

BOARD MEETING DATE: September 7, 2012

AGENDA NO. 14

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Stationary Source, July 27, 2012, Reviewed

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

- | | |
|---|---|
| 2 | AAA GASOLINE
Los Angeles Superior Court – Central
Court Case No. 12K08772; Filed: 6.11.12 (NAS)
P54630, P54636
R. 461 – Gasoline Transfer and Dispensing |
| 3 | JAFAR RASHID dba VALERO THREE FOUR INC.
Los Angeles Superior Court – Central
Court Case No. 12K09219; Filed: 6.25.12 (NAS)
P56763, P56765, P56777
R. 461 – Gasoline Transfer and Dispensing |

1 99 CENTS ONLY STORE
Los Angeles Superior Court – Central
Court Case No. BC486474; Filed: 6.14.12 (TRB)
P55263
Rule 2202 On-Road Motor Vehicle Mitigation Options

5 Violations

3 Cases

ATTACHMENTS

June 2012 Penalty Report

Index of District Rules and Regulations

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

June 2012 Penalty Report

Total Penalties

Civil Penalties:	\$917,308.00
MSPAP Penalties:	\$59,215.00
Hearing Board Penalties:	\$54,500.00
SRV Penalties:	\$250,000.00
Total Cash Penalties:	\$1,281,023.00
Total SEP Value:	\$0.00
Fiscal Year through June 2012 Cash Total:	\$5,822,332.31
Fiscal Year through June 2012 SEP Value Only Total:	\$216,953.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<u>CIVIL PENALTIES:</u>							
12362	ACCESS BUSINESS GROUP LLC, NUTRILITE	3002		6/19/2012	KCM	P57542	\$2,700.00
800052	ARCO TERMINAL SERVICES CORP., TERMINAL	463, 1173, 1149, 3002		6/20/2012	JMP	P57716	\$10,000.00
131003	BP WEST COAST PROD.LLC BP CARSON REFINERY	1118, 1176, 3002 463, 1118, 1173, 3002 1173 3002 1118, 3002 1173, 1176 3002 2012 1173 1158, 1173, 1178 1173, 1178	Y	6/20/2012	JMP	P57705 P39649 P57707 P57708 P57714 P57717 P57718 P57719 P57720 P57721 P57722	\$296,500.00
129123	CLASSIC OIL INC	461(C)(2)(B) 461(C)(2)(A) 41960.2		6/8/2012	NAS	P35774 P54013	\$1,000.00
83519	CRENSHAW CHRISTIAN CENTER	203 (A), 1470		6/21/2012	KCM	P58802	\$5,500.00
124805	EXIDE TECHNOLOGIES	221(B), 1407, 1420		6/19/2012	NSF	P33574	\$95,000.00

124838	EXIDE TECHNOLOGIES	42401 42401 1420 42401 201, 203, 221(B) 2004 201 42401	Y	6/19/2012	NSF	P49876 P49877 P49883 P49878 P49883 P55520 P49871 P49875	\$119,000.00
141740	GORMAN UNION 76,SALPY SARAH TERLSIAN	461, 461 (E) (2)		6/19/2012	NAS	P56856 P52245	\$3,000.00
157205	GUZMAN ENERGY	203 (A)		6/1/2012	TRB	P49532	\$20,000.00
150319	LYON'S OIL	461 203 (B), 41960.2 461(C)(2)(B)		6/19/2012	JGV	P56496 P52228	\$6,000.00
117297	MM PRIMA DESHECHA ENERGY, LLC	203(B), 1110.2, 1150.1		6/13/2012	KCM	P53003	\$6,000.00
61722	RICOH ELECTRONICS INC	2012 2004	Y	6/12/2012	JGV	P51885 P51886	\$908.00
139490	RUSTOLEUM CORP Cash: \$300,000; Suspended Penalty: If within 1 year (expires 5/24/2013) violates any District rule on architectural coatings, Rustoleum shall pay \$75,000.	1113(C)(2) 1113(C)(2)		6/1/2012	NAS	P55132 P55135	\$300,000.00

