

Air Resources Board
Cal/EPA Environmental Enforcement Report
2009

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AIR RESOURCES BOARD

I. EXECUTIVE SUMMARY

The California Air Resources Board (ARB) continues to work aggressively towards improving California's air quality and its efforts are making progress. California's air quality improved dramatically over the past 40 years. The number of clean air days has doubled since 1990. Again, this progress has been achieved despite an approximate 400 percent increase in the region's population during this period.

Despite making tremendous progress towards clean air over the past 40 years, California still has severe air pollution problems. Today over 90% of California's population, or approximately 33 million Californians, live in regions with unhealthy air. In 2009, California had 12 of the top 25 U.S. cities with the highest ozone pollution in the nation, 5 of the top ten cities with the highest year-round particulate matter levels, and 11 of the top 25 cities with the highest short-term particulate matter levels. These on-going air pollution challenges require that more be done to reduce emissions from many sources.

Cleaner fuels, gasoline-dispensing vapor recovery systems, consumer products, on- and off-road vehicles and engines, and a host of air toxics are just a few sources regulated by the ARB. While the sources of air pollution and the regulations to control these sources are numerous and diverse, common to each regulation is the basic principle that we cannot reach California's air quality goals unless everyone complies with the rules.

In recent years, the ARB's Enforcement Division was tasked with enforcing regulations and standards for a growing number of sources. The largest expansion of responsibilities is in the area of diesel vehicles and engines of all types. The Enforcement Division inspects heavy-duty diesel vehicles for engine certification compliance, smoke emissions, and tampering. All diesel-powered trucks and buses operating in California, including those that cross the Mexican border, are subject to these inspections. In addition, the Enforcement Division enforces the rules against specific fleets of diesel trucks such as Solid Waste Collection Vehicles, Transit Fleet, and Public Agencies and Utility Vehicles. The Enforcement Division seeks out and intercepts imports of illegal vehicles, engines, and consumer products at the state's large marine ports, such as Los Angeles, Long Beach, and Oakland. It also enforces regulations to reduce or prevent idling by commercial vehicles, school buses, and delivery vehicles. The Enforcement Division ensures that the lowest-polluting fuel is available for cars and trucks, and that the highest level of particle controls are installed on construction, public, utility, and trash hauling vehicles, and on urban/transit buses.

Ideally, businesses that are faced with new or tighter regulations comply voluntarily; and ARB offers education, outreach, incentive, and compliance assistance programs to help them. However, there are always a small percentage of businesses that do not comply with the law. This not only postpones achieving cleaner air, but also punishes the complying companies by providing an unfair economic advantage to the violators. Enforcement Division staff inspects and investigates places and situations where non-compliance is most likely, as well as those areas where the violating emissions have the largest adverse impact on public health. In addition, Enforcement Division staff actively pursues the leads and complaints received from citizens and members of the regulated community.

When division staff discovers violations, they work closely with ARB attorneys to prepare strong and effective cases. Finally, when an enforcement case has been resolved and the violator has been brought to justice, Enforcement Division staff works with ARB's Public Information Office to publicize enforcement actions and discourage others from breaking the law.

A major consideration in enforcement and in all of ARB's work is environmental justice. State law defines environmental justice 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 Enforcement Division continues to make environmental justice an integral part of its activities by targeting sources in environmental justice areas, collaborating with other agencies in enforcing environmental laws, and working with community groups in environmental justice areas.

The challenge to reduce greenhouse gas emissions from both mobile and stationary sources was recently added to the division's responsibilities under the requirements of California's landmark climate change legislation (AB 1493 of 2004 and AB 32, California's Global Warming Solutions Act, of 2006). The Enforcement Division is a major contributor to the development of greenhouse gas regulations and will take on significant enforcement duties in the coming years.

Finally, even in the face of the last year's fiscal challenges, the enforcement program experienced moderate growth in an effort to keep pace with its operational demands. This growth in staff was accompanied by an increase in the number of enforcement actions over the recent years. Enforcement is a big job, but it is essential if California is to keep moving toward its goal of clean, healthful air.

A) Major Program Highlights

In 2009, ARB's Enforcement Division resolved a total of 4,054 cases/citations and collected over \$16 million in total penalties. Of these, 4,041 were closed administratively for over \$14.7 million. Thirteen (13) were closed via civil litigation for over \$1.6 million. Over \$1.9 million of these penalties were used to fund 272 Supplemental Environmental Programs (SEPs). In addition, the Division conducted 275 compliance training classes and distributed over 9,000 compliance assistance publications. These statistics can be categorized into three major program areas: Mobile Source Enforcement, Stationary Source Enforcement, and Training and Compliance Assistance. The following statistics provide more specifics on the accomplishments of each program area:

Mobile Source Enforcement

- 3,928 cases/citations closed for over \$13.3 million;
- 218 general mobile source cases/citations closed for over \$6.2 million;
- 245 diesel fleet and exhaust retrofit cases closed for over \$5.9 million;
- 3,465 in use diesel program citations closed for over \$1.2 million;
- Over 19,000 heavy-duty vehicles inspected for smoke emissions and tampering, with over 600 violations closed for over \$270,000;
- Over 9,500 inspections for commercial vehicle and school bus idling conducted, with over 996 violations settled for over \$298,000;
- 582 field inspections of solid waste collection vehicles, with over 86 citations settled and \$28,500 collected and 11 cases closed for over \$983,000;
- Over 19,000 heavy-duty vehicles inspected for engine certification labeling requirements, with over 1,100 violations and over \$340,000 collected;
- 55 inspections of public agency and utility company fleet vehicles, with 11 violations cleared for over \$2,400 collected and 2 cases closed for over \$5,900;
- 1,347 truck based Transport Refrigeration Units inspected with 453 citations issued and 104 cleared for over \$55,000 and 32 cases closed for over \$69,000;

- 25 Transit Fleet Vehicles cases closed for over \$291,000 and 3 Urban Bus cases closed for over \$7,500;
- 13 exhaust retrofit (VDECS) cases closed for over \$2.2 million;
- Over 100 inspections of in-use off road diesel vehicles with 10 citations issued and 5 cleared for \$1,500 and 3 cases closed for over \$6,700;
- 359 delinquent violations (multiple programs) closed for over \$218,000 collected;
- 186 uncertified on and off-road vehicle cases closed for over \$1.2 million;
- 11 illegal aftermarket performance parts case closed for over \$302,000;
- 1 On-Board Diagnostic case closed for \$4.4 million;
- 93 cases of non-California certified vehicles sold in California illegally were closed for \$206,198;
- Over 18,200 inspections for off-road use only, non-taxed, red-dyed diesel fuel conducted for on-road vehicles;
- 11,620 vehicle inspections conducted in Environmental Justice areas and over 1,430 violations documented;
- Over 50 industry compliance assistance/outreach days covering over 3,000 attendees; and
- 65 California Community College CCDET compliance training classes held covering over 1,000 students.

Stationary Source Enforcement

- 126 cases/citations closed for over \$3 million;
- 37 fuels cases closed for various violations for over \$1.2 million;
- Over 1,500 cargo tanks inspected for proper certification and leak detection with 26 cases closed for \$12,750;
- 13 samples of portable fuel containers and spouts collected during inspections, with 9 cases closed for \$63,750;
- Over 15 million gallons of gasoline and over 4 million gallons of diesel fuel represented in sampling;
- Over 1,500 consumer product samples gathered during inspections, with 45 cases closed for over \$1.68 million;
- 6,425 inspections conducted at ports, rail yards, and marinas, including 3,240 inspections of locomotives resulting in 52 violations issued and 8 violations closed for \$3,200; 603 Cargo Handling Equipment inspections with \$35,625 collected in penalties; 2,312 rail and ship based Transport Refrigeration Unit inspections; 113 Commercial Harbor Craft inspections; 134 Ocean Going Vessel inspections with 7 violations issued and 27 marina fuel dock inspections;
- 69 Composite Wood Product inspections; and
- 1,157 Asbestos notifications received; 80 inspections conducted; 6 complaints investigated and 697 inquiries handled;

Training and Compliance Assistance

- 275 classes or multi-day training programs offered, with total attendance of over 9,000 students;
- Over 9,000 publications distributed, plus 215,000 page views on the publications web pages.

B) What the Reported Data Tells Us

The reported data provides a measure of activity across all applicable enforcement programs at ARB. Due to the wide range of the regulations ARB enforces, each program generates a somewhat unique dataset and has its own measure of activity and performance.

C) How the Program Will Use This Information

This data helps division leadership measure enforcement activity levels, and look for ways to make effective use of limited resources. This information is especially helpful in the strategic planning and analysis arena, especially when new regulations are proposed or implemented. It will also help ARB's enforcement management team to redirect staff to programs with low compliance rates and identify where additional resources and staff may be needed.

II. THE ARB'S ENFORCEMENT PROGRAM

A) Overview

The ARB coordinates California's efforts to reach and maintain the health-based air quality standards and to protect the public from exposure to toxic air contaminants. The agency has two broad mandates to accomplish this. One is overseeing the efforts of local air pollution control and air quality management districts to control air pollution caused by stationary source emissions. The other is directly regulating mobile sources including cars, motorcycles, trucks and buses, and off-road vehicles and equipment, and the fuels that power them. In addition, smaller but more numerous sources of air pollution are regulated, including consumer products, other types of mobile sources like lawn and garden equipment and utility engines, and, especially, any sources of toxic air pollutants. ARB sets and enforces engine requirements, fuel standards, and consumer products standards to limit emissions from these sources.

