

BOARD MEETING DATE: December 7, 2012

AGENDA NO. 15

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from October 1 through October 31, 2012, and legal actions filed by the District Prosecutor during October 1 through October 31, 2012. An Index of District Rules is attached with the penalty reports.

COMMITTEE: Stationary Source, November 16, 2012, Reviewed

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

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3

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ORANGE COUNTY BODY WORKS
Orange County Superior Court – Central District
Court Case No. 30-2012-00602413; Filed: 10.2.12 (NAS)*
P53479, P53481, P53483
R. 203 – Permit to Operate

2

SB SPRING/SB MANHATTAN
Los Angeles Superior Court – Central District
Court Case No. BC493333; Filed: 10.5.12 (NSF)
P56928, P56929
R. 203 – Permit to Operate
R. 1146 - Emissions of Oxides of Nitrogen from Industrial, Institutional
and Commercial Boilers, Steam Generators, and Process Heaters

5 Violations

2 Cases Filed

*Small Claims Court Filing
Attachment
October 2012 Penalty Report
Index of District Rules and Regulations

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

October 2012 Penalty Report

Total Penalties

Civil Penalties:	\$362,747.38
MSPAP Penalties:	\$70,985.00
Hearing Board Penalties:	\$101,750.00

Total Cash Penalties:	\$535,482.37
Total SEP Value:	\$0.00

Fiscal Year through October 2012 Cash Total:	\$2,862,387.37
Fiscal Year through October 2012 SEP Value Only Total:	\$166,661.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<u>CIVIL PENALTIES:</u>							
3704	ALL AMERICAN ASPHALT, UNIT NO.01	2004, 2012, 3002	Y	10/24/12	NSF	P57807	\$15,000.00
106322	AMTEK CONSTRUCTION	1148.1		10/12/12	MJR	P56957	\$1,000.00
132403	ARNACO POWDER COATING CO., INC	203 (A), 1155		10/25/12	NSF	P53893	\$2,400.00
110235	CLARK & SONS CONTRACTING CORP	403(D)(1)		10/18/12	JMP	P58655	\$250.00
157197	CROWN ACE HARDWARE	1113(C)(2)		10/25/12	JMP	P50611	\$2,000.00
19194	EPPINK OF CALIFORNIA	3002		10/30/12	NSF	P57270	\$1,500.00
800367	IPS CORPORATION	3002(C)(1)		10/26/12	KCM	P50729	\$2,500.00
45821	LOS ANGELES METROPOLITAN MEDICAL CENT	1146.2 1146.2 1146.2		10/25/12	NSF	P57632 P56417 P57626	\$2,500.00
800398	MASK-OFF COMPANY, INC	3002		10/16/12	KCM	P57678	\$3,200.00
12372	MISSION CLAY PRODUCTS	2004	Y	10/24/12	NSF	P56308	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
129661	NM MILLIKEN GENCO, LLC	1110.2, 1150.1 3002(C)(1) 1150.1, 1110.2		10/25/12	TRB	P49749 P49746	\$4,500.00
136835	PROCESS SOLUTIONS,VEOLIA WATER OPER.		203	10/2/12	NAS	P48732	\$4,000.00
154526	REPUBLIC SERVICES OF SOUTHERN CALIFORI		203 (B)	10/17/12	KCM	P54924	\$1,800.00
83377	S & S SERVICE STN, INC. FREEWAY CHEV		461(C)(2)(A)	10/26/12	NAS	P59241	\$750.00
14833	SAINT JOHN'S HOSPITAL & HEALTH CENTER		203 (B), 1146	10/2/12	NSF	P57943	\$5,000.00
44115	SANTA MONICA COMM COLLEGE DIST		2202	10/31/12	NSF	P55282	\$500.00
155221	SAVE THE QUEEN LLC (DBA QUEEN MARY)		2004 2004(D)	Y 10/25/12	NSF	P53126	\$1,500.00
