



# 2017 ANNUAL ENFORCEMENT REPORT

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JUNE 2018

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CALIFORNIA AIR RESOURCES BOARD  
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## **Executive Summary**

California is a dynamic state that is home to 40 million people, who together generate a \$2.75 trillion economy. Containing some of the most fertile agricultural lands in the world and the birthplace of film, internet, and the personal computer, California is the world's center for innovation, creativity, and commerce.

California's rapid development through the 1950s led to increasing air pollution across the state. Fifty years ago, the Legislature established the California Air Resources Board (CARB) to control air pollution to protect public health. Since that time, CARB has adopted emissions standards affecting cars, trucks, ships, off-road equipment, consumer products, fuels, and stationary sources. These regulations have dramatically reduced air pollution while allowing California's economy to thrive. However, the benefits of these gains are not evenly shared – communities with the most air pollution sources continue to experience health impacts caused by elevated exposure to air pollution. Several key areas in the state, such as the South Coast Air Basin and the San Joaquin Valley, struggle to meet federal and State ambient air standards.

Today, CARB continues to address air pollution and is working to reduce greenhouse gas emissions that cause climate change. CARB has implemented more than 50 regulatory programs impacting stationary and mobile sources, and multiple points within product supply chains from manufacturers to distributors, retailers, and end-users. Enforcement is critical for ensuring the public health benefits of CARB programs are realized and maintaining a level playing field across each regulated industry. Our goal is to ensure compliance with every Board regulation.

This report provides key highlights from CARB enforcement efforts in 2017. Enforcement programs continue to innovate and evolve, while maintaining a strong and effective enforcement presence across a wide variety of industries and programs.

Highlights include:

- Winning a court judgment against British Petroleum for their negligent supply and sale of noncompliant fuels, which affirmed CARB's enforcement authority and penalty structure;
- Developing a broader enforcement policy that enhances accountability and transparency in enforcement processes;
- Bringing UP and BNSF Railway into compliance with drayage truck regulatory requirements;
- Implementing the new Supplemental Environmental Projects policy, which resulted in violators funding eight different projects benefitting disadvantaged communities for a total of more than \$2.5 million; and

- Significantly reducing the supply of illegal aftermarket parts in California and achieving the largest-ever monetary settlement for an aftermarket parts case against JEGS Automotive.

Overall, in 2017, CARB closed 1,650 enforcement actions for \$17,485,227 in penalties.

Going forward, staff is implementing a new Truck and Bus enforcement process designed to quickly bring large numbers of noncompliant trucks into compliance; expanding public outreach (a) in communities across the state to help address environmental injustice and (b) with stakeholders to improve enforcement program implementation; conducting a comprehensive evaluation of field enforcement efforts; and working to ensure every regulation that CARB develops can be effectively and efficiently enforced.

## Introduction

The California Air Resources Board's (CARB) regulatory programs are designed to reduce emissions to protect public health, achieve air quality standards, reduce greenhouse gas (GHG) emissions, and reduce exposure to toxic air contaminants, especially in disadvantaged communities. CARB's regulatory programs are broad – impacting stationary and mobile sources, and multiple points within product supply chains from manufacturers to distributors, retailers, and end-users. Over 50 regulations have been adopted, implemented, and enforced to protect public health from harmful air pollutants.

The success of CARB's regulatory programs relies on the actions each regulated entity takes to achieve its compliance obligations. When a company complies, it takes actions it would not otherwise have taken, spending money it would not otherwise have spent, to achieve emissions reductions required by law. When a company complies, it relies on its competitors also complying with the regulations so that there will be a fair and level playing field for all those impacted by the regulations.

### PROGRAM ACHIEVEMENTS

- ✓ 1,650 ENFORCEMENT ACTIONS
- ✓ \$17M IN PENALTIES ASSESSED
- ✓ \$2.5M IN SUPPLEMENTAL ENVIRONMENTAL PROJECT FUNDS TO NEW SEPs
- ✓ TRAINED 3,000 PEOPLE IN 118 CLASSES

Our goal is to achieve comprehensive compliance with every regulation CARB adopts. CARB's Enforcement Program has a successful model of finding violators, developing cases, and resolving cases through either the mutual settlement process, or litigation. In 2017, we closed 1,650 enforcement actions (including 5 court judgments, 197 settlements, and 1,448 citations), and assessed a total \$17,485,227 in penalties.

Our efforts encompass a broad spectrum of programs, including certification requirements for vehicles, engines, aftermarket parts, consumer products, and fuels; in-use fleet requirements focused on diesel mobile sources; and GHG standards for stationary sources. The cases below highlight important parts of the enforcement program.

- **British Petroleum West Coast Products (BP)** (\$2,540,000)  
CARB enforces reformulated gasoline regulations that are the cornerstone of efforts to reduce emissions of reactive organic gases (ROG) from use of fuels, and to ensure clean combustion in vehicles. BP supplied 64 million gallons of fuel that did not meet regulatory requirements. When BP would not settle the case, CARB litigated the case. Ultimately the court upheld CARB's long-standing reformulated gasoline program and validated CARB's assessment of additional penalties for retail sales of noncompliant fuel.

- **D & T Foods, Inc. (\$100,000)**  
Enforcing the Refrigerant Management Program (RMP) is part of CARB's commitment to reducing high Global Warming Potential Refrigerants from stationary sources. Although many of the RMP cases were resolved with no penalty as minor violations, D & T Foods committed serious violations and a resolution could not be negotiated in a mutual settlement process. CARB staff used the administrative hearing process outlined in the Health and Safety Code (H&SC) to obtain a judgment against D & T Foods. Ultimately, through CARB enforcement, the company came into compliance and paid an appropriate penalty.
- **JEGS Automotive, Inc. (JEGS) (\$1,700,000)**  
To ensure engine emission control devices certified by CARB maintain their certified emission limits, CARB robustly enforces the sale of aftermarket engine parts that might impact the original emission controls certified by CARB. JEGS is a large aftermarket parts distributor that was caught distributing thousands of illegal aftermarket parts erroneously labeled as "For Racing Vehicles". By resolving this case, staff significantly reduced the number of illegal aftermarket parts sold into the State of California, and assessed the largest monetary penalty to date in the aftermarket parts enforcement program.
- **Marten Transport (\$100,000)**  
Enforcing the broker requirements outlined in the Truck and Bus Regulation is important in reducing the roughly 300,000 noncompliant trucks currently operated in California. Brokers are required to check the compliance status of all trucks prior to dispatching them. Any broker, who dispatches trucks into California, regardless of their physical address, is considered a California-based broker, and will be held accountable for not dispatching compliant trucks.
- **Union Pacific Railroad Company (UP) and BNSF Railway (\$1,245,000)**  
Under the Drayage Truck Regulation, California ports and Class I rail terminals must report noncompliant heavy-duty diesel trucks entering their facilities. For years, BNSF and UP failed to accurately report to CARB all the required information on noncompliant trucks entering their facilities, thus hampering CARB's ability to enforce the regulatory requirements. Settling this case resulted in UP turning away noncompliant trucks from their facilities and BNSF accurately reporting truck data to CARB for enforcement, thus reducing diesel emissions from heavy-duty diesel trucks around both UP and BNSF facilities.

In addition to resolving enforcement cases, staff is expanding enforcement programs to further CARB's mission to protect public health. For example,

- After updating the Supplemental Environmental Projects (SEP) policy, staff began implementing the new policy in 2017. This implementation has been successful, with violators funding eight new projects benefitting disadvantaged communities for \$2.5 million, and an additional \$1.1 million going to school bus clean-up and diesel training programs.



- Staff updated the Enforcement Policy through a public process, with the goal of increasing transparency and accountability, and is now implementing the policy.
- Staff is implementing new procedures to enforce the Truck and Bus Regulation. These procedures greatly improve efficiency and should significantly expand the number of vehicles brought into compliance each year.
- Staff is continuing to focus on improving the enforceability of regulations during their initial development. Enforcement staff are working closely to improve enforceability in key programs, including At-Berth Ocean-Going Vessels, Cargo Handling Equipment, Transportation Refrigeration Units, and Commercial Harbor Craft.

This report provides highlights from the Enforcement Division's efforts in 2017 and key, ongoing areas of focus in 2018.

## **2017 Program Highlights**

### **Enforcement Policy Update**

In 2017, the Enforcement Division, through a public process, transitioned the 2011 penalty policy into a broader Enforcement Policy. The update responds to legislated increases in maximum penalties for stationary and mobile sources and focuses on improving transparency and accountability. Throughout the year, staff held six public workshops and established a stakeholder working group that met three times. Through this public process, staff worked with stakeholders to discuss comments and concerns in more detail and incorporated suggestions into the revised document.

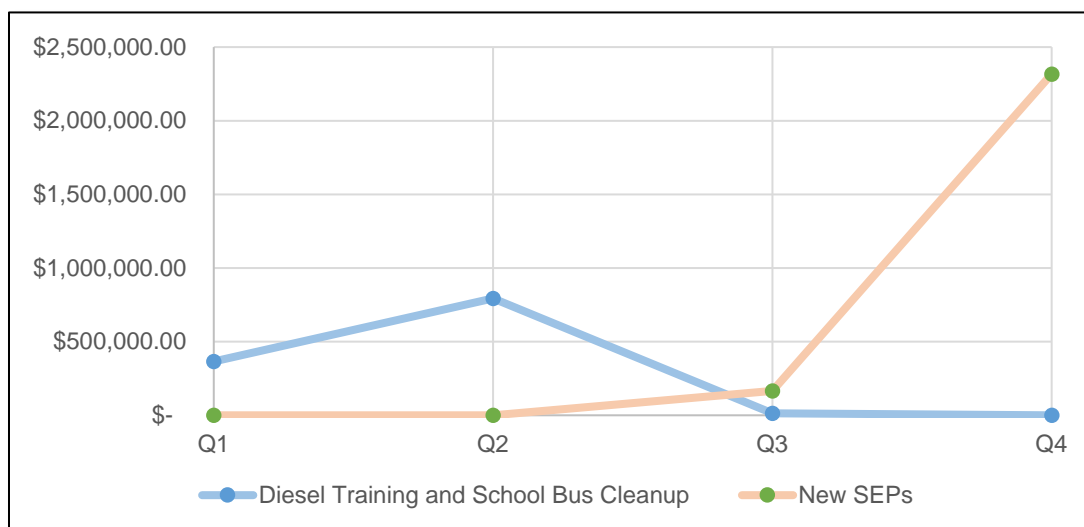
The updated Enforcement Policy includes mechanisms to help prioritize cases and move certain types of cases more quickly through the addition of a minor violations program and a stronger focus on voluntary disclosure. Additionally, the Enforcement Policy now includes information relating to public communication and information protection, compliance assistance resources, information about per unit penalties assessed by program, and a commitment to an ongoing public process to continue dialogue with stakeholders.

### **New Supplemental Environmental Projects**

A Supplemental Environmental Project, or SEP, is a project not otherwise required by law or regulation that benefits air quality by reducing emissions, reducing exposure to air pollution, or preventing future air quality violations. Staff updated CARB's SEP policy in 2016 to provide a public process for soliciting SEPs from disadvantaged communities,

and to allow for up to 50% of a penalty to be directed to a SEP. In 2017, CARB began the transition from funding long-standing Diesel Program SEPs to funding new SEPs identified through implementation of our updated policy. As shown in Figure 1 below, in the third quarter violators began selecting new SEPs, and by the end of the year, the program had transitioned fully to the new SEP program.

**Figure 1 – Funds Directed to SEPs in 2017**



This transition required staff to expand the list of eligible SEP projects (see Appendix G) by updating SEP evaluation procedures and by assisting communities to develop SEP concepts. As a result, violators are given the opportunity to fund a list of these additional, approved SEPs during the settlement process. In the first six months of the year, violators provided more than \$1.1 million dollars to two long-standing diesel program SEPs, and in the final six months of the year, violators funded eight new projects for an additional \$2,483,500.

As shown in Table 1 below, half of the new SEP funds were provided to the South Coast Air Quality Management District (SCAQMD) School Air Filtration Project. This project places high efficiency particle air filters in schools located in close proximity to emissions sources in order to reduce children's exposure to air pollution. An additional \$546,940 was provided to fund a new Breathmobile to operate in the east San Francisco Bay Area. This program provides healthcare services to those impacted by asthma in disadvantaged communities. Other projects support local initiatives to identify and address sources of air pollution. New SEP projects are continuously added to the current SEP project list and can be found at <https://calepa.ca.gov/supplemental-environmental-projects/>.

**Table 1 – SEPs Funded from Case Settlements in 2017**

|                    |  | Case Settlements | Total SEP Funds Allocated to Project |
|--------------------|--|------------------|--------------------------------------|
| New SEPs           | Installation of Air Filtration Systems In Schools-SCAQMD                                   | 6                | \$1,306,935                          |
|                    | Increasing Services to Children with Asthma (Breathmobile)                                 | 3                | \$546,940                            |
|                    | Fresno Trees   | 4                | \$75,000                             |
|                    | Community Diesel Education and Emissions Reduction Project (DEEP) – Bayview Hunter's Point | 1                | \$30,000                             |
|                    | GroundTruthing (California Safe Schools)   | 1                | \$25,000                             |
|                    | Asthma Impact Model  | 1                | \$35,000                             |
|                    | Placer County Community Based SEP  | 2                | \$429,625                            |
|                    | Healthy Air Neighborhoods  | 1                | \$35,000                             |
|                    | Total for New SEPs   | 19               | \$2,483,500                          |
| Diesel Program     | School Bus and Diesel Emission Reduction SEP   | 27               | \$1,079,693                          |
|                    | California Council on Diesel Education and Technology SEP                                  | 19               | \$92,254                             |
|                    | Total for Diesel Program SEPs  | 46               | \$1,171,947                          |
| Total for all SEPs |  | 65               | \$3,655,447                          |

## Environmental Justice Focus

### Background

Over the last year, the Enforcement Division continued to coordinate its efforts with federal, State, and local enforcement agencies, as well as with local community groups and activists, to improve the quality of life for people living in neighborhoods that are particularly vulnerable to air pollution.

Using CalEnviroScreen, California has identified disadvantaged communities impacted by air pollution and a variety of other pollution sources. Since 2015, CARB has designated a team to address concerns about a lack of enforcement in the most impacted disadvantaged communities. The team regularly attends community meetings across the state, including in the Bay Area, Los Angeles region, San Joaquin Valley, Imperial Valley, San Diego, and Oakland.

In 2017, staff expanded its relationship with community representatives by establishing a greater Tribal community presence and attending monthly community meetings in Jurupa Valley, located in the Inland Empire. Staff is looking for more opportunities to engage with different community groups across the state.

Our goal in environmental justice meetings is primarily to strengthen the relationships with communities that have complex enforcement issues involving multiple pollution sources. Ongoing monthly meetings provide a venue for addressing community complaints through innovative networks, like the Identifying Violations Affecting Neighborhoods (IVAN) networks, with the California Environmental Protection Agency's (CalEPA) boards and local departments. The meetings also provide a platform where CARB can work collaboratively with other environmental agencies to educate communities on regulatory issues. This time spent with communities encourages creative thinking by government regulators and exposes regulators to problems that are not currently identified or addressed in policy or regulation.

### CalEPA Environmental Justice Initiatives

The CalEPA Environmental Justice Task Force (EJ Task Force) coordinates the compliance and enforcement work of CalEPA's boards, departments, and offices, targeting areas disproportionately impacted by health and environmental factors, to prevent and reduce burdens on those communities. The EJ Task Force relies on input received from its community-based partners to identify local environmental problems, which is used to direct the enforcement and compliance efforts.

What separates the CalEPA EJ Task Force from other enforcement-oriented task forces is its emphasis on community involvement. The task force seeks community input prior to the enforcement effort. Engagement with the community continues in a "Report Back" meeting, where the environmental regulators discuss the qualitative and quantitative results of each initiative with the community members. When a community is represented by the task force, an implicit goal for CARB is to remain engaged with the community and continue to work collaboratively to understand and resolve air related complaints.



**CARB-SCAQMD discussing air-related inspections and results from Pomona initiative.**

CARB's role in the EJ Task Force is to identify mobile and stationary air quality related issues within a community and then to develop an enforcement action plan to address community concerns and achieve increased compliance with air quality requirements. In order to be effective, CARB coordinates with other State agencies, local air districts and other stakeholders to address air quality concerns related to illegal idling, fugitive dust, odor related issues, facility permitting concerns, and air monitoring requests.

*Oakland*

In March and April 2017, the EJ Task Force selected two disadvantaged communities in Oakland—East Oakland and West Oakland—for a focused environmental enforcement and regulatory compliance initiative. Industry, major freeways, and a port surround Oakland, resulting in concentrated diesel truck traffic. Diesel particulate matter (PM) has significant health impacts associated with emissions from diesel vehicles, including premature death, cancer risk, respiratory illnesses, and increased risk of heart disease. In response to community concerns related to heavy-duty diesel truck traffic, CARB coordinated with the California Highway Patrol to conduct roadside and roaming truck inspections. CARB inspected 48 trucks at locations identified by the East and West Oakland communities, resulting in CARB issuing three citations for inadequate emission controls in the vehicles. In addition, CARB inspected off-road diesel vehicles at the Port of Oakland, resulting in two investigations that are currently under review. CARB also followed up on identified sites where residents expressed concern about trucks shifting cargo – known as dray-off.

Table 2 below summarizes all of the CARB inspections conducted as a part of the Oakland initiative, which included inspections of consumer products, composite wood, refrigerant management facilities and transportation refrigeration units, ocean-going vessels, and cargo handling equipment (CHE).

**Table 2 – Inspection Results for Oakland Compliance Initiative**

| Inspection Type                         | Number of Inspections | Citations Issued | Compliant | Samples Under Evaluation | Case Initiated or Follow Up Needed |
|---|-----------------------|------------------|-----------|--------------------------|------------------------------------|
| Heavy-duty Diesel Vehicles              | 48                    | 3                | 45        | -                        | -                                  |
| Off-Road Diesel Equipment               | 56                    | 5                | 49        | -                        | 2                                  |
| Chemically Formulated Consumer Products | 25*                   | -                | -         | 15                       | -                                  |
| Composite Wood                          | 3                     | -                | -         | 3                        | -                                  |
| Refrigerant Management Program          | 37                    | -                | 37        | -                        | -                                  |
| Ocean-going Vessels                     | 11                    | -                | 11        | -                        | -                                  |
| Cargo Handling Equipment                | 3                     | -                | 3         | -                        | -                                  |
| Transport Refrigeration Unit            | 1                     | -                | 1         | -                        | -                                  |

\*Not all inspections resulted in sample collection

The Bay Area Air Quality Management District (BAAQMD), in cooperation with CARB and other regulatory agencies, inspected seven facilities in Oakland. No air quality violations were observed by BAAQMD staff at the facilities, but one unregistered front-end loader was found at a scrap metal and recycling facility that has since been registered.

Through the EJ Task Force and through continued involvement in Oakland, CARB has initiated an effort to identify the source of East Oakland residents' complaints of unidentified metallic odors in their neighborhood and associated health impacts such as headaches, eye irritation, and nausea. To accomplish this, CARB and BAAQMD initiated an air monitoring study to respond to odors experienced by the East Oakland residential community. CARB worked with BAAQMD and University of California, Davis (UC Davis) researchers to develop a community-level air monitoring plan to try to identify the sources of the metallic odors and other air pollutants.

Through its Community Grants Program, BAAQMD funded the Oakland Metallic Aerosol Study. As a part of the study, UC Davis researchers deployed a variety of sampling instruments, including Davis Rotating-drum Unit for Monitoring (DRUM)-style impactors to characterize metallic constituents of aerosols in real-time by size fraction. The DRUM samplers collected PM samples continuously for six weeks. UC Davis researchers are still analyzing the results, using advanced analytical techniques to measure mass (beta-attenuation) and elemental concentrations (synchrotron-induced X Ray fluorescence) of the DRUM samples. CARB supplemented the study with meteorological and PM sampling equipment.

CARB also deployed a vehicle equipped with air monitoring equipment to identify and measure pollutants, including ozone, PM, carbon monoxide, nitrogen oxides (NOx) and sulfur dioxide. In addition, CARB collected volatile organic compound samples at two community locations.



**Site 1 – DRUM sampler on a roof in East Oakland.**



**Site 2 – DRUM sampler on a roof in East Oakland.**

Based on CARB's measurements, PM<sub>2.5</sub> and PM<sub>10</sub> were found to be below annual and 24-hour air quality standards for PM, and diesel PM concentrations were below the Office of Environmental Health Hazard Assessment's chronic reference exposure level for diesel PM. Hotspots of black carbon, PM<sub>2.5</sub>, and ultra-fine particulates were observed on some major roads and at intersections, and are most likely associated with traffic emissions and did not appear to be associated with facility emissions or any odor source.

The UC Davis dataset is currently under evaluation and should be finalized in the summer of 2018. CARB and UC Davis datasets will be analyzed to develop an understanding of the local emission sources and to determine if additional air monitoring by BAAQMD or CARB is needed to identify the source of the odors that concern the community. Acknowledging that odor issues can be difficult to identify and mitigate, CARB is committed to continuing its work through regulatory and advisory roles with local and federal partners to help improve air quality and public health in this area, and is hiring a consultant to assist in the second phase of the investigation.

### *Pomona*

The CalEPA EJ Task Force selected Pomona for the second focused environmental enforcement and regulatory compliance initiative in 2017. As a part of this initiative, CARB coordinated with the California Highway Patrol to conduct roadside and roaming truck inspections. We inspected 300 trucks at 30 different locations, and issued a total of 68 citations, including citations for idling, inadequate emission controls on the vehicles, tampering, and labeling requirements. Residents expressed concerns about heavy-duty diesel truck traffic on Reservoir Street in Pomona, and over half of the citations issued during the inspections were found on that street. In addition, CARB Consumer Products Enforcement staff conducted inspections at four facilities for compliance with the composite wood regulation. CARB staff concluded that the facilities met regulatory requirements. In both Pomona and Oakland, staff shared information with concerned residents about how to identify whether trucks were idling illegally or not.

SCAQMD, in cooperation with CARB and other regulatory agencies, inspected ten facilities in the City of Pomona. Minor air quality violations were observed and addressed by SCAQMD staff at the facilities.

