

BOARD MEETING DATE: February 3, 2012

AGENDA NO. 13

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Stationary Source, January 20, 2012

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

No Civil Actions Filed in December 2011

ATTACHMENTS
December 2011 Penalty Report
Index of District Rules and Regulations

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

December 2011 Penalty Report

Total Penalties

Civil Penalties:	\$76,165.92
Hearing Board Penalties:	\$571,860.00
MSPAP Penalties:	\$102,432.00

Total Cash Penalties:	\$750,457.92
Total SEP Value:	\$150,000.00

Fiscal Year through December 2011 Cash Total:	\$3,060,386.31
Fiscal Year through December 2011 SEP Value Only Total:	\$196,753.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
CIVIL PENALTIES:							
167236	99 RANCH MARKET TAWA SUPERMARKET INC Suspended penalty in the amount of \$2,250 so long as Tawa does not violate Safety Code Section and/or Rule 402 or the Stipulated Order for Abatement, Case No. 5820-1	41700, 402		12/8/11	KCM	P52286	\$250.00
158198	AL QUEIROS Suspended penalties in the amount of \$1,000 shall be permanently suspended if Queiros remains in full compliance with District Rules and must take a Rule 461 training class before 11/30/11.	461		12/29/11	KCM	P51747	\$500.00
157971	ASPLUNDH TREE EXPERT COMAPNY	203 (A) 203 (A) 203 (A) 203(A) 203 (A) 203 (A) 203 (A) 203 (A) Title 13 203(A) Title 13 203(A) 203(A) 203 (A) PERP 2458, 2456		12/20/11	TRB	P52318 P53261 P53614 P53617 P53631 P53632 P53561 P55366 P54077 P55368 P55359 P55357 P54724 P56204	\$14,000.00

131003	BP WEST COAST PRODUCTS LLC,BP WILMING	1173, 1176 3002, 1118 1173 1173 1118, 3002(C)(1) 2004(F)(1) 3002(C)(1)	Y	12/8/11	JMP	P57709 P57706 P57710 P57711 P57713 P56558	\$23,000.00
118684	CALIFORNIA HOSPITAL MEDICAL CENTER-L. Settlement includes provision that facility permanently disconnect and render inoperative the two Waukesha natural fueled-cogen engines no later than 12/30/11. If facility does not, they shall pay a stipulated penalty of \$8,000 due within 90 calendar days of the District's written demand. (rec'd proof of compliance)	1110.2		12/2/11	NAS	P56900	\$2,000.00
800181	CALIFORNIA PORTLAND CEMENT CO \$1,389.92 for emission fees for the Nox and Sox and \$10,000 for its strict liability violation of the obligation to timely report its emissions.	2004, 2012	Y	12/2/11	NSF	P57360	\$11,389.92
2526	CHEVRON USA INC	221, 462(D)(1)(F) 3002(C)(1)		12/15/11	JMP	P51148	\$1,500.00
166381	ELAN HORIZON	203 (B)		12/7/11	MJR	P56679	\$7,000.00
90854	PARADISE KNOLLS GOLF COURSE #781	203, 461		12/28/11	MJR	P58303	\$1,500.00

40443	RICHARD BAGDASARIAN INC Associated with Hearing Board Case No. 5819-1	461		12/20/11	NAS	P58016	\$2,000.00
162420	USS CAL BUILDERS	1403, 40 CFR 1403, 40 CFR		12/23/11	NAS	P53964 P53965	\$2,026.00
115124	VALERO MPN MINI MARKET INC EVR penalty	461(C)(2)(A), 41954 461(C)(2)(A)		12/8/11	NSF	P36733 P48939	\$1,000.00
167362	VALLEY CREST GOLF COURSE MANAGEMENT	203, 461 203, 461		12/30/11	NAS	P49146 P49147	\$10,000.00

TOTAL CIVIL PENALTIES: \$76,165.92

SUPPLEMENTAL ENVIRONMENTAL PROJECTS:

800075	LA CITY, DWP SCATTERGOOD GENERATING STATION Hearing Board Case No. 1263-44 Settlement is a revision to the previous settlements and modification of O/A (years 2000 and 2003). Cash: \$562,500; SEP: \$150,000 Cash payment is associated with the delayed compliance with the repowering requirements that was in the original settlement agreement for the LADWP's Scattergood Generating Station. SEP value is \$3,000/charging station x 50 stations.	2004	Y	12/9/11	NSF	HRB2032	\$712,500.00
--------	---	------	---	---------	-----	---------	--------------

