

BOARD MEETING DATE: January 7, 2011

AGENDA NO. 11

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from October 1 through October 31, 2010, and legal actions filed by the District Prosecutor during November 1 through November 30, 2010. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, November 19, 2010, Reviewed

RECOMMENDED ACTION:

Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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There were no civil filings for November 2010.

**ATTACHMENTS**

October 2010 Penalty Report

Index of District Rules and Regulations

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

**October 2010 Penalty Report**

**Total Penalties**

<b>Civil Penalties:</b>	<b>\$169,142.00</b>
<b>SRV Penalties:</b>	<b>\$150,000.00</b>
<b>MSPAP Penalties:</b>	<b>\$35,016.00</b>
<b>Hearing Board Penalties:</b>	<b>\$40,160.00</b>
<b>Miscellaenous:</b>	<b>\$1,100.00</b>
<b>Total Cash Penalties:</b>	<b>\$395,418.00</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>
<b>Fiscal Year through October 2010 Cash Total:</b>	<b>\$1,893,218.00</b>
<b>Fiscal Year through October 2010 SEP Value Only Total:</b>	<b>\$115,000.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>CIVIL PENALTIES:</b>							
115394	AES REDONDO BEACH, LLC	2012(C)(3)(A) 2012		10/28/10	JMP	P51967 P55516	\$500.00
164684	ANAWALT LUMBER & MATERIALS COMPANY Suspended penalties of \$1,000 permanently suspended if facility remains in compliance of District rules and regulations from 10/1/10 through 10/1/11.	1113(C)(2)		10/28/10	JMP	P55878	\$1,500.00
800052	ARCO TERMINAL SERVICES CORPORATION	3002 3002(C)(1) 3004		10/20/10	JMP	P39642 P51964 P51136	\$5,000.00
56940	CITY OF ANAHEIM/COMB TURBINE	2004 2012	Y	10/14/10	NSF	P48196 P48195	\$5,000.00
47771	DELEO CLAY TILE CO INC	2004(F)(1)	Y	10/13/10	TRB	P51878	\$5,000.00
160342	EASTMONT PAINT & DECORATING	1113(C)(2)		10/26/10	NAS	P55122	\$1,500.00
155152	ESPN, INC	222		10/1/10	NAS	P56904	\$5,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
800092	EXXONMOBIL OIL CORP	41701 401		10/13/10	JMP	P54791	\$1,000.00
159878	FULLERTON JOINT UNION HIGH SCHOOL	40 CFR 1403		10/5/10	JMP	P46777	\$10,000.00
126485	GOLDEN COAST SPORTSWEAR	201, 109, 203 (A) 109		10/22/10	JMP	P53271 P53275	\$2,500.00
106325	HARBOR COGENERATION CO	2012(E)(2)(B), 2004(F)(1)	Y	10/1/10	NSF	P51956	\$3,500.00
113562	HERNANDEZ AUTO BODY, S HERNANDEZ	203 (A)		10/15/10	TRB	P51570	\$1,500.00
122334	INTERNATIONAL ENV SOLUTIONS CORP.	203 (A)		10/14/10	NAS	P49741	\$6,000.00
61824	KAISER PERMANENTE HOSPITAL	2202 2202		10/21/10	TRB	P55267 P55268	\$73,692.00
52696	KAWASAKI MOTORS CORP	1171(C)(1)		10/28/10	JMP	P55490	\$2,500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
800335	LA CITY, DEPT OF AIRPORT	2004(F)(1)	Y	10/8/10	NSF	P50446	\$5,000.00
800170	LA CITY, DWP HARBOR GENERATING STATION	2004(F)(1) 3002(C)(1)	Y	10/8/10	NAS	P51963	\$1,000.00
151159	MARTIN ENTERPRISES	201, 203		10/22/10	JMP	P56378	\$1,000.00
18294	NORTHROP GRUMMAN CORP, AIRCRAFT	2012	Y	10/13/10	JMP	P50341	\$250.00
800408	NORTHROP GRUMMAN SYSTEMS	2012	Y	10/22/10	JMP	P50342	\$2,000.00
160271	ORELLANA'S BODY SHOP & SUPPLIES	1151		10/22/10	NSF	P53738	\$4,000.00
35302	OWENS CORNING ROOFING AND ASPHALT	2004	Y	10/15/10	JMP	P55510	\$6,000.00
145553	PETER'S FAMILY CLEANER, PALACE	203, 1421 203(B), 1421 1421 203(B), 1421		10/15/10	NAS	P52892 P52897 P52898 P52888	\$1,000.00
140694	RIVIERA CAR WASH	203(B), 461(C)(1)(A) 461(C)(2)(B)		10/14/10	KCM	P54552	\$2,000.00
155711	SEKHON BROS INC	461		10/13/10	KCM	P55098	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
140518	SHAN COR		461	10/20/10	JMP	P54873	\$150.00
161444	SUNBRIDGE HEALTHCARE COR		1403 1403	10/6/10	JMP	P46783 P46784	\$9,500.00
13510	THE HOSPITAL OF THE GOOD SAMARITAN	203(B), 1146, 1470 222, 203 (B), 1470		10/5/10	NSF	P55827 P55828	\$5,000.00
164128	ULTRA WOOD COATINGS		443.1 443.1	10/14/10	NAS	P56447 P56448	\$7,000.00
5679	US GOVT, VETERANS ADMINISTRATION		1146	10/29/10	KCM	P54247	\$500.00
<b>TOTAL CIVIL PENALTIES:</b>			<b>\$169,142.00</b>				
<b>SELF-REPORTED VIOLATIONS:</b>							
129683	BOSTIK INC Bostic Inc. headquarters in Wisconsin sold MVP4 to retailers and distribution outlets within District's jurisdiction subject to Rules 1168 and 1113.		1113	10/8/10		SRV80	\$150,000.00
<b>TOTAL SRV SETTLEMENTS:</b>			<b>\$150,000.00</b>				

