

BOARD MEETING DATE: April 6, 2012

AGENDA NO. 23

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from February 1 through February 29, 2012, and legal actions filed by the District Prosecutor during February 1 through February 29, 2012. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, March 16, 2012, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

---

Violations

Civil Actions Filed

1	SHAWKAT AND RIMA, INC. dba S&R INC. * Los Angeles Superior Court – North Central District Court Case No. 12500531; Filed: 2.14.12 (PH) P57164 R. 461 – Gasoline Transfer and Dispensing
---	---

1 Violation

1 Case

\*Small Claims Court

ATTACHMENTS

February 2012 Penalty Report

Index of District Rules and Regulations

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

**District Prosecutor's Office**

**February 2012 Penalty Report**

**Total Penalties**

<b>Civil Penalties:</b>	<b>\$105,266.00</b>
<b>MSPAP Penalties:</b>	<b>\$60,510.00</b>
<b>Hearing Board Penalties:</b>	<b>\$10,350.00</b>
<b>MISC Penalties:</b>	<b>\$500.00</b>

<b>Total Cash Penalties:</b>	<b>\$176,626.00</b>
<b>Total SEP Value:</b>	<b>\$3,700.00</b>

<b>Fiscal Year through February 2012 Cash Total:</b>	<b>\$3,420,594.31</b>
<b>Fiscal Year through February 2012 SEP Value Only Total:</b>	<b>\$215,453.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>CIVIL PENALTIES:</b>							
800396	BP WEST COAST PROD/ARCO VINVALE TERMINAL	462(D)(1)(F) 3002(C)(1)		2/7/2012	JMP	P59150	\$5,500.00
118652	CALIFORNIA FUEL MART	203, 41954 461(C)(2)(A) 461(C)(2)(A)		2/17/2012	NSF	P58106  P56810	\$500.00
800362	CONOCOPHILLIPS COMPANY	402 1118, 3002 1118 3002 1118, 1173, 3002 42400 1173, 1176 203, 1173 1176 2004 2004	Y	2/17/2012	NAS	P57224 P53778 P26971 P26972 P26973 P26975 P26976 P26977 P26978 P26981 P26982	\$80,000.00
75794	DOHENY EYE INSTITUTE	203		2/14/2012	JGV	P51581	\$3,000.00
61785	HANDBILL PRINTERS DBA AMERICAN WEB	3003, 3004		2/24/2012	JGV	P58554	\$300.00
122744	HELO CHEVRON Small Claims case	461(C)(2)(B)		2/17/2012	PH	P54014	\$600.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
800057	KINDER MORGAN LIQUIDS TERMINALS, LLC	3002(C)(1)		2/1/2012	JGV	P51973	\$1,216.00
165602	LUSIVE DECOR	1145		2/29/2012	KCM	P48474	\$750.00
123451	MONICA'S CLEANERS	203(A), 1421 1421		2/8/2012	JGV	P56441 P56420	\$500.00
5887	NEXGEN PHARMA INC	3003, 3004		2/14/2012	JGV	P53696	\$1,000.00
143612	NORTHRIDGE 76, ANTONE E. NINO	203 (B) 461(C)(2)(B) 461 203(A), 461		2/23/2012	NSF	P57002  P56490 P56498	\$1,000.00
140024	PALMIRA ASSOC INC, BROADWAY CHEVRON	203 (B), 461		2/7/2012	NAS	P54011	\$1,500.00
143968	RAFIK'S 76 STATION	461, 41960.2		2/15/2012	NAS	P54618	\$500.00
152750	S & R INC	41960.2 461(C)(2)(C)		2/24/2012	KCM	P57164	\$400.00
800129	SFPP, L.P.	462(D)(1)(F)		2/15/2012	JMP	P56559	\$8,000.00
164137	TED'S AUTO BODY SHOP	109, 203(A)		2/3/2012	JGV	P57958	\$500.00
<b>TOTAL CIVIL PENALTIES:</b>							<b>\$105,266.00</b>

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

**SUPPLEMENTAL ENVIRONMENTAL PROJECTS:**

104022	ARMED FORCES RADIO & TELEVISION SERVICE Cash: \$0; SEP: \$3,700.00 Facility to replace 139 50 watt high pressure sodium lamps with 27 compact flourescent lamps. Facility will also ensure all contracts and subcontracts contained a provision which imposes the affirmative responsibility on the contractor to be knowledgable of all environmental regulations.	1146.1		2/17/2012	JGV	P57533	\$3,700.00
--------	---	--------	--	-----------	-----	--------	------------

