

Attached please find the United States Environmental Protection Agency's (EPA's) inspection report of your inspected facility and/or any vehicles/engines identified therein. EPA is providing this report as a matter of agency policy and will contact you again only if needed.

Inspection Information	
Inspection Number:	R8_CAA_20221205_BERGL_01_R&BAUTO&DIESELREPAIR
Inspection Date(s):	December 5, 2022
Regulatory Program(s):	40 C.F.R. Parts 85, 86, and 1068
EPA Region/Program Conducting Inspection:	EPA Region 8, Enforcement and Compliance Assurance Division, Air and Toxics Enforcement Branch
Company Name:	R&B Automotive and Diesel Repair
Facility Name:	R&B Automotive and Diesel Repair
Facility Physical Location: (street address, building/unit #)	223 US-85
(city, state, zip code)	Ault, CO 80610

Revision #	Revision Date	Reason for Revision

Katelyn Bergl
Field Inspector Name

Signature
Date

Scott Patefield
Name of Approving Official

Branch Manager
Title

SCOTT PATEFIELD
Signature

Digitally signed by SCOTT PATEFIELD Date: 2023.02.10 08:57:35 -07'00'
Date

FACILITY INSPECTION WORKSHEET

(Supplemental notes or narrative format may be used as preferred).

General Inspection Information				
Facility Name:	R&B Auto & Diesel Repair	Inspection Date	12/5/2022	
Facility Address:	223 US-85, Ault, CO 80610	Arrival/Departure Time	8:15 AM	10:45 AM
		Inspection Number/ID:	R8_CAA_2022125_BERGL_01_R&BAUTO&DIESELREPAIR	
Primary Facility Representative & Title:	Richard Rhoades, Owner	Inspector(s):	Katelyn Bergl (EPA) Colin LeCortz (EPA) Brad Shakeshaft (CDPHE) Raymond Elick (CDPHE)	
Facility Contact Phone/Email:	Richard Rhoades rbdieselrepair@gmail.com (970) 539-9684			
Time Inspector Presented Credentials:	8:15 AM	Compliance Assistance Reference Materials Provided to Facility	☒ SBREFA Form ☐ Exhaust Repair Guidelines ☒ Memo 1A ☒ Tampering Brochure ☐ Engine Switch Fact Sheet ☒ Other: Anti-Tampering Fact Sheet & Regulation	
Permission to Enter Facility Granted? If Yes, by whom? If No, explain.	☒ Yes ☐ No Yes, Richard Rhoades			
Photographer Name:	Colin LeCortz	Photograph Range:	PC050001-PC050063	
Notes (e.g. compliance actions taken by facility, purchased samples, other relevant background, etc.):	On December 5, 2022, representatives from the U.S. EPA Region 8 (EPA) and the Colorado Department of Health and Environment (CDPHE) conducted a Clean Air Act Title 2 Motor Vehicle Emissions inspection at R&B Automotive and Diesel Repair. R&B Automotive and Diesel Repair (the facility) is a service shop located in Ault, Weld County, Colorado that primarily services diesel vehicles. Facility hours are 8 AM – 5 PM Monday through Friday, and there are currently two employees working at the facility. Inspectors interviewed Mr. Richard Rhoades, owner of the facility, about facility activities. Mr. Rhoades stated that the facility services 2-3 vehicles per week. He estimated that 80% of facility work is on diesel transmissions, although they also provide general automotive repair services. The facility does not purchase spare parts to stock in the shop and does not sell individual parts to customers. Mr. Rhoades does purchase parts trucks to use in servicing other vehicles. According to Mr. Rhoades, the facility does not offer vehicle tampering or tuning services except for one government client which has obtained an exemption under 40 CFR § 1068.225(a)(4) to remove emissions equipment (see Appendix A, Photo Log, PC050060). The facility has procured parts from Meyer Distributing, Premier Performance, and other suppliers for services on vehicles with emissions exemptions. The facility also provides code for use on 2012 H&S tuners to tune emissions exempt vehicles. Historically, the facility also provided emissions equipment tuning and tampering services to general customers, but Mr. Rhoades stated the facility stopped providing tampering services 5 or 6 years ago to comply			