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>MSPAP SETTLEMENTS:</b>							
161117	A-1 SILK SCREEN, INC.	109, 203(A)		10/8/10		P53280	\$1,500.00
161581	ATLANTIC TRANSMISSION CENTER	1171		10/20/10		P55269	\$550.00
163498	BOART LONGYEAR	PERP 2460		10/13/10		P55777	\$1,100.00
29894	BRENT WEST CAR WASH	461		10/29/10		P56758	\$800.00
132618	CA LTD PRTNRSHP/BRENTWOOD MEDICAL	203 (A)		10/20/10		P55186	\$550.00
103766	CATHEDRAL CITY, PUBLIC WORKS	203 (B) 461 (E) (2)		10/12/10		P56013	\$5,140.00
9032	CITY OF REDONDO BEACH -CITY YARD	461(E)(2)(C)		10/29/10		P55610	\$461.00
164429	CRETE GUARD INC	203(A)		10/7/10		P54088	\$360.00
121298	DAVID'S SERVICE STATION	461		10/27/10		P57015	\$550.00
112213	G & M OIL CO, LLC #58	461		10/8/10		P54596	\$480.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
120426	G & M OIL CO, LLC #83	461 (E) (1)		10/8/10		P58451	\$640.00
143220	HOLLIDAY TRUCKING CO, IN	201, 203(B) 401(B)(1)(A)		10/22/10		P53637	\$2,880.00
157905	JEAN DE MERRY	109, 203 (A)		10/8/10		P56443	\$600.00
163554	JUAN SANDBLASTING, JUAN TORRES	203 (A)		10/15/10		P52699	\$1,100.00
160580	LA HACIENDA NURSERY AND LANDSCAPING	Title 13		10/7/10		P55388	\$50.00
117283	LONG BEACH TRANSIT, JACKSON CENTER	201		10/22/10		P53579	\$900.00
164778	M'S BODY SHOP	109, 203		10/13/10		P55591	\$1,000.00
81880	MAGUIRE THOMAS PARTNERS	203 (A)		10/28/10		P55833	\$2,000.00
16211	MOTION PICTURE & TELEVISION	1146.2		10/13/10		P53921	\$2,750.00
71207	NORTHWESTERN SHOWCASE & FIXTURES	3002(C)(1)		10/22/10		P51573	\$250.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
24046	ORCO BLOCK CO INC	203(A), 203(B)		10/13/10		P30682	\$1,100.00
162309	PARKSIDE GRAND APARTMENT	222		10/7/10		P55849	\$1,000.00
59128	PRIME WOOD PRODUCTS INC	3002(C)(1)		10/29/10		P57255	\$250.00
124934	REGIS PROPERTIES LLC, FOUR POINTS	1470		10/22/10		P55577	\$1,450.00
160232	ROLLING STONE CONCRETE PUMPING Also closes P54083 Rolling Stone Concrete Pumping	203(A) 203(A)		10/5/10		P54081 P54083	\$1,000.00
152107	SIERRA FURNITURE, INC.	109, 203(B) 1136		10/21/10		P54445	\$1,100.00
153780	SOUTH PASADENA SMOGPROS	461		10/27/10		P56140	\$350.00
148568	SOUTHWEST MILL & LUMBER	3002(C)(1)		10/22/10		P54122	\$550.00
119195	SUNRISE ASSISTED LIVING	203, 1470		10/29/10		P56374	\$425.00
104094	SWISSPORT CORPORATION	203 (B)		10/27/10		P57305	\$645.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
		461 (E) (2)					
159834	THE CLUB AT SHENANDOAH SPRINGS VILLAGE	461(C)(2)(A) 461 (E) (2) 461(C)		10/21/10		P54662	\$1,925.00
129652	THE COMM. REDEVELOPING AGENCY	203 (A)		10/15/10		P55970	\$1,200.00
161329	TRICO CLAIMS AND ANTIQUE	109, 203(A)		10/29/10		P56412	\$360.00
<b>TOTAL MSPAP SETTLEMENTS:</b>		<b>\$35,016.00</b>					
<b>MISCELLANEOUS SETTLEMENTS:</b>							
42127	L & J DRY CLEANING, ALFRED HOWELL			10/8/10		MIS128	\$25.00
114199	MOHAMAD POURNAMDARI INC EVR - Facility tagged out for failure to install Phase II EVR equipment.	203, 461		10/19/10		MIS137	\$1,000.00
165481	TAMPA 76			10/15/10		MIS136	\$25.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
143461	VILLA PARK GAS STATION LLC			10/15/10		MIS134	\$50.00
<b>TOTAL MISCELLANEOUS SETTLEMENTS:</b>		<b>\$1,100.00</b>					
<b>HEARING BOARD SETTLEMENTS:</b>							
800051	ARCO TERMINAL SERVICES CORPORATION Hearing Board Case No. 4545-13 Facility to pay \$1,000/month for every month Tanks 791 and 797 are in violation of existing permit terms. Penalty covers the first part of October 2010.	203, 3002		10/15/10	TRB	HRB1938	\$1,000.00
800051	ARCO TERMINAL SERVICES CORPORATION Hearing Board Case No. 4545-13 Facility to pay \$1,000/month for every month Tanks 791 and 797 are in violation of existing permit terms. Penalty covers the second part of October 2010.	203, 3002		10/27/10	TRB	HRB1941	\$1,000.00
158308	DEL REAL FOODS, LLC Hearing Board Case No. 5754-1 Facility to pay penalty until the date that a source test is conducted and shows that the regenerated thermal oxidizer installed meets BACT requirements. Facility to pay \$5,000 a month. Penalty is for September and October 2010.	203		10/15/10		HRB1939	\$10,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
151532	LINN WESTERN OPERATING I Hearing Board Case No. 5711-6 Facility to pay \$250/day plus calculated daily excess emission fees for each day gas flare exceeds 6MMCF/month because of failure in catalyst in Turbine 2.	1148, 203, 2004 3004		10/15/10	TRB	HRB1940	\$15,020.10
155877	MILLERCOORS, LLC Hearing Board Case No. 4521-4 Facility to pay \$1,000/month for every calendar month it is in violation of current limits applicable to the biofilter, scrubber and flare. Penalty is for September 2010.	203, 2004, 3002	Y	10/1/10	TRB	HRB1935	\$1,000.00
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. Penalty covers September 2010.	203		10/1/10	KCM	HRB1936	\$7,500.00
158950	WINDSOR QUALITY FOOD CO. Hearing Board Case No. 5751-1 Facility to pay \$160/day for each day it operated both noncompliant lines 2 or 6. Penalty covers 29 days (8/4 through 10/3/10).	203, 2004	Y	10/14/10	NAS	HRB1937	\$4,640.00

