

WEBER-MORGAN DISTRICT HEALTH DEPARTMENT

POLICIES AND PROCEDURES
OF THE
WEBER COUNTY I/M PROGRAM

STATION AUDITS

1. I/M Program stations are to be audited on a quarterly basis with the high volume and high risk stations done on a more frequent schedule. Audit frequency should be altered to a degree to help prevent the predictability of the audit date by station personnel.
2. Monthly station/mechanic evaluation reports: Each auditor is routinely given a monthly report listing the activities of each station and mechanic in his district. He is instructed to review this printout and identify problem areas, i.e., high fail rates, low fail rates, tampered vehicle, etc. He then discusses these problems with the station manager and mechanic during the audit. These reports are then filed in the station folder for future reference and used as a means of determining if the problem has really been taken care of. Repeat violators are sent notices; and then suspended if the problem persists. Monthly evaluation printouts are also used to select stations for undercover audits (low-high fail rates).
3. One copy of the station evaluation and one copy of the station performance report will be obtained during each audit.
4. The station performance report will be completed during each audit. Any violation(s) will be noted and station manager or responsible individual informed regarding the violation(s).
5. Gas audits of station analyzer shall be performed on a quarterly basis by the station auditor. Using span gas provided by the Department, the analyzer readings must be within a tolerance of +/-5% for CO and +/-7% with hang-up correction for HC. If analyzer fails the gas audit, the auditor shall perform analyzer maintenance and attempt another gas audit. If this attempt fails the auditor shall place the analyzer out of service, in accordance with the Weber County I/M Regulations, Section 6.9, Subsection 6.9.2.1. If analyzer is locked out due to a gas audit failure, it shall be noted on the station performance report and station manager shall read and initial and date this statement. Once notification of repair is received from station personnel, the station auditor shall make every effort to remove lockout within the same date of notification. If same date lockout removal cannot be achieved, then next day will be acceptable.
6. If a station auditor notes a consistent violation (two consecutive violations), that the I/M station does not correct in spite of violation notices on performance reports, and has been given a reasonable amount of time for any corrections, then

this information is to be given to the I/M Program Director for administrative action.

7. All items covered on the station performance report are to be checked on each audit. Of particular concern is the certificate accountability. All unaccounted certificates will constitute a station to cease inspection operations until the Department authorizes the station to resume inspections, as per Weber County I/M Regulations, Section 13.0, Subsection 13.8.
8. Scheduling: Auditors routinely vary the date that they visit each station. This reduced the possibility that the station will prepare for the audit just before expected visit. This has caught some stations off guard and resulted in the discovery of improprieties that otherwise would go undetected. The policy of using the supervisor to perform random audits has also helped to take away a predicted routine that stations and mechanics could abuse.
9. During regular audits, the analyzer's data disk will be removed from the analyzer and exchanged for a new, formatted disk provided by the Department. Old disks will be discarded after the information has been downloaded to the system.
10. The analyzer information disk is to be returned to the office and should be transferred to the county mainframe on a timely basis. The disk should then be saved for future reference or until it has been determined that the information has been successfully uploaded.
11. Where possible, the station auditor should attempt to observe an actual emissions test during the station audit.
12. In the event that a station comes under investigation for alleged misconduct, the station's auditor will conduct a station audit immediately and turn over all information to the Department Director for any administrative action as deemed by the Weber County I/M Regulations and the Department Director.

AUDIT PROCEDURES - UTAH 91 ANALYZERS

- I. Prior to the audit:
 - A. Review station folder to determine if there is any follow-up corrective action required from the previous audit.
 - B. View the performance report to determine if there are any missing certificates.
 - C. Obtain calibration cylinder, vehicle identification reference manual. (Or use station reference manual)
- II During the audit:

- A. Obtain station performance report. Verify that the station permit, mechanic's certificates, station sign, fee chart, reference manuals, and other required equipment is available. Note any discrepancies for the station performance report.
- B. Access the station analyzer audit menu of the analyzer computer. Select the station evaluation report (see attachment no. 1) and print out the information. Review this information to see if there are any unusual entries, i.e., a significant increase/decrease in the fail rate. Note and question the station manager on any unusual information. Verify that the time and date entries are correct.
 1. Select the station performance report (see attachment no. 2) and program in the appropriate information. Note on this report the number of the next unused certificate.
 2. Select gas audit and introduce your audit calibration gas into sample line probe. Obtain printout of results (see attachment no. 8). Calculate the reading that you are supposed to observe and compare this reading with that on the printout. If it is determined that the analyzer is out of calibration, select the calibration history and review previous calibration reports (attachment no. 9). Determine if there is any indication of drift beyond the maximum allowed since the last calibration. If so, schedule follow up checks to determine how long the analyzer will remain in calibration. If it is determined that the analyzer cannot remain in calibration for three days, it will be locked out until repairs are completed.
 3. Select the mechanic evaluation report (see attachment no. 3) and program in each mechanic. Obtain printouts and review for unusual entries, i.e., significant fail or pass rates. Any significant discrepancies should be noted and discussed with the station manager.
 - a. Select multiple repairs report (see attachment no. 4) for suspect mechanics and obtain printout. May refer back to station/mechanic evaluation report. Unusual entries will be discussed with station manager.
 - b. Select fast testing report (attachment no. 5) and review for unusual entries. If observed, obtain printout for documentation of problem.
 - c. Select emissions reductions report (attachment no. 6) and review for 50% reductions in HC and CO if a significant number of repairs have been performed. If not, obtain

printout for follow up action or to discuss with I/M mechanic or other responsible individual.

- d. Select consecutive test comparison report and observe to see if there are any repeat tests with the same readings. If so, obtain a printout and discuss with the station manager or notify the Director to do an undercover audit there. You may also want to printout test records to verify the same readings indicating that the same vehicle was probably used to each test.

4. Select auditor's notes (see attachment no. 10) and review to determine if there are any unresolved discrepancies that require follow up. Also, use this opportunity to record any information that you want to pass on to the next audit.

5. Select analyzer tampering/access report (see attachment no. 11) and review for lockouts. Insure that county lockouts involving everything but service are cleared by the auditor.

C. Review station files:

1. Using the vehicle identification encyclopedia, randomly select a few vehicle inspection reports (VIRs) and check for proper entries for engine displacement. Then using the application guide, verify that the device check is properly programmed on the report. If a significant number for a particular mechanic is observed, check more thoroughly to determine the extent of the problem. Bring this information to the attention of the station manager and mechanic.
2. Insure that the VIRs are filed in numerical sequence and that they have the yellow copy of the certificate of compliance attached.
3. Insure that separate files are available for fail and pending vehicles awaiting retest.

III After the audit:

- A. Advise supervisor of any discrepancy involving a warning or suspension letter and provide documentation to support it.
- B. Compile all information and file in the station folder.
- C. Complete I/M station audit report indicating when the audit was performed.

COMPLAINTS

1. When an emission related complaint is received, the secretary will retrieve the following information on an approved complaint form: complainant's name, address, home and/or work phone, station at which incident occurred, inspectors name, date and time of the incident and a description of complaint. Complaint will then be assigned to a station auditor who in a timely manner will investigate the complaint, take appropriate action, file a report with the Director, and notify the complainant as to the results of the investigation.

POLICIES AND PROCEDURES

COVERT AUDITS

1. Covert audits. The counties to the extent possible perform a covert audit of each inspector and station at least once a year. The number of covert audits at least equals the number of permitted inspectors. Covert audits are performed using a variety of vehicles that are representative of the subject malfunctions. Suspected problem stations and inspectors are targeted for earlier and more frequent audits. Complaints also trigger additional audits.
2. Covert performance audits shall include:
Remote visual observation of inspector performance, which may include the use of aids such as binoculars or video cameras, at least once per year per inspector in high-volume stations (i.e., those performing more than 4000 test per year);

Site visits at least once per year per number of permitted inspectors (per inspector FTE) using covert vehicles set to fail (this requirement sets a minimum level of activity not a requirement that each inspector be involved in a covert audit); and

For stations that conduct both testing and repairs, at least one covert vehicle visit per station per year including purchase of repairs and subsequent retesting if the vehicle is initially failed for tailpipe emissions, at least once per year per station.
3. Vehicles used for undercover audits will be pre-tested and adjusted for use at the Technical Center.
4. The vehicle operator must follow the guidelines in memorandum dated 20 March 1986 from deputy County Attorney regarding "Guidelines to Avoiding Entrapment".
5. The audit should be performed in such a manner as to avoid giving employees at the station being audited any indication that an audit is being performed.
6. The surveillance report form should be filled out completely for each phase of the audit.