	with federal vehicle tampering regulations. For other customers, the facility procures parts from Carquest Auto Parts, AutoZone, Napa Auto Parts, and other local suppliers. From 8:30 AM until 10:30 AM inspectors conducted a walkthrough inspection of the service shop and vehicles being serviced. During the facility walkthrough, inspectors inspected 19 total vehicles on-site and noted that 17 of the inspected vehicles were tampered or suspected to have been tampered, including Mr. Rhoades' personal vehicle (see Pg. 5, Vehicles Inspected/Observed, and Appendix A, Photo Log). The EPA has requested records, including work orders, invoices, and mechanic notes, for the vehicles inspected at the facility. During the facility walkthrough, inspectors noted two EGR coolers and one diesel exhaust particulate filter assembly for which the origin was unclear and which did not belong to any of the vehicles being serviced on-site at the time of the inspection (see Appendix A, Photo Log, PC050001-05). The EGR coolers were stated to have been purchased through online and local marketplaces with the intent of selling them as scrap metal. Mr. Rhoades stated that the EGR coolers were not removed by the facility from any of the vehicles they serviced nor were they intended to be used as replacement parts for customer vehicles in the future. The diesel exhaust particulate filter assembly was reportedly purchased from Ramsey Auto Group and was installed on a 2014 white RAM pickup on-site at the time of the inspection, but was subsequently removed because it was not compatible with the vehicle (see Appendix A, Photo Log, PC050017-18 and 29). EPA has requested a statement clarifying the origin and intent of these parts. The inspection concluded at 10:45 AM. A complete list of records and information requested by EPA is included in the Documents Requested section of this report. At the time of issuance of this inspection report, EPA has not received the requested information.
	Areas of Concern: Of the 19 vehicles inspected at the facility, 90% of them were tampered or suspected to have been tampered (see Appendix A). EPA considers work performed on tampered vehicles which requires the removal and reinstallation of tampered or deleted emissions components to be an act of tampering. Mr. Rhoades stated that 80% of their work is transmission servicing which often requires removal of exhaust components including downstream emission components. Considering the high percentage of tampered vehicles being serviced by the facility, the facility should take extra care to ensure it is not performing any services on tampered emissions components. Such services are considered acts of vehicle tampering by the EPA. As a best practice, EPA recommends denying services to vehicles which require removing or repairing tampered emissions components, unless the facility restores the vehicle to full compliance as part of the service. EPA inspectors found emissions components with unclear origin at the facility, including two EGR coolers and an exhaust particulate filter assembly. EPA inspectors would suggest that the facility properly document the acquisition of any spare emissions components that are stored at the facility so as not to be mistaken as having been removed by the facility from customer vehicles.

Facility Business Activities			
Types of Services (check all that apply)		Description/Observations (types and brands of parts that are manufactured or sold, types of shop services provided, etc.)	Estimated Throughput (e.g., sales per month, installs per week)
☐	Manufactures aftermarket parts (hardware or software)		
☐	Sells aftermarket part sales (including drop shipments)		
☒	Service shop	EPA Inspectors, CDPHE and the facility owner walked the facility grounds and noted which vehicles were tampered. The EPA has requested information on tampered vehicles observed during the EPA inspection to verify no tampering was performed at the facility.	Approximately 2-3 vehicles repaired per week. Revenue was \$1.4 million in 2018 and was \$300,000 in 2021. Revenue was reportedly heavily impacted by COVID-19.
☐	Fleet		
☐	Other:		

Personnel Interviewed			
Name	Title/Position	Contact Info. (e.g., email, phone number)	Interviewed by (Last name of Inspector)
Richard Rhoades	Owner	austin@adrenalinedieselco.com (970) 518-5674	Bergl, LeCortz

