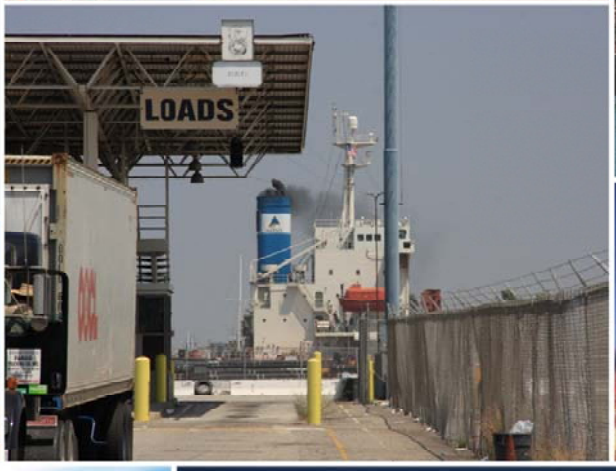
CALIFORNIA AIR RESOURCES BOARD'S 2011 ANNUAL ENFORCEMENT REPORT

The Goods Movement Affects California's Air Quality

Positive Changes Affect **California**'s Air Quality



ARB Programs Positively Affect California's Air Quality

Everyone Can Positively Affect California's Air Quality and Protect it for Generations to Come

California Environmental Protection Agency
Air Resources Board

2011 ANNUAL ENFORCEMENT REPORT

ARB
ENFORCEMENT DIVISION

JULY 2012

To learn more about ARB Enforcement Programs or to file an air pollution complaint, please visit

http://www.arb.ca.gov
To file a complaint by phone, call the Statewide Hotline at (800) 952-5588

or

The Vehicle Complaint Hotline at (800) END-SMOG - (800) 363-7664.

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Table of Contents

SECTION **PAGE**

Executive Summary **1**

Introduction **3**

Overview of Enforcement Programs **4**

Mobile Source Enforcement Programs **6**

Overview of Mobile Source Enforcement Programs 6

Statewide Diesel Fleet Enforcement Programs 7

Specialized Diesel Fleet Enforcement Programs 8

Diesel Equipment Enforcement Programs 9

On-Road Enforcement Programs 10

Vehicle and Motorcycle Enforcement Programs 13

Engine and Aftermarket Part Enforcement Programs 15

Laboratory and Certification Fraud Program 16

Other Mobile Source Enforcement Programs 17

Fuels Enforcement Programs **18**

Overview of Fuels Enforcement Programs 18

Fuels Program 18

Reformulated Gasoline Notification Program 18

Cargo Tank Vapor Recovery Program 19

Consumer and Specialty Product Enforcement Programs **19**

Overview of Consumer and Specialty Product Enforcement Programs 19

Consumer Products Program 20

Composite Wood Products Program 20

Refrigerant Canister Program 21

Portable Fuel Container Program 21

Table of Contents

SECTION **PAGE**

Marine Fuel Tank Program 21

Indoor Air Cleaning Device Program 22

Goods Movement Enforcement Programs 22

Overview of Goods Movement Enforcement Programs 22

Railroad MOU Program 22

Ocean-Going Vessel Program 23

Commercial Harbor Craft and Marina Fuel Dock Programs 23

Port/Rail Cargo-Handling Equipment and TRU Programs 23

Air District Enforcement Support Services 24

Overview of Air District Enforcement Support Services 24

Air District Rule Review Services 24

Air District Variance Review Services 24

Air Facility System Services 25

Continuous Emissions Monitoring System Services 25

Stationary Source and Equipment Inspection Services 25

Asbestos National Emissions Standards Program 26

Greenhouse Gas Enforcement Programs 26

Overview of Greenhouse Gas Enforcement Programs 26

Landfill Methane Gas Program 26

Refrigeration System Program 27

Sulfur Hexafluoride Reduction Program 27

Other Greenhouse Gas Programs 27

Enforcement Program Support Services 28

Overview of Enforcement Program Support Services 28

Table of Contents

SECTION **PAGE**

Citation Administration Program 28

Complaint Hotline Services 28

Visible Emissions Evaluation Program 29

In-State Training Services 29

National Air Compliance Training Delivery Project 31

Other Enforcement Program Support Services 31

Appendix A 2011 Enforcement Program Statistics 32

Appendix B 2011 Investigation and Case Resolution Statistics 33

Appendix C 2011 Field Operations Statistics 34

Appendix D 2011 Enforcement Support Statistics 34

Appendix E 2011 Training Program Statistics 36

Appendix F 2011 Significant Enforcement Program Settlements 37

Appendix G List of Acronyms 41

Appendix H Alphabetical Listing of Enforcement Programs[1] 42

Appendix I Air Resources Board Overview 43

Executive Summary

2011 Enforcement Accomplishments

- As mandated by SB 1402 (Dutton) an Enforcement Penalty Policy was developed and posted on ARB's website. The policy development process included issuance of multiple drafts of the policy for public comment, two public workshops, and numerous meetings with stakeholders. The final policy was presented at ARB's November 2011 Public Hearing. Additionally, as required by SB 1402, settlement agreements were updated to include specified criteria. Additionally, settlement agreements are now posted on the ARB's website at http://www.arb.ca.gov/enf/casesett/casesett.htm.
- The Enforcement Division leverages its enforcement capability throughout the state by conducting joint enforcement operations with the U.S. EPA, the California Highway Patrol, and local Air Districts and through Memorandums of Understanding (MOUs) that enable local agencies to enforce ARB regulations. ARB currently has MOUs with the Bay Area AQMD and the San Joaquin Valley APCD and is negotiating a cooperative agreement with the Port of Los Angeles (POLA) that will enable POLA staff to perform vehicle, engine, and equipment emissions inspections and participate in joint enforcement operations within their jurisdiction. ARB is also discussing various greenhouse gas MOUs with all of the Air Districts. Four Air Districts have signed the Landfill Methane Gas regulation MOU and a Refrigeration System Management regulation MOU is under development. These relationships reduce ARB staffing requirements and help to level the playing field by providing additional inspectors when needed to target high priority areas within other agencies' jurisdiction.
- A comprehensive review of ARB's Enforcement Program was completed and results of the review are now being implemented. This includes a major restructuring of the Division from a 3-branch program-based organizational structure (Mobile Source Enforcement, Stationary Source Enforcement, and Compliance Assistance and Training) to a 4-branch functional organizational structure (Diesel Programs Enforcement; Vehicle, Parts and Consumer Products Enforcement; Field Operations; and Enforcement Support). The restructuring will enable more effective management of ARB's enforcement programs and better utilization of enforcement staff. Additionally, available staffing resources were realigned to increase the number of positions allocated for enforcement of heavy-duty diesel and other mobile source programs.
- Pursuant to requirements set forth in AB 233, several hundred "No Idling" signs were fabricated and delivered to ARB and plans were developed for installing the signs.

Additional Enforcement Program accomplishments during 2011 are highlighted throughout this report. Enforcement Program statistics for 2011 are provided in Appendices A through E. Additionally, a summary listing of all significant enforcement settlement agreements reached during 2011 is provided in Appendix F.

2012 Action Items

Planned 2012 Enforcement Program action items include all of the following improvement initiatives.

1. **Implement New Diesel Risk Reduction and Greenhouse Gas Enforcement Programs –** New air quality improvement programs that will be implemented during 2012 include the SmartWay Truck Technology Program, the Statewide Truck and Bus Program, the Landfill Methane Gas Program, the Refrigeration Systems Program, the Sulfur Hexafluoride Reduction Program, and the Refrigerant Canister Program, and the Tire Pressure Inflation Program. Additionally, the Enforcement Division will begin enforcement of the Commercial Harbor Craft regulations and plan for the enforcement of the recently adopted amendments to the TRU regulations that become effective in 2013.

2. **Improve On-Road Diesel Vehicle and Equipment Enforcement Program Effectiveness –** To improve the effectiveness of current on-road diesel vehicle and equipment enforcement programs, the Enforcement Division's field enforcement staff will be cross-trained to increase the pool of resources available for conducting saturation operations at selected locations. Additionally, field enforcement staff will be deployed more frequently to targeted locations where non-compliance with regulations governing heavy-duty diesel vehicles and equipment is greatest. Also, the Enforcement Division will increase its utilization of other public agencies, such as local Air Districts and port authorities, to conduct joint and separate field enforcement operations. Additionally, field enforcement staff will enforce the new "dray off" provisions of the drayage truck rule at ports, rail yards, distribution centers and other locations.

3. **Allocate Additional Resources for Investigation of Non-Compliant Diesel Fleets –** Significant additional resources will be allocated for investigation of cases involving port/rail drayage trucks and TRU fleets and specialized on-road diesel fleets, such as solid waste collection vehicle fleets, urban bus and transit vehicle fleets, and public agency and utility fleets. Additional resources also will be allocated for investigation of cases involving diesel exhaust treatment systems, Aftermarket parts, and off-road diesel equipment fleets.

4. **Strengthen Non-Diesel Vehicle and Recreational Marine Equipment Enforcement Programs –** Targeted reviews and investigations will be initiated in selected areas, including airport taxi and shuttle fleets, recreational marine equipment, such as personal watercraft, and motorcycles.

5. **Realign Consumer and Specialty Product Enforcement Programs –** Realign responsibilities for several specialty product programs. Adjust and implement product sampling plans for the Consumer Products Program to enable a reduction of accumulated investigation and case backlogs. Develop and implement composite wood product sample screening, processing, and investigation protocols while increasing the number of enforcement actions. Continue to investigate and initiate appropriate enforcement actions for violations of the Indoor Air Cleaning Device Program cases with available resources.

6. **Increase Training Services –** Improved resource management systems will be utilized to increase the number of days of training provided to public agency staff and representatives of the regulated community.

Introduction

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

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

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

Violations of California's air quality laws and regulations span a wide spectrum that extends from nominal breaches of the state's statutes or regulations to deliberate criminal acts. While varying degrees of pollution result from these violations, what remains constant in each is the unfair economic disadvantage suffered by the members of affected industries that do comply. To address these varying levels of noncompliance and their effects on the state's public and environmental health and economic welfare, the Enforcement Division has adopted as its mission statement:

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

This report provides brief summaries of several dozen air quality programs currently enforced by the Enforcement Division and highlights the Division's major accomplishments during the past year. Additional workload and performance statistical data and listings of settled cases are included in the appendices. Case settlement summaries further describing all settled cases can be viewed on ARB's website at http://www.arb.ca.gov/enf/casesett/casesett.htm.

For more information on the ARB, the Enforcement Division or the Enforcement Program, please contact James R. Ryden, Enforcement Division Chief, at (916) 322-7061 or email Mr. Ryden at jryden@arb.ca.gov. Questions relating to specific programs may also be directed to the appropriate Enforcement Division contact shown on the Enforcement Program Contact List available on ARB's website at http://www.arb.ca.gov/enf/contacts.htm. For questions or comments relating to this report, please contact the Chief Editor, Michelle Shultz Wood, at (626) 459-4338, or email Ms. Shultz Wood at mshultz@arb.ca.gov.

