

BOARD MEETING DATE: October 7, 2011

AGENDA NO. 20

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Stationary Source, September 23, 2011; Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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Violations

Civil Actions Filed

- |   |   |
|---|---|
| 3 | SALEH OMAR dba SUPER 8 GAS CORPORATION<br>Los Angeles Superior Court of Orange County<br>Court Case No. 00493775; Filed: 7.22.11 (NAS)<br>P54554, P49221, P54398<br>R. 203 – Permit to Construct<br>R. 461 - Gasoline Transfer & Dispensing |
| 1 | LUXOR COACH CRAFTERS, INC.<br>Los Angeles Superior Court – Northwest District/Van Nuys Courthouse East<br>Court Case No. 11E08359; Filed: 8.2.11 (NAS)<br>P45949<br>Rule 203 – Permit to Construct  |

2 HACIENDA GAS & FOOD  
Los Angeles Superior Court – Central  
Court Case No. 11B03855; Filed: 8.3.11 (NAS)  
P54381, P54386  
R. 461 - Gasoline Transfer & Dispensing

6 Violations

3 Cases

#### ATTACHMENTS

July and August 2011 Penalty Reports

Index of District Rules and Regulations

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

**AUGUST 2011 Penalty Report**

**Total Penalties**

<b>Civil Penalties:</b>	<b>\$151,925.00</b>
<b>MSPAP Penalties:</b>	<b>\$51,926.00</b>
<b>Hearing Board Penalties:</b>	<b>\$12,050.00</b>
<b>SRV Penalties:</b>	<b>\$500.00</b>

<b>Total Cash Penalties:</b>	<b>\$216,401.00</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>

<b>Fiscal Year through August 2011 Cash Total:</b>	<b>\$9,002,508.45</b>
<b>Fiscal Year through August 2011 SEP Value Only Total:</b>	<b>\$265,000.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>CIVIL PENALTIES:</b>							
145994	6753 HOLLYWOOD ASSOCIATES, LLC.	203 (A) 201, 203 (A)		8/24/2011	JGV	P55965 P55958	\$3,525.00
107555	ASHLAND INC., ASHLAND CHEMICAL C	203 (B)		8/23/2011	NAS	P54731	\$2,000.00
117290	B BRAUN MEDICAL, INC	2004	Y	8/16/2011	KCM	P50344	\$2,700.00
98159	BREITBURN ENERGY CORP	2012	Y	8/12/2011	JMP	P55717	\$1,500.00
133701	CALVARY CHAPEL CONFERENCE CENTER	203 (A)		8/2/2011	NAS	P58018	\$1,000.00
800030	CHEVRON PRODUCTS CO.	40 CFR 40 CFR, 3002(C)(1) 203(B), 1173 1173 203(B), 3002(C)(1) 40 CFR	Y	8/3/2011	JMP	P56609 P48725  P48727 P48726 P48728	\$17,500.00
800030	CHEVRON PRODUCTS CO.	H&S 40449	Y	8/4/2011	JMP	P48729	\$25,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
139433	CROWN LEXUS, ONTARIO L, LLC Cash: \$3,000; Stipulated penalty: to develop training program and hold training sessions every 6 months for the next 2 years. Stipulated penalty expires: 8/23/13 (valued at \$2,000)	203(B)		8/23/2011	NAS	P52341	\$3,000.00
800171	EXXONMOBIL OIL CORPORATION	461		8/17/2011	JMP	P51138	\$19,500.00
800367	IPS CORPORATION	3002		8/2/2011	JGV	P50723	\$1,500.00
158080	KARNAK CORP.	314		8/9/2011	JGV	P55144	\$700.00
40806	NEW BASIS \$10,000 suspended if facility remains in full compliance with no NOVs issued from July 8, 2011 to July 8, 2012.	3002, 42303.5 3002 3002		8/9/2011	JMP	P56359 P56391 P56388	\$5,000.00
160398	PRIME COLLISION CENTER	201, 203(A) 203 (A)		8/12/2011	KCM	P54803 P54812	\$2,500.00
153199	THE KROGER CO/RALPHS GROCERY CO	2004	Y	8/25/2011	JGV	P57057	\$1,500.00
158685	VALSPAR CORP. Suspended penalties of \$100,000 permanently suspended as long as Valspar remains in full compliance of all District rules and regulations commencing on 8/4/11 thru 8/4/	1113(C)(2) 1113(C)(2) 1113 1113, 1113(C)(2)		8/31/2011	JMP	P50612 P55097 P55462 P55483	\$64,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
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161211	WEST COLTON RAIL TERMINAL LLC	203 (B)		8/12/2011	JMP	P52609	\$1,000.00
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**TOTAL CIVIL PENALTIES: \$151,925.00**