161530	SB SPRING		203 (A), 1470 203(A), 1146.1	10/23/12	NSF	P56928 P56929	\$13,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
		1470					
147008	SHEN AND ASSOCIATES Received judgment from small claims filing.	461 461 461		10/24/12	JMP	P55087 P56870 P54529	\$1,545.91
16639	SHULTZ STEEL CO	2004, 2012	Y	10/30/12	JMP	P52573	\$3,500.00
142394	THE KITCHEN SPECIALISTS	203 (B)		10/25/12	JMP	P46746	\$500.00
134334	US FOOD AND DRUG ADMINISTRATION	1146, 1146.1		10/18/12	NSF	P53680	\$4,000.00
11779	VALENTINE CLEANERS	203 (A), 1402		10/25/12	NSF	P56911	\$250.00
65830	VERIZON CALIFORNIA INC	1470		10/19/12	NAS	P57675	\$278,437.00
162753	VILLA PARK AUTO SERVICE CENTER INC small claims filing	461(C)(2)(A) 41954		10/9/12	PH3	P36735	\$1,114.47
51620	WHEELABRATOR NORWALK ENERGY CO INC	2004	Y	10/19/12	KCM	P55661	\$8,900.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
167556	WYNDHAM HOTEL ORANGE COUNTY	203 (A), 222 1415		10/12/12	KCM	P58850	\$2,100.00
TOTAL CIVIL PENALTIES:		\$362,747.38					
MSPAP SETTLEMENTS:							
2344	20TH CENTURY FOX FILM CORP	203 (B), 1470		10/24/12		P57975	\$5,200.00
144030	7-ELEVEN 33252/SHIVTEJ S. ATWAL	203(B), 41960.2 461(C)(2)(B)		10/24/12		P59864	\$780.00
133185	A & B INVESTMENTS CORP, DRY CLEAN FAC	203 (B)		10/19/12		P58070	\$1,100.00
144497	A&S FURNITURE MANUFACTURE	203 (A)		10/16/12		P58807	\$1,540.00
167042	ACE CLEANERS	203 (A), 1102		10/25/12		P57627	\$500.00
138947	AM AUTO CENTER, ANDREW KIM DBA	203 (A)		10/11/12		P58257	\$750.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
147550	AMERICAN GAS	203(B), 461		10/25/12		P59235	\$385.00
110411	ARCO DLR, G & H GAS STATION	461		10/4/12		P59122	\$2,200.00
170779	ARCO GAS WITH MINI MART	461(C)(2)(B) 41960.2		10/26/12		P59231	\$400.00
90809	CALIFORNIA CARTAGE CO. LLC	461		10/4/12		P57236	\$900.00
106812	CALIFORNIA HIGHWAY PATROL BEAUMONT	203 (A)		10/16/12		P57545	\$550.00
106812	CALIFORNIA HIGHWAY PATROL BEAUMONT	203 (A)		10/16/12		P59808	\$1,300.00
94930	CARGILL INC	2012(J)(2)	Y	10/17/12		P56311	\$2,500.00
81139	CELEBRITY CLEANERS	203 (B)		10/25/12		P59653	\$300.00
146479	CITY OF RANCHO MIRAGE	203 (A), 461 461 (E) (2)		10/25/12		P58040	\$1,750.00
146815	CITY OF RIVERSIDE, MAGNOLIA POLICE	461 (E) (2)		10/18/12		P57136	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
		203 (B)					
65891	CITY OF SAN BERN, CITY YARD	203 (A)		10/31/12		P58974	\$425.00
131779	COUNTY OF ORANGE/SHERIFFCORONER DEP	203 (B)		10/31/12		P59652	\$550.00
151628	COUNTY OF RIVERISDE (DH1704)	203		10/25/12		P58342	\$450.00
92529	COUNTY OF RIVERSIDE (IN702)	1146.2		10/25/12		P58341	\$750.00
151627	COUNTY OF RIVERSIDE (IN737)	203		10/25/12		P58340	\$550.00
108348	COUNTY OF SAN BERNARDINO, VEH SERVICE	203 (B), 461 41960.2		10/10/12		P58975	\$585.00
80812	DELTA AIRLINES INCORP	2202		10/25/12		P55283	\$2,000.00
170344	EQUINOX FITNESS IRVINE, INC	222, 1415, 203(A)		10/11/12		P58863	\$2,000.00
138360	FAST & FAIR CONSTRUCTION	461		10/4/12		P59116	\$1,100.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
170268	GREENSTONE MATERIALS, INC.		403	10/11/12		P59807	\$1,000.00