149814 SIERRACIN/SYLMAR CORP	109, 3002(C)(1)	6/27/2012	TRB	P57453	\$1,700.00
170855 WALMART	1113(C)(2)	6/1/2012	JMP	P50620	\$47,500.00
155393 WEST HILLS 76	203(B), 461(C)(2)(B) 461, 41960.2 461	6/12/2012	NAS	P57001 P56468 P56472	\$2,500.00

TOTAL CIVIL PENALTIES: \$917,308.00

SELF-REPORTED VIOLATION:

800089 EXXONMOBIL OIL CORPORATION Penalty payment in lieu of completing a project required under the 10/31/02 settlement agreement regarding Rule 2009.1. This will prevent the need to re-open the 2002 agreement and cover alleged violations and failure to maintain the flare monitoring system for the Torrance refinery flares required under Rule 1118.	1118	Y	6/26/2012	JMP	SRV87	\$250,000.00
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TOTAL SRV SETTLEMENTS: \$250,000.00

MSPAP SETTLEMENTS:

169250 A TO Z SERVICE STATION INC.	41960.2 461(C)(2)(B)	6/26/2012		P59046	\$1,030.00
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160676 ARCO FAC #09588 SHAAN PAAL HOLDING C	461(C)(2)(B) 41960.2		6/19/2012	P59015	\$500.00
170462 BARKER CONSTRUCTIN & DEVELOPMENT COM	1403		6/8/2012	P53075	\$1,375.00
146983 BENZENE POWER INC/PACOIMA PREN	41960.2 461(C)(2)(B)		6/12/2012	P59228	\$370.00
800344 CALIFORNIA AIR NATIONAL GUARD, MARCH IFB	2004	Y	6/28/2012	P51889	\$1,375.00
162293 CALTRANS DIST 8	203 (A), 222		6/26/2012	P58965	\$3,300.00
130782 CANOGA AMPM	461(C)(2)(B) 41960.2		6/7/2012	P59210	\$420.00
169363 CBRE	203 (A)		6/28/2012	P58861	\$1,000.00
142705 CLOCK TOWER/SECO CLEANERS	1421		6/12/2012	P56078	\$355.00
127861 EXPERIAN INFORMATION SOLUTIONS INC	1415, 1146.1 203 (B)		6/7/2012	P58856	\$2,600.00
105332 EXXONMOBIL DLR, M. JADALI,#17748,#18	203 (B), 41960.2 461(C)(2)(B)		6/22/2012	P58141	\$690.00

69518	FERRELLGAS INC	203 (A)	6/19/2012	P52345	\$1,920.00
136696	FIRESTONE SHELL, MAROON BOUTROS DBA	461, 41960.2	6/27/2012	P56790	\$750.00
169857	FOOTHILL TECHNOLOGY CENTER LLC	203 (A)	6/22/2012	P57671	\$1,345.00
169857	FOOTHILL TECHNOLOGY CENTER LLC	203 (A)	6/22/2012	P57672	\$1,345.00
67776	FUEL CONTROLS INC	203 (B) 461 (E) (2)	6/7/2012	P54743	\$1,275.00
169822	GREEN SEASON TREE SERVICE, INC	203(A)	6/7/2012	P49292	\$400.00
86252	GROVE LUMBER	461	6/7/2012	P52348	\$1,760.00
149944	KADIMA HEBREW ACADEMY	1146.2	6/7/2012	P53937	\$850.00
72772	LA UNIFIED DIST, FRIEDMAN OCCUPATION	203 (B)	6/27/2012	P58819	\$1,500.00
59725	LOS AMIGOS COUNTRY CLUB	461 (E) (2) 203 (B)	6/12/2012	P58402	\$1,000.00
148835	M & J UNION 76, RAFAAT R LUGA	461	6/5/2012	P57790	\$780.00

