program catalog includes approximately 65 different classroom courses, seminars and workshops focusing on stationary source emissions topics.

Historically, most of the program's classes have been offered in the traditional classroom setting due, primarily, to the technical nature of the courses and associated field visits. Instructors use a wide variety of teaching tools to provide effective learning, such as multimedia presentations, subject-matter guest speakers, hands-on classroom exercises, and off-site field visits to representative facilities. Moving forward, the Training Program plans to expand its offering of remote learning classes. An assessment of existing and planned courses that are best-suited for remote learning is underway. ARB also has a comprehensive Mobile Source training program which can be found online as 500 Series Compliance Training Courses.

### 2014 Accomplishments

- ✓ **Air Quality Training** – The Enforcement Training Program enrolled just over 6,800 students in 2014 through 201 classroom and online courses covering 25 subject areas. More than 60 percent of the classes were held in the most populated air basins, including the South Coast, Bay Area, Sacramento, San Joaquin Valley, and San Diego air basins.
- ✓ **Online Air Quality Training** – The Training Program offers four online courses: three self-guided modules and one pre-recorded course. The two most popular are the Air Quality Training Program (AQTP), which provides an introduction to air pollution control and the Fundamental Inspector Course (FIC), which is the prerequisite for the CalEPA-mandated Basic Inspector Academy. Together, these two courses reached more than 1,300 students in 2014. The remaining online and webcast courses provided instruction to nearly 500 students.

- ✓ **200 Series Courses** – These courses combine a higher level of technical information provided in the classroom with field visits to regulated commercial or industrial sites to providing students with the opportunity to interact with the regulated community and ask questions that are industry-specific. During 2014, 74 classes were offered to nearly 1,400 public agency and private industry students.
- ✓ **300 Series Courses** – These courses, designed for experienced environmental professionals, include classes, workshops, and seminars that cover current environmental issues, and include such topics as cross media training, case development, and variance/hearing board requirements. During 2014, more than 750 public agency and private industry students enrolled in 50 300-series classes.
- ✓ **400 Series Courses** – During 2014, more than 400 public agency and private industry students enrolled in 13 of these advanced-level courses.

### **C. Fundamentals of Enforcement and Visible Emissions Evaluation Program**

The Fundamentals of Enforcement (FOE) and Visible Emissions Evaluation (VEE) Program is a specialized training and certification program, commonly referred to as “Smoke School.” This program was developed years ago to standardize the methods utilized by air district and ARB inspectors to visually assess visible emissions (smoke, fumes, dust, etc.) originating from any source. These methods are most commonly applied to stationary sources but can also be applied to construction sites and mobile sources.

VEE training and certifications are required to comply with U.S. EPA-prescribed Method 9. Method 9 is a procedure used for assessing smoke opacity for all different types of visible emissions using either the Ringelmann Scale or smoke opacity percentage. The basic training consists of a day-and-a-half of classroom FOE instruction followed by a half-day of training in the field, which includes certification testing. The VEE Program has two mobile, trailer-mounted smoke generators that produce both black and white smoke for the certification segment of the training. Training and certification sessions are held throughout the state. Approximately 80 percent of FOE program participants are members of the regulated community and roughly 20 percent are air district representatives. Certifications are valid for six months.

#### 2014 Accomplishments

- ✓ During 2014, a total of 62 Smoke School classes were offered to 2,519 public agency and private industry students.
- ✓ During 2014, 10 FOE classes were offered to 309 public agency and private industry students.

- ✓ During 2014, 44 VEE Day Certification classes were offered to 2,055 public agency and private industry students.
- ✓ During 2014, 8 VEE Night Certification classes were offered to 155 public agency and private industry students.

## **D. Surveillance Services**

Surveillance support services, typically involving stationary sources, are provided to air districts and sometimes to other public agencies such as the Department of Toxic Substances Control, Department of Fish and Game, and numerous other federal, State, and local agencies.

### 2014 Accomplishments

- ✓ Opened five new surveillance cases, closed five cases, and three cases remain ongoing in Southern California.
- ✓ Crimson Pipeline Oil Spill – ARB collected \$26,000 in cost recovery for its efforts assisting the City of Los Angeles and the Department of Fish and Game on a case involving a large oil spill in Wilmington, California.

## **3. Supplemental Environmental Projects**

Division staff develops cases, most of which are settled directly between ED and the company in violation, resulting in the violator meeting the terms of the settlement, coming into compliance, and paying appropriate civil penalties. CalEPA and ARB have policies for allowing supplemental environmental projects (SEP) to be used in lieu of a portion of the penalty payment, to mitigate the effects of the particular violation. SEPs are funded by the violator and exceed regulatory requirements – i.e., they supplement the State’s current air quality efforts, and under the current CalEPA policy, cannot exceed 25 percent of the total settlement amount. For the violator, the SEP is voluntary, and ARB offers the opportunity for a SEP at its discretion. SEP policies assure that approved standards and procedures are used in establishing SEPs in order to maintain fair and consistent enforcement and to avoid violating public policy. Three SEPs used in 2014 are described below.

### **A. California Council on Diesel Education and Technology SEP**

Fleets, firms, and individuals that perform smoke opacity testing to comply with HDVIP and PSIP requirements must have a full understanding of these programs’ regulations and the capability to correctly administer the SAE J1667 opacity test. In 1992, ARB created the California Council on Diesel Education and Technology (CCDET) to help address these needs.

CCDET is a partnership which includes ARB, diesel truck and bus engine manufacturers and dealers, and six California community colleges. The College of Alameda, American River College, Los Angeles Trade Technology College, Palomar College, Santa Ana College, and San Joaquin Delta College offer a low-cost, one-day class in the proper application of the SAE J1667 test; this class is referred to as CCDET. Additionally, a one day class is offered for diesel exhaust after treatment systems and their maintenance, referred to as CCDET II. Fleets found in violation of ARB's diesel regulations are required to complete these courses as a condition of settlement agreements. The Peralta Community College District administers the program and distributes funding in equal shares to participating community colleges. Certifications obtained through CCDET must be renewed every four years.

