



California Environmental Protection Agency

AIR RESOURCES BOARD

2012 ANNUAL ENFORCEMENT REPORT

May 2013

Everyone Can Affect California's Air Quality
and Protect Public Health



2012 ANNUAL ENFORCEMENT REPORT

CALIFORNIA AIR RESOURCES BOARD ENFORCEMENT DIVISION

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Executive Summary

The California Air Resources Board (ARB, Board) coordinates California's efforts to achieve health-based federal and state air quality standards. During the Board's 45 year history, California's air quality has improved significantly. For example, emissions from passenger vehicles have been reduced by over 95 percent through the use of clean engine and fuel technologies and, statewide, the number of clean air days has doubled during the past two decades notwithstanding a significant increase in population during this period. Despite this progress, California continues to have severe air quality problems, with over 90 percent of California's population, or 34 million Californians, living in regions with unhealthy air.

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, and off-road engines such as generators and lawn and garden equipment
- Goods movement sources, such as railroads, ocean going vessels, commercial harbor craft, cargo-handling equipment, drayage trucks, and transport refrigeration units
- 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 specialty products such as indoor air cleaning devices and portable fuel containers.

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 large industrial sources located within their jurisdictions, such as power plants, refineries, and 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 each ARB regulation is the basic principle that air quality goals cannot be attained unless compliance is achieved.

Motor Vehicles

Californians set the pace nationwide in their love affair with vehicles. The state's 38 million residents collectively own about 25 million motor vehicles, and drive more than most other Americans. Motor vehicles constitute California's number one cause of air pollution. Clearly, controlling pollution from cars and trucks is essential to reducing smog.

Due to ARB regulations, today's new cars pollute far less than their predecessors of thirty years ago. Nonetheless, over one-half of the state's current smog-forming emissions come from gasoline and diesel-powered vehicles.

Toxic Air Contaminants

California's air toxics program began in 1983 with the adoption of the Toxic Air Contaminant Identification and Control Act (AB 1807, Tanner, Chapter 1047, Statutes of 1983). The act established a process to identify a substance as a toxic air contaminant and, if necessary, develop one or more control measures to reduce emissions of that substance.

The Air Toxics Program has identified almost 200 substances as Toxic Air Contaminants (TAC) which are hazardous to the people of California, and the list continues to grow. The most pervasive TAC is diesel exhaust. ARB's Diesel Risk Reduction Plan (DRRP) is the foundation for reducing these harmful emissions.

Diesel Activities

California's 1.25 million diesel engines are predominant in California's heavy vehicle and equipment population. They are found on our highways, at construction sites and farms, in schoolyards, trash collection areas in our neighborhoods, and at cargo hauling sites located at air and maritime ports and rail yards.

Rules for diesel fuel and engine specifications adopted between 1990 and 1998 have dramatically cut diesel particulate emissions. However, data shows that diesel particulate is the most common airborne toxic Californians breathe. The Diesel Risk Reduction Plan (DRRP), adopted in 2000, called for the reduction of the public's exposure to diesel exhaust by 75 percent by 2010, and by 85 percent by 2020. Today, California is benefiting from the results of the DRRP and will continue to for many years.

While ARB has successfully imposed strict emission standards on new models, the longevity of diesel engines keeps older, higher-polluting engines in use. To address this issue, ARB has adopted a series of diesel vehicle and equipment fleet rules that require owners to repower (i.e., install a new engine), retrofit (i.e., install diesel exhaust filters that reduce soot by over 85 percent), or replace their diesel equipment or vehicles with new, clean engine models. ARB has also invested in incentive programs to help owners of diesel engines upgrade or replace them with cleaner-burning alternatives, such as compressed natural gas or electric-powered technology. The implementation and enforcement of these diesel emission reduction programs has resulted in further reductions of these harmful emissions.

Goods Movement

Enforcement of goods movement regulations is a significant and growing responsibility. The purpose of these regulations is to reduce public exposure to health risks associated with diesel-powered engine particulate matter emissions. Field inspections of cargo-handling equipment, commercial harbor craft, drayage trucks, marina fuel docks, rail yards, ocean going vessels, and transport refrigeration units help to ensure compliance with these regulations.

ARB received \$1 billion from Proposition 1B to reduce emissions from activities related to goods movement along California's four major trade corridors. To distribute these funds, a partnership was created with local agencies to reduce emissions from goods movement by providing incentives to upgrade to cleaner technologies.

Consumer Products

Smaller, more personal air pollution sources, known as consumer products, also affect our air quality. Products such as deodorants, hair spray and cleaning products contain ozone-forming chemicals known as volatile organic compounds (VOCs).

ARB estimates that emissions from consumer products produce approximately 245 tons per day, about 12 percent of the state's total burden of these smog-forming compounds. California's clean air plan commits to an 84 percent reduction from 1990 levels of ozone forming pollution from consumer products. To accomplish this, the ARB works with industry to make sure the limits in the regulations are technologically and commercially feasible.

Stationary Sources

Large industrial sources, such as power plants, refineries, and factories must meet state and federal air quality standards. These and other stationary sources, including gasoline service stations, dry cleaners, and bakeries, for example, are regulated by local air quality officials.

Industrial sources must use the best available control technology to achieve the greatest feasible emission reductions. In addition to using advanced control technology in new factories, many older facilities have reduced their emissions by using retrofit equipment and switching to cleaner burning fuels.

Into the 21st Century

The United States is one of the largest emitters of greenhouse gases (GHG) in the world. To combat the threat of climate change caused by GHG, California enacted AB 32, the *Global Warming Solutions Act* (Pavley, Chapter 488, Statutes of 2006), which established a comprehensive GHG reduction program.

AB 32 assigned responsibility to ARB for monitoring and reducing GHG emissions to 1990 levels by 2020. These goals are expected to be achieved through a GHG cap and trade program and other regulations that are expected to serve as prototypes for governmental jurisdictions throughout North America. California also has a long term goal of achieving an 80 percent reduction of the 1990 GHG emissions level by 2050.

Conclusion

As a result of ARB's work to limit air pollution as well as the work of the local air districts, the air that Californians breathe today is the cleanest since air quality measurements have been recorded. In the 1970s, the number of Stage 1 ozone episodes in the South Coast Air Basin exceeded 100 per year. For the entire period from 1998 to 2012, there was only one episode. Other regions throughout the state also have improved air quality despite significant increases in population and an ever-increasing number of motor vehicles on the road and the greater distances they are driven. ARB continues to lead the world in the development of innovative air pollution control strategies that help protect California's public health from illnesses caused by air pollution.

Introduction

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

ARB is specifically mandated to address the serious problems caused by mobile sources (cars, motorcycles, trucks and buses, 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 especially any sources of toxic air pollutants.

To carry out its responsibilities, ARB has undertaken a multifaceted program of planning, regulation development, 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 that extends from nominal breaches of the state's statutes or regulations to deliberate criminal acts. While varying degrees of pollution result from these violations, what remains constant is the unfair economic disadvantage suffered by members of affected industries that 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 as well as highlights of the Division's major accomplishments during the past year. Additional workload and statistical performance data and a list of 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>.

For more information on ARB, the Enforcement Division and its Enforcement Programs, please contact James R. Ryden, Enforcement Division Chief, at (916) 322-7061 or email jryden@arb.ca.gov. Questions relating to specific programs may also be directed to the appropriate Enforcement Division contact shown on the Enforcement Program Contact List available on ARB's website at <http://www.arb.ca.gov/enf/contacts.htm>. For questions relating to this report, please contact Mary Rose Sullivan at (916) 327-1523 or email msulliva@arb.ca.gov.

Overview of Enforcement Programs

The Enforcement Division (ED) is responsible for enforcing regulations adopted by the Board. The scope of ED's responsibility encompasses more than 60 separate air quality programs and related support services, 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
- Reduce emissions from goods movement sources, such as railroads, ocean going vessels, commercial harbor craft, cargo-handling equipment, drayage trucks, and transport refrigeration units
- Regulate the formulation of gasoline, diesel, and other fuels and to reduce liquid and vapor releases from cargo tanks used to transport these products
- Reduce emissions from large industrial sources, such as power plants, petroleum refineries, and manufacturing facilities and smaller, but more numerous, stationary sources such as gasoline service stations, dry cleaners, and chrome platers
- Reduce 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
- Provide educational, training, and technical support services to public agency and industry staff involved in regulating, monitoring, or controlling emissions.

Integral to the success of the Enforcement Program is ED's close working relationship with ARB's Office of Legal Affairs (OLA). Division staff develop the cases, most of which are settled directly between the Division and the violators who come into compliance and pay appropriate civil penalties. For cases that cannot be resolved through this informal process, OLA attorneys help negotiate settlements and, when necessary, prepare cases for referral to the California State Attorney General's Office, a local District or City Attorney, or the U.S. Attorney's Office for civil litigation or criminal prosecution.

Environmental Justice

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 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 best information possible 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.

Enforcement Division Organization

A new organizational structure of ED was designed in 2011 and implemented in 2012 that allowed for a more balanced and functional scope of control and responsibility for all the Division's managers and supervisors. This structure has grouped staff into four branches based primarily on the type of enforcement service provided, including the Diesel Program Enforcement Branch; Vehicle, Parts, and Consumer Products Enforcement Branch; Field Operations Branch; and Enforcement Support Branch. The restructuring was accomplished without adding any additional positions to the Division.

Additionally, staffing resources were realigned throughout ED to address current workload and service demands, including shifting additional positions to business units that focus primarily on conducting investigations of non-compliant diesel-powered trucks, buses, and equipment.

The changes made as part of ED's restructuring have improved the Division's performance in inspections and completion of investigations, in enforcement actions initiated and settlements reached, and have decreased the amount of time required to complete these enforcement actions, resulting in higher levels of compliance with air pollution control regulations.

