



2015 Annual Enforcement Report

June 23, 2016



California Environmental Protection Agency
Air Resources Board

Outline

- Introduction to Enforcement Programs
- Key Program Accomplishments in 2015
 - In-Use Diesel Regulations
 - Vehicles & Aftermarket Parts
 - District Support and Training
 - Greenhouse Gas Programs
- Addressing Future Challenges



ARB Enforcement Programs

- Certification Requirements
- Mobile Source In-Use Rules
- Fuel Standards
- Stationary and Industrial Sources
- Consumer Products



Enforcement Goals

- Ensure compliance
 - Protect public health
 - Fair and equitable
 - Comprehensive and consistent



Enforcement Strategies

- Provide training and compliance assistance
- Inspect vehicles & equipment in the field
- Purchase and test products for compliance
- Evaluate recordkeeping and reporting
- Investigate tips and complaints
- Mine databases to identify violators



Enforcement Tools

- Outreach
- Citation
- Notice of violation
- Mutual settlement
- Litigation when necessary
- Penalties



Factors for Assessing Penalties

- Extent of harm
- Nature of violation
- Compliance history
- Preventative actions taken
- Innovative nature of compliance
- Effort made by company to comply
- Cooperation of company
- Financial burden



Supplemental Environmental Projects

- Three Supplemental Environmental Projects or “SEPs”
 - Diesel School Bus Clean-up
 - California Council on Diesel Education & Technology
 - Small Engine Maintenance and Repair Training
- AB 1071 (Atkins, 2015)
 - Up to 50% of penalties can go to SEPs
 - Benefits in disadvantaged communities
 - ARB SEP Policy currently being revised



2015 Enforcement Statistics

- Resolved 11,728 complaints
- Issued 12,969 PERP registrations
- Trained 6,482 students
- Conducted 32,143 inspections
- Issued 4,453 citations
- Closed 440 investigations



2015 Enforcement Statistics

Program	Penalties Assessed
Certification Programs	\$23,669,924
Mobile Source In-Use Rules	\$4,568,232
Heavy-Duty Diesel Citations	\$2,699,580
Fuels	\$84,500
Stationary Sources	\$692,350
Consumer Products	\$2,375,655
TOTAL	\$34,090,241



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Diesel Enforcement

- Trucks
- Ocean-Going Vessels
- Cargo Handling Equipment
- Construction and Industrial Equipment
- Commercial Harbor Craft
- Fuels



Diesel Field Inspections

- Targeted inspections
 - Ports and rail yards
 - CHP scales and high-traffic roads
 - Distribution centers
- Violations are increasing
 - 35% more truck citations compared to 2014



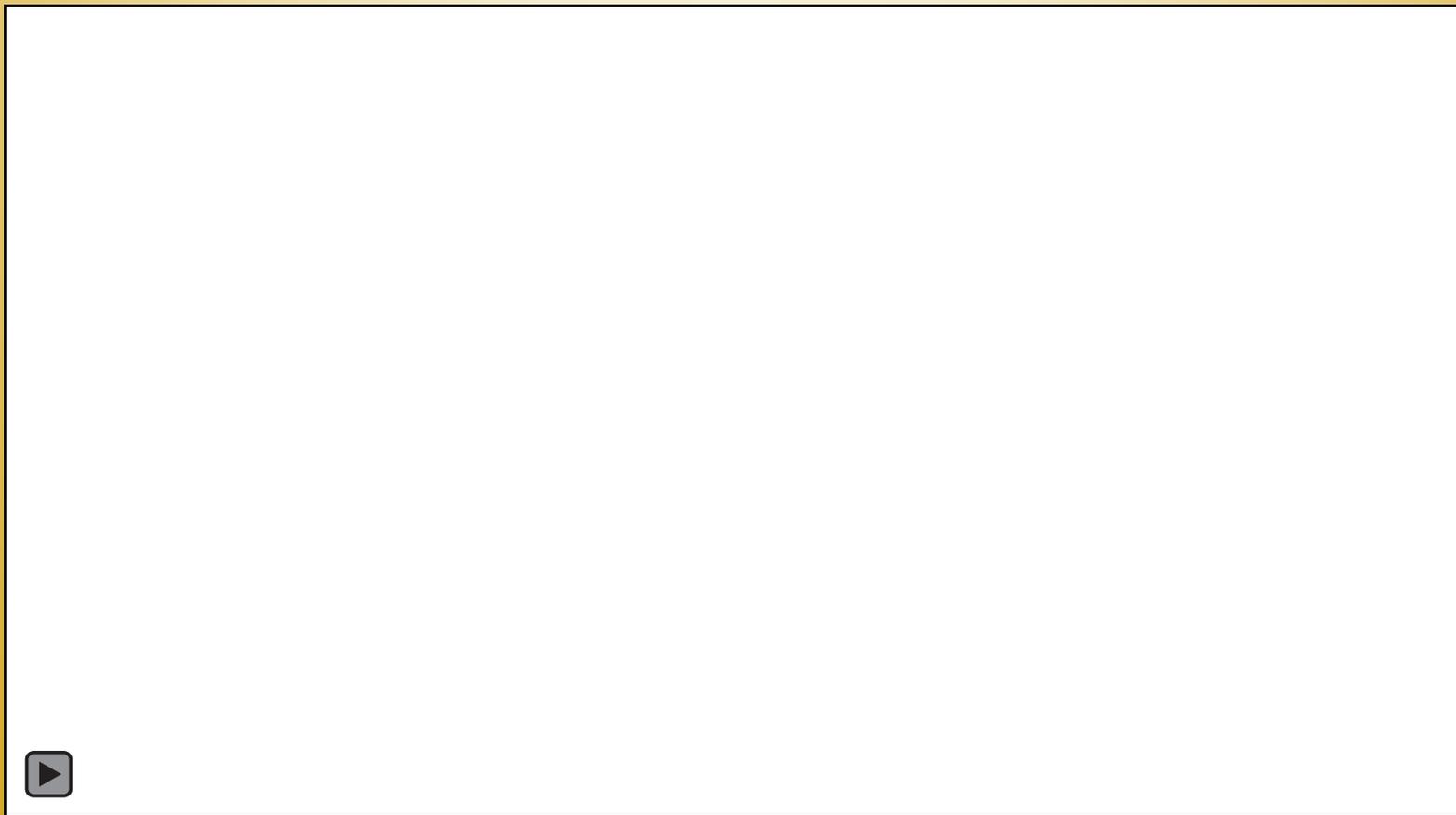
Activity	Count
Inspections Conducted	21,128
Citations Written	4,419
Penalties Assessed	\$3,173,267