154188 MAIN STREET VALERO	461, 41960.2	6/1/2012	P56784	\$350.00
141429 MP GAS, INC/ PETRO EAGLE	41960.2 41954 461(C)(2)(B)	6/22/2012	P59227	\$750.00
168258 NORTHGATE #33 LOS ANGELES	203 (A)	6/7/2012	P58824	\$550.00
156658 O.M.S.R. INVESTMENT LLC	461	6/7/2012	P59855	\$1,250.00
142775 OCEANGATE PETROLEUM, INC	461, 41960.2	6/19/2012	P58515	\$700.00
168868 OM PETROLEUM	203 (B), 461	6/27/2012	P59207	\$375.00
113329 ONE HUNDRED TOWERS LLC, CENTURY PLAZA	203(B), 1146, 1470	6/22/2012	P58170	\$5,400.00
124388 PALM DESERT RESORT COUNTRY CLUB	461	6/1/2012	P58329	\$500.00
117764 PALM SPRINGS UNIFIED SCHOOL DISTRICT	203, 1470	6/28/2012	P58315	\$500.00
131573 PETER FRIO & SON CHEVRON	461, 41960.2	6/7/2012	P58528	\$1,210.00

21928	PICO WATER DIST	461 (E) (2) 461(E)(5)	6/21/2012	P59600	\$450.00
34189	REDLANDS FOOTHILL GROVES	461, 1146.2	6/12/2012	P58967	\$1,800.00
168045	RICHMOND AMERICAN HOMES/MT. VIEW PRO	403	6/21/2012	P57457	\$1,100.00
168045	RICHMOND AMERICAN HOMES/MT. VIEW PRO	403(D)(1)	6/21/2012	P56969	\$1,200.00
73016	RIV CO., PINE COVE FIRE STATION	203 (B)	6/19/2012	P57541	\$375.00
141443	RODRIGUEZ SANDBLASTING	203 (A), 203(B)	6/1/2012	P56943	\$350.00
161712	SAME DAY CLEANERS	203(A), 203(B), 1102	6/26/2012	P53298	\$1,100.00
145444	SEARS GRAND FOOTHILL CROSSING	203 (A)	6/8/2012	P52347	\$600.00
60200	SEVAN GAS STATION/DANIEL'S AUTOMOTIVE	461	6/28/2012	P59017	\$180.00
169542	SHARMA OIL, INC DBA PRIYANKA'S CHEVRON	461, 41960.2	6/5/2012	P56692	\$265.00
117019	SHERMAN CAR, INC	41960.2 461(C)(1)(A)	6/1/2012	P59101	\$900.00

168119 SHUTTERS TO GO	109, 201, 203(A)	6/26/2012	P46727	\$550.00
165091 SLAUSON SHELL MAROUN BOUTROS	461	6/19/2012	P56780	\$550.00
159406 SOMERCLARK GAS	41960.2 461(C)(2)(B)	6/8/2012	P58636	\$550.00
169441 STAR CLEANERS, TERESA ALVAREZ	203(A)	6/26/2012	P54099	\$400.00
118056 STRONG INC	41960.2 461(C)(3)(A)	6/27/2012	P59025	\$450.00
100490 SUNSET SIERRA PROPERTY, C/O THE VOIT	203(B), 1470	6/1/2012	P57938	\$825.00
100489 SUNSET SIERRA PROPERTY, C/O THE VOIT	203(B), 1470	6/1/2012	P57937	\$825.00
140012 SUPER CLEANERS	1421	6/1/2012	P58670	\$300.00
142829 TAWWAKAL CORPORATION	41960.2 461(C)(1)(A) 461(C)(2)(B)	6/26/2012	P58648	\$550.00