Overview of Enforcement Programs

The Enforcement Division is responsible for enforcing regulations adopted by the Board. The scope of the Enforcement Division's responsibility encompasses more than 60 separate air quality programs and related support services, including programs structured to:

- Reduce emissions from mobile sources, including emissions generated from commercial trucks and buses, passenger vehicles, motorcycles, diesel-powered off-road equipment, off-highway recreational vehicles, off-road engines like generators and lawn and garden equipment, and aftermarket parts for on and off-road vehicles
- Reduce emissions from goods movement sources, such as railroads, ocean-going vessels, commercial harbor craft, commercial fishing vessels, cargo-handling equipment, drayage trucks, and transport refrigeration units
- Regulate the formulation of gasoline, diesel, and other fuels and to reduce liquid and vapor releases from cargo tanks used to transport these products
- Reduce emissions from large industrial sources, such as power plants, petroleum refineries, and manufacturing facilities and smaller, but more numerous, stationary sources such as gasoline service stations, dry cleaners, and chrome platers
- Reduce emissions from "area" sources which individually emit small quantities of pollutants, but collectively emit significant emissions, including chemically formulated consumer products such as air fresheners, hair sprays, and deodorants, aerosol coating products such as paints and solvents, composite wood products, and specialty products such as indoor air cleaning devices and portable fuel containers
- Provide educational, training, and technical support services to public agency and industry staff involved in regulating, monitoring, or controlling emissions.

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

Environmental Justice

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

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

community members in a meaningful way as the Board's activities are carried out. People should have the best information possible about the air they breathe and what is being done to reduce unhealthful air pollution in their communities. Finally, ARB recognizes the Board's obligation to work closely with all stakeholders, communities, environmental and public health organizations, industry, business owners, other agencies, and other interested parties to successfully implement these policies.

Improving the quality of life for the people living in communities that have been identified as Environmental Justice areas is a priority for ARB. Over the last year the Enforcement Division continued its coordinated effort with federal, state and local enforcement agencies, city leaders and local community groups to improve the quality of life for the people living in these communities. Staff worked with environmental justice groups in the cities of Maywood, Oakland, Pacoima, Riverside, San Bernardino, and Wilmington. In the future, this very important effort will continue and expand to include other EJ communities.

Enforcement Division Organization

Since 2004, Enforcement Division staff was organized into a Mobile Source Enforcement Branch, a Stationary Source Enforcement Branch, and a Compliance Assistance and Training Branch. Since that time, the Division's responsibilities and staffing levels have grown, but this basic programmatic structure did not change. This resulted in significant imbalances in the scope of responsibility and spans of control of many of the Division's managers and supervisors which impacted the Division's performance.

During 2011, the Enforcement Division implemented a new organizational structure that groups staff into four branches based primarily on the type of enforcement service provided. This new structure includes a Diesel Program Enforcement Branch, a Vehicle, Parts, and Consumer Products Enforcement Branch, a Field Operations Branch, and an Enforcement Support Branch. The restructuring was accomplished without adding any additional positions to the Division.

The Enforcement Division's new organizational structure better balances the scope of responsibility and spans of control of the Division's managers and supervisors. Additionally, staffing resources were realigned throughout the Division to better match current workload and service demands, including shifting additional positions to business units that focus primarily on conducting investigations of non-compliant diesel-powered trucks, buses, and equipment. These realignments helped to offset adverse impacts associated with the loss of several previously authorized positions due to the state's continuing budget crisis.

The changes made as part of the Enforcement Division's restructuring will enable improved performance in terms of the numbers of inspections and investigations completed, enforcement actions initiated, settlements reached, and the timeframes required to complete these enforcement actions. With these performance improvements, higher levels of compliance with ARB regulations will be achieved.

Mobile Source Enforcement Programs

Overview of Mobile Source Enforcement Programs

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

Although heavy-duty diesel vehicles comprise only two percent of California's on-road fleet, they produce about one-third of the nitrogen oxide (NOx) and approximately two-thirds of the particulate matter (PM) emissions attributed to motor vehicles. Because of the toxic nature of the sooty particles found in diesel exhaust, the emissions from these vehicles are of special concern, particularly in populated areas. Diesel-powered vehicle and equipment programs that the Enforcement Division is responsible for enforcing include:

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

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

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

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

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

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

A summary of each of these programs and the Enforcement Division's significant accomplishments during 2011 is provided below.

Statewide Diesel Fleet Enforcement Programs

Periodic Smoke Inspection Program

The Periodic Smoke Inspection Program (PSIP) encompasses all heavy-duty diesel truck and bus fleets (defined as 2 or more vehicles with a Gross Vehicle Weight Rating (GVWR) greater than 14,000 pounds and in certain instances greater than 6,000 pounds GVWR). PSIP requires that fleet operators complete annual SAE J1667 electronic opacimeter inspections of vehicle exhaust opacity and repair vehicles with excessive emissions. Additionally, vehicle engines must be EPA-certified and labeled accordingly. Fleet owners that fail to perform required PSIP tests are subject to penalties of $500 per vehicle per year. About 14,000 diesel truck and bus fleets with about 800,000 vehicles are subject to this program.

<u>2011 Accomplishments</u>

- ✓ 198 PSIP cases were closed with nearly $800,000 in penalty assessments.
- ✓ Began collecting data and tracking companies that perform PSIP testing, and have suspicious opacity tests, to determine whether the testing is valid.
- ✓ Continued monitoring and tracking companies tampering with in-use diesel particulate matter filters, such as running empty canisters, removing back pressure wires, or improperly swapping components, etc.

SmartWay Truck Technology Program

The SmartWay Truck Technology Program is a regulation adopted pursuant to the *Global Warming Solutions Act* (AB 32) which requires that tractors and trailers have enhanced aerodynamic equipment (e.g., skirts) that reduce wind resistance, improve fuel economy, and decrease carbon dioxide, nitrogen oxide, and other emissions. These technologies collectively referred to as *SmartWay Technologies*, can be phased in over a multi-year period beginning during 2011. The program also requires specific disclosure whenever used tractors or trailers are sold that do not have the new aerodynamic equipment. About 1.5 million trucks and trailers are subject to this program.

<u>2011 Accomplishments</u>

- ✓ Participated in the development of industry outreach and education strategies.

Statewide Truck and Bus Program

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

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

2011 Accomplishments

- ✓ Participated in the development of industry outreach and education strategies and worked closely with the Mobile Source Control Division on the development of the TRUCRS database for the Truck and Bus Fleet Rule.

Specialized Diesel Fleet Enforcement Programs

Solid Waste Collection Vehicle Program

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

2011 Accomplishments

- ✓ 37 SWCV fleet cases were closed with more than $600,000 in penalty assessments.

Urban Transit Bus and Transit Fleet Vehicle Programs

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

2011 Accomplishments

- ✓ Two (2) UB cases were closed with $2,000 in penalty assessments. Additionally, four TFV cases were closed with $20,000 in penalty assessments.

Public Agency and Utility Fleet Program

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

through 2014 (or 2017 in the case of smaller population counties). About 574 fleets and 30,000 vehicles are subject to this program.

2011 Accomplishments

- ✓ Five (5) PAU cases were closed with $52,300 in penalty assessments.

Drayage Truck Program

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

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

2011 Accomplishments

- ✓ Seven (7) DT cases were closed with $81,930 in penalty assessments.
- ✓ On-road DT inspection activity is discussed subsequently (see *On-Road Enforcement Programs*).

Diesel Equipment Enforcement Programs

Transport Refrigeration Unit Program

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

2011 Accomplishments

- ✓ 36 TRU cases were closed with more than $100,000 in penalty assessments.
- ✓ Coordinated efforts through the California Council on Diesel Education and Technology enabled the California Community College in Santa Ana to install donated diesel particulate filters on TRUs used by the not-for-profit Heart of Compassion Food Bank. Rypos (a diesel particulate filter OEM) donated filters, Santa Ana Community College donated two TRUs, and LA Trade Tech conducted PSIP tests on the food bank's trucks.

As a result of these efforts, this non-compliant food bank continues to serve the community while reducing diesel particulate emissions to an adjacent trailer park.

- ✓ On-road TRU inspection activity is discussed subsequently (see *On-Road Enforcement Programs*).

Verified Diesel Emission Control Strategies Program

The Verified Diesel Emission Control Strategies (VDECS) Program focuses on requirements related to repowering or retrofitting older diesel-powered vehicles by installing additional ARB-verified emissions control devices on the vehicle's engine or exhaust system. The requirements are intended to ensure compatibility between the emissions control device and the vehicle's engine and compliance with emissions reduction, equipment durability, and warranty standards. All diesel-powered vehicles in California are required to have an ARB-verified retrofit installed by 2030 unless the vehicle is specifically exempted or is equipped with a diesel particulate filter by the manufacturer.

<u>2011 Accomplishments</u>

- ✓ Six (6) VDECS cases were closed with more than $150,000 in penalty assessments.

Off-Road Heavy-duty Diesel Equipment Program

The Off-Road Heavy-duty Diesel Equipment Program encompasses diesel-powered construction equipment, such as bulldozers and backhoes, and other off-road, self-propelled, diesel-powered equipment such as airport ground support and mining equipment. The program's requirements were phased in beginning during 2008, beginning with 5-minute time limits on idling. Additionally, off-road heavy-duty diesel equipment dealers were required to disclose to new and used equipment buyers if the equipment sold is not compliant with the program's requirements. Beginning in 2009, all off-road heavy-duty diesel equipment was required to be registered with ARB through the DOORS system and labeled with an ARB-assigned Equipment Identification Number (EIN). Beginning in 2010, the program's regulations required owners to repower or replace the equipment and maintain it (retrofits are optional). However, these requirements are not yet enforceable. To enable enforcement of these requirements, ARB requested a waiver from the U.S. EPA. The waiver request has not yet been approved. Approximately 180,000 pieces of equipment are subject to this program.

<u>2011 Accomplishments</u>

- ✓ 12 Off-Road Heavy-duty Diesel Equipment cases were closed with $22,013 in penalty assessments.

On-Road Enforcement Programs

Every heavy-duty diesel vehicle traveling on California roadways is subject to inspection and testing. Enforcement staff conducts these inspections, sometimes in cooperation with other governmental agencies at the federal, state, or local level, including U.S. Immigration Customs Enforcement, the U.S. EPA, the California Highway Patrol, the California Department of Toxic Substances Control, the State Board of Equalization, and local law enforcement agencies. ARB

also contracts with the San Joaquin Valley AQMD and has trained staff in the San Francisco and South Coast AQMDs to enable their inspectors to perform commercial vehicle and school bus idling enforcement services. The Bay Area AQMD also provides other targeted enforcement services, including inspections of marine craft, drayage trucks, cargo-handling equipment, and TRUs at the Port of Oakland.

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

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

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

Verified Diesel Emission Control Strategies (VDECS) Program – The VDECS Program focuses on emissions control equipment installed on older diesel-powered vehicles to fulfill requirements related to retrofitting the vehicle's engine. During an inspection, labeling is verified to ensure compatibility between the emissions control device and the vehicle's engine or exhaust system. Owners of vehicles found in violation of applicable standards are subject to minimum penalties of $300 per day of violation.