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 actions. While these violations can result in varying degrees of pollution, what remains constant in each violation is the unfair economic disadvantage suffered by those members of the industries that do comply. To address these varying degrees of violation and their effects on the state's health and economic welfare, ARB's Enforcement Division has adopted the following 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."

Fair, consistent, and comprehensive enforcement ensures that anticipated emissions reductions are achieved and that all regulated entities are treated justly. This report focuses on ARB's enforcement efforts – direct enforcement, oversight of district enforcement programs, and facilitating voluntary compliance through education and compliance assistance.

Organizational Structure

The Enforcement Division is comprised of three branches and one section, each reporting to the division chief:

The **Mobile Source Enforcement Branch** (MSEB) enforces programs to reduce gaseous, particulate, and visible exhaust emissions from heavy-duty diesel and gasoline-powered commercial trucks and buses,

passenger vehicles and other light-duty on-road vehicles, off-highway vehicles, non-road engines such as lawn and garden equipment, and aftermarket parts for on- and off-road vehicles.

The **Stationary Source Enforcement Branch** (SSEB) investigates and develops cases related to motor vehicle fuels and consumer products, provides oversight and assistance to local air district enforcement programs, and provides investigative and surveillance services to assist in the development of air quality, toxic exposure, and multi-media cases.

The **Greenhouse Gas Enforcement Section** (GHGES) remains organizationally independent of a branch and provides an enforcement perspective and specific language to ARB divisions involved in rule development in furtherance of the AB32 climate change effort.

The **Training and Compliance Assistance Branch** (TCAB) provides training and materials to ARB staff, air districts, and industry for improving enforcement and promoting compliance.

Finally, 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, many 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 handled through this informal process, OLA attorneys work with the enforcement staff to negotiate settlements or prepare cases for referral for civil litigation or criminal prosecution to the California Office of the Attorney General, local district attorneys, or the United States Attorney's Office.

B) Enforcement Program Components

1) Mobile Source Enforcement Branch (MSEB)

California has long been a world leader in combating air pollution emitted from motor vehicles and other mobile sources. Because of the state's severe air quality problem, California is the only state authorized under the federal Clean Air Act to set its own mobile source emissions and fuels standards. ARB has used this authority to establish an aggressive program to reduce emissions from many sources, ranging from heavy-duty diesel trucks, passenger cars, and motorcycles to jet skis, lawn mowers, and chain saws. Because of the complexity and diversity of its regulated universe, the Mobile Source Enforcement Branch is split into two broad enforcement program efforts: the general **Mobile Source Enforcement Program** and the **Heavy Duty Diesel Enforcement Program**.

Mobile Source Enforcement Program

The Mobile Source Enforcement Program is structured to ensure that on- and off-road vehicles and other applicable sources, such as small off-road engines and aftermarket parts, meet California's emission standards. Many of these enforcement actions are processed and resolved in collaboration with several other ARB divisions.

Aftermarket Catalyst Cases

On January 1, 2009, new regulations became effective that require all aftermarket catalysts sold in California to meet more stringent performance and durability standards. All aftermarket catalysts now sold in California must have an Executive Order (EO) issued pursuant to these new regulations. The older style catalysts are no longer legal for sale or installation in California. Since the cost of the newer, more effective catalysts is higher, shops that continue to use the older illegal catalysts are creating an unfair business climate

for the shops installing legal parts. To help mitigate this situation, MSEB enforcement staff continued enforcement focused on the catalyst manufacturers, distributors, and large retailers. These efforts produced a large enforcement case against Auto Zone and resulted in \$90,000 in penalties. MSEB staff also provided support to ARB's Mobile Source Operations Division in an outreach effort to the industry at several workshops throughout California.

After-Market Parts Outreach

Staff continues to develop a positive working relationship with the Specialty Equipment Marketing Association (SEMA). These efforts help to ensure that all after-market parts that might affect emissions or emissions control systems are issued an ARB EO that allows for their legal sale in California. Staff provided outreach at the 2009 SEMA show by explaining ARB enforcement programs to represented aftermarket company attendees, making available ARB fact sheets and answering questions.

The industry has new challenges and opportunities with new climate change rules coming into effect. One of the key areas of interest of the 2009 SEMA show was all of the aftermarket parts developed for diesel powered cars and trucks. Some of these devices alter the computer mapping to increase fueling and add power at the cost of increased emissions. Many of the devices do not have ARB Executive Orders for legal use in California, and vehicle owners will have problems when the diesel Smog Check provisions begin in 2010.

Motorcycle and Passenger Vehicle Enforcement

During 2009, staff continued enforcement of ARB's motorcycle regulations. Due to the focus on custom motorcycle builders' enforcement in 2006 and 2007, this category was found to be generally in compliance in 2009, and the engine builders now have additional flexibility to certify an engine package for custom motorcycle builders. For 2009, enforcement continued to focus on imported motorcycles coming into California without ARB certification. In 2009, 11 motorcycle cases with penalties totaling \$132,098 were closed.

Passenger cars and trucks are required by the ARB to be certified for on-road use. The primary focus of enforcement is to ensure that all new vehicles sold, offered for sale, or used in the state are certified for sale in California. Under California's regulations, a new vehicle (defined as a vehicle that has fewer than 7,500 odometer miles) which is not certified to California's standards may not be sold within or imported into the state. If such a vehicle enters California, a Notice of Violation (NOV) is issued. The NOV requires that the vehicle(s) be removed from California and that a civil penalty of up to \$5,000 per vehicle as authorized under [Health and Safety Code Section 43151](#) be assessed. Staff closed 82 passenger vehicle certification cases for a total of \$74,100 in 2009.

Illegal Import Market

During 2009, staff continued its efforts to reduce the incidence of illegally imported products (e.g. on- and off-road motorcycles and ATVs, personal watercraft, and lawn and garden equipment, etc.) coming into California through the major shipping ports. Staff is working with U.S. EPA, U.S. Immigration and Customs Enforcement, U.S. Coast Guard, and international governmental agencies, especially those in China, to ensure that imported products coming into California fully comply with California environmental regulations. In 2009, MSEB staff continued to pursue administrative, civil, and criminal action against violators. In 2009, MSEB participated in increased discussion and outreach with international government and environmental groups, as well as academia. This international outreach is one reason for a decrease in

illegal imports. The participants take back firsthand knowledge of California regulatory requirements to the manufacturers to help ensure their commitment to certify their products prior to California importation. This outreach effort showed quantifiable benefits, demonstrated by the decrease in illegally imported Off-Highway Recreational Vehicles (OHRVs) and the increased number of legally certified products coming into California and the U.S.

ARB's new motorcycle and engine test cell began work in 2009 to require confirmatory and in-use testing on selected import and domestic products. This is an extremely important step to ensure that production vehicles and engines continue to meet the certification and durability requirements.

Marine Engine and Watercraft Enforcement

During 2009, the MSEB continued an intensive enforcement effort to ensure ARB's certification and hang tag requirements for recreational watercraft and personal watercraft were being implemented. Staff focused enforcement resources at the major boat shows throughout California to cover boat and engine builders, distributors, and retailers all in one location. Unlike some trade shows, boats and engines are offered for sale during the marine shows which allows ARB right of entry for inspection and enforcement. ARB staff coordinated these enforcement efforts with the cooperation and support of the California Marine Associations.

AB 695 requires a retail seller or the registration applicant of an inboard or stern-drive vessel with a model year 2008-and-later marine engine to certify that the engine meets or exceeds ARB's emissions standards by: (1) examining the permanently affixed label on the engine and confirming compliance with emissions standards, (2) writing the engine family name and serial number on the hang tag attached to the vessel, and (3) submitting the hang tag with the application for registration. DMV cannot register a vessel unless these conditions are met. Starting in 2009, these requirements apply to the sale of boats with engines exceeding 500 horsepower. Non-compliance with this bill is an infraction, punishable by a fine of \$250, for the operation of an unregistered vessel that does not comply with ARB's emission standards.

Large-Spark-Ignition (LSI) Equipment

Off-road large spark-ignition (LSI) equipment are defined as being greater than 25 horsepower, including farm, construction, and industrial equipment, powered by gasoline and liquefied petroleum gas (LPG), and other alternate fuels. Typical applications that use LSI engines include forklifts, specialty vehicles, airport service vehicles, large turf care equipment, portable generators, and a wide array of other agricultural, construction, and general industrial equipment. The U.S. EPA has sole authority to control new farm and construction equipment under 175 horsepower. One LSI case was closed in 2009 for \$50.

Small Off-Road Engines (SOREs) and Off-Highway Recreational Vehicles (OHRVs)

SOREs (lawn mowers, trimmers, generators, scooters) and OHRVs (off-road motorcycles and ATVs) continued to receive enforcement attention during 2009. Staff worked cooperatively with industry to provide education that assists in industry's awareness and compliance with ARB laws and regulations.

Aggressive enforcement of these regulations is critical because SORE and OHRV regulating programs are designed to reduce smog-forming emissions by approximately 200 tons per day. Enforcement staff will continue to work with DMV and the California Department of Parks and Recreation to ensure proper registration and enforcement in the riding areas throughout California. This cooperative effort ensures that ARB will receive the anticipated emissions reductions from this category.

Used Car Tampering Inspections

Although the anti-tampering inspections at used car dealers and fleets statewide have decreased over the years due to the success of the program, it is still an ongoing enforcement activity. Vehicles inspected by enforcement inspectors in the field undergo a complete visual inspection, and any violations are categorized as tampering (deliberate removal/disconnection of emission controls), or non-conforming (worn or defective emission controls). All violators must repair tampered vehicles prior to their sale or use. Tampered vehicles also require a smog certificate along with settlements in lieu of litigation and civil penalties based on the number of tampered vehicles found and any previous violations with a maximum penalty of \$500 per vehicle. All case settlements are processed by enforcement staff; however delinquent cases are referred to the ARB Legal Office for small claims filing with the original inspector presenting the case to the court. Two tampering cases were settled in 2009 for a total of \$3,000.