7. Covert auditors will complete a training course provided by the Department which is designed to thoroughly familiarize them with all aspects of the emission inspection procedures.
8. Covert auditors will be rotated to avoid becoming recognizable to inspection station personnel.
9. In all cases, vehicles shall be adjusted to fail either the emissions or tampering or both aspects of the test.
10. On covert audit failures, administrative actions will follow the penalty schedule of the Weber County I/M Regulations.
11. A complete audit includes the following phases:
 - a. Pre-testing and adjusting of vehicle.
 - b. Audit/testing at designated station.
 - c. Post-testing and readjusting original configuration if needed. Completed inspection forms are to be returned to the Program Director
 - d. A briefing with Director of his representative on test results.
 - e. Appropriate action taken on any discrepancies.

VEHICLE TAMPERING INSPECTION PROTOCOL

In accordance with Weber County Inspection/Maintenance Rules and Regulations, Section 1.77 Tampering Definitions, Section 3.0 Jurisdiction of Counties, Section 4.1.5 Powers and Duties, and Section 4.2.3 Powers and Duties.

All Weber County Inspection/Maintenance inspector/mechanics when conducting a tampering inspection, will determine the following on all vehicle model years included in the program:

1. Through the use of the vehicle decal or an approved vehicle reference manual, determine those emission control devices that should be present on a particular vehicle.
2. Conduct a visual inspection of said vehicle to determine if those items are indeed present.
3. Determine if those items have been intentionally or accidentally removed or altered from the original configuration.
4. Enter pass/fail information correctly into the analyzer.
5. Inspectors will be held accountable for their tampering inspections. If an inspection is found to be incorrect, and inspector may be subject to penalties found in the Inspection/Maintenance Penalty Schedule.

ENFORCEMENT AGAINST STATIONS AND INSPECTORS

1. A penalty schedule to be used in the case of violations by individual inspectors and stations. The penalties escalate based upon the frequency

of commission and relative severity in terms of a violation's direct impact on the emission reduction potential of the program. Penalties shall take the form of suspension of license revocation with annual competency re-certification requirements.

2. Auditors are granted the authority to immediately suspend station and inspector licenses upon finding a violation. A formal hearing is conducted to evaluate evidence and determine penalty. The I/M program management shall record all enforcement activities, including all warnings, fines, suspensions, revocations and other notices of violation. At least once a year, the program shall compile summary statistics on its enforcement activities and report this information to the public and EPA.

3. In the case of inspector incompetence, the inspector is required to be retrained and must successfully demonstrate the ability to perform the test procedure prior to the restoration of testing privileges. For cases of inspector violations resulting from factors other than incompetence, the inspector shall be suspended from testing for a minimum of one month, with such suspension increasing with the severity and frequency of violation, leading ultimately to permanent license revocation.

**APPENDIX D
PENALTY SCHEDULE**

VIOLATION	1ST OCCURRENCE	2ND OCCURRENCE	3RD OCCURRENCE	4TH OCCURRENCE
INTENTIONALLY PASSING A FAILING VEHICLE	6 MONTH SUSPENSION	REVOCATION		
FAILURE TO INSPECT	UP TO 6 MONTH SUSPENSION	REVOCATION		
NON-CERTIFIED INSPECTOR	UP TO 6 MONTH SUSPENSION	REVOCATION		
PASS A FAILING VEHICLE	UP TO 3 MONTH SUSPENSION	UP TO 6 MONTH SUSPENSION	REVOCATION	
FAIL A PASSING VEHICLE	UP TO 3 MONTH SUSPENSION	UP TO 6 MONTH SUSPENSION	REVOCATION	
FAILURE TO CALIBRATE OR OTHER PROCEDURES	FORMAL WARNING	UP TO 3 MONTH SUSPENSION	UP TO 6 MONTH SUSPENSION	REVOCATION
PERFORMING UNNECESSARY OR UNRELATED REPAIRS	1 MONTH SUSPENSION	3 MONTH SUSPENSION	REVOCATION	
INACCURATE OR INCOMPLETE DATA	FORMAL WARNING	UP TO 30 DAY SUSPENSION	UP TO 3 MONTH SUSPENSION	REVOCATION
OTHER APPROPRIATE WARNINGS, SUSPENSIONS, NEGOTIATED CONSENT AGREEMENTS, AND/OR REVOCATIONS AS DEEMED NECESSARY AND PRUDENT BY THE DIVISION				

All suspensions may be reduced in length by a negotiated consent agreement which may substitute monetary penalties for part or all of the suspension time. Negotiated Consent Agreements are only applicable in relation to suspension.