### Continuing to Expand Enforcement in Disadvantaged Communities

Moving forward in 2018, improving air quality in disadvantaged communities will continue to be a focal point in enforcement. CARB's efforts to help reduce community exposure have been an evolving process. To assist the agency in implementing Assembly Bill (AB) 617, the Enforcement Division is organizing a new section that will work closely with CARB's Office of Community Air Protection to develop and coordinate focused enforcement action plans in selected communities. AB 617 does not alter the traditional enforcement authority for CARB or the air districts, but does provide for an increase in civil penalties, with an enhanced penalty schedule. The enforcement provisions of the action plans should identify specific enforcement activities for each strategy, including any necessary coordination with CARB staff or other State or local agencies.

In response to AB 617, CARB's Monitoring and Laboratory Division (MLD) increased technical capacity to conduct additional community air monitoring and expand the suite of tools available for community air monitoring. This development creates new opportunities for MLD and Enforcement to collaborate and positions CARB to make better



use of advanced monitoring techniques to support successful community air monitoring and effective enforcement. To date, MLD has contributed equipment, field resources, laboratory analysis, and technical expertise to the Portable Equipment Acquisition System (PEAQs) program, and will continue to provide these resources for future community air monitoring studies. PEAQS is a roadside emission measurement system that can take an “emissions snapshot” of a passing truck. Paired with an automatic license plate reader, the data collected from PEAQS can be used as an enforcement tool to identify potentially noncompliant trucks operating around disadvantaged communities.

Community members can play an active role in enforcement activities. Residents of heavily burdened communities often have a strong understanding of the impacts of air pollution and air pollution violations in their community. CARB will continue to support multi-agency initiatives to focus on addressing air quality and multi-media violations in disadvantaged communities. This requires collaboration with local community leaders and residents to identify those sources that are affecting the community. To further expand community assistance with enforcement, CARB proposes to conduct enforcement training in communities, which could include using a mobile application that outlines statutory authority for key regulations and that provides community visible emission evaluation certification to help identify and verify potential emission sources.

CARB will also be expanding the SEP program to help support local efforts to address community air quality issues. CARB's program matches SEPs proposed by disadvantaged community groups with violators willing to fund those projects through a SEP. Through the Community Air Protection Program, community members may identify projects that would benefit their community. If the project meets requirements, it may be funded through the SEP program. Typical community SEP projects would include funding for school and residential air filtration upgrades or air monitoring and sampling equipment. This collaboration with communities is a powerful enforcement tool available to CARB in its mission to reduce emission exposures in the community.

## **2017 Enforcement Highlights**

### **Enforcement at Freight Facilities**

Freight movement in California accounts for 50 percent of statewide diesel PM emissions, 45 percent of NOx, and 6 percent of GHGs emitted in California. Reducing these emissions is particularly important to protecting public health in port communities heavily impacted by air pollution. CARB has adopted over a dozen regulations in the last decade to reduce emissions in and around freight facilities. Highlighted below are four programs that the Enforcement Division has focused on to help reduce emissions in and around port communities.



## Ocean-Going Vessels

Ocean-going vessels are one of the largest sources of emissions generated at California ports, which see approximately 8,000 ship visits per year. To address emissions generated from ocean-going vessels, CARB adopted two regulations – the Ocean-Going Vessel Fuel Sulfur Regulation adopted in 2008 and the Airborne Toxic Control Measure for Auxiliary Diesel Engines Operated on Ocean-Going Vessels At-Berth in a California Port (At-Berth Regulation) adopted in 2014. These regulations were adopted to address diesel PM, NOx, and sulfur oxides emissions associated with these ships while berthed at port or operating in Regulated California Waters.

### *Fuel Sulfur Regulation*

The Ocean-Going Vessel Fuel Sulfur Regulation requires ships to switch to cleaner burning distillate fuels containing no more than 0.1 percent sulfur prior to entering the 24 nautical mile regulated zone. Staff inspects ships, taking representative fuel samples from a sampling point closest to the main engine, evaluates ship fuel temperature logs, and reviews fuel switch over procedures. In 2017, staff conducted 324 inspections, closed 10 cases for fuel failing to meet the 0.1 percent sulfur limit, and assessed \$87,500 in penalties. This represents a 97 percent compliance rate in ships inspected in 2017.

CARB is the world leader in ocean-going vessel fuel sulfur enforcement. Enforcement Division staff have provided training to staff in China and Mexico on conducting ocean-going vessel fuel inspections and working closely with federal partners, including the U.S. Environmental Protection Agency (U.S. EPA) and Coast Guard.



**Staff collecting a fuel sample from an ocean-going vessel.**

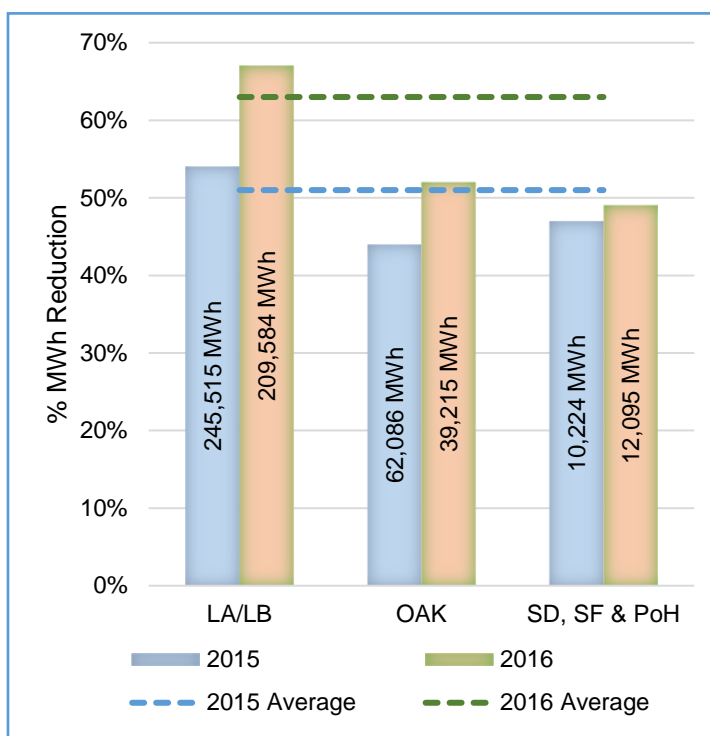
### *At-Berth Enforcement*

In 2014, CARB implemented the At-Berth Regulation to address diesel PM and NOx emissions associated with certain ocean-going vessels while berthed at port. The regulation requires container ships, refrigerated-cargo ships, and cruise ships to reduce their fleet's total onboard auxiliary engine power generation by connecting to shore power or an alternative technology when visiting a California port. The regulation increased in stringency from a 50% reduction requirement in 2014 to a 70% requirement in 2017.

CARB issued three advisories between 2014 and 2017 to address circumstances limiting the ability for ships to connect to shore power for reasons beyond the control of the vessel operators. Fleet operators who make the necessary investments in shore power equipment and show good faith efforts to comply are able to request an exception for certain visits where shore power connections were delayed or did not occur.

Enforcement staff conducts audits on every regulated vessel fleet to determine compliance with the regulation. Staff has conducted 128 fleet audits since 2014 consisting of more than 12,000 individual vessel visits. This includes 39 regulated fleets and 3,970 visits in 2016. The number of total fleets varies by year due to the minimum visit thresholds in the regulation. Fleets are required to submit annual visit information for each vessel in their fleets by March 1, demonstrating compliance for the previous year. CARB staff reviews each visit, cross-checks the data with visit information submitted by ports and terminals, and verifies Advisory requests and emergency events are properly documented. Advisory requests are granted if fleets were able to properly document the need for the exception.

**Figure 2 – Actual Megawatt Hour (MWh) Reductions Under the At-Berth Regulation**



\*Note: Ports include Los Angeles/Long Beach (LA/LB), Oakland (OAK), and San Diego (SD), San Francisco (SF), & Hueneme (PoH) combined

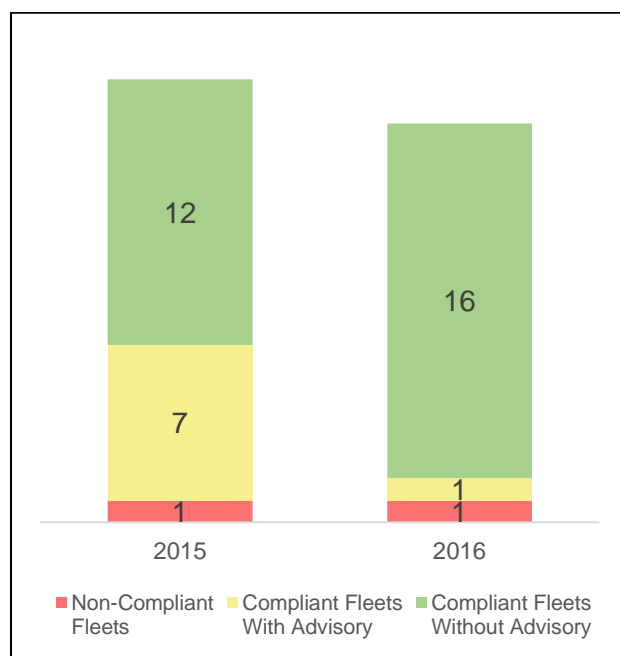
Our analysis shows that, on average, the goal of the regulation has been achieved across all ports, as shown in Figure 2, where the average megawatt hour reduction exceeds 50 percent. The percentage increased from 51 percent in 2015 to 63 percent in 2016, demonstrating fleets are improving their shore power connection rates. In 2016, by using electricity instead of fuel while docked, fleets reduced 4.3 tons per day of NO<sub>x</sub> and 0.066 tons per day of PM<sub>10</sub> emissions. Results also show the results vary by port, with some regions experiencing more benefits than expected, and others experiencing less benefits than expected.

Staff determines a fleet to have one of three compliance statuses:

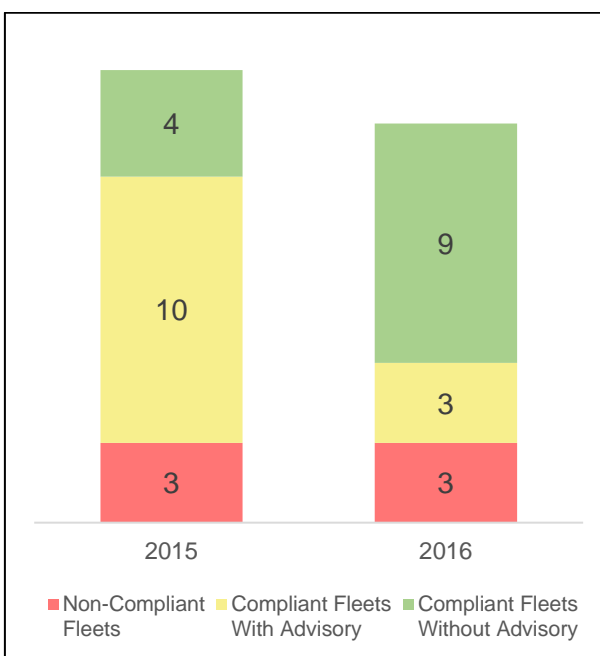
1. **Compliant without Advisory** – the fleet reduced its power generation by at least 50 percent before the Advisory was applied to all appropriate visits;
2. **Compliant with Advisory** – the fleet reduced its power generation by at least 50 percent, but only after the Advisory was applied to all appropriate visits; or
3. **Noncompliant** – the fleet failed to reduce its power generation by at least 50 percent, even with the Advisory applied to all appropriate visits.

Figures 3 and 4 below provide results of the audits for calendar years 2015 and 2016 at the Ports of Los Angeles and Long Beach, and Oakland. Overall, the audits identified one fleet in Los Angeles and Long Beach, and three fleets in Oakland that did not meet regulatory requirements. Staff is currently working with each of these fleets, shaded in red in the figures, to achieve compliance. Staff considers the fleets, shown in yellow below, compliant, when exceptions in the advisory are considered, even though these fleets did not meet the 50% reduction requirement. The number of fleets that need to use the advisories is decreasing, which indicates these fleets are learning how to address their compliance challenges. The number of compliant fleets, shaded green in the figures, increased between 2015 and 2016. These results indicate that while fleets met the overall goal of the regulation on a statewide basis, the compliant fleets are over-complying with the regulation, and this compensates for fleets that did not meet the 50% reduction requirement.

**Figure 3 – Distribution of Los Angeles/ Long Beach Fleet Compliance Status**



**Figure 4 – Distribution of Oakland Fleet Compliance Status**



\*Compliance statuses for all fleets are preliminary and subject to change

Through the audit process, staff determined the main reasons fleets submitted Advisory requests. As shown in Tables 3 and 4, the central causes delaying vessels to plug in or out of shore power (Scenario 3) were labor and equipment malfunction/failure. The primary reason vessels were unable to plug into shore power at all while at port (Scenario 1) was due to insufficient infrastructure, which includes berthing position, port congestion, and availability of shore power at berth, among other reasons. Improving compliance rates to achieve the goal of the regulation will require ensuring that all parties involved in providing and using shore power do their part to meet regulatory requirements. Enforcement and regulatory staff are working together on concepts to help assure higher compliance rates as the regulation increases in stringency. Staff is also auditing 2017 compliance reporting data that became available in early 2018.

**Table 3 – 2015 Statewide Advisory Requests**

|                                    |                   | <b>Scenario 1</b>                                    | <b>Scenario 2</b> | <b>Scenario 3</b>                                       | <b>Scenario 4</b>              |
|------------------------------------|-------------------|--|-------------------|---|--------------------------------|
|                                    |                   | Equipped vessel not able to receive power from shore | Commissioning*    | Vessel connected but operated engines more than 3 hours | Use of Alternative Technology* |
| <b>Total Requests:</b>             |                   | <b>327</b>   | <b>155</b>        | <b>700</b>  | <b>27</b>                      |
| <b>Categories for Scenario Use</b> | Infrastructure    | 211  | -                 | 25  | -                              |
|                                    | Equipment         | 73   | -                 | 205   | -                              |
|                                    | Labor & Clearance | 4  | -                 | 411   | -                              |
|                                    | Construction      | 23   | -                 | -   | -                              |
|                                    | Other             | 16   | -                 | 59  | -                              |

\*These Scenarios do not have subcategories.

**Table 4 – 2016 Statewide Advisory Requests**

|                                    |                   | <b>Scenario 1</b>                                    | <b>Scenario 2</b> | <b>Scenario 3</b>                                       | <b>Scenario 4</b>              |
|------------------------------------|-------------------|--|-------------------|---|--------------------------------|
|                                    |                   | Equipped vessel not able to receive power from shore | Commissioning*    | Vessel connected but operated engines more than 3 hours | Use of Alternative Technology* |
| <b>Total Requests:</b>             |                   | <b>284</b>   | <b>134</b>        | <b>465</b>  | <b>127</b>                     |
| <b>Categories for Scenario Use</b> | Infrastructure    | 206  | -                 | 15  | -                              |
|                                    | Equipment         | 63   | -                 | 92  | -                              |
|                                    | Labor & Clearance | 3  | -                 | 238   | -                              |
|                                    | Construction      | 2  | -                 | -   | -                              |
|                                    | Other             | 10   | -                 | 120   | -                              |

\*These Scenarios do not have subcategories.

### Cargo Handling Equipment

The Cargo Handling Equipment Regulation was adopted in 2005 and requires that best available control technology be implemented for both new and existing diesel-powered CHE at California ports and intermodal rail yards, either by retrofitting with a PM filter, replacing with an engine meeting current U.S. EPA emission standards, or retiring CHE. As of December 2017, close to 100 percent of the approximately 5,000 CHE engines at California ports and rail yards are compliant with the engine certification standards of the CHE regulation. The high compliance rate from 2012 - 2017 was achieved through an aggressive inspection program which led to ten enforcement cases and included approximately 500 pieces of noncompliant diesel fueled CHE equipment. The success of this program is attributed, in part, to having a manageable number of regulated entities that enforcement and program staff can work directly with at each of the roughly 100 regulated facilities.

In 2017, staff resolved five CHE cases, assessing \$3,226,250 in penalties. Moving forward, staff will be focusing its efforts on enforcing the opacity testing requirements adopted under the 2011 amendments. Preliminary audits in 2017 indicate a fairly high compliance rate with the opacity testing. Notices of Violation will be issued for facilities that fail to test their equipment or take pieces of equipment that fail the opacity test out of service until they are repaired.

### Rail Yards

For years, UP and BNSF had not met their obligation to comply with Drayage Truck Regulation requirements by not reporting complete and/or accurate noncompliant truck information to CARB. CARB conducted thorough investigations and issued Notices of Violation to both companies. CARB assessed total penalties across both companies of \$1,245,000, with BNSF contributing \$625,000 to the SCAQMD School Air Filtration Project.

## **Statewide Diesel Enforcement**

CARB's diesel fleet regulations are designed to protect public health from diesel PM and provide the NOx reductions necessary to attain federal air quality standards. Since 2000, CARB adopted and implemented six regulations impacting heavy and medium-heavy duty diesel vehicles. The most recent and far reaching regulation for reducing the emissions for heavy-duty diesel trucks and buses is the Truck and Bus Regulation, adopted in 2008, with over 1 million vehicles subject to its requirements. With over half a million heavy-duty diesel trucks on the road each day in California, and an average compliance rate of 70 percent, enforcement of this regulation has many challenges. Staff's enforcement efforts continue to evolve to meet this challenge.

### Statewide Truck and Bus Regulation Enforcement

The Truck and Bus Regulation requires heavy-duty diesel trucks that operate in California to install diesel particulate filters or replace older engines with cleaner engine technology on a phased-in schedule based on the model year of the engine. Initial enforcement of the Truck and Bus Regulation began in 2012 and was performed through an audit process. Staff initiated investigations through referrals, complaints, and field observations. Staff would send fleet owners an initial audit letter which initiated a lengthy and cumbersome process of gathering information about the fleet, with the audit taking up to several years to complete.

For the past several years CARB has reported on industry-wide compliance rates for heavy trucks subject to the Truck and Bus Regulation. Staff updated this analysis in early 2018. The results are shown in Table 5, and described in greater detail in Appendix I. Results show the overall compliance rate for heavy trucks is 74%, which is incrementally improved from last year. Compliance rates are lowest for smaller fleets (66%) and highest

for large fleets (91%). This is the first year we are able to report compliance rates for lighter trucks subject to the regulation - the compliance rate for lighter trucks is 88%. Overall there are more than 57,000 heavy trucks and nearly 25,000 light trucks registered in California that are not compliant with the regulation. There are also almost 260,000 trucks in fleets registered in other States that report mileage in California and appear to be non-compliant. Our inspections at weigh stations near the southern border average a 71% compliance rate, while the northern border show an average compliance of 85%. This indicates that we need increase our efforts at border crossings in Southern California.

**Table 5 – Truck and Bus Compliance Rates**

| Registration    | Fleet Size (Trucks) | Heavy Trucks   |                 | Light Trucks  |                 |
|-----------------|---------------------|----------------|-----------------|---------------|-----------------|
|                 |                     | Non-compliant  | Compliance Rate | Non-Compliant | Compliance Rate |
| California      | 1-3                 | 29,876         | 66%             | 17,277        | 78%             |
|                 | 4-20                | 18,153         | 75%             | 4,893         | 88%             |
|                 | 21-100              | 5,769          | 87%             | 1,139         | 93%             |
|                 | >100                | 3,464          | 91%             | 1,430         | 95%             |
| <b>Total CA</b> |                     | <b>57,262</b>  | <b>77%</b>      | <b>24,739</b> | <b>85%</b>      |
| Other States    | All                 | 257,768*       | 73%*            | 1,019*        | 98%*            |
| <b>Total</b>    | <b>All</b>          | <b>315,030</b> | <b>74%</b>      | <b>25,758</b> | <b>88%</b>      |

\*Interstate fleet registration information indicates noncompliant trucks in a fleet, but does not establish operations in California.

Understanding the extent of noncompliance with the Truck and Bus Regulation and the large number of regulated entities, staff began reevaluating its enforcement approach in an effort to improve efficiency and effectiveness. Staff developed the “Smart Audit” approach in 2015. In this approach, staff processed data from vehicle registration databases, compliance reporting databases, and inspection databases to identify potentially noncompliant fleets and prioritize them for enforcement action. Staff refined the approach throughout 2016 and fully implemented the approach in early 2017. Staff analyzed implementation results in mid-2017; results indicated that while the approach successfully increased the overall number of investigated companies and noncompliant trucks, it did not dramatically reduce the amount of time necessary to close each case, as had been envisioned.

In April 2017, the Governor signed Senate Bill 1 (SB1) into law which included a provision that, beginning in 2020, a vehicle must demonstrate compliance with the regulation before it can be registered with the Department of Motor Vehicles (DMV). While this provision is critical to achieving the emissions reductions envisioned by full implementation of the Truck and Bus Regulation, the number of noncompliant vehicles that could be denied



registration in 2020 presents a challenge. In an effort to bring as many of these vehicles into compliance as quickly as possible, CARB reexamined and refined Truck and Bus Regulation enforcement methods in late 2017 to further streamline enforcement efficiency. In January 2018, staff implemented a revised process and the initial results are encouraging. Enforcement Division staff have investigated 2,797 fleets (comprised of 6,849 vehicles) using the refined process as of May 1, 2018, compared to 595 fleets investigated in 2017.

The streamlined enforcement mechanism builds on the Smart Audit data analysis approach and operates on a more expedited timeline. Staff prioritizes fleets based on their level of non-compliance, and sends a Notice of Noncompliance (NC) letter that documents non-compliant vehicles in the fleet. Staff provides the recipient 30 days to



**Field staff conducting a truck inspection.**

respond to CARB's allegations and demonstrate that the vehicles are in compliance or to request additional time (maximum of three months) to come into compliance.

Fleets that do not respond to the NC letter or have otherwise failed to demonstrate compliance within the timeframe specified in the NC letter are issued a Notice of Violation letter (NV), with

another 30-day requirement for providing records to prove compliance. Staff issues a DMV registration hold and assesses a penalty for each noncompliant vehicle in their fleet if that fleet fails to respond or to demonstrate compliance within the specified timeframe.

In most cases, a responding party will choose to resolve the violations through the mutual settlement process defined in the Enforcement Policy. However, if a vehicle owner believes that CARB issued the NV letter in error, the vehicle owner may work with staff to resolve the compliance status or request an administrative hearing with an Administrative Law Judge. The Administrative Law Judge will decide if the vehicle complied with the Truck and Bus Regulation. If the Administrative Law Judge decides that the vehicle does not comply with the Truck and Bus Regulation, the judge will assess a penalty that must be paid and the vehicle must be brought into compliance with the Truck and Bus Regulation before registration holds will be released.

