



Serving Sutter and Yuba Counties



PRESS RELEASE— December 10, 2020

The Placer County Superior Court approved a stipulated judgment between the Plaintiffs, Feather River Air Quality Management District (FRAQMD) and Placer County Air Pollution Control District (PCAPCD), and Defendants Jim Day, Barbara Day, and Mid Valley Consulting and General Engineering for serious violations of State and local air quality laws.

In the [original filing with the court](#), the Districts alleged violations relating to air quality testing, construction, maintenance, and repair services on vapor recovery systems at six retail gasoline stations in Placer and Yuba counties.

While not denying nor admitting any issue of law or fact or any violation of the law, the Defendants agreed to pay a civil penalty of \$250,000 and consented to a [judgment](#) with a permanent injunction. For the next five (5) years, the injunction requires the Defendants (and their employees) comply with applicable air quality regulations.

The Defendants will be required to obtain and maintain all required certifications and licenses and provide these to the Districts. Defendants must verify the accuracy of information before submitting it to the Plaintiff Air Districts. Defendants will be subject to periodic auditing and must notify the Districts prior to performing work within each.

“In this case, FRAQMD alleged the Days and Mid Valley intentionally deceived both Air District inspectors and a station owner, over an 18-month period, about the true nature of problems with equipment Defendants installed. Defendants perpetuated the scheme by making false statements and repeatedly clearing alarms, which would have otherwise shut down gasoline dispensing, all the while without making any repairs to the system as required by the gas station’s permit. All station owners and their third-party contractors must comply with the permit conditions and District Rules. The goal in this case was to establish a legally binding tool – the injunction, to govern future compliance and to secure a sufficiently deterrent penalty” said Christopher Brown AICP, the Air Pollution Control Officer for the Feather River Air Quality Management District.

“The PCAPCD alleged the Defendants were responsible for a variety of violations at five gas stations, which included the circumventing of equipment installed to protect the public, concealing emissions of toxic gasoline vapors, using non-certified technicians to perform work, and falsifying documents. The Air District is committed to ensuring that there is a level playing field for all businesses so that one business does not gain an unfair competitive advantage by not complying with important air pollution control laws,” said Erik White, the Air Pollution Control Officer for the Placer County Air Pollution Control District.

For more information please visit the FRAQMD website at www.fraqmd.org or call (530) 634-7659 or the PCAPCD website at www.placerair.org or call (530) 745-2330.

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