Expanding Enforcement: Media

- Four media events
 - Stockton, Boyle Heights, Pacoima, Inland Empire
- Goal
 - Highlight enforcement efforts to deter noncompliance
- Example: June 2016 (Fresno)





Investigations at Ports

- 34 cases settled for \$477,187
 - China Navigation Management (\$129,500)
 - Repeated ship visits using non-compliant fuel
 - Ancon Marine (\$52,500)
 - Cargo handling equipment violations in multiple ports statewide



Diesel Fleet Audits

- Historic approach driven by complaints and field citations
- 187 cases settled in 2015 for \$4,089,045
 - Randy's Trucking Inc. - \$523,675
 - 42 Truck and Bus violations
 - 12 Smoke inspection violations
 - 4 Emission label violations
 - Cascade Drilling - \$233,625
 - 60 Truck and Bus violations
 - Washington State company



2015 Diesel Fleet Case Resolution Statistics

- Average time to close a case is 13 months
- Median penalty is \$7,700

Cases Settled	226
Compliant Fleets	84
Closed No Further Action	5
TOTAL	315



SMART Audit Approach

- ✓ **DMV Registrations**
- ✓ **Citations and Complaints**
- ✓ **ARB Compliance Databases**
- **Safety Inspection Databases**
- **Motor Carrier Permits**
- **High Emitters**



Fleet Prioritization

- Number of vehicles
- Degree of noncompliance
- Number of citations
- Location



Investigations



SMART Audit Truck Fleet Results

Every fleet registered in California is prioritized:

Company Info	Total Trucks	Potential Non-Compliant Trucks	Citations Issued	Audit Score	Rank
Company A	11,404	2,268	16	2,348	1
Company B	2,808	1,346	0	1,346	2
Company C	1,821	1,220	5	1,245	3
Company D	1,213	1,037	0	1,037	4
Company E	1,013	903	0	913	5
Company F	818	767	0	767	6



The Challenge

- 174,060 heavy trucks in California registered fleets
- 1,054,839 heavy trucks in out of state fleets operating in California

Truck and Bus
Compliance Rate
70 - 75%



Increasing Efficiency

- Prioritize investigations
 - Use databases to identify violators
 - Focus on worst offenders first
- Standardize process
 - Move investigations more quickly to resolution
- Add Broker Focus
 - Focus on who is hiring non-compliant trucks
- Focus on disadvantaged communities



Focusing on Disadvantaged Communities

- Enforcement team established
- Goal: 50% of diesel inspections in Disadvantaged Communities

Goal Exceeded
64%

- 155 “No Idling” signs placed in areas identified by communities



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Enforcement of Certification Programs