**SELF-REPORTED VIOLATION:**

39855	MIZKAN AMERICAS, INC Facility failed to submit their semi annual monitoring report to the District for the first six months of compliance year 2010 by 8/31/10 and submitted report on or around 9/14/10.	3002		8/19/2011	NAS	SRV84	\$500.00
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**TOTAL SELF-REPORTED VIOLATION: \$500.00**

**MSPAP SETTLEMENTS:**

130756	57 EXPRESS, HOOSHANG K FOROSHANI	461, 41960.2		8/18/2011		P58361	\$383.00
148158	6250 CANOGA AVENUE, LLC	203(A)		8/16/2011		P53916	\$550.00
139787	A & J ENVIRONMENTAL SVC'S INC.	461, 41954		8/18/2011		P57765	\$200.00
111492	AARN INC, DBA, H. TOROSIAN, # 2	461		8/31/2011		P54023	\$390.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
27233	AL'S WESTSIDE 3/ALBERT K MORITA	461, 41960.2		8/25/2011		P57044	\$390.00
62615	ALL WORLD CLEANERS	1421		8/9/2011		P54828	\$720.00
131030	ARCO FAC #09546 HEE CHOON WEE	461		8/18/2011		P58359	\$850.00
118650	AUTO CRAFT AUTOBODY, INC. A. ALV	109, 203(A)		8/17/2011		P56065	\$850.00
145322	BALDWIN OIL	203(B), 461(C)(2)(B)		8/9/2011		P58364	\$320.00
154947	BELL CHEVRON	461, 41960.2		8/16/2011		P56770	\$200.00
146984	BLUE RIBBON CLEANERS	1102, 203(B)		8/16/2011		P57529	\$400.00
106225	CALIF DEPT OF FORESTRY, PILOT RO	461		8/9/2011		P56393	\$990.00
118774	CELEBRITY CLEANERS, JOSE & A VER	1146.2		8/9/2011		P57916	\$750.00
146201	CITY BODY & FRAME	203(B)		8/25/2011		P57523	\$800.00
141551	CONOCOPHILLIPS #252149,CAL WEST	461(C)(1)(A)		8/31/2011		P57021	\$600.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
111619	CONVENIENCE RETAILERS LLC #27056		461	8/9/2011		P56660	\$600.00
148798	DIANA'S GAS, DIANA CHAN DBA		461	8/16/2011		P54009	\$560.00
166377	DISCOUNT AUTO BODY SUPPLY DBA D.		1151	8/9/2011		P57902	\$1,155.00
113981	DRYCLEAN EXPRESS, PRAKASH PATEL		1421	8/9/2011		P52343	\$350.00
70280	EASTERN MUNICIPAL WATER DISTRICT		1110.2	8/5/2011		P58007	\$780.00
148322	EDE ENTERPRISES, INC. DBA EVA'S		203 (A), 461 41960.2	8/5/2011		P57191	\$1,275.00
164948	ENCORE JET CENTER, LLC		203	8/18/2011		P49143	\$640.00
126502	FERO ENV ENG INC, ALGER MFG CO I		203 (A)	8/5/2011		P49744	\$600.00
160427	FIRST AMERICAN CORP.		203 (A)	8/18/2011		P53492	\$600.00
4005	FRANTZ DRY CLEANERS		1421	8/23/2011		P57528	\$200.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
154608	GATEWAY TOWERS LLC	203 (A)		8/17/2011		P57229	\$2,560.00
69483	GOLDRICH & KEST/GRAND PROMENADE	1470, 203(B)		8/18/2011		P54825	\$638.00
116402	GUS' CHEVRON	461		8/31/2011		P52219	\$900.00
80451	HUNTINGTON BEACH CAR WASH	206, 461		8/18/2011		P56661	\$400.00
141056	JAV CUSTOM FINISHING	109, 203(A) 203(B)		8/18/2011		P54245	\$600.00