TOTAL SUPPLEMENTAL ENVIRONMENTAL PROJECTS: \$712,500.00*

*Cash included in Hearing Board Penalties

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 October 2011.	203		12/9/11	KCM	HRB2028	\$250.00
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 November 2011.	203		12/20/11	KCM	HRB2031	\$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 October 2011.	462	Y	12/8/11	NSF	HRB2027	\$1,500.00
160826	MISSION HOSPITAL LAGUNA BEACH Hearing Board Case No. 5853-1 Penalties in the amount of \$2,000 for operating natural gas under the order for abatement.	1146		12/27/11	KCM	HRB2034	\$2,000.00
8220	PROVIDENCE ST JOSEPH MED CTR Hearing Board Case No. 5846-1 Facility shall pay \$2,000 for operation of the boiler(s).	1146		12/9/11	KCM	HRB2030	\$2,000.00

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 October 4, through November 3, 2011.	Y	12/28/11	NAS	HRB2035	\$3,360.00
--	---	----------	-----	---------	------------

TOTAL HEARING BOARD SETTLEMENTS: \$9,360.00

MSPAP SETTLEMENTS:

166213 76 LAKEWOOD, ZIBA INVESTMENT CORP	41960.2 461(C)(2)(B)	12/14/11	P58627	\$650.00
120076 ALISO VIEJO SHELL/VINTNERS DISTRIBUTO	461	12/14/11	P58117	\$1,000.00
161549 ALLIANCE CONCRETE MANUFACTURING	203 (A)	12/1/11	P54133	\$1,500.00
45480 AMERICAN GOLF CORP/LA MIRADA	203 461	12/15/11	P52981	\$600.00
158786 ANGELUS SANITARY CAN MACHINE CO, PNEU	203(B)	12/14/11	P58665	\$550.00
39951 ARCO DLR, M SAYARI & M VERDI	41960.2 41954 461(C)(3)(A)	12/1/11	P52236	\$200.00
40828 ARCO DLR, N&H ALLAHVERDI	203 (B)	12/1/11	P52231	\$550.00
162111 ARCO FAC #09544 - SOUTH WEST PETROLEU	41960.2 461	12/27/11	P58507	\$640.00

162098	ARCO FAC #09628 - HARSICO, LLC	203 (B)	12/27/11	P52224	\$500.00
159622	ARCO FAC #09741-VENTURE PETROLEUM CO	461	12/27/11	P58126	\$700.00
158701	ARCO LAGUNA NIGUEL CENTER	203 (B)	12/1/11	P58114	\$500.00
41536	AVIS RENT A CAR SYSTEM	2202	12/15/11	P55885	\$5,850.00
165413	BURBANK COLLECTION	222	12/9/11	P56281	\$1,000.00
154120	CALIFORNIA MOULDING CO	203(B)	12/7/11	P52344	\$220.00
146194	CENTRAL 76, AIDA SOULAHIAN	461, 41960.2	12/14/11	P54029	\$390.00
165945	CENTRAL MEDICAL PLAZA	222, 1146.2	12/9/11	P56280	\$1,575.00
131911	CHEVRON PRODUCTS COMPANY #91921	41960.2 461(C)(1)(A)	12/8/11	P58614	\$600.00
121485	CITY OF MORENO VALLEY	461 (E) (2)	12/27/11	P57537	\$550.00
167701	CLEANERS CLUB ACQUISITION SUB INC.	203 (A)	12/7/11	P58055	\$550.00
167701	CLEANERS CLUB ACQUISITION SUB INC.	203 (A)	12/7/11	P58058	\$1,500.00
111825	CONOCOPHILLIPS CO-255510 A.H.B. PROPE	203 (B), 461	12/1/11	P52239	\$1,825.00
112004	CONVENIENCE RETAILERS LLC - 2705605	461	12/1/11	P54033	\$600.00
141586	D & L INVESTMENT OPPORTUNITIES, INC.	41960.2 461(C)(2)(B)	12/27/11	P58620	\$650.00
148567	DESIGN CATAPULT	109, 1171(C)(1)	12/27/11	P53444	\$1,200.00