Heavy-Duty Diesel Enforcement Program

The Heavy-Duty Diesel Enforcement Program inspects heavy-duty trucks and buses for excessive smoke emissions and tampering of emission control systems. Currently more than 440,000 heavy duty diesel vehicles are registered in California. Each of these heavy-duty vehicles, as well as an estimated one million heavy-duty vehicles registered in other states or foreign countries (i.e. Mexico or Canada), are subject to inspection and testing. Vehicles in fleets, such as transit buses, solid waste collection vehicles, delivery service vehicles and others are also required to comply with the ARB fleet rules. The fleet rules were adopted by the Board under the ARB Diesel Risk Reduction Plan (DRRP) and Goods Movement programs, which aim to reduce vehicle emissions through the installation of exhaust emission control devices such as diesel particulate filters, new engines, and vehicle replacement.

Diesel engines are ubiquitous -- they are on our highways and roads, at construction sites and farms, in schoolyards, collecting trash in neighborhoods, and hauling cargo at air and maritime ports and rail yards. While ARB successfully imposed strict emission standards on new models, the longevity of diesel engines keeps the older, higher-polluting engines in use. To address this issue, ARB 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.

Key program elements include:

Heavy-Duty Vehicle Inspection Program

The roadside Heavy-Duty Vehicle Inspection Program (HDVIP) is designed to reduce excessive visible smoke emitted from the exhaust of heavy duty diesel powered trucks and buses on California roads. Vehicles are tested at random roadside locations statewide, including Environmental Justice areas such as the maritime ports in Los Angeles, Long Beach and Oakland and the Mexican border crossings. Vehicles found with engine tampering or smoke emissions exceeding applicable standards are cited with penalties ranging from \$300 - \$1800 per violation and must be repaired within 45 days. The California Highway Patrol may impound the non-compliant vehicle and the Department of Motor Vehicles can block the registration. In 2009, staff conducted over 19,500 inspections and closed 662 HDVIP cases for \$273,773 in penalties.

Inspections for red-dyed diesel fuel (non-taxed diesel fuel designated for off-road use only) are also conducted in conjunction with the HDVIP. In 2009, staff conducted more than 18,200 red-dyed diesel fuel inspections and found 22 violations. (See Stationary Source Enforcement Branch, Fuels Enforcement section for more details.)

Periodic Smoke Inspection Program (PSIP)

The Periodic Smoke Inspection Program (PSIP) requires fleets of two or more heavy-duty diesel vehicles to test their trucks and buses annually for exhaust smoke opacity levels. The PSIP is a companion to the HDVIP, ARB's roadside enforcement program. Under the PSIP, penalties are assessed at \$500 per violation. Fleet owners are required to maintain their records for two years. ARB staff routinely selects fleets for audits and review their logs of smoke opacity test results to ensure that valid testing of the vehicles has been performed annually. PSIP is often enforced in conjunction with other diesel programs such as Solid Waste Collection Vehicles, Public Agency and Utility Vehicles, and Transit Vehicles/Urban Buses. In addition, ARB staff audits facility compliance reports submitted to ARB regarding diesel exhaust retrofits, and inspects each vehicle for the installation of diesel particulate filters, engine certification labels, and filter device, engine, and cab labeling.

When violations are found, the documentation is compiled into a case against the fleet. The developed case includes the violations, assessed penalties, and a list of additional requirements, such as attending CCDET classes, re-flashing engine computers, and injunction of future violations. These cases are initially presented to the fleet for settlement with ARB. Staff forwards the cases that remain unsettled to the AG or to local DAs for prosecution.

In 2009, ARB reached 96 settlements totaling over \$2.4 million with companies for violating regulations governing these programs.

California Council on Diesel Education and Technology

Fleets, firms, and individuals that perform smoke opacity testing related to ARB's HDVIP and PSIP need a clear understanding of the programs' regulations and must be able to correctly administer the Society of Automotive Engineers (SAE) J1667 opacity test. To this end, in 1992 ARB created the California Council on Diesel Education and Technology (CCDET). It 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 Tech., and Palomar College offer a low-cost, one-day class in the proper application of SAE J1667. The CCDET colleges held 65 classes in 2009.

ARB policy requires that certification through CCDET be renewed every four years. The CCDET program is adding modules to cover other ARB diesel regulatory programs, such as retrofits to idling controls on diesel engine emission control systems.

During 2009, 50% of the money donated to the CCDET program was dedicated to the California Pollution Control Financing Authority as an additional Supplemental Environmental Project. The Financing Authorities mission is to encourage banks and other financial institutions to make loans to small businesses that fall just outside of most banks' conventional underwriting standards. These loans are for purchasing equipment to comply with ARB's diesel regulatory programs.

ARB's Diesel Emission Control Strategies Verification

The ARB regulation: “Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines” was adopted by ARB on May 16, 2002. The goal of this procedure is to ensure real emission reductions using verified diesel emission control strategies (VDECS) that are durable and compatible with various engines and applications. Under this measure, ARB enforcement staff investigates issues of retrofit installations, warranty complaints, verification labeling, and manufacturer wrongdoing. Enforcement staff closed 13 cases in 2009 for \$2,228,000 in penalties. For more information about the VDECS program visit: <http://www.arb.ca.gov/diesel/verdev/verdev.htm>

Solid Waste Collection Vehicle (SWCV) Program

The Solid Waste Collection Vehicle Program enforces an Air Toxic Control Measure (ATCM) designed to reduce cancer-causing particulate matter and smog-forming nitrogen oxide emissions from these trucks. It applies to all diesel-fueled trucks in excess of 14,000 GVWR that collect solid waste for a fee – approximately 13,000 vehicles in California. It requires that solid waste collection vehicles be retrofitted, repowered or replaced according to a specified phase-in schedule. This will dramatically reduce the emissions of particulate matter from SWCVs over the phase-in period ending December 31, 2010. Enforcement of this program is conducted in conjunction with HDVIP and PSIP as well as through roadside inspections at solid waste facilities.

Enforcement of this program is being conducted with HDVIP and PSIP. During 2009, eight SWCV fleet cases were settled for over \$687,000 and 86 Notices of Violation were cleared for \$28,500.

Public Agencies and Utilities (PAU) Fleet Rule

The Fleet Rule for Public Agencies and Utilities is ARB’s effort to reduce both criteria pollutant emissions and exposure to TAC from diesel-powered vehicles other than urban buses and transit fleet vehicles. The regulation affects both municipalities or utilities and heavy-duty engine manufacturers. The regulation affects all diesel-fueled medium-heavy or heavy-heavy-duty engine vehicles greater than 14,000 pounds gross vehicle weight.

Public Agency and Utility engines are required to meet a fleet average starting in January 2008 and the last fleet compliance is to be accomplished by December 31, 2018. This includes certification requirements for the fleets and includes meeting fleet fuel strategy requirements. Operators of all public agency and utility vehicles are required to meet fleet-wide particulate matter (PM) reductions and lower oxides of nitrogen (NOx) fleet averages. This can be achieved through the use of verified diesel emission control strategies, i.e. by installing certified particulate filters, by replacing older engines with ones that meet the 2008 engine exhaust emission standards, or by using alternative fuels. Annual reporting is also required from all public agencies and utilities by December 31st of each year.

During 2009, 55 inspections of PAUs were conducted resulting in \$2,400 in penalties, and one PAU case was settled for \$5,906.

Transit Agencies Fleet Rule

The Fleet Rule for Transit Agencies is designed to reduce criteria and toxic emissions from diesel-powered urban buses (UBs) and transit fleet vehicles (TFVs) above 8,500 lbs. gross vehicle weight operated by and for public transit agencies. TFVs include service vehicles, tow trucks, dial-a-ride buses, paratransit buses,

charter buses, and “commuter service” buses operated only during peak commute hours. Gasoline-powered TFVs are exempt. The regulation affects both public transit operators and heavy-duty engine manufacturers.

The expected reductions are to be accomplished by requiring best available control technology (BACT) to be installed on the diesel engines of transit vehicles, or by adding vehicles that run on cleaner fuels to a fleet while phasing out older diesel vehicles. Each option is accomplished with a phased-in approach by reducing the percentage of emissions within a fleet by certain compliance deadlines specified in the regulation.

During 2009, total penalties for the Transit Fleet Rule were divided between UBs and TFVs. There was \$7,500 in penalties collected to settle UB violations and \$291,149 in penalties collected from 20 TFV cases settled.

Engine Certification Label Program

The Engine Certification Label Program (ECLP) requires that all on-road diesel powered trucks and buses operating in California use engines that are labeled as having been engineered and built to federal exhaust emission certification standards. The ECLP also requires Mexican and Canadian diesel trucks and buses to be certified to equivalent standards by their respective governments. This program was adopted by urgent legislation in 2004 as a result of the June 2004 U.S. Supreme Court decision regarding truck emissions from the implementation of the North American Free Trade Agreement. Violations under this program carry penalties ranging from \$300 to \$500. The CHP may impound the non-compliant vehicle and/or the DMV can block the registration.

In 2009, staff performed over 19,000 ECL inspections, closed over 1200 citations, and collected over \$340,000 in penalties.

School Bus Idling Program

This measure requires the driver of a school bus, transit bus, or other commercial heavy-duty vehicle to minimize idling while at or within 100 feet of a school, to protect children’s health. Legislation passed in 2009 increased the penalty for school bus idling from \$100 to \$300. This brought the penalty for school bus idling in line with penalties for commercial vehicle and off-road idling.