Selective Catalytic Reduction (SCR) Program – The focus of the SCR Program is the chemical concentration of the Diesel Exhaust Fluid (DEF) used with new truck catalysts. The urea concentration of the DEF must be greater than 32.5 percent and is checked during inspection. Owners of vehicles found in violation of this standard are subject to minimum penalties of $300 per violation.

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

Commercial Vehicle and School Bus Idling Programs – California has two regulations aimed at curbing the length of time diesel vehicles idle their engines. The regulations are structured to reduce public exposure to diesel particulates. The Commercial Vehicle Idling (CVI) Program

applies to heavy-duty diesel-powered vehicles weighing greater than 10,000 pounds and generally prohibits these vehicles from idling for more than five minutes. In lieu of idling a vehicle's main engine, drivers can utilize on-board auxiliary power systems, battery systems, truck stop electrification systems, and other alternative power sources. CVI inspections are oftentimes completed at truck stops or at loading/unloading facilities such as distribution centers. School buses, transit buses, and other commercial heavy-duty diesel-powered vehicles are also subject to idling restrictions when stopped within 100 feet of, or at, a school. The School Bus Idling regulation requires that the vehicle's engine be shut down immediately upon arriving at a school. Also, after re-starting, the vehicle must leave the school within 30 seconds. Drivers found in violation of applicable vehicle idling standards are subject to minimum penalties of $300 per violation.

Transport Refrigeration Unit (TRU) Program – The focus of the TRU Program is on trucks, truck trailers, and containers equipped with diesel-powered cooling systems. The regulations require TRU owners to register California-based TRUs in ARB's Equipment Registration (ARBER) system and to obtain and display an ARB-issued TRU identification number. TRUs are also required to meet specified in-use emissions standards that are phased in over a multi-year period extending from 2009 through 2019. Owners of TRUs found in violation of applicable standards are subject to penalties ranging from $300 to $1,000 per violation.

In-Use Off-Road Diesel Equipment Program – Off-road diesel-powered construction equipment, such as bulldozers and backhoes, and other off-road self-propelled, diesel-powered equipment, such as airport ground support and mining equipment, must be registered with ARB through the DOORS system and labeled with an ARB-assigned Equipment Identification Number (EIN). Additionally, off-road diesel vehicles (ORDVs) are subject to limits on idling. Owners (or operators) of equipment found in violation of applicable standards are subject to minimum penalties of $300 per violation.

Environmental Justice Community (EJC) and Mexican Border Programs – Enforcement staff target many of their on-road enforcement operations on heavy-duty diesel trucks operating within designated EJCs, including seaports in Los Angeles, Long Beach, Port Hueneme, Oakland, and Stockton, major distribution centers, and rail yards and truck stops in and nearby residential communities. A primary focus of EJC inspections is on drayage trucks and TRUs. To mitigate excessive toxic emissions from Mexican-domiciled vehicles, enforcement staff maintains on-road vehicle inspection sites at the Otay Mesa, Calexico, and Tecate border crossings and at other nearby locations.

Specialized Fleet Vehicle Inspection Programs – Trucks and buses subject to fleet-specific regulations, such as solid waste collection vehicles, urban transit buses, transit fleet vehicles, public agency and utility fleet vehicles, and drayage trucks, are inspected along with other heavy-duty diesel-powered vehicles. For these vehicles, the scope of the inspections encompasses any applicable specialized fleet requirements.

<u>2011 Accomplishments</u>

- ✓ 10,734 HDVIP inspections were completed. 114 citations were issued for HDVIP violations and $30,855 in HDVIP penalties was collected.
- ✓ 10,731 ECL inspections were completed. 703 citations were issued for ECL violations and $165,226 in ECL penalties was collected.

- ✓ 788 VDECS inspections were completed. One (1) citation was issued for VDECS violations and $150 in VDECS penalties was collected.
- ✓ 9,591 Red-Dyed Diesel Fuel inspections were completed. No violations were identified.
- ✓ 4,985 DT inspections were completed. 275 citations were issued for DT violations and $122,250 in DT penalties was collected.
- ✓ 2,907 TRU inspections were completed. 1,418 citations were issued for TRU violations and $566,882 in TRU penalties was collected.
- ✓ 5,604 CVI inspections were completed. 1,185 citations were issued for CVI violations and $22,140 in CVI penalties was collected. Additionally, pursuant to requirements set forth in AB 233, several hundred No Idling signs were fabricated and delivered to ARB. Also, plans were developed for installing the signs with EJ Communities assigned the highest priority.
- ✓ Due to significant outreach activities conducted during the initial implementation phases, School Bus Idling Program compliance levels are believed to be very high (i.e., nearly 100 percent). Consequently, no inspections were completed during 2011.
- ✓ 214 inspections of ORDVs were completed. 48 citations were issued for ORDV violations and $3,000 in ORDV penalties was collected.
- ✓ 8,019 inspections were completed in Environmental Justice Community and Mexican Border areas, including HDVIP, CVI, ECL, VDECS, TRU, and DT inspections and 1,303 citations and NOVs were issued as a result of completing these inspections. The relatively high violation rate for these inspections is partially attributable to comparatively high levels of non-compliance with idling and ECL requirements in these areas along with the emphasis placed on targeting and inspecting TRUs which have a much higher rate of non-compliance than other types of equipment.
- ✓ In total, more than $1 million in on-road citation and NOV penalty assessments was collected during 2011.

Vehicle and Motorcycle Enforcement Programs

New On-Road Vehicle and Motorcycle Program

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

<u>2011 Accomplishments</u>

- ✓ 24 on-road vehicle and motorcycle cases were closed with $637,400 in penalty assessments.

49-State Vehicle Program

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

2011 Accomplishments

- ✓ Eight (8) 49-State Vehicle Program cases were closed with $17,500 in penalty assessments.

Off-Highway Recreational Vehicle (OHRV) Program

New OHRVs, such as off-road motorcycles and all-terrain vehicles, must meet specified exhaust and evaporative emissions standards and be certified by ARB. Enforcement staff works with the U.S. EPA, U.S. Immigration and Customs Enforcement, and foreign governments to ensure that imported products fully comply with California's environmental regulations.

2011 Accomplishments

- ✓ Four (4) OHRV cases were closed with $282,500 in penalty assessments.
- ✓ In coordination with the San Bernardino District Attorney's office, ARB successfully litigated a major criminal case involving illegal Chinese vehicle imports. The case resulted in criminal felony pleas, convictions, sentencing and imprisonment of those responsible and a $750,000 civil settlement. This case, which spanned five years of investigation, was the first case in California history involving mobile source air pollution that resulted in criminal convictions.

Dealership and Fleet Tampering Programs

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

2011 Accomplishments

- ✓ Three (3) dealership and fleet tampering cases were closed with $1,000 in penalty assessments.

Tire Pressure Inflation Program

The Tire Pressure Inflation Program is a regulation adopted pursuant to the *Global Warming Solutions Act* (AB 32). The program requires that automotive repair dealers and other business entities (e.g., new tire dealers) check tire inflation pressures whenever a new or in-use passenger vehicle or light duty truck is serviced.

2011 Accomplishments

- ✓ Enforcement staff participated in the development of industry outreach and education strategies and coordinated these efforts with the Bureau of Automotive Report for release to licensed automotive repair facilities.

Engine and Aftermarket Part Enforcement Programs

Engine Programs

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

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

CI Engines – This program focuses on new CI engines which are found in a wide variety of off-road farming, construction, and industrial vehicles and equipment, including tractors, excavators, dozers, scrapers, portable generators, TRUs, irrigation pumps, welders, compressors, scrubbers, and sweepers. Off-road CI engine certification provisions include requirements to demonstrate compliance with the applicable emission standards as well as labeling and warranty obligations.

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

2011 Accomplishments

- ✓ Five (5) LSI, CI, and SOREs cases were closed with $143,500 in penalty assessments.

Marine Craft and Outboard Engine Programs

The Recreational Marine Engine Program requires that new recreational watercraft, such as fishing boats and ski boats, personal watercraft such as jet skis, and outboard marine engines, must meet specified exhaust and evaporative emissions requirements and be certified by ARB. Certifications are issued by the Mobile Source Operations Division. Generators, wenches, and auxiliary engines used with recreational marine craft are subject to LSI, CI, and SOREs Program regulations, as applicable.

2011 Accomplishments

- ✓ Due to adverse economic conditions affecting this industry, enforcement staff focused their efforts on other, higher priority areas.

Aftermarket Parts Program

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

2011 Accomplishments

- ✓ Two (2) aftermarket part cases were closed with $793,000 in penalty assessments.
- ✓ One of the largest cases involving illegal sales of aftermarket parts on the Internet was settled. U.S. Auto was assessed $233,000 in penalties and required to take corrective measures for illegal sales of uncertified aftermarket catalysts.
- ✓ A cooperative effort with the California Teachers Association was undertaken to enable the importation of uncertified small spark engines for educational use in California schools. A California school official arranged for a donation of the engines that were not otherwise eligible for sale. The engines were distributed to schools throughout California that are cutting their budgets and could not otherwise acquire the engines. Control measures were developed to ensure that the engines do not enter commerce in California.

Laboratory and Certification Fraud Program

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

2011 Accomplishments

- ✓ Enforcement staff investigated two (2) Laboratory and Certification Fraud Program cases. One of these investigations is continuing and a complaint was filed in the U.S. Federal Court in Los Angeles.

Other Mobile Source Enforcement Programs

California Council on Diesel Education and Technology

Fleets, firms, and individuals that perform smoke opacity testing to comply with HDVIP and PSIP requirements must have a full understanding of these programs' regulations and the capability to correctly administer the Society of Automotive Engineers (SAE) J1667 opacity test. During 1992, to help address these needs, ARB created the California Council on Diesel Education and Technology (CCDET). CCDET is a partnership among ARB, the diesel trucking industry, and five California community colleges. The College of Alameda, San Joaquin Delta College, Santa Ana College, Los Angeles Trade Technology College, and Palomar College offer a low-cost, one-day class in the proper application of SAE J1667. The Peralta Community College District administers the program and distributes funding in equal shares to participating community colleges. The cost of each CCDET class is $175. Certifications obtained through CCDET must be renewed every four years.

2011 Accomplishments

- ✓ $298,383 in funding generated from 147 settled diesel cases was disbursed to support the conduct of 53 CCDET classes.

Carl Moyer and Proposition 1B Incentive Grant Programs

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

2011 Accomplishments

- ✓ 707 Carl Moyer Program reviews were completed resulting in identification of 11 outstanding violations. Additionally, 10,875 Prop 1B reviews were completed resulting in identification of 349 outstanding violations.
- ✓ Enforcement staff also performed an investigation of potential fraud through the Carl Moyer Program by misrepresenting the size of applicant's fleet. Grant funding is only available to small fleets, currently defined as 10 or fewer vehicles.

Fuels Enforcement Programs

Overview of Fuels Enforcement Programs

The Fuels Program regulates motor vehicle fuels, including California reformulated gasoline and diesel fuel. Additionally, the Fuels Program regulates (fuel/gasoline) cargo tank vapor recovery systems. Fuels Program enforcement involves sampling and testing of fuel produced or imported for use in California, sampling and testing of fuels at key distribution nodes and retail service stations, evaluation of compliance data submitted by regulated entities, registration of fuel distributors and oxygenate blenders, registration and inspection of (fuel/gasoline) cargo tanks, investigation of violations, and resolution of these cases. Fuels Program enforcement also involves outreach and support to clarify complex aspects of the regulations through training seminars, individual company meetings, website information, and telephone support to the regulated industry and the general public. A summary of each of these programs and the Enforcement Division's significant accomplishments during 2011 is provided below.

