

BOARD MEETING DATE: November 2, 2012

AGENDA NO. 21

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Stationary Source, October 19, 2012, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

---

There were no Civil Actions Filed in September 2012.

ATTACHMENT  
September 2012 Penalty Report  
Index of District Rules and Regulations

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

**SEPTEMBER 2012 Penalty Report**

**Total Penalties**

Civil Penalties:	\$1,210,300.00
MSPAP Penalties:	\$79,894.00
Hearing Board Penalties:	\$17,500.00

Total Cash Penalties:	\$1,307,694.00
Total SEP Value:	\$0.00

Fiscal Year through September 2012 Cash Total:	\$2,326,905.00
Fiscal Year through September 2012 SEP Value Only Total:	\$166,661.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b><u>CIVIL PENALTIES:</u></b>							
114264	ALL AMERICAN ASPHALT, UNIT NO.01	2012 2004 2004 2004, 2004(D) 203 2004 2004 203(A)	Y	9/12/2012	NSF	P57804 P55506 P50607 P55522 P49132 P55521 P55512 P54080	\$35,500.00
161814	ALLENCO ENERGY INC.	1176(E)(2)(B) 201203 (B) 1148.1 1176(E)(1) 1176(E)(2)		9/6/2012	JMP	P53597 P53597 P53598 P56971 P56972	\$10,500.00
159350	AZUSA VALERO	203(A), 461		9/7/2012	KCM	P57198	\$1,000.00
69081	BAXTER HEALTHCARE CORP., HYLAND DIV	1146		9/19/2012	NSF	P54833	\$9,000.00
166073	BETA OFF SHORE	3002(C)(1) Y 1173, 2004(F)(1) 1173, 2004(F)(1) 3002(C)(1)		9/5/2012	NSF	P52618 P52617	\$6,000.00
131003	BP WEST COAST PROD.LLC BP CARSON REF.	202	Y	9/4/2012	JMP	P57725	\$500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
18934	COACHELLA VALLEY UNIFIED SCHOOL DISTRICT	203(A)		9/25/2012	NAS	P54692	\$2,000.00
66275	COAST TO COAST METAL FINISHING CORP	203 (B)		9/4/2012	JGV	P56290	\$1,200.00
166268	DE SOTO 76, HILU BROTHERS INC.	461(C)(2)(B), 41960.2		9/19/2012	NAS	P56877	\$500.00
134590	FLEISCHMANN'S VINEGAR CO, INC	3002(C)(1) 3002(C)(1)		9/11/2012	NAS	P53897 P53894	\$1,500.00
161103	GLENN F. BARTON	1166 1166		9/19/2012	KCM	P53976 P53977	\$1,400.00
80668	KAISER FOUNDATION HEALTH PLAN INC	1146		9/14/2012	KCM	P57456	\$5,100.00
22265	LA CO., METROPOLITAN TRANS AUTHORITY	1110.2, 203(A) 203 (B)		9/6/2012	MJR	P56941	\$4,400.00
3665	METHODIST HOSPITAL OF SO CAL Facility to purchase and install a new engine or pay \$500/month for any calendar month in which the engine is operated from 9/1/12 through the date of the completed installation of the new engine. Facility shall complete installation of the new engine no later than 2/28/13.	203 (A), 1470 203 201, 203(A), 1470		9/7/2012	MJR	P57650 P57654 P57652	\$2,500.00
40806	NEW BASIS	3002		9/13/2012	JMP	P58320	\$500.00
129659	NM COLTON GENCO LLC.	1150.1, 1110.2, 3002		9/6/2012	JGV	P54922	\$1,200.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
101947	THRIFTY CLEANERS	203 (A) 1421 1402		9/6/2012	JGV	P53882	\$500.00
800263	U.S. GOVT, DEPT OF NAVY	461 (E) (2)		9/4/2012	KCM	P54097	\$1,000.00
800026	ULTRAMAR INC (NSR USE ONLY) Settlement for 2010 violations.	401, 1146, 3002 2004, 2011, 2012 3002 1118 1176 1173, 40 CFR 1173, 40 CFR 2004, 2011, 2012	Y	9/7/2012	JMP	P53519 P53521 P53523 P53524 P53525 P53526 P53527 P53531	\$491,000.00
