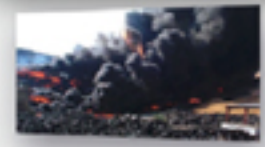


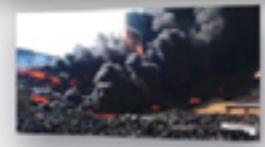
Air Resources Board

Enforcement Activities

January 1 - December 31, 2001

California Environmental Protection Agency
AIR RESOURCES BOARD

Enforcement Program

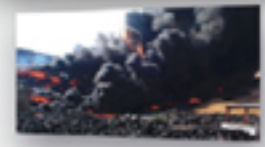


- Achieve maximum emission reductions
- Provide complete/consistent enforcement
- Level the playing field

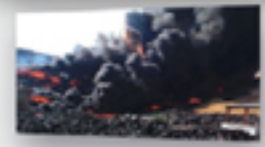
Through:

- Day-to-day inspection programs
- Special investigations

Enforcement Process



- Uncovering violations
- Investigation
  Enforcement Division
- Settlement or prosecution
  Office of Legal Affairs



Mobile Source Enforcement

California Environmental Protection Agency
AIR RESOURCES BOARD

Mobile Source Compliance

New Vehicle Certification

New Vehicle Audit/Compliance

Dealership Inspection

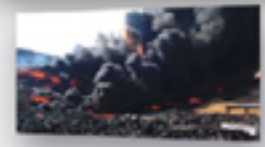
In-Use Testing (Recall)

I/M

R.I.P. (Scrap)

SMOG CHECK
California Environmental
AIR RESOURCES

Mobile Source Enforcement Program



- **Illegal vehicles and engines**
  - Non-California certified engines
  - Illegal "49-State" vehicles
  - Grey market vehicles
- **Areas of mobile source enforcement -- 2001**
  - Small off-road engines (SORE)
  - On- and off-road motorcycles
  - Factory audits
  - Illegal emissions-related parts

49-State Vehicle Cases

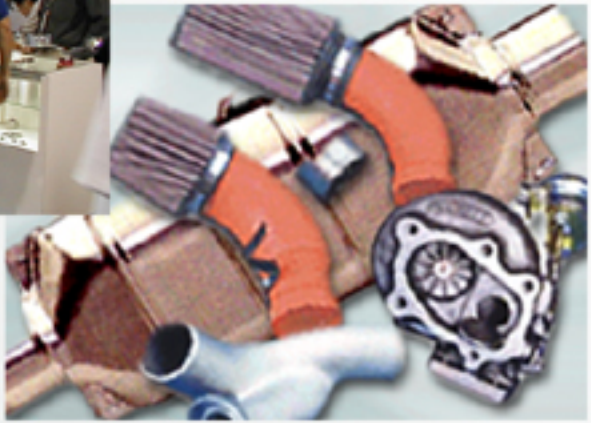
Grey Market Vehicles

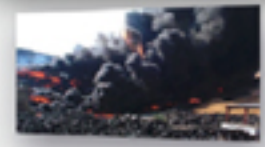
Non-California Certified Small Off-Road Engines

California Environmental Protection Agency
AIR RESOURCES BOARD

Motorcycles

Aftermarket Parts





Heavy-Duty Diesel Vehicle Inspections

California Environmental Protection Agency
AIR RESOURCES BOARD

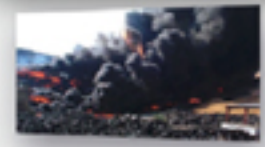
Heavy-Duty Vehicle Inspection Program

- **Program statistics -- 2001**
  - 15,691 inspections
  - 708 citations issued
  - 308 NOVs issued
  - 6.5% failure rate
  - 12 citations appealed
- **Penalty collections***
  - $164,050 current citations
  - $43,326 current delinquent
  - $21,107 prior program

**Penalties used to fund clean diesel technology research and programs*

Border Inspections

- **3,500 commercial trucks cross into CA at Otay Mesa/Calexico each day -- more under NAFTA**
- **Full-time inspections at Otay Mesa and Calexico (required in legislation)**
  - 2,176 inspections, 232 failures at CA-MX border stations in 2001
  - 89% compliance rate -- up from 50% initially
- **Part-time inspections (about 15 weeks in 2001) at AZ, NV and OR borders -- ~ 3,800 inspections during 2001**



Fuels and Consumer Products Enforcement

California Environmental Protection Agency
AIR RESOURCES BOARD

Motor Vehicle Fuels Enforcement

- **14 billion gallons of gasoline/year**
- **2.3 billion gallons of diesel/year**
- **17 refineries**
- **8 import facilities** *(other than refineries)*
- **84 bulk terminals**
- **13,000 service stations**
- **Test 10% of fuel/year**

Fuel Sampling and Testing

Cargo Tanks Enforcement

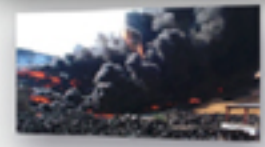
- Certify 6,300 cargo tanks annually
- Audit cargo tank testers
- Conduct random testing of cargo tanks
- 5% of cargo tanks tested annually

Consumer Products Enforcement

- **82 product categories**
- **Collected close to 1,200 samples during retail location inspections**
- **2001 focus:**
  - Hair styling products
  - VOC limits for new categories
  - Updated date codes
  - Evaluated new requirements

Portable Fuel Containers and Spouts

- **Effective on 1/1/01**
- **10 gallons or less capacity**
- **Requirements:**
  - Automatic shut-off and closure system
  - One opening for filling and refueling
  - Controls vapor permeation
  - "Spill-Proof System" marking
  - Date of manufacture
- **Products under evaluation**