#### 2014 Accomplishments

- ✓ Generated \$693,425 in funding from 130 settled diesel cases; this funding was disbursed to support 78 CCDET classes and Diesel Technology Programs at the six colleges.

### **B. Small Engine Maintenance & Repair Courses SEP**

In May 2014, the Foundation for California Community Colleges Small Engine Maintenance & Repair Courses SEP was established to address Small off-road engines such as power lawn mowers, trimmers, leaf blowers, weed whackers, chainsaws, generators, small gas-powered scooters, and numerous other products. ARB emission standards, which became effective in 2010, reduce these engines' emissions by 70 percent. Proper maintenance and repair of the small engines that power a plethora of off-road equipment is critical to realizing the benefits of the associated regulations.

Over 100 student technicians are trained each year. Funding provided via this SEP will be used to enhance and improve small engine maintenance and repair courses at nine community campuses system-wide. The funds will provide student scholarships, curriculum enhancements, and the purchase of new technology related to the diagnosis and repair of small engines.

#### 2014 Accomplishments

- ✓ Generated \$108,750 in funding from one settled case.

### **C. School Bus and Diesel Emission Reduction SEP**

The School Bus and Diesel Emission Reduction SEP (School Bus SEP) provides funding for cleaning up diesel school buses in order to reduce direct exposure of school children to toxic and criteria pollution. The School Bus SEP was established in coordination with the California Air Pollution Control Officers Association (CAPCOA) in 2011. It was amended in 2013 to also include an option to support non-profits to help clean up their diesel equipment. The San

Joaquin Valley Air Pollution Control District administers the School Bus SEP on behalf of CAPCOA.

School districts, private school bus companies that transport public school children, and nonprofits may apply for grants to clean up their diesel buses, trucks, and equipment. School districts in small and medium air districts are given priority over large districts, because they typically do not have local funds and resources that large air districts have through local motor vehicle funds. The School Bus SEP works in concert with other ARB incentive programs to provide cleaner school buses in as many communities as possible throughout the state.

#### 2014 Accomplishments

- ✓ Generated \$1,506,391 in funding from 22 settled cases.

## Appendix A 2014 Enforcement Program Statistics

Program Category	Total Closed Enforcement Actions <sup>1</sup>	Penalties <sup>2</sup>		Total Penalties <sup>2</sup>
		Judgments	Settlements	
Cargo Tank Program	21	\$0	\$9,500	\$9,500
Consumer and Aerosol Coating Product Programs	79	\$0	\$2,178,625	\$2,178,625
Diesel Equipment Programs	97	\$0	\$922,462	\$922,462
Engine and Parts Programs	38	\$1,722,000	\$3,920,027	\$5,642,027
Fuels Programs	16	\$0	\$1,599,700	\$1,599,700
HDD Field Inspection Programs	2,082	\$0	\$1,683,200	\$1,683,200
Marine Programs	41	\$0	\$990,827	\$990,827
Railroad MOU Program	7	\$0	\$2,800	\$2,800
Specialized Diesel Fleet Programs	71	\$387,750	\$216,350	\$604,100
Statewide Diesel Truck and Bus Programs	702	0	\$1,945,150	\$1,945,150
Vehicle Programs	44	\$0	\$624,500	\$624,500
District Support Program	3	\$0	\$30,000	\$30,000
Refrigerant Management Program	2	\$0	\$160,800	\$160,800
Sulfur Hexafluoride Gas Insulated Switchgear	4	\$0	\$772,200	\$772,200
<b>Total Closed Enforcement Actions</b>	<b>3,208</b>	<b>\$2,109,750</b>	<b>\$15,056,141</b>	<b>\$17,165,891</b>

<sup>1</sup> Includes enforcement actions rescinded, closed compliant, no further action (NFA), settled, or referred to collections.

<sup>2</sup> The amounts shown include penalties assessed for all Case Investigation and Resolution Programs (see Appendix B) and penalties collected, including delinquent account collections, for HDD Field Inspection Programs (see Appendix C).

## Appendix B 2014 Investigation and Case Resolution Statistics

Program Category		Product Samples		Pending Cases 01/01/14	Cases Opened	Investigation Dispositions <sup>3</sup>			Pending Cases 12/31/14	Penalties Collected
		Collected	Uncertified or Test greater than Limit			Rescinded, Compliant, or NFA	Settled	Total Closed		
Consumer Product Programs	Chemically Formulated Product Program	1,822	657	92	63	2	51	79	77	\$2,058,625
	Aerosol Coating Product Program	2	0	0	0	0	0	0	0	\$0
	Composite Wood Product Program	40	14	0	0	0	0	0	0	\$0
	Indoor Air Cleaning Device Program	3	3	2	2	0	1	1	3	\$120,000
	<b>Total – Consumer Products Programs</b>	<b>1,867</b>	<b>674</b>	<b>94</b>	<b>65</b>	<b>2</b>	<b>52</b>	<b>80</b>	<b>80</b>	<b>\$2,178,625</b>
Vehicle Programs and Engine & Parts Programs	Vehicle Programs	Noncertified Vehicle Program (Non-CNC)		20	13	6	11	17	16	\$596,000
		Noncertified Vehicle Program (CNC)		13	16	5	12	17	12	\$25,000
		Motorcycle Programs		4	0	4	0	4	0	\$0
		Dealership and Fleet Tampering Programs		2	1	0	3	3	0	\$3,500
		Marine Craft and Outboard Engine Programs		0	3	1	0	1	2	\$0
		Off-Highway Recreational Vehicle Program		4	2	2	0	2	4	\$0
	Engine & Parts Programs	Compression-Ignition Engine Program		5	3	0	3	3	5	\$839,500
		Large Spark Ignition Engine Program		0	4	2	0	2	2	\$0
		Small Off-Road Engine Program		14	5	2	8	10	9	\$1,027,129
		On-Road Aftermarket Parts Programs		30	16	7	7	14	32	\$2,751,935
		Off-Road Aftermarket Parts Programs		2	1	0	1	1	2	\$90,000
		Portable Fuel Container Program		8	1	3	2	5	4	\$23,963
		Canned Refrigerant Program		0	1	1	0	1	0	\$0
		Marine Fuel Tank Program		0	0	0	0	0	0	\$0
		Laboratory and Certification Fraud Program		2	0	0	2	2	0	\$909,500
<b>Total - Vehicle Programs and Engine &amp; Parts Programs</b>				<b>104</b>	<b>66</b>	<b>33</b>	<b>49</b>	<b>82</b>	<b>88</b>	<b>\$6,266,527</b>