Fuels Program

The primary focus of the Fuels Program is on sampling gasoline and diesel fuel products from a cross-section of industry locations, including refineries, import vessels, distribution and storage facilities, bulk purchaser/consumer facilities, and retail service stations. A secondary focus of the program is on diesel fuel products. Within California there are two (2) import centers (Long Beach and the San Francisco Bay Area), 13 production centers (refineries), about 100 distribution nodes (terminals and bulk plants), and about 10,000 retail gasoline stations.

<u>2011 Accomplishments</u>

- ✓ Enforcement staff collected 1,967 samples of gasoline and 489 samples of diesel fuel, for a total of 2,456 samples, representing about 2.24 billion gallons of gasoline and 485 million gallons of diesel fuel. Also, about 16,000 analyses were completed of the samples collected. The volume of fuel represented by the samples collected during 2011 increased compared to 2010 even though fewer staff were available to collect the samples.
- ✓ 15 fuels cases were closed with a total of $199,000 in penalty assessments.

Reformulated Gasoline Notification Program

The Reformulated Gas Certification Program establishes standards for various formulations of gasoline. The program's regulations offer alternative options for refiners and fuel importers to comply with California's standards. When a company elects to use an alternative compliance option such as predictive model limits, designated alternative limits, or certified diesel fuel formulations, then the company must notify ARB and provide supporting data. Refiners also self-certify compliance with the standards. Compliance monitoring and enforcement is accomplished principally by reviewing the data submitted for compliance with applicable rules.

2011 Accomplishments

- ✓ 3,105 gasoline formulation reports submitted by producers and importers of reformulated gasoline were received and reviewed.
- ✓ Six (6) RFG Program cases were closed with a total of $90,000 in penalty assessments.

Cargo Tank Vapor Recovery Program

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

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

2011 Accomplishments

- ✓ 5,172 cargo tanks were registered with ARB.
- ✓ 235 cargo tanks were visually inspected, 81 cargo tanks were pressure tested, 14 citations were issued, 15 cases were closed, and $7,003 in penalties was collected.
- ✓ A web-based system for registering cargo tanks was implemented that reduced the amount of staff time needed to process registrations by 50 percent.

Consumer and Specialty Product Enforcement Programs

Overview of Consumer and Specialty Product Enforcement Programs

To achieve air quality standards and reduce the public's exposure to toxic air contaminants, it is necessary to reduce emissions from many small sources, such as consumer products and specialty products. ARB has been enforcing statewide regulations to reduce volatile organic compound (VOC) emissions from consumer products and aerosol coatings for over 15 years and has also regulated toxic air contaminants and global warming compounds. Additionally, the Enforcement Division is increasingly responsible for enforcement of newer regulations governing various specialty products, including composite wood products, marine fuel tanks, portable fuel containers, indoor air cleaning devices, and automotive refrigerant cans. A summary of each of these programs and the Enforcement Division's significant accomplishments during 2011 is provided below.

Consumer Products Program

The Consumer Product Program encompasses more than 25,000 products in 165 product categories (129 chemically formulated product categories and 36 aerosol coating product categories), including aerosol paints, adhesives, antiperspirants and deodorants, cleaning and degreasing products, polishes, personal and beauty care products, lawn and garden products, lubricants, disinfectants, sanitizers, automotive specialty products, paint thinners, and solvents. These products are examples of common everyday products that are made with ozone-forming volatile organic compounds (VOCs). Although each product contains only a small amount of VOCs, Californians use very large quantities of these products every year which cumulatively contributes to the formation of ground level ozone, a major part of California's smog problem. To reduce smog and public exposure to hazards associated with smog, ARB regulates the amount of VOCs permissible in these products. The regulations also help to reduce emissions of toxic air contaminants and global warming compounds.

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

<u>2011 Accomplishments</u>

- ✓ Three (3) consumer products cases were settled with a total of $213,000 in penalties collected. While the total number of cases resolved was reduced due to the delays caused by the implementation of AB 1402, staff reached agreements in principal in at least 35 additional cases while developing final AB 1402 compliant settlement agreement language.
- ✓ 2011 saw a continuation of routine maintenance on the program's sample tracking and case management system. New functionalities helped to automate the investigation and case management process.
- ✓ 45 percent of the samples selected for testing during 2011 exceeded the VOC limit for the category in initial testing, reflecting improved collection of non-compliant samples. During 2009 and 2010, 39 percent of the samples exceeded the VOC limits.

Composite Wood Products Program

The Composite Wood Products Program encompasses a broad range of products, such as hardwood plywood, particle board, and medium-density fiberboard, and other finished goods that are made from these materials, including decorative wall coverings, cabinetry, subflooring, shelving, household and office furniture, and children's toys. Composite wood panel manufacturers are required to have a third party verification program. The regulations, which are structured to reduce formaldehyde emissions, were adopted during 2008 with implementation beginning in subsequent years.

2011 Accomplishments

- ✓ Enforcement staff facilitated studies to determine the reproducibility of the formaldehyde emissions analyses for both raw wood panels and deconstructed finished goods. The last of the extended sell-through periods for composite wood panels expired at the end of 2011 and enforcement for several cases of high emitting panels began. Due to the adverse impacts of the economic downturn on wood products industries, sell-through periods for finished goods were extended until December 31, 2012 (Pre-Phase I) and December 31, 2013 (Phase I).

Refrigerant Canister Program

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

2011 Accomplishments

- ✓ Enforcement staff contributed to the development of Fact Sheets and other outreach materials for industry personal subject to the regulation. ED staff also developed field inspection forms for the point of retail sale and the distribution centers responsible for the collection and eventual recovery of unused refrigerant.

Portable Fuel Container Program

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

2011 Accomplishments

- ✓ 22 portable fuel containers were purchased of which 3 were uncertified containers. Testing was completed on 18 containers purchased during 2010 and 2011. Of these, 9 containers failed the performance standards. Five (5) NOV's were issued for selling non-certified portable fuel containers in California.

Marine Fuel Tank Program

This program regulates portable outboard marine tanks (effective 1/1/2011) and their components, including fuel hoses and fittings (1/1/2010), primer bulb assemblies (1/1/2011) and caps (1/1/2010) which are used to store and supply fuel to outboard marine engines. The regulations require that new fuel tanks and their components meet performance standards for

durability, diurnal emission standards, are leak-proof, and have self-sealing caps. Manufactures must apply for certification and obtain an Executive Order in order to sell marine fuel tanks and components in California.

2011 Accomplishments

- ✓ Prior to issuance, enforcement staff reviewed 12 Executive Orders for new portable outboard marine tanks or components.

Indoor Air Cleaning Device Program

This program limits the ozone emitted from indoor air cleaning devices. All air cleaning devices, including ozone-generating devices and electrostatic precipitator devices, sold in California after October 18, 2010, must certify using independent laboratory testing to meet a 0.05 ppm ozone emission limit and also comply with specified labeling requirements. Additionally, all manufacturers that sell to California residents or businesses were required to notify their distributors, retailers, and sellers about the regulation, provide them with a copy of the regulation, and provide ARB with documentation of the notification.

2011 Accomplishments

- ✓ Five (5) sample non-compliant indoor air cleaning devices were purchased, investigations were conducted, and the first enforcement action under this regulation was initiated.

Goods Movement Enforcement Programs

Overview of Goods Movement Enforcement Programs

To reduce public exposure to health risks associated with diesel particulate matter, during 2006 new regulations were implemented governing rail yards, ports, and marinas, collectively referred to as the Goods Movement Program. Goods Movement Program enforcement is a major, growing responsibility involving field inspections of rail yards and locomotives, ocean-going vessels, commercial harbor craft, marina fuel docks, cargo-handling equipment, and transport refrigeration units, investigation of identified violations, and resolution of these cases. A summary of each of these programs and the Enforcement Division's significant accomplishments during 2011 is provided below.

Railroad MOU Program

The focus of this program is on the two major railroads operating in the state, the Burlington Northern Santa Fe (BNSF) railroad and the Union Pacific (UP) railroad. Thirty-two covered and designated rail yards identified in the ARB/Railroad Statewide Agreement are inspected twice each year, during the spring and fall. Enforcement staff also evaluates locomotives for compliance with idling and visible emission standards. Additionally, at some rail yards staff also collects fuel samples to enforce the sulfur fuel standard. To further ensure statewide compliance, additional inspections are conducted outside the covered and designated rail yards.

2011 Accomplishments

- ✓ 2,458 locomotives were inspected, 28 citations were issued for identified violations, 29 cases were closed, and $10,000 in penalties was collected.

Ocean-Going Vessel Program

The focus of this program is on ocean-going vessels traveling to/from California ports. About 2,000 vessels make about 10,000 visits to California ports each year. Ocean-going vessels are inspected at the Ports of Los Angeles, Long Beach, San Pedro, Oakland, Richmond, Stockton, Sacramento, Port Hueneme, Benicia, and San Diego. Staff board vessels and obtain samples of low sulfur marine distillate fuels for laboratory analysis. Staff also reviews bunkering receipts and fuel switching logs to verify compliance with requirements that apply within 24 nautical miles of the California baseline. Compliance with certain incinerator requirements is also verified.

2011 Accomplishments

- ✓ An increased enforcement staff presence was provided at ports throughout the state to verify compliance with the OGV Fuels regulation. While overall compliance is high, many overseas and domestic companies have not fully complied with applicable requirements. During 2011, 493 vessels were inspected, 26 citations were issued for identified violations, 27 cases were closed, and $298,875 in penalties was collected.

Commercial Harbor Craft and Marina Fuel Dock Programs

The Commercial Harbor Craft Program, which began in 2009, encompasses about 3,325 harbor craft operating at about 120 shoreline and inland harbors throughout the state. Commercial harbor craft include commercial fishing vessels, tugboats, crew boats, and excursion (tour) vessels. Enforcement staff inspects the vessels for compliance with emission and recordkeeping standards.

The Marina Fuel Dock Program, which began in 2007, focuses on harbor refueling facilities and equipment. Enforcement staff collects samples of marine diesel fuel and reviews records at fueling docks located on both coastal and inland waterways.

2011 Accomplishments

- ✓ Efforts this past year focused on outreach and education to the regulated community. Harbors and marinas were visited and harbormasters were contacted to obtain ownership information on regulated vessels. A listing of over 800 vessel owners was developed and used by the Stationary Source Division to notify the owners of applicable regulations and how to comply.

Port/Rail Cargo-Handling Equipment and TRU Programs

The focus of the Port/Rail Cargo-Handling Equipment (CHE) and TRU Programs is on the state's 40 major port/rail facilities (6 major seaports and 34 major rail terminals). The Port/Rail CHE Program focuses on diesel powered mobile cargo handling equipment used at these

facilities, including yard trucks, rubber tire gantries, side picks, and forklifts. The Port/Rail TRU Program focuses on diesel-powered TRUs.