800026	ULTRAMAR INC (NSR USE ONLY) Settlement for 2011 violations.	1118, 3002, 40 CFR 3002 1118, 3002 1118 1176 3002 3002 3002 1173, 40 CFR 1173, 40 CFR 463 401, 3002 3002 2004, 2011, 2012 218, 1176, 3002	Y	9/7/2012	JMP	P53542 P53529 P53532 P53533 P53534 P53535 P53536 P53537 P53538 P53539 P53541 P53543 P53544 P53545 P53546	\$570,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
800393	VALERO WILMINGTON ASPHALT PLANT Penalty for Valero Wilmington Asphalt Plant	2004 463, 3002 463, 3002 2004, 2012	Y	9/7/2012	JMP	P39645 P53528 P53530 P53772	\$65,000.00
<b>TOTAL CIVIL PENALTIES: \$1,210,300.00</b>							
<b>MSPAP SETTLEMENTS:</b>							
168739	AAAA DEVELOPMENT	222		9/11/2012		P58821	\$169.00
24711	ANAHEIM CITY, CONVENTION CTR	1415 1146 1472 203 (B)		9/13/2012		P58564	\$3,630.00
130833	ARCO FAC #01035/SEPULVEDA & SATICOY I	461(C)(2)(B)		9/11/2012		P59028	\$1,000.00
130880	ARCO FAC #09629 JOANNA GROUP	203 (B) 461		9/18/2012		P59216	\$680.00
162404	AWANS ENTERPRISES, INC. ARCO 17TH S,	461		9/19/2012		P59118	\$300.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
140553	BELLA CLEANERS	203 (B) 1102		9/6/2012		P58878	\$575.00
151513	BRCP REALTY SO. CAL PORTFOLIO, LLC	1415		9/14/2012		P57280	\$1,100.00
157255	BREAD LOS ANGELES	203 (B)		9/27/2012		P59602	\$4,400.00
166718	CALIFORNIA PETROLEUM EXCHANGE ARCADIA	461(E)(2)(C)		9/25/2012		P58395	\$455.00
107668	CHEVRON DLR, WEBB'S SERVICEPRONTO LU	203 (B) 461		9/6/2012		P56785	\$1,890.00
171473	CHRISTIAN P. BODDUM	403(D)(1)		9/19/2012		P50694	\$1,100.00
65948	CO OF SAN BERDO, EPWA/FACILITIES MGMT	1146.1 1146.1(C)(2)		9/6/2012	NAS	P52289	\$2,200.00
121340	COVINA PETROLEUM, INC.	203 (B)		9/25/2012		P58394	\$2,400.00
170841	CROWNE PLAZA BEVERLY HILLS	203 (A)		9/11/2012		P57972	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
155429	DOWNEY ENERGY, INC.	41960.2 203 (B) 461(C)(2)(B)		9/27/2012		P59102	\$2,600.00
155429	DOWNEY ENERGY, INC.	41960.2 461(C)(2)(B)		9/27/2012		P59109	\$400.00
153145	EBMI ENTERPRISES, INC. EHAB DAHABREH	203 (B), 461		9/18/2012		P58132	\$1,800.00
153145	EBMI ENTERPRISES, INC. EHAB DAHABREH	461(C)(2)(B)		9/18/2012		P58140	\$1,200.00
30634	FOOD N FUEL INC #24	203 (B), 461, 41960.2		9/11/2012		P57794	\$1,900.00
167296	GAS CLUB	41960.2 461(C)(2)(B)		9/11/2012		P59222	\$200.00
105217	GERMAN CENTENO'S AUTO, TRUCK SRV CTR	203		9/6/2012		P52984	\$150.00
122213	GLOBAL CROSSING TELECOMMUNICATIONS, I	1472		9/18/2012		P58560	\$1,200.00
121355	GRAPHIC RESEARCH INC	1146.2		9/6/2012		P53941	\$1,200.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
57094	GS ROOFING PRODUCTS CO, INC/CERTAINTE	3002		9/18/2012		P57233	\$1,000.00
164266	H M KHOSH, INC.	203 (B), 461		9/11/2012		P59219	\$550.00
170631	HI TECH GYPSUM, INC	203 (A)		9/19/2012		P57563	\$400.00
155190	JFC INTERNATIONAL, INC.	203 (A)		9/6/2012		P58404	\$2,000.00
170250	LANCE AUTOBODY	201		9/27/2012		P53940	\$250.00
63902	LONG BEACH AIRPORT MARRIOTT	201, 203(A)		9/25/2012		P56973	\$550.00
169102	LOS ANGELES CORPORATE CENTER LLC	203 (A), 222, 1415		9/11/2012		P48489	\$1,000.00
169105	LOS ANGELES CORPORATE CENTER LLC	203(A), 222, 1415		9/11/2012		P48487	\$1,000.00