139759	LAKESIDE HIGH SCHOOL	1146.1		8/23/2011		P58009	\$250.00
120923	LOWE'S HOME IMPROVEMENT WAREHOUS	203(B), 1470		8/25/2011		P56961	\$450.00
136195	M & J VALERO	461		8/9/2011		P54008	\$750.00
161675	M & L AUTO BODY & PAINT	109, 203(A)		8/18/2011		P57125	\$500.00
155838	MACY'S	203 (A)		8/18/2011		P58001	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
150086	MACY'S #247	203 (A)		8/18/2011		P58000	\$1,000.00
156736	NORTH HOLLYWOOD MINI MART/USHA A	461		8/18/2011		P54010	\$375.00
117441	ORI'S SERVICE CTR., J. MASSACHI,	461		8/18/2011		P54020	\$500.00
4382	PARKWAY CLEANERS	1102		8/18/2011		P53929	\$375.00
154633	RAAM INC DBA UNION GAS	461		8/9/2011		P46528	\$900.00
149024	ROYAL CLEANERS, CHANG SOO PARK	1421		8/9/2011		P53690	\$545.00
156061	SAND CANYON SERVICE STATION, INC	203 (B) 461(C)(2)(B)		8/19/2011		P58111	\$350.00
152394	SANTA ANITA FUEL & SERVICE	41960.2 461(C)(2)(B)		8/31/2011		P58362	\$125.00
14479	SKANSKA USA CIVIL WEST CA DISTRI	403		8/19/2011		P56021	\$2,700.00
164803	SLS HOTEL BEVERLY HILLS	2202		8/17/2011		P55281	\$450.00
28108	SO CAL EDISON CO	203		8/23/2011		P51142	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
57555	SOUTH GATE CITY	1110.2		8/19/2011		P57267	\$1,800.00
153777	SUNNY CLEANERS	203 (A)		8/24/2011		P55246	\$550.00
148792	SUNSET CLEANERS	203(B), 1421		8/31/2011		P57923	\$550.00
166676	TEMECULA VALLEY USD, CHAPARRAL H	203 (A), 222		8/23/2011		P58011	\$550.00
162137	TEMPLE CITY AMERICAN GAS	203, 461		8/31/2011		P54597	\$1,200.00
162137	TEMPLE CITY AMERICAN GAS	203 (A)		8/31/2011		P57180	\$400.00
165596	TEMPLE PETROLEUM INC	461(C)(2)(B)		8/19/2011		P54022	\$2,000.00
161709	TEN TEN WILSHIRE	203 (A), 222		8/31/2011		P55842	\$1,650.00
151948	TESORO SO COAST CO, LLC DLRSAM A	461		8/24/2011		P57171	\$330.00
136410	TEXACO VERDUGO DAIRY	461		8/18/2011		P54006	\$350.00
113234	TORRANCE CAR WASH & GASOLINE SER	206, 461		8/19/2011		P56652	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
113234	TORRANCE CAR WASH & GASOLINE SER		461	8/19/2011		P56663	\$400.00
157840	TREE ELEMENTS INC.		203(A)	8/16/2011		P57507	\$1,500.00
157840	TREE ELEMENTS INC.		203(A)	8/16/2011		P57500	\$1,500.00
140007	UNITED FOOD GROUP		203(B), 1146	8/24/2011		P58663	\$2,480.00
109460	UNITED FOOD GROUP		203(B), 1146	8/24/2011		P58662	\$1,320.00
165256	VENICE BEACH AUTO BODY		109, 203	8/9/2011		P55596	\$1,100.00
155911	VICS UNION 76		201	8/9/2011		P57035	\$600.00
82372	VONS #1707		203 (A)	8/10/2011		P56279	\$425.00
142688	WEST COAST ARBORISTS INC.		Title 13	8/17/2011		P48459	\$100.00
142688	WEST COAST ARBORISTS INC.		203 (A)	8/17/2011		P55767	\$300.00
108242	YWIS CORP		461(C)(2)(B), 41960.2	8/31/2011		P57010	\$750.00