2012 Enforcement Accomplishments

- ED leverages its enforcement capability throughout the state by conducting joint enforcement operations with the U.S. EPA, the California Highway Patrol, and local air districts and through Memorandums of Understanding (MOUs) that enable local agencies to enforce ARB regulations. In 2012, Enforcement staff coordinated the development of two mobile source MOUs with the North Coast Unified Air Quality Management District and the Port of Los Angeles, authorizing the local agencies to enforce mobile source regulations. In addition, ED is negotiating similar agreements with the San Diego County Air Pollution Control District and the Port of Long Beach that will enable those agencies to perform vehicle, engine, and equipment emissions inspections and participate in joint enforcement operations within their jurisdictions.
- Enforcement staff participated in the development of 14 MOUs with air districts to enforce the Landfill Methane Gas Program.
- The “Gear Up for Clean Truck Month” campaign conducted during August 2012 was a multi-agency statewide coordinated outreach and enforcement effort designed to visibly demonstrate ARB’s commitment to achieving full compliance with the heavy-duty diesel regulations. ED staff inspected 4,053 heavy-duty diesel trucks at roughly 40 locations throughout California. Overall, a total of 817 citations were issued for violations of the Truck & Bus rule, the Transport Refrigeration Unit (TRU) rule, the Commercial Vehicle Idling rule, and for missing or illegible emission control labels.
- As mandated by Senate Bill 1402 (SB 1402, Dutton, Chapter 413, Stats. 2010), an Enforcement Penalty Policy was developed and posted on ARB’s website in 2011 and implemented in 2012. As required by SB 1402, settlement agreements are now posted on the ARB website at: <http://www.arb.ca.gov/enf/casesett/casesett.htm>.
- A comprehensive review of ARB’s Enforcement Program was completed in 2011 and implemented in 2012. The restructuring has enabled more effective management of ARB’s enforcement programs and better utilization of enforcement staff. Additionally, available staffing resources were realigned to increase the number of positions allocated for enforcement of heavy-duty diesel and other mobile source programs.
- In August 2012, ED’s Training Program launched its online comprehensive Air Quality Training Program, Course #102, and by the end of 2012, over 450 students had enrolled in the training and it was completed by over 150 students.

Additional Enforcement Program accomplishments during 2012 are highlighted throughout this report. Enforcement Program statistics for 2012 are provided in Appendices A through E. Additionally, a summary listing of all significant enforcement settlement agreements reached during 2012 is provided in Appendix F.

2013 Action Items

Planned 2013 Enforcement Program action items include all of the following improvement initiatives.

- 1. Implement New Diesel Risk Reduction and Greenhouse Gas Enforcement Programs** – Air quality improvement programs that will continue to be implemented in 2013 include the SmartWay Truck Technology Program, the Statewide Truck and Bus Program, the Landfill Methane Gas Program, the Refrigerant Management Program, the Sulfur Hexafluoride Reduction Program, the Refrigerant Canister Program, and the Cargo Handling Equipment Program. Additionally, ED will plan for the enforcement of the recently adopted amendments to TRU regulations that become effective in 2013 relating to shippers, brokers and receivers.
- 2. Improve On-Road Diesel Vehicle and Equipment Enforcement Program Effectiveness** – ED's field enforcement staff will target locations where non-compliance with regulations governing heavy-duty diesel vehicles and equipment is greatest. ED will continue to conduct joint and separate field enforcement operations utilizing other public agencies, such as local air districts and port authorities, and will continue enforcement of the recent "dray off" provisions of the drayage truck rule at ports, rail yards, distribution centers and other locations.
- 3. Allocate Resources for Investigation of Non-Compliant Diesel Fleets** – Resources will be allocated for investigation of cases involving port/rail drayage trucks, TRU fleets, and specialized on-road diesel fleets, such as solid waste collection, urban bus and transit vehicles, and public agency and utility fleets. Additional resources will be allocated for investigation of cases involving diesel exhaust treatment systems, after-market parts, and off-road diesel equipment fleets.
- 4. Non-Diesel Vehicle and Recreational Marine Enforcement Programs** – In 2013, ED will move to resolve enforcement activities and investigations initiated in 2012 in the area of taxi and shuttle fleets, and marine pleasure craft, and will work with Division staff to ensure enforceability of regulations involving evaporative emissions standards for Marine Pleasure Craft and Off-highway Recreational Vehicles.
- 5. Aftermarket Parts and Engine Programs** – In 2013, ED staff will increase its investigations involving Aftermarket Parts for Off-Road Vehicles, Engines, and Equipment, and will pursue enforcement actions where appropriate. Enforcement staff will also ensure compliance of the Large Spark-Ignition Fleet Regulation.
- 6. Consumer and Specialty Product Enforcement Programs** – ED staff will work with ARB's regulatory development divisions to ensure enforceability of amendments to the Consumer Products and Composite Wood Products regulations; will identify funding or redirect resources to fund a part-time technician position to handle composite wood products sample preparation and processing duties to free up professional staff to investigate cases; will continue using the database to monitor and adjust the sampling plan; and will streamline investigation and case resolution procedures.
- 7. Develop Online Training for Fundamentals of Enforcement (FOE) Course** – In response to the Governor's mandate to increase online training in education, ARB's

Training Program will convert the classroom portion of its three-day FOE course, which includes Visible Emissions Evaluation (VEE) Certification, into an online training course that will make the instruction portion of this class accessible to students all over the world. A new Health Risk Analysis (HRA) Dispersion Modeling Course will also be developed in 2013 as well as new classes based on recently promulgated federal Maximum Achievable Control Technology (MACT) 40 CFR 63 and NESHAP 40 CFR 61 regulations.

8. **Assist EJ Communities with Installation of “No Idling” Signs** – Pursuant to requirements set forth in AB 233 (Jones, Chapter 592, Statutes of 2007), ED staff will work with U.S. EPA and Cal/EPA to assist EJ communities which are lacking the financial capability to install “No Idling” signs at appropriate locations within the communities.
9. **Train Railroad Employees to Conduct Proper Shut-Down Procedures** – ARB staff in the Railroad and Marine Enforcement Section have worked closely with Union Pacific Railroad (UP) and BNSF Railway (BNSF) to determine the cause of unnecessary idling in specific locomotive models that have shown a high violation rate. In 2013, Enforcement program staff will train railroad employees to conduct proper shut-down procedures to ensure that the idle reduction devices are able to perform properly.

Mobile Source Enforcement Programs

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% of the nitrogen oxide (NOx) and over 75% of the particulate matter (PM) emissions attributed to motor vehicles. Because of the toxic nature of the sooty particles found in diesel exhaust, the emissions from these vehicles are of special concern, particularly in populated areas. Diesel-powered vehicle and equipment programs that ED is responsible for enforcing include:

Statewide Diesel Fleet Programs – Statewide Truck and Bus Program, SmartWay Truck Technology Program, and Periodic Smoke Inspection Program

Specialized Diesel Fleet Programs – Solid Waste Collection Vehicle Program, Urban Transit Bus Program, Transit Fleet Vehicle Program, Public Agency and Utility Fleet Program, and Drayage Truck Program

Diesel Equipment Programs – Transport Refrigeration Unit Program, Verified Diesel Emission Control Strategies Program, and Off-Road Diesel Vehicle Program

In-Use Inspection Programs – Heavy-duty Vehicle Inspection Program, Emissions Control Label Program, and Commercial Vehicle Idling Program along with any other applicable diesel fleet or equipment programs.

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

- Passenger vehicles, including cars, trucks, motorcycles, and kit cars
- Off-highway recreational vehicles (OHRVs), including all-terrain vehicles, sand rails, sand carts, utility carts, golf carts, dirt bikes, and other OHRVs with greater than 25-horsepower engines
- Large spark ignition, compression ignition, and small off-road engine equipment, such as generators, pumps, scooters, lawn mowers, leaf blowers, and chain saws
- Watercraft, inboard and outboard marine engines, and jet skis
- After-market parts used for on-road and off-road vehicles and equipment.

A summary of each of these programs and ED's significant accomplishments during 2012 is provided below.

Statewide Diesel Fleet Enforcement Programs

Periodic Smoke Inspection Program

The Periodic Smoke Inspection Program (PSIP) encompasses all heavy-duty diesel truck and bus fleets (defined as 2 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 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 that 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 about 800,000 vehicles are subject to this program.

2012 Accomplishments

- ✓ 140 PSIP cases were closed with \$1,605,073 in penalty assessments.
- ✓ Data was collected on companies that perform PSIP testing and have suspicious opacity tests to determine whether the testing was valid.
- ✓ Monitoring and tracking was conducted on companies that tamper with in-use diesel particulate matter filters (i.e. running empty canisters, removing back pressure wires, or improperly swapping components).

SmartWay Truck Technology Program

The SmartWay Truck Technology Program, adopted pursuant to the *Global Warming Solutions Act* (AB 32, Chapter 488, Statutes of 2006), 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.

2012 Accomplishments

- ✓ Participated in the development of industry outreach and education strategies, and initiated investigations of four potential violators.

Statewide Truck and Bus Program

The Statewide Truck and Bus Program encompasses all heavy-duty diesel truck and bus fleets (defined as 2 or more vehicles with a GVWR of greater than 14,000 pounds), including federal government and private business fleets. This program supersedes legacy fleet programs that targeted specialized diesel fleets such as solid waste collection vehicles, urban transit buses, transit fleet vehicles, and public agency and utility vehicles. The program requires that fleet operators retrofit diesel vehicle engines, or repower or replace the vehicles, and maintain them. The program also requires specified disclosures by dealers whenever used diesel trucks or buses are sold. Implementation of the program is targeted to commence during 2012,

beginning with larger fleets, and is phased in over a multi-year period extending through 2023. About 1 million trucks and buses are subject to this program.

2012 Accomplishments

- ✓ 2802 Truck and Bus Program inspections were completed and 432 citations were issued.
- ✓ Closed 73 Truck and Bus Program cases with more than \$20,350 in penalty assessments.

Specialized Diesel Fleet Enforcement Programs

Solid Waste Collection Vehicle Program

The Solid Waste Collection Vehicle (SWCV) Program requires that solid waste haulers retrofit diesel-powered SWCV engines, or repower or replace the vehicles, and maintain them. The regulations apply to diesel-powered residential and commercial SWCVs with a GVWR of 14,000 pounds or more with 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.

2012 Accomplishments

- ✓ 201 SWCV inspections were completed and 34 citations were issued.
- ✓ 21 SWCV fleet cases were closed with \$98,198 in penalty assessments.