152001 TESORO S.COAST, S.KIM, MARGUERIT, #6	203 (B) 41960.2 461(C)(1)(A)	6/7/2012	P58147	\$550.00
162890 THE MANHATTAN 76	203 (B), 461	6/26/2012	P58520	\$660.00
169839 TTSI	403(D)(1)	6/27/2012	P53596	\$1,400.00
167407 U S HENDY OIL INC.	41960.2 461(C)(2)(B)	6/8/2012	P59110	\$550.00
127286 VONS FUEL CENTER #1625	461	6/28/2012	P59106	\$360.00
150826 VONSA SAFEWAY CO, VONS FUEL CTR #28	203 (B) 461(C)(1)(A)	6/8/2012	P58379	\$3,300.00
148839 WINCHESTER CLEANERS, KWANG HWAN LEE	1102	6/26/2012	P58037	\$550.00
161429 WINTHROP MANAGEMENT, LP/LINWOOD AVE	203 (B)	6/27/2012	P59700	\$450.00
33506 WORLD OIL CO #43	41960.2 461(C)(1)(A)	6/26/2012	P59105	\$550.00

TOTAL MSPAP SETTLEMENTS: \$59,215.00

HEARING BOARD SETTLEMENTS:

114017	BOSE & AVINDER, INC, KANGAROO FOOD MART Hearing Board Case No. 5837-1 Failure to install ISD at facility.	461	461	6/19/2012	NAS	HRB2060	\$1,000.00
158308	DEL REAL FOODS, LLC Beginning July 2010, payments of \$5,000/month of non-compliance, defined as the regenerative thermal oxidizer not meeting BACT. Period covers August 2011 thru May 2012.	203, 1303		6/26/2012	NAS	HRB2061	\$50,000.00
157919	F & M BAINS, INC., RAJINDER SINGH Hearing Board Case No. 5870-1 Facility shall pay \$500/month for transfer gasoline from its gasoline dispensing facility not equipped with a Phase II VRS that has been certified to be ORVR. Penalty covers May 2012.	461		6/5/2012	NAS	HRB2055	\$500.00
157919	F & M BAINS, INC., RAJINDER SINGH Hearing Board Case No. 5870-1 Facility shall pay \$500/month for transfer gasoline from its gasoline dispensing facility not equipped with a Phase II VRS that has been certified to be ORVR. Penalty covers June 2012.	461		6/1/2012	NAS	HRB2062	\$500.00
50234	TORRANCE CITY/CITY SERVICES FACILITY Hearing Board Case No. 5752-2 Beginning 6/1/12, Torrance shall pay \$500/month it transfers gas from its GDF not equipped with a Phase II VRS. Penalty	461		6/8/2012	NAS	HRB2056	\$500.00

period covers May 2012.

165209	WESTCOAST PLATING, INC. Hearing Board Case No. 5840-1 \$1,000/month stipulated penalty until permits obtained for plating line.	201, 203	6/12/2012	JMP	HRB2057	\$1,000.00
138499	WHITE OAK 76, ANTONE E NINO DBA Hearing Board Case No. 5834-1 Failure to install and successfully test ISD by 3/1/11.	461	6/12/2012	NAS	HRB2058	\$1,000.00

TOTAL HEARING BOARD SETTLEMENTS: \$54,500.00

Total Penalties

Civil Penalties:	\$917,308.00
MSPAP Penalties:	\$59,215.00
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DISTRICT RULES AND REGULATIONS INDEX FOR JUNE 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 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 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

Rule 1113 Architectural Coatings (*Amended 6/20/01*)

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 1149 Storage Tank Degassing (*Amended 7/14/95*)

Rule 1150.1 Control of Gaseous Emissions from Active Landfills (*Amended 3/17/00*) Rule 1168 Adhesive and Sealant Applications (*Amended 9/15/00*)

Rule 1158 Storage, Handling and Transport of Petroleum Coke (*Amended 6/11/99*)

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

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

Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities (*Amended 4/7/06*)

REGULATION XIII - NEW SOURCE REVIEW

Rule 1303 Requirements (*Amended 4/20/01*)

REGULATION XIV - TOXICS

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

Rule 1407 Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations (*Adopted 7/8/94*)

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

Rule 1420 Emissions Standard for Lead (*Adopted 9/11/92*)

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*)

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

42401 Violation of Order for Abatement

CALIFORNIA CODE OF REGULATIONS

Title 13 Mobile Sources and Fuels