117344	JOSEPH L CHIRIACO INC		203 (B), 461	10/11/12		P57798	\$1,800.00
145367	KANAN ROAD OIL INC		461(C)(2)(B) 41960.2	10/26/12		P59229	\$400.00
133990	LAGUNA NIGUEL CARWASH		203 (B)	10/16/12		P59870	\$375.00
121277	LAKESHORE TOWERS LIMITED PARTNERSHIP		1146.1	10/30/12		P58877	\$1,100.00
14213	LONG BEACH MEMORIAL MEDICAL CENTER		1146 3002(C)(2)	10/4/12		P59701	\$550.00
167972	METRO CONCRETE PUMPING, INC.		203(A)	10/4/12		P49283	\$550.00
165614	MOONLIGHT POWER		PERP 2460	10/11/12		P49289	\$375.00
44798	MT. SAN JACINTO COLLEGE		1146.2	10/17/12		P59800	\$300.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
44798	MT. SAN JACINTO COLLEGE	1146.2		10/17/12		P59810	\$700.00
149511	NB OIL CO, INC #4	203 (B) 461(C)(2)(B) 41960.2		10/11/12		P59861	\$1,000.00
167512	OSCAR CABINETS	109, 203(A)		10/25/12		P57631	\$375.00
94656	SANNIPOLI CORPORATION	203 (B)		10/26/12		P59820	\$650.00
163923	SHIN'S UNION 76 STATION	461		10/26/12		P59905	\$250.00
171070	SOUTH COAST PLAZA	1415		10/31/12		P58918	\$1,100.00
121089	SPRINT	203(B), 1470		10/11/12		P58178	\$550.00
157768	STANLEY CONVERGENT SECURITY SOLUTION	203(A), 1470		10/26/12		P58906	\$2,200.00
157768	STANLEY CONVERGENT SECURITY SOLUTION	203(A), 1470		10/26/12		P58914	\$4,500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
164271	SUNRISE ENERGY INC	203(B)		10/26/12		P59957	\$800.00
164271	SUNRISE ENERGY INC	461(C)(2)(B)		10/26/12		P59961	\$500.00
167870	THE IRVINE COMPANY LLC	222, 1415		10/5/12		P58867	\$1,700.00
168817	THE IRVINE COMPANY, LLC	203(A), 1415		10/5/12		P58866	\$1,100.00
156546	THE MULLER CO	203 (A)		10/4/12		P59453	\$500.00
150920	TIME WARNER CABLE	203(A)		10/24/12		P56884	\$550.00
148928	TRISTAR DYEING AND FINISHING, INC..	203 (B)		10/26/12		P57282	\$550.00
169839	TTSI	403(D)(1)		10/5/12		P53599	\$2,500.00
114140	TUSTIN HOSPITAL & MEDICAL CENTER	222, 1415, 1146.2		10/16/12		P58561	\$770.00
62302	UNITED RENTALS	461		10/3/12		P60002	\$825.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
102442	VAL VERDE UNIFIED SCHOOL DISTRICT	461 (E) (2)		10/26/12		P59817	\$650.00
82358	VONS CO INC #2039	203 (B)		10/24/12		P56891	\$550.00
170484	W W W CONCRETE PUMPING CO	203 (A)		10/26/12		P57561	\$360.00
165251	WESTERN 76 INC	461, 41960.2		10/26/12		P59041	\$550.00
11269	WESTERN MEDICAL CENTER ANAHEIM	1415, 1146.2, 1472		10/5/12		P58563	\$2,200.00
77388	WESTERN MUNICIPAL WATER DISTRICT	1110.2 203(B)		10/24/12		P59821	\$3,300.00
48639	WESTLAKE VILLAGE CAR WASH INC.	41960.2 461(C)(2)(B)		10/5/12		P59224	\$360.00
2487	WHITTIER UNION HS DIST, PIONEER HS	1146.2		10/12/12		P59604	\$450.00
151933	WINDSOR GARDENS CARE CENTER OF FULLE	201, 203(A)		10/31/12		P58673	\$1,100.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
145449	WOODMAN & OXNARD UNION 76	461(C)(2)(B)		10/26/12		P59030	\$550.00
145449	WOODMAN & OXNARD UNION 76	461(C)(2)(B)		10/26/12		P59035	\$330.00
140890	Y S 76 AUTO CARE	461(E)(2)(C)		10/24/12		P59962	\$600.00
16239	YORBA LINDA WATER DISTRICT	1110.2		10/26/12		P56081	\$1,650.00
94678	YORBA LINDA WATER DISTRICT	1110.2		10/26/12		P56082	\$1,650.00