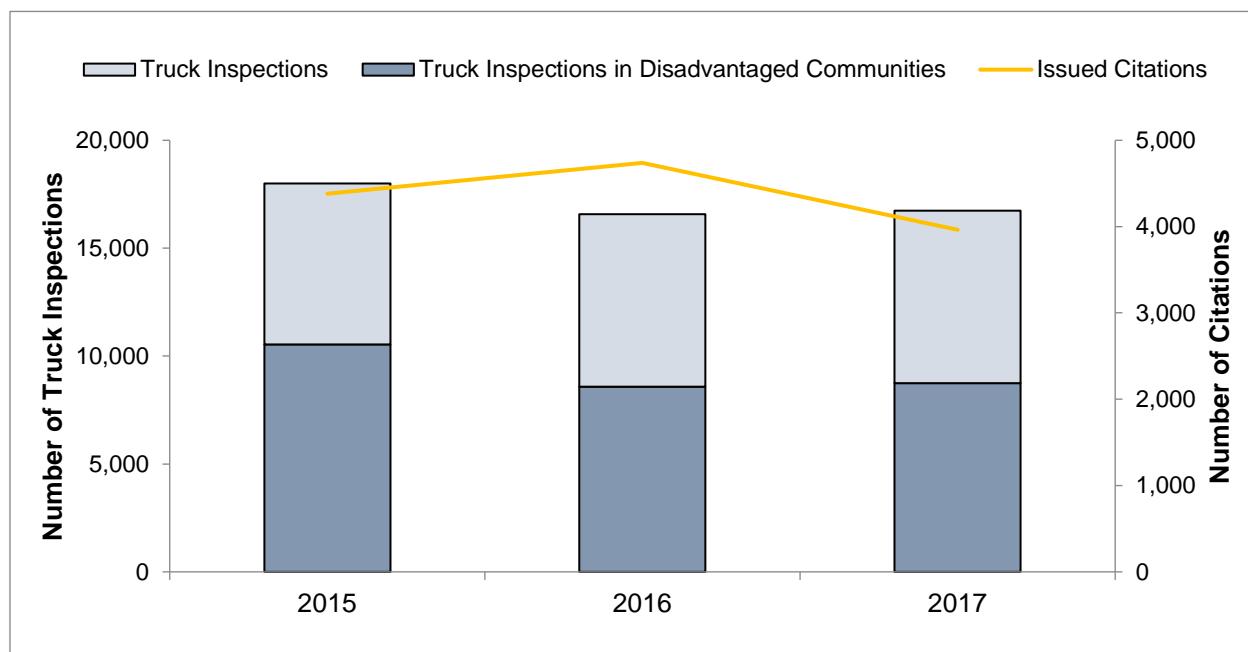
This process will continue to be refined as it is implemented and is expected to significantly reduce the number of noncompliant California registered trucks operating in California. Staff will also continue to conduct more comprehensive audits of larger fleets and those suspected of fraudulent reporting.

## Field Enforcement and Citations Processing

A critical component of the diesel enforcement program is having field inspectors across the state inspect trucks and other equipment for compliance with CARB's diesel regulations, such as the Heavy-Duty Vehicle Inspection Program, Solid Waste Collection Vehicle, Drayage Truck, Statewide Truck and Bus, Tractor-Trailer Greenhouse Gas, and Transport Refrigeration Unit. Field inspectors also conduct inspections for compliance with Public Agencies and Utilities (PAU), In-Use Off-Road, and School Bus Idling regulations. CARB inspectors examine heavy-duty vehicles and equipment at numerous locations throughout California, such as at California Highway Patrol scale facilities, warehouses, fleet yards, construction sites, random roadside locations, truck stops, rest areas, ports, and rail yards.

Overall, the program is achieving its goal of deterrence from noncompliance through strong field enforcement presence. There has been an average of 17,000 inspections conducted each year since 2015, with over 50 percent of the inspections conducted in disadvantaged communities (Figure 5). In 2017, Enforcement Division staff issued 3,963 citations. These citations were issued across all programs, with 1,499 (38 percent) for Heavy-Duty Diesel Truck and Bus violations, 921 (23 percent) for Off-Road Vehicles, 783 (20 percent) for TRU violations, and the remaining 760 (19 percent) for all other diesel programs.

**Figure 5 – Number of Truck Inspections Conducted and Citations Issued Statewide 2015 - 2017**





In 2017, staff closed approximately 1,400 citations for over \$1.1 million in penalties. Although staff issued approximately 4,000 citations, difficulties remain with closing citations in certain programs, such as trucks licensed outside of California, TRUs, and off-road vehicles. Programs that have enforcement leverage, such as holds on vehicle registrations if a company fails to respond, have higher citation closure rates.

Moving forward, staff is focused on doing a complete review of the field inspection process, including inspection priorities for programs with high noncompliance rates, such as trucks licensed out of state, and the entire citations closing process. The goal is to create a process to deploy field inspectors to target high priority areas, such as Border inspection facilities, warehouses, freight hubs, and programs with high non-compliance rates, such as TRUs and off-road vehicles. In addition, enforcement staff will continue to work with program staff to increase our enforcement leverage and will expand the use of administrative hearing processes to close out more citations.

#### Partnering with other agencies

To expand our enforcement reach, CARB enters into inter-agency agreements with other public agencies. Many of these agreements authorize other agencies to enforce our regulations. Partnering with other enforcement agencies is a successful mechanism of increasing enforcement for our diesel enforcement programs across the state. Currently, CARB has four signed agreements with other agencies to enforce elements of the State's diesel regulations. A list of these agencies, as well as agencies that enforce stationary source regulations on CARB's behalf, is provided in Appendix K.

#### *San Joaquin Valley Air Pollution Control District (SJVAPCD)*

Beyond agreements to authorize CARB enforcement by local agencies, the Enforcement Division is also partnering with SJVAPCD on a pilot program to assist low-income truck owner/operators in paying for emissions-related repairs. The Legislature appropriated one million dollars from the 2016-17 State budget to fund a heavy-duty vehicle repair assistance pilot project. The focus of the pilot is to determine whether a heavy-duty vehicle inspection and maintenance program ("smog check" program for heavy-duty trucks) should incorporate a repair assistance component. The program could potentially provide financial assistance for the repair of heavy-duty vehicle emissions systems owned and operated by low-income small businesses.

SJVAPCD will manage the program on behalf of CARB and offer the program to qualified truck owners in the San Joaquin Valley. SJVAPCD will strategically solicit heavy-duty truck owner participation. Once an owner confirms their interest to participate in the program, SJVAPCD would refer them to a pre-approved repair shop that agrees to document the pre-test, diagnosis, repair strategy, post-test, overall repair time, and cost breakdown. This information could ultimately inform CARB and others if a future heavy-duty inspection and maintenance program should include a repair assistance program, and if so, how the program might operate. Over the years, a similar program operated by the Bureau of Automotive Repair has paid for millions of dollars in vehicle emissions

repairs for low-income drivers to help ensure the successful implementation of the light-duty Smog Check program, suggesting that a similar assistance program for heavy-duty vehicles could also support compliance.

## Clean Fuels Regulations

### Conventional Fuels and Vapor Recovery Enforcement

California's fuel regulations are intended to protect air quality and reduce GHG emissions. CARB continues to effectively enforce its reformulated fuels programs, achieving a high compliance rate for regulated motor vehicle fuels, including California reformulated gasoline (CaRFG) and diesel fuel, and cargo tank vapor recovery systems. The program's enforcement activities include sampling and testing of fuel produced or imported for use in California, and sampling and testing of fuels at key distribution nodes and retail service stations. Additional enforcement activities include evaluation of compliance data submitted by regulated entities, registration of fuel distributors and oxygenate blenders, registration and inspection of cargo tanks, investigation of violations, and resolution of these cases.

Based on inspections, CARB has maintained a compliance rate greater than 99 percent across the industry. In 2017, a reported 15 billion gallons of gasoline and 4 billion gallons of diesel were produced and distributed into commerce. A total of 481 inspections were conducted and 1,650 samples collected, representing the 13 production centers (refineries), about 100 distribution nodes (terminals and bulk plants), and about 10,000 retail gasoline stations throughout California. Refineries, terminals, and imports were found to respectively have 100, 99, and 98 percent compliance rates with CaRFG regulations. The fuel samples collected are representative of about 14 percent of the fuel sold in California on an annual basis. CARB received and reviewed 3,729 formulation reports submitted by producers and importers of gasoline and diesel with a 100 percent compliance rate for CaRFG reporting requirements.



In 2017, 439 cargo tanks were inspected for proper certifications. A total of 91 pressure tests were performed at various loading racks throughout California with a 92 percent compliance rate.

### BP Case Litigation

For many years, CARB has actively enforced clean fuels requirements through mutual settlement. However, in 2009, British Petroleum West Coast Products supplied approximately 64 million gallons of fuel that exceeded the reported total aromatics from its Cherry Point facility. California's Motor Vehicle Fuel Regulation allows gasoline supplied within the state to contain aromatics in accordance with producer/importer specifications. Enforcement staff discovered the violation through routine inspections and sampling. The California gasoline from ten vessel shipments was analyzed and found to exceed their respective Predictive Model total aromatics content limits. The Phase 3 Predictive Model is used to evaluate the emission equivalency of candidate fuel blends against the predicted emission for a gasoline meeting regulated limits. The noncompliant fuel involved 76 marine vessel compartments of fuel plus 23 violations for service station retail sales. These violations occurred as a result of erroneous aromatics readings from BP's laboratory equipment due to improper sample preparation. Staff was unable to reach a mutual settlement with BP, and referred the case to the Attorney General's Office.

In October 2017, after trial, the court in Contra Costa County issued a judgment finding BP was negligent in producing California fuel at a Washington State refinery and imposed a penalty of \$2.5 million dollars. This is the largest penalty in the history of the fuels enforcement program. Resolution of the BP Case has affirmed the fuels program's enforceable regulations, demonstrated CARB's commitment to resolve a case beyond mutual settlement, and validated CARB enforcement of a fuels regulation provision that imposes additional penalties for noncompliant fuel supplied to retail.

### Low Carbon Fuel Standard (LCFS) Enforcement

The LCFS Program's goal is to reduce the carbon intensity of a transportation fuel pool by at least 10 percent by 2020. To accomplish this goal, the LCFS regulation requires



Anaerobic digestion facility.

fuel suppliers to gradually reduce the lifecycle carbon footprint of the fuel it supplies each year. The lifecycle fuel footprint is quantified by a fuel's carbon intensity, which is the measure of GHG emissions associated with producing and consuming a fuel. Fuel suppliers can comply by either producing fuels that create fewer GHG emissions than petroleum-based fuels, or retiring credits purchased from innovative low carbon fuel producers.

In 2017, CARB worked to increase its enforcement presence across multiple fuel sectors, states, and countries, thereby reinforcing market confidence and stability, and ultimately encouraging the program's goal of bringing more renewable fuels to the market. To increase its presence in multiple fuel sectors, CARB enforcement and program staff completed 5 on-site inspections, 3 desk audits and 12 administrative credit adjustments of fossil and renewable fuel suppliers in 2017. During on-site enforcement inspections, CARB verified the fuel's lifecycle, from feedstock procurement to production and transportation, and compared that to what had been reported to LCFS.

In 2017, CARB settled two cases based on violations of the LCFS regulation: one, for violating the annual compliance obligation, where a fossil fuel producer failed to retire credits associated with their fuel; and another, for violating fuels lifecycle and carbon intensity requirements. Those cases are described below:

- **Kern Oil and Refining Co.**

Kern Oil and Refining Co., an independent oil refining and marketing company, produced renewable diesel fuel under conditions that deviated from its LCFS approved lifecycle. This action resulted in over 1,622,000 gallons of misreported fuel from 2013 through 2015, in violation. The violation was discovered during a CARB inspection and review of records. Kern Oil and Refining Co. was fined for inaccurate reporting of fuel type, and in addition to the fine, CARB invalidated credits associated with the misreported batches of fuel.

- **SK Energy Americas**

The regulation requires that fuel suppliers annually meet a clean fuel target for the vehicle fuels they sell in California. If an individual fuel they supply is below that annual target, its carbon emissions are lower and it generates marketable credits for the producer; fuels above that number generate deficits. If producers are unable to supply enough low-carbon fuels in a year to meet the annual target, they must acquire credits from other fuel suppliers in the marketplace to make up the deficit. SK Energy Americas agreed to pay the \$393,000 penalty because it failed to cover its deficit in 2014.

CARB is proposing to amend the LCFS starting in 2021 to require fuel producers to reduce emissions an additional 20 percent by 2030. The amendments would also bring more alternative fuels, such as jet fuels, into the program and add a third-party verification program. Another proposed amendment would create a variety of credits and partial credits for vehicle electrification to promote development of electric vehicle infrastructure called for in Governor Brown's Executive Order B-48-18. As the program becomes more stringent, CARB will continue to increase its presence through onsite inspections and desk audits of a fuel's lifecycle carbon intensity.

## Aftermarket Parts and Vehicle Enforcement

Vehicles and engines sold in California are certified to emissions standards that assure low emissions over the useful life. All emission critical parts offered for sale, sold, or installed on certified vehicles are required to be an original equipment manufacturer part, an aftermarket direct replacement part, or an add-on or modified part that has been examined by CARB and issued an aftermarket part Executive Order exempting that part from California's anti-tampering laws.

One of CARB's enforcement programs targets the illegal sale and use of aftermarket parts. Since 2012, violations of these standards have resulted in 40 legal actions against suppliers of aftermarket parts who illegally sold uncertified parts for vehicles that were used on public highways for non-racing purposes. In 2017, CARB settled several high profile cases against well-known aftermarket distributors who were introducing and selling aftermarket parts into California that had not been exempted by CARB. Those cases are described below.

- **Western Power Sports, Inc.**

Western Power Sports, Inc. is an Idaho-based distributor of off-road performance parts for dirt bikes, all-terrain vehicles (ATV), and personal watercraft. The company sold approximately 514 on- and off-road parts (used in motorcycles, ATVs, and personal watercraft) in California that did not receive the exemption Executive Orders to legally sell and distribute them in California. The company agreed to voluntarily implement a buyback program to purchase these illegal parts back from California consumers. The settlement agreement provided that the company pay a total of \$257,000 in civil penalties for violating the aftermarket parts regulation. Of this amount, \$64,250 was applied to the "Installation of Air Filtration Systems in Schools" SEP, a program administered by SCAQMD. This case shows that not only do distributors have culpability and liability in the retail chain of aftermarket parts, but CARB has been, and is, successful in pursuing violations against companies that reside out of California.

- **JEGS Automotive, Inc.**

JEGS, located in Ohio, is one of the largest online and catalog aftermarket parts retailers in the country. Starting with a tip from the public, CARB started investigating JEGS and in December of 2014, CARB sent a cease and desist letter to JEGS requiring that they provide records of all sales of emission-related aftermarket parts in California. An exhaustive and thorough review of these documents identified non-exempted parts sales into California, and the resolution is based on 6,802 different part stock keeping units (SKU). CARB's investigation revealed that from 2011 to 2014, JEGS advertised and sold in California, modified



**Illegal use of aftermarket parts resulting in excess emissions.**

aftermarket performance parts such as engine programmers, air intake systems, and throttle bodies that were not approved by CARB for use on highway vehicles. Many of these products can reduce fuel economy and increase emissions. A large retailer like JEGS can sell thousands of SKUs from many different manufacturers, so the emissions reductions are very significant when a distributor such as JEGS is brought into compliance and remains in compliance.

CARB and JEGS agreed to a settlement in the amount of \$1,700,500. The penalty is the largest in CARB history for a case involving aftermarket parts. The settlement provided that 50 percent be allocated to two different Supplemental Environmental Projects - the "Installation of Air Filtration Systems in Schools," administered by SCAQMD, and the "Installation of Air Filtration Systems in Schools", located around the Roseville Rail Yard, administered by the Placer County Air Pollution Control District. The remaining 50 percent of the settlement, \$850,250, went to the Air Pollution Control Fund.

In addition to the active aftermarket part enforcement program, the Enforcement Division has long-standing enforcement programs focusing on vehicle and engine certification. Investigations typically involve non-certified engines, equipment, or vehicles sold in California illegally, or violations of the certification process. The following is a representative vehicle case resolved in 2017 that also had aftermarket part violations:

- **Bombardier Recreational Products, Inc. (Bombardier)**

Bombardier, located in Montreal, Quebec, is an established, large, off-highway recreation vehicle manufacturer. In 2013, the Enforcement Division staff initiated an investigation of Bombardier as a result of a tip from U.S. EPA. It was discovered that the emissions certification applications filed with CARB for Bombardier Can AM 450 model ATVs (model years 2008-2009) failed to disclose that Bombardier programmed into the engine control module an auxiliary fuel/timing software map. The auxiliary map allowed ATV owners to access a high performance racing program by cutting a pink wire attached to the module. Once the pink wire was cut, the ATVs were no longer in their CARB-certified configuration, and therefore were in violation of H&SC sections 43151-43153 (H&SC §§ 43151-43153). Bombardier reported selling approximately 600 ATVs with the auxiliary map to California consumers. Bombardier also provided 513 non-exempt aftermarket performance kits nationwide to be used with the pink wire modification. That kit was a violation of California's anti-tampering rules.

This case was referred for litigation and resulted in a Stipulated Judgment of \$783,000. Bombardier took prompt action and was cooperative. The monies were split between the California Air Pollution Control Fund (\$587,250) and the San Joaquin Valley School Bus Supplemental Environmental Project (\$195,750).



### Racing Vehicles and Parts

While CARB has an active enforcement program designed to deter violations of the emissions certification standards and tampering, challenges still exist regarding certified vehicle requirements, existing aftermarket regulations, and California's racing vehicle exemption. Any vehicle registered in California or operating on a California highway – which includes public streets, dirt roads, and off-road parks – must maintain emissions controls as originally certified, or use aftermarket parts that are exempted from California anti-tampering laws. While these requirements have been on the books for years, they are often ignored or misunderstood by parts manufacturers, distributors, retailers, and vehicle owners. In many instances, a product is represented for off-road and/or racing use only, but that product was developed and offered for a specific certified vehicle model. Simply labeling a part, "For Racing Use Only" does not limit liability, especially when those representations do not match the product application, intent, or advertising. It is illegal to sell a performance aftermarket part for a certified vehicle or modify a vehicle's emissions system with a performance aftermarket part unless the vehicle will only be used for racing and never driven on a public highway. A violation occurs if that product is found in a non-racing use. Manufacturers, wholesalers, distributors, retailers, and end-users are all strictly liable for violations. Most, if not all, of these manufacturers and sellers of aftermarket parts are aware of the law.

While CARB's active enforcement program targeting these racing parts has resulted in 40 legal actions and \$9 million in penalties since 2012, more must be done to reduce tampering, illegal vehicle use, and the corresponding significant increase in emission of harmful air pollutants that cause smog and public health impacts. Based on information gathered through previous enforcement cases and data review to estimate tampering, CARB estimates roughly one half to 1 percent of the car and light truck fleet is tampered. With the tampering and/or removal of highly effective emission control equipment, each



of those vehicles can emit at ten times the emissions standard, thus one can estimate that emissions from all cars may increase at least 5 to 10 percent as a result of tampering. That could result in at least 15 tons per day of reactive organic gases (ROG) and NO<sub>x</sub> in California. Similarly, of the 715,000 on-road motorcycles registered and operating in California, the

information gathered shows a potential tamper rate of 30 percent. That tamper rate correlates to a potential emissions impact of 10 times the emission standard for each tampered motorcycle and potential total emissions increase by 270 percent, or as much as 60 tons per day of ROG and NO<sub>x</sub> statewide. These potential impacts are significant and indicate an area of future focus for enforcement.

While traditional enforcement has yielded success, and recent legislation has significantly increased penalties for tampering violations, CARB is interacting with stakeholders and the industry to promote further awareness and outreach about the significance of the issue. CARB staff is engaged in a public process to comprehensively address the excess emissions and unfair marketplace created by illegal sales and uses of aftermarket parts and vehicles in California. The goal of this public engagement is to clarify legal requirements and clearly communicate those requirements to manufacturers, wholesalers, distributors, retailers, and end-users to increase compliance with California emissions standards. The approach will result in the development of enforcement advisories and regulatory amendments, enhanced field enforcement to reduce demand for illegal aftermarket parts, and efforts to expand supply of certified performance parts.

Through these actions CARB will help industry achieve compliance with vehicle and parts certification requirements in California and reduce excess emissions while preserving the market for true racing vehicles and performance parts for racing applications.

### **Stationary Equipment Refrigerant Management Program**

Beginning in March 2012, CARB implemented the Regulation for the Management of High Global Warming Potential Refrigerants for Stationary Sources, referred to as the Refrigerant Management Program (RMP). RMP establishes requirements to reduce statewide GHG emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high Global Warming Potential (GWP) refrigerant. Provisions of the regulation also impact companies and facilities that distribute and reclaim refrigerants, and persons who service refrigerant containing appliances. RMP requires facilities with refrigeration systems to conduct periodic inspections, promptly repair leaks, maintain service records on site, and report data to CARB's Research Division. Research Division staff maintains the Refrigeration Registration and Reporting System, referred to as R3, which is a web-based tool that facilitates the registration, reporting, and fee payment requirements of RMP.



**Refrigeration systems subject to the Refrigerant Management Program.**

CARB enforces RMP to reduce emissions of high-GWP refrigerants from leaking refrigeration equipment and the installation and servicing of refrigeration and air-conditioning appliances. In 2017, Enforcement Division staff focused on unregistered facilities with refrigerant systems having more than 50 pounds of high-GWP refrigerants. Enforcement Division staff contacted 214 facilities, conducted 64 inspections, and closed 108 investigations. Of the investigations resolved, 68 facilities were identified as exempt facilities, 38 cases resolved without penalty consistent with CARB's 2017 Enforcement Policy, and two cases became significant cases as described below.



### Minor Violation RMP Cases Resolved Without Penalty

The Enforcement Policy establishes a framework for resolving minor violations, with consideration for reducing penalties.

Criteria for minor violations include:

- There are no emissions impacts in excess of any applicable law or regulation;
- The violation does not impede CARB's ability to determine compliance with any emission standard;
- The violation has been corrected;
- The responsible party provides complete cooperation; and
- The violations are resolved expeditiously.

The amount of the penalty reduction depends on the extent of the following:

- Compliance history;
- CARB resources necessary to identify, process, and resolve the violation;
- Economic benefit of noncompliance; and
- Harm to the functioning of the regulatory program.

Accordingly, 38 cases involving small refrigeration system owners who failed to register with CARB were resolved without penalty. These 38 facilities quickly registered with CARB, after CARB alerted them of their obligations.