**TOTAL MSPAP SETTLEMENT: \$51,926.00**

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>HEARING BOARD SETTLEMENTS:</b>							
105410	FLAVORCHEM CORPORATION Hearing Board Case No. 5791-1 Agreement modified - facility is not operating the spray dryer until the RTO is installed. The penalty has been reduced to \$250.00/month.	203		8/18/2011	KCM	HRB2007	\$250.00
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 July 2011.	203		8/3/2011	TRB	HRB2002	\$2,500.00
43106	KENNY STRICKLAND INC Beginning 6/15/11, KSI agrees to pay \$500 for each 10,000 gallons of gasoline it transfers from its tank trucks to above ground storage tanks not equipped with CARB certified vapor recovery system. Penalty period covers May 13 through July 31, 2011.	461		8/3/2011	NAS	HRB2004	\$2,000.00
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 July 2011.	462	Y	8/19/2011	NSF	HRB2008	\$1,550.00

<b>FAC ID</b>	<b>COMPANY NAME</b>	<b>RULE NUMBER</b>	<b>RECLAIM ID</b>	<b>SETTLED DATE</b>	<b>ATTY INT</b>	<b>NOTICE NO</b>	<b>TOTAL SETTLEMENT</b>
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 July 2011.	203		8/9/2011	KCM	HRB2005	\$1,750.00
158950	WINDSOR QUALITY FOOD CO. LTD. Hearing Board Case No. 5751-1 Windsor shall pay \$160/day for each day it operates either one or both existing noncompliant lines 2 or 6. Penalty covers June 4 through August 3, 2011.	203, 2004	Y	8/10/2011	NAS	HRB2006	\$4,000.00

**TOTAL HEARING BOARD SETTLEMENTS: \$12,050.00**

**Total Penalties**

<b>Civil Penalties:</b>	<b>\$151,925.00</b>
<b>MSPAP Penalties:</b>	<b>\$51,926.00</b>
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<b>Total Cash Penalties:</b>	<b>\$216,401.00</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>
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**DISTRICT RULES AND REGULATIONS INDEX  
FOR JULY AND AUGUST 2011 PENALTY REPORTS**

**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 206      Posting of Permit to Operate

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

**REGULATION III - FEES**

Rule 314      Fees for Architectural Coatings

**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*)

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1102      Petroleum Solvent Dry Cleaners

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

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

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

Rule 1151      Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations

Rule 1166      Volatile Organic Compound Emissions from Decontamination of Soil

Rule 1173      Fugitive Emissions of Volatile Organic Compounds

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
- 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 1469 Hexavalent Chromium Emissions From Chrome Plating and Chromic Acid Anodizing Operations (*Adopted 10/9/98*)
- 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
- Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO<sub>x</sub>) Emissions (*Amended 5/11/01*)
- Rule 2202 On-Road Motor Vehicle Mitigation Options

## **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 for Control of Gasoline Vapor Emissions
- 41960 Gasoline Vapor Recovery
- 42303 Emission Requirements
- 42401 Penalties
- 40449 Penalties

## **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