

BOARD MEETING DATE: June 1, 2012

AGENDA NO. 16

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from April 1 through April 30, 2012, and legal actions filed by the District Prosecutor during April 1 through April 30, 2012. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, May 18, 2012, Reviewed

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

1 VICTOR HUGO ORELLANA dba ORELLANA'S BODY SHOP & SUPPLIES*
Riverside Superior Court – Temecula Courthouse
Court Case No. TES1201009; Filed: 4.27.12 (PH)
P53738
R. 1151 – Motor Vehicle and Mobile Equipment Non-Assembly Line
Coating Operations

1 Violation

1 Case

*Small Claims Court Filing

ATTACHMENTS

April 2012 Penalty Report

Index of District Rules and Regulations

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

April 2012 Penalty Report

Total Penalties

Civil Penalties:	\$120,000.00
MSPAP Penalties:	\$46,435.00
Hearing Board Penalties:	\$12,000.00
SRV Penalties:	*

Total Cash Penalties:	\$178,435.00
Total SEP Value:	\$1,500.00*

Fiscal Year through April 2012 Cash Total:	\$3,746,799.31
Fiscal Year through April 2012 SEP Value Only Total:	\$216,953.00

*SEP was a SRV penalty

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
60140	ALLSTAR CLEANERS	1421, 1402 1421		4/19/2012	JGV	P55583 P57953	\$500.00
110808	AMERICAN CIRCUIT TECHNOLOGY, INC	203 (B)		4/24/2012	JGV	P55249	\$2,000.00
150190	BLASTING SPECIALTIES	201, 109, 203(A) 203 (A)		4/24/2012	JGV	P54289 P54291	\$500.00
167866	CALVIN HILL CONSTRUCTION CO., INC	1403		4/19/2012	JGV	P53072	\$200.00
138653	CARMAX AUTO SUPERSTORES CAL, LLC # 7 Stipulated penalties of \$1,200 for each Carmax location that fails to provide the required training that shall be due within 45 calendar days of District's written demand.	201		4/27/2012	KCM	P53294	\$25,500.00
800302	CHEVRON PRODUCTS COMPANY	221(B), 462 3002(C)(1) 462(D)(1)(F) 3002(C)(1)		4/13/2012	JMP	P51962 P51147	\$7,500.00
112188	FONTANA FOUNDRY CORP.	203(B)		4/19/2012	MJR	P52342	\$5,000.00
167185	KERRY INGREDIENTS AND FLAVOURS	1146.2		4/25/2012	KCM	P58310	\$18,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
84025	L A UNIF SCH DIST - LA SALLE AVE ELE	1146.2 1146.2		4/6/2012	NAS	P58812 P58800	\$8,000.00
106355	LA CITY, 77TH ST AREA POLICE FACILIT	1470		4/6/2012	NAS	P56947	\$10,000.00
154308	LA FIRST CHOICE COLLISION,VICTOR ROD	109, 203 (A) 203 (A) 109, 203 (A)		4/17/2012	NAS	P55815 P55839 P58808	\$1,000.00
142331	LOMA LINDA UNIVERSITY	2202		4/12/2012	TRB	P55266	\$5,000.00
139010	RIPON COGENERATION LLC	3002(C)(1), 2004 2004(D), 2012 2004	Y	4/24/2012	TRB	P54265 P54957	\$35,000.00
119947	TRACEY'S CLEANERS, JORGE CLEMENTE	203 (A)		4/5/2012	JGV	P54295	\$300.00
131892	ZIBA INVESTMENT CORP	203 (B), 461 461		4/6/2012	NAS	P58509 P58628	\$1,500.00
TOTAL CIVIL PENALTIES:		\$120,000.00					

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
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SUPPLEMENTAL ENVIRONMENTAL PROJECT (SRV):

800168	PASADENA CITY, DWP (EIS USE) Cash: 0; SEP: \$1,500.00 Facility to modify permits within 30 days for both CEMS & agree to accept condition requiring simultaneous testing of the CEMS for both boiler stacks in the future.	2012	Y	4/26/2012	TRB	SRV86	\$1,500.00
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TOTAL SEP SETTLEMENT: \$1,500.00

MSPAP SETTLEMENTS:

133100	6TH & CATALINA CHEVRON, KOHANOFF	461(C)(1)(A) 41960.2		4/19/2012		P59006	\$1,170.00
149460	ACTON ARCO AM/PM, SHOAR OIL INC	461		4/3/2012		P52227	\$300.00
82584	AIR-TEC	461 (E) (2)		4/6/2012		P54745	\$935.00
169346	AMERICAN HOT TUBS	109, 203 (A), 1162		4/4/2012		P58956	\$1,540.00
160505	ARCO FAC #09684 - WEST COAST PETROLE	461(C)(1)(A)		4/18/2012		P58380	\$450.00
153941	AVA ENVIRONMENTAL INC.	461		4/25/2012		P57787	\$825.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
54155	AZTEC CLEANERS		1421	4/25/2012		P58556	\$390.00
14931	BAU FURNITURE MANUFACTURING, THOMAS		3002(C)(1)	4/25/2012		P56968	\$1,125.00
159345	BHARAT BHATTARAI, EXXONMOBIL OIL COR		461(C)(2)(B)	4/12/2012		P49229	\$750.00
129070	CHEVRON PRODUCTS CO, STATION #98119		461, 41960.2	4/20/2012		P59010	\$3,410.00
167607	CITY OF BANNING		203(A)	4/5/2012		P57548	\$550.00
167608	CITY OF BANNING		203(A)	4/5/2012		P57547	\$550.00
167606	CITY OF BANNING		203(A)	4/19/2012		P57549	\$550.00
13126	COAST PACKING CO		1146	4/25/2012		P51583	\$550.00
164590	DESTINY CHEVRON		461	4/25/2012		P58631	\$360.00
13854	EAST LOS ANGELES COLLEGE		3002(C)(1)	4/25/2012		P48476	\$200.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
163649	ELEGANCE PAINT & BODY		203	4/12/2012		P56397	\$200.00
100635	ELITE CLEANERS		203(B), 206, 1102	4/19/2012		P54094	\$625.00
164506	EMULEX		1415	4/12/2012		P58854	\$1,200.00
112886	EXXONMOBIL OIL CORP,#12997,YOUNG JOO		461, 41960.2	4/4/2012		P57778	\$900.00
121794	FAIRPLEX CHEVRON		461(C)(2)(B)	4/19/2012		P58388	\$1,450.00
138360	FAST & FAIR CONSTRUCTION		461	4/19/2012		P58134	\$1,050.00
11943	FAZIO CLEANERS, INC		203(B), 1102	4/18/2012		P57921	\$1,600.00
117767	FOOD N' FUEL		206 461(C)(2)(B)	4/25/2012		P59002	\$2,100.00
120707	FRANZENHILL CORP		461	4/4/2012		P51143	\$1,263.00
120707	FRANZENHILL CORP		461	4/4/2012		P51145	\$1,264.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
120707	FRANZENHILL CORP		461	4/4/2012		P51140	\$673.00
147696	HANUKAH INC		41960.2 461(C)(2)(B)	4/19/2012		P52249	\$500.00
163526	HARALAMBOS LEASING MOUNTAIN VIEW,		203 (A)	4/19/2012		P58954	\$150.00
115355	HAT PETROLEUM		203 (B) 461(C)(2)(B)	4/19/2012		P58118	\$1,275.00
161141	HIGH FIVE ENTERPRISES		461(C)(2)(B)	4/26/2012		P58375	\$300.00
18323	HOLLIDAY TRUCKING, INC		203 (A)	4/19/2012		P46735	\$450.00
137366	HOLLYWOOD OIL CORPORATION		461, 41960.2	4/3/2012		P54035	\$780.00
146848	HOME DEPOT # 6680		1470	4/12/2012		P58558	\$1,500.00
62862	IMPERIAL IRRIGATION DISTRICT/ COACHE		3002	4/26/2012		P58322	\$1,200.00
104304	INNOUT BURGERS, INC, UNIVERSITY TO		1146.1	4/19/2012		P58857	\$1,800.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
166046	INTERNATIONAL MECHANIC & BODY SHOP	203 (A)		4/12/2012		P57120	\$100.00
160596	ISHKHAN K SAHAGIAN	203		4/12/2012		P49231	\$800.00
164307	J & F OIL CORP	461, 41960.2		4/19/2012		P58513	\$500.00
166624	J L WELDING & STEAM EQUIPMENT REPAIR	1146.2		4/25/2012		P48470	\$600.00
166511	JOHN'S CLEANERS	203, 1102		4/3/2012		P56069	\$500.00
169768	LA BREA AUTO BODY SHOP	109, 1151(E)(1)		4/5/2012		P57967	\$400.00
4471	LA CITY, DWP	203(B), 1470		4/24/2012		P57934	\$500.00
86790	LA VERNE CAR WASH	41960.2 461(C)(2)(C)		4/17/2012		P58386	\$1,050.00
152675	MAGNOILIA VALERO, INC.	461, 41960.2		4/13/2012		P59018	\$275.00
94967	MESA CONSOLIDATED WATER DISTRICT, WE	1110.2		4/17/2012		P58852	\$500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
126960	OAKDALE MEMORIAL PARK/SCI CALIF. FU	202, 461		4/25/2012		P57624	\$950.00
95762	RESIDENTIAL ASBESTOS Also include Ona L. Rady (P46795) and Lan C. Ng (P46796)	1403 1403 1403		4/27/2012		P46797 P46796 P46795	\$1,375.00