## Appendix B

### 2014 Investigation and Case Resolution Statistics *(continued)*

Program Category		Pending Investigations 01/01/14	Investigations <sup>4</sup> Opened	Investigations Dispositions			Pending Investigations 12/31/14	Penalties Collected	
				Rescinded, Compliant, or NFA <sup>3</sup>	Settled	Total Closed			
Heavy Duty Diesel Fleet Programs	Statewide Diesel Fleet Programs	Periodic Smoke Inspection Program	319	177	114	93	207	289	\$916,876
		SmartWay Truck Technology Program ( <i>New 2012 Program</i> )	0	0	0	0	0	0	0
		Other Statewide Programs ( <i>ECL, Funding, etc.</i> )	341	189	201	29	230	300	\$48,250
		Statewide Truck and Bus Program	274	299	190	75	265	308	\$980,024
	Specialized Diesel Fleet Programs	Solid Waste Collection Vehicle Program	23	9	11	6	17	16	\$45,750
		Urban Transit Bus Program	3	2	2	1	3	2	\$387,750
		Transit Fleet Vehicle Program	4	1	3	1	4	1	\$14,000
		Public Agency and Utility Fleet Program	12	1	4	2	6	7	\$50,500
		Drayage Truck Program	64	29	31	10	41	52	\$106,100
	Diesel Equipment Programs	Transport Refrigeration Unit Program	94	46	30	7	37	103	\$68,350
		Verified Diesel Emission Control Strategies Program	15	13	9	4	13	15	\$834,462
		Off-Road Diesel Vehicle Program	76	35	43	4	47	64	\$19,650
	<b>Total - Heavy Duty Diesel Fleet Programs<sup>5</sup></b>		<b>1225</b>	<b>801</b>	<b>638</b>	<b>232</b>	<b>870</b>	<b>1157</b>	<b>\$3,471,712</b>
<b>Total - Investigation and Case Resolution Programs</b>		<b>1,423</b>	<b>1,933</b>	<b>698</b>	<b>333</b>	<b>1,032</b>	<b>1,325</b>	<b>\$11,916,864</b>	

<sup>3</sup> Investigation resulted in No Further Action (NFA) – Fleet was found to be compliant, or not-compliant and non-responsive so VC4755 registration holds placed and/or TRUCRS certificate invalidated, etc. Also, fleets are audited for all applicable programs (PSIP, ECL, STB, TRU, DTR, etc.) and typically are in violation for 2-3 programs – other programs they are compliant with are counted as NFA (No Further Action).

<sup>4</sup> Investigations typically include numerous programs (e.g. PSIP, TRU, ECL, Drayage, etc.).

<sup>5</sup> Calendar Year Total figures are slightly higher due to closed case information reconciled via QA/QC or entered into the database after the quarterly reporting periods.



## Appendix C 2014 Field Operations Statistics

Program Category		Product Samples Tested	Inspections Completed	Citations and NOV's Issued	Compliance Rate	Pending Citations and NOV's 01/01/14	Citation and NOV Dispositions			Pending Citations and NOV's 12/31/14	Penalties Collected	
							Rescinded, Compliant, or NFA	Closed	Total			
Fuels Programs	Refineries	588	97	2	98%	9	0	5	5	6	\$1,054,000	
	Terminals	614	142	6	96%	2	1	6	7	1	\$479,700	
	Service Stations	1,397	393	0	100%	1	0	1	1	0	\$5,000	
	Marine Vessels	14	2	0	100%	2	0	1	1	1	\$45,000	
	Railcars	5	3	2	33%	0	1	1	2	0	\$16,000	
	RFG Certifications	0	3,070	0	100%	0	0	0	0	0	\$0	
	Red-Dyed Diesel Fuel	1	5,562									
	<b>Other</b>	648	324	0	100%	0	0	0	0	0	\$0	
	<b>Total - Fuels Programs</b>	<b>3,267</b>	<b>9,593</b>	<b>10</b>	<b>99%</b>	<b>14</b>	<b>2</b>	<b>14</b>	<b>16</b>	<b>8</b>	<b>\$1,599,700</b>	
Cargo Tank Programs	Cargo Tank Inspection Program		360	0	100%	0	0	0	0	0	\$0	
	Cargo Tank Pressure Test Program		162	11	93%	11	2	19	21	1	\$9,500	
	Annual Test Observation Program		131	N/A	N/A	N/A	0	N/A	N/A	N/A	\$0	
	<b>Total - Cargo Tank Programs</b>		<b>653</b>	<b>11</b>	<b>98%</b>	<b>11</b>	<b>2</b>	<b>19</b>	<b>21</b>	<b>1</b>	<b>\$9,500</b>	
Railroad MOU Programs	Railroad Locomotive Inspection Program		2057	16	99%	5	0	7	7	14	\$2,800	
	Other Railroad MOU Programs (e.g., Fuel)		12	0	100%	0	0	0	0	0	\$0	
	<b>Total - Railroad MOU Programs</b>		<b>2069</b>	<b>16</b>	<b>99%</b>	<b>5</b>	<b>0</b>	<b>7</b>	<b>7</b>	<b>14</b>	<b>\$2,800</b>	
Marine Programs	Ocean-Going Vessel Program		861	27	97%	13	1	26	27	13	\$312,969	
	Commercial Harbor Craft Program		125	0	100%	1	0	1	1	0	\$1,500	
	Fuel Dock/Marina Fuel Program		84	0	100%	0	0	0	0	0	\$0	
	Cargo Handling Equipment Program		74	0	100%	17	6	5	11	6	\$675,758	
	Shore Power Program		204	0	100%	0	0	0	0	0	\$0	
	TRU Program		3,464	12	99%	0	0	2	2	10	\$600	
	<b>Total - Marine Programs</b>		<b>4,812</b>	<b>39</b>	<b>99.2%</b>	<b>31</b>	<b>7</b>	<b>34</b>	<b>41</b>	<b>29</b>	<b>\$990,827</b>	
<b>Total – Fuels, Cargo, RR &amp; Marine Programs</b>			<b>17,127</b>	<b>76</b>	<b>99.5%</b>	<b>61</b>	<b>11</b>	<b>74</b>	<b>85</b>	<b>52</b>	<b>\$2,602,827</b>	