ARB staff maintains a web site for the public to report incidents of unnecessary school bus idling at <http://www.arb.ca.gov/enf/complaints/complaints.htm>. The vehicle owner is issued an advisory notice and is asked to respond with information outlining compliance efforts.

During 2009, three school bus idling citations were issued and \$300 was collected.

Commercial Vehicle Idling Program

In general, commercial vehicles are restricted from idling for more than five minutes in any given area except for idling that is necessary for passenger comfort, safety, and performing work for which the vehicle was designed.

ARB inspectors are routinely sent to various locations around California to conduct idling enforcement on commercial vehicles. These locations include produce markets, parking lots where tour buses pick up passengers, industrial warehouse lots, entertainment zones, high school events, truck stops, and residential neighborhoods. Drivers of vehicles with a gross vehicle weight rating of 10,000 pounds and above may be issued a citation if found in violation of the idling regulations. In an effort to educate the industry, inspectors also handed out fliers on all diesel programs when in the field. Outreach and enforcement efforts for drivers of sleeper berth vehicles continued through 2009. The contract between ARB and the San Joaquin Valley APCD that allocated District inspectors to perform idling enforcement functions within the District's boundaries increased enforcement efforts.

ARB staff maintains a web site for the public to report incidents of unnecessary commercial vehicle idling at <http://www.arb.ca.gov/enf/complaints/complaints.htm>. The vehicle owner is issued an advisory notice and asked to respond with information outlining compliance efforts. In 2009, 70 complaints were received, 70 Advisory Letters were sent, and 29 responses were received, for a response rate of 41%.

ARB inspectors conducted 8,347 sleeper berth inspections in 2009 and wrote 1,337 citations to those in violation. In 2009, 996 citations were closed and \$298,700 in penalties was collected.

Smoking Vehicle Complaint Program

Smoking vehicles can have a significant effect on air quality. Unfortunately, not everyone is aware that their smoking vehicle is problematic. A number of air districts, along with ARB, have implemented programs for contacting the owners of smoking vehicles. Under these programs, citizens report excessively smoking vehicles and the owners are sent notices asking that they check (and repair as needed) their vehicles. ARB's program generated a 10% compliance response rate in 2009.

Transport Refrigeration Unit (TRU) Rule

The Transport Refrigeration Unit (TRU) rule went into effect in December 2004. This regulation uses a phase-in approach to reduce the PM emissions from in-use diesel-powered TRU and TRU generator equipment, used to power the refrigerated shipping containers and trailers operated in California.

A one-time facility reporting requirement was due January 31, 2006. The requirement applies to all facilities in California with 20 or more loading dock doors that serve refrigerated areas where perishable goods are loaded or unloaded. The ARB Equipment Registration (ARBER) requirement, which was due July 31, 2009, applies to owner/operators of all California based TRUs. Enforcement of the ARBER requirement started in August 2009. During 2009, three TRU fleet cases were settled for over \$69,225 and 104 citations were cleared for \$55,435. Enforcement of the in-use performance standards will begin in 2010.

Cargo Handling Equipment (CHE) Regulation

The regulation for Mobile Cargo Handling Equipment (CHE) at ports and intermodal rail yards became effective on December 31, 2006. This regulation reduces PM and NO_x emissions from diesel-fueled cargo handling equipment at California's ports and intermodal rail yards. Cargo handling equipment is used to transfer goods or perform maintenance and repair activities and includes equipment such as yard trucks (hostlers), cranes, top handlers, side handlers, forklifts, and loaders. During 2009, one CHE fleet case was settled for \$35,625.00. The Stationary Source Enforcement Branch is lead for CHE inspections.

In-Use Off-Road Diesel Vehicle Regulation

The overall purpose of the In-Use Off-Road Diesel Vehicle Regulation is to reduce emissions of NO_x and PM from off-road diesel vehicles.

Beginning in 2008, the regulation imposed limits on idling and required a disclosure of the regulation to the buyer of new or used equipment. In 2009, all vehicles had to be reported to the ARB and labeled with ARB assigned Equipment Identification Numbers.¹ Enforcement of idling, disclosure requirement when selling vehicles, and reporting and labeling vehicles started in 2009. Ten vehicles were inspected and cited. Five of these citations were settled for \$1500 in total penalties. Since only inspections with potential violations were documented in 2009, the failure rate is 100% and does not reflect overall compliance with the in-use off-road diesel regulation.

Carl Moyer Program and Proposition 1B Goods Movement Emission Reduction Program Compliance Checks

The Carl Moyer Program provides incentive grants to reduce emissions from heavy-duty diesel engines. The incentive grants offset the cost of replacing older, high-polluting engines with newer engines certified to more stringent emission standards. Proposition 1B provides funding to cut air pollution and health risks by upgrading diesel equipment that is used to move freight in California.

Before these funds are released, ED staff performs compliance checks on the vehicle's registered owner and the vehicle's identification number (VIN) to determine if there are any outstanding violations within the various enforcement programs. If an outstanding violation is found, the vehicle owner is required to provide proof of compliance and pay all civil penalties before the funds are released. In 2009, 6130 registered Owners/VINs were processed under the Carl Moyer and Propositions 1 B programs and there were 32 outstanding violations.

Focused Environmental Inspections in Environmental Justice Communities/Ports

ARB participates in an ongoing program of multi-agency vehicle inspections in mixed residential locations known as Environmental Justice (EJ) areas. These EJ areas receive a disproportionate amount of emissions of oxides of nitrogen and particulate matter from diesel-powered trucks and buses. They include but are not limited to: the residential housing areas located near the seaports of Los Angeles, Long Beach, Port Hueneme, Oakland, and Stockton; the California/Mexico border ports of entry at Otay Mesa, Calexico, and Tecate; the railroad yards; the truck stops; and the travel routes with greater-than-normal traffic flow that are utilized by heavy-duty diesel-powered vehicles.

During these multi-agency operations, ARB staff coordinated with enforcement personnel from CHP, U.S. EPA, the U.S. Coast Guard, the U.S. Immigration and Customs, the California Department of Toxic Substances Control, local law enforcement and hazardous materials agencies, the California Board of Equalization, the Internal Revenue Service, and others to examine the vehicles passing through these areas.

¹ In 2010 the regulation begins gradual requirements for owners to clean up their fleet by getting rid of older engines, using newer engines, and installing exhaust retrofits. However, these emission reduction requirements can not be enforced because EPA did not issue the necessary waiver.

These concentrated efforts are designed to detect violations of air quality regulations, expired and invalid drivers licenses, inaccurate log books, illegal transport of hazardous wastes, illegal use of tax-exempt red-dyed diesel fuel, vehicle safety concerns, and other related violations found by the other agencies (including arrests for criminal violations). In 2009, staff conducted 11,622 heavy-duty diesel inspections in EJ communities and found 1,430 violations.

Assembly Bill 233

Enacted in 2007, AB 233 (Jones), known as the Healthy Heart and Lung Act, required ARB to review its existing enforcement of diesel emission control regulations and anticipated enforcement needs to implement ARB's DRRP and Emission Reduction Plan for Ports and Goods Movement.

The bill immediately increased the minimum penalty for commercial vehicle idling from \$100 to \$300. It allows DMV to place a registration hold on any heavy-duty diesel truck that has outstanding ARB citations until those citations are cleared, and it requires placement of "No Idling" signs where numerous trucks were found idling.

Based on authority granted by AB 233, and to increase enforcement capabilities, ARB contracted with San Joaquin Valley APCD, Bay Area AQMD, and South Coast AQMD to allow district inspectors to assist in performing idling enforcement functions. ARB also trained local law enforcement officials. These arrangements are preludes to future projects involving additional air districts throughout California.

Compliance Outreach and Education

ARB's Enforcement Division routinely issues citations for violations ranging from minor, such as smoking heavy-duty vehicles to major, such as illegal engines. When a case against a violator is settled by ARB, the terms of the settlement extend beyond simply punishing the violators by forcing them to pay fines. In all cases, ARB makes an effort to assist the violators in achieving compliance by educating them. Enforcement staff encourages the violators to work directly with ARB program staff to achieve a greater understanding of the regulatory programs.

In March, 2009, ARB staff from both the Enforcement and the Mobile Source Control Divisions began an outreach tour to many dealers, owners, and drivers of regulated heavy duty diesel vehicles and fleets. Thirteen compliance training sessions were conducted throughout the state as a result of case settlements with two California based Caterpillar dealers. In these settlements, Caterpillar's California governmental affairs liaison asked ARB staff to provide compliance assistance training for Caterpillar dealership personnel and customers at all Caterpillar dealers within the state to help the company avoid future instances of non-compliance.

The outreach presentations were given to audiences ranging in size from 50 people to several hundred. Topics covered included California's Diesel Risk Reduction Enforcement Programs with an emphasis on the In-Use Off-Road Diesel Vehicle Regulations.

California-Mexico Border Programs

While Canada and the U.S. have implemented the commercial vehicle transportation provisions of the North American Free Trade Agreement (NAFTA) for many years, implementation of the transportation provisions of NAFTA along the U.S./Mexico border is still pending. The U.S. and Mexico are still

negotiating vehicle and driver safety and homeland security issues. No timeline for opening the border to free travel has been specified.