168397	RESMED	203 (A)		4/4/2012		P57539	\$550.00
34867	SIERRA MADRE CITY OF (PUB WKS YARD)	203(A), 461(E)(2)		4/13/2012		P57668	\$420.00
1634	STEELCASE INC, WESTERN DIV.	2004	Y	4/13/2012		P57806	\$1,000.00
139531	TEMECULA VALLEY USD/ALAMOS ELEMENTAF	203(B), 1470		4/17/2012		P58023	\$880.00
138406	THIRD ST CHEVRON, ARMEHR CORP	203 (B), 461		4/25/2012		P59005	\$1,050.00
146612	US HINDY OIL, INC.	461, 41960.2		4/27/2012		P58378	\$550.00
118015	VILLAGE AUTO SPA,GALEN MOGTADERI	203 (B), 41960.2 461(C)(2)(B)		4/27/2012		P58518	\$500.00
TOTAL MSPAP SETTLEMENT:							\$46,435.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
HEARING BOARD SETTLEMENTS:							
114854	AUTO SPA CONNECTION INC, MAJESTIC CA Hearing Board Case No 5830-1 Facility agrees to pay \$1,000 for failure to install and successfully test ISD system.	461		4/26/2012	NAS	HRB2052	\$1,000.00
102569	CONVENIENCE RETAILERS LLC # 2705248 Hearing Board Case No. 5872-1 Beginning on 5/1/12, facility shall pay \$500 for each month it transfers gas from the facility not equipped with Phase II VRS. Stipulated Order for Abatement expires on 6/30/12.	461		4/24/2012	NAS	HRB2050	\$1,000.00
157919	F & M BAINS, INC., RAJINDER SINGH Hearing Board Case No. 5870-1 Commencing on 6/1/12, Facility shall pay \$500/month it transfers gasoline.	461 (EVR)		4/10/2012	NAS	HRB2046	\$1,000.00
11732	KAISER FOUNDATION HOSPITALS Hearing Board Case No. 3765-5 Facility operating four natural gas boilers out of compliance.	1146		4/13/2012	KCM	HRB2048	\$3,000.00
53744	LA CO., METROPOLITAN TRANS AUTHORITY Facility shall pay \$500/month each time it transfers gas from its GDF not equipped with Phase II VRS.	461		4/24/2012	NAS	HRB2051	\$2,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
125231	LOVES COUNTRY STORES Beginning 6/1/12, Loves shall pay \$500/month for ongoing transfer of gasoline not equipped with a Phase II VRS.	461		4/11/2012	NAS	HRB2047	\$1,000.00
50234	TORRANCE CITY/CITY SERVICES FACILITY Hearing Board Case No. 5752-2 Penalty is failure to install and test Phase II VRS that has been certified to be ORVR.	461		4/20/2012	NAS	HRB2049	\$2,000.00
165209	WESTCOAST PLATING, INC. Hearing Board Case No. 5840-1 Penalty is \$1,000/month until permits obtained for plating line.	1469, 201, 203		4/6/2012	JMP	HRB2045	\$1,000.00

TOTAL HEARING BOARD SETTLEMENTS: \$12,000.00

Total Penalties

Civil Penalties: \$120,000.00
MSPAP Penalties: \$46,435.00
Hearing Board Penalties: \$12,000.00
SRV Penalties: *

Total Cash Penalties: \$178,435.00
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DISTRICT RULES AND REGULATIONS INDEX FOR APRIL 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 202 Temporary Permit to Operate (*Amended 5/7/76*)

Rule 203 Permit to Operate (*Amended 12/3/04*)

Rule 206 Posting of Permit to Operate (*Amended 10/8/93*) *Explains how and where permits are to be displayed*

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

REGULATION IV - PROHIBITIONS

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 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 (*Amended 12/11/98*)

Rule 1162 Polyester Resin Operations (*Amended 11/17/00*)

REGULATION XIV - TOXICS

Rule 1402 Control of Toxic Air Contaminants from Existing Sources (*Amended 3/17/00*)

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities (*Amended 4/8/94*)

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

- 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 5/6/05*)
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

- 41960 Gasoline Vapor Recovery