- Illegal Vehicles
- Illegal Engines
- Illegal Aftermarket Parts



Aftermarket Parts Program

- Add-on and modified parts must be exempted
 - Legal use cannot result in increased emissions
 - Exclusions for racing and competition vehicles

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-193-128
Relating to Exemptions under Sections 27156 and 38391
of the Vehicle Code

Car Sound Exhaust Systems, Inc. (d.b.a. Magnaflow)
"Series 558000 and 559000 Three-Way Catalytic Converters"

WHEREAS, Vehicle Code (VC) Sections 27156 and 38395 and Title 13, California Code of Regulations (13 CCR) Section 2222(h) authorize the Air Resources Board (ARB) and its Executive Officer to exempt new aftermarket catalytic converters from the prohibitions in VC Sections 27156 and 38391.

WHEREAS, Car Sound Exhaust Systems, Inc. (Car Sound) of 22961 Arroyo Vista, Rancho Santa Margarita, California 92688 has applied to ARB for exemption from the prohibitions in VC Sections 27156 and 38391 to market its new aftermarket series 558000 and 559000 three-way catalytic converters (TWC) on select 2005 through 2010 model-year light-duty trucks (LDT2, 3,751-5,750 lbs. L/VW) and medium-duty vehicles equipped with on-board diagnostic II (OBD II) systems as specified in Appendix D-193-128 and incorporated herein. Series 558000 and 559000 TWCs will be used on multiple catalytic converter applications and sold as universal or direct fit systems. Series 558000 TWC is used in the front position, and series 559000 TWC is used in the rear position.

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code (HSC) Section 39515 and in the Chief of the Emissions Compliance, Automotive Regulations and Science Division by HSC Section 39516 and Executive Order G-14-012, ARB finds that the above aftermarket catalytic converters comply with VC Sections 27156 and 38395 and 13 CCR Section 2222(h). Emission performance of the catalytic converters was based on durability bench-aging by Lotus Engineering, Inc. and Umicore Automotive Catalysts USA using ARB-modified RAT-A bench-aging cycle for 100 hours as specified in Appendix A to the "California Evaluation Procedures for New Aftermarket Catalytic Converters," adopted on October 25, 2007 (Converter Evaluation Procedures).

WHEREAS, emissions and OBD II compatibility tests conducted by Car Sound using a 2009 model-year 4.2 liter Chevrolet Trailblazer (Bin 4 LDT2 (~LEV II ULEV), 9GMXT04.2188) and a 2010 model-year 2.5 liter Nissan Frontier (LEV II ULEV LDT2, ANSXT02.5G5A) with series 558000 and 559000 TWCs showed that the vehicles met the applicable emission standards and that series 558000 and 559000 TWCs did not falsely cause the malfunction indicator light to illuminate. Federal test procedure emission standards and test results in grams per mile are shown below:

	NMOG	CO	NOx
LDT2 Bin 4 (~LEV II ULEV) 120K standards	0.070	2.1	0.04
2009 Chevrolet Trailblazer test 1	0.035	1.0	0.01
2009 Chevrolet Trailblazer test 2	0.044	1.1	0.03