## Appendix C 2014 Field Operations Statistics *(continued)*

Program Category		Inspections Completed	Citations and NOV's issued	Ratio of Citations to Inspections	Pending Citations / NOV's 01/01/14	Citations and NOV Dispositions			Pending Citations / NOV's 12/31/14	Penalties Collected
						Rescinded, Compliant, NFA	Closed	Total		
Heavy Duty Diesel Inspection Programs	Heavy-Duty Vehicle Inspection Program	8217	89	1%	70	9	60	69	110	\$24,200
	Emission Control Label Program	8231	496	6%	500	7	546	553	523	\$214,700
	Commercial Vehicle Idling Program	2757	453	16%	642	24	257	281	819	\$73,100
	Solid Waste Collection Vehicle Program	186	42	22%	16	11	43	54	46	\$30,775
	Truck and Bus Program	5372	1155	21%	616	174	283	457	1572	\$858,000
	Tractor-Trailer (GHG) (SmartWay) Program	0	0	N/A	0	0	0	0	0	\$0
	Drayage Truck Program	1784	144	8%	253	18	131	149	257	\$127,750
	Transport Refrigeration Unit Program	2443	798	32%	1545	51	396	447	1946	\$340,575
	Off-Road Diesel Equipment	336	79	23%	88	31	39	70	118	\$14,100
	Diesel Exhaust Fluid /Selective Catalytic Reduction	275	0	0%	0	0	0	0	0	\$0
	School Bus Idling Program	0	0	N/A	0	0	0	0	0	\$0
	Urban Bus, Transit Fleet Vehicle, Public Agency Utility	7	0	0%	2	1	1	2	3	\$0
	<b>Total – HDD Field Inspection Program</b>	<b>29,608</b>	<b>3,256</b>	<b>11%</b>	<b>3,732</b>	<b>326</b>	<b>1756</b>	<b>2,082</b>	<b>5,394</b>	<b>\$1,683,200</b>
<b>Environmental Justice Community Program (Included Above)</b>		<b>10,949</b>	<b>842</b>	<b>7%</b>						

## Appendix D

### 2014 Portable Equipment Registration Program Statistics

PORTABLE REGISTRATION – NEW APPLICATIONS			
	Application Count	Registration Unit Count	Unit Count By Engine/Equipment/TSE
<b>Received</b>	2430	4791	4096/694/1
<b>Issued</b>	2338	4684	4029/654/1
<b>Deemed Incomplete*</b>	336	552	480/72/0

\*Includes some applications from latter part of previous year – data based on date deemed incomplete.

PORTABLE REGISTRATION – RENEWAL APPLICATIONS			
	Application Count	Registration Unit Count	Unit Count By Engine/Equipment
<b>Invoices Mailed</b>	5352	10776	9315/1461
<b>Issued*</b>	4156	8066	7114/952
<b>Not Renewed*</b>	1385	2378	2013/365
<b>Deemed Incomplete</b>	150	342	305/37
<b>TSE Annual Reporting**</b>	64	64	3067

\*Multiple unit renewal applications include units that are renewed and those that are not renewed.

\*\*TSE has different requirements in that one application/registration is designated for each base and only total unit counts are required based on facility information as of 12/31/13 (end of previous calendar year)

## Appendix E 2014 Enforcement Support Statistics

<b>Table E.1 - Cal/EPA and ARB Hotline Services</b>		<b>Table E.7 - Asbestos Program Services</b>	
Complaints Received in 2014	1,343	Total Inspections Completed	26
Stationary Source Complaints Referred to Air Districts	520	Complaint Investigations Completed	4
Vapor Recovery Complaints Referred to Air Districts	173	Notifications Received	609
Complaints Answered By Enforcement Division	94	Training Sessions Conducted	3
Complaints Referred to Other ARB Divisions	38	Task Force Workshops Conducted	3
Complaints Referred to Other Agencies	151	<b>Table E.8 - Landfill Methane Gas Program Services</b>	
Other Dispositions	367	Total Investigations Completed	5
Complaints Closed	1,343	Complaint Investigations Completed	2
<b>Table E.2 – Idling and Smoking Vehicle Complaints</b>		Training Classes Conducted	6
School Bus Idling Complaints Received and Processed	84	<b>Table E.9 – Refrigerant Management Program Services</b>	
Commercial Vehicle Idling Complaints Received and Processed	120	Total Investigations Completed	15
Smoking Vehicle Complaints Received and Processed	8,303	Complaint Investigations Completed	1
<b>Table E.3 - Air District Rule Reviews</b>		Training Sessions Conducted	13
Rules Received	32		
<b>Table E.4 - Air District Variance Reviews</b>		<b>Table E.10 - Sulfur Hexafluoride Reduction Program Services</b>	
Variances Reviewed	279	Total Investigations Completed	10
Notices Reviewed	355	Complaint Investigations Completed	4
Variances Returned for Rehearing	16		
<b>Table E.5 - Full Compliance Evaluation (FCE) AFS Services</b>		Training Sessions Conducted	0
FCE Reports Received and Reviewed	118	<b>Table E.11 - Perchloroethylene Program Services</b>	
FCE Reports Entered	118	Total Inspections Completed	1
FCE Reports Sent to Air Districts	138	Complaint Investigations Completed	1
<b>Table E.6 - Continuous Emissions Monitoring System Services</b>		Violations Resolved	1
Total Reports Received	17	<b>Table E.12 - Stationary Source and Equipment Inspection Services</b>	
CEM 105 Grant Reports Received	17	Stationary Source Inspections (Non-PERP)	1
CEM 105 Reports Sent to U.S. EPA	17	Stationary Diesel Equipment Inspections	0
		Portable Equipment Inspections (PERP)	0
		South Coast AQMD Dry Cleaner Verifications	0
		Total Inspections	1
		<b>Table E.13 - Other Air District Enforcement Support Services</b>	
		Air District Investigation Reports Reviewed	0
		Environmental Crimes Task Force Meetings Attended	0
		New Surveillance Equipment Set-Ups	5