**TOTAL SUPPLEMENTAL ENVIRONMENTAL PROJECTS: \$3,700.00**

**MSPAP SETTLEMENTS:**

138968	ALL AMERICAN PETROLEUM	461(C)(2)(B) 41960.2		2/9/2012		P58630	\$535.00
167761	AMERICAN IRONWORKS	203 (A)		2/9/2012		P54139	\$1,000.00
167320	ANABI OIL CORP. DBA CMINI MART, INC.	203(B), 461		2/29/2012		P52244	\$550.00
29349	ARCHIE'S TIRE & TOWING	203 (B), 41960.2 461(C)(2)(B)		2/16/2012		P58133	\$2,250.00
167837	ARCO SMOG PRO, WALEED BEOOL	203 (A)		2/28/2012		P56675	\$680.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
129811	ARTISTIC MAINTENANCE, INC.	461		2/9/2012		P53699	\$450.00
168970	ATRIA HACIENDA	201, 203		2/14/2012		P58321	\$550.00
147522	B & B PETROLEUM, VONG MAO DBA	203 (B)		2/28/2012		P58629	\$1,760.00
145699	B & G MANAGEMENT, INC, BOB'S CHEVRON	41960.2 461(C)(2)(B)		2/9/2012		P59000	\$325.00
138213	BALLY TOTAL FITNESS	1146.2(C)(3)		2/28/2012		P53932	\$1,125.00
800205	BANK OF AMERICA NT & SA, BREA CENTER	2004	Y	2/9/2012		P50345	\$750.00
108489	BEAR MOUNTAIN SKI RESORT	461(C)(1)(B)		2/14/2012		P46744	\$900.00
142244	BELSHIRE ENVIRONMENTAL SERVICES INC	461		2/29/2012		P58641	\$1,240.00
149033	BOUTROS SHELL	461, 41960.2		2/23/2012		P56774	\$1,250.00
143596	C & S CAR WASH SHELL	461		2/9/2012		P59200	\$360.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
136432	CALABASAS UNION CORP., AMIR AMIRIAN		461	2/9/2012		P59201	\$560.00
100686	CHEVRON U.S.A. PRODUCTS CO	203(B), 41960.2 461(C)(2)(B)		2/9/2012		P58138	\$4,500.00
28932	CHEVRON USA INC #93050		461, 41960.2	2/9/2012		P58514	\$380.00
141901	CMH MFG WEST INC, GOLDEN WEST HOMES D		3002	2/28/2012		P58326	\$975.00
155368	COTT BEVERAGES	203(B), 1146.1		2/16/2012		P58952	\$4,400.00
158033	DAVEY TREE SURGERY COMPANY		PERP 2460	2/7/2012		P49277	\$200.00
168204	ELITE PROMOTIONAL PRODUCTS & DISPLAYS		201	2/7/2012		P58666	\$500.00
124414	ELITE SANDBLASTING, GILBERT NUNEZ, DB		PERP 2458 Title 13	2/28/2012		P49287	\$1,000.00
124414	ELITE SANDBLASTING, GILBERT NUNEZ, DB		203(A)	2/28/2012		P49282	\$850.00
124414	ELITE SANDBLASTING, GILBERT NUNEZ, DB		PERP 2458 Title 13	2/28/2012		P49276	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
118937	FAHMI TEXACO, RAGAA FAHMI, DBA	41960.2	461(C)(1)(A)	2/9/2012		P58639	\$400.00
67737	FEDERAL AVIATION ADM, BURBANK AIRPORT	1470		2/28/2012		P54137	\$680.00
70490	FERRELLGAS, INC.	203 (A)		2/28/2012		P46731	\$1,600.00
149485	FIVE POINTS GEN STORE, KISHORE RAMLAG	203 (B), 461		2/23/2012		P57782	\$800.00
34206	FORD OF UPLAND	203 (B), 461		2/7/2012		P56712	\$5,400.00
167996	GEM HEALTHCARE LLC, GEM TRANSITIONAL	203 (A)		2/7/2012		P57855	\$2,400.00
55684	HEALTH RESOURCES OF AMERICA, COASTAL	203 (B)		2/14/2012		P53448	\$640.00
38193	HIGHLAND EXPRESS CLEANERS	203(B), 1102		2/28/2012		P57918	\$600.00
157357	JIM'S TOWING	461		2/16/2012		P58853	\$800.00
100322	KAISER FOUNDATION HOSPITAL INC	1146.2		2/14/2012		P55994	\$2,000.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
100322	KAISER FOUNDATION HOSPITAL INC	1146.2		2/14/2012		P55996	\$1,600.00
168395	LA CADENA BUILDING MATERIALS	203 (A)		2/9/2012		P46732	\$250.00
100499	LA CO., HEALTH SERVICES DEPT	203 (A)		2/14/2012		P56879	\$1,800.00
154179	LA PALMA GAS STATION INC	461(C)(2)(B) 41960.2		2/23/2012		P58632	\$1,375.00
58419	LAIRD CONSTRUCTION CO INC	403		2/29/2012		P46747	\$2,200.00
143710	LAUREL CANYON CHEVRON	203 (B), 461		2/28/2012		P54040	\$1,250.00
114057	MC CROMETER, INC.	203(B)		2/1/2012		P57534	\$500.00
137967	NATIONAL GRANITE & TILE	403(D)(1)		2/29/2012		P56282	\$500.00
163607	P & THY INVESTMENT CORP	461, 41960.2		2/7/2012		P58501	\$1,100.00
165182	PARAMOUNT OIL, INC. DBA ALONDRA 76	461		2/7/2012		P58616	\$1,125.00
167991	PAVEMENT RECYCLING SYSTEMS, INC.	203 (A)		2/1/2012		P55782	\$450.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
800416	PLAINS WEST COAST TERMINALS LLC	2004(F)(1)	Y	2/1/2012		P51972	\$500.00
108135	PRECISION AUTO CENTER	203 (A)		2/9/2012		P54298	\$600.00
145876	PROLOGIS	203 (A)		2/9/2012		P46749	\$550.00
129959	REDLANDS COMM. INVESTMENT CORP	203 (A)		2/9/2012		P46733	\$200.00
2083	SUPERIOR INDUSTRIES INTERNATIONAL INC	2004, 2012	Y	2/14/2012		P57358	\$3,000.00
151908	THE PROFESSIONALS BODY SHOP	203 (A)		2/9/2012		P54299	\$100.00
<b>TOTAL MSPAP SETTLEMENTS:</b>							<b>\$60,510.00</b>
<b>MISCELLANEOUS SETTLEMENTS:</b>							
28588	HITCHIN POST MARKET, M. STOUT ERV Settlement	461		2/24/2012		MIS148	\$500.00
<b>TOTAL MISCELLANEOUS SETTLEMENTS:</b>							<b>\$500.00</b>