TOTAL MSPAP SETTLEMENTS: \$70,985.00

HEARING BOARD SETTLEMENTS:

48535	CITY OF SANTA MONICA /BIG BLUE BUS Hearing Board Case No. 5894-1 City of Santa Monica paid penalty for failure to install and successfully test a Phase II vapor recovery system by April 1, 2012 and no later than August 14, 2012.	461		10/10/12		HRB2081	\$2,500.00
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48535 CITY OF SANTA MONICA /BIG BLUE BUS

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
	Hearing Board Case No. 5894-1 Penalty for on-going transfer of gasoline from its gasoline dispensing facility not equipped with Phase II vapor recovery system. Commencing on August 15, 2012 facility shall pay \$500 for each month its transfers gasoline.		461	10/10/12	NAS	HRB2082	\$1,500.00
147371	INLAND EMPIRE UTILITIES AGENCY Hearing Board Case No. 5209-4 IEUA agrees to pay \$1,000/month until District receives written notice that final compliance with the Order is achieved. Penalty period covers October 2012.		203, 2002	10/3/12	KCM	HRB2080	\$1,000.00
147371	INLAND EMPIRE UTILITIES AGENCY Hearing Board Case No. 5209-4 IEUA agrees to pay \$1,000/month until District receives written notice that final compliance with the Order is achieved. Penalty period covers November 2012.		203, 2002	10/30/12	KCM	HRB2085	\$1,000.00
138372	VERIZON WIRELESS Hearing Board Case No. 5900-1 and 5660-4 Failure to install diesel particulate filter, operating 6 ICEs greater than 50 bhp without control equipment.		203, 1470	10/25/12		HRB2084	\$94,750.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
165209	WESTCOAST PLATING, INC. Hearing Board Case No. 5840-1 Stipulated penalty until permits obtained for plating line.	201, 203, 1469		10/16/12	JMP	HRB2083	\$1,000.00
TOTAL HEARING BOARD SETTLEMENTS:							\$101,750.00

DISTRICT RULES AND REGULATIONS INDEX FOR OCTOBER 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*)

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 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 11/17/00*)

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines (*Amended 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 1148 Thermally Enhanced Oil Recovery Wells (*Adopted 11/5/82*)

Rule 1150 Excavation of Landfill Sites (*Adopted 10/15/82*)

Rule 1155 Particulate Matter Control Devices (10-08)

REGULATION XIV - TOXICS

Rule 1402 Control of Toxic Air Contaminants from Existing Sources

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

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
Rule 1472 Requirements for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion 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 XXII - ON-ROAD MOTOR VEHICLE MITIGATION

- Rule 2202 On-Road Motor Vehicle Mitigation Options (*Amended 10/9/98*)

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

CODE OF FEDERAL REGULATIONS

- PERP 2460 Portable Equipment Testing Requirements