



The Commonwealth of Massachusetts
Office of the Attorney General
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
(617) 727-4765 TTY
www.mass.gov/ago

FOR IMMEDIATE RELEASE
March 5, 2014

MEDIA CONTACT:
Jillian Fennimore (AGO)
(617) 727-2543
Joe Ferson (MassDEP)
(617) 654-6253

**LARGEST SCHOOL BUS OPERATOR IN MASSACHUSETTS TO PAY \$450,000 TO
SETTLE AIR POLLUTION, REPORTING VIOLATIONS**

*Company to Comply with Regulation Prohibiting Excessive Motor Vehicle Idling;
Will Fund State Projects Aimed at Reducing Emissions*

BOSTON — The largest school bus operator in Massachusetts has agreed to pay \$450,000 to settle claims of failing to submit required compliance reports to the state after excessively and unnecessarily idling its diesel school buses at various locations, Attorney General Martha Coakley announced today.

According to the consent judgment, entered today with the complaint in Suffolk Superior Court, First Student, Inc. has agreed to pay \$300,000 in civil penalties after allegedly violating an order from the Massachusetts Department of Environmental Protection (MassDEP) prohibiting bus idling while parked outside of schools and at its own parking and maintenance facilities. The company will also pay \$150,000 to help fund two state projects designed to reduce harmful particulate emissions and encourage the use of cleaner hybrid vehicles.

The settlement also requires the company to improve managerial and driver training on idling regulations using pre-approved training materials. Failure to comply with the requirements of the settlement could result in additional civil penalties.

“MassDEP has a strong commitment to reduce harmful diesel emissions and to protect our most sensitive populations – including school children,” said MassDEP Commissioner Kenneth Kimmell. “Under this settlement, First Student will fully comply with the Massachusetts idling limits and put the required safeguards in place to monitor and report on its operations.”

MassDEP’s idling regulations require that motor vehicles cannot idle for unnecessary reasons for more than five minutes. Certain exceptions, when not a contributing factor to air pollution, can include maintenance, when engine assisted power is needed during the delivery or pickup of goods, or to operate additional vehicle equipment, such as a wheelchair lift. State regulations also permit motor vehicles to idle on school grounds when buses are lined up and are actively picking up or dropping off students, to adjust temperature for hot or cold weather, as well as for safety and emergency situations.

As part of the settlement, First Student has re-committed to comply with anti-idling regulations.

According to the complaint, in 2008 and 2009, MassDEP conducted unannounced inspections at Massachusetts public schools and other locations where First Student operates diesel school buses and found many instances of unnecessary idling at various schools in Springfield, Brockton, South Boston, Dorchester, Roxbury and Roslindale.

An administrative consent order, signed in 2010 between MassDEP and First Student, required the company to cease excessive idling, properly educate its drivers, inspect its own facilities and schools for idling instances, and report to MassDEP on a quarterly basis. As part of the order, First Student paid the Commonwealth a \$40,000 administrative penalty.

The company has paid administrative penalties on this and two other occasions totaling \$75,000 for noncompliance with the state's anti-idling regulation. First Student also paid \$128,000 to the U.S. Environmental Protection Agency in 2009 for idling violations in eight states, including Massachusetts.

While First Student complied in part with the 2010 consent order with MassDEP, the Commonwealth again found numerous idling violations by company drivers between June 2010 and January 2013 at parking lot locations and schools across the Commonwealth, and also found First Student failed to conduct required inspections and to properly report violations.

First Student, Inc. is a subsidiary of FirstGroup America, which is the largest provider of surface transportation services in North America. First Student, Inc. has approximately 1,700 buses running in Massachusetts that serve more than 30 communities across the state, and transports 6 million students each day for 1,500 school districts in North America.

In addition to \$300,000 in civil penalties, First Student will provide \$100,000 to MassDEP's "MassCleanDiesel: Clean Markets Program," which has eliminated more than 2,400 tons of pollutants from refrigerated trailers and diesel trucks operated in-state while also saving fuel costs. Under the program, MassDEP offers grants to companies serving wholesale food markets, distribution centers, and warehouses to help reduce diesel engine emissions. An additional \$50,000 will pay for hybrid technology in six vans at Square One, a Springfield nonprofit organization that provides services to less fortunate children and families. This will result in 20 percent fuel savings per vehicle and will be implemented by XL Hybrids, Inc., a company operating in Somerville that develops fuel-saving technologies.

This case has been handled by Assistant Attorney General Fred Augenstern of Attorney General Coakley's Environmental Protection Division, with assistance from Jenny Outman of MassDEP's Office of General Counsel in Boston, and Julie Ross, a Regional Planner in MassDEP's Boston Office.

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