

BOARD MEETING DATE: May 6, 2011

AGENDA NO. 17

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Reviewed: Stationary Source, April 15, 2011

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

No Civil Actions Filed in March 2011

ATTACHMENTS
March 2011 Penalty Report
Index of District Rules and Regulations

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

March 2011 Penalty Report

Total Penalties

Civil Penalties:	\$425,950.00
MSPAP Penalties:	\$68,775.00
Hearing Board Penalties:	\$24,238.64

Total Cash Penalties:	\$518,963.64
Total SEP Value:	\$0.00

Fiscal Year through March 2011 Cash Total:	\$6,218,005.45
Fiscal Year through March 2011 SEP Value Only Total:	\$225,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
CIVIL PENALTIES:							
149973	66 BELL GARDENS	461 461		3/1/11	KCM	P56116 P56114	\$1,300.00
165055	ANAWALT LUMBER & MATERIALS CO.	1113(C)(2)		3/1/11	JMP	P55881	\$1,500.00
121215	BARKEN'S HARDCHROME, INC	203 (B)		3/3/11	JMP	P49740	\$1,000.00
119907	BERRY PETROLEUM COMPANY	2012(C)(3)(A)		3/1/11	JMP	P37214	\$2,000.00
147833	BEVERLY HILLS LUXURY HOTEL LLC.	203 (A)		3/18/11	TRB	P55180	\$1,000.00
131003	BP WEST COAST PRODUCTS LLC,BP WILMI	1118, 3002 203, 3002, 2004 203, 3002, 2004 463, 1173, 1178 203, 1176, 1173 2004, 3002 2004(F)(1), 3002(C)(1) 203, 1173, 2004, 3002	Y	3/17/11	JMP	P39640 P39639 P39637 P39635 P51966 P39636	\$43,000.00
137233	COMMODORE REGENCY APARTMENTS	1146.2		3/1/11	KCM	P56915	\$1,050.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
112001	CONOCOPHILLIPS CO,#250905,H.TOROSIA	461, 41960.2		3/1/11	NAS	P54624	\$250.00
130235	DESIGNER FINE FINISHES, DAN UPCHURC	109 203 (A)		3/4/11	KCM	P53285	\$550.00
125579	DIRECTV	2004	Y	3/31/11	TRB	P53118	\$1,000.00
134590	FLEISCHMANN'S VINEGAR CO, INC	3002(C)(1)		3/1/11	NAS	P53865	\$2,250.00
163078	GANAHL LUMBER	1113(C)(2) 1113(C)(2)		3/1/11	JMP	P55487 P55496	\$45,000.00
54732	INLAND VALLEY REGIONAL MEDICAL CENT	203(A), 222, 1470		3/11/11	NAS	P30667	\$9,000.00
162477	J & G MARKET	1403		3/4/11	JMP	P53069	\$2,500.00
17069	LA CITY, DEPT OF GEN SERVICES, PIPE	203 (B), 1146		3/1/11	NSF	P54255	\$2,500.00
158534	LONG BEACH TREE CARE	203 (A) 203 (A) 203 (A)		3/25/11	NAS	P53726 P54725 P54727	\$2,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
2825	MCP FOODS INC	2012	Y	3/24/11	JGV	P51879	\$3,000.00
104894	OPI PRODUCTS, INC	201 203 (A)		3/15/11	TRB	P48389	\$7,500.00
134083	PACO'S AUTOBODY, FRANCISCO PIZA	203(A) 109, 203(A), 42303		3/1/11	KCM	P54673 P54663	\$600.00
800183	PARAMOUNT PETR CORP (EIS USE)	1176 3002 1118 41700, 402 41700, 402 41700, 402 3002 1118 1118 3002 2004 2004, 2012 2011, 3002 3002 2004, 3002 1118 2004, 3002 203 1173, 1176, 1178, 3002	Y	3/1/11	TRB	P34667 P39632 P39632 P53506 P53507 P53510 P53513 P53511 P53517 P53516 P53520 P53518 P34655 P34654 P53773 P53774 P53775 P53777 P34665	\$220,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
18960	PASADENA CITY COLLEGE	222		3/1/11	KCM	P48458	\$450.00
146447	STAR TRAC STRENGTH INC	109, 203 (A), 203(B) 203 (A) 203 (A)		3/15/11	KCM	P30683 P53302 P30685	\$11,500.00
124151	TIBBETTS NEWPORT CORP	201, 203(A) 1113(C)(2) 1113 1113(C)(2) 1113		3/30/11	NAS	P55475 P55473 P55476 P55476 P55117	\$40,000.00
800263	U.S. GOVT, DEPT OF NAVY	3002(C)(1)		3/24/11	KCM	P53674	\$10,000.00
800265	UNIV OF SO CAL (EIS & NSR USE ONLY)	1146		3/1/11	KCM	P57602	\$1,000.00
115130	VERTIS, INC	2004(F)(1) Y 3002(C)(1)		3/17/11	NAS	P52174	\$5,000.00
10966	WEBER METALS INC	3002		3/2/11	JMP	P53640	\$9,000.00
62617	WILLARD MARINE INC	3002		3/1/11	TRB	P56051	\$2,000.00

