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## Almost \$1 Million in Fines Issued by Air Districts 64 Gas Stations Closed; 149 More on Brink of Closure

Contrary to public statements and political maneuvering, local air districts continue to issue fines to struggling gas stations to the tune of \$943,815 statewide for not complying with its expensive mandates. A recent survey of local air control districts revealed that standards for issuing fines vary from region to region.

“Our nation continues to cope with a deep recession,” said Senator Dave Cox. “The inability of air control officers to understand the economic impact and the financial strain of their regulations on small businesses defies common sense. Regulators at CARB and local air districts should be more flexible when it comes to protecting Californians’ jobs.”

Senator Roderick D. Wright (D-25), a member of the Legislative Black Caucus, further criticized the narrow and unfair application of the regulations.

“I am an advocate for clean air but we are talking about the closing of viable businesses and the loss of thousands of jobs for rank-and-file workers. Many of the stations that are trying to comply are being hampered by high fees and difficult local permitting processes.”

Senator Ron Calderon (D-Montebello), a prominent member of the Latino Legislative Caucus added, “Whether local air control districts are directly shutting down gas stations or the stations are closing because of the high fines, the end result is the same – stations are closing, workers are out of jobs and gas prices will go back up.”

Survey results were compiled after a bipartisan group of lawmakers demanded full transparency of enforcement practices on gas stations by the California Air Resources Board (CARB) and 35 local air pollution control districts of the CARB Enhanced Vapor Recovery Regulation.

Cox introduced a legislative proposal – Senate Bill 507 - to extend the effective date of enforcement for a year. Senate Bill 507 will be heard on Monday, May 18 in the Senate Environmental Quality Committee.

Of the estimated 10,000 gas stations operating in California, a third are deemed out of compliance with CARB’s requirement. This mandates that gas stations install new gas-dispensing nozzles to capture 98% of the vapor emissions instead of the current 95%.

Prior to the April 1 deadline, the President of the California Air Pollution Control Officers Association (CAPCOA) sent an open letter to legislative leaders assuring them that gas stations will not be shut down; and that there will be an open line of communication to “develop workable solutions.”

In spite of this public relations spin, members of CAPCOA continue to fine small businesses.

“The \$1 million that has been collected from mom and pop shops will not be spent to help them comply. It goes into the Air District’s General Fund. If the Air Resources Board and local air control districts don’t stop punishing gas stations with these fines, more than 64 will be going out of businesses.”

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| County                                          | Total GDFs | GDFs Not In Compliance | GDFs Fined | GDFs Closed | \$ Amount of Fines |
|-------------------------------------------------|------------|------------------------|------------|-------------|--------------------|
| Amador Air District                             | 27         | 11                     | 0          | 0           | unknown            |
| Antelope Valley Air Quality Management District | 98         | 62                     | 0          | 1           | \$0                |
| Bay Area Air Quality Management District        | 2000       | 576                    | 34         | 0           | \$27,625           |
| Butte County Air Quality Management District    | 83         | 8                      | 0          | 1           | \$0                |
| Calaveras County Air Pollution Control District | 32         | 16                     | 0          | 1           | \$0                |
| Colusa County Air Pollution                     | unknown    | 0                      | 0          | 1           | \$0                |

|                                                                |         |         |         |         |           |
|----------------------------------------------------------------|---------|---------|---------|---------|-----------|
| <b>Control District</b>                                        |         |         |         |         |           |
| <b>El Dorado County Environmental Management Department</b>    | unknown | 14      | 0       | 0       | \$0       |
| <b>Feather River Air Quality Management District</b>           | 60      | 9       | 0       | 3       | \$18,000  |
| <b>Glenn County Air Pollution Control District</b>             | unknown | 3       | 0       | 0       | \$0       |
| <b>Great Basin Air Pollution Control District</b>              | 33      | 16      | 0       | 0       | \$0       |
| <b>Imperial County Air Pollution Control District</b>          | 80      | 8       | 8       | 0       | \$5,000   |
| <b>Kern County Air Pollution Control District</b>              | 69      | 31      | 0       | 4       | unknown   |
| <b>Lake County Air Quality Management District</b>             | exempt  | exempt  | exempt  | exempt  | exempt    |
| <b>Lassen County</b>                                           | 19      | exempt  | exempt  | exempt  | exempt    |
| <b>Mariposa County Air Pollution Control District</b>          | unknown | 3       | 0       | 0       | \$0       |
| <b>Mendocino County Air Quality Management District</b>        | exempt  | exempt  | exempt  | exempt  | exempt    |
| <b>Modoc County Air Pollution Control District</b>             | 10      | exempt  | exempt  | exempt  | exempt    |
| <b>Mojave Desert Air Quality Management District</b>           | 242     | 81      | 0       | 0       | \$0       |
| <b>Monterey Bay Unified Air Pollution Control District</b>     | unknown | 115     | 113     | 1       | \$203,505 |
| <b>North Coast Unified Air Quality Management District</b>     | exempt  | exempt  | exempt  | exempt  | exempt    |
| <b>Northern Sierra Air Quality Management District</b>         | unknown | 0       | 0       | 0       | \$0       |
| <b>Northern Sonoma Air Pollution Control District</b>          | exempt  | exempt  | exempt  | exempt  | exempt    |
| <b>Placer County Air Pollution Control District</b>            | 118     | 30      | 0       | 2       | \$0       |
| <b>Sacramento Metropolitan Air Quality Management District</b> | unknown | 56      | unknown | unknown | \$0       |
| <b>San Diego County Air Pollution Control District</b>         | 837     | 256     | 0       | 4       | \$0       |
| <b>San Joaquin Valley Air Pollution Control District</b>       | 1461    | 391     | unknown | unknown | unknown   |
| <b>San Luis Obispo County Air Pollution Control District</b>   | 100     | exempt  | exempt  | exempt  | exempt    |
| <b>Santa Barbara County Air Pollution Control District</b>     | 117     | 22      | unknown | 3       | \$0       |
| <b>Shasta County Air Pollution Control District</b>            | unknown | unknown | 0       | 0       | \$0       |
| <b>Siskiyou County Air Pollution Control District</b>          | exempt  | exempt  | exempt  | exempt  | exempt    |
| <b>South Coast Air Quality Management District</b>             | 4298    | 1362    | unknown | 38      | \$689,685 |
| <b>Tehama Air Pollution Control District</b>                   | 36      | 8       | unknown | unknown | unknown   |
| <b>Ventura County Air Pollution Control District</b>           | unknown | 99      | 0       | 5       | \$0       |
| <b>Yolo-Solano Air Quality Management District</b>             | 114     | 29      | 0       | 0       | \$0       |
| <b>Total</b>                                                   | 9834    | 3202    | 149     | 64      | \$943,815 |

Source: Letters from regional air control districts as of April 17, 2009.

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Photo of Senator Cox courtesy of Bill Mahon [hotpeopleshots.com]