169103	LOS ANGELES CORPORATE CENTER LLC	222, 203(A), 1415		9/11/2012		P48486	\$1,000.00
169104	LOS ANGELES CORPORATE CENTER LLC	203 (A)		9/11/2012		P48477	\$550.00
169104	LOS ANGELES CORPORATE CENTER LLC	203 (A), 1415		9/11/2012		P48488	\$1,350.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
152675	MAGNOILIA VALERO, INC.	203 (B) 461(C)(2)(B)		9/26/2012		P59022	\$1,600.00
95252	MISSION COMMUNITY HOSPITAL	1146		9/13/2012		P58172	\$1,000.00
89467	MOUNTAINS COMMUNITY HOSPITAL	1146.1		9/6/2012		P58988	\$1,500.00
154439	MY FAVORITE CLEANERS	203 (A)		9/25/2012		P58869	\$450.00
139444	NEARCAL CORP.	203(A)		9/26/2012		P59254	\$1,100.00
16825	NORTHROP GRUMMAN GUIDANCE&ELECTONICS	1146.1		9/25/2012		P53942	\$1,000.00
169793	PACIFIC COAST PUMPING	203 (A)		9/26/2012		P57559	\$200.00
140445	ROY'S UNION 76 SERVICE	41960.2 461(C)(2)(B)		9/19/2012		P58390	\$700.00
61334	SAN BERN CO., GLEN HELEN REHABIL CENT	1472		9/14/2012		P58977	\$600.00
15031	SAN BERN. CO, EPWA COUNTY JAIL	1146		9/6/2012		P58961	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
10167	SAN BERN. CO, FACILITIES MGMT DEPT	1146		9/6/2012		P58960	\$2,200.00
76221	SAN BERNARDINO CO.	1146, 1146.1		9/6/2012		P52349	\$3,300.00
171188	SAN CLEMENTE BEACH COUNTRY CLUB DBA S	461 (E) (2)		9/11/2012		P59650	\$1,650.00
126215	SANTA MONICA PETROLEUM	41960.2 461(C)(2)(B)		9/19/2012		P58524	\$420.00
156532	SBR CONSTRUCTION, INC.	203 (A)		9/19/2012		P56080	\$550.00
17181	SOLHEIM LUTHERAN HOME	203(B), 1470		9/26/2012		P54843	\$1,100.00
148736	SONU AND TONY CORPORATION, INC.	41960.2 461(C)(2)(B)		9/19/2012		P59114	\$300.00
147358	SOUTH CITY GAS INC. DBA SOUTH CITY AM	461		9/19/2012		P59115	\$550.00
156894	STARS B SUNNY CORP	461(E)(2)(A)		9/19/2012		P56688	\$1,300.00
2083	SUPERIOR INDUSTRIES INTERNATIONAL INC	2004	Y	9/26/2012		P57364	\$2,600.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
104871	TAHQUITZ CREEK GOLF COURSE	461		9/13/2012		P60006	\$1,100.00
170630	TDI CALIFORNIA CONSTRUCTION SERVICES,	203 (A)		9/19/2012		P57562	\$25.00
71797	TED LEVINE DRUM CO	3002		9/19/2012		P57134	\$600.00
143458	THE AUTO PRO COLLISION CENTER	203		9/4/2012		P58327	\$550.00
160143	TIME WARNER CABLE	203 (B)		9/26/2012		P58873	\$550.00
800288	UNIV CAL IRVINE (NSR USE ONLY)	3002		9/13/2012		P59459	\$600.00
119366	UNIVAR USA INC.	203(B), 1146		9/19/2012		P58401	\$3,500.00
45973	UNIVERSITY OF REDLANDS	203(B), 1110.2, 1470		9/14/2012		P58968	\$2,800.00
154081	USS CAL BUILDERS, INC.	203 (A), 1470		9/11/2012		P58258	\$550.00
122537	VINTNERS DISTRIBUTORS, INC.	461(E)(2)(C)		9/12/2012		P59862	\$600.00
118313	WADIH & KAWKAH SEMAAN	203 (B)		9/19/2012		P58393	\$350.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
155283	WATSON REDLANDS 868	203 (A)		9/14/2012		P58981	\$1,700.00
83881	WEBB SCHOOLS, MAINTENANCE DEPARTMENT	1146.2		9/11/2012		P57676	\$400.00
130388	WESTERN YARN DYEING INC.	1146		9/26/2012		P58674	\$1,700.00
1261	WORLD OIL CO #1	461		9/11/2012		P56786	\$450.00
140890	Y S 76 AUTO CARE	461		9/4/2012		P59020	\$600.00
139377	YRT INC., FRANKLIN 76, DBA	461, 41960.2		9/19/2012		P59032	\$400.00