147770	EAGLE PETRO LA INC	41960.2 461(C)(1)(A)	12/27/11	P58621	\$638.00
88482	EATON CANYON GOLF COURSE	203(B), 461	12/27/11	P48473	\$638.00
168177	ELSINORE VALLEY MUNICIPAL WATER DISTR	203 (A)	12/27/11	P58029	\$1,600.00
146253	EXXONMOBIL OIL,IBRAHIM S. MEKHAIL,#12	461, 41960.2	12/27/11	P56677	\$1,200.00
145499	FIELD MYRTLE OIL	461	12/1/11	P58366	\$300.00
159528	FIRESTONE PETROL INC.	461, 461(C)(1)(A)	12/13/11	P58603	\$300.00
144403	FLORENCE FOOD MART CORP	461	12/30/11	P56773	\$250.00
12519	FULLER THEOLOGICAL SEMINARY	201, 203 (A)	12/27/11	P48472	\$1,600.00
48060	GALPIN MOTORS INC	201, 203(A)	12/1/11	P58161	\$720.00
143160	GARDENA OIL	461, 41960.2	12/13/11	P58602	\$415.00
168073	GAT AIRLINE GROUND SUPPORT	203 (A)	12/27/11	P54135	\$638.00
155312	GLEN PETRO INC	461, 41960.2	12/27/11	P54034	\$700.00
3153	GOLDEN STATE FOODS CORP	203 (A), 201	12/27/11	P57126	\$1,200.00
123962	GRACH MINASIAN	461, 41960.2	12/27/11	P54028	\$3,188.00
33364	JURUPA UNIFIED SCHOOL DIST	461	12/30/11	P58317	\$425.00
146868	KAMBOJ LIQUOR, INC	203 (B), 461	12/1/11	P52238	\$850.00
98326	LEVLAD, LLC	203(B), 1146, 1146.1	12/1/11	P53930	\$1,500.00

167329	LOS ANGELES DWP	203 (A), Title 13	12/30/11	P55992	\$4,400.00
133117	M & M GAS STATION & MINI MART	461, 41960.2	12/14/11	P56776	\$100.00
109001	M M LTD	461	12/8/11	P58022	\$750.00
161876	MAERSK SHIPPING	401	12/1/11	P54787	\$2,500.00
104004	MICROMETALS, INC	3002(C)(1)	12/27/11	P56071	\$1,500.00
154301	MOBIL R/S #11284 - EDDIE CHU	461	12/27/11	P54015	\$200.00
143864	NEW CINGULAR WIRELESS PCS, AT&T MOBIL	203 (B), 1470	12/14/11	P57127	\$1,100.00
129998	NEWHALL SCHOOL DISTRICT	203(B), 461	12/8/11	P56881	\$550.00
167561	ON SITE KRUSHING CO.	203 (A)	12/27/11	P53890	\$450.00
3367	OPERATING ENGINEERS TRAINING TRUST	461 (E) (2) 203 (B)	12/27/11	P53892	\$1,500.00
143348	ORR BUILDERS	403	12/8/11	P54695	\$450.00
129827	PACIFIC PALMS CONFERENCE RESORT	1146	12/27/11	P49148	\$400.00
119946	PALMS GOLF CLUB	461 (E) (2)	12/14/11	P54689	\$750.00
154979	PARKMAN DRY CLEANER	203(B), 1421	12/27/11	P54835	\$650.00
123168	PERFORMANCE ALUMINUM PRODUCTS	203 (A)	12/27/11	P56709	\$2,500.00
165973	PINEWOOD PETROL INC	203 (B)	12/13/11	P52226	\$550.00

91870	PURETEK CORPORATION	1146.1	12/27/11	P58163	\$650.00
151732	S & T PETROLEUM - TOROS YERANOSIAN	461, 41960.2	12/7/11	P54019	\$800.00
124788	SEAL WEST CHEVRON	41960.2 461(C)(2)(B)	12/8/11	P54042	\$550.00
141697	SECURITY BUILDING LOFTS	1146.2	12/14/11	P56933	\$550.00
148304	SIERRA 76	461, 41960.2	12/7/11	P54047	\$330.00
86875	SILVERLAKE MOBIL	461, 41960.2	12/27/11	P54027	\$1,000.00
163164	SOLAIR WILSHIRE HOMEOWNERS ASSOCIATIO	203 (B)	12/15/11	P55989	\$1,100.00
163164	SOLAIR WILSHIRE HOMEOWNERS ASSOCIATIO	203 (B)	12/15/11	P55991	\$4,000.00
79589	SUN HILL PROP.,INC, UNIV HILTON HOTEL	1470	12/1/11	P54134	\$3,600.00
141386	SUN VALLEY SANDBLASTING, INC	203(A)	12/1/11	P57530	\$550.00
145238	SUNSET HILLS CLEANERS, J & R POURMORA	203(B), 1421	12/9/11	P57924	\$500.00
145238	SUNSET HILLS CLEANERS, J & R POURMORA	1421	12/9/11	P57930	\$600.00
138335	SUNSET OIL & MINI MART	203 (B) 461(C)(2)(B)	12/14/11	P57048	\$900.00
156877	TEDDY BEAR'S PANTRY, BIG BEAR GOURMET	201, 203(A)	12/14/11	P46728	\$550.00
152025	TESORO REF & MKT/ P HONG #68627	41960.2 461(C)(2)(B)	12/14/11	P58508	\$550.00