Currently, there are designated commercial zones around the ports of entry at Otay Mesa, Calexico, and Tecate in which Mexican-domiciled trucks may transport and deliver freight to transfer stations in California. American carriers will load product at these stations and deliver it to final destinations. To mitigate excessive particulate matter and oxides of nitrogen emissions from Mexican-domiciled vehicles, ARB maintains HDVIP inspection sites at the Otay Mesa, Calexico, and Tecate border crossings. ARB also conducts random roadside inspections near and around these border crossings to assure compliance from the trucking companies. Mexican commercial vehicles are inspected for engine certification, emissions and tampering when they travel through these inspection sites.

ARB Border Region Activities

In 2009, ARB:

- Conducted commercial vehicle inspections in conjunction with CHP to detect excess emissions, tampering, and as required by AB 1009 of 2004 (Pavley). This ensures that commercial vehicles operating in California have U.S. EPA-certified engines. During 2009, 1,468 commercial vehicles were inspected in this region, with 47 violations found, a failure rate of 3%. This is an improvement over the failure rate of 10% during 2008.
- Worked with Cal/EPA's Border Affairs Office to continue talks with the Mexican EPA to expedite adoption of a 15 parts-per-million sulfur diesel fuel standard nationwide in Mexico. This is currently planned for 2010 and will bring Mexico's fuel and engine standards in alignment with those in the U.S. and Canada.
- Participated in Mexicali-Imperial County Taskforce meetings and presented information on ARB programs.
- Continued holding workshops to educate Mexican and American trucking company owners and operators throughout the border region about ARB's commercial vehicle emissions programs. Several workshops were held in conjunction with CHP in which vehicle safety programs were also discussed.

Program Metrics

Program Component Resources

The Mobile Source Enforcement Branch employs one branch chief, four section managers, four field supervisors, 43 full-time staff, 15 students, and one retired annuitant.

Program Outputs

The following two tables present numbers of cases, citations and penalties for the Mobile Source Enforcement Programs discussed above.

| General Mobile Source Enforcement Programs ¹ | Cases Closed ² | Penalties ³ |
|--|----------------------------------|-------------------------------|
| Aftermarket Parts and Aftermarket Catalysts | 11 | \$302,000 |
| Cars & Motorcycles | 93 | \$206,198 |
| LSI | 1 | \$50 |
| OBD | 1 ⁴ | \$4,400,000 |
| OHRV | 93 | \$1,032,785 |
| SORE | 17 | \$260,884 |
| Tampering (Used Cars) | 2 | \$3,000 |
| Total –General MS Enforcement Programs | 218 | \$6,204,917 |

1. Violations are uncovered through random audits of dealers and manufacturers, fleets, referrals, informants, tips, and complaints rather than through a structured inspection schedule.
2. Includes cases/citations pending from previous years.
3. Includes Supplemental Environmental Projects.
4. This case was investigated and handled by ARB's Mobile Source Control Division and OLA. On-Board Diagnostics (OBD) is a vehicle system that monitors virtually every component that can affect emission performance. Each component is checked by a diagnostic routine in the vehicle's on-board computer system to verify that it is functioning properly. If a problem or malfunction is detected, the OBD system alerts the driver through a warning light on the vehicle's instrument panel and stores information about the malfunction so that a repair technician can accurately find and fix the problem.

| Diesel Programs | Cases Closed ⁵ | Field Inspections | Citations or NOVs Closed | Penalties |
|---|----------------------------------|--------------------------|---------------------------------|--------------------|
| Heavy-Duty Vehicle Inspection (HDVIP) | N/A | 19,538 | 662 | \$273,773 |
| Periodic Smoke Inspection Program (PSIP) | 155 | N/A | N/A | \$2,422,013 |
| Solid Waste Collection Vehicles (SWCV) | 11 | 582 | 86 | \$1,012,254 |
| Verified Diesel Emission Control System (VDECS) | 13 | N/A | N/A | \$2,228,000 |
| Public Agency/Utility Vehicles (PAU) | 2 | 55 | 11 | \$8,306 |
| Transit Agencies Fleet Rule (TFV/UB) | 28 | N/A | N/A | \$291,149 |
| Engine Certification Label Program | 0 | 19,582 | 1239 | \$343,034 |
| School Bus Idling | N/A | 6 | 3 | \$300 |
| Commercial Vehicle Idling | N/A | 9,641 | 996 | \$298,700 |
| Transport Refrigeration Units (TRU) | 32 | 1347 | 104 | \$124,660 |
| Cargo Handling Equipment | 1 | 603 (SSEB) | N/A | \$35,625 |
| In-Use Off-Road Diesel | 3 | 10 | 5 | \$8,250 |
| Carl Moyer Program & Prop 1B Goods Movement | N/A | 6596 ⁶ | 32 violations ⁷ | N/A |
| Environmental Justice ⁸ | N/A | 11,622 | 1430 violations ⁷ | N/A |
| Delinquent Citations | | | 359 | |
| TOTAL – Diesel Programs | 245 | 67,622 | 3710 | \$7,140,756 |

| | | | | |
|--|------------|---------------|-------------|---------------------|
| TOTAL – All Mobile Source Programs ⁹ | 463 | 67,622 | 3710 | \$13,345,673 |
|--|------------|---------------|-------------|---------------------|

5. Cases may include fleet violations for Periodic Smoke Inspection Program (PSIP), Solid Waste Collection Vehicles (SWCV), Verified Diesel Emission Control Systems (VDECS), Public and Utility Vehicles (PAU), Transit Fleet Vehicles/Urban Buses (TFV/UB), Transport Refrigeration Units (TRU), Cargo Handling Equipment, and In-Use Off-Road Diesel. A fleet case is closed after a company is audited/reviewed and found not to be in violation or for those companies found in violation the case is closed when all actions against a company are completed (i.e. penalties paid, settlement agreement signed, court action finalized, etc.).
6. Inspections for these programs involve audits of various databases.
7. Not included in Cases/Citations/NOVs TOTAL.
8. Data reflects inspection activities for multiple programs.
9. Includes all MSEB cases, citations and NOVs closed in 2009. Cases may involve multiple violations.

Program Outcomes

Compliance rates for MSEB programs where these rates can be calculated are listed in the table below:

| Program | Compliance Rate |
|---|------------------------|
| Heavy-Duty Vehicle Inspection | 98% |
| Solid Waste Collection Vehicles | 83% |
| Public Agency Utility (PAU) Enforcement | 74% |
| Engine Certification Label (AB1009) | 92% |
| Commercial Vehicle Idling | 93% |
| School Bus Idling | 91% |

Data Characteristics

This program maintains activities-based databases, which contain all relevant information about an inspection/citation. Data is organized into reports that help investigators identify multiple related parties, and gives management an easy way to manage their workload.

As the Mobile Source program has grown over time, its database requirements have increased as well. In order to continue to provide management with the tools needed to navigate the program's complex dataset, a new database system is being developed. This new system will create new performance-tracking capabilities such as comparison with past years' activity, real time compliance rate tracking, and case status.

2) Stationary Source Enforcement Branch

The Stationary Source Enforcement Branch is responsible for enforcing regulations for motor vehicle fuels, cargo tank vapor recovery certification, and consumer products; conducting special and joint investigations of cross-media environmental cases (i.e., cases involving multiple environmental areas such as air, water, toxic wastes, regular waste, or pesticides); conducting inspection, investigation, and compliance functions in conjunction with the 35 local air districts; and for overseeing air district enforcement programs

Stationary sources contribute substantially to emissions of criteria and toxic pollutants. Between one-quarter and one-half of the ozone-forming pollutants emitted are from stationary sources. The nature of stationary source pollution is that it may be identifiable as from a specific, or "point" source, such as a factory, or from a class of, or "area" sources. Area sources (such as consumer products) individually emit small quantities of pollutants but collectively emit significant quantities of emissions.

Major areas of recent program growth include a number of new diesel risk reduction and goods movement regulations. These new program areas are shared between the Mobile Source Enforcement Branch and the Stationary Source Enforcement Branch.

Stationary Source Enforcement Branch programs include:

Fuels Enforcement

The Fuels Enforcement Program regulates the composition of motor vehicle fuels and verifies compliance with motor vehicle fuels regulations, including California Reformulated Gasoline regulations and California diesel fuel regulations. Enforcement of this program includes: inspecting motor vehicle fuels facilities which produce, import, and sell California gasoline and diesel fuel; reviewing company records of predictive models, certified fuel formulations, and fuels distributors; developing and resolving motor vehicle fuels cases; and outreach and assistance to the public and the regulated community in the form of training seminars, individual company meetings, and instructive web pages.

Red-Dyed Diesel Fuel Enforcement

Diesel fuel that is to be used solely for off-road equipment is dyed red to indicate that it is exempt from motor vehicle fuel taxes that apply to on-road vehicle fuels. Using red-dyed diesel fuel to power vehicles on roads and highways is illegal. The Internal Revenue Service estimates that about one billion dollars is lost from the national tax revenue each year due to the illegal use of non-taxed diesel fuel by on-road vehicles. The Board of Equalization (BOE) contracts with ARB to conduct field inspections to detect and deter the illegal use of non-taxed diesel fuel and to conduct laboratory tests on samples obtained by ARB inspectors to confirm the presence of dye in the fuel. These field inspections are incorporated with other regularly scheduled HDVIP roadside inspections. ARB also conducts special investigations on companies suspected of illegally using red-dyed diesel fuel. The inspection information and test results are forwarded to BOE for prosecution. In 2009, staff conducted more than 18,200 red-dyed diesel fuel inspections and found 22 violations.