### Significant RMP Cases

Where necessary, CARB pursues enforcement actions against companies that fail to comply with the requirements of the RMP regulation. As described below, CARB staff resolved two significant violations, both with companies that failed to install automatic leak detection systems to monitor their large refrigeration systems for refrigerant leaks.

- **Windsor Quality Foods** (\$60,000)  
Windsor, located in Hayward, California, is a frozen food company with refrigeration systems having more than 2,000 pounds of high-GWP refrigerants. Windsor submitted incomplete annual reports and reported excessive leak rates for its refrigeration systems. Staff investigation discovered Windsor Quality Foods did not install automatic leak detection systems as required by the RMP regulation. Windsor came into compliance, installed an automatic leak detection system, and obtained maintenance contracts for its refrigeration systems. This case was settled for \$60,000.
- **D & T Foods, Inc.** (\$100,000 – Administrative Judgment)  
D & T Foods, Inc., located in Santa Clara, California, is a frozen seafood distribution company. CARB staff alleged that D & T Foods violated numerous provisions of the RMP regulation by failing to install an automatic leak detection system, failing to conduct periodic leak inspections, and failing to register and

report regulated refrigeration systems to CARB in accordance with the requirement of the RMP regulation. After failing to reach a negotiated settlement agreement, CARB filed for an administrative hearing. This Administrative Hearing process expedites resolution of alleged violations by allowing an administrative law judge to determine facts and assess a penalty, which is capped at no more than \$100,000. On June 21, 2017, the Hearing Officer issued an administrative order in favor of CARB and assessed a penalty of \$100,000.

### **Focus for 2018**

Staff is continuing to investigate cases, improve efficiency in enforcement programs, and coordinate rule development. These efforts include:

- **Continue to streamline the Truck and Bus Regulation enforcement process.** This work is closely linked to implementation of SB1, which ties truck registration in California to compliance with the Truck and Bus Regulation. Enforcement will identify potential violators through DMV registrations, notify potential violators, give violators an opportunity to prove compliance, and finally place registration holds on all trucks that do not comply with the regulation. This process is expected to significantly improve the current compliance rate.
- **Expand enforcement in disadvantaged communities.** Staff will continue to support the CalEPA EJ Task Force that has identified several communities as high priority for enforcement. These enforcement efforts encompass a multi-media approach and coordination amongst local and State agencies.
- **Focus enforcement in disadvantaged communities identified through the Community Air Protection Program.** Through the Community Air Protection Program, CARB enforcement staff will work as a team with local Air District staff to develop and implement an enforcement plan in each community. The plan will be tailored to address specific community issues and be informed by a baseline understanding of current enforcement efforts at each source in the community, as well as the concerns of local community members. Staff will also develop specific approaches to enhance complaint reporting, industry compliance, and enforcement-related community outreach within the community.
- **Expand enforcement of after-market parts regulations.** This includes expanding enforcement on parts claiming exemptions erroneously labeled as “competition vehicle only part.” Staff will conduct training and outreach to the industry clarifying the definition of competition racing vehicles through regulatory amendments. Enforcement staff will coordinate with U.S. EPA Region 9 for enforcement and targeting distributors and retailers of after-market parts.

- **Continue light-duty diesel investigations.** After the historic settlement with Volkswagen in 2016 and early 2017 for installation of defeat devices in light-duty diesel vehicles, staff has continued its investigations into additional companies suspected of similar violations. As these cases move forward and as appropriate, staff will update the Board and public on case status and potential resolutions.
- **Review of citations issuing and processing.** In 2018, staff will conduct a thorough examination of the process, and identify improvements to increase program effectiveness, including expanding the use of the Administrative Hearing Process to enforce judgments against noncompliant vehicle and equipment owners.
- **Enhance the enforceability of regulations.** Staff will continue to work on rule implementation, design, and amendments to ensure regulations are enforceable and maximize compliance.

## Appendix A

### 2017 Enforcement Program Statistics

| Program Category                         | Total Closed Enforcement Actions | Penalties Assessed <sup>a</sup> |                      | Total Penalties Assessed |
|--|----------------------------------|---------------------------------|----------------------|--------------------------|
|  |                                  | Judgments                       | Settlements          |                          |
| <b>Certifications</b>                    |                                  |                                 |                      |                          |
| <i>Indoor Air Cleaners</i>               | -                                | \$ -                            | \$ -                 | \$ -                     |
| <i>Vehicles<sup>b</sup></i>              | 1                                | \$ 783,000                      | \$ -                 | \$ 783,000               |
| <i>Engines</i>                           | 4                                | \$ -                            | \$ 84,987            | \$ 84,987                |
| <i>Parts<sup>c</sup></i>                 | 2                                | \$ -                            | \$ 1,957,500         | \$ 1,957,500             |
| <i>Portable Fuel Containers</i>          | -                                | \$ -                            | \$ -                 | \$ -                     |
| <b>Fuels</b>                             |                                  |                                 |                      |                          |
| <i>Fuels Specifications</i>              | 7                                | \$ 2,542,000                    | \$ 353,000           | \$ 2,895,000             |
| <i>Low Carbon Fuel Standard (LCFS)</i>   | 2                                | \$ -                            | \$ 483,000           | \$ 483,000               |
| <b>Stationary Sources</b>                |                                  |                                 |                      |                          |
| <i>Asbestos</i>                          | -                                | \$ -                            | \$ -                 | \$ -                     |
| <i>Refrigerant Management</i>            | 3                                | \$ 100,000                      | \$ 82,500            | \$ 182,500               |
| <i>Sulfur Hexafluoride</i>               | 2                                | \$ -                            | \$ 135,000           | \$ 135,000               |
| <i>Landfill Methane Control</i>          | -                                | \$ -                            | \$ -                 | \$ -                     |
| <b>Area Wide Sources</b>                 |                                  |                                 |                      |                          |
| <i>Consumer Products</i>                 | 25                               | \$ -                            | \$ 1,247,519         | \$ 1,247,519             |
| <i>Composite Wood Products</i>           | 3                                | \$ -                            | \$ 93,750            | \$ 93,750                |
| <b>Diesel</b>                            |                                  |                                 |                      |                          |
| <i>Diesel Fleet Investigations</i>       | 132                              | \$ 31,817                       | \$ 3,218,090         | \$ 3,249,907             |
| <i>Ports and Marine</i>                  | 18                               | \$ -                            | \$ 4,658,750         | \$ 4,658,750             |
| <b>Mandatory Reporting Requirements</b>  |                                  |                                 |                      |                          |
| <i>Mandatory Reporting Requirements</i>  | 3                                | \$ -                            | \$ 449,500           | \$ 449,500               |
| <b>Subtotal of Enforcement Cases</b>     | <b>202</b>                       | <b>\$ 3,456,817</b>             | <b>\$ 12,763,596</b> | <b>\$16,220,413</b>      |
| <b>Citation Program</b>                  |                                  |                                 |                      |                          |
| <i>Cargo Tank</i>                        | 8                                | \$ -                            | \$ 4,000             | \$ 4,000                 |
| <i>Dealer and Fleet Tampering</i>        | -                                | \$ -                            | \$ -                 | \$ -                     |
| <i>Recreational Marine Engines</i>       | -                                | \$ -                            | \$ -                 | \$ -                     |
| <i>Vehicle &amp; Parts</i>               | 38                               | \$ -                            | \$ 138,500           | \$ 138,500               |
| <i>Heavy-duty Diesel Inspection</i>      | 1,402                            | \$ -                            | \$ 1,122,314         | \$ 1,122,314             |
| <b>Subtotal of Enforcement Citations</b> | <b>1,448</b>                     | <b>\$ -</b>                     | <b>\$ 1,264,814</b>  | <b>\$ 1,264,814</b>      |
| <b>Total Enforcement Actions</b>         | <b>1,650</b>                     | <b>\$ 3,456,817</b>             | <b>\$ 14,028,410</b> | <b>\$17,485,227</b>      |

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

<sup>b</sup> Program Category Vehicles include Off-Highway Recreational Vehicle Program.

<sup>c</sup> An aftermarket part is issued an Executive Order, providing exemption from California anti-tampering law, if the part satisfies an CARB engineering evaluation. For more information, visit CARB's Aftermarket, Performance, and Add-On Parts Regulations webpage at <http://www.arb.ca.gov/msprog/aftermkt/devices/amquery.php>.

## Appendix B

### 2017 Field Operation Statistics

| Program Category            |  | Inspection Activity    |                       |                            | Pending Citations And NOV's on 01 Jan 2017 | Citation and NOV Dispositions |            |           | Pending Citations and NOV's on 31 Dec 2017 | Penalties Assessed   |
|-----------------------------|--|------------------------|-----------------------|----------------------------|--|-------------------------------|------------|-----------|--|----------------------|
|                             |  | Product Samples Tested | Inspections Completed | Citations and NOV's Issued |  | Rescinded, Compliant, or NFA  | Closed     | Total     |  |                      |
| Marine                      | Ocean-going Vessel Fuel Sulfur                                     |                        | 324                   | 7                          | 6  | -                             | 10         | 10        | 3  | \$ 87,500            |
|                             | Commercial Harbor Craft Program                                    |                        | 44                    | 1                          | -  | -                             | -          | -         | 1  | \$ -                 |
|                             | Shore Power Program  |                        | 53                    | 3                          | -  | 2                             | -          | 2         | 1  | \$ -                 |
|                             | Cargo Handling Equipment Program                                   |                        | 2,703                 | -                          | 5  | -                             | 5          | 5         | -  | \$ 3,226,250         |
|                             | Drayage  |                        | -                     | -                          | 2  | -                             | 2          | 2         | -  | \$ 1,245,000         |
|                             | Broker Audits  |                        | -                     | -                          | 1  | -                             | 1          | 1         | -  | \$ 100,000           |
|                             | TRU Program (see also Heavy-duty Diesel Field Inspection Programs) |                        | -                     | -                          | 2  | 2                             | -          | 2         | -  | \$ -                 |
|                             | <b>Total - Marine Programs</b>                                     | -                      | <b>3,124</b>          | <b>11</b>                  | <b>16</b>                                  | <b>4</b>                      | <b>18</b>  | <b>22</b> | <b>5</b>                                   | <b>\$ 4,658,750</b>  |
| Vehicle & Parts             | Vehicles (CNC, NON-CNC, OHRV)                                      |                        | 146                   | 40                         | 33   | 12                            | 39         | 51        | 22   | \$ 921,500           |
|                             | Dealer and Fleet Citations (Tampering)                             |                        | 22                    | -                          | 4  | 1                             | -          | 1         | 3  | \$ -                 |
|                             | Recreational Marine Engines (watercraft)                           |                        | 8                     | 2                          | 2  | 1                             | -          | 1         | 3  | \$ -                 |
|                             | Engines  | -                      | 165                   | -                          | 10   | -                             | 4          | 4         | 6  | \$ 84,987            |
|                             | Parts  | -                      | -                     | -                          | 22   | -                             | 2          | 2         | 20   | \$ 1,957,500         |
|                             | Do-it-yourself Canned Refrigerants                                 | -                      | 113                   | -                          | -  | -                             | -          | -         | -  | \$ -                 |
|                             | Portable Fuel Containers   | -                      | 74                    | -                          | 6  | -                             | -          | -         | 6  | \$ -                 |
|                             | <b>Total - Vehicle and Parts Programs</b>                          | -                      | <b>528</b>            | <b>42</b>                  | <b>77</b>                                  | <b>14</b>                     | <b>45</b>  | <b>59</b> | <b>60</b>                                  | <b>\$ 2,963,987</b>  |
| Fuels Programs              | Refineries   | 454                    | 70                    | -                          | 10   | -                             | 5          | 5         | 5  | \$ 278,000           |
|                             | Terminals  | 541                    | 113                   | 2                          | 1  | -                             | 1          | 1         | 2  | \$ 75,000            |
|                             | Service Stations   | 68                     | 24                    | -                          | -  | -                             | -          | -         | -  | \$ -                 |
|                             | Marine Vessels   | 68                     | 8                     | 1                          | 1  | -                             | 1          | 1         | 1  | \$ 2,542,000         |
|                             | Railcars   | 13                     | 13                    | -                          | -  | -                             | -          | -         | -  | \$ -                 |
|                             | Other  | 506                    | 253                   | -                          | -  | -                             | -          | -         | -  | \$ -                 |
|                             | RFG Certifications   |                        | 3,729                 |                            |  |                               |            |           |  |                      |
|                             | Red-Dyed Diesel Fuel   |                        | 2,423                 |                            |  |                               |            |           |  |                      |
|                             | <b>Total - Fuels Programs</b>                                      | <b>1,650</b>           | <b>6,633</b>          | <b>3</b>                   | <b>12</b>                                  | <b>-</b>                      | <b>7</b>   | <b>7</b>  | <b>8</b>                                   | <b>\$ 2,895,000</b>  |
| LCFS Programs               | LCFS Site Audits   | 1                      | 5                     | 1                          | -  | -                             | 1          | 1         | -  | \$ 90,000            |
|                             | LCFS Paper Audits  | -                      | 3                     | 2                          | -  | 1                             | -          | 1         | 1  | \$ -                 |
|                             | Other  | -                      | -                     | -                          | 1  | -                             | 1          | 1         | -  | \$ 393,000           |
|                             | <b>Total - LCFS Programs</b>                                       | <b>1</b>               | <b>8</b>              | <b>3</b>                   | <b>1</b>                                   | <b>1</b>                      | <b>2</b>   | <b>3</b>  | <b>1</b>                                   | <b>\$ 483,000</b>    |
| Cargo Tank Programs         | Cargo Tank Inspection Program                                      |                        | 338                   | -                          | -  | -                             | -          | -         | -  | \$ -                 |
|                             | Cargo Tank Pressure Test Program                                   |                        | 91                    | 7                          | 4  | -                             | 8          | 8         | 3  | \$ 4,000             |
|                             | Annual Test Observation Program                                    |                        | 10                    | -                          | -  | -                             | -          | -         | -  | \$ -                 |
|                             | <b>Total - Cargo Tank Programs</b>                                 | -                      | <b>439</b>            | <b>7</b>                   | <b>4</b>                                   | <b>-</b>                      | <b>8</b>   | <b>8</b>  | <b>3</b>                                   | <b>\$ 4,000</b>      |
| <b>Total – All Programs</b> |  | <b>1,651</b>           | <b>10,732</b>         | <b>66</b>                  | <b>110</b>                                 | <b>19</b>                     | <b>108</b> | <b>99</b> | <b>77</b>                                  | <b>\$ 12,346,006</b> |

## Appendix B

### 2017 Field Operation Statistics (continued)

| Program Category   |   | Inspection Activity      |                     |                                      | Pending Citations on<br>01 Jan. 2017 | Citations Dispositions       |              |              | Pending Citations on<br>31 Dec. 2017 | Penalties Collected |
|--|---|--------------------------|---------------------|--------------------------------------|--------------------------------------|------------------------------|--------------|--------------|--------------------------------------|---------------------|
|  |   | Inspections<br>Completed | Citations<br>Issued | Ratio of Citations to<br>Inspections |                                      | Rescinded,<br>Compliant, NFA | Closed       | Total        |                                      |                     |
| Heavy-duty Diesel Inspection Programs                      | Heavy-duty Vehicle Inspection Program               | 4,186                    | 122                 | 3%                                   | 145                                  | 2                            | 83           | 85           | 182                                  | \$ 42,540           |
|  | Emission Control Label Program                      | 3,084                    | 220                 | 7%                                   | 676                                  | 4                            | 149          | 153          | 743                                  | \$ 71,225           |
|  | Commercial Vehicle Idling Program                   | 5,246                    | 235                 | 4%                                   | 1,134                                | 3                            | 133          | 136          | 1,233                                | \$ 39,100           |
|  | Solid Waste Collection Vehicle Program              | 15                       | 4                   | 27%                                  | 15                                   | 1                            | 2            | 3            | 16                                   | \$ 3,000            |
|  | Truck and Bus Program                               | 6,845                    | 1,499               | 22%                                  | 3,507                                | 111                          | 442          | 553          | 4,453                                | \$ 543,155          |
|  | Tractor-Trailer (GHG) (SmartWay®) Program           | 1,201                    | 155                 | 13%                                  | 23                                   | -                            | 28           | 28           | 150                                  | \$ 33,800           |
|  | Drayage Truck Regulation Program                    | 323                      | 24                  | 7%                                   | 301                                  | 3                            | 19           | 22           | 303                                  | \$ 18,900           |
|  | Transport Refrigeration Unit Program                | 1,929                    | 783                 | 41%                                  | 2,909                                | 37                           | 202          | 239          | 3,453                                | \$ 197,269          |
|  | Off-road Diesel Vehicle Program                     | 5,051                    | 921                 | 18%                                  | 555                                  | 84                           | 344          | 428          | 1,048                                | \$ 173,325          |
|  | Diesel Exhaust Fluid /Selective Catalytic Reduction | 257                      | -                   | 0%                                   | -                                    | -                            | -            | -            | -                                    | \$ -                |
|  | School Bus Idling Program                           | 1                        | -                   | 0%                                   | -                                    | -                            | -            | -            | -                                    | \$ -                |
|  | Other Programs                                      | 17                       | -                   | 0%                                   | 6                                    | -                            | -            | -            | 6                                    | \$ -                |
| <b>Total – Heavy-duty Diesel Field Program Inspections</b> |   | <b>28,155</b>            | <b>3,963</b>        | <b>14%</b>                           | <b>9,271</b>                         | <b>245</b>                   | <b>1,402</b> | <b>1,647</b> | <b>11,587</b>                        | <b>\$ 1,122,314</b> |

|   |               |
|---|---------------|
| <b>Total California Vehicles Inspected</b>            | <b>7,900</b>  |
| <b>Total Out-of-State Vehicles Inspected</b>          | <b>3,924</b>  |
| <b>Total Off-Road Vehicles Inspected</b>              | <b>4,915</b>  |
| <b>Total Number of Vehicles Inspected<sup>a</sup></b> | <b>16,739</b> |

|                                       |               |
|---------------------------------------|---------------|
| <b>Vehicles Inspected in EJ Areas</b> | <b>8,749</b>  |
| <b>Inspections in EJ Areas</b>        | <b>16,497</b> |
| <b>Citations in EJ Areas</b>          | <b>2,153</b>  |

<sup>a</sup>Each vehicle can be inspected in more than one program

## Appendix C

### 2017 Complaint Program Statistics

| CalEPA and CARB Hotline Services 2017 | Complaints Received | Complaints Referred to Air District | Investigated By CARB | Other Dispositions <sup>a</sup> | Total Complaints Resolved |
|---------------------------------------|---------------------|-------------------------------------|----------------------|---------------------------------|---------------------------|
| Stationary Source Complaints          | 858                 | 858                                 | 0                    | 0                               | 858                       |
| Vapor Recovery Complaints             | 436                 | 436                                 | 0                    | 0                               | 436                       |
| School Bus Idling Complaints          | 63                  | 0                                   | 63                   | 0                               | 63                        |
| Commercial Vehicle Idling Complaints  | 92                  | 0                                   | 92                   | 0                               | 92                        |
| Smoking Vehicle Complaints            | 10,568              | 0                                   | 0                    | 10568                           | 10,568                    |
| Heavy Duty Diesel Program Complaints  | 385                 | 0                                   | 24                   | 234                             | 258                       |
| All Other Complaints <sup>b</sup>     | 323                 | 0                                   | 110                  | 213                             | 323                       |
| <b>Total Complaints</b>               | <b>12,725</b>       | <b>1,294</b>                        | <b>289</b>           | <b>11,015</b>                   | <b>12,598</b>             |

<sup>a</sup>Complaints referred to an external agency, those without enough information to take action, or those who received notification that a complaint was filed against them

<sup>b</sup>Includes Weights and Measures complaints and those that fall outside the purview of CARB

## Appendix D

### 2017 Portable Equipment Registration Program Statistics

| Table D-1. PORTABLE REGISTRATION – NEW APPLICATIONS |                   |                         |               |           |                  |
|---|-------------------|-------------------------|---------------|-----------|------------------|
| (January 1, 2017 - December 31, 2017)               |                   |                         |               |           |                  |
|   | Application Count | Registration Unit Count | Unit Count By |           |                  |
|   |                   |                         | Engine        | Equipment | TSE <sup>a</sup> |
| Received  | 1,964             | 3,982                   | 3,307         | 671       | 4                |
| Issued  | 1,494             | 3,141                   | 2,661         | 479       | 1                |
| Deemed Incomplete <sup>b</sup>                      | 215               | 323                     | 248           | 75        | 0                |

<sup>a</sup> Tactical Support Equipment (TSE)

<sup>b</sup> Includes some applications from latter part of previous year – data based on date deemed incomplete.

| Table D-2. PORTABLE REGISTRATION – RENEWAL APPLICATIONS |                   |                         |               |           |
|---|-------------------|-------------------------|---------------|-----------|
| (January 1, 2017- December 31, 2017)                    |                   |                         |               |           |
|   | Application Count | Registration Unit Count | Unit Count By |           |
|   |                   |                         | Engine        | Equipment |
| Invoices Mailed   | 4,348             | 8,037                   | 7,045         | 992       |
| Issued <sup>a</sup>                                     | 4,105             | 7,538                   | 6,586         | 952       |
| Not Renewed <sup>b</sup>                                | 1,423             | 2,307                   | 1,968         | 339       |
| Deemed Incomplete                                       | 247               | 399                     | 352           | 47        |
| TSE Annual Reporting <sup>c,d</sup>                     | 53                | 53                      | 3,446         | 0         |

<sup>a</sup> Multiple unit renewal applications include units that are renewed and those that are not renewed.

<sup>b</sup> See above note.

<sup>c</sup> TSE has different requirements in that one application/registration is designated for each base and only total unit counts are required based on facility information as of 12/31/16 (end of previous calendar year).