Urban Transit Bus and Transit Fleet Vehicle Programs

The Urban Transit Bus (UB) and Transit Fleet Vehicle (TFV) Programs require that urban transit bus and transit fleet vehicle operators retrofit diesel-powered vehicle engines, or repower or replace the vehicles, and maintain them. The UB regulations apply to diesel or alternative fuel-powered vehicles greater than 35' in length. The TFV regulations apply to vehicles weighing more than 8,500 pounds and 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 transit fleet vehicles 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.

2012 Accomplishments

- ✓ Seven (7) TFV cases were closed with \$5,000 in penalty assessments.

Public Agency and Utility Fleet Program

The Public Agency and Utility Fleet Program encompasses state and local government fleets and fleets operated by public utilities. The program requires that fleet operators retrofit diesel-powered vehicle engines, or repower or replace the vehicles, and maintain them. Program requirements were adopted during 2005 and are 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.

2012 Accomplishments

- ✓ Nine (9) PAU cases were closed with \$86,250 in penalty assessments.

Drayage Truck Program

The Drayage Truck Program focuses on diesel-powered vehicles that 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. Specialized trucking firms are usually used for these services. The program requires that fleet operators retrofit diesel-powered vehicle engines, or repower or replace the vehicles, and maintain them.

Program requirements became effective during 2010 and are 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.

2012 Accomplishments

- ✓ 2,860 drayage truck inspections were completed and 276 citations were issued.
- ✓ 26 drayage truck cases were closed with more than \$351,857 in penalty assessments.

Diesel Equipment Enforcement Programs

Transport Refrigeration Unit Program

The focus of the Transport Refrigeration Unit (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 (ARB-ER) system. TRU engines must meet either the Low Emission TRU or the Ultra-Low Emission TRU in-use performance standards. The requirements are phased in over a multi-year period extending from 2010 through 2019, depending on the model year of the engine. About 1 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.

2012 Accomplishments

- ✓ 4,150 TRU inspections were completed and 1,289 citations were issued.
- ✓ 35 TRU cases were closed with \$316,050 in penalty assessments.
- ✓ Continued coordinated efforts through the California Community College based California Council on Diesel Education and Technology (CCDET) enabled the Santa Ana College Diesel Technology Program to install donated diesel particulate filters 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 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 diesel particulate filter from the manufacturer.

2012 Accomplishments

- ✓ 18 VDECS cases were closed with more than \$150,580 in penalty assessments.

Off-Road Heavy-duty Diesel Vehicle Program

The Off-Road Heavy-duty Diesel 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 beginning during 2008, beginning with five-minute time limits on idling. Additionally, off-road heavy-duty diesel 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 heavy-duty diesel 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 or replace the equipment and maintain it (retrofits are optional). However, these requirements are not yet enforceable. To enable enforcement of these requirements, ARB requested a waiver from the U.S. EPA. The waiver request has not yet been approved. Approximately 180,000 pieces of equipment are subject to this program.

2012 Accomplishments

- ✓ 583 Off-Road Heavy-duty Diesel Vehicle inspections were completed and 97 citations were issued.
- ✓ 78 Off-Road Heavy-duty Diesel Equipment cases were closed with \$30,875 in penalty assessments.

On-Road Enforcement Programs

Overview of On-Road Enforcement Programs

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, the 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/or contracts with several air districts, including the San Joaquin Valley, Bay Area, and North Coast air districts to enable district inspectors to perform specified mobile source enforcement services. The Bay Area AQMD provides targeted enforcement services, including inspections of marine 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 (POLA) 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 provides training and support to the local partners to allow them to effectively enforce ARB 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 (HDVIP)

The HDVIP Enforcement Program focuses on identifying heavy-duty diesel-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.

2012 Accomplishments

- ✓ 11,635 HDVIP inspections were completed with 129 citations issued.

Emissions Control Label (ECL) Program

The ECL Program requires that all heavy-duty diesel 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.

2012 Accomplishments

- ✓ 11,887 ECL inspections were completed with 931 citations issued.

In-Use On-Road Diesel-Fueled Vehicle (Truck and Bus) Program

The Truck and Bus regulation applies to privately or federally owned diesel-fueled trucks and buses that are not already subject to other ARB regulations. This regulation was designed to significantly reduce particulate matter (PM) and oxides of nitrogen (NOx) by requiring fleets to install exhaust retrofits and accelerate vehicle replacements with cleaner engines. This regulation also has a phase-in option to allow more flexibility in complying with the requirements. Owners of vehicles found in violation of the applicable standards are subject to penalties starting at \$1,000 per violation.

2012 Accomplishments

- ✓ 2,802 Truck and Bus inspections were carried out in 2012 with 432 citations issued.

Selective Catalytic Reduction Program

The focus of the Selective Catalytic Reduction Program is 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.

2012 Accomplishments

- ✓ 207 diesel exhaust fluid inspections were performed and no violations were found.

Drayage Truck Regulation

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 and requires recordkeeping, reporting in the State's Drayage Truck Registry and emission reductions through retrofits and newer engines.

2012 Accomplishments

- ✓ 2,860 inspections were conducted at ports, rail yards, and various other roadside locations throughout the state, with 276 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-powered vehicles weighing greater than 10,000 pounds 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.

2012 Accomplishments

- ✓ 2,647 CVI inspections were completed. 854 citations were issued for CVI violations. Additionally, 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.

In-Use 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.

2012 Accomplishments

- ✓ 583 inspections of ORDVs were completed with 97 citations issued.

Environmental Justice Community and Mexican Border Programs

Enforcement staff targets many of their on-road enforcement operations on heavy-duty diesel trucks operating within designated EJ communities, including seaports in Los Angeles, Long Beach, Port Hueneme, Oakland, and Stockton, major distribution centers, and rail yards and truck stops in and nearby residential communities. A primary focus of EJ community inspections is on drayage trucks and TRUs. 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.

2012 Accomplishments

- ✓ 10,997 inspections were completed in EJ community and Mexican Border areas, to include HDVIP, CVI, ECL, TRU, and drayage truck inspections. 1,142 citations were issued as a result of completing 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 a vehicle of this type, the scope of the inspection encompasses applicable specialized fleet requirements.

2012 Accomplishments

- ✓ 266 specialized fleet inspections were completed with 34 citations issued.

Specialized Port Police Training – Port of Los Angeles Programs

An MOU between the Los Angeles Port Police and ARB gave Port Police the authority to enforce many ARB diesel regulations throughout the Port of Los Angeles and surrounding area. The MOU defined ARB as the party responsible for providing training to the Port Police on regulations that focus on reducing diesel emissions.

2012 Accomplishments

- ✓ Enforcement staff conducted numerous training sessions to prepare port police for enforcement of the diesel rules. Training topics included comprehensive overviews of the applicable regulations, field inspection procedures, and citation handling.

Vehicle and Motorcycle Enforcement Programs

New On-Road Vehicle and Motorcycle Program

New on-road vehicle and motorcycle engines must meet specified exhaust and evaporative emissions standards and be certified by ARB. Certifications are issued by the Mobile Source Operations Division. ED is responsible for investigating cases involving the manufacture, distribution and sale of uncertified on-road vehicles and motorcycles and cases involving modifiers (e.g., fuel conversions).

2012 Accomplishments

- ✓ Thirty-four (34) on-road vehicle and motorcycle cases were closed with \$719,000 in penalty assessments.

49-State Vehicle Program

Enforcement staff investigates cases involving illegal imports and sales of non-certified new cars and trucks, defined as vehicles with fewer than 7,500 miles, with various exceptions, such as for military service personnel. These investigations are initiated based on receipt of Certificates of Non-Compliance (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 non-compliant activity.

2012 Accomplishments

- ✓ Nineteen (19) 49-State Vehicle Program cases were closed with \$30,000 in penalty assessments.

Off-Highway Recreational Vehicle (OHRV) Program

New OHRVs, such as off-road motorcycles and all-terrain vehicles, must meet specified exhaust and evaporative emissions standards and be certified by ARB. Enforcement staff works with

the U.S. EPA, U.S. Immigration and Customs Enforcement, and foreign governments to ensure that imported products fully comply with California's environmental regulations.

2012 Accomplishments

- ✓ 11 OHRV cases were closed with \$7,781,240 in penalty assessments.

Dealership and Fleet Tampering Programs

Section 43012 of the Health and Safety Code 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 the Health and Safety Code provides ARB with the authority to enter any commercial fleet operator 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 violation 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.

2012 Accomplishments

- ✓ Two (2) dealership and fleet tampering cases were closed with \$80,500 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 Mobile Source Operations Division.

2012 Accomplishments

- ✓ Enforcement of marine craft and outboard engines has been initiated and ARB's OLA has submitted a waiver request.

Engine and After-Market Part Enforcement Programs

Engine Programs

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

LSI 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 and nitrogen oxide 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 hydrocarbon and nitrogen oxide emission standards for off-road LSI engine manufacturers and verification procedures for manufacturers of retrofit emission control systems intended for use on LSI engines.

CI Engines – This program focuses on new 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.

SOREs – 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).

2012 Accomplishments

- ✓ Fifteen (15) LSI, CI, and SORE cases were closed with \$817,905 in penalty assessments.
- ✓ Through a joint effort between ARB, U.S. EPA, and U.S. DOJ, a settlement was reached with Caterpillar, Inc. totaling \$2,550,000, including \$510,000 to be paid to ARB, for shipping more than 590,000 on-road and off-road diesel engines without after treatment emission control devices. In addition to civil penalties, Caterpillar recalled and corrected noncompliant engines, and retired 17.6 tons of NO_x + non-methane hydrocarbon and 0.97 tons of PM emissions credits.

After-Market Parts Program

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

2012 Accomplishments

- ✓ 17 after-market part cases were closed with \$52,040 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. The program requires that aftermarket automotive refrigerant be packaged in cans that won't 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. The program focuses on do-it-yourself motor vehicle repair and air conditioning suppliers.

2012 Accomplishments

- ✓ Enforcement staff inspected retail locations that sell refrigerant canisters and geared up for further enforcement, including the mandatory reporting requirements from distributors and retail locations of the collection and recovery of unused refrigerant.