2011 Accomplishments

- ✓ 2,693 port/rail TRU and 317 CHE equipment inspections were completed, 82 citations were issued for TRU violations, and $67,875 of TRU penalties was collected. Additionally, 235 Drayage Truck inspections were completed, 16 citations were issued for Drayage Truck violations, and $17,600 in penalties was collected.

Air District Enforcement Support Services

Overview of Air District Enforcement Support Services

Enforcement support services provided by the Enforcement Division to local Air Districts include rule reviews, variance reviews, Air Facility System and Continuous Emissions Monitoring System support services, stationary source and equipment inspection services, and specialized investigation services. A summary of each of these support services and the Enforcement Division's significant accomplishments during 2011 is provided below.

Air District Rule Review Services

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

2011 Accomplishments

- ✓ 137 Air District rules were reviewed.

Air District Variance Review Services

Air Districts are responsible for permitting stationary sources and reviewing and approving planned and unplanned emissions variances from permitted standards. Enforcement staff reviews reports submitted by the Air Districts documenting planned and unplanned emissions variances and reviews all Air District Hearing Board variance orders for compliance with Health & Safety Code requirements. When a variance order is not compliant with these requirements, enforcement staff prepares and issues correspondence to the Air District and Hearing Board requiring corrective action. Enforcement staff also maintains a database to track activity related to Hearing Board orders and provides training and workshops to educate Air District staff and Hearing Board members about the variance hearing process.

2011 Accomplishments

- ✓ 326 variances were reviewed.
- ✓ Enforcement staff began structured evaluations of Air District Variance Programs, focusing initially on Districts with significant program issues.

Air Facility System Services

The U.S. EPA's Air Facilities System (AFS) is used to store permit and compliance data pertaining to more than 100,000 stationary source emitters nationwide and monitor each facility's compliance status. Enforcement staff reviews facility inspection data posted to the AFS by the Air Districts. In some cases (e.g., about 30 smaller, non-delegated Air Districts), enforcement staff compile and review facility inspection data submitted by the Air Districts and post updates to the AFS on behalf of these agencies. Enforcement staff also prepares and distributes bi-monthly AFS reports and monthly High Priority Violator Reports to selected Air Districts, prepares and submits quarterly reports to the U.S. EPA, and assists the U.S. EPA in training Air District personnel to effectively use the AFS.

2011 Accomplishments

- ✓ 63 AFS reports were received and reviewed, 48 AFS reports were entered into the AFS, and 182 AFS reports were prepared and sent to Air Districts.

Continuous Emissions Monitoring System Services

The U.S. EPA's Continuous Emissions Monitoring (CEM) System is used to monitor stationary source facility emissions. Any stationary source that an Air District requires to install and operate a CEM is required to report any violation of emission limits to the Air District. The Air District, in turn, must report the violations to ARB. Enforcement staff is responsible for reviewing the emissions data reports submitted by some smaller, non-delegated Air Districts and compiling and posting related updates to the CEM System.

2011 Accomplishments

- ✓ 91 CEM reports were received and processed.

Stationary Source and Equipment Inspection Services

Enforcement staff sometimes assist Air Districts with stationary source inspections (e.g., inspections of sawmills or agricultural facilities during peak operating seasons), stationary diesel engine inspections (e.g., quarry generators and pumps), and inspections and registrations of portable equipment, such as diesel generators. Enforcement staff also inspects dry cleaners located in the South Coast Air Quality Management District that have discontinued their use of perchlorethylene.

2011 Accomplishments

- ✓ One (1) dry cleaner verification inspection was completed.

Asbestos National Emissions Standards Program

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

2011 Accomplishments

- ✓ 62 inspections and seven (7) complaint investigations were completed.
- ✓ Seven (7) training sessions and two (2) task force workshops were conducted.

Greenhouse Gas Enforcement Programs

Overview of Greenhouse Gas Enforcement Programs

The Enforcement Division is responsible for monitoring compliance and enforcing multiple Greenhouse Gas Programs established pursuant to the *Global Warming Solutions Act* (AB 32). The SmartWay Truck Technology Program, the Tire Pressure Inflation Program, and the Refrigerant Canister Program were discussed previously (see *Mobile Source Enforcement Programs*). Below we discuss the Landfill Methane Gas Enforcement Program, the Refrigeration Systems Enforcement Program, the Sulfur Hexafluoride Reduction Enforcement Program, and several other current and prospective Greenhouse Gas Enforcement Programs.

Landfill Methane Gas Program

The Landfill Methane Gas Program requires collection of methane gas generated from landfills. The Air Districts generally have authority over stationary source emissions, including landfills, but not greenhouse gases, such as methane. ARB is negotiating with larger Air Districts to provide landfill methane compliance monitoring and enforcement services in their districts and, in some cases, in neighboring smaller districts that do not have sufficient resources to perform these services. The Enforcement Division's Landfill Methane Gas Program compliance monitoring and enforcement responsibilities are expected to be limited to landfills located in other parts of the state.

2011 Accomplishment

- ✓ Enforcement staff participated in developing cooperative agreements with local Air Districts for the Landfill Methane Gas Program enforcement.

Refrigeration System Program

The Refrigeration System Program is structured to reduce refrigerant (halogenated compound) leaks from commercial and industrial refrigeration systems and equipment. The focus of the program is on larger refrigeration systems and equipment. It is estimated that about 25,000 refrigeration units are subject to the program. The program requires facilities to check for and repair leaks, maintain records, and report data to ARB's Research Division. ARB is negotiating with the Air Districts to perform most Refrigeration System Program compliance monitoring and enforcement services. The Enforcement Division's Refrigeration System Program compliance monitoring and enforcement responsibilities are expected to be limited to larger businesses that operate facilities with refrigeration systems throughout the state, such as grocery store chains.

2011 Accomplishment

- ✓ Enforcement staff participated in developing cooperative agreements with local Air Districts for Refrigeration System Program enforcement.

Sulfur Hexafluoride Reduction Program

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

2011 Accomplishment

- ✓ Enforcement staff participated in meetings with industry stakeholders regarding implementation-related enforcement issues.

Other Greenhouse Gas Programs

Other Greenhouse Gas Programs that may require compliance monitoring and enforcement services within the next several years include the Mandatory Greenhouse Gas Emissions Reporting Program, the Low Sulfur Fuel Program, and the Cap and Trade Program.

2011 Accomplishment

- ✓ Enforcement staff participated in developing the Cap and Trade Program regulation.

Enforcement Program Support Services

Overview of Enforcement Program Support Services

Enforcement Program support services provided by the Enforcement Division include citation administration and collection services, complaint hotline services, Visible Emissions Evaluation Program services, training services, surveillance services, and Environmental Crimes Task Force support services. A summary of each of these support services and the Enforcement Division's significant accomplishments during 2011 is provided below.

Citation Administration Program

The Citation Administration Program focuses on reissuing citations and NOVs issued by field inspection staff, but to the vehicle's owner. Enforcement staff also cashier penalty payments, validate and process demonstration of correction records, coordinate appeals and appearances at administrative hearings, conduct settlement conferences, and perform collection functions, including preparing and filing claims in Small Claims Court, obtaining superior court judgments, filing real and personal property liens, requesting vehicle registration holds by the Department of Motor Vehicles, requesting vehicle impounds by the California Highway Patrol, requesting state income tax refund intercepts by the Franchise Tax Board, and repeatedly writing or calling the vehicle's owner or operator to encourage them to complete corrective actions and pay assessed penalties.

Complaint Hotline Services

ARB, along with a number of Air Districts, administer programs for identifying and contacting the owners of vehicles emitting excessive smoke or commercial trucks and buses idling longer than five minutes after stopped. Under these programs, citizens report smoking vehicles to ARB or the Air Districts which send notices to the vehicle's owner requesting that they check their vehicle and repair it, if needed. In the case of idling complaints, the notices request that the vehicle owner review the idling regulations with the vehicle's driver.

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

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

2011 Accomplishments

- ✓ Enforcement staff responded to more than 1,700 Smoking and Idling Vehicle Complaint Hotline complaints.
- ✓ Enforcement staff responded to nearly 1,300 complaints/questions from the ARB Complaint Hotline and online Cal/EPA Environmental Complaint System.

Visible Emissions Evaluation Program

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

VEE training and certifications are required to comply with EPA-proscribed methods (Method No. 9). The basic training program consists of a day and a half of classroom instruction followed by a half-day of training in the field, which also includes certification testing. Participants that fail the certification test at the end of the second day can retake the test on the next day. Certifications are valid for six (6) months. The third day of each 3-day session is also open for recertification testing. If an individual fails a recertification test, they can retake it the same day. Training and certification sessions are held throughout the state. About 80 percent of VEE Program participants are from industry and about 20 percent are from Air Districts.

A smoke generator is used as part of the training and to conduct certification and recertification tests. This is a specialized piece of equipment that can generate both white and black smoke. The VEE Program has two trailer-mounted smoke generators and a tow vehicle that is used to transport the generator to locations where training and certification sessions are offered.

2011 Accomplishments

- ✓ Eight (8) Smoke School classes were offered to 279 public and private industry students.
- ✓ 41 VEE Program day and seven (7) VEE Program night certification/recertification sessions were offered to 2,065 public and private industry participants.

In-State Training Services

Historically, the primary purposes of this training were to teach Air District staff how to develop rules, issue permits, complete inspections, detect violations, and perform enforcement. More recently, the overall purpose of the Training Program broadened to “provide comprehensive education to further the professional development of environmental professionals”.

The Training Program provides entry-level training, focusing on a standardized core curriculum, and continuing education classes. Available courses cover pollution history, procedures for evaluating emissions and analyzing industrial processes, emission control theory and the application of emission controls, and waste stream reduction. Videos, digital presentations,

guest speakers, and field or site visits are incorporated into specific course offerings, as appropriate. The courses are designed to provide skills that can be applied in the field and encourage networking between participants to facilitate exchanges of information and assistance outside of the classroom. ARB's Training Program serves as a model for training programs in other states.

Enforcement staff continuously improves the Training Program by updating existing programs and developing new courses to respond to customer agencies' and industry's evolving needs. Additionally, the program's instructors are continuously updated on emerging issues and kept up-to-date by attending training themselves.

During 2011, responsibility for training services involving mobile source emissions topics was transferred to ARB's Mobile Source Control Division. Currently, the Enforcement Division's Training Program includes about 65 different classroom courses, seminars, and workshops focusing on stationary source emissions topics.