## Appendix F 2014 Training Program Statistics

California Based Classroom Training Programs	No. of Classes	Students Per Class		
		Classroom	Online/Webcast	Total
<b>100 Series Courses</b>				
100 - Fundamentals of Enforcement (FOE)	10	309	0	309
100.1 - Visible Emissions Evaluation (Day) Certification	44	2,055	0	2,055
100.2 - Visible Emissions Evaluation (Night) Certification	8	155	0	155
102 - Air Quality Training Program (AQTP) (Online)	1	---	699	699 <sup>3</sup>
190 – Air Academy Online Training (AAOT) (Online)	1	---	394	394
<b>200 Series Courses</b>				
202 - Health & Safety	15	438	0	438
215 - Particulate Matter (PM) Control Technology	6	107	0	107
216 - Volatile Organic Compounds (VOC) Control Technology	5	101	0	101
217 – Oxides of Nitrogen (NOx) Control Technology	6	123	0	123
231 - Coatings: Auto, Metal Parts & Products	2	20	0	20
250 - Asbestos Demolition & Renovation for Contractors	8	81	0	81
251 - Asbestos Demolition & Renovation – Regulator Training	1	10	0	10
252 - Fugitive Dust	3	50	0	50
267 – In-Station Diagnostics	6	82	0	82
268 - Above Ground Storage Tanks	7	113	0	113
271 - Reciprocating Internal Combustion Engine Technology	1	7	0	7
272 - Stationary Gas Turbines & Power Plants	3	47	0	47
273 - Industrial Boilers	3	50	0	50
274 – Biomass Fired Boilers	2	18	0	18
290.7 - Chrome Plating ATCM: Certification (Recorded)	1	---	58	58
296 - Health Risk Assessment & Dispersion Modeling	5	137	0	137
<b>300 Series Courses</b>				
300 - Fundamental Inspector Course (FIC) - (Online)	1	---	647	647
301 - Stationary Diesel ATCM	10	114	0	114
302 - Portable Equipment Registration (PERP)/Portable Diesel Engine ATCM	11	205	0	205
304 - RICE NESHAP / IC NSPS	10	102	0	102

<sup>3</sup> This number represents the number of students who enrolled in the class and completed the entire program.

**Appendix F**  
**2014 Training Program Statistics (continued)**

California Based Classroom Training Programs	No. of Classes	Students Per Class		
		Classroom	Webcast	Total
<b>300 Series Courses</b>				
310 - CalEPA Basic Inspector Academy	10	226	0	226
321 - Introductory Variance/Hearing Board Workshop	5	59	0	59
322 - Variance Workshops	1	23	0	23
330 – CAPCOA Permitting Staff Development Class	1	30	0	30
340 - Gasoline Facilities Phase I and II Seminar	1	13	0	13
<b>400 Series Courses</b>				
401 - Continuous Emissions Monitoring	11	343	0	343
411 – Portland Cement Manufacturing NESHAP	2	69	0	69

## Appendix G

### 2014 Significant Environmental Program Settlements

Excludes cases settled for less than \$30,000. Case settlement summaries describing all settled cases can be viewed at ARB's Enforcement Program website located at: <http://www.arb.ca.gov/enf/casesett/casesett.htm>.

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF <sup>1</sup>	Supplemental Environmental Project		Total Penalties
					CCDET <sup>2</sup>	Other	
4 Wheel Parts	Aftermarket Parts (on-road)	Sold, offered for sale, or advertised aftermarket performance parts which did not have anti-tampering exemptions	Dec	\$500,750			\$500,750
A.Oseguera Company, Inc.	ECL PSIP STB TRU	Failure to properly self-inspect and label diesel trucks; to meet in-use performance standards.	May	\$76,857	\$25,618		\$102,475
ABS Logistics Management, Inc.	DTR	Failure to meet in-use performance standards, and to dispatch compliant trucks.	July	\$32,025	\$10,675		\$42,700
Advanced Healthcare Distributors/Apex International Mfg.	Consumer Products	Sold hair styling products that exceeded the VOC limit.	Mar	\$45,000			\$45,000
AES Alametos, LLC	Sulfur Hexafluoride Gas Insulated Switchgear	Exceedance of annual emission rate limitation.	May	\$128,100			\$128,100
Alexis Trucking	PSIP STB	Failure to meet in-use performance standard, and to self-inspect diesel trucks.	Nov	\$27,469	\$9,156		\$36,625
Ameripride Services, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	July	\$38,250		\$12,750 <sup>3</sup>	\$51,000
Avery Weigh Tronix LLC	PSIP STB	Failure to properly self-inspect diesel trucks, and to meet in-use performance standards.	Jan	\$39,375	\$13,125		\$52,500
Apothecary Products, Inc.	Consumer Products	Sale of glass cleaner product labeled for other uses as well as glass cleaner.	Nov	\$400,000			\$400,000
Autosales, Inc. dba Summit Racing Equipment	Aftermarket Parts (on-road)	Sold, offered for sale, or advertised non-exempted aftermarket performance parts in California.	July	\$599,040			\$599,040
Badger Creek, Ltd.	Sulfur Hexafluoride Gas Insulated Switchgear	Exceedance of annual emission rate limitation.	July	\$250,000			\$250,000
Bhandal Bros. Trucking, Inc.	ECL PSIP TRU	Failure to properly self-inspect and label diesel trucks, and meet in-use performance standards.	Jan	\$54,769	\$18,256		\$73,025
Big Lots Stores, Inc.	Consumer Products	Supplied and sold windshield washer fluid that exceeded the VOC limits.	June	\$81,000			\$81,000
Bi-Phase Technologies LLC	Lab & Cert Fraud	Reported inaccurate emissions in its heavy-duty engine applications for certification.	May	\$187,500			\$187,500