Portable Fuel Container Program

This program regulates portable fuel containers (including utility jugs, etc.) up to 10 gallons which are used for gasoline, diesel, kerosene, and other fuels. The regulations require that these containers and spouts meet performance standards for durability, meet diurnal emission standards, are leak-proof, and have automatic closures. Manufacturers must apply for certification and obtain an Executive Order to sell these containers in California.

2012 Accomplishments

- ✓ 4 portable fuel container cases were closed with \$13,000 in penalty assessments.
- ✓ 14 portable fuel containers were purchased and submitted for laboratory testing.
- ✓ Prior to issuance, enforcement staff reviewed 4 Executive Orders for new portable fuel containers.
- ✓ ED staff also developed field citation forms for point of sale violations of uncertified portable fuel containers.

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.

2012 Accomplishments

- ✓ Prior to issuance, enforcement staff reviewed 5 Executive Orders for new outboard marine fuel tanks and components.
- ✓ ED staff also developed field citation forms for point of sale violations of uncertified outboard marine fuel tanks and components.

Laboratory and Certification Fraud Program

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

2012 Accomplishments

- ✓ Enforcement staff continued investigation on one Laboratory and Certification Fraud Program case. The investigation has been completed and a resolution is being sought in the U.S. Federal Court in Los Angeles.

Other Mobile Source Enforcement Programs

California Council on Diesel Education and Technology

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 Society of Automotive Engineers (SAE) J1667 opacity test. During 1992, to help address these needs, ARB created the California Council on Diesel Education and Technology (CCDET). CCDET is a partnership among ARB, the diesel trucking industry, and five California community colleges. The College of Alameda, San Joaquin Delta College, Santa Ana College, Los Angeles Trade Technology College, and Palomar College offer a low-cost, one-day class in the proper application of SAE J1667. Additionally, a one day class is offered for diesel exhaust after treatment systems and their maintenance. The Peralta Community College District administers the program and distributes funding in equal shares to participating community colleges. The cost of each CCDET class is \$175. Certifications obtained through CCDET must be renewed every four years.

2012 Accomplishments

- ✓ \$525,618 in funding generated from 97 settled diesel cases was disbursed to support the conduct of 65 CCDET classes.

Carl Moyer and Proposition 1B Incentive Grant Programs

The Carl Moyer Program provides incentive grants to reduce emissions from heavy-duty diesel 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 if 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.

Fuels Enforcement Programs

Overview of Fuels Enforcement Programs

The Fuels Program regulates motor vehicle fuels, including California reformulated gasoline and diesel fuel. Additionally, the Fuels Program regulates cargo tank vapor recovery systems. Fuels Program enforcement activities include sampling and testing of fuel produced or imported for use in California, sampling and testing of fuels at key distribution nodes and retail service stations, 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. Fuels Program enforcement 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 the Enforcement Division's significant accomplishments during 2012 is provided below.

Fuels Program

The primary focus of the Fuels Program is 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. Within California there are two (2) main import centers (e.g. Service Port - Los Angeles/Long Beach Seaport, San Francisco Seaport), 13 production centers (refineries), about 100 distribution nodes (terminals and bulk plants), and about 10,000 retail gasoline stations.

2012 Accomplishments

- ✓ Enforcement staff collected 1,599 samples of gasoline and 397 samples of diesel fuel, for a total of 1,996 samples, representing about 2.63 billion gallons of gasoline and 713 million gallons of diesel fuel; approximately 15,700 analyses were completed of the samples collected.
- ✓ 18 fuels cases were closed with a total of \$568,550 in penalty assessments.

Reformulated Gasoline & Diesel Notification Program

The California Reformulated Gasoline and California 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. When a company elects to use an alternative compliance option such as predictive model limits, designated alternative limits, or certified diesel fuel formulations, then the company must notify ARB and provide supporting data. Compliance monitoring and enforcement is accomplished principally by reviewing the data submitted for compliance with applicable rules.

2012 Accomplishments

- ✓ 3,176 formulation reports submitted by producers and importers of diesel and reformulated gasoline were received and reviewed.

Cargo Tank Vapor Recovery Program

The Cargo Tank Program requires that cargo tank owners test and self-certify compliance with vapor and leak control standards and register their cargo tanks with ARB. An ARB certified copy of the application and an official decal must be displayed by the cargo tank operator after certification.

Enforcing compliance with cargo tank certification requirements includes reviewing data submitted for anomalies, observing testing at industry facilities to verify that proper equipment and procedures are used, and conducting random inspections of ARB-certified testers to ensure that leak tests are being conducted properly. Enforcement staff also conducts random inspections of cargo tanks for compliance with liquid and vapor release standards. Most 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.

2012 Accomplishments

- ✓ 4,989 cargo tanks were registered with ARB.
- ✓ 372 cargo tanks were visually inspected, 212 cargo tanks were pressure tested, 85 tests observed, 16 citations were issued, 31 cases were closed, and \$14,500 in penalties was collected.

Red-Dyed Diesel Program

The Board of Equalization (BOE) contracts with ARB to conduct field inspections to identify the illegal use of non-taxed diesel fuel. Non-taxed 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. ARB laboratory staff analyzes 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.

2012 Accomplishments

- ✓ 8,942 Red-Dyed Diesel Fuel inspections were completed. ARB identified five violations. These cases were referred to BOE to pursue enforcement action.

Consumer Product Enforcement Programs

Overview of Consumer Product Enforcement Programs

To achieve air quality standards and reduce the public's exposure to toxic air contaminants, it is necessary to reduce emissions from many small sources, such as consumer products and specialty products. ARB has been enforcing statewide regulations to reduce VOC emissions from consumer products and aerosol coatings for over 15 years and has also regulated toxic air contaminants and global warming compounds. 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 2012 is provided below.

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. Although each product contains only a small amount of VOCs, Californians use very large quantities of these products every year, which cumulatively contribute to the formation of ground level ozone, a major part of California's smog problem. 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 toxic air contaminants and global warming compounds.

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 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

2012 Accomplishments

- ✓ After developing final Assembly Bill 1402 (AB 1402) compliant settlement agreement language, sixty-six (66) consumer products cases were settled with a total of \$1,993,952 in penalties obtained. Two of those cases were stipulated judgments resulting from civil complaints filed by the Attorney General's office.
- ✓ 2012 saw full implementation and utilization of the program's case management system that was completed in the third quarter of 2011. The system allows staff to manage case documents, track violations, and organize the overall workload. Staff will continue to use the system until its functionality is incorporated into a planned Division-wide system over the next few years.
- ✓ The sampling plan for the Consumer Products Program was adjusted to reduce the number of samples collected.

Composite Wood Products Program

The Composite Wood Products Program encompasses a broad range of products, such as The Composite Wood Products Program encompasses a broad range of products, such as hardwood plywood, particle board, and 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. The regulations, which are structured to reduce formaldehyde emissions, were adopted during 2008 with implementation beginning in subsequent years.

2012 Accomplishments

- ✓ ED staff completed the screening of composite wood product samples and processing of protocols, and evaluated data to determine the reproducibility of the formaldehyde emissions analyses for both raw wood panels and deconstructed finished goods. ED worked with other divisions to address method equivalency issues that severely limited the number of samples that could be tested during 2012.

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 requirements. Additionally, all manufacturers that sell to California residents or businesses were required to notify their distributors, retailers, and sellers about the regulation, provide them with a copy of the regulation, and provide ARB with documentation of the notification.

2012 Accomplishments

- ✓ ED staff investigated two cases and initiated enforcement actions for violations of the Indoor Air Cleaning Device Program.

Goods Movement Enforcement Programs

Overview of Goods Movement Enforcement Programs

To reduce public exposure to health risks associated with diesel particulate matter, during 2006 new regulations were implemented governing rail yards, ports, and marinas, 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, commercial harbor craft, marina fuel docks, cargo-handling equipment, and transport refrigeration units, investigation of identified violations, and resolution of these cases. A summary of each of these programs and ED's significant accomplishments during 2012 is provided below.

Railroad MOU Program

In 2005, ARB entered an agreement with Union Pacific Railroad (UP) and BNSF Railway (BNSF) 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 the rail yards. Another essential element to reduce emissions is the requirement of low sulfur diesel fuel for locomotives operating in California. Inspections are

conducted twice a year, during the spring and fall, to evaluate locomotives for compliance with the idling and visible emissions standards at the 32 designated rail yards identified in the Agreement. In addition, Railroad and Marine Enforcement staff collect samples of diesel fuel to verify compliance with the sulfur fuel standards. To further ensure statewide compliance, additional inspections are conducted outside the designated rail yards.

2012 Accomplishments

- ✓ 2,534 locomotives were inspected, 50 citations were issued for identified violations, 18 cases were closed, and \$3,600 in penalties was collected.

Commercial Harbor Craft and Marina Fuel Dock Programs

The Commercial Harbor Craft Program (CHC), which began in 2009, 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, which began in 2007, 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.

2012 Accomplishments

- ✓ ARB's enforcement of the in-use requirements for CHC engines was approved by the U.S. EPA with an effective date of August 1, 2012. The in-use requirements specify engine compliance dates based on the engine's model-year. Staff reviewed vessel information reported to ARB (reporting is required in the regulations) for engine model year information. Inspections began on vessels that reported having non-compliant engines. Staff also began identifying vessels that have *not* reported to ARB, and initiated plans to inspect those vessels.

Cargo Handling Equipment Inspections

The CHE Program focuses on diesel powered mobile cargo handling equipment used at the major port and rail facilities throughout California, including yard trucks, rubber tire gantries, side picks, and forklifts. The ARB was granted a waiver by US EPA to enforce the Mobile Cargo Handling Equipment (CHE) at Ports and Intermodal Rail Yards regulation starting on August 1, 2012. In response to the waiver, staff in the Railroad and Marine Enforcement Section joined forces to inspect all CHE in the state that is subject to the regulation. All ports and intermodal rail yard facilities were inspected for CHE and the data analyzed. The findings of the inspections are being used to determine compliance with the regulation and enforcement actions will be taken where necessary.

2012 Accomplishments

- ✓ 317 CHE equipment inspections were conducted. Seven (7) Notices of Violation (NOV) were sent to companies that were found in violation of the CHE Regulation. These are

the first of 31 NOVs that will be sent to violators as a result of the CHE inspections that occurred in July and August, 2012.