Cargo Tank Vapor Recovery Enforcement

The Cargo Tank Vapor Recovery Program is responsible for enforcing regulations to reduce Volatile Organic Compound (VOC) emissions from gasoline cargo tanks. Vapor recovery systems on cargo tanks are designed to capture the emissions produced during the transportation and delivery of gasoline. Cargo Tank enforcement staff conduct statewide random inspections of cargo tanks at terminals and loading racks. This program is also responsible for administering the annual certification compliance test program that includes: reviewing applications for compliance with the annual leak rate requirements; certifying over 5,000 cargo tanks per year; maintaining a database of ARB certified testers; and conducting inspections of ARB-certified testers to ensure that leak tests are being properly completed.

Consumer Products Enforcement

The Consumer Products program ensures that consumer products and aerosol coatings comply with the state standards in the California Consumer Products Regulations. These regulations restrict VOC emissions from over 115 consumer product categories and 36 categories of aerosol coatings. These products include aerosol cooking sprays, shaving cream, automotive waxes, hairspray, deodorants, lawn and garden insecticides, aerosol coatings (spray paints) and glass cleaners, to name a few. The regulated universe includes over 100,000 retail outlets, thousands of different products, and hundreds of consumer products manufacturers.

Portable Fuel Containers Enforcement

The Consumer Products section also ensures that portable fuel containers sold in California comply with the performance standards and certification requirements established in the statewide regulations. These regulations limit emissions from the evaporation, permeation, and spillage of fuels. These products are

typically small, reusable cans with spouts that are used to store, transport, and dispense gasoline and diesel fuel into lawn maintenance equipment and vehicles. Program staff collects samples of spill-proof containers and spouts for testing, investigates the sale of non-complying products, and settles cases where violations are found. On January 1, 2009 the U.S. Environmental Protection Agency implemented national regulations that replicated ARB's portable fuel containers regulations. Staff anticipates that the number of violations related to non-compliant portable fuel containers will be reduced significantly in the coming years given the standardization of the state and federal regulations.

Stationary Source, Rail Yard, and Marine Investigations, Inspections, and Surveillance

This program conducts special and joint investigations of cross-media environmental cases (i.e., cases involving multiple environmental areas such as air, water, toxic wastes, regular waste, or pesticides); works under a Memorandum of Understanding with Cal/EPA to provide the investigative services necessary to fulfill Cal/EPA's statutory enforcement responsibilities; and provides enforcement assistance (inspections, investigations, and case preparation) to local air districts and other local and regional environmental agencies. The following program areas are included:

- Environmental Task Force Program: Staff participates in various task force meetings throughout the state. Investigative information is shared with prosecutors, law enforcement, and regulatory partners at federal, state, and local levels. Investigations are coordinated and staff work cooperatively with various sister agencies to maximize the effectiveness of limited resources.
- Surveillance Program: Staff offers surveillance services in support of various environmental investigations. A portion of this program is supported through a cooperative agreement with the Department of Resources Recycling and Recovery (CalRecycle). Capabilities include remote automated monitoring with video and still cameras, time lapse, motion sensing, and infrared technologies.
- ARB/Railroad Statewide Agreement: This program is also known as the "Railroad MOU." Each year, ARB staff inspects over 3,000 locomotives at railyard facilities to verify compliance with standards governing locomotive idling, visible emissions, and diesel fuel standards.
- Portable Equipment Registration Program (PERP): Staff assists local districts with inspection of portable equipment units, identifying unpermitted units, and verifying compliance with the Portable Engine ATCM.
- Ocean Going Vessel Program: A number of new regulations were adopted or will be implemented soon. These include regulations governing fuel for main and auxiliary engines, shipboard incinerators, shore power, and vessel speed reduction. Staff boards vessels to conduct physical inspections, collect fuel samples, and audit required records.
- Harbor and Marina Program: New regulations were adopted, including regulations governing marine diesel fuel standards and harbor craft engine requirements. Staff collects diesel fuel samples at fuel docks, board vessels to conduct physical inspections, collect fuel samples from vessels, and audit required records.
- Asbestos NESHAP Program: Staff reviews and investigates demolition/renovation notifications in the 19 non-delegated air districts.
- Goods Movement Programs: Staff enforces a new regulation governing emissions from Cargo Handling Equipment. In addition, staff assists the Mobile Source Branch with Drayage Truck and Transport Refrigeration Units in ports and intermodal railyards. (See Mobile Source Enforcement Branch above for details.)

District Oversight and Assistance

Stationary Source Enforcement Branch staff also oversees a collection of mandatory programs and activities that provide oversight of the local air pollution control districts:

- Variance Program: Staff reviews all district hearing board orders for compliance with Health and Safety Code requirements. Staff reviewed 494 orders and addressed over 82 issues in 2009.
- Air Facility System: Staff collects, inputs, and conducts quality assurance on data received from 26 of the 35 air districts for federally required compliance, permitting, and violation status of major sources. Staff reviewed 81 compliance reports and 45 high priority violator reports and addressed 532 issues in 2009.
- Complaint Investigations and Hotline: Staff responds to statewide complaints and inquiries about air pollution initiated by citizens and other agencies. These complaints and inquiries are investigated and/or referred to the appropriate agencies. Staff received, responded to, or referred 951 complaints and inquiries in 2009. Staff also conducted ten complaint investigations and four special projects related to complaints in 2009.
- Continuous Emissions Monitoring Program: As required by HSC 42706, staff gathers and analyzes data from emission monitoring devices required by air districts at stationary sources. Staff received and entered 681 continuous emissions monitoring reports in 2009. Also, as a U.S. EPA 105 grant requirement, staff reports CEM excess emissions for non-grantee districts that are delegated PSD and NSPS. In 2009, staff reviewed and sent 215 CEM reports to U.S. EPA.
- Rule Review: Staff reviews air district rules for enforceability, compliance with state laws, clarity and accuracy. Staff reviewed 142 rules in 2009. Staff has also actively participated in the rule-making process at ARB.

Program MetricsProgram Resources

The Stationary Source Enforcement Branch employs one branch chief, four section managers, 35 full-time staff and 5 students.

Program Outputs**Programs Involving Case Development by ARB SSEB Staff**

| Program | Activity | Settled/Closed Cases ¹ | Penalties ² |
|--------------------------|-------------------------------|--|-------------------------------|
| Fuels Enforcement | 2,567 (samples collected) | 37 | \$1,232,500 |
| Cargo Tanks | 1,563 (cargo tanks inspected) | 26 | \$12,750 |
| Consumer Products | 1,532 (samples collected) | 45 | \$1,680,000 |
| Portable Fuel Containers | 13 (samples collected) | 9 | \$38,825 |
| Cargo Handling Equipment | 603 (inspections) | 1 | \$35,625 |
| Railroad MOU | 3,240 (inspections) | 8 | \$3,200 |

1. Cases may involve multiple violations.
2. May include early compliance costs.

Programs Requiring Field Inspections by ARB SSEB and MSEB Staff

| Program | Inspections |
|--------------------------------|--------------------|
| Red-Dyed Diesel ¹ | 18,202 |
| Portable Equipment (PERP) | 105 |
| Ocean Going Vessels | 134 |
| Marine Diesel Fuel | 27 |
| Asbestos Demolition/Renovation | 86 ² |

1. This program is administered under a contract with the State Board of Equalization.
2. Includes inspections and complaint investigations.

Program Outcomes

By enforcing clear and consistent standards through inspections and investigations, the Stationary Source Enforcement Branch is able to deter violators and thereby ensure a more level playing field for all regulated parties. The potential for undiscovered violations may affect the estimated compliance rates. The Consumer Products and Portable Fuel Container programs do not calculate compliance rates due to the targeted focus of the sampling programs (new categories, revised limits, or similar violations) and the limited analysis capacity relative to the number of regulated products. Compliance rates are also not calculated for many investigations and inspection programs due to the unique nature of each stationary source investigation and case.

| Program | Compliance Rate |
|---------------------------|------------------------|
| Cargo Tank Vapor Recovery | 92% |
| Fuels Enforcement | 99% |
| Railroad MOU | 98% |
| Marine Diesel Fuel | 100% |

Data Characteristics

The Fuels Enforcement Program maintains a database of over 3,000 predictive models from producers and importers of California gasoline annually. The Fuels Certification Program maintains a list of ARB annually certified distributors of California gasoline that is accessible on the Enforcement Program web pages. The Cargo Tank Vapor Recovery program maintains a database of over 5,000 ARB-certified testers annually.

The Consumer Products Enforcement Program maintains a database, which contains pertinent information on every collected sample, including sample descriptions, purchase locations, manufacturer information, and laboratory test results. Data is organized into reports that help investigators quickly identify multiple related non-compliant samples, and gives management an easy way to manage the workload.

The Stationary Source Enforcement Program maintains databases and generates reports in the following program areas: Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP); Complaint Hotline; Variance Program; Air Facility System (AFS); and Continuous Emissions Monitoring (CEM) Program. Monthly and quarterly reports are generated in the AFS program. Ad hoc reports may be generated from most databases.

3) Training and Compliance Assistance Programs

Program Description

The Training and Compliance Assistance programs provide comprehensive education to further the professional development of environmental specialists. These programs focus on two key elements: training and compliance assistance. The nationally recognized and award-winning training courses encourage communication and networking between environmental personnel, with the goal of achieving emission reductions and solving compliance problems through professionalism and teamwork. The courses cover pollution history, the procedures required to properly evaluate emissions, the analysis of industrial processes, theory and application of emission controls, and waste stream reduction. They focus on maintaining compliance with applicable laws and regulations. Staff conducts and administers these courses throughout the state. Many of these courses are also taught in other states by a team of retired air quality professionals with many years of enforcement and engineering experience.

In August 2008, Compliance Training introduced state of the art technology with webcasting. Classes were simultaneously conducted via a live classroom and the World Wide Web. This technology allows trainees to decrease travel time, expenses, and their “carbon footprint”, while reaching people throughout the United States and several foreign countries.