Documents Requested			
Document(s)	Status	Notes/Comments	
Vehicle Work Orders – Onsite vehicles.	☒ Document(s) Provided ☒ Will Provide After Inspection	☐ Document(s) Denied ☐ Other (see notes)	Document reviewed during inspection. EPA is waiting for further documentation.
6 months of work orders and parts procured for all customers.	☐ Document(s) Provided ☒ Will Provide After Inspection	☐ Document(s) Denied ☐ Other (see notes)	EPA has requested records but has not received them as of the date of issuance of this inspection report.
Records of services provided to the Colorado Air National Guard, including parts and services provided since 2019.	☐ Document(s) Provided ☒ Will Provide After Inspection	☐ Document(s) Denied ☐ Other (see notes)	EPA has requested records but has not received them as of the date of issuance of this inspection report.
Supplier List from 2020 - present	☐ Document(s) Provided ☒ Will Provide After Inspection	☐ Document(s) Denied ☐ Other (see notes)	EPA has requested records but has not received them as of the date of issuance of this inspection report.
Records of all parts purchased from Meyer or Premier Performance since 2020.	☐ Document(s) Provided ☒ Will Provide After Inspection	☐ Document(s) Denied ☐ Other (see notes)	EPA has requested records but has not received them as of the date of issuance of this inspection report.
Statement regarding the nature of the Colorado Air National Guard waiver.	☐ Document(s) Provided ☒ Will Provide After Inspection	☐ Document(s) Denied ☐ Other (see notes)	EPA has requested records but has not received them as of the date of issuance of this inspection report.
Statement clarifying the origin and intent for use of the exhaust particulate filter assembly observed during the EPA Inspection.	☐ Document(s) Provided ☒ Will Provide After Inspection	☐ Document(s) Denied ☐ Other (see notes)	EPA has requested records but has not received them as of the date of issuance of this inspection report.
Any evidence corroborating statement that EGR Coolers were purchased through an online marketplace.	☐ Document(s) Provided ☒ Will Provide After Inspection	☐ Document(s) Denied ☐ Other (see notes)	EPA has requested records but has not received them as of the date of issuance of this inspection report.

Vehicles Inspected/Observed				
Note: EPA has requested records for all work performed on the vehicles observed during the inspection, but has not received those records at the time of issuance of this inspection report.				
VIN (last 4 digits) or Vehicle Make and Model, License Plate (Last 3 digits)	EPA Engine Family	Appearance of Tampering (Yes/No/TBD)	OBD Data Obtained? (Yes/No)	Observations (e.g., Who Performed Apparent Tampering?)
2006 RAM (Y45), CO	-	Yes	No	Owner vehicle, Downstream Emission components removed.
2008 RAM (198), CO	-	Yes	No	Downstream emission components, EGR cooler, PCV removed. MIL not on, indicating tuned vehicle.
(M51), CO	-	Yes	No	Downstream emission components removed.
GMC Sierra SLT (T55), CO	-	Yes	No	Downstream emission components removed.
RAM (514), CO	-	Yes	No	Downstream emission components removed.
2014 RAM 3500 (449), CO	-	Yes	No	Downstream emission components removed, but facility reported that the DPF was being restored after being removed outside of the facility.
RAM 2500 (611), OK	-	Yes	No	Downstream emission components removed.
RAM (I21), Blue, CO	-	Yes	No	Suspected hollow DOC.
2008 RAM 3500 (5998), CO	-	Yes	No	Downstream emission components removed. EGR Cooler removed.
RAM 2500 (88R), NE	-	Yes	No	Downstream emission components removed.
RAM 2500 (816), WY	-	Yes	No	Downstream emission components removed.
2014 RAM (007), CO	-	Yes	No	Downstream emission components removed. EGR cooler disconnected.
2003 GMC 2500 (073), WY	-	Yes	No	Downstream emission components removed.
Ford F350 (UDZ), CO	-	No	No	N/A
Chevrolet 4X4 (S13), CO	-	Yes	No	Downstream emission components removed.
2014 RAM 2500 (UQS), CO	-	Yes	No	Downstream emission components removed. EGR cooler removed and EGR block-off plates installed.
2009 RAM 3500 (X50), CO	-	Yes	No	Downstream emission components removed. EGR cooler removed and EGR block-off plates installed. Potential ECM tune.
2004 Ford, Lot ID 1697, CO	-	No	No	NA
2014 RAM 3500 (944), WY	-	Yes	No	Downstream emission components removed.