2011 Accomplishments

- ✓ **Uniform Air Quality Training Program** – The Uniform Air Quality Training Program is a series of 14 courses providing an introduction to air pollution control and enforcement. The program is intended for entry-level stationary source inspectors, regulatory agency staff, and environmental specialists in business and government. During 2011, seven (7) sessions were offered to 86 public and private industry students. Enforcement staff is currently developing an on-line module of this program.
- ✓ **200 Series Courses** – These courses combine a higher level of technical information provided in the classroom with field visits to regulated commercial or industrial sites to provide students with the opportunity to interact with the regulated community and ask questions that are more detailed or extremely technical in nature. During 2011, 40 courses were offered to 693 public agency and private industry students.
- ✓ **300/400 Series Courses –** These courses, designed for experienced environmental professionals, include workshops, seminars, and symposiums focusing on current, and sometimes controversial, environmental issues such as cross media training, legal issues, case development and variance/hearing board requirements. During 2011, 53 courses were offered to 1,386 public agency and private industry students.
- ✓ **500 Series Courses** – These courses are designed to assist diesel vehicle and equipment operators, owners, fleet managers, and maintenance staff to comply with on- and off-road vehicle and equipment regulations. The courses provide information about regulatory requirements, diesel emissions and health effects, control measures, and reporting systems. During 2011, 82 courses were offered to 4,083 public agency and private industry students. About one-half of these courses were maintenance worker regulatory overview training classes provided to Caltrans staff. These classes were offered pursuant to a cooperative agreement that ARB negotiated with Caltrans and CAPCOA to help bring Caltrans into compliance with Air District regulations and reduce diesel particulate matter, air toxics and criteria pollutants, and smog-forming and greenhouse gas emissions. More than 1,950 Caltrans staff attended this training, accounting for about one-half of all students attending Series 500 courses.

National Air Compliance Training Delivery Project

The National Air Compliance Training Delivery Project (NACTDP) provides training to environmental professionals outside of California. Entry-level courses cover topics such as the history of air pollution, laws and regulations, and enforcement. Advanced level courses cover the analysis of industrial processes, theory and application of emission controls, and emissions evaluation procedures.

The NACTDP Program is funded primarily from U.S. EPA grants provided through the National Council on Aging. Regional consortia sponsor most classes, including the Northeast States for Coordinated Air Use Management, the Mid-Atlantic Regional Air Management Association, the Southeastern Local Air Pollution Control Agencies, the Southeastern States Air Resources Managers, the Central States Air Resource Agencies, and the Western States Air Resources Council. The Enforcement Division administers the program.

2011 Accomplishments

- ✓ NACTDP delivered 45 training classes to 1,158 students outside of California.

Other Enforcement Program Support Services

Surveillance Services

Surveillance support services, typically involving a stationary source, are provided to Air Districts and, sometimes, to other public agencies such as the Department of Toxic Substances Control.

2011 Accomplishments

- ✓ Eight (8) new surveillance cases were opened and five (5) surveillance cases were closed.

Environmental Crimes Task Force Support

Enforcement staff participates in monthly and quarterly Environmental Crimes Task Force meetings. Typically, multiple meetings are held in various regions throughout the state.

2011 Accomplishments

- ✓ 45 Environmental Crimes Task Force meetings were attended.

Appendix A
2011 Enforcement Program Statistics

Program Category	Total Closed Enforcement Actions[1]	Penalties[2]		Total Penalties[2]
		Judgments	Settlements	
Cargo Tank Program	15	$0	$7,003	$7,003
Consumer and Aerosol Coating Product Programs	31	$0	$213,000	$213,000
Diesel Equipment Programs	54	$0	$277,355	$277,355
Engine and Part Programs	11	$500,000	$436,000	$936,000
Fuel Programs	21	$0	$289,000	$289,000
HDD Field Inspection Programs	2,971	$0	$911,603	$911,603
Marine Programs	112	$0	$384,350	$384,350
Railroad MOU Program	29	$0	$10,000	$10,000
Specialized Diesel Fleet Programs	55	$0	$757,755	$757,755
Statewide Diesel Truck and Bus Programs	198	$0	$793,743	$793,743
Vehicle Programs	39	$1,415,000	$657,500	$2,072,500
Total Closed Enforcement Actions	**3,536**	**$1,915,000**	**$4,737,309**	**$6,652,309**

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

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

Appendix B
2011 Investigation and Case Resolution Statistics

Program Category			Product Samples		Pending Cases 01/01/11	Cases Opened	Case Dispositions			Pending Cases 12/31/11	Penalties Assessed
			Collected	Uncertified or Test > Limit			Rescinded, Compliant, or NFA	Settled	Total Closed		
Consumer Product Programs		Consumer Products Programs	2,391	836	59	69	28	3	31	97	$213,000
		Aerosol Coating Products Program *(Included Above)*	0	0	0	0	0	0	0	0	$0
		Composite Wood Products Program	46	19	0	0	0	0	0	0	$0
		Indoor Air Cleaning Device Program	5	5	0	1	0	0	0	1	$0
		Total - Consumer Product Programs	**2,442**	**860**	**59**	**70**	**28**	**3**	**31**	**98**	**$213,000**
Heavy Duty Diesel Fleet Programs	Statewide Diesel Fleet Programs	Periodic Smoke Inspection Program			105	183	108	90	198	90	$793,743
		SmartWay Truck Technology Program *(New 2012 Program)*			0	0	0	0	0	0	$0
		Statewide Truck and Bus Program *(New 2012 Program)*			0	0	0	0	0	0	$0
	Specialized Diesel Fleet Programs	Solid Waste Collection Vehicle Program			51	16	24	13	37	30	$601,525
		Urban Transit Bus Program			1	3	0	2	2	2	$2,000
		Transit Fleet Vehicle Program			6	1	2	2	4	3	$20,000
		Public Agency and Utility Fleet Program			4	5	1	4	5	4	$52,300
		Drayage Truck Program			14	6	3	4	7	13	$81,930
	Diesel Equipment Programs	Transport Refrigeration Unit Program			61	31	17	19	36	56	$100,550
		Verified Diesel Emissions Control Strategies Program			7	4	2	4	6	5	$154,792
		Off-Road Diesel Equipment Program			10	15	6	6	12	13	$22,013
		Total - Heavy Duty Diesel Fleet Programs			**259**	**264**	**163**	**144**	**307**	**216**	**$1,828,853**
Vehicle, Engine, and Part Programs	Vehicle Programs	In-State Vehicle Programs			15	6	1	12	13	8	$57,500
		49-State Vehicle Program (CNC)			13	8	0	8	8	13	$17,500
		Motorcycle Programs			13	3	1	10	11	5	$964,000
		Dealership and Fleet Tampering Programs			4	1	1	2	3	2	$1,000
		Marine Craft and Outboard Engine Programs			4	0	0	0	0	4	$0
		Marine Fuel Tank			0	0	0	0	0	0	$0
		Off-Highway Recreational Vehicle Program			18	0	0	4	4	14	$1,032,500
		Tire Pressure Inflation Program *(New 2012 Program)*			0	0	0	0	0	0	$0
	Engine and Part Programs	Compression Ignition (CI) Program			5	3	0	4	4	4	$142,500
		Large Spark Ignition (LSI) Program			0	0	0	0	0	0	$0
		Small Off-Road Engine (SORE) Program			4	9	0	1	1	12	$500
		On-Road After-Market Part Programs			11	9	0	2	2	18	$793,000
		Off-Road After-Market Part Programs			0	0	0	0	0	0	$0
		Portable Fuel Container Program			5	5	3	0	3	7	$0
		Refrigerant Cannister Program *(New 2012 Program)*			0	0	0	0	0	0	$0
		Laboratory and Certification Fraud Program			1	1	1	0	1	1	$0
		Total - Vehicle, Engine, and Part Programs			**93**	**45**	**7**	**43**	**50**	**88**	**$3,008,500**
Total - Case Investigation and Resolution Programs					**411**	**379**	**198**	**190**	**388**	**402**	**$5,050,353**

Appendix C
2011 Field Operations Statistics

Program Category			Product Samples Tested	Inspections Completed	Compli-ance Rate	Pending Citations and NOVs 01/01/11	Citations and NOVs Issued	Citation and NOV Dispositions			Pending Citations and NOVs 12/31/11	Penalties Collected
								Rescinded, Compliant, or NFA	Closed	Total		
Fuels Programs		Fuel Inspection Program - Gasoline	1,967	682	n/a	29	9	5	7	12	26	$196,000
		Fuel Inspection Program - Diesel	489			5	1	1	2	3	3	$3,000
		Fuel Inspection Program - Other Fuels	2	2	n/a	0	0	0	0	0	0	$0
		Reformulated Gas Certification Program	0	3,105	n/a	7	1	1	5	6	2	$90,000
		Red-Dyed Diesel Fuel Program	1	9,519	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Other Fuels Programs	5	5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Total - Fuels Programs	**2,464**	**13,313**	**n/a**	**41**	**11**	**7**	**14**	**21**	**31**	**$289,000**
Cargo Tank Programs		Cargo Tank Inspection Program		235	100%	0	0	0	0	0	0	$0
		Cargo Tank Pressure Test Program		81	84%	45	14	1	14	15	44	$7,003
		Annual Test Observation Program		73	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Total - Cargo Tank Programs		**389**	**n/a**	**45**	**14**	**1**	**14**	**15**	**44**	**$7,003**
Railroad MOU Programs		Railroad Locomotive Inspection Program		2,458	99%	6	28	4	25	29	5	$10,000
		Other Railroad MOU Programs (e.g., Fuel)		0	n/a	0	0	0	0	0	0	$0
		Total - Railroad MOU Programs		**2,458**	**n/a**	**6**	**28**	**4**	**25**	**29**	**5**	**$10,000**
Marine Programs		Ocean Going Vessel Program		493	95%	7	26	0	27	27	6	$298,875
		Commercial Harbor Craft Program		0	n/a	0	0	0	0	0	0	$0
		Fuel Dock/Marina Fuel Program		54	100%	0	0	0	0	0	0	$0
		Cargo-Handling Equipment Program		317	100%	2	0	2	0	2	0	$0
		TRU Program (see also HDD Field Inspection Programs)		2,693	98%	0	82	16	57	73	9	$67,875
		DT Program (see also HDD Field Inspection Programs)		235	94%	0	16	2	8	10	6	$17,600
		Total - Marine Programs		**3,792**	**n/a**	**9**	**124**	**20**	**92**	**112**	**21**	**$384,350**
Heavy Duty Diesel Field Inspection Programs	Statewide Truck and Bus Programs	Heavy Duty Vehicle Inspection Program		10,734	99%	1,274	114	5	357	362	1,026	$30,855
		Emissions Control Label Program		10,731	94%	1,143	703	6	649	655	1,191	$165,226
		Commercial Vehicle Idling Program		5,604	79%	952	1,185	17	790	807	1,330	$22,140
		VDECS Program		788	100%	5	1	0	2	2	4	$150
		Other Statewide Truck and Bus Programs (GHG)		0	n/a	0	0	0	0	0	0	$0
	Specialized Fleet and Equipment Programs	Solid Waste Collection Vehicle Program		20	90%	133	7	5	22	27	113	$1,200
		Public Agency and Utility Fleet Program		7	86%	7	1	0	3	3	5	$0
		Drayage Truck Program (see also Marine Programs)		4,985	95%	109	275	35	138	173	211	$122,150
		TRU Program (see also Marine Programs)		2,907	54%	1,527	1,418	75	829	904	2,041	$566,882
		Off-Road Diesel Equipment Program		214	76%	0	48	2	36	38	10	$3,000
	Total - HDD Field Inspection Programs			**35,990**	**90%**	**5,150**	**3,752**	**145**	**2,826**	**2,971**	**5,931**	**$911,603**
Total - Field Operations Program				**55,942**	**93%**	**5,251**	**3,929**	**177**	**2,971**	**3,148**	**6,032**	**$1,601,956**
Environmental Justice Community Program (Included Above)				8,019	n/a	n/a	1,303	n/a	n/a	n/a	n/a	n/a

