

BOARD MEETING DATE: April 1, 2011

AGENDA NO. 12

REPORT: Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from February 1 through February 28, 2011, and legal actions filed by the District Prosecutor during February 1 through February 28, 2011. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, March 18, 2011, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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Violations

Civil Actions Filed

1	ALBERT JOSEPH QUEIROS Orange County Superior Court Case No.0049264; Filed 2.10.11 (NSF) P51747 R. 461 – Gasoline Transfer & Dispensing
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1 Violation

1 Case

ATTACHMENTS

February 2011 Penalty Report  
Index of District Rules and Regulations

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
District Prosecutor's Office**

**February 2011 Penalty Report**

**Total Penalties**

<b>Civil Penalties:</b>	<b>\$433,550.00</b>
<b>SEP Cash Only Penalties:</b>	<b>\$100,000.00</b>
<b>SRV Penalties:</b>	<b>\$3,000.00</b>
<b>MSPAP Penalties:</b>	<b>\$59,180.00</b>
<b>Miscellaneous Penalties:</b>	<b>\$2,500.00</b>
<b>Hearing Board Penalties:</b>	<b>\$24,502.98</b>

<b>Total Cash Penalties:</b>	<b>\$622,732.98</b>
<b>Total SEP Value:</b>	<b>\$110,000.00</b>

<b>Fiscal Year through February 2011 Cash Total:</b>	<b>\$5,699,041.81</b>
<b>Fiscal Year through February 2011 SEP Value Only Total:</b>	<b>\$225,000.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>CIVIL PENALTIES:</b>							
45489	ABBOTT CARDIOVASCULAR SYSTEMS, INC.	3002(C)(1) 3002		2/23/2011	KCM	P30692	\$12,000.00
18193	BROTMAN PARTNERS LP,CAL LTD,BROTMAN	203(A), 1470		2/17/2011	TRB	P55568	\$4,800.00
153232	CAFE BRAVO COFFEE ROASTING CO	203 (B) 203 (B)		2/11/2011	KCM	P30687 P30688	\$750.00
800037	DEMENNO/KERDOON	2004 2004 2004 1402 431.1, 2004(F)(1) 1402	Y	2/22/2011	NSF	P53114 P53113 P53115 P32845 P56551 P47783	\$351,000.00
160796	DESIGN REALITY	1136		2/4/2011	TRB	P56422	\$500.00
152895	EXTREME CUSTOM TRAILERS, DIV LIPPERT	3002		2/2/2011	TRB	P56351	\$1,500.00
161990	HD SUPPLY REPAIR & REMODEL	1113(C)(2)		2/17/2011	JMP	P55126	\$1,000.00
154403	JACOBSON PLASTICS, INC.	201, 203 (A)		2/3/2011	NAS	P56950	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
134097	JAMISON SERVICES, INC	1146.2(C)(3) 1146.2(C)(3) 203(A), 1146.2(C)(3) 222, 203(A) 203(A) 203(A), 1146.2(C)(3)		2/15/2011	KCM	P51639 P51622 P51638 P55155 P55859 P51621	\$15,000.00
154423	KB GAS MART, HANSAI, INC.	461(C)(2)(B)		2/4/2011	TRB	P56126	\$500.00
39855	MIZKAN AMERICAS, INC	3002(C)(1)		2/23/2011	NAS	P52278	\$2,000.00
136533	MOLINA'S ENGINEERING	461(C)(3)(A)		2/4/2011	TRB	P55086	\$2,500.00
129661	NM MILLIKEN GENCO, LLC	3002(C)(1) 1110.2 1150.1(D)(1)(C)		2/8/2011	TRB	P33545	\$1,000.00
18931	TAMCO	2012 2004	Y	2/3/2011	TRB	P52171 P52173	\$40,000.00
<b>TOTAL CIVIL PENALTIES: \$433,550.00</b>							

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>SUPPLEMENTAL ENVIRONMENTAL PROJECTS:</b>							
800080	LUNDAY-THAGARD COMPANY	463	Y	2/22/2011	NSF	P53760	\$210,000.00
	Cash: \$100,000; SEP: \$110,000	2004				P34664	
	Facility shall install an upgraded dissolved air floatation u	201, 203				P53759	
		402, 41700				P34668	
		2011				P34656	
		1178				P34669	
		203				P34657	
		2004				P39621	
		2004				P52786	
		2004				P39620	
		2012				P34658	
		203				P52786	
		203				P34659	
		203, 2004				P53503	
		2004				P34661	
		42400				P53752	
		2004				P34662	
		203, 1176, 2004				P53754	
		1173, 203				P53758	
		2004				P34663	