Ocean-Going Vessel Program

In 2008, ARB adopted a regulation focusing on the reduction of PM, NO_x, and SO_x emissions from ocean-going vessels within regulated California waters. Inspections of ocean-going vessels are conducted at the ports of Los Angeles, Long Beach, San Pedro, Oakland, Richmond, Stockton, Sacramento, Hueneme, Benicia, and San Diego. Staff board vessels and obtain samples of low sulfur marine distillate fuels for laboratory analysis. Staff also review bunkering receipts and fuel switching logs to verify compliance with requirements that apply within 24 nautical miles of the California baseline. Compliance with certain incinerator requirements is also verified.

2012 Accomplishments

- ✓ In July 2012, an advisory was issued explaining changes in the vessel fuel sulfur requirements that began August 1, 2012. The advisory also reminded operators that they must comply with both the California Ocean-Going Vessel Fuel Regulation and the North American Emission Control Area requirement.
- ✓ During 2012, 575 vessels were inspected, 33 notices of violation were issued, 20 cases were closed, and \$300,125 in penalties was collected.

Air District Enforcement Support Services

Overview of Air District Enforcement Support Services

Enforcement support services provided by ED to local air districts include rule reviews, variance reviews, Air Facility System and Continuous Emissions Monitoring System support services, stationary source and equipment inspection services, and specialized investigation services. A summary of each of these support services and the ED's significant accomplishments during 2012 is provided below.

Air District Rule Review Services

Proposed revisions to existing air district rules and proposed new air district rules are required to be reviewed by ARB. ED's review focuses on enforceability issues and ensures that the rules contain definitions of all key terms and phrases, appropriate test methods, control efficiencies, recordkeeping, and averaging periods for verifying compliance with any limits and/or exemptions contained in the rule. Enforcement staff's review of the rules significantly reduces needs to amend previously adopted rules and needs for ARB to identify rule deficiencies at public hearings.

2012 Accomplishments

- ✓ 82 air district rules were reviewed for enforceability.

Air District Variance Review Services

Air districts are responsible for permitting stationary sources and reviewing and approving planned and unplanned emissions variances from permitted standards. 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 & 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 to track 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.

2012 Accomplishments

- ✓ 248 variances and 310 Hearing Board meeting notifications were reviewed.
- ✓ 22 variances were returned to for rehearing or revision

Air Facility System Services

The U.S. EPA's Air Facilities System (AFS) is used to store permit and compliance 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 the AFS by the air districts. In some cases (e.g., about 30 smaller, non-delegated air districts), enforcement staff compile and review facility inspection data submitted by the air districts and post updates to the AFS on behalf of these agencies. Enforcement staff also prepares and distributes bi-monthly AFS reports and monthly High Priority Violator Reports to selected air districts, prepares and submits quarterly reports to the U.S. EPA, and assists the U.S. EPA in training air district personnel to effectively use the AFS.

2012 Accomplishments

- ✓ 65 Air Facilities System (AFS) reports were received and reviewed, 55 AFS reports were entered into the AFS, and 174 AFS reports were prepared and sent to air districts.

Continuous Emissions Monitoring System Services

The U.S. EPA's Continuous Emissions Monitoring (CEM) System is used to monitor stationary source facility emissions. 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. The air district, in turn, must report the violations to ARB. Enforcement staff is responsible for reviewing the emissions data reports submitted by some smaller, non-delegated air districts.

2012 Accomplishments

- ✓ 33 Continuous Emissions Monitoring System (CEMS) reports were received and reviewed. 15 CEMS reports were forwarded to U.S. EPA.

Stationary Source and Equipment Inspection Services

Enforcement staff sometimes assist 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. Enforcement staff also inspects dry cleaners located in the South Coast Air Quality Management District that have discontinued their use of perchlorethylene.

2012 Accomplishments

- ✓ One dry cleaner verification inspection was completed. Enforcement staff conducted 7 general stationary source inspections, 6 stationary diesel engine inspections, and 6 Portable Equipment Registration Program (PERP) inspections.

Asbestos National Emissions Standards Program

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

2012 Accomplishments

- ✓ 68 inspections and 6 complaint investigations were completed, and 3 violations were referred to U.S. EPA for action.
- ✓ Eight (8) training sessions and 2 task force workshops were conducted.

Greenhouse Gas Enforcement Programs

Overview of Greenhouse Gas Enforcement Programs

ED is responsible for monitoring compliance and enforcing multiple GHG emission reduction programs established pursuant to the *Global Warming Solutions Act* (AB 32, Chapter 488, Statutes of 2006). The SmartWay Truck Technology Program, the Tire Pressure Inflation Program, and the Refrigerant Canister Program were discussed previously (see *Mobile Source Enforcement Programs*). Below we discuss the Landfill Methane Gas Enforcement Program, the Refrigerant Management Program, the Sulfur Hexafluoride Reduction Enforcement Program, and several other current and prospective GHG enforcement programs.

Landfill Methane Gas Program

The Landfill Methane Gas Program requires collection of methane gas generated from landfills. The air districts generally have authority over stationary source emissions, including landfills, but not over GHG emissions such as methane. ARB is negotiating with larger air districts to

provide landfill methane compliance monitoring and enforcement services in their districts and, in some cases, in neighboring smaller districts that do not have sufficient resources to perform these services. 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.

2012 Accomplishment

- ✓ One Landfill Methane Gas Program inspection was conducted.
- ✓ Enforcement staff continued to participate in developing cooperative agreements with local air districts for the Landfill Methane Gas Program enforcement.

Refrigerant Management Program

The Refrigerant Management Program (RMP) is structured to reduce refrigerant (halogenated compound) leaks from commercial and industrial refrigeration systems and equipment. The focus of the program is on larger refrigeration systems and equipment. It is estimated that about 25,000 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 be limited to regulated businesses that operate facilities with refrigeration systems throughout the state, such as grocery store chains.

2012 Accomplishment

- ✓ 19 RMP inspections were conducted and four (4) complaints were investigated.
- ✓ ED staff continued to work with other ARB division program staff to establish an effective RMP enforcement program.

Sulfur Hexafluoride Reduction Program

The Sulfur Hexafluoride Reduction Program is comprised of three separate regulations structured to limit the use of sulfur hexafluoride in semi-conductor applications, non-electric applications, and at electricity transmission facilities dispersed throughout the state. The program also requires reporting by distributors, annual reporting for research users, and record-keeping by purchases and users. ED's compliance monitoring and enforcement responsibilities are expected to be limited to the electricity transmission facility component of the program.

2012 Accomplishment

- ✓ ED staff worked with ARB division program staff to continue to establish an effective sulfur hexafluoride emission reduction enforcement program.

Enforcement Program Support Services

Overview of Enforcement Program Support Services

Support services provided by ED Enforcement Program Support Services include citation administration and collection services, complaint hotline services, Visible Emissions Evaluation Program services, training services, surveillance services, and Environmental Crimes Task Force support services. A summary of each of these support services and ED's significant accomplishments during 2012 are provided below.

Citation Administration Program

The Citation Administration Program is responsible for the resolution of citations of California emission regulations and for conducting investigations of heavy-duty diesel fleets that have demonstrated non-compliance by failing to clear citations issued in the field. Citations may be issued by ARB field inspectors, district enforcement personnel and special agencies.

Enforcement staff in this program is also responsible for investigating complaints, initiating enforcement actions where violations are found, coordinating appeals and appearances at administrative hearings, performing collection functions, and settling investigations or referring them for legal action.

Complaint Hotline Services

ARB, along with a number of air districts, administer programs for identifying and contacting the owners of vehicles emitting excessive smoke or commercial trucks and buses idling longer than five minutes after stopped. Under these programs, citizens report smoking vehicles to ARB or the air districts that, in turn, send notices to the vehicle's owner requesting that the vehicle be checked and, if needed, repaired. In the case of idling complaints, the notices request that the vehicle owner review the idling regulations with the vehicle's driver.

ED operates ARB's Smoking and Idling Vehicle Complaint Hotline and handles all complaints that are received. These responsibilities include identifying the owners of the vehicles and preparing and mailing out standard form notices. Where appropriate, complaints are referred to the air districts or to the Field Operations Branch for follow-up.

Cal/EPA and ARB also maintain separate voice and web-based complaint hotlines. The ARB Complaint Hotline - (800) 952-5588 – and the Online Cal/EPA Environmental Complaint System provide a means for citizens to report persistent odors, emissions from industry, and vapor recovery equipment problems at gas stations, or obtain information regarding air pollution. ED is responsible for answering, screening, and redirecting incoming calls and on-line complaints from these sources, and then following-up these referrals to ensure that the complainant's issues are addressed.

2012 Accomplishments

- ✓ ED staff responded to and closed more than 1,500 Smoking and Idling Vehicle Complaint Hotline complaints.

California Training Program

Historically, the primary purpose of ARB's Training Program was to teach air district staff to develop rules, issue permits, complete inspections, detect violations, and perform enforcement. In recent years the Training Program broadened its mission to "provide comprehensive education to further the professional development of environmental professionals".

The Training Program achieves its mission by providing entry-level training which focuses on a standardized core curriculum and continuing education classes. Available courses cover pollution history, air pollution control regulations, procedures for evaluating emissions and analyzing industrial processes, emission control application and theory, and waste stream reduction. Videos, digital presentations, guest speakers, and field or site visits are incorporated into specific course offerings as appropriate. The courses are designed to provide skills that may be applied in the field and to encourage networking between participants to facilitate exchanges of information and assistance outside of the classroom. ARB's Training Program serves as a model for training programs across the country.

ED staff continuously improves the Training Program by updating existing programs and developing new courses to respond to the evolving needs of customer agencies and industry. Additionally, the program's instructors are continuously updated on emerging issues and kept up-to-date by attending training themselves. ED's Training Program includes about 65 different classroom courses, seminars, and workshops focusing on stationary source emissions topics.