<sup>d</sup> Includes only active TSE registrations which may include TSE registrations with 0 units; expired TSE registrations are not included.

|                             |                       |
|-----------------------------|-----------------------|
| Renewal Activity Net Fees   | <b>\$4,833,056.95</b> |
| All Other Activity Net Fees | <b>\$2,505,330.00</b> |
| Total Net Revenue           | <b>\$7,338,386.95</b> |



## Appendix E

### 2017 Enforcement Support Statistics

| Air District Hearing Board Programs    |     |
|--|-----|
| Variances Received and Reviewed        | 238 |
| Notices Reviewed                       | 195 |
| Abatement Orders Received and Reviewed | 42  |

| Federal Data Reporting Services  |    |
|--|----|
| Full Compliance Evaluation (FCE) Reports Received and Reviewed         | 65 |
| FCE Reports Entered  | 21 |
| Federally Enforceable Violation Reports Received and Reviewed          | 82 |
| Federally Enforceable Violation Reports Entered into U.S. EPA Database | 26 |

| Perchloroethylene Program Services |   |
|------------------------------------|---|
| Inspections Completed              | 0 |
| Investigations Completed           | 0 |
| Violations resolved                | 0 |

| Other Stationary Source and Equipment Inspections               |   |
|---|---|
| Stationary Source Inspections and Investigations                | 3 |
| Other Airborne Toxic Control Measure Inspections/Investigations | 2 |

| Asbestos National Emissions Standard for Hazardous Air Pollutants Program |     |
|---|-----|
| Renovation and Demolition Notifications Received and Reviewed             | 522 |
| Inspections Completed   | 2   |
| Violations Resolved   | 0   |
| Task Force Workshops Conducted  | 2   |

| Landfill Methane Gas Program Services |   |
|---------------------------------------|---|
| Inspections Completed                 | 0 |
| Investigations Completed              | 0 |
| Violations Resolved                   | 0 |

| Refrigerant Management Program |     |
|--------------------------------|-----|
| Inspections Completed          | 64  |
| Investigations Completed       | 108 |
| Violations Resolved*           | 40  |

\* Includes minor violations resolved with no penalty.

| Sulfur Hexafluoride Regulation Programs |   |
|---|---|
| Inspections Completed                   | 0 |
| Investigations Completed                | 3 |
| Violations Resolved                     | 2 |

## Appendix F

### 2017 Training Program Statistics

| Training Programs  | Number of Classes | Students Per Class |        |       |
|--|-------------------|--------------------|--------|-------|
|  |                   | Classroom          | Online | Total |
| Technical  |                   |                    |        |       |
| Pollution Specific   |                   |                    |        |       |
| PS101 (215) - Control Technology: Particulate Matter (PM)  | 4                 | 90                 |        | 90    |
| PS102 (216) - Control Technology: Volatile Organic Compounds (VOCs)                                | 4                 | 92                 |        | 92    |
| PS103 (217) - Control Technology: Oxides of Nitrogen (NOx) & Carbon Monoxide (CO)                  | 2                 | 91                 |        | 91    |
| PS104 (252) - Control Technology: Fugitive Dust  | 0                 | 0                  |        | 0     |
| Facility/Process Specific  |                   |                    |        |       |
| FP101 (340) - Gasoline Dispensing Facilities: Phase I and II Enhanced Vapor Recovery (EVR) Systems | 2                 | 34                 |        | 34    |
| FP102 (340.2) - Gasoline Dispensing Facilities: Enhanced Vapor Recovery (EVR) Testing              | 2                 | 26                 |        | 26    |
| FP103 (267) - Gasoline Dispensing Facilities: In-Station Diagnostics                               | 0                 | 0                  |        | 0     |
| FP104 (268) - Gasoline Dispensing Facilities: Aboveground Storage Tanks                            | 0                 | 0                  |        | 0     |
| FP105 (271) - Internal Combustion Engines: Reciprocating Engines                                   | 0                 | 0                  |        | 0     |
| FP106 (272) - Internal Combustion Engines: Stationary Gas Turbines & Power Plants                  | 1                 | 17                 |        | 17    |
| FP107 (273) - Industrial and Utility Boilers: Natural Gas Fired                                    | 3                 | 69                 |        | 69    |
| FP108 (274) - Industrial and Utility Boilers: Biomass Fired  | 0                 | 0                  |        | 0     |
| FP109 (250) - Asbestos Demolitions & Renovations: Contractors & Property Managers                  | 1                 | 27                 |        | 27    |
| FP110 (251) - Asbestos Demolitions & Renovations: Regulatory Staff                                 | 4                 | 27                 |        | 27    |
| FP111 (246) - Batching Operations: Aggregate, Concrete & Asphalt                                   | 10                | 176                |        | 176   |
| FP113 (231) - Coating Operations: Auto, Metal Parts & Products                                     | 0                 | 0                  |        | 0     |
| FP115 (260) - Oil & Gas: Extraction & Processing   | 2                 | 20                 |        | 20    |
| FP116 (288) - Oil & Gas: Petroleum Refining  | 0                 | 0                  |        | 0     |
| FP117 (261) - Plastic Composites Manufacturing   | 0                 | 0                  |        | 0     |

## Appendix F

### 2017 Training Program Statistics (continued)

| Training Programs   | Number of Classes | Students Per Class |        |       |
|---|-------------------|--------------------|--------|-------|
|   |                   | Classroom          | Online | Total |
| Pollutant Monitoring and Modeling   |                   |                    |        |       |
| MM101 (221) - Continuous Emission Monitoring: Introductory                                  | 0                 | 0                  |        | 0     |
| MM201 (401) - Continuous Emission Monitoring: Advanced                                      | 7                 | 232                |        | 232   |
| MM102 (224) - Observing Source Tests  | 0                 | 0                  |        | 0     |
| MM103 (296) - Health Risk Assessments: Introductory   | 0                 | 0                  |        | 0     |
| MM203 (396) - Health Risk Assessments: Advanced   | 4                 | 54                 |        | 54    |
| MM104 (100A) - Visible Emissions Evaluation: Online   | 1                 |                    | 1339   | 1339  |
| MM105 (100B) - Visible Emissions Evaluation: In Class                                       | 10                | 233                |        | 233   |
| MM106 (100.1) - Visible Emissions Evaluation: Day Certification                             | 28                | 1207               |        | 1207  |
| MM107 (100.2) - Visible Emissions Evaluation: Night Certification                           | 4                 | 91                 |        | 91    |
| Regulatory  |                   |                    |        |       |
| California Regulations  |                   |                    |        |       |
| CR101 (302) - Portable Equipment Registration (PERP)/Portable Diesel Engine ATCM            | 0                 | 0                  |        | 0     |
| CR102 (301) - Internal Combustion Engines: Stationary Diesel ATCM                           | 0                 | 0                  |        | 0     |
| CR103 (290.7) - Chrome Plating ATCM Certification: Online (Recorded)                        | 1                 |                    | 105    | 105   |
| CR105 (285) - Landfills: Landfill Gas Control Facilities                                    | 2                 | 22                 |        | 22    |
| Federal Regulations   |                   |                    |        |       |
| FR101 (197) - New Source Review & Title V Permitting: Introductory                          | 4                 | 98                 |        | 98    |
| FR201 (397) - New Source Review & Title V Permitting: Advanced                              | 3                 | 48                 |        | 48    |
| 298 - Title V Permitting Overview   | 1                 | 12                 |        |       |
| FR102 (220) - Compliance Assurance Monitoring (CAM)   | 3                 | 42                 |        | 42    |
| FR103 (411) - Portland Cement Manufacturing NESHAP (Subpart LLL) & NSPS (Subpart F)         | 0                 | 0                  |        | 0     |
| FR104 (304) - Internal Combustion Engines: RICE NESHAP / IC NSPS                            | 0                 | 0                  |        | 0     |
| FR105 (304.1) - Internal Combustion Engines: RICE NESHAP / IC NSPS - Area Sources Only      | 0                 | 0                  |        | 0     |
| FR106 (304.2) - Internal Combustion Engines: RICE NESHAP / IC NSPS - For Major Sources Only | 0                 | 0                  |        | 0     |

## Appendix F

### 2017 Training Program Statistics (continued)

| Training Programs   | Number of Classes | Students Per Class |        |       |
|---|-------------------|--------------------|--------|-------|
|   |                   | Classroom          | Online | Total |
| Other Air Pollution Training  |                   |                    |        |       |
| AP101 (190) - Air Academy Online Training (AAOT): Online                                    | 1                 |                    | 847    | 847   |
| AP102 (102) - Air Quality Training Program (AQTP): Online                                   | 1                 |                    | 796    | 796   |
| AP103 (200) - California Air Pollution Professionals: Introduction to Air Pollution Control | 0                 | 0                  |        | 0     |
| AP104 (206) - California Air Pollution Professionals: Documenting Evidence & Report Writing | 0                 | 0                  |        | 0     |
| AP105 (202) - California Air Pollution Professionals: Health & Safety                       | 5                 | 84                 |        | 84    |
| AP106 (300) - CalEPA Fundamental Inspector Course (FIC): Online Training                    | 1                 |                    | 1658   | 1685  |
| AP206 (310) - CalEPA Basic Inspector Academy (BIA): In Class                                | 10                | 289                |        | 289   |
| AP107 (330) - CAPCOA Permitting Staff Development Class                                     | 0                 | 0                  |        | 0     |
| OS101 (321) - Variance/Hearing Board Workshop: Introductory                                 | 1                 | 21                 |        | 21    |
| OS201 (322) - Variance/Hearing Board Workshop: Advanced                                     | 0                 | 0                  |        | 0     |
| Totals (not including Online)   |                   |                    |        |       |
| Technical (Pollutant, Facility/Process, Pollutant Modelling & Monitoring)                   | 46                |                    |        | 955   |
| Visible Emissions Evaluation Certification & Training                                       | 42                |                    |        | 1531  |
| Regulatory (California & Federal)   | 14                |                    |        | 327   |
| Other Air Pollution Training (not including BIA)  | 6                 |                    |        | 105   |
| Basic Inspector Academy   | 10                |                    |        | 289   |
| Total   | 118               |                    |        | 3207  |

## Appendix G

### CalEPA Eligible Supplemental Environmental Projects

| SEP Name  | Location   | Project Summary   |
|---|--|---|
| Asthma Impact Model   | Kern County  | This SEP aims to improve the lives of asthma sufferers in Kern County by providing medical care and outreach to those who have little or no access to health care.  |
| Asthma Impact Model   | Merced County  | See Asthma Impact Model - Kern County   |
| Community Diesel Education and Emissions Reduction Project (DEEP) | San Francisco County (Bayview Hunters Point),<br>Kings County (Kettleman City) | This SEP aims to reduce the amount of illegal diesel idling in impacted communities and provide educational materials to stakeholders to spread awareness about the health and environmental impacts of illegal diesel idling.  |
| Healthy Air Neighborhoods   | Fresno County (South West Fresno)  | This project aims to reduce particulate matter in targeted neighborhoods with high rates of wood burning, increase resident awareness and participation in the Wood Burning Rule, and take advantage of incentive program that replaces old wood burning fireplaces with more efficient EPA certified wood burning stoves and fireplaces. |
| Healthy Air Neighborhoods   | Stanislaus County (Modesto)  | See Healthy Air Neighborhoods - Fresno County   |
| Healthy Air Neighborhoods   | Tulare County (Porterville)  | See Healthy Air Neighborhoods - Fresno County   |
| Increasing Services to Children with Asthma                       | Solano, Contra Costa, and Alameda County                                       | The project provides asthma support for children in the East Bay area.  |
| Installation of Air Filtration Systems in Schools                 | South Coast Air Quality Management District                                    | This project will reduce particulate matter and black carbon in schools located in communities impacted by air pollution.   |
| Marine Vessel Speed Reduction Incentive Program                   | Ventura County   | The project will reduce levels of ozone forming Nox by encouraging Ocean Going Vessel Speed Reduction.  |
| Ground Truthing   | Los Angeles County   | This SEP aims to identify hazardous sites in the community.   |
| Fresno TREES  | Fresno County  | To learn more about the implementation of green barriers, and the most effective methods, and locations to place them.  |

## Appendix G

### CalEPA Eligible Supplemental Environmental Projects

| SEP Name   | Location   | Project Summary   |
|--|--|---|
| PM Sensor Network                                | East San Francisco<br>(Bayview-Hunter's Point, Sunnydale, Visitacion Valley) | To provide the community with information regarding local air quality.  |
| Community Voices for Health and the Environment  | Los Angeles County   | To provide the community with information regarding local environmental hazards, and resources available to them.   |
| Survey of Freight Truck Transportation Corridors | Wilmington   | To provide a reliable resource that could be utilized in planning efforts.  |
| VAPHER Conference                                | Central Valley   | To promote the sharing of knowledge, helping policymakers and healthcare leaders develop better policies, and best practices.   |
| Community Weather Station                        | Wilmington   | To provide the community with information regarding weather patterns and its potential effects on local air quality.  |
| Respiratory Education and Referral System        | Eastern Coachella Valley   | To provide health education and public health services.   |
| Rexland "Indoor/Outdoor" Soccer Field            | Rexland  | To reduce VMT and provide a CO2 reduction.  |
| Placer County Community Based SEP Program        | Placer County  | To reduce particulate matter and black carbon in schools located in communities impacted by air pollution.  |
| Air Filtration and Monitoring in Barrio Logan    | Barrio Logan   | To project will reduce particulate matter and black carbon in residences located in communities impacted by air pollution. It will also measure indoor and outdoor air quality. |

**Appendix H**  
**2017 Enforcement Settlement Agreements**

| Program Category   | Subprograms                              | Company Name  | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |            |            |
|--------------------|--|---|--------------------------|---------------------------|-------------------------|---------------|------------|------------|
|                    |  |   |                          |                           |                         | CCDET         | AB 1071    | School Bus |
| Certifications     | Off-Highway Recreational Vehicle Program | <a href="#">Bombardier Recreational Products Inc.</a> | \$ 783,000               | \$ -                      | \$ 587,250              | \$ -          | \$ -       | \$ 195,750 |
|                    | Engine                                   | <a href="#">MAN Truck and Bus AG</a>                  | \$ -                     | \$ 52,500                 | \$ 52,500               | \$ -          | \$ -       | \$ -       |
|                    |  | <a href="#">Husqvarna Professional Products, Inc.</a> | \$ -                     | \$ 7,312                  | \$ 7,312                | \$ -          | \$ -       | \$ -       |
|                    |  | <a href="#">Briggs &amp; Stratton Corporation</a>     | \$ -                     | \$ 13,875                 | \$ 13,875               | \$ -          | \$ -       | \$ -       |
|                    |  | <a href="#">American SportWorks</a>                   | \$ -                     | \$ 11,300                 | \$ 11,300               | \$ -          | \$ -       | \$ -       |
|                    | Parts                                    | <a href="#">Western Power Sports, Inc.</a>            | \$ -                     | \$ 257,000                | \$ 192,750              | \$ -          | \$ 64,250  | \$ -       |
|                    |  | <a href="#">Jeg's Automotive, Inc.</a>                | \$ -                     | \$ 1,700,500              | \$ 850,250              | \$ -          | \$ 850,250 | \$ -       |
|                    |  |   |                          |                           |                         |               |            |            |
| Stationary Sources | Consumer Products                        | <a href="#">Excell Brands</a>                         | \$ -                     | \$ 12,390                 | \$ 12,390               | \$ -          | \$ -       | \$ -       |
|                    |  | <a href="#">TV Direct, LLC</a>                        | \$ -                     | \$ 4,500                  | \$ 4,500                | \$ -          | \$ -       | \$ -       |
|                    |  | <a href="#">Unite Eurotherapy</a>                     | \$ -                     | \$ 6,300                  | \$ 6,300                | \$ -          | \$ -       | \$ -       |
|                    |  | <a href="#">Motsenbockers Lift Off</a>                | \$ -                     | \$ 20,000                 | \$ 20,000               | \$ -          | \$ -       | \$ -       |
|                    |  | <a href="#">MVP Group International , Inc.</a>        | \$ -                     | \$ 16,140                 | \$ 16,140               | \$ -          | \$ -       | \$ -       |