Appendix D
2011 Enforcement Support Statistics

Table D.1 - Carl Moyer Program Compliance Status Reviews	
Total Registered Owners/VINs Processed	707
Total Outstanding Violations	11

Table D.2 - Prop 1B Program Compliance Status Reviews	
Total Registered Owners/VINs Processed	10,875
Total Outstanding Violations	349

Table D.3 - Smoking and Idling Vehicle Hotline Services	
Smoking Vehicle Complaints Received	1,686
Advisory Letters Issued	1,686
Reponses Received	179
Response Rate	11%
Idling Vehicle Complaints Received	45
Advisory Letters Issued	45
Reponses Received	17
Response Rate	38%

Table D.4 - Cal/EPA and ARB Hotline Services	
Complaints Received	1,284
Stationary Source Complaints Referred to Air Districts	245
Vapor Recovery Complaints Referred to Air Districts	161
Complaints Answered By Enforcement Division	73
Complaints Referred to Other ARB Divisions	49
Complaints Referred to Other Agencies	151
Other Dispositions	608
Complaints Closed	1,287

Table D.5 - Air District Rule Reviews	
Rules Received	137
Rules Reviewed	137
Rules with Formal Comments	0

Table D.6 - Air District Variance Reviews	
Variances Reviewed	326
Notices Reviewed	307
Variances Returned for Rehearing	25

Table D.7 - Air Facility System Services	
Reports Received and Reviewed	63
Reports Entered	48
Reports Sent to Air Districts	182

Table D.8 - High Priority Violator AFS Services	
High Priority Violator Reports Received	62
High Priority Violator Reports Entered	50
High Priority Violator Reports Sent to Air Districts	324

Table D.9 - Continuous Emissions Monitoring System Services	
Total Reports Received	91
CEM 105 Grant Reports Received	91
CEM 105 Reports Sent to U.S. EPA	91

Table D.10 - Registration Services	
Cargo Tank Registrations	5,172
Fuel Distributor Registrations	254
Oxygenate Blender Registrations	61

Table D.11 - Asbestos Program Services	
Inspections Completed	62
Complaint Investigations Completed	7
NOVs Issued	0
Training Sessions Conducted	7
Task Force Workshops Conducted	2

Table D.12 - Landfill Methane Gas Program Services	
Inspections Completed	0
Complaint Investigations Completed	0
NOVs Issued	0
Training Sessions Conducted	0
Task Force Workshops Conducted	0

Table D.13 - Refrigeration System Program Services	
Inspections Completed	0
Complaint Investigations Completed	1
NOVs Issued	0
Training Sessions Conducted	0
Task Force Workshops Conducted	0

Table D.14 - Sulfur Hexafluoride Reduction Program Services	
Inspections Completed	0
Complaint Investigations Completed	0
NOVs Issued	0
Training Sessions Conducted	0
Task Force Workshops Conducted	0

Table D.15 - Stationary Source & Equipment Inspection Services	
Stationary Source Inspections	0
Portable Equipment Registration Program Inspections	0
Dry Cleaner Verifications	1
Other Inspections	0
Total Inspections	1

Table D.16 - Other Air District Enforcement Support Services	
Air District Investigative Assistance	5
Environmental Crimes Task Force Meetings Attended	45
New Surveillance Cases Opened	8
Surveillance Cases Closed	5
Continuing Surveillance Operations as of 12/31/11	8

Table D.17 - Delinquent Citation/NOV Enforcement Services	
Trucks Held by CHP (VC 27159)	0
Judgments Obtained (H&SC 44011.6)	149
DMV Registration Holds (VC 4755)	321
FTB Tax Refund Intercepts Requested (CC 12419)	0
Small Claims Court Cases Filed (CCP 116)	0
Property Liens Filed (CCP 681.010)	32

Table D.18 - HDVIP/ECL Administrative Hearing Services	
Appeals Pending as of 01/01/11	3
Appeals Received	39
Appeals Settled or NFA	34
Appeals Heard/Decided	0
Total Appeals Closed	34
Appeals Pending as of 12/31/11	8

Appendix E
2011 Training Program Statistics

California-Based Classroom Training Programs	Number of Courses	Enrolled Students			Students per Course	
		Classroom	Simultaneous Webcast (2 Classes)	Total	Classroom	Total
100 Series Courses						
Fundamentals of Enforcement (2-Day)	8	279		279	35	35
Uniform Air Quality Training Program (4-Day)	7	86		86	12	12
200 Series Courses						
Aggregate, Asphalt & Concrete Batching Operations	4	52		52	13	13
Asbestos Demolition and Renovation - Regulator Training	6	81		81	14	14
Above Ground Storage Tanks	3	53		53	18	18
Biomass Fired Boilers	4	102		102	26	26
Petroleum Refining	2	77		77	39	39
Theory & Application of Air Pollution Control Devices	3	71		71	24	24
8 Other 200 Series Courses	18	257		257	14	14
300 Series Courses						
Portable Equipment ATCM	13	433		433	33	33
Advanced Portable Equipment Regulation Review	6	249		249	42	42
Cal/EPA Basic Inspector Academy (4-Day)	10	202		202	20	20
Gasoline Facilities Phase I and II	4	91		91	23	23
7 Other 300 Series Courses	10	200		200	20	20
400 Series Courses						
Comprehensive Continuous Emissions Monitoring	10	211		211	21	21
500 Series Courses						
Diesel Exhaust After-Treatment Devices	15	382		382	25	25
Diesel Vehicle Regulation Overview	25	782		782	31	31
Truck, Bus & Tractor-Trailer GHG Reporting Training	7	242	117	359	35	51
Maintenance Worker Regulatory Overview	49	1,952		1,952	40	40
Diesel Exhaust After-Treatment Maintenance	7	91		91	13	13
One Stop Truck Event Diesel Regulation Overview	7	474		474	68	68
Retrofit Questions and Complaints	2	18	25	43	9	22
Total California Classroom Training Programs	**220**	**6,385**	**142**	**6,527**	**29**	**30**

Other Services	Number of Courses	Number of Participants	Participants per Course
Webcast-Only and Recorded Video Courses			
Recorded Video Courses	1	78	78
Webcast-Only Courses			
Series 100 Courses	1	9	9
Series 300 Courses	1	497	497
Total Webcast-Only and Recorded Video Courses	**3**	**584**	**195**
ARB-Only Courses			
Air Academy Course (On-Line)	1	358	358
Staff Development Courses	2	58	29
Total ARB-Only Courses	**3**	**416**	**139**
National Air Compliance Training Delivery Project	**45**	**1,158**	**26**
Visible Emisssions Evaluation Program			
Daytime Certification Sessions	41	1,933	47
Nighttime Certification Sessions	7	132	19
Total VEE Program Certification Sessions	**48**	**2,065**	**43**

Appendix F
2011 Significant Enforcement Program Settlements

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Other		Total Penalties
					CCDET	Other	
Goldenvale, Inc.	Vehicles	Sales of uncertified vehicles.	December	$25,000		$725,000	$750,000
Car Sound Exhaust System	Aftermarket Parts	Sales of aftermarket catalytic converters without an Executive Order.	June	$560,000			$560,000
El Sol Trading, Inc.	Vehicles	Importation and sales of uncertified motorcycles and off-highway recreational vehicles.	July	$510,000			$510,000
Reward Leasing, Inc.	SWCV	Failure to properly self-inspect diesel trucks.	May	$400,500		$133,500	$534,000
Cummins, Inc.	Engines	Failure to comply with in-use testing requirements.	May	$125,000		$375,000	$500,000
Genuine Scooters LLC	Vehicles	Sales of uncertified motorcycles.	May	$300,000			$300,000
U.S. Auto Parts Network, Inc.	Aftermarket Parts	Sales of aftermarket catalytic converters without an Executive Order.		$233,000			$233,000
Foresthill Motorsports, LLC	Vehicles	Sales of unregistered vehicles.	October	$155,000			$155,000
A.P. Deauville	Consumer Products	Sales of non-compliant power stick deodorant and failure to satisfy product dating requirements.	November	$150,000			$150,000
Donaldson Company, Inc.	VDECS	Sales of non-complaint filter systems.	December	$77,250	$25,750		$103,000
Kinder Morgan	Fuels	Supplied premium grade gasoline exceeding the maximum cap limits of 10%.	May	$69,227		$18,273	$87,500
Temecula Valley Choppers	Vehicles	Sales of uncertified motorcycles.	June	$65,000			$65,000
Aprilla of Sherman Oaks	Vehicles	Sales of uncertified vehicles.	August	$60,000			$60,000
Liquid Glass Enterprises Inc.	Consumer Products	Sales of non-complaint automotive cleaning products.	March	$60,000			$60,000
IVVE Transportation/ Allied Freight Systems Inc.	Drayage Truck	Dispatched non-compliant drayage trucks.	June	$44,288	$14,762		$59,050
Seatrade Reefer Chartering	Ocean-Going Vessel	Failure to switchover vessel's main, auxiliary, and boiler engines to low sulfur distillate fuel upon entry into regulated California waters.	March	$53,000			$53,000
Mediterranean Shipping Company	Ocean-Going Vessel	Failure to switchover vessel's main, auxiliary, and boiler engines to low sulfur distillate fuel upon entry into regulated California waters.	May	$53,000			$53,000

Excludes cases settled for less than $10,000. Case settlement summaries may be viewed at ARB's Enforcement Program Case Settlements web page located at: http://www.arb.ca.gov/enf/casesett/casesett.htm.

Appendix F
2011 Significant Enforcement Program Settlements *(continued)*

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Other		Total Penalties
					CCDET	Other	
Chipolbrok Shipping Company	Ocean-Going Vessel	Failure to switchover vessel's main engines to low sulfur distillate fuel upon entry into regulated California waters.	July	$53,000			$53,000
Beluga Fleet Management	Ocean-Going Vessel	Failure to switchover vessel's main engines to low sulfur distillate fuel upon entry into regulated California waters.	March	$53,000			$53,000
Sud-Chemie Inc.	VDECS	Failed to comply with the Verification Procedure of the diesel particulate filters as certified by ARB.	September	$38,844	$12,948		$51,792
Key Energy Services, LLC	PSIP	Failure to properly self-inspect diesel trucks.	May	$38,813	$12,938		$51,750
City of Compton	SWCV PSIP ORDV PAU	Failure to properly self-inspect diesel trucks, install Best Available Control Technology, affix EIN, and register off-road equipment.	February	$36,600	$12,200		$48,800
BP West Coast LLC	Fuels	Supplied premium grade gasoline prior to the required predictive model notification.	November	$40,000			$40,000
BP West Coast LLC	Fuels	Reid vapor pressure exceeded the limit specified in the predictive model.	November	$35,000			$35,000
Kinder Morgan	Fuels	Supplied gasoline in violation of California reformulated gasoline regulations.	December	$35,000			$35,000
Perez Brothers Transport	SWCV PSIP	Failure to properly self-inspect trucks and to properly affix emission control labels.	July	$23,344	$7,781		$31,125
SMS Supercars	Engines	Sales of non-compliant engines.	September	$28,000			$28,000
County of Imperial, Department of Public Works	PSIP	Failure to properly self-inspect diesel trucks.	April	$20,250	$6,750		$27,000
Tahoe Truckee Disposal Company, Inc.	SWCV PSIP	Failure to properly self-inspect diesel trucks and to install required emission-reduction devices.	August	$18,844	$6,281		$25,125
Dole Fresh Fruit	TRU	Failure to properly label TRU gensets.	December	$24,750			$24,750
Marquez Brothers International	PSIP TRU	Failure to properly self-inspect diesel trucks and failure to upgrade TRU engines as required.	April	$18,000	$6,000		$24,000
Southern California Edison	PSIP ECL	Failure to properly self-inspect diesel trucks and to properly affix emission control labels.	March	$17,250	$5,750		$23,000
Yang Ming Marine Transport Corp.	Ocean-Going Vessel	Failure to complete fuel switchover upon entry into California waters.	July	$21,375			$21,375
Alcal-Arcade Contracting, Inc.	PSIP ECL	Failure to properly self-inspect trucks and to properly affix emission control labels.	July	$15,806	$5,269		$21,075

Excludes cases settled for less than $10,000. Case settlement summaries may be viewed at ARB's Enforcement Program Case Settlements web page located at: http://www.arb.ca.gov/enf/casesett/casesett.htm.