2012 Accomplishments

- ✓ **Air Quality Training Program (AQTP)** – ARB's Air Quality Training Program is a series of 14 self-paced online modules providing an introduction to air pollution control and enforcement. The program is intended for entry and mid-level stationary source inspectors, regulatory agency staff, and environmental specialists in business and government. In October 2012, Enforcement staff launched the Air Quality Training Program Course #102 online and within three months, over 450 students from locations all over the world had enrolled in the training.
- ✓ **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 provide students with the opportunity to interact with the regulated community and ask questions that are more detailed or extremely technical in nature. During 2012, 70 courses were offered to over 1,350 public agency and private industry students.
- ✓ **300 Series Courses** – These courses, designed for experienced environmental professionals, include workshops, seminars, and symposiums focusing on current, and sometimes controversial, environmental issues such as cross media training, legal issues, case development and variance/hearing board requirements. During 2012, 54 courses were offered to over 1,900 public agency and private industry students.
- ✓ **400 Series Courses** – During 2012, 10 of these advanced level courses were offered to over 350 public agency and private industry students.

Fundamentals of Enforcement & 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 many years ago to standardize the methods across the state 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 EPA-prescribed Method 9. The basic training consists of a day and a half of classroom 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. Participants who fail the certification test may retake the test on day two or day three. Certifications are valid for six months.

2012 Accomplishments

- ✓ 12 Smoke School classes were offered to 379 public and private industry students.
- ✓ 47 VEE Day Certification and seven (7) VEE Night Certification/recertification sessions were offered to 2,287 public and private industry participants.

Surveillance Services

Surveillance support services, typically involving a stationary source, 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.

2012 Accomplishments

- ✓ Two (2) new surveillance cases were opened to support air district enforcement efforts.
- ✓ ED staff participated in four California Air Pollution Control Officers Association Enforcement Managers meetings to coordinate air quality enforcement approaches.

Appendix A

2012 Enforcement Program Statistics

Program Category	Total Closed Enforcement Actions ¹	Penalties ²		Total Penalties ²
		Judgments	Settlements	
Cargo Tank Program	31	\$0	\$14,500	\$14,500
Consumer and Aerosol Coating Product Programs	73	\$910,000	\$1,083,952	\$1,993,952
Diesel Equipment Programs	131	\$300,000	\$197,505	\$497,505
Engine and Part Programs	36	\$510,000	\$372,945	\$882,945
Fuels Programs	21	\$0	\$568,550	\$568,550
HDD Field Inspection Programs	1880	\$0	\$1,065,912	\$1,065,912
Marine Programs	43	\$0	\$306,875	\$306,875
Railroad MOU Program	18	\$0	\$3,600	\$3,600
Specialized Diesel Fleet Programs	64	\$0	\$541,307	\$541,307
Statewide Diesel Truck and Bus Programs	365	\$0	\$1,639,073	\$1,639,073
Vehicle Programs	51	\$4,755,000	\$3,825,740	\$8,580,740
Total Closed Enforcement Actions	2,713	\$6,475,000	\$9,619,959	\$16,094,959

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

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

Appendix B

2012 Investigation and Case Resolution Statistics

Program Category			Product Samples		Pending Cases 01/01/12	Cases Opened	Case Dispositions			Pending Cases 12/31/12	Penalties Collected	
			Collected	Uncertified or Test > Limit			Rescinded, Compliant, or NFA	Settled	Total Closed			
Consumer Product Programs	Consumer Products Programs		1,765	565	97	58	7	66	73	82	\$1,993,952	
	Aerosol Coating Products Program <i>(Included Above)</i>		3	0	0	0	0	0	0	0	\$0	
	Composite Wood Products Program		50	8	0	0	0	0	0	0	\$0	
	Indoor Air Cleaning Device Program		1	2	1	1	0	0	0	2	\$0	
	Total - Consumer Product Programs		1,819	575	98	59	7	66	73	84	\$1,993,952	
Vehicle, Engine, and Part Programs	Vehicle Programs	In-State Vehicle Programs				6	17	2	8	10	13	\$530,500
		49-State Vehicle Program (CNC)				13	18	5	14	19	12	\$30,000
		Motorcycle Programs				5	2	1	4	5	2	\$158,500
		Dealership and Fleet Tampering Programs				2	0	1	1	2	0	\$80,500
		Marine Craft and Outboard Engine Programs				4	0	4	0	4	0	\$0
		Marine Fuel Tank				0	1	0	0	0	1	\$0
		Off-Highway Recreational Vehicle Program				11	4	6	5	11	4	\$7,781,240
	Engine and Part Programs	Compression Ignition (CI) Program				3	3	0	2	2	4	\$512,500
		Large Spark Ignition (LSI) Program				0	1	0	0	0	1	\$0
		Small Off-Road Engine (SORE) Program				10	10	6	7	13	7	\$305,405
		On-Road After-Market Part Programs				18	24	15	2	17	25	\$52,040
		Off-Road After-Market Part Programs				0	2	0	0	0	2	\$0
		Portable Fuel Container Program				0	8	0	4	4	4	\$13,000
		Refrigerant Canister Program <i>(New 2012 Program)</i>				0	0	0	0	0	0	\$0
		Laboratory and Certification Fraud Program				1	0	0	0	0	1	\$0
Total - Vehicle, Engine, and Part Programs					73	90	40	47	87	76	\$9,463,685	

Appendix B

2012 Investigation and Case Resolution Statistics (continued)

Program Category			Pending Investigations 01/01/12	Investigations Opened	Investigations Dispositions ³			Pending Investigations 12/31/12	Penalties Collected
					Rescinded, Compliant, or NFA	Settled	Total Closed		
Heavy Duty Diesel Fleet Programs	Statewide Diesel Fleet Programs	Periodic Smoke Inspection Program	150	441	71	69	140	451	\$1,605,073
		SmartWay Truck Technology Program (New 2012 Program)	0	0	0	0	0	0	\$0
		Other Statewide Programs (ECL, Funding, etc.)	137	469	144	8	152	454	\$14,475
		Statewide Truck and Bus Program (New 2012 Program)	7	400	65	8	73	334	\$20,325
	Specialized Diesel Fleet Programs	Solid Waste Collection Vehicle Program	48	31	8	13	21	58	\$98,199
		Urban Transit Bus Program	0	2	1	0	1	1	\$0
		Transit Fleet Vehicle Program	5	5	5	2	7	3	\$5,000
		Public Agency and Utility Fleet Program	9	11	4	5	9	11	\$86,250
		Drayage Truck Program	16	64	19	7	26	54	\$351,858
	Diesel Equipment Programs	Transport Refrigeration Unit Program	41	62	21	14	35	68	\$316,050
		Verified Diesel Emission Control Strategies Program	13	19	14	4	18	14	\$150,580
		Off-Road Diesel Vehicle Program	25	158	68	10	78	105	\$30,875
	Total - Heavy Duty Diesel Fleet Programs ⁴			451	1662	420	140	561	1,553
Total - Investigation and Case Resolution Programs			622	1811	467	253	721	1,713	\$14,136,322

³ Investigations typically include numerous programs (e.g. PSIP, TRU, ECL, Drayage, etc.).

⁴ 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

2012 Field Operations Statistics

Program Category		Product Samples Tested	Inspections Completed	Compliance Rate	Pending Citations and NOV's 01/01/12	Citations and NOV's Issued	Citation and NOV Dispositions			Pending Citations and NOV's 12/31/12	Penalties Collected
							Rescinded, Compliant, or NFA	Closed	Total		
Fuels Programs	Refineries	624	94	n/a	16	0	6	2	8	8	\$167,500
	Terminals	564	97	n/a	6	0	4	1	5	1	\$400,000
	Service Stations	720	269	n/a	3	0	3	0	3	0	\$0
	Marine Vessels	133	15	n/a	2	0	1	0	1	1	\$0
	Railcars	2	2	n/a	1	0	0	1	1	0	\$1,050
	RFG Certifications	n/a	3,176	n/a	3	0	3	0	0	0	\$0
	Red-Dyed Diesel Fuel	4	8,942	n/a	0						
	Other	36	33	n/a	0	0	0	0	0	0	\$0
	Total - Fuels Programs	2,083	12,628	n/a	31	0	17	4	21	10	\$568,550
Cargo Tank Programs	Cargo Tank Inspection Program		372	100%	0	0	0	0	0	0	0
	Cargo Tank Pressure Test Program		212	92%	44	16	0	31	31	29	\$14,500
	Annual Test Observation Program		85	100%	n/a	0	0	0	0	0	\$0
	Total - Cargo Tank Programs		669	98%	44	16	0	31	31	29	\$14,500
Railroad MOU Programs	Railroad Locomotive Inspection Program		2,519	98%	12	50	9	9	18	44	\$3,600
	Other Railroad MOU Programs (e.g., Fuel)		15	100%	0	0	0	0	0	0	\$0
	Total - Railroad MOU Programs		2,534	n/a	12	50	9	9	18	44	\$3,600
Marine Programs	Ocean Going Vessel Program		575	94%	8	33	0	20	20	21	\$300,125
	Commercial Harbor Craft Program		81	99%	14	1	14	0	14	1	\$0
	Fuel Dock/Marina Fuel Program		61	100%	0	0	0	0	0	0	\$0
	Cargo-Handling Equipment Program		2,203	pending	0	8	0	0	0	8	\$0
	TRU Program (see also HDD Field Inspection Programs)		1,416	99%	6	10	0	6	6	3	\$3,750
	DT Program (see also HDD Field Inspection Programs)		427	98%	6	10	0	8	8	8	\$3,000
	Total - Marine Programs		4,763	n/a	34	62	14	34	48	41	\$306,875