**TOTAL SUPPLEMENTAL ENVIRONMENTAL PROJECTS: \$210,000.00**

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>SELF-REPORTED VIOLATION:</b>							
16825	NORTHROP GRUMAN GUIDANCE&ELECTONICS			2/9/2011		SRV81	\$3,000.00
<b>TOTAL SRV SETTLEMENT:</b>		<b>\$3,000.00</b>					
<b>MSPAP SETTLEMENTS:</b>							
163289	407 N. MAPLE L.P./TISHMAN SPEYER PRO	203 (A)		2/23/2011		P55191	\$1,000.00
150955	7-ELEVEN INC/#33611	461		2/25/2011		P46537	\$275.00
165766	ADVANCED AMBULATORY SURGERY CENTER	203(A)		2/24/2011		P55235	\$550.00
117140	AOC, LLC	2012(E)(2)(B)		2/24/2011		P57802	\$750.00
126681	APRO LLC	461(C)(1)(A)		2/16/2011		P57016	\$500.00
126681	APRO LLC	461		2/16/2011		P54584	\$500.00
144813	ARCO 01902 - KIM THORNG	461(C)(2)(B)		2/25/2011		P46539	\$500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
145722	ARCO AM/PM #82419		461	2/23/2011		P49219	\$120.00
3361	BEHR PROCESS CORP		203 (B)	2/9/2011		P53434	\$3,600.00
153799	BEVERLY HILLS STERLING CLEANERS		203(B), 1102	2/24/2011		P55198	\$1,560.00
132133	CITY OF MONTEREY PARK-DELTA PUMP STATION		203(A)	2/9/2011		P57800	\$550.00
140398	CITY OF RANCHO CUCAMONGA		203 (A)	2/25/2011		P52277	\$550.00
128675	CONCRETE HOLDING COMPANY OF CALIFORNIA		403	2/24/2011		P53684	\$1,375.00
114116	CONVENIENCE RETAILERS LLC- 2705666		461(C)(2)(B)	2/4/2011		P46538	\$1,250.00
68466	CR TRANSFER, INC.		203 (B)	2/2/2011		P46789	\$600.00
93263	DRY CLEAN EXPRESS, AJNASSIAN BROS CO		1102 203 (B)	2/24/2011		P55197	\$720.00
152711	EAST HILLS CLEANERS, YUNICO INC DBA		1421	2/11/2011		P56059	\$200.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
142568	EASTLAND CHEVRON, SKARIMI INC, T&N I	41960.2 461		2/24/2011		P57186	\$675.00
158696	EIREANN MACHINERY INC	PERP 2458		2/25/2011		P55356	\$550.00
5322	EL MONTE CITY, PUB WKS DEPT	203(A)		2/9/2011		P56243	\$410.00
154218	FEDERAL BUREAU OF INVESTIGATIONS, LA	203(A)		2/16/2011		P58152	\$640.00
148840	GALAXY OIL COMPANY	461		2/23/2011		P46534	\$200.00
146844	GENERATOR SERVICES CO.	203(A)		2/25/2011		P55374	\$600.00
152548	GILBERTS AUTO BODY	109, 203(B)		2/24/2011		P53480	\$200.00
52526	HIMCO NATL INC	203 (A)		2/23/2011		P57601	\$850.00
152248	INTELLIGENTSIA COFFEE & TEA INC.	203 (B)		2/25/2011		P54804	\$550.00
104970	J MCLOUGHLIN ENG CO INC	203 (A)		2/3/2011		P54814	\$800.00
161541	KS CUSTOM FINISH	203 (A)		2/23/2011		P53478	\$400.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
163931	L.O. LYNCH, INC.	203(A)		2/24/2011		P57504	\$1,000.00
2122	LA CO, DEPT OF PUBLIC-ROAD	461 (E) (2)		2/2/2011		P56267	\$1,000.00
127756	LA CO.- MT. DISAPOINTMENT MICROWAVE	203 (B)		2/24/2011		P56269	\$10,000.00
165367	LEVEL 3 COMMUNICATIONS, LLC	203 (A)		2/24/2011		P56930	\$550.00
163328	LOPEZ CONCRETE PUMPING, INC.	203(A)		2/25/2011		P56263	\$1,000.00
129910	MKL CHEVRON	41960.2 461(C)(2)(B)		2/24/2011		P57022	\$825.00
16825	NAVIGATION SYSTEMS DIVISION	203(B), 1470		2/9/2011		P53918	\$1,000.00
158448	O & C HILLSIDE RESOURCES MGMT CO	461(C)(2)(B)		2/24/2011		P46520	\$825.00
163399	PRIETO'S AUTO BODY & PAINT, MARTIN P	109		2/2/2011		P54679	\$1,000.00
84396	RALPHS GROCERY COMPANY #1	201, 203(A)		2/25/2011		P56271	\$1,100.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
165674	RAPID GAS #90	461, 41960.2		2/25/2011		P57187	\$550.00
159985	RELIABLE OFFICE FURNITURE SOURCE	109, 203(B)		2/25/2011		P52279	\$550.00
94279	RIM FOREST LUMBER CO INC	461, 461(E)(2)		2/25/2011		P54682	\$1,200.00
119937	ROBINSON PHARMA INC.	1146		2/25/2011		P53430	\$600.00