**TOTAL HEARING BOARD SETTLEMENTS: \$40,160.00**

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**Total Penalties**

<input type="checkbox"/>	Civil Penalties:	\$169,142.00
	SRV Penalties:	\$150,000.00
	MSPAP Penalties:	\$35,016.00
	Hearing Board Penalties:	\$40,160.00
	Miscellaenous:	\$1,100.00
	<b>Total Cash Penalties:</b>	<b>\$395,418.00</b>
	<b>Total SEP Value:</b>	<b>\$0.00</b>
	<b>Fiscal Year through October 2010 Cash Total:</b>	<b>\$1,893,218.00</b>
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## DISTRICT RULES AND REGULATIONS INDEX FOR OCTOBER 2010 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 401 Visible Emissions (*Amended 9/11/98*)

Rule 443 Labeling of Solvents (*Adopted 5/7/76*)

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

### REGULATION XI - SOURCE SPECIFIC STANDARDS

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 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations (*Amended 12/11/98*)

Rule 1171 Solvent Cleaning Operations (*Amended 10/8/99*)

### REGULATION XIV - TOXICS

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities (*Amended 4/8/94*)

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 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions (*Amended 5/6/05*)
- Rule 2202 On-Road Motor Vehicle Mitigation Options (*Amended 10/9/98*)

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

- Rule 3002 Requirements (*Amended 11/14/97*)
- Rule 3004 Permit Types and Content (*Amended 12/12/97*)

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

- 41701 Violation of General Limitations

## **CALIFORNIA CODE OF REGULATIONS**

- Title 13 Mobile Sources and Fuels
- PERP 2460 Failure to Notify District within 45 day for Inspection

## **CODE OF FEDERAL REGULATIONS**

- 40 CFR – Protection of the Environment