

BOARD MEETING DATE: September 9, 2011

AGENDA NO. 15

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from June 1 through June 30, 2011, and legal actions filed by the District Prosecutor during June 1 through June 30, 2011. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, July 22, 2011.

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

- | | |
|---|--|
| 1 | LYON'S OIL
Los Angeles Superior Court – Central District
Court Case No. BC462839; Filed: 6.2.11 (JGV)
P56496
R. 461 - Gasoline Transfer & Dispensing |
| 3 | HOME DEPOT USA INC.
Los Angeles Superior Court – Central District
Court Case No. BC462571; Filed: 6.2.11 (TRB)
P55494, P55872, P55127
Rule 1113 Architectural Coatings |

4 Violations

2 Cases

ATTACHMENTS

June 2011 Penalty Report

Index of District Rules and Regulations

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

June 2011 Penalty Report

Total Penalties

Civil Penalties:	\$80,750.00
SRV Penalties:	\$3,000.00
MSPAP Penalties:	\$32,895.00
Hearing Board Penalties:	\$10,620.00
Miscellaneous Penalties:	\$25.00
SEP Cash Penalties:	\$125,000.00

Total Cash Penalties:	\$252,290.00
Total SEP Value:	40,000.00

Fiscal Year through June 2011 Cash Total:	\$7,294,137.45
Fiscal Year through June 2011 SEP Value Only Total:	\$265,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
CIVIL PENALTIES:							
12362	ACCESS BUSINESS GROUP LLC,	3002, 3002(C)(1)		6/7/2011	NSF	P55215	\$23,800.00
97310	AMERICAN TECHNOLOGIES, INC.		1403	6/29/2011	JGV	P55904	\$1,500.00
166092	ANAWALT LUMBER COMPANY	1113(C)(2)		6/16/2011	JMP	P55882	\$4,000.00
56112	CERADYNE INC	203 (B)		6/10/2011	NAS	P53476	\$20,000.00
40427	COMM RECYCLING & RESOURCE R	403		6/7/2011	TRB	P49830	\$5,000.00
126536	CONSOLIDATED FOUNDRIES PO	402, 3002(C)(1)		6/9/2011	JMP	P57850	\$2,500.00
157654	ENNIS PAINT INC.	314		6/14/2011	JGV	P55143	\$800.00
12876	FOAM FABRICATORS	3002(C)(1)		6/8/2011	JMP	P53585	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
146868	KAMBOJ LIQUOR, INC	461(C)(1)(A) 41960.2 41954, 461(C)(2)(A) 461, 41960.2		6/2/2011	JMP	P56853 P36726 P57170	\$500.00
118435	MERCURY AIR CENTERS	203 (B), 461, 41960 461(C)(2)(B) 461 (E) (2)		6/21/2011	KCM	P57308	\$5,500.00
162712	MERRILL PAINT & DECORATIVE	1113(C)(2)		6/2/2011	JMP	P55488	\$2,500.00
12428	NEW NGC, INC.	2004, 2012	Y	6/9/2011	JGV	P57356	\$3,500.00
123988	OLD FINANCIAL DISTRICT, L.	222, 203(A)		6/7/2011	KCM	P56912	\$1,800.00
73582	OLTMANS CONSTRUCTION CO	403		6/29/2011	JMP	P58654	\$1,000.00
157212	SET POWER INC.	203 (A)		6/28/2011	NAS	P54262	\$550.00
95340	SUN CITY PALM DESERT COMMUN	203 (B)		6/14/2011	NAS	P54672	\$2,800.00
141878	SWIFTCOR AEROSPACE INC	1469.1		6/29/2011	NAS	P54730	\$4,000.00

TOTAL CIVIL PENALTIES: \$80,750.00

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

153639	SAM'S CLUB #6614 Facility reported 3 gasoline facilities that exceeded throughput limites during the months of April and May 2011 (El Monte, Fountain Valley and Glendora). Facility is now operating under an O/A until new permits are issued.	203		6/28/2011	TRB	SRV83	\$3,000.00
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TOTAL SRV SETTLEMENTS: \$3,000.00

SUPPLEMENTAL ENVIRONMENTAL PROJECTS:

162782	MOHAWK FINISHING PRODUCTS Cash: \$125,000; SEP: \$40,000 Mohawk to develop training program up to and including 7/31/13. \$25,000 suspended if no Rule 1136 violation occurs for one year (expires 6/14/12).	1113(C)(2)		6/14/2011	NAS	P55130	\$165,000.00
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TOTAL SUPPLEMENTAL ENVIRONMENTAL PROJECTS: \$165,000.00

MSPAP SETTLEMENTS:

166246	3M ENTERPRISES, INC.	461(C)(2)(B) 41960.2		6/10/2011		P57025	\$825.00
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FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
129529	AEXPRESS #6159		461	6/17/2011		P56658	\$825.00
166908	ANABI OIL CORP, JAL INT'L,		203 (A)	6/21/2011		P58350	\$550.00
143720	BEVERLY AUTO SERVICE, FERNA		41960.2 461(C)(2)(A)	6/14/2011		P58358	\$1,140.00
114328	CARMAX AUTO SUPERSTORES CA,		201, 203(B)	6/28/2011		P57659	\$5,500.00
23909	CONGREGATIONAL HOMES, MT SA		1146	6/29/2011		P57613	\$1,650.00
139335	COUNTRY HILLS INC		461	6/14/2011		P56659	\$715.00
118576	CRUMB RUBBER MANUFACTURERS,		203 (B)	6/29/2011		P53591	\$1,200.00
110763	DICKIE DOBINS CLEANERS		203 (B), 1421	6/29/2011		P57912	\$600.00
158174	EKD FUEL CORP		461	6/3/2011		P57028	\$360.00
166786	GLOBAL FINISHING SOLUTIONS		201	6/29/2011		P57660	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
118046	HIGHLAND, CITY OF POLICE	461(E)(2)		6/15/2011		P55232	\$1,200.00
160397	INDUSTRIAL COATINGS & FIREP	Title 13		6/15/2011		P55778	\$225.00
164679	LA FLOWER ST. APARTMENTS WA	222, 203(A), 1470		6/22/2011		P56934	\$500.00
81233	LA JEWISH HOME FOR THE AGIN	1146.1		6/9/2011		P58158	\$900.00
140850	LS PETROLEUM INC	461		6/9/2011		P56764	\$1,100.00
154770	MACIAS AUTO BODY, PEDRO ORT	203		6/15/2011		P50721	\$550.00
63421	MENIFEE VALLEY MEDICAL CENT	1470		6/15/2011		P58010	\$2,000.00
63960	NORDSTROM	203 (B), 1470		6/21/2011		P57951	\$1,000.00
164470	NORTHGATE GONZALEL LLC	201, 203(A)		6/9/2011		P55243	\$1,100.00
124017	OCEANAIRE HOA	203 (A)		6/3/2011		P55184	\$550.00
78625	PARK WILSHIRE HOA	1470		6/3/2011		P57907	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
119425	PORTER VALLEY CC	203(B), 461		6/17/2011		P58157	\$400.00
110454	POWER IN MOTION, INC	203 (A)		6/9/2011		P57550	\$800.00
153952	PRENA LUCKY 777 MARKET, INC	461		6/9/2011		P57030	\$550.00
53937	PRINTED CIRCUITS UNL	203 (A)		6/24/2011		P52273	\$550.00
165555	SAINI BROTHERS INC	203 (A)		6/15/2011		P58467	\$550.00
164752	SSC CONSTRUCTION, INC.	203 (A)		6/3/2011		P55590	\$550.00
145081	SUNSET LANDMARK	203 (A)		6/10/2011	KCM	P55972	\$390.00
145081	SUNSET LANDMARK	203 (A)		6/10/2011		P55974	\$975.00
8506	SUPERIOR NUT CO	203 (A)		6/22/2011		P48468	\$390.00
163264	TELEPACIFIC COMMUNICATIONS	203(A), 1470		6/23/2011		P56916	\$1,100.00
109068	TORRES AUTO REPAIR	109, 203(A)		6/22/2011		P56416	\$1,100.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
115558	TUBE CITY, IMS, INC.	201, 203(A), 203(B)		6/10/2011		P52340	\$1,000.00
51097	UNITED OIL, RAPID GAS #5	203 (B)		6/9/2011		P56657	\$100.00
125386	VONS FUEL CENTER #1638	461(C)(1)(A)		6/17/2011		P46546	\$300.00
151277	WILSHIRE CLEANERS	1421, 203(B)		6/3/2011		P55196	\$550.00
TOTAL MSPAP SETTLEMENTS:		\$32,895.00					
MISCELLANEOUS SETTLEMENTS:							
149973	66 BELL GARDENS			6/14/2011		MIS144	\$25.00
TOTAL MISCELLANEOUS SETTLEMENTS:		\$25.00					
HEARING BOARD SETTLEMENTS:							
45489	ABBOTT CARDIOVASCULAR SYSTE 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		6/17/2011	KCM	HRB1992	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
45489	ABBOTT CARDIOVASCULAR SYSTE 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		6/17/2011	KCM	HRB1993	\$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.	203		6/28/2011	KCM	HRB1994	\$250.00
160351	IMPERIAL WESTERN PRODUCTS, 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 May 2011.	203		6/3/2011	TRB	HRB1989	\$2,500.00
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 May 2011.	462	Y	6/1/2011	NSF	HRB1991	\$1,350.00
153639	SAM'S CLUB #6614 Hearing Board Case No. Facility to pay \$1,000/month for each month its EI Monte, Ontario and Glendora stations exceed throughput limits until new permit is issued. Penalty is for June 2011.	203		6/28/2011		HRB1995	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
158950	WINDSOR QUALITY FOOD CO. LT Hearing Board Case No. 5751-1 Windsor shall pay \$160/day for each day it operates the noncompliant Line 6. Penalty is for operation from 4/4/11 thru 6/3/11 (22 days).	203, 2004	Y	6/7/2011	NAS	HRB1990	\$3,520.00

TOTAL HEARING BOARD SETTLEMENTS: \$10,620.00

Total Penalties

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DISTRICT RULES AND REGULATIONS INDEX FOR JUNE 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 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 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*)

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

REGULATION XXX - TITLE V PERMITS

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

CALIFORNIA HEALTH AND SAFETY CODE § 41700

41954 Compliance for Control of Gasoline Vapor Emissions

41960 Gasoline Vapor Recovery

CALIFORNIA CODE OF REGULATIONS

Title 13 Mobile Sources and Fuels