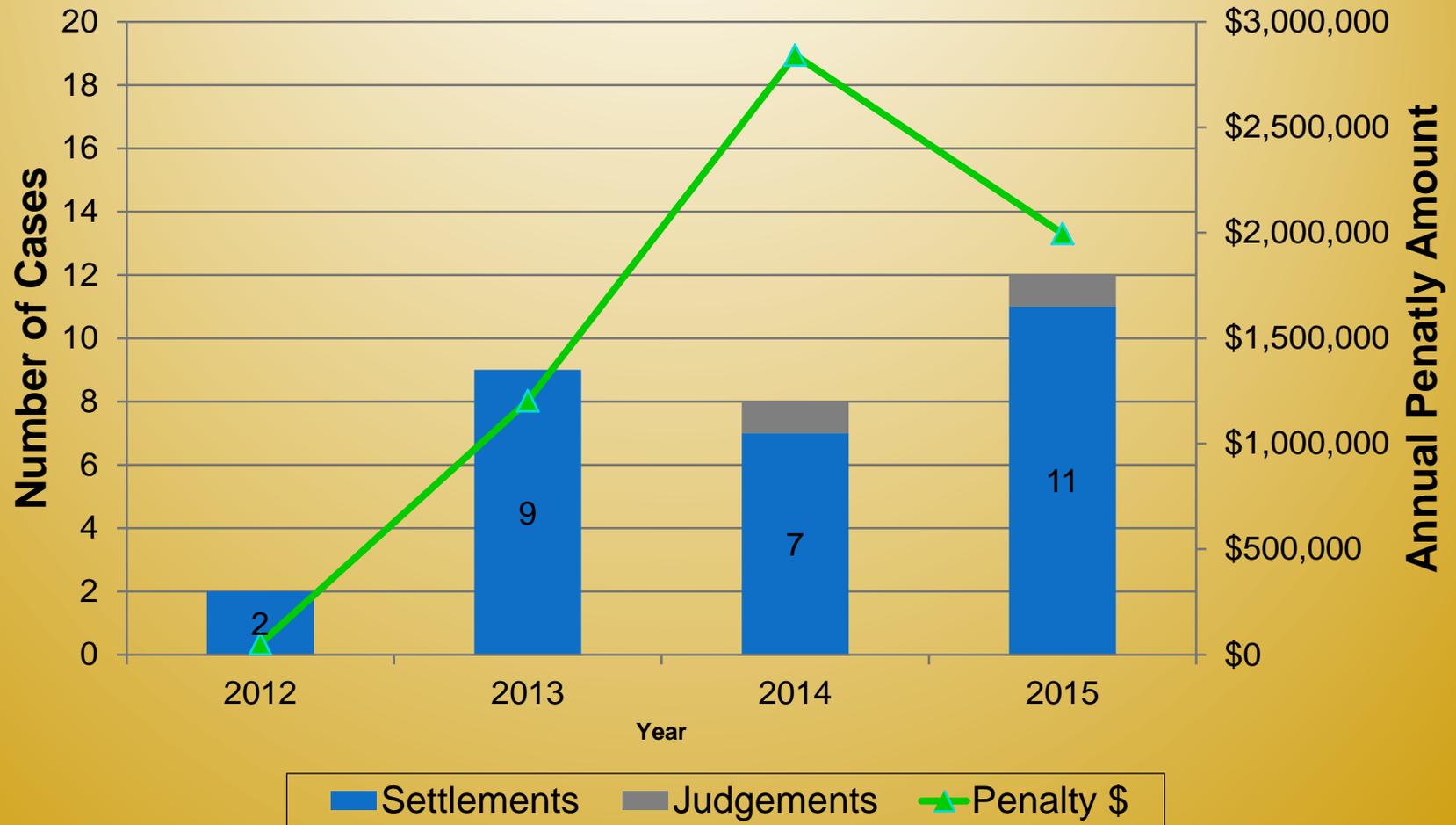


Illegal Aftermarket Part Use

- Use of “racing” parts
 - Illegal when used on non-competition vehicles
- Marketed to consumers to increase performance
 - Result in significantly increased emissions
- New section formed in late 2011



Aftermarket Parts Enforcement



Volkswagen

- ARB and West Virginia University found high emissions
- ARB investigation identified anomalies in engine and emission controls
- Volkswagen admitted to using defeat devices
- Working to settle violations



Next Steps

- Additional investigations underway
- Working to address racing parts in non-racing applications
- Evaluating programmatic improvements
 - Certification
 - In-use testing
 - Enforcement procedures



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District Support Programs

- Strong relationship with Air Districts
- Compliance assistance and training
- Portable equipment registration program



Air District Support

California Air Districts



- Investigation and enforcement assistance
- Enforcement program oversight
 - Hearing Board program oversight
 - Meet statutory requirements



Compliance Assistance and Training

- Compliance Assistance and Training
 - 169 Training Courses conducted
 - 6,482 students enrolled
 - Classroom, field and online courses offered



Portable Equipment Registration Program

- 40,000 registrations
 - Includes engines, equipment units and military tactical support
- 12,969 registrations or renewals issued
 - 5,093 new registrations issued
 - 7,876 registrations renewed



Greenhouse Gas Enforcement

- Enforcing early actions
 - Refrigerant Management Program
 - Sulfur Hexafluoride Gas Insulated Switchgear
 - Landfill Methane Control

Regulation	Cases Settled	Penalties Assessed
Refrigerant Management	3	\$337,600
Sulfur Hexafluoride Gas Insulated Switchgear	2	\$325,000



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Enhancing Enforcement

- Process improvements and understanding compliance rates
- Diesel fleet investigations and continued expanded actions in disadvantaged communities
- Defeat devices
- Expanding in key programs



Expanding Enforcement Resources

- Enforcement agreements with air districts and ports to extend our reach
 - Leveraging partnerships
- Investigation Management System to manage cases
 - Determine staffing needs to address expanding challenges



Upcoming Board Items

- Supplemental Environmental Project Policy Revisions
 - Workshops August 2016
 - December 2016 Board Meeting
- Portable Equipment
 - 2017 requirements not feasible
 - Held workshops March
 - Upcoming workshops June and September
 - Spring 2017 Board Meeting



Contacts and More Information

- 2015 Enforcement Report :
 - <http://www.arb.ca.gov/enf/reports/reports.htm>