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF <sup>1</sup>	Supplemental Environmental Project		Total Penalties
					CCDET <sup>2</sup>	Other	
Black Eagle Trucking	PSIP STB	Failure to meet in-use performance standard, and to self-inspect diesel trucks.	Nov	\$56,250		\$18,750 <sup>3</sup>	\$75,000
Carl Zeiss Vision, Inc.	Consumer Products	Sale of glass cleaner product labeled for other uses as well as glass cleaner.	Apr	\$240,000			\$240,000
Chavez Trucking	PSIP	Failure to properly self-inspect diesel trucks.	Feb	\$45,843	\$15,282		\$61,125
Chevron U.S.A. Inc.	California Reformulated Gasoline Regulation	Supplied over-oxygenated gasoline	Aug	\$247,275		\$82,425 <sup>3</sup>	\$329,700
China Shipping Container Lines Co. Ltd.	Ocean-Going Vessel regulation	Failure to switch over to compliant fuel upon entry to Regulated California Waters.	June	\$35,719			\$35,719
CJ Concrete Constr., Inc.	ECL PSIP STB	Failure to properly self-inspect and label diesel trucks; failure to comply with in-use performance standards.	Feb	\$41,550	\$13,850		\$55,400
Clawson Trucking Co., LLC	ECL PSIP STB	Failure to properly self-inspect and label diesel trucks; meet in-use performance standards.	June	\$31,181	\$10,394		\$41,575
Costco Hyundai	Small Off-Road Engine	Sold, offered for sale, or advertised electrical generators not certified for sale or use in California.	June	\$33,500			\$33,500
County of Los Angeles, DPW	ECL PAU PSIP	Failure to properly self-inspect and label diesel trucks; meet in-use performance standards.	May	\$192,281	\$64,094		\$256,375
Covanta-Pacific Oroville Power, Inc.	Sulfur Hexafluoride Gas Insulated Switchgear	Exceedance of annual emission rate limitation.	Sept	\$140,000			\$140,000
Davey Tree Surgery	PSIP	Failure to properly self-inspect diesel trucks and comply with in-use performance standards.	Jan	\$38,250	\$12,750		\$51,000
DBI Beverage	ECL PSIP STB	Failure to meet in-use performance standards, label engines, and properly self-inspect diesel trucks.	July	\$87,300	\$29,100		\$116,400
Doosan	Compression-Ignition Engine	Sold, offered for sale, or advertised on-road heavy-duty CNG engines in years 2010, 2011, and 2012 with modifications without advanced notification and/or approval by ARB	Oct	\$647,500			\$647,500
Engelhart Gourmet Foods	Refrigeration Management Program	Failure to register a large system by April 1, 2012.	July	\$65,800			\$65,800
Enterprise Rent-A-Car	Vehicle	Offered for rental non-California certified vehicles with less than 7,500 odometer miles within the state.	Nov	\$560,000			\$560,000



Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF <sup>1</sup>	Supplemental Environmental Project		Total Penalties
					CCDET <sup>2</sup>	Other	
Envion LLC	Consumer Products	Sold and supplied non-compliant indoor air cleaner prior to completing the certification application.	Apr	\$120,000			\$120,000
Ferguson Enterprises	Cargo Handling Equipment regulation	No annual report submitted, not meeting the compliance plan, and multiple equipment violations.	Apr	\$87,500			\$87,500
FleetPride, Inc.	Consumer Products	Sold and/or supplied window washer fluid products which exceeded the VOC limits.	Feb	\$418,500			\$418,500
FMF Racing	Aftermarket Parts (on-road)	Sold, offered for sale, and/or advertised, in California, aftermarket parts for motorcycles not certified for sale or use in California.	Mar	\$79,500			\$79,500
GTO Equipment, Inc.	PSIP STB TRU	Failure to properly self-inspect diesel trucks and comply with in-use performance standards.	Feb	\$74,625	\$24,875		\$99,500
H & S Performance LLC	Aftermarket Parts (on-road)	Sold, offered for sale, or advertised diesel performance parts in violation of California's anti-tampering laws.	Aug	\$1,000,000			\$1,000,000
Henkel Consumer Goods	Consumer Products	Sold hair styling products that exceeded the VOC limit.	July	\$77,500			\$77,500
International Transportation Services, Inc.	Cargo Handling Equipment regulation	Multiple equipment violations.	Mar	\$75,025			\$75,025
JR Custom Harvesting, Inc.	PSIP STB TRU	Failure to properly self-inspect diesel trucks and comply with in-use performance standards.	Jan	\$105,694	\$35,231		\$140,925
Kirkland Inc.	Consumer Products	Sold or supplied air fresheners that exceeded the VOC limits.	July	\$85,000			\$85,000
Kitaura Kaiun Co., Ltd.	Ocean-Going Vessel regulation	Failure to switch over to compliant fuel upon entry to Regulated California Waters.	Aug	\$30,250			\$30,250
Kmart	Consumer Products	Sold and/or supplied non-compliant window washer fluid products.	Oct	\$34,000			\$34,000
Mahindra USA, Inc.	Compression-Ignition Engine	Failed to certify engine families in 2012.	Mar	\$127,000			\$127,000
Mia Rose, Inc.	Consumer Products	Sold in California air freshener that was 18% over the VOC limit.	Oct	\$45,000			\$45,000
Motor Science Enterprise, Inc.	Laboratory & Certification Fraud	Provided false test data to obtain ARB and U.S. EPA certification.	Jan	\$722,000			\$722,000
MTD Southwest Inc.	Small Off-Road Engine	Sold, offered for sale, or advertised small off-road engines with changes that impacted the California	Oct	\$326,250		\$108,750 <sup>4</sup>	\$435,000