The Compliance Assistance Program develops and makes available, both on the internet and in print, a variety of practical, rule-specific publications that describe source processes and emission control equipment, clarify rule requirements, identify compliance issues, and promote self-regulation. Available publications include technical manuals on CD, self-inspection handbooks and job aids, and pamphlets. The technical manual CDs are primary references used in many of the training courses and provide in-depth, source-specific information for inspectors and facility environmental specialists. The handbooks and pamphlets explain source-specific regulatory and compliance programs in everyday terms. These brief, colorful, self-help resources serve as outreach and compliance assistance to the industry and are routinely used and distributed by local air districts to assist businesses in their jurisdiction.

Program Metrics

Program Resources

The Training and Compliance Assistance Branch administers these programs. The branch consists of one branch chief, two managers, 18 staff, two retired annuitants, and three students.

Program Outputs

In 2009 staff provided a total of 275 classes or multi-day training courses, to a total of 9,150 students. Staff distributed 9,100 copies of publications. The distribution of publications was as follows: 3,725 Technical Manuals including interactive and archival CDs) 3,796 Handbooks, and 1,579 Pamphlets. In addition, there were over 215,000 web page views on CAP Publications web pages. (The number of webpage views is not a precise number, because a certain percentage of web views are from “robot” search engines.) The tables below give a breakdown of the courses taught and the top five publications distributed in 2009.

Courses and Attendance for 2009

| Course Categories | Number of Courses Taught | Students Attending |
|--------------------------|---------------------------------|---------------------------|
| California Courses | 170 | 5,689 |
| National Program Courses | 63 | 1,636 |
| Webcast Courses | 42 | 1,825 |
| Totals | 275 | 9,150 |

Top Five CAP Hardcopy Materials Distributed In 2009

| Rank | CDs | Handbooks | Pamphlets |
|-------------|---------------------------------------|--------------------------------|---|
| 1 | Vapor Recovery | Wood Burning Handbook | Commercial Heavy-Duty Vehicle Idling Emission Reduction Program |
| 2 | Chrome Plating & Anodizing Operations | Vapor Recovery Calendars | Periodic Smoke Inspection Program |
| 3 | Boilers | In-Station Diagnostic Booklet | Heavy Duty Vehicle Inspection Program |
| 4 | Dry Cleaning Operations | Asbestos Demolition/Renovation | Periodic Smoke Inspection Program |
| 5 | Continuous Emissions Monitors | Dry Cleaning Industry (Korean) | Transport Refrigeration Units #2 ATCM Owner/Operator (English.) |

Top Five CAP Materials Webpage Views for 2009

| Rank | CDs* | Handbooks | Pamphlets |
|-------------|----------------------------------|------------------------------|--|
| 1 | Ambient Air Monitoring | Wood Burning Handbook | Enhanced Vapor Recovery (EVR) Program |
| 2 | Boilers | Visible Emissions Evaluation | Training & Compliance Assistance Program |
| 3 | Health & Safety | ISD Booklet | Asbestos-Containing Rock & Soil: Homeowner's |
| 4 | Gas Turbines | Fugitive Dust Control | Transport Refrigeration Units #1 ATCM Overview (Spanish) |
| 5 | Stationary Reciprocating Engines | Vapor Recovery Calendars | Limits on Diesel-Fueled Commercial Motor Vehicle Idling |

Program Outcomes

All courses are very well received and in high demand. Each course is planned, updated, and scheduled annually to meet the specific needs of most local agencies in the state. In addition, many special training courses are requested by other agencies and industries annually, and are provided as resources allow.

Current efforts include the development of web-based training courses in order to provide better coverage to local agencies in remote areas that may not be able to travel to our scheduled training courses.

Data Characteristics

This program maintains a student database comprised of over 21,000 registered students, as well as a website where training classes and publications are posted. Students can register for classes online and can easily download any handbook or pamphlet. Technical manual CDs are distributed by request and most are available for download.

4) Greenhouse Gas Enforcement Program

Program Description

In 2009, the primary focus of the GHG Enforcement Section (GHGES) was providing input on writing enforceable regulations, particularly those written pursuant to AB 32, the California Global Warming Solutions Act of 2006. Over the next few years the focus will shift to enforcement and oversight of these regulations.

Program Metrics

Program Resources

This section includes one manager, one staff air pollution specialist and three air pollution specialists.

Program Outputs

In 2009, enforceability of proposed strategies and draft language was the focus of the section. To that end, staff worked with regulation writers from multiple ARB divisions to analyze 12 different proposed regulations. Specifically, the section provided input on effective enforcement strategies, and estimates on resources needed to enforce the following regulations:

- Mandatory GHG Emissions Reporting;
- Market-Based Compliance Mechanisms (Cap and Trade);
- Reduction of Hydrofluorocarbon Emissions from Do-it-Yourself Motor Vehicle Air Conditioning Servicing;
- Landfill Methane Control;
- Sulfur Hexafluoride Reduction in Non-Semiconductor Applications;
- Sulfur Hexafluoride in semiconductor applications;
- Sulfur hexafluoride in the electricity sector;
- Heavy-Duty Vehicle GHG Emission Reduction Measure;
- Reduction of Fluorinated Gases from Semi-Conductor Operations;
- Low Carbon Fuel Standard;
- High GWP GHG Refrigerant Management; and
- Cool Cars Measure

To help new and existing regulatory staff gain or improve skills to effectively write clear and enforceable regulations, GHG Enforcement Section staff speaks at the periodic training on ARB's regulation development process offered by the Board Administrative & Regulatory Coordination Unit.

The GHGES also took over development of the Enforcement Case Tracking Project in 2009. The first data base for Heavy Duty Diesel Fleets was completed, with on-going updates anticipated. From this point forward, this and other tracking database projects are being managed at the division level.

In addition to direct regulation, AB 32 calls for consideration of market mechanisms. ARB's Scoping Plan for AB 32 outlines a "cap-and-trade" program that will link to the cap-and-trade program being developed by the Western Climate Initiative (WCI). WCI, founded in February 2007, is a collaboration of seven U.S. Governors and four Canadian Premiers working together to promote environmental sustainability and economic growth by the reduction of greenhouse gas emissions.

If ARB is to link with the WCI program, all considerations and requirements of AB 32 must be addressed, including "enforceability" (see Health & Safety Code section 38562(d)(1)). Accordingly, staff participated in various WCI committees, including market oversight, electricity, reporting, and offsets. GHG Enforcement staff, together with staff from other ARB Divisions, provided input into the various WCI committee work products. GHGES staff provided background enforcement information in support of the group's effort to draft regulatory language pertaining to offsets and auctions in a regional cap-and-trade program.

In 2009, staff contributed to the Intergovernmental Market Enforcement Group (IMEG). IMEG includes a handful of state agencies charged with anticipating and overcoming conflicts and issues relating to the enforcement of cap-and-trade as well as command and control rules developed for AB32.

One unusual task accomplished this year was the audit of a rural district. At the request of the Mendocino County Air Quality Management District's new APCO, Enforcement Division staff conducted an evaluation of the District's enforcement program. ED staff provided comments and conclusions pertinent to improving the district's permitting and enforcement programs. This review was not a full ARB audit like those done by ARB's Stationary Source Division. Rather, it was designed to meet very specific needs as defined by the District.

With an eye toward the future, GHGES staff attended the Greenhouse Gas Emissions Verifier Training courses in October, 2009. This training was designed to provide independent third party auditors of GHG emissions with the necessary skills and understanding to conduct independent verifications of GHG emissions as mandated by AB 32. ARB staff anticipates an oversight and spot checking role which will require an understanding of similar depth.

C) Enforcement Program Data Characteristics

Covered under each Program Component.

D) Enforcement Program Limitations

Enforcement programs are necessarily limited by available resources including staff and budget constraints. In addition, the complexity and dissimilarity between programs and the rapid pace of regulatory development create a unique challenge for management.

One major limitation the ARB enforcement program worked with over the last year was the governor's imposed furloughs. For much of 2009, ARB staff, along with staff in many other state agencies, was required to take three furlough days a month due to the California budget crisis. This has afforded the enforcement program less staff hours to ensure compliance with ARB rules and regulations. Even with the furlough days, the mobile source enforcement program was very successful in 2009 closing 3,928 cases and collecting \$13,345,673 in penalties.

Another hurdle for the ARB enforcement program is the lack of a unified case tracking system. Given the growth of air regulatory programs in recent years, especially those affecting general mobile sources, diesel exhaust risk reduction, and green house gas program sectors, staff had to use their legacy case tracking systems that do not effectively manage this significant additional case load. Staff is implementing new unified case tracking systems that will effectively handle this additional case load and allow for cross checking of companies under regulation and their compliance histories. It is anticipated that these new case tracking databases will be deployed over the next three years in modules.

The ARB enforcement program makes the most of every hour of staff time through extensive cross training and exposure to the regulatory development process. Enforcement program management and staff are constantly "plugged in" and provide input to the creation and revision of ARB regulations. New training courses and cross-training between programs keeps staff up to date with the various program areas, and allow management to target resources to where they are most needed. Additionally, the ARB enforcement staff work closely with allied agencies at the local, state, and federal levels to maximize its enforcement resources. For example, ARB entered into agreements with local air districts to enforce various programs such as vehicle idling. Staff also worked with the California Highway Patrol and other law enforcement agencies to train them on ARB programs so they can engage in enforcement to the extent their resources allow.

