

BOARD MEETING DATE: March 4, 2011

AGENDA NO. 22

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from January 1 through January 31, 2011, and legal actions filed by the District Prosecutor during January 1 through January 31, 2011. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, February 18, 2011, Reviewed

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

2 RHINO PETROLEUM
Superior Court of California – East District/West Covina Courthouse
Case No. 11B00509; Filed 1.27.11 (NAS)
P54861, P54865
R. 461 – Gasoline Transfer & Dispensing

2 Violations

1 Case

ATTACHMENTS

January 2011 Penalty Report
Index of District Rules and Regulations

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

January 2011 Penalty Report

Total Penalties

Civil Penalties:	\$63,700.00
MSPAP Penalties:	\$51,280.00
Hearing Board Penalties:	\$49,356.59
Total Cash Penalties:	\$164,336.59
Total SEP Value:	\$0.00
Fiscal Year through January 2011 Cash Total:	\$5,076,308.83
Fiscal Year through January 2011 SEP Value Only Total:	\$115,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
CIVIL PENALTIES:							
118379	ARROWHEAD REGIONAL MEDICAL CTR	3002(C)(1)		1/11/2011	KCM	P56386	\$500.00
31367	CALIFORNIA WATER SERVICE CO Stipulated penalty of \$1,000 - facility to replace Ford gasoline internal combustion engine and replace with a compliant water pump by 3/31/11.	203 (A)		1/7/2011	NAS	P54288	\$2,500.00
150761	CITY WIDE AUTO BODY	203 (B) 109		1/28/2011	KCM	P56403	\$1,200.00
800089	EXXONMOBIL OIL CORPORATION	40 CFR 3002, 1176, 1173, 1178 1173, 3002 1173	Y	1/20/2011	JMP	P56608 P56606 P56607	\$17,000.00
150783	FAIRPLEX	1110.2 202(A)		1/20/2011	TRB	P49589	\$8,500.00
14146	MAC GREGOR YACHT CORP	42400		1/21/2011	TRB	P53470	\$2,500.00
12182	PARK LA BREA	3002(C)(1) 3002		1/26/2011	KCM	P55193	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
123391	PLASKOLITE INC	203 (B)		1/12/2011	TRB	P55609	\$7,500.00
162676	PROLOGIS Facility agrees to develop a training program for all facility staff with ICEs with District permit compliance matters for the next two years. If training program is not developed \$3,000 stipulated penalties shall be due within 90 days from date of agreement.	203 (A) 203 (A)		1/7/2011	NAS	P53581 P53577	\$3,000.00
151899	VINTAGE PRODUCTION CALIFORNIA	2004 2004, 1148.1 2004(F)(1)	Y	1/27/2011	TRB	P55508 P48397 P56550	\$16,500.00
42775	WEST NEWPORT OIL CO	2004 3002(C)(1)	Y	1/27/2011	TRB	P55869	\$3,500.00
TOTAL CIVIL PENALTIES: \$63,700.00							
MSPAP SETTLEMENTS:							
105025	AIRCRAFT SERVICE INTERNATIONAL	203 (B) 461		1/20/2011		P57306	\$5,250.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
128778	ALBERTSONS A-EXPRESS # 6165	461		1/20/2011		P49220	\$1,800.00
160948	ARCO AM/PM #83165, HYOUNG CORP	461		1/13/2011		P57166	\$400.00
159665	ARCO FAC#09708NRRM CORP	461		1/13/2011		P58462	\$600.00
165554	AUTOPRO COLLISION CENTER	203 (A)		1/14/2011		P56932	\$1,100.00
126887	BELMONT VILLAGE HOLLYWOOD HEIGHTS	203 (B) 1470		1/5/2011		P55976	\$550.00
133525	BODYCOTE THERMAL PROCESSING	201 203		1/19/2011		P51575	\$350.00
143060	CONICO RORO, INC/SHELL FACILITY	41960.2 461		1/26/2011		P56871	\$500.00
111797	CONVENIENCE RETAILERS 2705706	461		1/7/2011		P57178	\$600.00
164241	DIFFENBAUGH	403		1/12/2011		P56019	\$2,625.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
164241	DIFFENBAUGH	403		1/12/2011		P56018	\$1,925.00
163233	DONOVAN REMODEL & CONSTRUCTION	1403		1/12/2011		P54920	\$1,100.00
162084	EVEREST TREE SERVICE	203(A)		1/28/2011		P56220	\$360.00
33055	EXXONMOBIL OIL CORP,11535	41960.2 461		1/5/2011		P57177	\$1,500.00
96882	EXXONMOBIL OIL, W.SIPPEL, #18P6V	461 41960.2		1/28/2011		P57185	\$700.00
28512	FREEDOM ORANGE COUNTY INFORMATION	203 (B)		1/14/2011		P53431	\$675.00
133245	FRENCH VALLEY HANGAR LLC.	203 (A)		1/13/2011		P30690	\$960.00
142084	FXPERTS INC	203(A)		1/27/2011		P54090	\$850.00
116019	G & M OIL CO, LLC #75	461(C)(2)(B)		1/13/2011		P57172	\$1,350.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
119218	G & M OIL CO, LLC #81	461		1/13/2011		P46535	\$1,530.00