APPENDIX A: Photo Log

File Name (jpg)	Description	Photographer
PC050001	Exhaust Particulate Filter Assembly, Shop Floor – stated to have been procured from dealership but did not fit intended vehicle	C. LeCortz
PC050002	Exhaust Particulate Filter Assembly, Shop Floor, Serial Number	C. LeCortz
PC050003	Spare Parts, Service Shop	C. LeCortz
PC050004	Spare Parts, Service Shop, 2 EGR Coolers on shelf in bottom right corner	C. LeCortz
PC050005	Spare Parts, Service Shop, 2 EGR Coolers – stated to have been purchased from online or local marketplaces	C. LeCortz
PC050006	2006 RAM (Y45), CO – Downstream emission components deleted	C. LeCortz
PC050007	2006 RAM (Y45), CO – Rear	C. LeCortz
PC050008	RAM (I21), Blue, CO – DOC	C. LeCortz
PC050009	RAM (I21), Blue, CO – Rear	C. LeCortz
PC050010	(M51), CO – Rear	C. LeCortz
PC050011	(M51), CO – Vehicle Undercarriage	C. LeCortz
PC050012	(M51), CO – Vehicle Undercarriage	C. LeCortz
PC050013	GMC Sierra SLT (T55), CO – Rear	C. LeCortz
PC050014	GMC Sierra SLT (T55), CO – Downstream emission components deleted	C. LeCortz
PC050015	RAM (514), CO – Rear	C. LeCortz
PC050016	RAM (514), CO – Downstream emission components deleted	C. LeCortz
PC050017	2014 RAM 3500 (449), CO – Rear	C. LeCortz
PC050018	2014 RAM 3500 (449), CO – Downstream emission components deleted	C. LeCortz
PC050019	2008 RAM 3500 (5998), CO – Rear	C. LeCortz
PC050020	2008 RAM 3500 (5998), CO – Downstream emission components deleted	C. LeCortz
PC050021	2008 RAM 3500 (5998), CO – EGR Valve Disconnected	C. LeCortz
PC050022	2008 RAM 3500 (5998), CO – VECI Label	C. LeCortz
PC050023	RAM 2500 (88R), NE – Front	C. LeCortz
PC050024	RAM 2500 (88R), NE – Vehicle Undercarriage	C. LeCortz
PC050025	RAM 2500 (816), WY – Rear	C. LeCortz
PC050026	RAM 2500 (816), WY – Vehicle Undercarriage	C. LeCortz
PC050027	RAM 2500 (611), OK – Rear	C. LeCortz
PC050028	RAM 2500 (611), OK – Vehicle Undercarriage	C. LeCortz
PC050029	RAM 3500 (449), CO – Front; Dealership which Mr. Rhoades stated supplied the exhaust component in PC050001	C. LeCortz
PC050030	2008 RAM (198), CO – Front	C. LeCortz
PC050031	2008 RAM (198), CO – VECI Label	C. LeCortz
PC050032	2008 RAM (198), CO – Engine Bay	C. LeCortz
PC050033	2008 RAM (198), CO – Vehicle Undercarriage	C. LeCortz