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

**HEARING BOARD SETTLEMENTS:**

105410	FLAVORCHEM CORPORATION Hearing Board Case No. 5791-1 Agreement modified - facility to pay \$250/month effective March 30, 2011 provided that facility cease any and all operation of the spray dryer. Penalty covers January 2012.			2/21/2012	KCM	HRB2039	\$250.00
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 November 2011.	462	Y	2/1/2012	NSF	HRB2037	\$1,450.00
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 December 2011.	462	Y	2/1/2012	NSF	HRB2038	\$850.00
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 January 2012.	462	Y	2/29/2012	NSF	HRB2041	\$1,450.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
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 2012.	462	Y	2/29/2012	NSF	HRB2042	\$350.00
91170	US GOVT, INTERNAL REVENUE SERVICE Hearing Board Case No. 5848-2 Facility agreed to pay for excess emission fees for operating two boilers more than 15 years old with a heat input capacity greater than 400,000 BTU/hr.	1146		2/28/2012	NAS	HRB2040	\$6,000.00

**TOTAL HEARING BOARD SETTLEMENTS:      \$10,350.00**

**Total Penalties**

**Civil Penalties:                      \$105,266.00**

**MSPAP Penalties:                    \$60,510.00**

**Hearing Board Penalties:          \$10,350.00**

**MISC Penalties:                      \$500.00**

**Total Cash Penalties:              \$176,626.00**

**Total SEP Value:                    \$3,700.00**

**Fiscal Year through February 2012 Cash Total:      \$3,420,594.31**

**Fiscal Year through February 2012 SEP Value Only Total:      \$215,453.00**

## DISTRICT RULES AND REGULATIONS INDEX FOR FEBRUARY 2012 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*)

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

Rule 1145 Plastic, Rubber and Glass Coatings (*Amended 2/14/97*)

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

Rule 1173 Fugitive Emissions of Volatile Organic Compounds (*Amended 5/13/94*)

Rule 1176 Sumps and Wastewater Separators (*Amended 9/13/96*)

### REGULATION XIV - TOXICS

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*)

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

- Rule 3002      Requirements (*Amended 11/14/97*)
- Rule 3003      Applications (*Amended 3/16/01*)
- Rule 3004      Permit Types and Content (*Amended 12/12/97*)

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

- 41954            Compliance for Control of Gasoline Vapor Emissions
- 41960            Gasoline Vapor Recovery
- 42400            Penalties

## **CALIFORNIA CODE OF REGULATIONS**

- Title 13        Mobile Sources and Fuels
- PERP 2458     Portable Equipment Recordkeeping and Reporting
- PERP 2460     Failure to Notify District within 45 day for Inspection