**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category   | Subprograms       | Company Name  | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |         |            |
|--------------------|-------------------|---|--------------------------|---------------------------|-------------------------|---------------|---------|------------|
|                    |                   |   |                          |                           |                         | CCDET         | AB 1071 | School Bus |
| Stationary Sources | Consumer Products | <a href="#">Kareway Product Inc.</a>                        | \$ -                     | \$ 33,000                 | \$ 33,000               | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">Wipe New</a>                                    | \$ -                     | \$ 49,500                 | \$ 49,500               | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">Trans India Products, Inc</a>                   | \$ -                     | \$ 12,300                 | \$ 12,300               | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">SC Johnson</a>                                  | \$ -                     | \$ 122,800                | \$ 122,800              | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">Lifeworks Technology Group</a>                  | \$ -                     | \$ 19,950                 | \$ 19,950               | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">ACE Hardware Corporation and CRC Industries</a> | \$ -                     | \$ 300,000                | \$ 150,000              | \$ -          | \$ -    | \$ 150,000 |
|                    |                   | <a href="#">Scentsational Soaps &amp; Candles, Inc</a>      | \$ -                     | \$ 4,500                  | \$ 4,500                | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">Dollar Tree</a>                                 | \$ -                     | \$ 31,143                 | \$ 31,143               | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">TPR Holdings</a>                                | \$ -                     | \$ 13,400                 | \$ 13,400               | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">Michael O'Rourke Hair</a>                       | \$ -                     | \$ 3,000                  | \$ 3,000                | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">Golden State Supply LLC</a>                     | \$ -                     | \$ 45,922                 | \$ 45,922               | \$ -          | \$ -    | \$ -       |
|                    |                   | <a href="#">Bridgewater LLC.</a>                            | \$ -                     | \$ 34,500                 | \$ 34,500               | \$ -          | \$ -    | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category   | Subprograms         | Company Name                                       | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |           |            |
|--------------------|---------------------|--|--------------------------|---------------------------|-------------------------|---------------|-----------|------------|
|                    |                     |  |                          |                           |                         | CCDET         | AB 1071   | School Bus |
| Stationary Sources | Consumer Products   | <a href="#">Sachajuan Hairspray</a>                | \$ -                     | \$ 13,500                 | \$ 13,500               | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Oribi Hair Care, LLC</a>               | \$ -                     | \$ 50,374                 | \$ 50,374               | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Kao USA</a>                            | \$ -                     | \$ 100,000                | \$ 100,000              | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Hoyu America Co.</a>                   | \$ -                     | \$ 110,000                | \$ 110,000              | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Home Depot</a>                         | \$ -                     | \$ 83,500                 | \$ 83,500               | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Jack Manufacturing</a>                 | \$ -                     | \$ 3,000                  | \$ 3,000                | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Greenleaf Gifts</a>                    | \$ -                     | \$ 3,000                  | \$ 3,000                | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Antica Farmacista</a>                  | \$ -                     | \$ 154,800                | \$ 119,800              | \$ -          | \$ 35,000 | \$ -       |
|                    | Composite Wood      | <a href="#">AAA Flooring and Building Supplies</a> | \$ -                     | \$ 27,750                 | \$ 27,750               | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">USC Flooring Products, Inc.</a>        | \$ -                     | \$ 60,000                 | \$ 60,000               | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Expo Floors</a>                        | \$ -                     | \$ 6,000                  | \$ 6,000                | \$ -          | \$ -      | \$ -       |
|                    | Sulfur Hexafluoride | <a href="#">TJ-H2b</a>                             | \$ -                     | \$ 10,000                 | \$ 10,000               | \$ -          | \$ -      | \$ -       |
|                    |                     | <a href="#">Russell City Energy Center</a>         | \$ -                     | \$ 125,000                | \$ 125,000              | \$ -          | \$ -      | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category   | Subprograms               | Company Name                                     | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |           |            |
|--------------------|---------------------------|--|--------------------------|---------------------------|-------------------------|---------------|-----------|------------|
|                    |                           |  |                          |                           |                         | CCDET         | AB 1071   | School Bus |
| Stationary Sources | Refrigeration Management  | <a href="#">Windsor Quality Foods</a>            | \$ -                     | \$ 60,000                 | \$ 30,000               | \$ 30,000     | \$ -      | \$ -       |
|                    |                           | <a href="#">Baja Frige</a>                       | \$ -                     | \$ 22,500                 | \$ 22,500               | \$ -          | \$ -      | \$ -       |
|                    |                           | <a href="#">D&amp;T Foods</a>                    | \$ 100,000               | \$ -                      | \$ -                    | \$ -          | \$ -      | \$ -       |
| Fuels              | Fuels Specifications      | <a href="#">BP Cherry Point Refinery</a>         | \$ 2,542,000             | \$ -                      | \$ 2,542,000            | \$ -          | \$ -      | \$ -       |
|                    |                           | <a href="#">Chevron El Segundo Refinery</a>      | \$ -                     | \$ 88,000                 | \$ 88,000               | \$ -          | \$ -      | \$ -       |
|                    |                           | <a href="#">Tesoro East Hynes Terminal</a>       | \$ -                     | \$ 75,000                 | \$ 37,500               | \$ -          | \$ 37,500 | \$ -       |
|                    |                           | <a href="#">Phillips 66 Los Angeles Refinery</a> | \$ -                     | \$ 190,000                | \$ 115,000              | \$ -          | \$ 75,000 | \$ -       |
|                    |                           | <a href="#">Phillips 66 Torrance Refinery</a>    |                          |                           |                         |               |           |            |
|                    |                           | <a href="#">Phillips 66 Torrance Refinery</a>    |                          |                           |                         |               |           |            |
|                    |                           | <a href="#">Phillips 66 Los Angeles Refinery</a> |                          |                           |                         |               |           |            |
|                    | Low Carbon Fuel Standards | <a href="#">SK Energy Americas, Inc.</a>         | \$ -                     | \$ 393,000                | \$ 393,000              | \$ -          | \$ -      | \$ -       |
|                    |                           | <a href="#">Kern Oil &amp; Refining Co.</a>      | \$ -                     | \$ 90,000                 | \$ 90,000               | \$ -          | \$ -      | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name  | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |          |            |
|------------------|--------------|---|--------------------------|---------------------------|-------------------------|---------------|----------|------------|
|                  |              |   |                          |                           |                         | CCDET         | AB 1071  | School Bus |
| Diesel           | Diesel Fleet | <a href="#">A&amp;T HARVESTING AND TRUCKING INC</a>           | \$ -                     | \$ 8,000                  | \$ 8,000                | \$ -          | \$ -     | \$ -       |
|                  |              | <a href="#">A-1 Express Delivery Service</a>                  | \$ -                     | \$ 17,000                 | \$ 12,750               | \$ 4,250      | \$ -     | \$ -       |
|                  |              | <a href="#">A/Z Trucking Inc</a>                              | \$ -                     | \$ 6,000                  | \$ 6,000                |               | \$ -     | \$ -       |
|                  |              | <a href="#">Agri-Mix Transport, Inc.</a>                      | \$ -                     | \$ 18,000                 | \$ 13,500               | \$ 4,500      | \$ -     | \$ -       |
|                  |              | <a href="#">America West Tour &amp; Charter, Inc.</a>         | \$ -                     | \$ 9,000                  | \$ 9,000                | \$ -          | \$ -     | \$ -       |
|                  |              | <a href="#">American Integrated Services, Inc.</a>            | \$ -                     | \$ 2,000                  | \$ 2,000                | \$ -          | \$ -     | \$ -       |
|                  |              | <a href="#">AMS Paving Inc</a>                                | \$ -                     | \$ 101,100                | \$ 101,100              | \$ -          | \$ -     | \$ -       |
|                  |              | <a href="#">Argonaut Constructors</a>                         | \$ -                     | \$ 9,000                  | \$ 4,500                | \$ -          | \$ 4,500 | \$ -       |
|                  |              | <a href="#">Arrowhead Towing, Inc.</a>                        | \$ -                     | \$ 18,000                 | \$ 18,000               | \$ -          | \$ -     | \$ -       |
|                  |              | <a href="#">Artesia Sawdust Products, Inc.</a>                | \$ -                     | \$ 4,875                  | \$ 4,875                | \$ -          | \$ -     | \$ -       |
|                  |              | <a href="#">Bamford Transport, Inc./J.W. Bamford, Inc.</a>    | \$ -                     | \$ 1,125                  | \$ 1,125                | \$ -          | \$ -     | \$ -       |
|                  |              | <a href="#">BEKS Acquisition, Inc. DBA BC 2 Environmental</a> | \$ -                     | \$ 13,500                 | \$ 13,500               | \$ -          | \$ -     | \$ -       |
|                  |              | <a href="#">Bender Ready Mix Inc.</a>                         | \$ -                     | \$ 150,000                | \$ 150,000              | \$ -          | \$ -     | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name  | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |           |            |
|------------------|--------------|---|--------------------------|---------------------------|-------------------------|---------------|-----------|------------|
|                  |              |   |                          |                           |                         | CCDET         | AB 1071   | School Bus |
| Diesel           | Diesel Fleet | <a href="#">Benz Sanitation (2017)</a>                    | \$ -                     | \$ 81,000                 | \$ 81,000               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">BETTER PRODUCE, INC.</a>                      | \$ -                     | \$ 3,250                  | \$ 3,250                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Bogarín Trucking</a>                          | \$ -                     | \$ 33,300                 | \$ 24,975               | \$ 8,325      | \$ -      | \$ -       |
|                  |              | <a href="#">Braden Farms</a>                              | \$ -                     | \$ 375                    | \$ 375                  | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">C.J.J. FARMING, INC.</a>                      | \$ -                     | \$ 74,500                 | \$ 49,500               | \$ -          | \$ 25,000 | \$ -       |
|                  |              | <a href="#">Cal Pro Logistics, Inc.</a>                   | \$ -                     | \$ 3,600                  | \$ 1,800                | \$ -          | \$ -      | \$ 1,800   |
|                  |              | <a href="#">Calaveras Materials, Inc.</a>                 | \$ -                     | \$ 6,500                  | \$ 3,250                | \$ -          | \$ -      | \$ 3,250   |
|                  |              | <a href="#">California Box Co &amp; California Box II</a> | \$ -                     | \$ 6,000                  | \$ 6,000                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Chano's Trucking</a>                          | \$ -                     | \$ 13,000                 | \$ 13,000               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Chavo Transport</a>                           | \$ -                     | \$ 20,000                 | \$ 20,000               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Clean Diesel Technologies, Inc.</a>           | \$ -                     | \$ 100,001                | \$ 75,001               | \$ 25,000     | \$ -      | \$ -       |
|                  |              | <a href="#">Clean Harbors</a>                             | \$ -                     | \$ 491,875                | \$ 245,938              | \$ -          | \$ -      | \$ 245,937 |
|                  |              | <a href="#">Cleantech Environmental, Inc.</a>             | \$ -                     | \$ 25,000                 | \$ 18,750               | \$ 6,250      | \$ -      | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name   | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |         |            |
|------------------|--------------|--|--------------------------|---------------------------|-------------------------|---------------|---------|------------|
|                  |              |  |                          |                           |                         | CCDET         | AB 1071 | School Bus |
| Diesel           | Diesel Fleet | <a href="#">Cochiolo Trucking, Inc.</a>                        | \$ -                     | \$ 20,964                 | \$ 15,723               | \$ -          | \$ -    | \$ 5,241   |
|                  |              | <a href="#">Cold Star Equipment, Inc.</a>                      | \$ -                     | \$ 25,000                 | \$ 18,750               | \$ 6,250      | \$ -    | \$ -       |
|                  |              | <a href="#">ConMex Inc</a>                                     | \$ -                     | \$ 12,000                 | \$ 12,000               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Correcaminos USA LLC</a>                           | \$ -                     | \$ 25,000                 | \$ 25,000               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Covey Auto Express dba Pacific Auto Transport</a>  | \$ -                     | \$ 133,800                | \$ 133,800              | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Crown Industries</a>                               | \$ -                     | \$ 9,500                  | \$ 7,125                | \$ -          | \$ -    | \$ 2,375   |
|                  |              | <a href="#">D Todo Trading, Inc.</a>                           | \$ -                     | \$ 6,750                  | \$ 6,750                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Danell Bros Inc.</a>                               | \$ -                     | \$ 14,400                 | \$ 14,400               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Davalan Sales Incorporated, DBA Banana Company</a> | \$ -                     | \$ 6,300                  | \$ 6,300                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">De Anda Trucking LLC</a>                           | \$ -                     | \$ 197,425                | \$ 197,425              | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">De La Garza Trucking co.</a>                       | \$ -                     | \$ 28,800                 | \$ 28,800               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Deluxe Auto Carriers</a>                           | \$ -                     | \$ 45,000                 | \$ 33,750               | \$ -          | \$ -    | \$ 11,250  |
|                  |              | <a href="#">Diamond Environmental Services, LP</a>             | \$ -                     | \$ 26,840                 | \$ 26,840               | \$ -          | \$ -    | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name                                      | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |         |            |
|------------------|--------------|---|--------------------------|---------------------------|-------------------------|---------------|---------|------------|
|                  |              |   |                          |                           |                         | CCDET         | AB 1071 | School Bus |
| Diesel           | Diesel Fleet | <a href="#">Divine Enterprises</a>                | \$ -                     | \$ 64,650                 | \$ 64,650               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Dynamic Pre-cast Co Inc</a>           | \$ -                     | \$ 1,000                  | \$ 1,000                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">EVR Trucking Inc.</a>                 | \$ -                     | \$ 7,000                  | \$ 3,500                | \$ 3,500      | \$ -    | \$ -       |
|                  |              | <a href="#">FBD Vanguard Construction, Inc.</a>   | \$ -                     | \$ 12,600                 | \$ 12,600               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Figas Construction</a>                | \$ -                     | \$ 6,500                  | \$ 6,500                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Foothill Packing</a>                  | \$ -                     | \$ 50,000                 | \$ 37,500               | \$ -          | \$ -    | \$ 12,500  |
|                  |              | <a href="#">Four Winds Day Camp, Inc</a>          | \$ -                     | \$ 3,000                  | \$ 3,000                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Freight Exchange of North America</a> | \$ -                     | \$ 10,200                 | \$ 5,100                | \$ -          | \$ -    | \$ 5,100   |
|                  |              | <a href="#">G.M. Sager Construction Co., Inc.</a> | \$ -                     | \$ 9,000                  | \$ 9,000                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Garda CL West, Inc.</a>               | \$ -                     | \$ 6,500                  | \$ 4,875                | \$ 1,625      | \$ -    | \$ -       |
|                  |              | <a href="#">Genesis &amp; Manny Trucking Inc.</a> | \$ -                     | \$ 25,000                 | \$ 12,500               | \$ -          | \$ -    | \$ 12,500  |
|                  |              | <a href="#">Giese Trucking Corp</a>               | \$ -                     | \$ 12,750                 | \$ 12,750               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Giumarra Vineyards Corporation</a>    | \$ -                     | \$ 4,000                  | \$ 4,000                | \$ -          | \$ -    | \$ -       |



**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name   | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |           |            |
|------------------|--------------|--|--------------------------|---------------------------|-------------------------|---------------|-----------|------------|
|                  |              |  |                          |                           |                         | CCDET         | AB 1071   | School Bus |
| Diesel           | Diesel Fleet | <a href="#">Granite Rock Company</a>                 | \$ -                     | \$ 8,000                  | \$ 8,000                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Gregg Drilling &amp; Testing, Inc</a>    | \$ -                     | \$ 84,000                 | \$ 49,000               | \$ -          | \$ 35,000 | \$ -       |
|                  |              | <a href="#">H&amp;H Trenching Inc.</a>               | \$ 24,817                | \$ -                      | \$ 24,817               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Headrick Logging</a>                     | \$ -                     | \$ 3,000                  | \$ 3,000                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Hernandez Trucking</a>                   | \$ -                     | \$ 1,000                  | \$ 1,000                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Herrerias Trucking</a>                   | \$ -                     | \$ 1,000                  | \$ 1,000                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Holmes Transport Inc.</a>                | \$ -                     | \$ 10,125                 | \$ 7,594                | \$ 2,531      | \$ -      | \$ -       |
|                  |              | <a href="#">HONEYCUTT TEAR OFF</a>                   | \$ -                     | \$ 25,000                 | \$ 25,000               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Honorio Orozco Trucking, Inc.</a>        | \$ -                     | \$ 16,800                 | \$ 16,800               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Imperial Paving Company Incorporated</a> | \$ -                     | \$ 15,000                 | \$ 15,000               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Inview Travel Inc</a>                    | \$ -                     | \$ 6,750                  | \$ 5,064                | \$ -          | \$ -      | \$ 1,686   |
|                  |              | <a href="#">J &amp; D Meat Company</a>               | \$ -                     | \$ 5,004                  | \$ 5,004                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">J &amp; J Bross Trucking L.L.C</a>       | \$ -                     | \$ 19,800                 | \$ 19,800               | \$ -          | \$ -      | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name  | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |         |            |
|------------------|--------------|---|--------------------------|---------------------------|-------------------------|---------------|---------|------------|
|                  |              |   |                          |                           |                         | CCDET         | AB 1071 | School Bus |
| Diesel           | Diesel Fleet | <a href="#">J&amp;M Wholesale Meats, Inc.</a>         | \$ -                     | \$ 2,625                  | \$ 1,313                | \$ -          | \$ -    | \$ 1,312   |
|                  |              | <a href="#">JLS Hauling</a>                           | \$ -                     | \$ 1,000                  | \$ 1,000                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Jordahl Construction Inc.</a>             | \$ -                     | \$ 1,875                  | \$ 1,875                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">JP Transport</a>                          | \$ -                     | \$ 54,250                 | \$ 40,687               | \$ -          | \$ -    | \$ 13,563  |
|                  |              | <a href="#">JW Freight Services, LLC</a>              | \$ -                     | \$ 11,400                 | \$ 8,550                | \$ 2,850      | \$ -    | \$ -       |
|                  |              | <a href="#">KC&amp;C Trucking Inc</a>                 | \$ -                     | \$ -                      | \$ -                    | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Kouklis Equipment Company, Inc</a>        | \$ -                     | \$ 29,250                 | \$ 29,250               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">L &amp; T Meat Corporation</a>            | \$ -                     | \$ 6,000                  | \$ 4,500                | \$ 1,500      | \$ -    | \$ -       |
|                  |              | <a href="#">Lamb Chops Inc/Omdahl Harvesting Inc.</a> | \$ -                     | \$ 6,076                  | \$ 4,557                | \$ 1,519      | \$ -    | \$ -       |
|                  |              | <a href="#">Lerma Trucking, Inc.</a>                  | \$ -                     | \$ 21,100                 | \$ 10,550               | \$ -          | \$ -    | \$ 10,550  |
|                  |              | <a href="#">LJ Express Trucking</a>                   | \$ -                     | \$ 4,125                  | \$ 3,095                | \$ 1,030      | \$ -    | \$ -       |
|                  |              | <a href="#">Long Swimming Pool Steel, Inc.</a>        | \$ -                     | \$ 1,000                  | \$ 1,000                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Los Altos Food Products, Inc.</a>         | \$ -                     | \$ 10,500                 | \$ 5,250                | \$ -          | \$ -    | \$ 5,250   |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name   | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |           |            |
|------------------|--------------|--|--------------------------|---------------------------|-------------------------|---------------|-----------|------------|
|                  |              |  |                          |                           |                         | CCDET         | AB 1071   | School Bus |
| Diesel           | Diesel Fleet | <a href="#">Lowe Trucking Company</a>                  | \$ -                     | \$ 4,000                  | \$ 4,000                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Main Street Produce, Inc.</a>              | \$ -                     | \$ 10,250                 | \$ 10,250               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Martin Produce Inc.</a>                    | \$ -                     | \$ 3,875                  | \$ 1,938                | \$ -          | \$ -      | \$ 1,937   |
|                  |              | <a href="#">MDO, Inc.</a>                              | \$ -                     | \$ 15,000                 | \$ 7,500                | \$ -          | \$ -      | \$ 7,500   |
|                  |              | <a href="#">MJ Brothers Inc.</a>                       | \$ -                     | \$ 38,930                 | \$ 29,198               | \$ 9,732      | \$ -      | \$ -       |
|                  |              | <a href="#">MRM International Freight Services Inc</a> | \$ -                     | \$ 45,300                 | \$ 22,650               | \$ -          | \$ -      | \$ 22,650  |
|                  |              | <a href="#">Mundo Trucking, Inc.</a>                   | \$ -                     | \$ 19,500                 | \$ 9,750                | \$ -          | \$ -      | \$ 9,750   |
|                  |              | <a href="#">Murillo's Trucking</a>                     | \$ -                     | \$ 54,000                 | \$ 27,000               | \$ -          | \$ 27,000 | \$ -       |
|                  |              | <a href="#">Myers Brothers Well Drilling, Inc.</a>     | \$ -                     | \$ 1,500                  | \$ 1,500                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">NACHO'S TRUCKING</a>                       | \$ -                     | \$ 8,500                  | \$ 8,500                | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">National Geosupport Incorporated</a>       | \$ -                     | \$ 4,125                  | \$ 3,094                | \$ 1,031      | \$ -      | \$ -       |
|                  |              | <a href="#">Netto AG, Inc.</a>                         | \$ -                     | \$ 27,000                 | \$ 27,000               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">New Desert Xpress</a>                      | \$ -                     | \$ 7,000                  | \$ 7,000                | \$ -          | \$ -      | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name   | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |         |            |
|------------------|--------------|--|--------------------------|---------------------------|-------------------------|---------------|---------|------------|
|                  |              |  |                          |                           |                         | CCDET         | AB 1071 | School Bus |
| Diesel           | Diesel Fleet | <a href="#">Noll Norwesco</a>                          | \$ -                     | \$ 65,750                 | \$ 49,313               | \$ -          | \$ -    | \$ 16,437  |
|                  |              | <a href="#">North County Sand &amp; Gravel</a>         | \$ -                     | \$ 43,350                 | \$ 43,350               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Nunez Transport, Inc.</a>                  | \$ -                     | \$ 3,000                  | \$ 3,000                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Ocean Blue Environmental Services, Inc</a> | \$ -                     | \$ 7,500                  | \$ 7,500                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Oscar Guerrero Trucking, Inc.</a>          | \$ -                     | \$ 20,100                 | \$ 20,100               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">P M Truck Repair Inc</a>                   | \$ -                     | \$ 35,100                 | \$ 26,325               | \$ 8,775      | \$ -    | \$ -       |
|                  |              | <a href="#">Penhall Company</a>                        | \$ -                     | \$ 9,750                  | \$ 9,750                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">PENINSULA BLDG MATERIALS</a>               | \$ -                     | \$ 15,375                 | \$ 15,375               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Perry C. Morgan</a>                        | \$ -                     | \$ 17,000                 | \$ 17,000               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Perry's Custom Trucking LLC</a>            | \$ -                     | \$ 900                    | \$ 900                  | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Precision Wire Products, Inc.</a>          | \$ -                     | \$ 9,875                  | \$ 7,407                | \$ 2,468      | \$ -    | \$ -       |
|                  |              | <a href="#">Rail Delivery Services</a>                 | \$ -                     | \$ 5,625                  | \$ 5,625                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Rainbow Transport Express, Inc.</a>        | \$ -                     | \$ 3,750                  | \$ 3,750                | \$ -          | \$ -    | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name   | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |           |            |
|------------------|--------------|--|--------------------------|---------------------------|-------------------------|---------------|-----------|------------|
|                  |              |  |                          |                           |                         | CCDET         | AB 1071   | School Bus |
| Diesel           | Diesel Fleet | <a href="#">RANCHO DEL MAR INC.</a>                      | \$ -                     | \$ 500                    | \$ 500                  | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Recycling Resources</a>                      | \$ -                     | \$ 11,775                 | \$ 8,832                | \$ 2,943      | \$ -      | \$ -       |
|                  |              | <a href="#">Reliance Intermodal, Inc.</a>                | \$ -                     | \$ 32,500                 | \$ 16,250               | \$ -          | \$ -      | \$ 16,250  |
|                  |              | <a href="#">Reyes Trucking</a>                           | \$ -                     | \$ 3,975                  | \$ 2,981                | \$ -          | \$ -      | \$ 994     |
|                  |              | <a href="#">Rico Trucking LLC</a>                        | \$ -                     | \$ 10,125                 | \$ 10,125               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Road Runner Transportations Systems Inc.</a> | \$ -                     | \$ 52,250                 | \$ 27,250               | \$ -          | \$ 25,000 | \$ -       |
|                  |              | <a href="#">Rubios Trucking Inc.</a>                     | \$ -                     | \$ 4,100                  | \$ 3,075                | \$ -          | \$ -      | \$ 1,025   |
|                  |              | <a href="#">Ruiz Trucking</a>                            | \$ -                     | \$ -                      | \$ -                    | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Rush Truck Leasing</a>                       | \$ -                     | \$ 46,875                 | \$ 23,438               | \$ -          | \$ -      | \$ 23,437  |
|                  |              | <a href="#">Skanska Traylor Shea Joint Venture</a>       | \$ -                     | \$ -                      | \$ -                    | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Sons of DeRose Trucking, LLC</a>             | \$ -                     | \$ 6,500                  | \$ 4,875                | \$ 1,625      | \$ -      | \$ -       |
|                  |              | <a href="#">Southwest Pipeline and Trenchless Corp.</a>  | \$ -                     | \$ 18,500                 | \$ 18,500               | \$ -          | \$ -      | \$ -       |
|                  |              | <a href="#">Sport Hill Trucking</a>                      | \$ -                     | \$ 2,000                  | \$ 2,000                | \$ -          | \$ -      | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms  | Company Name   | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |         |            |
|------------------|--------------|--|--------------------------|---------------------------|-------------------------|---------------|---------|------------|
|                  |              |  |                          |                           |                         | CCDET         | AB 1071 | School Bus |
| Diesel           | Diesel Fleet | <a href="#">Sun Valley Trucking</a>                          | \$ -                     | \$ 5,250                  | \$ 5,250                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Tahoe City Lumber Co.</a>                        | \$ -                     | \$ 1,500                  | \$ 1,500                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">TAMO Inc.</a>                                    | \$ -                     | \$ 3,900                  | \$ 3,900                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">The Best Demolition &amp; Recycling Co. Inc.</a> | \$ -                     | \$ 3,200                  | \$ 2,400                | \$ 800        | \$ -    | \$ -       |
|                  |              | <a href="#">Transportation Commodities Inc.</a>              | \$ -                     | \$ 94,500                 | \$ 47,250               | \$ -          | \$ -    | \$ 47,250  |
|                  |              | <a href="#">TSM Transportation Inc</a>                       | \$ -                     | \$ 675                    | \$ 338                  | \$ -          | \$ -    | \$ 337     |
|                  |              | <a href="#">Tulare Joint Union High School District</a>      | \$ -                     | \$ -                      | \$ -                    | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">United Towing Service Inc.</a>                   | \$ -                     | \$ 50,750                 | \$ 50,750               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Valley Fruit &amp; Produce</a>                   | \$ -                     | \$ 27,000                 | \$ 27,000               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Van-G Trucking, Inc.</a>                         | \$ -                     | \$ 6,000                  | \$ 6,000                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Viramontes Express Inc.</a>                      | \$ -                     | \$ 16,000                 | \$ 16,000               | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">Watts Chopping</a>                               | \$ -                     | \$ 8,000                  | \$ 8,000                | \$ -          | \$ -    | \$ -       |
|                  |              | <a href="#">West Coast Diesel</a>                            | \$ 7,000                 | \$ -                      | \$ 7,000                | \$ -          | \$ -    | \$ -       |

**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category | Subprograms      | Company Name   | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |           |            |
|------------------|------------------|--|--------------------------|---------------------------|-------------------------|---------------|-----------|------------|
|                  |                  |  |                          |                           |                         | CCDET         | AB 1071   | School Bus |
| Diesel           | Diesel Fleet     | <a href="#">West Coast Express Trucking, Inc.</a>      | \$ -                     | \$ 5,000                  | \$ 5,000                | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">Zerep Management Corporation</a>           | \$ -                     | \$ 6,500                  | \$ 6,500                | \$ -          | \$ -      | \$ -       |
|                  | Ports and Marine | <a href="#">APL Marine LTD./Los Angeles</a>            | \$ -                     | \$ 10,000                 | \$ 10,000               | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">BNSF Railway</a>                           | \$ -                     | \$ 720,000                | \$ 95,000               | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">CEMEX</a>                                  | \$ -                     | \$ 118,125                | \$ 59,063               | \$ -          | \$ -      | \$ 59,062  |
|                  |                  | <a href="#">CMA Ships/Los Angeles</a>                  | \$ -                     | \$ 7,500                  | \$ 7,500                | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">Danaos Shipping Co., Ltd./Long Beach</a>   | \$ -                     | \$ 7,500                  | \$ 7,500                | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">Eagle Ship Management/Los Angeles</a>      | \$ -                     | \$ 7,500                  | \$ 7,500                | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">Maersk Line/Long Beach</a>                 | \$ -                     | \$ 10,000                 | \$ 10,000               | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">Marten Transport</a>                       | \$ -                     | \$ 100,000                | \$ 75,000               | \$ -          | \$ 25,000 | \$ -       |
|                  |                  | <a href="#">OOCL/Long Beach</a>                        | \$ -                     | \$ 7,500                  | \$ 7,500                | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">Penny Newman</a>                           | \$ -                     | \$ 170,625                | \$ 170,625              | \$ -          | \$ -      | \$ -       |
|                  |                  | <a href="#">Peter Dohle Schiffahrts-KG/Los Angeles</a> | \$ -                     | \$ 10,000                 | \$ 10,000               | \$ -          | \$ -      | \$ -       |



**Appendix H**  
**2017 Enforcement Settlement Agreements (continued)**

| Program Category                 | Subprograms                      | Company Name  | Total Assessed Judgement | Total Assessed Settlement | Amount Assessed to CARB | Amount to SEP |              |            |
|----------------------------------|----------------------------------|---|--------------------------|---------------------------|-------------------------|---------------|--------------|------------|
|                                  |                                  |   |                          |                           |                         | CCDET         | AB 1071      | School Bus |
| Diesel                           | Ports and Marine                 | <a href="#">SSA Containers, Inc.</a>                            | \$ -                     | \$ 50,000                 | \$ 25,000               | \$ -          | \$ 25,000    | \$ -       |
|                                  |                                  | <a href="#">SSA Containers, Inc/ Port of Long Beach/Oakland</a> | \$ -                     | \$ 2,450,000              | \$ 1,225,000            | \$ -          | \$ 1,225,000 | \$ -       |
|                                  |                                  | <a href="#">STS Evergreen</a>                                   | \$ -                     | \$ 437,500                | \$ 218,750              | \$ -          | \$ -         | \$ 218,750 |
|                                  |                                  | <a href="#">Taiyo Nippon Kisen Company, Port of Stockton</a>    | \$ -                     | \$ 10,000                 | \$ 10,000               | \$ -          | \$ -         | \$ -       |
|                                  |                                  | <a href="#">Union Pacific Railroad</a>                          | \$ -                     | \$ 525,000                | \$ 525,000              | \$ -          | \$ -         | \$ -       |
|                                  |                                  | <a href="#">World Marine/Los Angeles</a>                        | \$ -                     | \$ 7,500                  | \$ 7,500                | \$ -          | \$ -         | \$ -       |
|                                  |                                  | <a href="#">Zodiac Maritime Ltd./Long Beach</a>                 | \$ -                     | \$ 10,000                 | \$ 10,000               | \$ -          | \$ -         | \$ -       |
| Mandatory Reporting Requirements | Mandatory Reporting Requirements | <a href="#">Comission Federal Electricidad</a>                  | \$ -                     | \$ 349,500                | \$ 349,500              | \$ -          | \$ -         | \$ -       |
|                                  |                                  | <a href="#">Kern Oil &amp; Refining Co.</a>                     | \$ -                     | \$ 75,000                 | \$ 75,000               | \$ -          | \$ -         | \$ -       |
|                                  |                                  | <a href="#">Del Monte Foods, Inc.</a>                           | \$ -                     | \$ 25,000                 | \$ 25,000               | \$ -          | \$ -         | \$ -       |

## **Appendix I**

### **2017 Diesel Programs Compliance Calculations**

In April 2018, CARB staff estimated Truck and Bus regulation compliance rates for all heavy vehicles with a gross vehicle weight rating (GVWR) greater than 26,000 pounds and lighter vehicles with a GVWR of 14,000 to 26,000 pounds. To calculate the compliance rate for heavy and light trucks, staff first looked at three types of vehicle registration: (1) vehicles registered with California Department of Motor Vehicles (DMV), (2) vehicles registered with the International Registration Plan (IRP) that are based in California, and (3) vehicles registered with IRP that are based in all other states. IRP is a registration reciprocity agreement between the contiguous United States and Canadian provinces, which provides apportioned payments of registration fees, based on the total distance operated in participating jurisdictions, to them.

