

# Compliance Program

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## **Board of Directors Santa Barbara County Air Pollution Control District**

Our Mission: To protect the people and the environment of Santa Barbara County from the effects of air pollution.

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Director / APCO

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# Compliance

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- Conforming to a rule or regulation
- Requires being aware of, understanding, and taking steps to meet the regulatory requirements





# Compliance Program Goals

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- Protect Public Health & the Environment
- Treat Sources Fairly & Equitably
- Educate Sources & Public
- Motivate Sources to Comply
- Be Responsive to the Public

# What We Do

- Inspections
- Record Review
- Compliance Assistance
- Emission Measurements
- Complaint Response



# Notice of Violation (NOV)

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- Documents non-compliance
- Informs source that rule, regulation, permit condition violated
- Initiates corrective action
- Stops the violation and reduces air pollution





# Mutual Settlement

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- Agreement between Air Pollution Control Officer & NOV recipient
- Outside the purview of the Board
- Monetary penalties
- Goals:
  - Level-playing field
  - Deterrent



# Assessing Penalties

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1. Extent of harm to public health, safety, and welfare
2. Nature and persistence of the violation
3. Compliance history
4. Preventive efforts taken
5. Innovative nature and magnitude of effort necessary to comply
6. Efforts taken to attain compliance prior to the violation
7. Cooperation
8. Financial burden
9. Economic benefit

# Inspection & NOV Accomplishments

- January 1, 2015 – September 29, 2017:
  - 2,029 facility inspections
    - Average 61 facility inspections/month
  - 422 NOVs
    - Average 13 NOVs/month





# Mutual Settlement Accomplishments

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- January 1, 2015 – September 29, 2017:
  - 54% NOVs complied with, settled, and penalties paid
  - 15% NOVs with settlement initiated, but not finalized
  - 31% NOVs with settlement not yet initiated
  - Average 177 days between NOV issuance & settlement initiated
  - Average 51 days between settlement initiated & penalty payment

# Mutual Settlement Improvement Goals

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- More timely settlement of NOV's
- Better settlement negotiation outcomes
- Increase inspector efficiency
- Avoid settlement of NOV's before compliance achieved



# Mutual Settlement Improvements

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- Assigned advanced journey-level inspector
- Established performance metric: Send 50% of initial mutual settlement letters within 90 days of NOV issuance
- Revised mutual settlement agreement template
- Implemented paperless internal mutual settlement filing system
- Refer NOVs to mutual settlement after compliance achieved



# Recent State Legislation

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- AB 617 enacted July 2017
- Increased max penalties from \$1,000 to \$5,000
- Annually adjusts max penalties based on California CPI



# Next Steps

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- Strive to meet new performance metric
- Continue identifying and implementing program improvements
- Incorporate new legislation into Mutual Settlement Program

# Questions?

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