TOTAL CIVIL PENALTIES: \$425,950.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
MSPAP SETTLEMENTS:							
165357	2 NORTH LAKE JV, LLC	203 (A), 222		3/9/11		P48465	\$1,650.00
156601	2 SISTERS FOOD GROUP	202		3/4/11		P56379	\$2,750.00
156905	7060 HOLLYWOOD MANAGEMENT LLC	203(B), 1415, 1470		3/2/11		P55967	\$1,650.00
119412	AUTO COLLISION INC., SNYDER'S AUTO	203 (A)		3/30/11		P53289	\$1,100.00
164234	CABINETS PLUS	203 (A)		3/30/11		P53679	\$850.00
13872	CEMEX CONSTRUCTON MATERIALS PACIFIC	403		3/1/11		P53682	\$1,365.00
163582	CIRCO HERMANOS VAZQUEZ USA	203(A)		3/9/11		P54087	\$1,100.00
163582	CIRCO HERMANOS VAZQUEZ USA	203(A)		3/9/11		P55397	\$550.00
91741	CITY OF SANTA MONICA ENV DIV FIRE	201, 203(A), 461		3/4/11		P55589	\$825.00
38440	COOPER & BRAIN BREA	2004	Y	3/2/11		P55716	\$1,785.00
146788	DALEX INVESTMENT INC.	206, 461		3/31/11		P48943	\$925.00
36471	EL CABALLERO COUNTRY CLUB	201, 203(A) 461(E)(1), 461(E)(2)		3/16/11		P58153	\$1,020.00
158574	EQUIPOISE CORPORATION	203(B)		3/2/11		P46788	\$800.00
163861	EXTRA SPACE STORAGE	203(A), 1470		3/16/11		P56917	\$700.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
47159	EXXONMOBIL DLR,N.KHEIR,BILL'S SVS,1	461, 41960.2		3/16/11		P56761	\$500.00
19766	FREMARCO DESIGNS	3002(C)(1)		3/18/11		P49597	\$500.00
135125	FULLERTON SERVICE STATION	461		3/16/11		P49210	\$200.00
157167	GASIRAN INC	461		3/18/11		P49213	\$1,500.00
142404	KENK INC, KELLY'S SHELL	461		3/4/11		P57017	\$1,100.00
71546	LA CO, DEPT OF PUBLIC WORKSFLOOD M	201, 203		3/18/11		P56952	\$1,000.00
161537	LANNY'S HOBBY SHOP	109, 203 (A)		3/16/11		P56433	\$1,000.00
149268	LING'S	201, 203(A)		3/16/11		P49598	\$600.00
32398	MAIN ELECTRIC SUPPLY CO	201, 203(A)		3/16/11		P57603	\$1,200.00
69479	MANUFACTURERS LIFE INS CO,NAMORA RE	203 (A)		3/4/11		P55836	\$500.00
137991	MICHAEL'S UNION 76	461		3/16/11		P56145	\$550.00
164822	MOBIL R/S #11353 EXXON MOBIL CORP	41960.2, 461		3/23/11		P57023	\$425.00
157072	MOLLER INVESTMENT GROUP	203 (B)		3/16/11		P57020	\$8,800.00
139774	MOTORCADE, INC.	461 (E) (1)		3/16/11		P46541	\$750.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
89467	MOUNTAINS COMMUNITY HOSPITAL	203, 1470		3/1/11		P56392	\$600.00
141059	MURRIETA HOT SPRINGS SHELL	461		3/1/11		P58464	\$650.00
134587	NESTLE PREPARED FOODS CO	1146		3/23/11		P53923	\$1,000.00
165658	NFL NETWORK	201, 203		3/25/11		P55599	\$2,000.00
130248	O'TASTY FOODS, INC.	203 (A)		3/4/11		P53881	\$550.00
139334	PACIFIC WEST GENERAL STORE, INC.	461, 41960.2		3/16/11		P57019	\$450.00
144539	PURATOS CORPORATION	1146		3/16/11		P53583	\$550.00
145869	QUEST DIAGNOSTICS INC.	203(A), 1146.1		3/16/11		P53920	\$3,000.00
34804	R & R MANAGEMENT	461, 41960.2		3/16/11		P56144	\$600.00
95318	RANCHO CALIFORNIA WATER DISTRICT	203(B), 1110.2		3/9/11		P30686	\$1,100.00
71826	RAPID GAS INC. #26	461(C)(1)(A)		3/2/11		P46530	\$450.00
163084	REFLECTION LAKE	203(A)		3/31/11		P55396	\$550.00
165453	RIGO'S METAL SHEET	201		3/16/11		P49599	\$600.00
152724	RIVERSIDE COUNTY	203(A)		3/31/11		P55228	\$550.00
165155	S & J ONE STOP PETROLEUM	461		3/2/11		P46529	\$300.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
150303	SAFAR & SAFAR BROTHERS INC.	41954, 461, 41960.2		3/31/11		P58459	\$500.00
123730	SHADOW RIDGE RESORT, MARRIOTT VACAT	203(B), 461(E)(2)		3/16/11		P54680	\$2,000.00
25513	SIX FLAGS THEMES PKS INC,SIX FLAGS	3002(C)(1)		3/16/11		P54249	\$600.00
111949	SPRINT PCS	203(B), 1470		3/16/11		P54126	\$600.00
153436	STONERIDGE FUELS CO LP	461 (E) (1)		3/16/11		P58469	\$1,400.00
52742	STOROPACK INC	3002(C)(1)		3/2/11		P57116	\$750.00
123907	SUN CITY FUELS COMPANY	203 (A)		3/18/11		P58465	\$1,000.00
111026	SUNSET ENVIRONMENTAL	403		3/18/11		P53685	\$1,000.00
163291	SUNSET OWNER, LLC	203 (A)		3/16/11		P55187	\$800.00
120710	SUNSTATE EQUIPMENT CO., LLC	203		3/31/11		P56385	\$1,000.00
151918	TESORO SOUTH COAST CO LLC #68563	461(C)(2)(B)		3/16/11		P46540	\$360.00
115184	TILDENCOIL CONSTRUCTOR INC	403		3/31/11		P54683	\$1,125.00
164634	TLS A KINDER MORGAN COMPANY	403		3/16/11		P49141	\$2,100.00
126198	TMP CORPORATION	461, 41960.2		3/31/11		P56756	\$950.00
25249	UNIFIED GROCERS, INC	1146.1		3/2/11		P57606	\$1,375.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
144572	UNION PACIFIC RAILROAD	461 (E) (2)		3/1/11		P54733	\$550.00
155792	UNITED NATURAL FOODS, INC	201, 203		3/31/11		P56380	\$1,100.00
88134	UNITED OIL	461		3/18/11		P46536	\$600.00
135682	VASQUEZ MAINTENANCE	461		3/4/11		P57758	\$350.00
156462	VONS A SAFEWAY CO.	203 (A)		3/18/11		P56272	\$440.00
146665	WEST COVINA OIL INC.	203(B), 461		3/2/11		P54594	\$750.00
25731	WORLD OIL CO #39	461		3/9/11		P49214	\$230.00
32189	WYLE LABORATORIES	203 (B)		3/2/11		P57300	\$550.00