CARB obtains data on vehicles registered with California DMV twice per year, and on vehicles registered with IRP every month. The vehicle registration data used for this analysis was from October 2016. The vehicle registration data includes the make and model of the vehicle, the vehicle model year, and information about the registered owner of each vehicle. For vehicles registered with California DMV, staff used Accuzip software to standardize the address of each registered owner. Standardized addresses allowed for the grouping of vehicles by registration address in order to determine fleet size.

Once staff grouped vehicles by address, fleet size was determined by counting the number of vehicles registered to each particular address. Within each fleet, staff identified all heavy vehicles with a chassis model year 2007 and older, which are potentially noncompliant and all light vehicles with a chassis year 1999 and older. In general, vehicles are equipped with an engine that is one year older than the chassis model year. For example, a 2007 model year chassis is most likely equipped with a 2006 model year engine.

All heavy vehicles with engines 2006 and older must be equipped with a diesel particulate filter or be reported into CARB's Truck Regulation Upload, Compliance and Reporting System (TRUCRS) to use a flexibility option, extension, or exemption. All lights with engines 1998 and older must be replaced with newer trucks or be reported in TRUCRS to use a flexibility option, extension, or exemption. The vehicle identification numbers (VIN) of any potentially noncompliant vehicles were cross-referenced with TRUCRS to determine whether that vehicle was reported compliant. For vehicles registered with IRP that are based in a state other than California, staff also identified all potentially noncompliant heavy and light vehicles and cross-referenced their VINs with TRUCRS to determine whether that vehicle was reported compliant.

Tables I-2, I-3, and I-4 below summarize, by vehicle registration type, vehicle counts per engine model year group corresponding to the Engine Model Year Compliance Schedule. Once the noncompliant vehicles were identified, staff compared these numbers with the overall population of vehicles to arrive at various compliance rates depending on fleet size and registration type. These results are summarized in Table I-5 in Appendix I, and show a range of compliance from 60 to 99 percent.

## Appendix I

### 2017 Diesel Programs Compliance Calculations (continued)

**Table I-1**

| <b>California Registered Heavier Diesel Truck Counts</b> |         |
|--|---------|
| <b>GVWR &gt; 26,000 (excludes IRP<sup>a</sup>)</b>       |         |
| Pre-1995MY   | 20,567  |
| MY1995 – MY1996  | 7,285   |
| MY1997 – MY2000  | 19,000  |
| MY2001 – MY2005  | 19,741  |
| MY2006 – MY2007  | 12,716  |
| MY2008 – MY2010  | 34,256  |
| MY2011 +   | 59,559  |
| Total All MY's   | 173,124 |
| Pre-2008MY Total   | 79,309  |

<sup>a</sup>IRP data contain motor carrier registration information for all participating jurisdictions within the US

**Table I-2**

| <b>California IRP Registered Heavier Diesel Truck Counts</b> |        |
|--|--------|
| <b>GVWR &gt; 26,000</b>                                      |        |
| Pre-1995MY   | 610    |
| MY1995 – MY1996  | 559    |
| MY1997 – MY2000  | 3,531  |
| MY2001 – MY2005  | 4,895  |
| MY2006 – MY2007  | 4,449  |
| MY2008 – MY2010  | 16,530 |
| MY2011 +   | 42,075 |
| Total All MY's   | 72,649 |
| Pre-2008MY Total   | 14,044 |

**Table I-3**

| <b>IRP (excluding California) Registered Heavier Diesel Truck Counts</b> |         |
|--|---------|
| <b>GVWR &gt; 26,000</b>  |         |
| Pre-1995MY   | 10,458  |
| MY1995 – MY1996  | 8,827   |
| MY1997 – MY2000  | 45,889  |
| MY2001 – MY2005  | 86,909  |
| MY2006 – MY2007  | 109,365 |
| MY2008 – MY2010  | 75,475  |
| MY2011 +   | 632,677 |
| Total All MY's   | 969,600 |
| Pre-2008MY Total   | 261,448 |

## Appendix I

### 2017 Diesel Programs Compliance Calculations (continued)

**Table I-4**

| <b>California Registered Light Diesel Truck Counts</b> |         |
|--|---------|
| <b>GVWR between 14,001 and 26,000</b>                  |         |
| Pre-1998 MY  | 16,051  |
| 1998   | 4,080   |
| 1999   | 7,045   |
| 2000   | 8,947   |
| 2001 - 2004  | 28,287  |
| 2005 - 2007  | 36,245  |
| 2008 - 2010  | 15,935  |
| 2011 +   | 49,660  |
| Total All MY's   | 166,250 |
| Pre 2000MY Total                                       | 27,176  |

**Table I-5**

| <b>California IRP Registered Light Diesel Truck Counts</b> |       |
|--|-------|
| <b>GVWR between 14,001 and 26,000</b>                      |       |
| Pre-1998 MY  | 52    |
| 1998   | 12    |
| 1999   | 30    |
| 2000   | 41    |
| 2001 - 2004  | 153   |
| 2005 - 2007  | 298   |
| 2008 - 2010  | 154   |
| 2011 +   | 923   |
| Total All MY's   | 1,663 |
| Pre 2000MY Total   | 94    |

**Table I-6**

| <b>IRP (excluding CA) Registered Light Diesel Truck Counts</b> |        |
|--|--------|
| <b>GVWR between 14,001 and 26,000</b>                          |        |
| Pre-1998 MY  | 508    |
| 1998   | 177    |
| 1999   | 343    |
| 2000   | 417    |
| 2001 - 2004  | 1,705  |
| 2005 - 2007  | 3,885  |
| 2008 - 2010  | 3,230  |
| 2011 +   | 40,121 |
| Total All MY's   | 50,386 |
| Pre 2000MY Total   | 1,028  |

## Appendix I

### 2017 Diesel Programs Compliance Calculations (continued)

Table I-7 Truck Compliance Rates

|                                     | Total Heavies    |                |                        |                 | Total Lights <sup>c</sup> |               |                        |                 |
|-------------------------------------|------------------|----------------|------------------------|-----------------|---------------------------|---------------|------------------------|-----------------|
| Reg. Type                           | All Model Years  | Pre 2008       | Pre 2008 Non Compliant | Compliance Rate | All Model Years           | Pre 2000      | Pre 2000 Non Compliant | Compliance Rate |
| CA Reg. Fleet Size 1-3              | 61,844           | 34,541         | 24,684                 | 60%             | 78,180                    | 18,233        | 17,260                 | 78%             |
| CA Reg. Fleet Size 4-20             | 49,148           | 25,348         | 15,482                 | 68%             | 41,606                    | 5,895         | 4,855                  | 88%             |
| CA Reg. Fleet Size 21-100           | 30,006           | 12,197         | 4,876                  | 84%             | 16,316                    | 1,509         | 1,129                  | 93%             |
| CA Reg. Fleet Size > 100            | 32,126           | 7,223          | 2,422                  | 92%             | 30,148                    | 1,539         | 1,425                  | 95%             |
| <b>CA Reg. In-State Totals</b>      | <b>173,124</b>   | <b>79,309</b>  | <b>47,464</b>          | <b>73%</b>      | <b>166,250</b>            | <b>27,176</b> | <b>24,669</b>          | <b>85%</b>      |
| CA IRP Fleet Size 1-3               | 27,256           | 6,581          | 5,192                  | 81%             | 447                       | 19            | 17                     | 96%             |
| CA IRP Fleet Size 4-20              | 23,107           | 3,986          | 2,671                  | 88%             | 821                       | 47            | 38                     | 95%             |
| CA IRP Fleet Size 21-100            | 14,113           | 2,144          | 893                    | 94%             | 289                       | 12            | 10                     | 97%             |
| CA IRP Fleet Size > 100             | 8,173            | 1,333          | 1,042                  | 87%             | 106                       | 16            | 5                      | 95%             |
| <b>CA IRP Totals</b>                | <b>72,649</b>    | <b>14,044</b>  | <b>9,798</b>           | <b>87%</b>      | <b>1,663</b>              | <b>94</b>     | <b>70</b>              | <b>96%</b>      |
| OS IRP Fleet Size 1-3               | 96,695           | 58,264         | 57,788                 | 40%             | 2,669                     | 210           | 208                    | 92%             |
| OS IRP Fleet Size 4-20              | 88,172           | 38,713         | 38,114                 | 57%             | 2,917                     | 195           | 192                    | 93%             |
| OS IRP Fleet Size 21-100            | 133,449          | 41,353         | 40,648                 | 70%             | 4,020                     | 225           | 223                    | 94%             |
| OS IRP Fleet Size > 100             | 650,284          | 123,118        | 121,218                | 81%             | 40,780                    | 398           | 396                    | 99%             |
| <b>OS IRP Totals</b>                | <b>968,600</b>   | <b>261,448</b> | <b>257,768</b>         | <b>73%</b>      | <b>50,386</b>             | <b>1,028</b>  | <b>1,019</b>           | <b>98%</b>      |
| <b>Total CA In State and CA IRP</b> | <b>245,773</b>   | <b>93,353</b>  | <b>57,262</b>          | <b>77%</b>      | <b>167,913</b>            | <b>27,270</b> | <b>24,739</b>          | <b>85%</b>      |
| <b>Grand Totals</b>                 | <b>1,214,373</b> | <b>354,801</b> | <b>315,030</b>         | <b>74%</b>      | <b>218,299</b>            | <b>28,298</b> | <b>25,758</b>          | <b>88%</b>      |

<sup>c</sup>Refers to trucks with GVWR between 14,001 and 26,000

## Appendix J

### Matrix of Regulations and Corresponding Penalties

| Item # | Regulation or Program<br>CA Regulatory or Statutory Code<br>Program Internet Site   | Minimum and Maximum Penalty Assessed<br>Between January 2014 and December 2017 |  |  |  |                                |  | Applicable Maximum Penalties (Strict Liability, Willful, Intentional, & Criminal)<br>CA Health and Safety Code Reference  |
|--------|---|--|--|--|--|--------------------------------|--|---|
| 1      | <b>Aerosol Coating Products</b><br>Title 17, California Code of Regulations (CCR), sections 94700-94701<br><a href="https://arb.ca.gov/enf/consprod.htm">https://arb.ca.gov/enf/consprod.htm</a>  | No penalties assessed during this period.                                      |  |  |  |                                |  | \$5,000 to \$10,000 per violation per day,<br>Cal. Health & Safety Code (HSC), §§ 42400, 42402  |
| 2      | <b>Aftermarket Parts</b><br>Title 13, CCR, sections 1900 et. seq., 2030-2031, 2047-2048, 2200-2207, 2220-2225<br>California Vehicle Code (VC), section 27156<br><a href="http://www.arb.ca.gov/msprog/aftermkt/aftermkt.htm">http://www.arb.ca.gov/msprog/aftermkt/aftermkt.htm</a> | Certification  |  |  |  |                                |  | \$37,500 per action,<br>HSC § 43016   |
|        |   | \$221-\$2,967/part (30 cases)  |  |  |  |                                |  |   |
| 3      | <b>Antiperspirants and Deodorants</b><br>Title 17, CCR, sections 94500-94506.5<br><a href="https://arb.ca.gov/enf/consprod.htm">https://arb.ca.gov/enf/consprod.htm</a>   | No penalties assessed during this period.                                      |  |  |  |                                |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 42400, 42402   |
| 4      | <b>Asbestos (ATCM) (HSC 39658(b))</b><br>Title 40, Code of Federal Regulations (CFR), Part 61, Subpart M<br><a href="http://www.arb.ca.gov/enf/asbestos/asbestos.htm">http://www.arb.ca.gov/enf/asbestos/asbestos.htm</a>   | Failure to Notify  | Failure to Inspect                               |  | Asbestos Emissions                               |                                |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 39674, 39675; or up to \$1,000,000 and one year in jail per violation per day possible where willful and intentional results in harm/death,<br>HSC § 42400.3 |
|        |   | \$500-\$1,363/day<br>(11 cases)  | \$1,363-\$5,000/day<br>(4 cases)                 |  | \$25,000/day<br>(1 case)                         |                                |  |   |
| 5      | <b>Automotive Refrigerant, Small Containers</b><br>Title 17, CCR, sections 95360-95370<br><a href="https://www.arb.ca.gov/cc/hfc-mac/hfcdiy/hfcdiy.htm">https://www.arb.ca.gov/cc/hfc-mac/hfcdiy/hfcdiy.htm</a>   | No penalties assessed during this period.                                      |  |  |  |                                |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 38580, 42400, 42402  |
| 6      | <b>Cap and Trade</b><br>Title 17, CCR, sections 95800 et. seq.<br><a href="https://www.arb.ca.gov/cc/capandtrade/capandtrade.htm">https://www.arb.ca.gov/cc/capandtrade/capandtrade.htm</a>   | Lack of Compliance Instruments   | Disclosure Violations                            |  | No Account Representatives                       | Auction Rule Violation         |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 38580, 42400, 42402  |
|        |   | \$100/instrument (1 case)  | \$10,000-\$35,000/incident<br>(1 case)           |  | \$1,605/day (1 case)                             | \$25,000/incident (1 case)     |  |   |
| 7      | <b>Cargo Handling Equipment</b><br>Title 13, CCR, section 2479<br><a href="https://www.arb.ca.gov/ports/cargo/cargo.htm">https://www.arb.ca.gov/ports/cargo/cargo.htm</a>   | Failure to Meet In-use Performance Requirements                                |  |  |  |                                |  | 5,000 to \$10,000 per violation per day,<br>HSC §§ 39674, 39675, 42400, 42402; or<br>\$37,500 per action, HSC § 43016   |
|        |   | \$10,617-\$21,875/piece of equipment (10 cases) <sup>a</sup>                   |  |  |  |                                |  |   |
| 8      | <b>Cargo Tank Vapor Recovery</b><br>Title 17, CCR, section 94014<br><a href="http://www.arb.ca.gov/enf/cargotanks/cargotanks.htm">http://www.arb.ca.gov/enf/cargotanks/cargotanks.htm</a>   | Failure to Meet Pressure Performance Requirements                              |  |  |  |                                |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 42400, 42402   |
|        |   | \$500-\$1,000/non-compliant cargo tank (54 cases)                              |  |  |  |                                |  |   |
| 9      | <b>Commercial Harbor Craft</b><br>Title 13, CCR, section 2299.5 and Title 17, CCR, section 93118.5<br><a href="https://www.arb.ca.gov/ports/marinevess/harborcraft.htm">https://www.arb.ca.gov/ports/marinevess/harborcraft.htm</a>   | No penalties assessed during this period.                                      |  |  |  |                                |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 39674, 39675, 42400, 42402; or<br>\$37,500 per action, HSC § 43016   |
| 10     | <b>Composite Wood ATCM</b><br>Title 17, CCR, sections 93120-93120.12<br><a href="http://www.arb.ca.gov/toxics/compwood/compwood.htm">http://www.arb.ca.gov/toxics/compwood/compwood.htm</a>   | Failure to Comply with Emission Standards                                      |  |  |  |                                |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 39674, 39675, 42400, 42402   |
|        |   | \$27-\$10,000/day (4 cases)  |  |  |  |                                |  |   |
| 11     | <b>Consumer Products</b><br>Title 17, CCR, sections 94507-94517<br>Penalties shown as per ton or per day depending on nature of penalty.<br><a href="http://arb.ca.gov/enf/consprod.htm">http://arb.ca.gov/enf/consprod.htm</a>   | Excess VOC   | Excess Aromatic                                  | Excess TAC                                       | Global Warming Potential                         | Certification                  | Labeling   | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 39674, 42400, 42402  |
|        |   | \$4,054-\$70,588/ton<br>(101 cases)  | No per ton penalties assessed during this period | \$18,111-\$45,021/ton<br>(4 cases)               | \$32,967/ton HFC134a<br>(1 case)                 | \$9,750/violation<br>(1 case)  | No per ton penalties assessed during this period |   |
|        |   | \$560-\$4,500/day<br>(45 cases)  | \$1,000/day<br>(1 case)                          | No per day penalties assessed during this period | No per day penalties assessed during this period | \$1,000/day (17 settled cases) | \$1,000/day<br>(4 cases)                         |   |

<sup>a</sup>Includes a case that did not settle on a per unit basis

## Appendix J

### Matrix of Regulations and Corresponding Penalties (continued)

| Item # | Regulation or Program<br>CA Regulatory or Statutory Code<br>Program Internet Site  | Minimum and Maximum Penalty Assessed<br>Between January 2014 and December 2017 |   |                                    |  | Applicable Maximum Penalties (Strict Liability, Willful, Intentional, & Criminal)<br>CA Health and Safety Code Reference  |
|--------|--|--|---|------------------------------------|--|---|
| 12     | Consumer Products, Alternative Control Plan<br>Title 17, CCR, sections 94540-94555<br><a href="https://www.arb.ca.gov/consprod/regact/acp/acp.htm">https://www.arb.ca.gov/consprod/regact/acp/acp.htm</a>            | No penalties assessed during this period.                                      |   |                                    |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 42400, 42402   |
| 13     | Diesel Emission Control System, Verified<br>Title 13, CCR, sections 2706(g), 2707(c), and 2709<br><a href="http://www.arb.ca.gov/diesel/verdev/verdev.htm">http://www.arb.ca.gov/diesel/verdev/verdev.htm</a>        | Selling Non-Verified Unit  | Offering for Sale Non-Verified Unit             | Installing Without Authorization   |  | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 39674, 39675, 42400, 42402; or<br>\$37,500 per action, HSC § 43016   |
|        |  | \$369-\$5,000/unit<br>(6 cases)  | \$50-\$208/unit<br>(5 cases)                    | \$550-\$5,000/unit<br>(2 cases)    |  |   |
| 14     | Drayage Trucks<br>Title 13, CCR, section 2027<br><a href="http://www.arb.ca.gov/msprog/onroad/porttruck/porttruck.htm">http://www.arb.ca.gov/msprog/onroad/porttruck/porttruck.htm</a>                               | Trucks   |   | Rail Yards                         | Dispatching Non-Compliant Trucks               | \$5,000 to \$10,000 per violation per day,<br>HSC §§ 39674, 39675, 42400, 42402; or<br>\$37,500 per action, HSC § 43016   |
|        |  | Failure to Report  | Failure to Meet In-Use Performance Requirements | Submitting False Data              |  |   |
|        |  | \$100-\$800/vehicle<br>(18 cases)  | \$200-\$1,800/violation<br>(218 cases)          | \$300-\$500/violation<br>(2 cases) | \$7,300-\$10,000/quarterly report<br>(2 cases) |   |
| 15     | Dry Cleaner (ATCM)<br>Title 17, CCR, sections 93109 and 93110<br><a href="http://www.arb.ca.gov/toxics/dryclean/dryclean.htm">http://www.arb.ca.gov/toxics/dryclean/dryclean.htm</a>                                 | Submitting Inaccurate Report   |   | Failure to Pay Fees                |  | \$1,000 to \$10,000 per violation per day,<br>HSC §§ 39674, 39675, 42400, 42402   |
|        |  | \$357/violation (1 case)   |   | \$357/violation (1 case)           |  |   |
| 16     | Engine Certification Label Program, On-Road Heavy-Duty Vehicle<br>Title 13, CCR, sections 2180-2189<br><a href="http://www.arb.ca.gov/enf/hdvp/hdvp.htm">http://www.arb.ca.gov/enf/hdvp/hdvp.htm</a>                 | Missing or Illegible Emission Control Label (ECL)                              |   |                                    |  | \$300 first citation, additional \$800 after 45 days, additional \$1,800 for 2nd citation in 12 months,<br>HSC § 44011.6  |
|        |  | \$66-\$1,800/label (1,469 citations)   |   |                                    |  |   |
| 17     | Fleet Tampering/Non-conforming<br>HSC, section 43008.6<br><a href="http://www.arb.ca.gov/enf/othermb1.htm">http://www.arb.ca.gov/enf/othermb1.htm</a>  | \$500-\$1,500/ vehicle (8 cases)   |   |                                    |  | \$1,500 per violation,<br>HSC § 43008.6   |
| 18     | Fuel Containers and Spouts, Portable<br>Title 13, CCR, sections 2467-2467.9<br><a href="https://www.arb.ca.gov/consprod/fuel-containers/pfc/pfc.htm">https://www.arb.ca.gov/consprod/fuel-containers/pfc/pfc.htm</a> | Certification  |   |                                    |  | \$500 per portable fuel container or spout,<br>HSC § 43016  |
|        |  | \$4-\$36/unit (4 cases)  |   |                                    |  |   |
| 19     | Fuel Distributor Certification (Motor Vehicle Fuel)<br>HSC, section 43026<br><a href="http://www.arb.ca.gov/enf/fuels/distcert.htm">http://www.arb.ca.gov/enf/fuels/distcert.htm</a>                                 | No penalties assessed during this period.                                      |   |                                    |  | \$1,000 to \$10,000 per day,<br>HSC § 43026   |
| 20     | Fuels<br>Title 13, CCR, sections 2250-2259; 2260-2276; 2280-2285; 2290-2293.5; and 2299-2299.5<br><a href="http://www.arb.ca.gov/fuels/fuels.htm">http://www.arb.ca.gov/fuels/fuels.htm</a>                          | Fuels  |   |                                    |  | \$25,000, \$35,000, \$50,000, \$250,000 per violation per day, HSC § 43027; or \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC § 43016, 43020 |
|        |  | \$2,500-\$25,000/day (23 cases)  |   |                                    |  |   |
| 21     | Heavy-Duty Vehicle Inspection Program (HDVIP)<br>Title 13, CCR, sections 2180-2189<br><a href="http://www.arb.ca.gov/enf/hdvp/hdvp.htm">http://www.arb.ca.gov/enf/hdvp/hdvp.htm</a>                                  |  | Exceeding Opacity Limit                         | Tampering                          | Refusal to Submit to Inspection                | \$300 first citation, additional \$500 after 45 days, additional \$1,800 for 2nd citation in 12 months,<br>HSC § 44011.6  |
|        |  | 1st Citation   | \$300/violation<br>(45 citations)               | \$300/violation<br>(214 citations) | \$800/violation<br>(9 citations)               |   |
|        |  | No Corrective Action Taken Within 45 Days                                      | \$500-\$800/violation<br>(32 citations)         | \$800/violation<br>(71 citations)  | -  |   |
|        |  | 2nd Citation   | \$1,800/ violation<br>(1 citation)              | \$1,800/violation<br>(1 citation)  | -  |   |