Appendix F
2011 Significant Enforcement Program Settlements *(continued)*

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Other		Total Penalties
					CCDET	Other	
Kenyon Plastering Inc.	PSIP ECL	Failure to properly self-inspect diesel trucks and to properly affix emission control labels.	July	$15,750	$5,250		$21,000
Versacold Logistics LLC	TRU	Failure to report TRU activity by the required due date.	January	$15,244	$5,081		$20,325
Redding Yamaha Aprilla	Vehicles	Sales of uncertified and non-compliant motorcycles.	August	$20,000			$20,000
Hendrickson Trucking Inc.	PSIP	Failure to properly self-inspect diesel trucks.	December	$14,906	$4,969		$19,875
Ensign United States Drilling	PSIP ORDV	Failure to properly self-inspect diesel trucks and to report and label off-road diesel vehicles.	March	$14,344	$4,781		$19,125
Paul Vaz Trucking, Inc.	PSIP ECL	Failure to properly self-inspect diesel trucks and to properly affix emission control labels.	January	$14,250	$4,750		$19,000
Brotherhood Trucking Inc.	PSIP Drayage Truck	Failure to self-inspect diesel trucks and non-compliant drayage trucks	May	$13,213	$4,404		$17,617
Eastern Contra Costa Transit Authority	Urban Bus Transit Fleet	Failure to properly retrofit diesel fleet vehicles.	February	$12,750	$4,250		$17,000
Duggins Construction	Asbestos	Failure to submit Asbestos NESHAP notification of prior to demolition.	January	$16,870			$16,870
Sterling Pacific Meat Co.	PSIP TRU	Failure to properly self-inspect diesel trucks and to upgrade TRU engines.	March	$12,375	$4,125		$16,500
Frontier Transportation, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	January	$12,094	$4,031		$16,125
West Coast Refrigerated Trucking Inc.	PSIP	Failure to properly self-inspect diesel trucks.	May	$11,813	$3,938		$15,750
Paso Robles Waste Disposal, Inc.	PSIP SWCV	Failure to properly self-inspect diesel trucks and to install required emission-reduction devices.	July	$11,813	$3,937		$15,750
Dynalectric Los Angeles	PSIP	Failure to properly self-inspect diesel trucks.	October	$11,813	$3,938		$15,750
PCJPB	PSIP	Failure to properly self-inspect diesel trucks.	May	$11,625	$3,875		$15,500
Solid Wastes of Willits, Inc.	PSIP SWCV	Failure to properly self-inspect diesel trucks and to install required emission-reduction devices.	December	$11,531	$3,844		$15,375
Shell Oil	Fuels	Marine import fuel samples exceeded the maximum value of the predictive model.	January	$15,000			$15,000
Kinder Morgan	Fuels	Supplied regular grade gasoline exceeding the maximum ethanol cap limits of 10%.	June	$15,000			$15,000
Valero	Fuels	Supplied diesel fuel prior to the required predictive model notification.	June	$15,000			$15,000

Excludes cases settled for less than $10,000. Case settlement summaries may be viewed at ARB's Enforcement Program Case Settlements web page located at: http://www.arb.ca.gov/enf/casesett/casesett.htm.

Appendix F
2011 Significant Enforcement Program Settlements *(continued)*

Company	Program	Summary of Violations	Month	Penalties Assessed			
				APCF	Other		Total Penalties
					CCDET	Other	
BP West Coast LLC	Fuels	Supplied fuel to a California facility prior to submitting the final import notification.	November	$15,000			$15,000
United Food Group LLC	PSIP	Failure to properly self-inspect diesel trucks.	October	$10,294	$3,431		$13,725
Stericycle Inc.	PSIP	Failure to properly self-inspect diesel trucks and to properly affix emission control labels.	April	$10,125	$3,375		$13,500
Harrison Trucking, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	December	$9,881	$3,294		$13,175
C & S Waste Solutions of California, Inc.	SWCV PSIP	Failure to properly self-inspect diesel trucks and to install required emission-reduction devices.	November	$9,844	$3,281		$13,125
S.E.G. Trucking, Inc.	SWCV PSIP	Failure to properly self-inspect diesel trucks and to install required emission-reduction devices.	September	$9,281	$3,094		$12,375
Lealta Transport, Inc	PSIP ECL TRU	Failure to properly self-inspect diesel trucks, to properly affix emission control labels and to upgrade TRU engines.	July	$9,225	$3,075		$12,300
Courtesy Auto Transport LLC	PSIP	Failure to properly self-inspect diesel trucks.	October	$9,000	$3,000		$12,000
Shuster's Transportation, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	March	$8,438	$2,812		$11,250
Farmer John Egg Enterprises, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	June	$8,438	$2,812		$11,250
International Pavement Solutions, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	March	$11,000			$11,000
Central Fence Company	PSIP	Failure to properly self-inspect diesel trucks.	August	$8,250	$2,750		$11,000
Matagrano, Inc.	PSIP ECL	Failure to properly self-inspect diesel trucks and to properly affix emission control labels.	January	$8,156	$2,719		$10,875
Chiquita Brands	TRU	Failure to properly label TRU gensets.	November	$10,800			$10,800
Harris Transfer, Inc.	PSIP	Failure to properly self-inspect diesel trucks.	March	$7,800	$2,600		$10,400
Valero	Fuels	Supplied diesel fuel prior to the required predictive model notification.	June	$10,000			$10,000
BP West Coast LLC	Fuels	Supplied regular grade gasoline prior to the required predictive model notification.	November	$10,000			$10,000
Full Circle Recycling Company	PSIP ECL	Failure to properly self-inspect diesel trucks and to properly affix emission control labels.	August	$7,500	$2,500		$10,000
Silverado Building Materials Inc.	PSIP	Failure to properly self-inspect diesel trucks.	November	$7,500	$2,500		$10,000

Excludes cases settled for less than $10,000. Case settlement summaries may be viewed at ARB's Enforcement Program Case Settlements web page located at: http://www.arb.ca.gov/enf/casesett/casesett.htm.

Appendix G
List of Acronyms

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

Appendix H
Alphabetical Listing of Enforcement Programs[1]

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

[1] The above listing is not all-inclusive and excludes more than a dozen enforcement-related services provided by the Enforcement Division, including training services, Complaint Hotline services, Air District rule and variance review services, Air Facility System and Continuous Emission Monitoring System services, and stationary facility inspection and surveillance services.

Appendix I
Air Resources Board Overview

The California Air Resources Board coordinates California's efforts to achieve health-based federal and state air quality standards. During the Board's 45 year history, California's air quality has improved significantly. For example, emissions from passenger vehicles have been reduced by over 95 percent through the use of clean engine and fuel technologies and, statewide, the number of clean air days has doubled during the past two decades notwithstanding massive increases in population, the number of motor vehicles and the distances they are driven. Despite this progress, California continues to have severe air quality problems, with over 90 percent of California's population, or 33 million Californians, living in regions with unhealthy air.

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

- Mobile sources, such as commercial trucks and buses, passenger vehicles, motorcycles, diesel-powered off-road equipment, off-highway recreational vehicles, and off-road engines such as generators and lawn and garden equipment
- Goods movement sources, such as railroads, ocean-going vessels, commercial harbor craft and fishing vessels, cargo-handling equipment, drayage trucks, and transport refrigeration units
- Gasoline, diesel, and other fuels, and cargo tanks used to transport these products
- "Area" sources which individually emit small quantities of pollutants, but collectively emit significant emissions, including chemically formulated consumer products, aerosol coating products, and specialty products such as indoor air cleaning devices and portable fuel containers.

ARB also oversees the activities of 35 local and regional air pollution control districts. These districts regulate industrial pollution sources. They also issue permits, develop local plans to attain healthy air quality and ensure that the industries in their area adhere to air quality mandates.

While the sources are numerous and diverse, common to each ARB regulation is the basic principle that air quality goals cannot be attained unless compliance is achieved.

Motor Vehicles

Californians set the pace nationwide in their love affair with vehicles. The state's 37 million residents collectively own about 25 million motor vehicles, and drive more than most other Americans. Though today's new cars pollute far less than their predecessors did thirty years ago, motor vehicles are California's number one cause of air pollution with over one-half of the state's current smog-forming emissions coming from gasoline and diesel-powered vehicles. Controlling pollution from cars and trucks is essential to reducing smog.

Toxic Air Contaminants

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

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

Diesel Activities

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

Rules on diesel fuel and engine performance adopted between 1990 and 1998 have dramatically cut diesel particulate emissions. However, data show that diesel particulate is the most common airborne toxic that Californians breathe. The DRRP, adopted in 2000, called for the reduction of the public's exposure to diesel exhaust by 75 percent by 2010, and 85 percent by 2020. Today, California is reaping the benefits of the DRRP and will continue to enjoy these benefits in future years.

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

Goods Movement

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

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

Consumer Products

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

In 2010, consumer products were estimated to have emitted about 244 tons of smog-forming pollutants each day. This is more than all the refineries and gas stations in the state combined. California's clean air plan commits to an 85 percent reduction in ozone-forming pollution from consumer products. To accomplish this, the ARB works with industry to make sure the regulations are technologically and commercially viable.

Stationary Sources

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

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

Into the 21st Century

The United States is the largest emitter of greenhouse gases in the world and California is leading the nation, and the world, in combating the threat of climate change caused by greenhouse gasses. In 2006, the *Global Warming Solutions Act* (AB 32) was enacted establishing a comprehensive greenhouse gas (GHG) reduction program.

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

Conclusion

As a result of ARB’s and the local air districts’ work to limit air pollution, Californians today breathe the cleanest air since measurements have been recorded. The number of first stage alerts in the Los Angeles area has decreased from over 200 per year during the 1970s to fewer than 10 per year today. Other regions throughout the state also have improved air quality despite massive increases in population, the number of motor vehicles, and the greater distances they are driven. ARB continues to lead the world in the development of innovative air pollution control strategies that help protect California's public health from illnesses caused by air pollution.