PC050034	2008 RAM (198), CO – Vehicle Dashboard; No MIL indicated while vehicle is running	C. LeCortz
PC050035	2014 RAM (007), CO – Rear	C. LeCortz
PC050036	2014 RAM (007), CO – Vehicle Undercarriage	C. LeCortz
PC050037	2014 RAM (007), CO – Engine Bay; EGR Cooler Disconnected	C. LeCortz
PC050038	2014 RAM (007), CO – VECI Label	C. LeCortz
PC050039	2003 GMC 2500 (073), WY – Front	C. LeCortz
PC050040	2003 GMC 2500 (073), WY – Vehicle Undercarriage	C. LeCortz
PC050041	Ford F350 (UDZ), CO – Rear	C. LeCortz
PC050042	Ford F350 (UDZ), CO – Vehicle Undercarriage	C. LeCortz
PC050043	Chevrolet 4X4 (S13), CO – Rear	C. LeCortz
PC050044	Chevrolet 4X4 (S13), CO – Vehicle Undercarriage	C. LeCortz
PC050045	2014 RAM 2500 (UQS), CO – Rear	C. LeCortz
PC050046	2014 RAM 2500 (UQS), CO – Vehicle Undercarriage	C. LeCortz
PC050047	2009 RAM 3500 (X50), CO – Front	C. LeCortz
PC050048	2009 RAM 3500 (X50), CO – Vehicle Undercarriage	C. LeCortz
PC050049	2004 Ford, Lot ID 1697, CO – Front	C. LeCortz
PC050050	2004 Ford, Lot ID 1697, CO – Vehicle Undercarriage	C. LeCortz
PC050051	2014 RAM 2500 (UQS), CO – Engine Bay	C. LeCortz
PC050052	2014 RAM 2500 (UQS), CO – EGR Block-off Plate	C. LeCortz
PC050053	2014 RAM 2500 (UQS), CO – VECI Label	C. LeCortz
PC050054	2014 RAM 3500 (944), WY – Front	C. LeCortz
PC050055	2014 RAM 3500 (944), WY – Front	C. LeCortz
PC050056	2014 RAM 3500 (944), WY – Vehicle Undercarriage	C. LeCortz
PC050057	2009 RAM 3500 (X50), CO – VECI Label	C. LeCortz
PC050058	2009 RAM 3500 (X50), CO – Engine Bay	C. LeCortz
PC050059	2009 RAM 3500 (X50), CO – Electronic Cable extending into cab from Engine Bay	C. LeCortz
PC050060	Memorandum for EPA Emission Exemption: Colorado National Air Guard	C. LeCortz
PC050061	Invoice list to National Guard since 2019	C. LeCortz
PC050062	Invoice I001228 to National Guard including “Single Tune”	C. LeCortz
PC050063	Shop door with stickers of other businesses	C. LeCortz

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8
RESOURCE CONSERVATION AND RECOVERY ACT**

BASIC INFORMATION

Facility Name: Fort Washakie School Bus Barn
RCRA ID: XHW100000001

Facility Location: 90 Ethete Road, Fort Washakie, Wyoming 82514

Notification Status: VSQG

Facility Contact: Dwight Ferris,
Transportation Supervisor

Date of Inspection: August 18, 2021

Arrival Time: 8:55 a.m.

Departure Time: 2:45 p.m.

Lead Inspector: Cindy Schafer, Environmental Engineer

Other Attendees:

1. Annette Maxwell, Physical Scientist, U.S. EPA Region 8
2. Steve Babits, Northern Arapaho Natural Resource Office
3. Dwight Ferris, Fort Washakie School

Type and Purpose of Inspection: Compliance Assistance Visit
Compliance with RCRA used oil and spent lead acid battery regulations

Facility Type: School Bus Maintenance Facility

Applicable Regulations to Inspection: 40 C.F.R. § 279.20-24 (Standards for Used Oil Generators) and 40 C.F.R. § 273.10-20 (Standards for Small Quantity Handlers of Universal Waste)

Inspection Type: Unannounced Inspection
EPA Inspection

OPENING CONFERENCE

☒ Credentials Presented

☒ CBI warning to facility provided

☒ Small Business Assistance Worksheet
provided to facility contact

☐ CBI was provided or discussed during the
inspection

The following information was verbally obtained from Dwight Ferris during the inspection, unless otherwise noted.