24957	GLENDALE CITY	461 (E) (2)		1/13/2011		P56264	\$800.00
307	HILLCREST COUNTRY CLUB	203 (A) 201		1/27/2011		P55593	\$1,275.00
24081	I. M. GINSBURG FURNITURE CO INC	3002(C)(1)		1/27/2011		P57256	\$3,000.00
153651	IMPERIAL PAVING CO.	203(A)		1/13/2011		P56242	\$850.00
136648	INTERNATIONAL PAVEMENT SOLUTIONS	461		1/13/2011		P56390	\$1,600.00
163625	J & A ENTERPRISES GROUP	203 (A) 461(C)(2)(B)		1/7/2011		P46516	\$1,000.00
163625	J & A ENTERPRISES GROUP	461(C)(2)(B)		1/7/2011		P46519	\$500.00
144170	J & R CONCRETE PRODUCTS, INC.	201 203(A)		1/13/2011		P56016	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
159444	JL DRY CLEANER, LAP NGO & JEANNY LE	1421		1/13/2011		P53432	\$280.00
79094	KASTLE SYSTEMS OF LOS ANGELES IN	203 (A)		1/28/2011		P55573	\$1,000.00
148539	MACY'S WEST DEL AMO #242	203 (A)		1/14/2011		P55604	\$1,000.00
131382	MIT ENGINEERING CONSTRUCTION, INC,	201		1/14/2011		P58470	\$500.00
143266	NEW CINGULAR WIRELESS PCS, AT&T	1470 203 (B)		1/28/2011		P54819	\$950.00
143491	NEW CINGULAR WIRELESS, AT&T MOBI	1470 203 (B)		1/5/2011		P54816	\$450.00
115929	NUEVO AM PM, BAHRAM TCHAMI, DBA	461(C)(3)(A)		1/26/2011		P58461	\$1,350.00
164937	PARK PASEO	1415 203 (A)		1/26/2011		P56270	\$900.00
58542	SAJAHTERA INC, THE BEVERLY HILLS HOTEL	203 (A) 1470 461 (E) (2)		1/21/2011		P55176	\$6,750.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
		203 (B) 461(C)(2)(B) 461(C)(1)(A)					
121688	SEACLIFF CLEANERS	109 1102		1/21/2011		P53274	\$600.00
121688	SEACLIFF CLEANERS	203 (B) 1102		1/21/2011		P53281	\$1,000.00
121688	SEACLIFF CLEANERS	1102 203 (B)		1/21/2011		P53286	\$1,200.00
137661	TRISTAR	203 (A)		1/26/2011		P54434	\$550.00
TOTAL MSPAP SETTLEMENTS: \$51,280.00							
HEARING BOARD SETTLEMENTS:							
105410	FLAVORCHEM CORPORATION Hearing Board Case No. 5791-1 Facilty to pay \$5,000/month for each month it operates it's spray dryer without a permit.			1/11/2011	KCM	HRB1959	\$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 December 2010.			1/7/2011	TRB	HRB1958	\$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 December 2010.		Y	1/11/2011	TRB	HRB1960	\$2,906.59
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 December 2010.		Y	1/19/2011	NSF	HRB1963	\$15,500.00
134260	SOUTHERN CALIFORNIA EDISON Hearing Board Case No. 1262-98 SCE to pay \$15,000 for exceeding the maximum permissible hours of ICE operation in 2009 and 2010. In addition, pay \$200/day for ongoing operation of ICE for the period of December 2010.			1/12/2011	NAS	HRB1962	\$15,200.00
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.			1/11/2011	KCM	HRB1961	\$7,750.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
165251	WESTERN 76 INC Hearing Board Case No. 5795-1 Facility entered into a Stipulated Order for Abatement allowing allowing to operate without ISD. Penalty is for January 2011.			1/28/2011	NAS	HRB1964	\$500.00

HEARING BOARD SETTLEMENTS: \$49,356.59

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DISTRICT RULES AND REGULATIONS INDEX FOR JANUARY 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 202 Temporary Permit to Operate (*Amended 5/7/76*)

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

REGULATION IV - PROHIBITIONS

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

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

REGULATION XI - SOURCE SPECIFIC STANDARDS

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

Rule 1110 Emissions from Stationary Internal Combustion Engines (Demonstration) (*Repealed 11/14/97*)

Rule 1107 Coating of Metal Parts and Products (*Amended 11/17/00*)

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

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

Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems (*Amended 10/14/94*)

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*)

REGULATION XXX - TITLE V PERMITS

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

CALIFORNIA HEALTH AND SAFETY CODE § 41700

41960 Gasoline Vapor Recovery
42400 Penalties

CODE OF FEDERAL REGULATIONS

40 CFR – Protection of the Environment