TOTAL MSPAP SETTLEMENTS: \$66,775.00

HEARING BOARD SETTLEMENTS:

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		3/25/11	KCM	HRB1977	\$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.			3/15/11	KCM	HRB1974	\$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 February 2011.	203		3/8/11	TRB	HRB1972	\$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 February 2011.	1148, 203, 2004 2012, 3004	Y	3/16/11	TRB	HRB1975	\$4,238.64
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 February 2011.	462	Y	3/17/11	NSF	HRB1976	\$4,500.00
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 is for February 2011.	203		3/11/11	KCM	HRB1973	\$7,000.00

TOTAL HEARING BOARD SETTLEMENTS: \$24,238.64

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
-----------	-----------------	----------------	---------------	-----------------	-------------	--------------	---------------------

□

Total Penalties

Civil Penalties: \$425,950.00
MSPAP Penalties: \$68,775.00
Hearing Board Penalties: \$24,238.64

Total Cash Penalties: \$518,963.64
Total SEP Value: \$0.00

Fiscal Year through March 2011 Cash Total: \$6,218,005.45
Fiscal Year through March 2011 SEP Value Only Total: \$225,000.00

DISTRICT RULES AND REGULATIONS INDEX FOR MARCH 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*)

Rule 206 Posting of Permit to Operate (*Amended 10/8/93*) *Explains how and where permits are to be displayed.*

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

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

Rule 1118 Emissions From Refinery Flares (*Adopted 2/13/98*)

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 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 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_x) Emissions
(*Amended 5/11/01*)
Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions
(*Amended 5/6/05*)

REGULATION XXX - TITLE V PERMITS

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

CALIFORNIA HEALTH AND SAFETY CODE § 41700

- 41700 Violation of General Limitations
41954 Compliance of any system designed for the control of gasoline vapor emissions during gasoline marketing
operations
41960 Gasoline Vapor Recovery
42303 Emission Requirements
42400 Penalties