152391	ROGER'S GAS & MINI MART, LLC	461, 41960.2		2/25/2011		P57159	\$360.00
157640	ROLLING GREEN TREE CARE	203(A)		2/24/2011		P57513	\$450.00
164632	SAN BERNADINO SCHOOL EMPLOYEES FCU	201, 203		2/25/2011		P56384	\$1,100.00
91146	SAN BERNARDINO CO VEHICLE SRV DEPT,	203(A)		2/24/2011		P55231	\$550.00
16947	SERV-RITE MEAT CO INC	203 (B)		2/25/2011		P54815	\$600.00
157183	SIMROY CHEVRON	461		2/4/2011		P56872	\$410.00
4477	SO CAL EDISON CO	2004(F)(1) 3002(C)(1)	Y	2/24/2011		P55715	\$3,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
162021	SOUTHWEST PUMP AND DRILLING, INC.	203(A)		2/25/2011		P54091	\$550.00
163586	SPRINT	Title 13		2/25/2011		P57552	\$45.00
13994	STATES LOGISTICS SERVICES, INC.	203		2/25/2011		P52977	\$550.00
52607	THE BEVERLY CLEANERS	1421		2/24/2011		P57900	\$240.00
24450	TREND MANOR FURNITURE MFG CO INC	3002(C)(1)		2/25/2011		P53878	\$600.00
164106	TRIMFLEX	203(A)		2/25/2011		P55236	\$1,100.00
162825	U S A CANNING FOOD INC	203 (A)		2/25/2011		P57108	\$550.00
18452	UNIVERSITY OF CALIFORNIA, LOS ANGELE	1146		2/25/2011		P55199	\$3,250.00
151594	VINTAGE PRODUCTION CALIFORNIA LLC	2004	Y	2/25/2011		P55711	\$550.00
151601	VINTAGE PRODUCTION CALIFORNIA LLC	2004	Y	2/25/2011		P55712	\$1,200.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
160391	WEST COAST WELDING INC	203 (A)		2/3/2011		P54813	\$750.00
155367	WILD ROCKET FOODS	201, 222		2/4/2011		P55225	\$1,650.00
<b>TOTAL MSPAP SETTLEMENTS:</b>							<b>\$59,180.00</b>
<b>MISCELLANEOUS SETTLEMENTS:</b>							
53860	PICK YOUR PART AUTO WRECKING Payment for investigative costs.			2/11/2011		MIS143	\$2,500.00
<b>TOTAL MISCELLANEOUS SETTLEMENTS:</b>							<b>\$2,500.00</b>
<b>HEARING BOARD SETTLEMENTS:</b>							
45489	ABBOTT CARDIOVASCULAR SYSTEMS, INC. Hearing Board Case No. 5807-1 Facility to pay \$1,000 stipulated penalty for the period of time between the date the Hearing Board grants the O/A and issues the revised permits for lasers and scrubbers.	3002		2/23/2011	KCM	HRB1971	\$1,000.00
105410	FLAVORCHEM CORPORATION Hearing Board Case No. 5791-1 Facility to pay \$5,000/month for each month it operates it's spray dryer without a permit.			2/11/2011	KCM	HRB1968	\$5,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
160351	IMPERIAL WESTERN PRODUCTS, INC. Hearing Board Case No. 5782-1 Facility to pay \$2,500/month it operates for each month it violates permit conditions. Penalty is for the month of January 2011.	203		2/2/2011	TRB	HRB1966	\$2,500.00
151532	LINN WESTERN OPERATING INC Hearing Board Case No. 5711-6 Facility to pay \$250/day plus calculated daily excess emissions on fees for days gas flared exceeds 6 MMCF/month because of failure in catalyst in Turbine 2. Penalty is for January 2011.	1148, 203, 2004 2012, 3004	Y	2/11/2011	TRB	HRB1967	\$3,862.98
800080	LUNDAY-THAGARD COMPANY Hearing Board Case No. 2033-10A LTR shall pay per violation \$550/day for violation of monitoring requirements and \$50/day for R. 462 violation. Penalty covers January 2011.	462	Y	2/22/2011	NSF	HRB1970	\$1,350.00
144681	WARREN E&P, INC Hearing Board Case No. 5649-2 Facility agreed to pay \$250/day for each day it operates microturbines without a permit to operate.	203		2/1/2011	KCM	HRB1965	\$7,750.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
158950	WINDSOR QUALITY FOOD CO. LTD. Hearing Board Case No. 5751-1 Facility to pay \$160/day for each day it operated both noncompliant lines 2 or 6. Penalty covers from 12/4//10 through 2/3/10.	203, 2004(f)(2)	Y	2/16/2011	NAS	HRB1969	\$3,040.00