Company Ownership: The Fort Washakie School Bus Barn (Facility) is owned by the Fort Washakie School.

General Facility and Process Description: The Facility is a maintenance facility for school buses. Maintenance activities include oil changes, battery replacement, and other general maintenance activities.

Facility Name: Fort Washakie School Bus Barn

Facility Location: 90 Ethete Road, Fort Washakie, Wyoming 82514

Date of Inspection: August 18, 2021

Staff Interview: Dwight Ferris said that NAPA collected used oil and he thinks that NAPA uses the used oil to heat their shop in the winter; NAPA's authorization to collect and burn used oil from off-site generators, including determination of on-specification status of the used oil under 40 CFR 279.11, was not evaluated during this inspection. Batteries are returned to NAPA for recycling. Dwight Ferris said that the batteries generally last three to six months before needing to be replaced. Some buses use two batteries and some use three batteries. Mr. Ferris also stated that the floor drains at the Facility lead to a sump and separator that gets cleaned out by vacuum truck. The last cleanout was performed by Alexander Excavation in May 2021.

TOUR INFORMATION

Areas of the Facility toured: I toured the following areas:

- garage area
- tool storage area

Observations:

- Two drums located near the garage door, one was labeled "Used Oil" and the other was not labeled.
- Four drums located alongside the garage wall were all labeled "Used Oil".
- There were two spent lead acid batteries ready for pick-up at the time of the inspection. Both were in good condition and stored indoors.

Inspection Logbook No.: 2021-0008; pages 2-4

CLOSING CONFERENCE

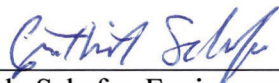
Compliance Assistance: I provided information about labeling used oil containers.

Deficiencies or Concerns: One container of used oil was not labeled at the time of the inspection. Dwight Ferris labeled it prior to the end of the inspection.

INSPECTION FOLLOW-UP

Concerns or Deficiencies for Future Follow-Up: I requested the Facility ensure that used oil is transported only to facilities that have obtained an EPA ID Number as required under 40 CFR 279.24.

SIGNATURE

Lead Inspector:  Date: 10/26/2021
Cindy Schafer, Environmental Engineer

JANICE PEARSON Digitally signed by JANICE PEARSON
Date: 2021.10.21 16:11:51 -06'00'

Supervisor: _____ Date: _____
Janice Pearson, Branch Chief
RCRA/OPA Enforcement Branch

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8
RESOURCE CONSERVATION AND RECOVERY ACT**

APPENDICES AND ATTACHMENTS

Appendix A: Photo Log

Attributes		
Title	Photo 1	
Subject	Fort Washakie School Bus Barn	
Description	Used oil drums ready to be picked up. One drum missing a "Used Oil" label.	
Date/Time	August 18, 2021 at 9:07 a.m.	
File Name	DSCN1479.jpg	
Photographer	Cindy Schafer	
Make/Model	Nikon Cool Pix S7000	
Equipment ID	B00227	
Attributes		
Title	Photo 2	
Subject	Fort Washakie School Bus Barn	
Description	Four drums of used oil are all labeled. The three unlabeled drums are unused oil.	
Date/Time	August 18, 2021 at 9:10 a.m.	
File Name	DSCN1480.jpg	
Photographer	Cindy Schafer	
Make/Model	Nikon Cool Pix S7000	
Equipment ID	B00227	

Facility Name: Fort Washakie School Bus Barn

Facility Location: 90 Ethete Road, Fort Washakie, Wyoming 82514

Date of Inspection: August 18, 2021

Attributes	
Title	Photo 3
Subject	Fort Washakie School Bus Barn
Description	Unlabeled drum from Photo 1 now labeled "Used Oil".
Date/Time	August 18, 2021 at 9:21 a.m.
File Name	DSCN1481.jpg
Photographer	Cindy Schafer
Make/Model	Nikon Cool Pix S7000
Equipment ID	B00227