Appendix C

2012 Field Operations Statistics (continued)

Program Category		Inspections Completed	Compliance Rate	Pending Citations and NOV's 01/01/12	Citations and NOV's Issued	Citation and NOV Dispositions			Pending Citations and NOV's 12/31/12	Penalties Collected
						Rescinded, Compliant, or NFA	Closed	Total		
Heavy Duty Diesel Field Inspection Programs	Heavy-duty Vehicle Inspection	11,635	99%	N/A	129	5	68	73	56	\$25,800
	Emission Control Label	11,887	92%	N/A	931	21	520	541	410	\$191,135
	Commercial Vehicle Idling	2,647	68%	N/A	854	16	479	495	426	\$148,100
	Solid Waste Collection Vehicle	201	83%	N/A	34	13	5	18	22	\$5,000
	Truck & Bus	2,802	85%	N/A	432	11	136	147	287	\$171,050
	SmartWay	2	100%	N/A	0	0	0	0	0	\$0
	Drayage Truck	2,860	90%	N/A	276	22	122	144	151	\$138,825
	Transport Refrigeration Unit	4,150	69%	N/A	1,289	23	332	355	950	\$344,000
	Off-Road Diesel Equipment	583	83%	N/A	97	20	86	106	74	\$42,000
	Selective Catalytic Reduction Program	207	100%	N/A	0	0	0	0	0	\$0
	Other	65	100%	N/A	0	1	0	1	1	\$0
	Total - HDD Field Inspection Program	37,039	89%	N/A	4,042	132	1,748	1,880	2,377	\$1,065,912
Total - Field Operations Program		57,633	93%	117	4,170	160	1,826	1,986	2,509	\$1,959,437
Environmental Justice Community Program (Included Above)		10,997	N/A	N/A	1,142	N/A	N/A	N/A	N/A	N/A

Appendix D

2012 Enforcement Support Statistics

Table D.4 - Cal/EPA and ARB Hotline Services		Table D.11 - Asbestos Program Services	
Complaints Received	1103	Inspections Completed	68
Stationary Source Complaints Referred to Air Districts	281	Complaint Investigations Completed	6
Vapor Recovery Complaints Referred to Air Districts	58	Violations Referred to EPA	3
Complaints Answered By Enforcement Division	11	Training Sessions Conducted	8
Complaints Referred to Other ARB Divisions	9	Task Force Workshops Conducted	2
Complaints Referred to Other Agencies	11	Table D.12 - Landfill Methane Gas Program Services	
Other Dispositions	139	Inspections Completed	1
Complaints Closed	1028	Complaint Investigations Completed	0
Table D.5 - Air District Rule Reviews		Violations resolved	
Rules Received	82	Table D.13 - Refrigeration System Program Services	
Rules Reviewed	82	Inspections Completed	19
Rules with Formal Comments	0	Complaint Investigations Completed	4
Table D.6 - Air District Variance Reviews		Violations resolved	
Variances Reviewed	248	Training Sessions Conducted	9
Notices Reviewed	310	Table D.14 - Sulfur Hexafluoride Reduction Program Services	
Variances Returned for Rehearing	22	Inspections Completed	0
Table D.7 - Full Compliance Evaluation (FCE) AFS Services		Complaint Investigations Completed	
FCE Reports Received and Reviewed	65	Violations resolved	0
FCE Reports Entered	55	Training Sessions Conducted	0
FCE Reports Sent to Air Districts	174	Table D.15 - Perchloroethylene Program Services	
Table D.8 - Federally Enforceable Violations AFS Services		Inspections Completed	
Federally enforceable Violation Reports Received	44	Complaint Investigations Completed	0
Federally enforceable Violation Reports Entered	33	Violations resolved	0
Federally enforceable Violation Reports Sent to Air Districts	276	Table D.17 - Stationary Source and Equipment Inspection Services	
Table D.9 - Continuous Emissions Monitoring System Services		Stationary Source Inspections (Non-PERP)	
Total Reports Received	33	Stationary Diesel Equipment Inspections	6
CEM 105 Grant Reports Received	18	Portable Equipment Inspections (PERP)	6
CEM 105 Reports Sent to U.S. EPA	15	South Coast AQMD Dry Cleaner Verifications	0
		Total Inspections	16
		Table D.18 - Other Air District Enforcement Support Services	
		Air District Investigation Reports Reviewed	0
		Environmental Crimes Task Force Meetings Attended	0
		New Surveillance Equipment Set-Ups	2

Appendix E

2012 Training Program Statistics

CA Based Classroom Training Programs	No. of Courses	Students Per Course		
		Classroom	Webcast	Total
100 Series Courses				
100 - Fundamentals of Enforcement (FOE)	12	379	0	379
100.1 - Visible Emissions Evaluation (Day) Certification	47	0	0	2,112
100.2 - Visible Emissions Evaluation (Night) Certification	7	0	0	175
101 - Uniform Air Quality Training Program (UAQTP)	2	34	0	34
102 - Air Quality Training Program (AQTP) (Online)	N/A	0	0	451
190 - Air Academy (Online)	N/A	0	0	449
200 Series Courses				
200 – The CA Air Pollution Professional	5	64	0	64
202 - Health & Safety	7	106	0	106
231 - Coatings: Auto, Metal Parts & Products	7	101	0	101
246 - Aggregate, Asphalt & Concrete Batching	1	10	0	10
250 - Asbestos Demolition & Renovation	1	37	0	37
251 - Asbestos Demolition & Renovation-Regulator Training	3	41	0	41
252 - Fugitive Dust	4	69	0	69
267 - In-Station Diagnostics	3	24	0	24
268 - Above Ground Storage Tanks	4	69	0	69
270 - Incinerators	1	3	0	3
272 - Stationary Gas Turbines & Power Plants	4	77	0	77
273 - Industrial Boilers	5	90	0	90
274 - Biomass Fired Boilers	1	8	0	8
275 - Compression Ignition (CI) Reciprocating Internal Combustion Engines (RICE)	1	28	0	28
276 - Spark Ignited (SI) Reciprocating Internal Combustion Engines (RICE)	1	30	0	30
287 - Dry Cleaning	1	12	0	12
290.7 - Chrome Plating ATCM: Certification (Recorded)	1	0	79	79
297 - New Source Review (NSR)	3	83	0	83
298 - Title V Permitting Overview	3	93	0	93
299 - Theory & Application of Air Pollution Devices	4	71	0	71
Other 200 Level Courses	10	0	0	259

Appendix E

2012 Training Program Statistics (continued)

CA Based Classroom Training Programs	No. of Courses	Students Per Course		
		Classroom	Webcast	Total
300 Series Courses				
300 - Fundamental Inspector Course (FIC) - (Online)	N/A	0	522	0
302 - Portable Equipment ATCM	19	355	138	493
303 - Advanced Portable Equipment Regulation Review	3	53	0	53
304 - RICE NESHAP / IC NSPS	3	128	0	128
310 - Cal/EPA Basic Inspector Academy	9	185	0	185
315 - RMP registration and reporting tool (R3)	4	10	248	258
321 - Introductory Variance/Hearing Board Workshop	1	17	0	17
322 - Variance Workshops	2	32	0	32
330 - CAPCOA Permitting Staff Development Class	1	5	0	5
340 - Gasoline Facilities Phase I and II Seminar	4	43	0	43
395 - Fugitive Emissions Operator Training	4	112	0	112
Other 300 Level Courses	3	0	0	617
400 Series Courses				
401 - Continuous Emissions Monitoring	8	270	0	270
404 - Leadership Development Training	2	82	0	82
California Council on Diesel Education and Technology (CCDET) Courses				
CCDET-1	43	860	0	860
CCDET-2	22	440	0	440

Appendix F

2012 Significant Environmental Program Settlements

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Supplemental Environmental Projects		Total Penalties
					CCDET	Other	
A & B Produce, Inc.	TRU PSIP	Failure to report TRU activity by the required due date and failure to properly self-inspect diesel trucks.	March	\$13,875	\$4,625		\$18,500
AA Production Services, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	March	\$13,782	\$4,593		\$18,375
All Star Auto Recycling Inc.	PSIP STB ORDV	Failure to properly self-inspect diesel trucks, failure to meet BACT requirements, failure to report and label equipment.	September	\$9,000	\$3,000		\$12,000
Amvets	PSIP	Failure to properly self-inspect diesel trucks.	October	\$13,219	\$4,406		\$17,625
Arcata Garbage Co.	PSIP SWCV	Failure to comply with in-use testing requirements and failure to install required emission reduction devices.	November	\$16,875	\$5,625		\$22,500
AutoZone	Consumer Products	Sale of non-compliant windshield washer fluids	July	\$60,000			\$60,000
Beautopia	Consumer Products	Sale of non-compliant hair care products	October	\$26,500			\$26,500
Betco	Small Off-Road Engines	Self-reported sales of small off-road engines prior to certification for model years 2007-2010.	November	\$27,750			\$27,750
Birchwood Laboratories	Consumer Products	Stipulated judgment for sale of non-compliant degreasers (VOCs & TAC) and product dating	July	\$500,000			\$500,000
BMW of North America	Motorcycles	Selling 23 motorcycles prior to receiving and Executive Order.	June	\$92,000			\$92,000
Bruin Express Intermodal LLC	Drayage Truck	Dispatching non-compliant drayage trucks.	August	\$12,750	\$4,250		\$17,000
Caterpillar, Inc.	Compressed Ignition (Diesel)	Shipping over 590,000 on-road and off-road diesel engines without proper after treatment devices, submitting late emissions defect reports, selling engines without emissions labels, and selling engines with improperly configured fuel injector and map settings.	June	\$510,000			\$510,000
CF Moto	Motorcycles	Introduced into commerce several 2009 model-year motorcycles without an Executive Order.	May	\$24,000			\$24,000
Champion Brands	Consumer Products	Sale of non-compliant multi-purpose lubricant products	June	\$50,755			\$50,755
Chevron / Richmond Refinery	Fuels	CARBOB sample analysis indicated a benzene content which exceeded the reported predictive model value.	May	\$145,000			\$145,000

Excludes cases settled for less than \$10,000. 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>.

