

Mobile Source/Air Enforcement: California Air Resources Board and Sanger, California Trucking Company Enter into Settlement Agreement



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The California Air Resources Board (“CARB”) and King’s River Trucking, Inc. (“KRTI”), entered into a Settlement Agreement and Release (“Agreement”) addressing alleged violations of the California diesel vehicle pollution control requirements.

The Agreement provides a background “Recital” stating in part:

Starting January 1, 2012, for all vehicles with GVWR greater than 26,000 lbs., excluding school buses, fleets must meet the requirements of 13 CCR § 2025(g) or fleets that report may instead comply with the phase-in-option of 13 CCR §2025(i).

KRTI is stated to have “elected to meet the requirements of the Engine Model Year Compliance Schedule provided for in 13 CCR § 2025(g).” The cited regulation requires that owners of diesel vehicles with a GVWR greater than 26,000 pounds (heavier vehicles) meet particulate matter (“PM”) Best Available Control Technology (“BACT”) requirements for all 1996 through 1999 model year engines by January 1, 2012.

The Agreement states that CARB has:

... documented that KINGS’ RIVER TRUCKING failed to meet PM BACT requirements for all of 1996 through 1999 model year engines by January 1, 2012.

KRTI agrees to remit a \$2,000 payment to the California Air Pollution Control Fund.

In addition, besides agreeing to remain in compliance with the applicable regulations, KRTI agrees to complete:

... low NOx Software Upgrades (reflash) in all applicable heavy-duty diesel engines operating in California and report to CARB within 45 days of this Agreement.

A copy of the Agreement can be found [here](#).