**TOTAL HEARING BOARD SETTLEMENTS: \$24,502.98**

**Total Penalties**

Civil Penalties:	\$433,550.00
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## DISTRICT RULES AND REGULATIONS INDEX FOR FEBRUARY 2011 PENALTY REPORT

### REGULATION I - GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions (*Amended 5/2/03*)

### REGULATION II – PERMITS

List and Criteria Identifying Information Required of Applicants Seeking A Permit to Construct from the South Coast Air Quality Management - District (*Amended 4/10/98*)

Rule 201 Permit to Construct (*Amended 12/3/04*)

Rule 203 Permit to Operate (*Amended 12/3/04*)

Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written permit Pursuant to Regulation II. (*Amended 5/19/00*)

### REGULATION IV - PROHIBITIONS

Rule 402 Nuisance (*Adopted 5/7/76*)

Rule 403 Fugitive Dust (*Amended 12/11/98*) *Pertains to solid particulate matter emitted from man-made activities.*

Rule 431 Sulfur Content of Fuels (*Repealed 12/2/77*)

Rule 461 Gasoline Transfer and Dispensing (*Amended 6/15/01*)

Rule 462 Organic Liquid Loading (*Amended 5/14/99*)

Rule 463 Storage of Organic Liquids (*Amended 3/11/94*)

### REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1102 Petroleum Solvent Dry Cleaners (*Amended 12/7/90*)

Rule 1113 Architectural Coatings (*Amended 6/20/01*)

Rule 1136 Wood Products Coatings (*Amended 6/14/96*)

Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters (*Amended Rule*)

Rule 1148 Thermally Enhanced Oil Recovery Wells (*Adopted 11/5/82*)

Rule 1150 Excavation of Landfill Sites (*Adopted 10/15/82*)

Rule 1173 Fugitive Emissions of Volatile Organic Compounds (*Amended 5/13/94*)

Rule 1176 Sumps and Wastewater Separators (*Amended 9/13/96*)

Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities (*Amended 4/7/06*)

## **REGULATION XIV - TOXICS**

- Rule 1402 Control of Toxic Air Contaminants from Existing Sources (*Amended 3/17/00*)
- Rule 1421 Control of Perchloroethylene Emissions from Dry Cleaning Operations (*Amended 6/13/97*)
- Rule 1470 Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines

## **REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

- Rule 2004 Requirements (*Amended 4/6/07*)
- Rule 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO<sub>x</sub>) Emissions  
(*Amended 5/11/01*)
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions  
(*Amended 5/6/05*)

## **REGULATION XXX - TITLE V PERMITS**

- Rule 3002 Requirements (*Amended 11/14/97*)

## **CALIFORNIA HEALTH AND SAFETY CODE § 41700**

- 41960 Gasoline Vapor Recovery
- 42400 Penalties

## **CALIFORNIA CODE OF REGULATIONS**

- Title 13 Mobile Sources and Fuels
- PERP 2458 Portable Equipment