151862	TESORO WEST COAST CO LLC #68157	203 (B), 461 461(C)(1)(A)	12/13/11	P56668	\$10,000.00
150146	TOPANGA/NORDHOFF AM/PM	461(C)(2)(B) 41960.2	12/27/11	P52241	\$300.00
131945	UNION BANK OF CALIFORNIA	203(B), 1470	12/27/11	P54831	\$600.00
118891	UNITED OIL, RAPID GAS #56	203 (B) 461(C)(2)(B)	12/15/11	P56667	\$2,150.00
146191	UNITED RENTALS INC	PERP 2460	12/14/11	P54834	\$550.00
800265	UNIV OF SO CAL (EIS & NSR USE ONLY)	3002(C)(1)	12/16/11	P58803	\$2,040.00
168709	UNIVERSAL NOZZLE	461	12/7/11	P58750	\$700.00
56	UNIVERSITY SO CALIFORNIA,HEALTH SCIEN	3002	12/16/11	P51580	\$1,870.00
165043	VAZIN CORP #83201, MANDANA VAZIN	461	12/7/11	P54030	\$350.00
159846	VERIZON WIRELESS	203(B)	12/27/11	P58165	\$550.00
155666	VILLA MARINA INC	461	12/9/11	P57042	\$325.00
122537	VINTNERS DISTRIBUTORS, INC.	461	12/14/11	P58127	\$780.00
141769	VONS A SAFEWAY CO.#3138	203 (B)	12/27/11	P56878	\$880.00
167859	WATERSTONE APARTMENT HOMES/LEGACY PAR	1146.2	12/28/11	P53935	\$3,025.00
130080	WEST COAST COLLISION CENTER,TIM FITE	1151	12/27/11	P58302	\$1,100.00

162522 WESTERN FUEL GROUP	41960.2 461(C)(2)(B)	12/27/11	P58618	\$1,240.00
128183 YUCAIPA VALLEY GOLF CLUB	461 (E) (2)	12/16/11	P46723	\$550.00
133145 ZIBA INVESTMENT CORP	461	12/14/11	P58626	\$780.00

TOTAL MSPAP SETTLEMENT: \$102,432.00

Total Penalties

Civil Penalties: \$76,165.92
Hearing Board Penalties: \$571,860.00
MSPAP Penalties: \$102,432.00

Total Cash Penalties: \$750,457.92
Total SEP Value: \$150,000.00

Fiscal Year through December 2011 Cash Total: \$3,060,386.31
Fiscal Year through December 2011 SEP Value Only Total: \$196,753.00

DISTRICT RULES AND REGULATIONS INDEX FOR DECEMBER 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 203 Permit to Operate (*Amended 12/3/04*)

Rule 221 Plans (*Adopted 1/4/85*)

Rule 221 Plans (*Adopted 1/4/85*)

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 401 Visible Emissions (*Amended 9/11/98*)

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

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 1171 Solvent Cleaning Operations (*Amended 10/8/99*)

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 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 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 5/6/05*)
- 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

- 41700 Violation of General Limitations
- 41954 Compliance for Control of Gasoline Vapor Emissions
- 41960 Gasoline Vapor Recovery

CODE OF FEDERAL REGULATIONS

40 CFR – Protection of the Environment

CALIFORNIA CODE OF REGULATIONS

- Title 13 Mobile Sources and Fuels
 - PERP 2456 Engine Requirements
 - PERP 2458 Portable Equipment
 - PERP 2460 Failure to Notify District within 45 day for Inspection