E) Enforcement Program Progress On Key Initiatives

Case Tracking System Development

As casework has grown more complex, often involving multiple violations by overlapping entities across several program areas, Enforcement Division management approved the creation of a case tracking system. This system will help investigative staff integrate their investigations into a broader operational context, and help senior management and legal staff better understand and pursue habitual violators. Multiple case tracking components are being developed. During 2008 and 2009, the Heavy-Duty Diesel Fleet Enforcement Case Tracking Database was developed and is currently being used by staff. There are some final programming changes underway but, overall, the system is up and running.

Regulatory Development, Assistance, and Review

GHG Section and other ARB Enforcement Division staff worked with regulation writers from other ARB divisions to analyze proposed regulations. Staff provided comments for improving regulatory language, offered enforcement strategies and options, and provided estimates on resources needed to enforce each new regulation. The Section also developed an in-house training class on how to write clear, concise, and enforceable regulations.

See B-4 Greenhouse Gas Enforcement Program for more details.

III. WHAT ARE WE GOING TO DO: FUTURE DIRECTIONS

Case Tracking System Development

Development and implementation of components of this system will continue through 2010 and into 2011. In 2011, the rollout of the following components is expected:

- Cargo Tank Reporting and Tracking (on-line)
- Heavy Duty Diesel Citation Tracking
- Low Carbon Fuel Standard Reporting
- Mobile Source Enforcement Case Tracking
- Consumer Products Case Tracking

Regulatory Development, Assistance, and Review

In addition to the Regulatory Development, Assistance, and Review functions discussed and underway, the GHG Section will be tracking the following measures and sectors in 2010:

- Fee Regulation
- Cap and Trade
- Western Climate Initiative (WCI) Offsets Committee
- WCI Reporting Committee
- Electricity Sector

In the immediate future, this section's responsibilities will expand to include direct enforcement of new rules including Do-it-Yourself Cans, Mandatory Reporting, and Sulfur Hexafluoride.

Many more regulations were adopted or will be adopted in the coming months. Among these is the Cap and Trade program which will require the development of new enforcement techniques. Others regulations will involve oversight of third party regulators who will conduct the bulk of the field inspection work. In anticipation of these changes, GHGE staff worked with rule development staff toward efficient solutions and designing the GHG enforcement program anticipated by AB32.

Diesel Risk Reduction/Goods Movement Program

Heavy-Duty Diesel Enforcement Program staff will continue in 2010 to enforce the many new rules and regulations that came into effect in 2009. In addition, HDD Enforcement staff will focus on:

- Continue implementing the Comprehensive On-road Statewide Truck and Bus program as changes are made to the regulation.
- Implement enforcement of the Smartway program.
- Enforce the School Bus Idling regulations and train school district bus drivers on program compliance.
- Implement and enforce the TRU regulatory program, and enforce these regulations upon issuance of an EPA waiver.
- Enforce regulations controlling diesel particulate emissions from on-road heavy-duty solid waste collection vehicles.
- Enforce the Heavy-Duty Diesel Commercial Vehicle Idling program.
- Enforce the cargo-handling equipment rule at ports and intermodal facilities.

- Continue enforcement of the public and utility diesel vehicle fleet regulations.
- Work with the regulatory divisions on the port truck, private on-road truck fleet and off-road diesel vehicle regulations, and continue to implement these programs.

Other Planned Enforcement Activities

- Implement the new case tracking databases and upgrade current enforcement program databases for better functionality and efficiency.
- After-Market Critical Emission Control Parts for On-Highway Motorcycles:
Manufacturers, distributors, and dealers/retailers must obtain ARB approvals/exemptions to sale aftermarket on-highway motorcycle exhaust systems. These regulations were passed by the Board in 2009.
- After-Market Emission Control Parts for Off-Highway Recreational Vehicles:
Off-road mobile source aftermarket parts have had their own regulatory requirements for over five years. Unfortunately, the compliance rate is extremely low. To reduce illegal aftermarket parts and ensure new vehicle certification, MSES plans to develop an Off-Highway Vehicle Anti-Tampering Course. This course will be developed and certified with Peace Officer Standards and Training, with sworn park rangers and officers as the target audience. These officers already conduct enforcement of off-highway vehicles in the field, and this additional training will assist them in identifying and citing illegal vehicles and aftermarket parts.
- After-Market On-Board Diagnostics II (OBD II) catalyst enforcement:
On January 1, 2009, new regulations became effective that require all aftermarket catalysts sold in California to meet more stringent performance and durability standards. The older style (OBD I) catalysts are no longer legal for sale or installation in California. Since the cost of the newer, more effective catalysts is higher, we anticipate a large increase in non-compliant catalyst sales.

Training and Compliance Assistance

Training and Compliance assistance and will be an integral component of the enforcement efforts for the following programs:

- Off-Road Large Spark-Ignited Engine Regulation
- In-Use Off-Road Diesel Vehicles
- TRU Operator Reports
- Public Agencies and Utilities Fleet Rule
- Solid Waste Collection Vehicles Rule
- AB233: Verification & Audit Program
- Diesel Idling Regulation
- Enhanced Vapor Recovery
- In-Station Diagnostics
- GHG Refrigerant Regulation
- Diesel Particulate Filters

Environmental Justice

Staff will continue to participate in agency enforcement efforts in Environmental Justice (EJ) communities. This will involve vehicle inspections for compliance with ARB emissions requirements as well as collaboration on multi-media pollution issues. Considerable focus will be directed at air emissions from ports and distribution centers in the EJ communities. In 2010 staff will:

- Increase participation in Cal/EPA coordinated community “toxic tours” and “community workshops”
- Work with community members to address specific air pollution concerns and enlist the assistance of the local air districts, as applicable.
- Continue working with other federal, state and local agencies and environmental justice community groups to improve air quality in the areas of California most affected by air pollution.
- Conduct Environmental Justice Strike Force operations in selected communities in support of ARB’s Environmental Justice Action Plan.
- Add a portal to the ARB’s website for Environmental Justice information. The information available will include inspection and enforcement activity and results from EJ areas. Additionally, health reports and assessments will be linked for easy access.
- Continue implementing the provisions of AB 233; work with Cal Trans and local cities to have “No-Diesel Idling” signs placed on state, city and county property; train local law enforcement agencies so they can cite idling diesel trucks.

IV. APPENDICES

Any discussion about compliance rates contained in this report should be used for comparative purposes within the specified program area only. Since each regulation has its own specific and unique requirements, each program uses an enforcement approach that is tailored to those requirements. Therefore, any compliance rate comparison between programs would be highly qualified and of limited value.

More comprehensive information relating to inspection statistics, case dispositions, and local air district enforcement activities is included in our "2009 ARB Annual Report of Enforcement Activities," available both online and in print. For more information, please visit our Enforcement Report web page <http://www.arb.ca.gov/enf/reports/reports.htm>

Please note that it is the ARB’s practice to keep confidential the names of those entities involved in pending enforcement actions. Specific case settlement summaries can be viewed at ARB’s Enforcement Program web site <http://www.arb.ca.gov/enf/casesett/casesett.htm>.

For more information on the Enforcement Division or its programs, please contact James R. Ryden, Chief, at (916) 322-7061 or jryden@arb.ca.gov.

LIST OF ACRONYMS

| Acronym | Full Name |
|----------------|---|
| AB | Assembly Bill |
| AFS | Air Facility System |
| ARB | Air Resources Board |
| ATCM | Air Toxic Control Measure |
| ATV | All-Terrain Vehicles |
| BACT | Best Available Control Technology |
| BOE | Board of Equalization |
| CARB | California Air Resources Board |
| CCDET | California Council on Diesel Education & Technology |
| CEM | Continuous Emission Monitoring |
| CHE | Cargo Handling Equipment |
| CHP | California Highway Patrol |
| DMV | Department of Motor Vehicles |
| DRRP | Diesel Risk Reduction Plan |
| ECLP | Engine Certification Label Program |
| EJ | Environmental Justice |
| EO | Executive Order |
| EPA | Environmental Protection Agency |
| EVR | Enhanced Vapor Recovery |
| GHG | Greenhouse Gases |
| GHGES | Green House Gas Enforcement Section |
| GWP | Global Warming Potential |
| HDD | Heavy Duty Diesel |
| HDVIP | Heavy Duty Vehicle Inspection Program |
| IMEG | Intergovernmental Market Enforcement Group |
| LPG | Liquefied Petroleum Gas |
| LSI | Large Spark Ignition |
| MSEB | Mobile Source Enforcement Branch |
| NAFTA | North American Free Trade Agreement |
| NESHAP | National Emissions Standards for Hazardous Air Pollutants |
| NOx | Oxides of Nitrogen |
| OBD I | Onboard Diagnostics I |
| OBD II | Onboard Diagnostics II |
| OHRV | Off-Highway Recreational Vehicle |
| PAU | Public Agency Utility |
| PERP | Portable Equipment Registration Program |
| PM | Particulate Matter |
| PSIP | Periodic Smoke Inspection Program |
| SAE | Society of Automotive Engineers |
| SEMA | Specialty Equipment Manufacturers Association |

| | |
|----------|---|
| SEP | Supplemental Environmental Project |
| SORE | Small Off-Road Engine |
| SSEB | Stationary Source Enforcement Branch |
| SWCV | Solid Waste Collection Vehicle |
| TCAB | Training and Compliance Assistance Branch |
| TFV/UB | Transit Fleet Vehicles/Urban Buses |
| TRU | Transport Refrigeration Unit |
| UB | Urban Bus |
| U.S. EPA | United States Environmental Protection agency |
| VDECS | Verified Diesel Emission Control System |
| VIN | Vehicle Identification Number |
| VOC | Volatile Organic Compound |
| WCI | Western Climate Initiative |