Appendix F

2012 Significant Environmental Program Settlements *(continued)*

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Supplemental Environmental Projects		Total Penalties
					CCDET	Other	
Chevron / Richmond Refinery	Fuels	A valve was mistakenly opened allowing conventional gasoline to leak into the pipeline and contaminate CARBOB.	March	\$22,500			\$22,500
Chevron / Sacramento Terminal	Fuels	Gasoline without deposit control additive was supplied or offered for sale.	March	\$400,000			\$400,000
Chipolbrok (Poland)/Long Beach	OGV	Engines aboard the vessel Leopold Staff were switched over within RCW.	September	\$10,000			\$10,000
Cido Shipping	OGV	Engines aboard the vessel Grand Venus were switched over within RCW.	August	\$10,000			\$10,000
City of Banning	PAU PSIP	Failure to properly self-inspect diesel trucks and to install required emission-reduction devices.	March	\$17,250	\$5,750		\$23,000
City-Sightseeing, SF	PSIP ECL	Failure to properly self-inspect diesel trucks and to properly affix emission control labels.	July	\$10,969	\$3,656		\$14,625
Cobos Transportation Express Inc.	PSIP Drayage Truck	Failure to self-inspect diesel trucks and use of non-compliant drayage trucks.	May	\$14,209	\$4,736		\$18,945
Columbia Ship Management/Long Beach	OGV	Engines aboard the vessel Cape Maas were switched over within RCW.	September	\$10,000			\$10,000
Con-Way Freight	PSIP	Failure to properly self-inspect diesel trucks.	February	\$16,125	\$5,375		\$21,500
Creams Dismantling Inc.	PSIP ORDV	Failure to properly self-inspect diesel trucks and failure to report and label equipment.	September	\$10,125	\$3,375		\$13,500
Cummins West Inc.	VDECS	Failure to comply with the Verification Procedure of the diesel particulate filters as certified by ARB.	March	\$47,250	\$15,750		\$63,000
Delta Brands	Consumer Products	Sale of non-compliant deodorants and product dating	November	\$72,000			\$72,000
Denyo Company, Ltd.	Small Off-Road Engines	Neglected to certify evaporative emissions components on small off-road engines prior to import and sale in California.	August	\$164,000			\$164,000
Dojima Marine	OGV	Main Engine aboard the vessel Amorita was not switched over to compliant low sulfur distillate.	February	\$55,500			\$55,500
Dole Fresh Fruit Co.	TRU	Multiple TRUs at the Port of San Diego mislabeled.	December	\$24,750			\$24,750
Domistyle	Consumer Products	Sale of non-compliant air fresheners and product dating	December	\$36,000			\$36,000

Excludes cases settled for less than \$10,000. 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>.

Appendix F

2012 Significant Environmental Program Settlements *(continued)*

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Supplemental Environmental Projects		Total Penalties
					CCDET	Other	
EMADCO Disposal Service, Inc.	SWCV	Failure to install required emission reduction devices.	July	\$27,000		\$9,000	\$36,000
Fairplex	PSIP ECL ORDV	Failure to properly self-inspect diesel trucks and to properly affix emission control labels, and to report and label off-road diesel vehicles.	June	\$13,500	\$4,500		\$18,000
Foster Enterprises	TRU	Failure to meet in-use performance standards.	December	\$300,000			\$300,000
Gillies Trucking	PSIP	Failure to properly self-inspect diesel trucks	December	\$11,250	\$3,750		\$15,000
Goldbeam Int.	OGV	Fuel used did not meet distillate specifications for California. Self-reported violation.	January	\$45,500			\$45,500
Henkal - Schwarzkopf	Consumer Products	Sale of non-compliant hair care products	August	\$16,000			\$16,000
Hills Valley Transportation	PSIP ECL	Failure to properly self-inspect diesel trucks and to properly affix emission control labels.	June	\$8,325	\$2,775		\$11,000
Home Depot	Consumer Products	Sale of non-compliant windshield washer fluids	June	\$10,000			\$10,000
Hoyu - Samy	Consumer Products	Sale of non-compliant hair care products	October	\$27,000			\$27,000
Imperial Irrigation District	PSIP PAU ORDV	Failure to properly self-inspect diesel trucks and failure to install required emission-reduction devices, and to report and label off-road vehicles.	March	\$34,031		\$11,344	\$45,375
IMZ-URAL Group, Inc.	Motorcycles	Offered for sale, and/or sold in California 2010 and 2011 model-year, on-road motorcycles prior to issuance of an Executive Order.	November	\$40,000			\$40,000
Innovative Brands	Consumer Products	Sale of non-compliant rubber and vinyl protectants	October	\$23,000			\$23,000
Ion Products - Sally Beauty	Consumer Products	Sale of non-compliant hair care products	May	\$30,000			\$30,000
J R Transportes	PSIP STB TRU	Failure to properly self-inspect diesel trucks and failure to meet in-use performance standards.	September	\$38,531	\$12,844		\$51,375
Jones Ford Mercury	Vehicles	Selling 18 non-California certified vehicles.	March	\$12,000			\$12,000
JPM	Consumer Products	Sale of non-compliant hair care products	October	\$212,500			\$212,500

Excludes cases settled for less than \$10,000. 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>.

Appendix F

2012 Significant Environmental Program Settlements *(continued)*

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Supplemental Environmental Projects		Total Penalties
					CCDET	Other	
Keolis Transit America	PSIP Tampering	Failure to properly self-inspect diesel trucks, and tampered with catalytic converters.	August	\$65,750	\$13,750		\$80,500
KLX Incorporated	PSIP TRU STB	Failure to properly self-inspect diesel trucks, failure to meet in-use performance standards, and to install Best Available Control Technology.	May	\$17,438	\$5,812		\$23,250
Kohler Power Systems	Small Off-Road Engines	Self-reported sales of 157 small off-road engines prior to certification for the years 2010, 2011, and 2012.	November	\$58,875			\$58,875
Korkyra Shipping Ltd	OGV	Main Engine aboard the vessel Lady Racisce was not switched over to compliant low sulfur distillate.	January	\$55,500			\$55,500
Lawson	Consumer Products	Self-disclosed sale of non-compliant products in multiple categories (VOCs, TACs & PWMIR) and product dating	June	\$126,500			\$126,500
Los Angeles Department of Water and Power	ECL PAU	Failure to properly affix emission control labels, and to install required emissions reduction devices.	December	\$41,175	\$13,725		\$54,900
Martinez Trucking Inc.	PSIP	Failure to properly self-inspect diesel trucks	October	\$9,750	\$3,250		\$13,000
Mex-Cal Trucklines	Drayage Truck	Dispatch and use of non-compliant drayage trucks.	November	\$300,000			\$300,000
Mike's Foreign Auto Parts	Aftermarket Parts	Selling and offering for sale aftermarket catalytic converters without an ARB Executive Order	January	\$50,000			\$50,000
Moya Trucking	PSIP TRU	Failure to properly self-inspect diesel trucks, failure to properly label TRU gen-sets, and meet in-use performance standards.	April	\$13,669	\$4,556		\$18,225
O'Reilly Automotive	Consumer Products	Sale of non-compliant carburetor & fuel injector cleaning products	June	\$31,500			\$31,500
Personal Care	Consumer Products	Sale of non-compliant deodorants	June	\$22,500			\$22,500
Placer County Public Works	PSIP TFCV	Failure to properly self-inspect trucks and install Best Available Control Technology.	January	\$30,375	\$10,125		\$40,500
Pride Intermodal Inc.	Drayage Truck	Dispatch and use of non-compliant drayage trucks and failure to register drayage trucks.	November	\$8,466	\$2,822		\$11,288
Ricardo Motors	On- and Off-Highway Recreation Vehicles	Importation, sale, and registration of non-California certified off-road and on-road vehicles.	December	\$2,550,000			\$2,550,000
Rite Aid	Consumer Products	Stipulated judgment for sale of non-compliant windshield washer fluid and failure to provide records	May	\$410,000			\$410,000
Rolling Green, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	June	\$11,813	\$3,937		\$15,750

Excludes cases settled for less than \$10,000. 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>.

Appendix F

2012 Significant Environmental Program Settlements *(continued)*

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Supplemental Environmental Projects		Total Penalties
					CCDET	Other	
Ryder Group	PSIP TRU	Failure to properly self-inspect diesel trucks and register TRU equipment.	September	\$772,594		\$257,531	\$1,030,125
San Joaquin Regional Transit District	PSIP TFV	Failure to properly self-inspect diesel trucks and failure to install required emission reduction devices.	October	\$26,438	\$8,812		\$35,250
Sean Trucking	PSIP TRU	Failure to properly self-inspect diesel trucks and failure to meet in-use performance standards	June	\$43,875	\$14,625		\$58,500
Silkolene	Consumer Products	Sale of non-compliant automotive polish products	August	\$14,000			\$14,000
Southwest Transportation Agency	PSIP ECL Aftermarket Parts VDECS	Failure to properly self-inspect diesel trucks, failure to properly affix emission control labels. Tampering with a motor vehicle pollution control device.	October				\$71,700
Sunset Waste Paper, Inc.	PSIP SWCV ORDV	Failure to properly self-inspect diesel trucks, install required emission-reduction devices, and to report and label off-road vehicles	February	\$9,900	\$3,300		\$13,200
Suzuki Motor Corporation	Off-Highway Recreation Vehicles	Sale of 2006-2009 model year all-terrain vehicles and 2010 model year off-highway motorcycles that were equipped with engine control modules containing dual calibrations.	June	\$3,020,000			\$3,020,000
Technical Chemical	Consumer Products	Sale of non-compliant carburetor & fuel injector cleaning products	June	\$31,500			\$31,500
Thomas Refuse Service	PSIP	Failure to install required emission reduction devices, failure to properly affix emissions control labels, and failure to properly self-inspect their diesel trucks.	November	\$12,713	\$4,237		\$16,950
TJ Maxx	Consumer Products	Sale of non-compliant hair care products and product dating	September	\$10,000			\$10,000
Upper Valley Disposal Service	SWCV	Failure to install Best Available Control Technology.	May	\$7,594	\$2,531		\$10,125
Vander Meulen, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	November	\$8,925	\$2,975		\$11,900
Walmart Corporation	Small Off-Road Engines	Offering for sale lawnmowers with non-California certified small off-road engines.	September	\$39,750			\$39,750
Yamaha Motor Corporation	Off-Highway Recreation Vehicles	Importation, delivery, sale and labeling of 2007 model year off-road vehicles without an Executive Order.	December	\$2,205,000			\$2,205,000
Yellow Cab/Keolis Transit America	Compressed Ignition (Diesel)	Failure to properly self-inspect their diesel trucks to assure the trucks met state smoke emission standards under the PSIP. Also tampered with the catalytic converter systems in taxi cab vehicles.	August	\$66,750		\$13,750	\$80,500

Excludes cases settled for less than \$10,000. 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>.

Appendix G

List of Acronyms

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

Appendix H

Alphabetical Listing of ARB Programs¹

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

¹ 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>.