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF <sup>1</sup>	Supplemental Environmental Project		Total Penalties
					CCDET <sup>2</sup>	Other	
		certification.					
Pasha	Cargo Handling Equipment regulation	Not meeting the compliance plan and multiple equipment violations.	Aug	\$52,500			\$52,500
Performance Foodservice	Refrigeration Management Program	Failure to register a large system by April 1, 2012.	Oct	\$95,000			\$95,000
Petro-Diamond Inc.	California Reformulated Gasoline regulation	Violation of California Reid Vapor Pressure limits	Oct	\$37,500		\$12,500 <sup>3</sup>	\$50,000
Premier Performance	Aftermarket Parts (on-road)	Sold, offered for sale, or advertised non-exempt aftermarket parts in California.	Dec	\$514,895			\$514,895
Progress Rail	Cargo Handling Equipment	Equipment violations and inconsistent annual reports at multiple facilities.	Nov	\$293,050		\$97,683 <sup>3</sup>	\$390,733
Redken L'Oreal USA	Consumer Products	Sold, supplied, and offered for sale hair styling products which exceeded the VOC limits.	Sept	\$146,500			\$146,500
Renpure LLC	Consumer Products	Sold, supplied, and offered for sale hair styling products which exceeded the VOC limits.	Apr	\$33,000			\$33,000
Rudy's Performance Parts	Aftermarket Parts (on-road)	Sold, offered for sale, or advertised non-exempt aftermarket parts in California.	Dec	\$39,750			\$39,750
SalonQuest LLC	Consumer Products	Sold and supplied hair styling products which exceeded the VOC limits.	Apr	\$50,750			\$50,750
Seatrade Reefer Chartering	Ocean-Going Vessel regulation	Failure to switch over to compliant fuel upon entry to Regulated California Waters.	Feb	\$30,250			\$30,250
Shell Oil Products	California Reformulated Gasoline regulation	Violation of California Reid Vapor Pressure limits	June	\$45,000			\$45,000
SK Innovation Co., LTD.	VDECS	Failure to use approved emissions control devices.	Mar	\$592,500	\$197,500		\$790,000
Smarter Tools	Small Off-Road Engine	Sold, offered for sale, or advertised generators that were not certified for sale in California.	Jan	\$507,000			\$507,000
Stan Suarez Trucking, Inc.	PSIP STB	Failure to properly self-inspect diesel trucks and meet in-use performance standards.	May	\$45,000	\$15,000		\$60,000
Star (J. H. Global)	Vehicle	Manufactured, imported, and sold uncertified electric vehicles for use in California.	Oct	\$55,000			\$55,000

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF <sup>1</sup>	Supplemental Environmental Project		Total Penalties
					CCDET <sup>2</sup>	Other	
Tesoro Refining & Marketing Company	California Reformulated Gasoline regulation	Multiple reporting violations of the Predictive Model notification requirements.	Jan	\$40,000			\$40,000
Tesoro Refining & Marketing Company	California Reformulated Gasoline regulation	Multiple exceedance violations of sulfur, olefins, total aromatics, and one CARBOB contamination violation	Dec	\$760,500		\$253,500 <sup>3</sup>	\$1,014,000
THUMS Long Beach Company	Sulfur Hexafluoride Gas Insulated Switchgear	Exceedance of annual emission rate limitation.	June	\$254,100			\$254,100
Tractor Supply	Small Off-Road Engine	Sold, offered for sale and advertised non-California certified small off-road engines in California.	Sept	\$31,629			\$31,629
Truitt Oilfield Maintenance Corp.	PSIP STB	Failure to meet in-use performance standard, and to self-inspect diesel trucks.	Nov	\$38,813	\$12,937		\$51,750
Vallejo Citizens Transit Company	UB	Failure to meet in-use performance standards.	June	\$290,000		\$97,750 <sup>3</sup>	\$387,750
Valley Power Systems, Inc.	VDECS	Failure to use approved emissions control devices.	Dec	\$24,909	\$8,303		\$33,212
VITOL Inc.	California Reformulated Gasoline regulation	Exceedance of distillation standards.	May	\$70,000			\$70,000
Volvo Construction Equipment	Compression-Ignition Engine	Sold, offered for sale, or advertised non-road compression-ignition engines which failed to meet required pull-ahead emission standards.	Apr	\$65,000			\$65,000
Weyerhaeuser	Cargo Handling Equipment regulation	Multiple equipment violations	July	\$70,000			\$70,000
Yoshimura Research	Aftermarket Parts (off-road)	Sold, offered for sale, or advertised an aftermarket performance ATV programmer called the "Cherry Bomb" but had not received the required emission exemption from applicable anti-tampering laws.	Nov	\$90,000			\$90,000

<sup>1</sup> APCF Air Pollution Control Fund - Provides funding for projects and research to improve California's air quality.

<sup>2</sup> CCDET SEP – Funds emission education classes conducted by participating California community colleges, under CCDET.

<sup>3</sup> CAPCOA School Bus and Diesel Emission Reduction SEP – Provides funding for retrofits for school buses.

<sup>4</sup> FCCC Small Off-Road engine SEP - Funding used to enhance and improve small engine maintenance and repair courses at nine California community college campuses.