Stationary Source Enforcement

Air District Oversight

California Environmental Protection Agency
AIR RESOURCES BOARD

Asbestos Enforcement Program

- Enforce Asbestos NESHAP in 16 districts
- Receive over 650 D/R notifications per year
- Conduct more than 25 site inspections per year
- NARS/ACTS database; monthly reporting
- Conduct two Asbestos Task Force meetings
- Respond to 500+ phone calls per year

Complaint Investigations

- Conduct inspections when requested
- Assist in air pollution enforcement case development
- Research stationary source issues and propose solutions

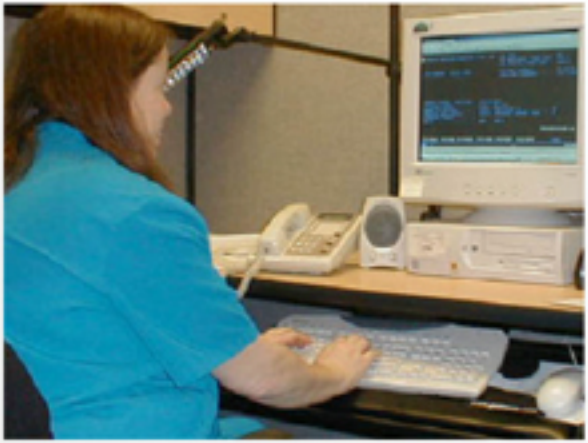
Variance Program

- Review ~800 variance orders per year
- Audit district variance programs and hearing board procedures
- 5 or 6 annual Hearing Board Workshops
- Address over 1,000 issues and inquiries each year
- Monthly variance report

Aerometric Information Retrieval System (AIRS)

Compliance and High Priority Violator Program

- Collect, review & input data from 26 districts
- Conduct mini-audits of district AIRS programs
- Generate quarterly (compliance) and monthly (high priority violators) reports to districts and U.S. EPA
- Respond to public information requests



Continuous Emissions Monitoring (CEM) Program

- Health & Safety Code section 42706
- Collect and maintain a CEM database
- Monitor excess emissions and chronic violators

Complaint Hotline

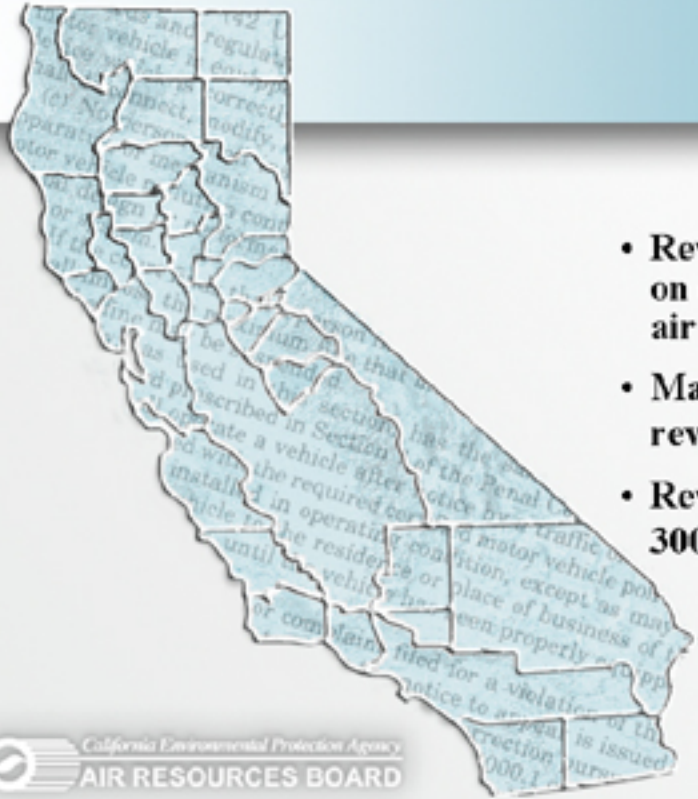
- Respond to more than 800 citizen complaints and inquiries per year
- Maintain a compliance database
- Perform follow-up complaint investigations

(800) 952-5588

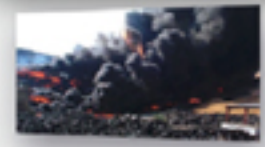
Agricultural & Open Burning Program

- Research and address burn smoke management issues
- Review district burn rules and smoke management plans
- Conduct aerial surveillance for compliance with field crop burning rules

Rule Review



- Review and comment on enforceability of air district rules
- Maintain a rule review database
- Review approximately 300 rules each year



Strategic Environmental Investigations and Enforcement

California Environmental Protection Agency
AIR RESOURCES BOARD

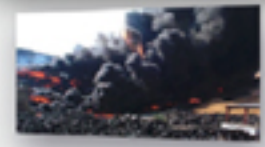
Multi-Environmental Media Investigations

- Lead investigative role for Cal/EPA Boards, Departments and Offices
- Investigate and develop cases involving air, water, toxics, pesticides, waste, etc. issues
- Surveillance services

Focused Environmental Inspections

- Events held in mixed residential/industrial areas
- Coordinated with federal, state and local law enforcement agencies
- Inspect vehicles for:
  - Hazardous materials
  - Unsecured loads
  - Smoking vehicles
  - Illegal fuels
  - CHP safety checks
  - Cargo tank inspections

Enforcement 2001 Summary



- 1,189 active cases
- 645 settled/litigated
- Total of $2.5 million in penalties

Future Priorities

- Continued work on uniform penalties
  - Power plants
  - Chrome plating facilities
- Continued efforts in EJ areas
- Administrative penalties regulations (SB 527, Sher)
- Continued enforcement for smoking heavy-duty diesel fleets
- Continued compliance efforts for portable fuel containers and spouts