**TOTAL MSPAP SETTLEMENTS: \$79,894.00**

**HEARING BOARD SETTLEMENTS:**

168289	AUGUSTINE METALS, INC. Hearing Board Case No. 5883-1 Facility in violation for operating an unpermitted engine. Penalty of \$1,000 (facility in compliance)	203		9/14/2012	KCM	HRB2079	\$1,000.00
--------	--	-----	--	-----------	-----	---------	------------

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
138110	BAXTER HEALTHCARE CORP, BIOSCIENCE DI Hearing Board Case No. 5899-1 Facility agrees to pay \$3,500 by 9/14/12 for on-going operation for the noncompliant 8 cylinder portable ICE.	203		9/18/2012	NAS	HRB2078	\$3,500.00
147371	INLAND EMPIRE UTILITIES AGENCY Hearing Board Case No. 5209-4 Facility agreed to pay \$1,000/month for operation of equipment in violation of permit conditions under the Stipulated Order for Abatement issued in hearing board matter. Penalty covers August and September 2012.	203, 3002		9/5/2012	KCM	HRB2075	\$2,000.00
165209	WESTCOAST PLATING, INC. Hearing Board Case No. 5840-1 \$1,000/month stipulated penalty until permits obtained for plating line. Penalty for August 2012.	201, 203, 1469		9/12/2012	JMP	HRB2077	\$1,000.00
54369	WWL VEHICLE SERVICES AMERICAS, INC. Hearing Board Case No. 5875-2 Facility operated its mobile fueling truck for 20 days in violation of District Rules 203 and 461 between May 11, 2012 thru June 7, 2012.	203, 461		9/7/2012	TRB	HRB2076	\$10,000.00
<b>TOTAL HEARING BOARD SETTLEMENTS: \$17,500.00</b>							

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

---

**Total Penalties:**

Civil Penalties:	\$1,210,300.00
MSPAP Penalties:	\$79,894.00
Hearing Board Penalties:	\$17,500.00

Total Cash Penalties:	\$1,307,694.00
Total SEP Value:	\$0.00

Fiscal Year through September 2012 Cash Total:	\$2,326,905.00
Fiscal Year through September 2012 SEP Value Only Total:	\$166,661.00

## **DISTRICT RULES AND REGULATIONS INDEX FOR SEPTEMBER 2012 PENALTY REPORTS**

### **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 218 Continuous Emission Monitoring (*Amended 5/14/99*)
- 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 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 463 Storage of Organic Liquids (*Amended 3/11/94*)

### **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 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 1148 Thermally Enhanced Oil Recovery Wells (*Adopted 11/5/82*)
- Rule 1150 Excavation of Landfill Sites (*Adopted 10/15/82*)
- Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil (*Amended 5/11/01*)
- Rule 1173 Fugitive Emissions of Volatile Organic Compounds
- Rule 1176 Sumps and Wastewater Separators (*Amended 9/13/96*)

### **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 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  
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<sub>x</sub>) Emissions (*Amended 5/11/01*)

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

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

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

- 41960         Gasoline Vapor Recovery

#### **CODE OF FEDERAL REGULATIONS**

40 CFR – Protection of the Environment