## Appendix J

### Matrix of Regulations and Corresponding Penalties (continued)

| Item # | Regulation or Program<br>CA Regulatory or Statutory Code<br>Program Internet Site  | Minimum and Maximum Penalty Assessed<br>Between January 2014 and December 2017 |                                    |                                  | Applicable Maximum Penalties (Strict Liability, Willful, Intentional, & Criminal)<br>CA Health and Safety Code Reference                              |
|--------|--|--|------------------------------------|----------------------------------|---|
| 22     | Idling, Commercial Vehicle<br>Title 13, CCR, section 2485<br><a href="https://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm">https://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm</a>                               | Idling Longer than 5 Minutes   |                                    |                                  | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC § 43016                                     |
|        |  | \$100 - \$1,000/violation (1028 cases)   |                                    |                                  |   |
| 23     | Idling, School Bus<br>Title 13, CCR, section 2480<br><a href="http://www.arb.ca.gov/toxics/sbidling/sbidling.htm">http://www.arb.ca.gov/toxics/sbidling/sbidling.htm</a>   | No penalties assessed during this period.                                      |                                    |                                  | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402  |
| 24     | Indoor Air Cleaning Devices<br>Title 17, CCR, sections 94800-94810<br><a href="https://www.arb.ca.gov/research/indoor/aircleaners/certified.htm">https://www.arb.ca.gov/research/indoor/aircleaners/certified.htm</a>            | Certification  |                                    |                                  | \$5,000 to \$10,000 per violation per day, HSC §§ 42400, 42402  |
|        |  | \$1,000/day (2 cases)  |                                    |                                  |   |
| 25     | Landfill Methane Rule (LMR)<br>Title 17, CCR, sections 95460-95476<br><a href="http://www.arb.ca.gov/cc/landfills/landfills.htm">http://www.arb.ca.gov/cc/landfills/landfills.htm</a>  | Failure to Report  |                                    |                                  | \$5,000 to \$10,000 per violation per day, HSC §§ 38580, 42400, 42402   |
|        |  | \$753 /day (1 case)  |                                    |                                  |   |
| 26     | Large Spark Ignited Engine (LSI) Fleet Requirements<br>Title 13, CCR, sections 2775-2775.2<br><a href="http://www.arb.ca.gov/msprog/offroad/orspark/orspark.htm">http://www.arb.ca.gov/msprog/offroad/orspark/orspark.htm</a>    | No penalties assessed during this period.                                      |                                    |                                  | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC§43016                                       |
| 27     | Low Carbon Fuel Standard<br>Title 17, CCR, sections 95480-95491<br><a href="https://www.arb.ca.gov/fuels/lcfs/lcfs.htm">https://www.arb.ca.gov/fuels/lcfs/lcfs.htm</a>   | Compliance Report  |                                    |                                  | \$5,000 to \$10,000 per violation per day, HSC §§ 38580, 42400, 42402; or \$25,000, \$35,000, \$50,000, \$250,000 per day, HSC §§ 38580, 42402, 43027 |
|        |  | \$195/deficit (1 case)   |                                    |                                  |   |
| 28     | Mandatory Reporting of Greenhouse Gas Emissions (MRR)<br>Title 17, CCR, sections 95100 et. seq.<br><a href="https://www.arb.ca.gov/cc/reporting/ghg-ver/ghg-ver.htm">https://www.arb.ca.gov/cc/reporting/ghg-ver/ghg-ver.htm</a> | Inaccurate MRR Report  | Failure to maintain meter accuracy | Inaccurate Fee Regulation Report | \$5,000 to 10,000 per violation per day, HSC §§ 38580, 42400, 42402   |
|        |  | \$400-\$3,000/day (9 cases)<br>\$25,000/incident (1 case)                      | \$75,000/incident (1 case)         | \$600-\$1,500/day (4 cases)      |   |
| 29     | Marine/Watercraft<br>Title 13, CCR, sections 2440-2448<br><a href="http://www.arb.ca.gov/msprog/offroad/recmarine/recmarine.htm">http://www.arb.ca.gov/msprog/offroad/recmarine/recmarine.htm</a>                                | Certification  |                                    |                                  | \$37,500 per action, HSC §§ 43016, 43212  |
|        |  | \$500/violation (8 cases)  |                                    |                                  |   |
| 30     | Motor Vehicles/Engines Certification, New<br>HSC, sections 43150-43154<br><a href="http://www.arb.ca.gov/msprog/onroad/onroad.htm">http://www.arb.ca.gov/msprog/onroad/onroad.htm</a>  | Certification  |                                    |                                  | \$37,500 per action, HSC §§ 43016, 43154, 43212   |
|        |  | \$500-\$5,000/violation (94 cases)   |                                    |                                  |   |
| 31     | Off-Highway Recreational Vehicles<br>Title 13, CCR, sections 2410-2415<br><a href="http://www.arb.ca.gov/msprog/offroad/orrec/orrec.htm">http://www.arb.ca.gov/msprog/offroad/orrec/orrec.htm</a>                                | Certification  |                                    |                                  | \$37,500 per action, HSC §§ 43016, 43150, 43154, 43212  |
|        |  | \$500-\$2,500/vehicle (4 cases)  |                                    |                                  |   |
| 32     | Off-Road Engine Certification, Compression Ignition<br>Title 13, CCR, sections 2420-2427<br><a href="http://www.arb.ca.gov/msprog/offroad/orcomp/orcomp.htm">http://www.arb.ca.gov/msprog/offroad/orcomp/orcomp.htm</a>          | Certification  |                                    |                                  | \$37,500 per action, HSC §§ 43016, 43154, 43212   |
|        |  | \$250-\$21,428/vehicle (12 cases)  |                                    |                                  |   |
| 33     | Off-Road Engine Certification, Large (LSI)<br>Title 13, CCR, sections 2430-2439<br><a href="https://arb.ca.gov/msprog/offroad/lsi/lsictp/lsictp.htm">https://arb.ca.gov/msprog/offroad/lsi/lsictp/lsictp.htm</a>                 | Certification  |                                    |                                  | \$37,500 per action, HSC §§ 43016, 43212  |
|        |  | \$375 (1 case)   |                                    |                                  |   |
| 34     | Off Road Engine Certification, Small (SORE)<br>Title 13, CCR, sections 2400-2409<br><a href="https://www.arb.ca.gov/msprog/offroad/sore/sore.htm">https://www.arb.ca.gov/msprog/offroad/sore/sore.htm</a>                        | Certification  |                                    |                                  | \$500 per unit<br>HSC §§ 43016, 43212   |
|        |  | \$34-\$500/violation (11 cases)  |                                    |                                  |   |

## Appendix J

### Matrix of Regulations and Corresponding Penalties (continued)

| Item # | Regulation or Program<br>CA Regulatory or Statutory Code<br>Program Internet Site   | Minimum and Maximum Penalty Assessed<br>Between January 2014 and December 2017 |  |  |   |  |                               | Applicable Maximum Penalties (Strict Liability, Willful, Intentional, & Criminal)<br>CA Health and Safety Code Reference |
|--------|---|--|--|--|---|--|-------------------------------|--|
| 35     | Off-Road Equipment, In-Use<br>Title 13, CCR, section 2449<br><a href="https://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm">https://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm</a>  | Adding Illegal Engine  | No ROAR                                    | Failure to Report                        | Submitting False Data                   | No EIN                                   | Misreporting                  | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC§43016          |
|        |   | \$200-\$2,000/<br>violation<br>(125 cases)                                     | \$375-\$1,000/<br>violation<br>(138 cases) | \$100-\$800/<br>violation<br>(415 cases) | \$300-\$500/<br>violation<br>(10 cases) | \$125-\$500/<br>violation<br>(391 cases) | \$300/violation<br>(24 cases) |  |
| 36     | On-Board Diagnostics, On-Road Heavy-Duty Vehicle<br>Title 13, CCR, sections 1971.1 and 1971.5<br><a href="https://www.arb.ca.gov/msprog/obdprog/hdobdreg.htm">https://www.arb.ca.gov/msprog/obdprog/hdobdreg.htm</a>                | No penalties assessed during this period.                                      |  |  |   |  |                               | \$37,500 per action, HSC §§ 43016, 43154, 43212  |
| 37     | On-Board Diagnostics, On-Road Light-Duty Vehicle<br>Title 13, CCR, sections 1968.2 and 1968.5<br><a href="https://www.arb.ca.gov/msprog/obdprog/obdprog.htm">https://www.arb.ca.gov/msprog/obdprog/obdprog.htm</a>                  | Failure to Meet Certification Requirements                                     |  |  |   |  |                               | \$37,500 per action, HSC §§ 43016, 43154, 43212  |
|        |   | \$6.25-\$1,800*/vehicle (2 cases)  |  |  |   |  |                               |  |
| 38     | On-Road New Diesel Engine Emission Standards Certification<br>Title 13, CCR, sections 1956.8, 1971, and 1971.1<br><a href="http://www.arb.ca.gov/msprog/onroad/cert/cert.php">http://www.arb.ca.gov/msprog/onroad/cert/cert.php</a> | No penalties assessed during this period.                                      |  |  |   |  |                               | \$37,500 per action, HSC §§ 43154, 43212   |
| 39     | Outboard Marine Tanks and Components, Portable<br>Title 13, CCR, sections 2468-2468.10<br><a href="https://www.arb.ca.gov/consprod/fuel-containers/omt/omt.htm">https://www.arb.ca.gov/consprod/fuel-containers/omt/omt.htm</a>     | No penalties assessed during this period.                                      |  |  |   |  |                               | \$37,500 per action, HSC §§ 43016, 43212   |
| 40     | Periodic Smoke Inspection Program (PSIP)<br>Title 13, CCR, sections 2190-2194<br><a href="http://www.arb.ca.gov/enf/hdvp/hdvp.htm">http://www.arb.ca.gov/enf/hdvp/hdvp.htm</a>  | Failure to Perform Test / Failed Test  |  |  |   |  |                               | \$37,500 per action, HSC § 43016   |
|        |   | \$42-\$800/violation (324 cases)   |  |  |   |  |                               |  |
| 41     | Public Agencies and Utilities Fleets<br>Title 13, CCR, sections 2022 and 2022.1<br><a href="http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm">http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm</a>              | Failure to Meet In-use Performance Requirements                                |  |  |   |  |                               | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC § 43016        |
|        |   | \$1,000/violation (2 cases)  |  |  |   |  |                               |  |
| 42     | Public Transit Bus Fleets<br>Title 13, CCR, sections 2023-2023.4<br><a href="http://www.arb.ca.gov/regact/bus02/bus02.htm">www.arb.ca.gov/regact/bus02/bus02.htm</a>  | Failure to Report  |  |  |   |  |                               | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC § 43016        |
|        |   | \$50/day (1 case)  |  |  |   |  |                               |  |
| 43     | Refrigerant Management Program (RMP)<br>Title 17, CCR, sections 95460-95476<br><a href="https://www.arb.ca.gov/cc/rmp/rmp.htm">https://www.arb.ca.gov/cc/rmp/rmp.htm</a>  | Failure to Register / Report   |  | Automatic Leak Detection System          |   | Failure to Inspect                       |                               | \$5,000 to \$10,000 per violation per day, HSC §§ 38580, 42400, 42402  |
|        |   | \$115-\$600/day (11 cases)   |  | \$152-\$411/day (3 cases)                |   | \$152-\$600/day (5 cases)                |                               |  |
|        |   | \$150-\$1,800/violation per day (101 cases)                                    |  |  |   |  |                               |  |

## Appendix J

### Matrix of Regulations and Corresponding Penalties (continued)

| Item # | Regulation or Program<br>CA Regulatory or Statutory Code<br>Program Internet Site  | Minimum and Maximum Penalty Assessed<br>Between January 2014 and December 2017 |                                     |  |   |                                    | Applicable Maximum Penalties (Strict Liability, Willful, Intentional, & Criminal)<br>CA Health and Safety Code Reference |
|--------|--|--|-------------------------------------|--|---|------------------------------------|--|
| 44     | Solid Waste Collection Vehicles<br>Title 13, CCR, sections 2020, 2021, 2021.1, and 2021.2<br><a href="https://www.arb.ca.gov/msprog/swcv/swcv.htm">https://www.arb.ca.gov/msprog/swcv/swcv.htm</a>   | Failure to Meet In-use Performance Requirements                                |                                     |  |   |                                    | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC § 43016        |
|        |  | \$150-\$1,800/violation per day (103 cases)                                    |                                     |  |   |                                    |  |
| 45     | Sulfur Hexafluoride (SF6) Reduction<br>Title 17, CCR, sections 95340-95346, 95352-95358<br><a href="http://www.arb.ca.gov/cc/sf6elec/sf6elec.htm">http://www.arb.ca.gov/cc/sf6elec/sf6elec.htm</a>   | SF6 Emission Rate  |                                     | Possessing SF6 on or after January 1, 2011, and Intentionally emitting SF6 to the atmosphere |   |                                    | \$5,000 to \$10,000 per violation per day, HSC §§ 38580, 42400, 42402  |
|        |  | \$343-\$700/day (7 cases)  |                                     | \$10,000/day (1 case)  |   |                                    |  |
| 46     | Tractor and Trailer Greenhouse Gas Regulation<br>Title 17, CCR, section 95300<br><a href="http://www.arb.ca.gov/cc/hdghg/hdghg.htm">http://www.arb.ca.gov/cc/hdghg/hdghg.htm</a>   | Failure to Meet In-use Performance Requirements                                |                                     |  |   |                                    | \$5,000 to \$10,000 per violation per day, HSC §§ 38580, 42400, 42402  |
|        |  | \$1,000-\$1,800/ violation (46 cases)  |                                     |  |   |                                    |  |
| 47     | Transport Refrigeration Units<br>Title 13, CCR, section 2477<br><a href="https://www.arb.ca.gov/diesel/tru/tru.htm">https://www.arb.ca.gov/diesel/tru/tru.htm</a>  | Failure to Meet In-use Performance Requirements                                | No IDN                              |  | Failure to Register                                 | Submitting False Data              | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402   |
|        |  | \$225-\$3,000/unit (1,077 cases)   | \$100-\$800/label (250 cases)       |  | \$200-\$1,300/unit (353 cases)                      | \$300-\$500/violation (22 cases)   |  |
| 48     | Trucks and Buses, In-Use Diesel<br>Title 13, CCR, section 2025<br><a href="http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm">http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm</a>  | Failure to Meet In-use Performance Requirements                                | Failure to Provide Sales Disclosure | Failure to Report / Misreporting   | Failure to Verify Compliance of Hired Vehicle/Fleet | Hiring Non-Compliant Vehicle/Fleet | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC § 43016        |
|        |  | \$100-\$20,000/vehicle (3,625 cases)   | \$225-300/ violation (25 cases)     | \$75-\$1,375/ violation (162 cases)  | \$100-\$1,396/ fleet (12 cases)                     | \$1,000-\$10,000/ fleet (10 cases) |  |
| 49     | Vessels, At-Berth for Auxiliary Engines ATCM (Shore Power)<br>Title 17, CCR, sections 93118.3 et. seq.<br><a href="https://www.arb.ca.gov/ports/shorepower/shorepower.htm">https://www.arb.ca.gov/ports/shorepower/shorepower.htm</a>                        | No penalties assessed during this period.                                      |                                     |  |   |                                    | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402   |
| 50     | Vessel (Ocean-Going) Incineration ATCM<br>Title 17, CCR, section 93119<br><a href="https://www.arb.ca.gov/ports/shipincin/shipincin.htm">https://www.arb.ca.gov/ports/shipincin/shipincin.htm</a>  | No penalties assessed during this period.                                      |                                     |  |   |                                    | \$5,000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402   |
| 51     | Vessels, Fuel Sulfur and Other Operational Requirements for Ocean-Going<br>Title 13, CCR, section 2299.2 and Title 17, CCR, section 93118.2<br><a href="https://www.arb.ca.gov/ports/marinevess/ogv.htm">https://www.arb.ca.gov/ports/marinevess/ogv.htm</a> | Failure to Properly Complete Operational Requirements                          |                                     |  |   |                                    | \$5000 to \$10,000 per violation per day, HSC §§ 39674, 39675, 42400, 42402; or \$37,500 per action, HSC § 43016         |
|        |  | \$1,000-\$53,000/day (86 cases)  |                                     |  |   |                                    |  |

**Appendix K**  
**CARB Delegated Enforcement Authority for Specified Regulations**

| Air District           | Program                             |  |                          |                          |   |                                |  |
|------------------------|-------------------------------------|--|--------------------------|--------------------------|---|--------------------------------|--|
|                        | Landfill Methane Control Regulation | Oil and Gas Field Methane Control Regulation | Semiconductor Operations | Gas Insulated Switchgear | SF6-General Restrictions (non-semiconductor, non-GIS) | Refrigerant Management Program | Specified Mobile Diesel Regulations (Note 2) |
| Amador County          | CARB                                | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Antelope Valley        | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Bay Area               | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | x  |
| Butte County           | CARB                                | x  | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Calaveras County       | CARB                                | CARB   | X                        | CARB                     | CARB  | CARB                           | CARB   |
| Colusa County          | CARB                                | x  | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Eastern Kern           | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| El Dorado County       | CARB                                | CARB   | X                        | CARB                     | CARB  | CARB                           | CARB   |
| Feather River          | x                                   | x  | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Glenn County           | CARB                                | x  | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Great Basin            | CARB                                | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Imperial County        | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Lake County            | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Lassen County          | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Mariposa County        | CARB                                | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Mendocino County       | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Modoc County           | CARB                                | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Mojave Desert          | x                                   | x  | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Monterey               | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| North Coast            | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | x  |
| Northern Sierra        | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Northern Sonoma County | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Placer County          | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |

**Appendix K**  
**CARB Delegated Enforcement Authority for Specified Regulations (continued)**

| Air District            | Program                             |  |                          |                          |   |                                |  |
|-------------------------|-------------------------------------|--|--------------------------|--------------------------|---|--------------------------------|--|
|                         | Landfill Methane Control Regulation | Oil and Gas Field Methane Control Regulation | Semiconductor Operations | Gas Insulated Switchgear | SF6-General Restrictions (non-semiconductor, non-GIS) | Refrigerant Management Program | Specified Mobile Diesel Regulations (Note 2) |
| Sacramento Metropolitan | x                                   | x  | x                        | CARB                     | CARB  | CARB                           | CARB   |
| San Diego County        | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | x (Note 3)                                   |
| San Joaquin Valley      | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| San Luis Obispo County  | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Santa Barbara County    | x                                   | x  | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Shasta County           | CARB                                | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Siskiyou County         | CARB                                | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| South Coast             | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | POLA (Note 4)                                |
| Tehama County           | x                                   | x  | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Tuolumne County         | CARB                                | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |
| Ventura County          | x                                   | CARB   | x                        | CARB                     | CARB  | CARB                           | CARB   |

Notes:

- 1) CARB staff members are currently developing Memoranda of Agreements that would allow air districts to implement and enforce provisions of the oil and gas field methane control regulation.
- 2) CARB has entered into agreements with some air districts authorizing air district staff to conduct specified inspections on CARB's behalf.
- 3) CARB and San Diego County APCD staff members are currently finalizing revisions to an existing MOU authorizing district staff to comprehensively enforce specified requirements of the Transport Refrigeration Unit and Off-Road Diesel-Fueled Equipment Regulations on CARB's behalf.
- 4) CARB has entered into agreements with the City of Los Angeles Board of Harbor Commissioners (POLA) authorizing POLA staff to conduct specified inspections on CARB's behalf.