## Appendix H List of Acronyms

Acronym	Definition	Acronym	Definition
AB	Assembly Bill	MLD	Monitoring and Laboratory Division
AFS	Air Facility System	MOU	Memorandum of Understanding
AG	Attorney General	MSCD	Mobile Source Control Division
APCD	Air Pollution Control District	MSOD	Mobile Source Operations Division
APCF	Air Pollution Control Fund	MTBE	Methyl Tertiary-Butyl Ether
AQMD	Air Quality Management District	MY	Model Year
AQTP	Air Quality Training Program	NESHAP	National Emissions Standards for Hazardous Air Pollutants
ARB	Air Resources Board	NOV	Notice of Violation
ATCM	Air Toxic Control Measure	NOx	Oxides of Nitrogen
BAAQMD	Bay Area Air Quality Management District	NSR	New Source Review
BHP	Brake-horsepower	OGV	Ocean Going Vessel
BOE	Board of Equalization	OHRV	Off-Highway Recreational Vehicle
CADMV	California Department of Motor Vehicles	OLA	Office of Legal Affairs
CAPCOA	California Air Pollution Control Officers Association	ORDV	Off-Road Diesel Vehicle
CARBOB	California Reformulated Blendstocks for Oxygenate Blending	PAH	Polynuclear Aromatic Hydrocarbons
CaRFG3	California Reformulated Gasoline Phase III	PAU	Public Agency and Utilities
CCDET	California Council on Diesel Education and Technology	PERP	Portable Equipment Registration Program
CCR	California Code of Regulations	PM	Particulate Matter
CEM	Continuous Emission Monitoring	PPM	Parts per Million
CHE	Cargo Handling Equipment	PSI	Pounds per Square Inch
CHP	California Highway Patrol	PSIP	Periodic Smoke Inspection Program
CI	Compression Ignition	RCW	Regulated California Waters
CNC	Certificate of Noncompliance	RICE	Reciprocating Internal Combustion Engine
CVI	Commercial Vehicle Idling	RFG	Reformulated Gasoline
DA	District Attorney	RMP	Refrigerant Management Program
DRRP	Diesel Risk Reduction Plan	SAE	Society of Automotive Engineers
ECL	Emission Control Label	SB	Senate Bill
ED	Enforcement Division	SEP	Supplemental Environmental Project
EJ	Environmental Justice	SORE	Small Off-Road Engine
EPA	Environmental Protection Agency	SOx	Oxides of Sulfur
FCE	Full Compliance Evaluation	SSD	Stationary Source Division
FOE	Fundamentals of Enforcement	SWCV	Solid Waste Collection Vehicle
GHG	Greenhouse Gas	TAC	Toxic Air Contaminant
GVWR	Gross Vehicle Weight Rating	TFV	Transit Fleet Vehicle
GWC	Global Warming Compounds	TRU	Transport Refrigeration Unit
H&SC	Health and Safety Code	UB	Urban Bus
HC	Hydrocarbon	VC	Vehicle Code
HDD	Heavy-Duty Diesel	VDECS	Verified Diesel Emission Control Strategies
HDVIP	Heavy-Duty Diesel Vehicle Inspection Program	VEE	Visible Emissions Evaluation
LSI	Large Spark Ignition	VOC	Volatile Organic Compound

## Appendix I Alphabetical Listing of ARB Programs<sup>4</sup>

Mobile Source Programs	Additional Information	Other Programs	Additional Information
1. Aftermarket Parts Program	<a href="#">Click Here</a>	1. Aerosol Coating Products Program	<a href="#">Click Here</a>
2. Commercial Vehicle Idling Program	<a href="#">Click Here</a>	2. Asbestos National Emissions Standards Program	<a href="#">Click Here</a>
3. Compression-Ignition Engine Program	<a href="#">Click Here</a>	3. Cargo Tank Program	<a href="#">Click Here</a>
4. Dealership and Fleet Tampering Program	<a href="#">Click Here</a>	4. Commercial Fishing Vessel Program	<a href="#">Click Here</a>
5. Drayage Truck Program	<a href="#">Click Here</a>	5. Complaint Hotline Services	<a href="#">Click Here</a>
6. Emission Control Label Program	<a href="#">Click Here</a>	6. Composite Wood Products Program	<a href="#">Click Here</a>
7. 49-State Vehicle Program	<a href="#">Click Here</a>	7. Consumer Products Program	<a href="#">Click Here</a>
8. Heavy Duty (Diesel) Vehicle Inspection Program	<a href="#">Click Here</a>	8. Indoor Air Cleaning Device Program	<a href="#">Click Here</a>
9. Large Spark Ignition Engine Program	<a href="#">Click Here</a>	9. Fuels Program	<a href="#">Click Here</a>
10. Marine Fuel Tank Program	<a href="#">Click Here</a>	10. Fuel Distributor Registration Program	<a href="#">Click Here</a>
11. New Motor Vehicle and Engine Program	<a href="#">Click Here</a>	11. Harbor Craft Program	<a href="#">Click Here</a>
12. Off-Highway Recreational Vehicle Program	<a href="#">Click Here</a>	12. Landfill Methane Gas Program	<a href="#">Click Here</a>
13. Off-Road Heavy Duty Diesel Vehicle Program (Construction)	<a href="#">Click Here</a>	13. Ocean-Going Vessel Program	<a href="#">Click Here</a>
14. Outboard Engine Program	<a href="#">Click Here</a>	14. Oxygenate Blender Registration Program	<a href="#">Click Here</a>
15. Periodic Smoke Inspection Program	<a href="#">Click Here</a>	15. Perchloroethylene Program	<a href="#">Click Here</a>
16. Portable Fuel Container Program	<a href="#">Click Here</a>	16. Port/Rail Cargo Handling Equipment Program	<a href="#">Click Here</a>
17. Public Agency and Utility Fleet Program	<a href="#">Click Here</a>	17. Port/Rail Transport Refrigeration Unit Program	<a href="#">Click Here</a>
18. Refrigerant Canister Program	<a href="#">Click Here</a>	18. Railroad MOU Program	<a href="#">Click Here</a>
19. School Bus Idling Program	<a href="#">Click Here</a>	19. Red-Dyed Diesel Fuel Program	<a href="#">Click Here</a>
20. Selective Catalytic Reduction Program	<a href="#">Click Here</a>	20. Training Program	<a href="#">Click Here</a>
21. Small Off-Road Engine Program	<a href="#">Click Here</a>	21. Reformulated Gas Certification Program	<a href="#">Click Here</a>
22. SmartWay Truck Technology Program	<a href="#">Click Here</a>	22. Refrigerant Management Program	<a href="#">Click Here</a>
23. Solid Waste Collection Vehicle Program	<a href="#">Click Here</a>	23. Sulfur Hexafluoride Reduction Program	<a href="#">Click Here</a>
24. Statewide Truck and Bus Program	<a href="#">Click Here</a>	24. Vapor Recovery Program	<a href="#">Click Here</a>
25. Transport Refrigeration Unit Program	<a href="#">Click Here</a>	25. Visible Emissions Evaluation Program	<a href="#">Click Here</a>
26. Urban Transit Bus and Transit Fleet Vehicle Program	<a href="#">Click Here</a>		
27. Verified Diesel Emission Control Strategies Program	<a href="#">Click Here</a>		

<sup>4</sup> The above listing is not all-inclusive and excludes a number of enforcement-related services provided by ED. For information about programs not listed, please visit the Enforcement Programs website at <http://www.arb.ca.gov/enf/enf.htm>.