

# Air Enforcement: U.S. Environmental Protection Agency and Haverhill, Massachusetts School Bus Facility Operator Enter into Consent Agreement



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

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The United States Environmental Protection Agency (“EPA”) and Coppola Bus, Inc. (“CBI”) entered into a December 12th Consent Agreement and Final Order (“CAFO”) addressing alleged violations of certain Massachusetts Air Pollution Control Regulations. Docket No. CAA 01-2017-0072.

The CAFO provides that CBI operates a school bus facility in Haverhill, Massachusetts.

The Commonwealth of Massachusetts is stated to have adopted a State Implementation Plan (“SIP”) within the meaning of Section 113(a)(1) of the Clean Air Act. The SIP includes various federally approved portions of the previously referenced Massachusetts Air Pollution Control Regulations.

Certain provisions of the SIP prohibit the excessive idling of motor vehicles. These provisions of the SIP include language which provides:

. . .that no person shall cause, suffer, allow, or permit the unnecessary operation of the engine of a motor vehicle while such vehicle is stopped for a foreseeable period in excess of five minutes, unless such operation is in accordance with a listed exception.

EPA is alleged to have observed on February 28, 2017, the unnecessary operation of the engines of motor vehicles while such vehicles were stopped for a foreseeable period in excess of five minutes at the CBI operated school bus facility in Haverhill, Massachusetts.

The allegations include the observation of 14 buses for idling for more than five minutes, with six of those buses idling for over 30 minutes. Further, EPA is alleged to have observed 15 buses idling for more than five minutes, with one of those buses idling for over 30 minutes on March 29, 2017.

As a result, EPA alleged that CBI violated the Massachusetts Idling Regulation at 310 CMR § 7.11(1)(b).

The CAFO requires that CBI comply with all SIP regulations in Massachusetts in the future.

A civil penalty of \$18,000 is assessed.

[A copy of the CAFO can be downloaded here.](#)