

BOARD MEETING DATE: February 1, 2013

AGENDA NO. 14

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Stationary Source, January 18, 2013, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

Violations

Civil Actions Filed

- |   |  |
|---|--|
| 1 | ALI YASIN dba QWICK STOP<br>Superior Court of California, San Bernardino Central Courthouse<br>Court Case No. SMCD1204324; Filed: 12.6.12 (PH)*<br>P57789<br>R. 203 – Permit to Operate<br>R. 461 – Gasoline Transfer and Dispensing |
| 1 | A.J. ACOSTA CO., INC.<br>Los Angeles Superior Court – Pomona Courthouse North<br>Court Case No. 12S01362; Filed: 12.7.12 (PH)*<br>P55393<br>R. 203 – Permit to Operate   |
| 1 | MISRK INC. PLAYA VISTA SHELL<br>Los Angeles Superior Court – Pomona Courthouse North<br>Court Case No. 12S0134; Filed: 12.4.12 (PH)*<br>P58527<br>R. 461 – Gasoline Transfer and Dispensing  |

- 2 MUKHTIAR KAMBOJ dba LOS ANGELES ARCO, MAMU INC  
M FOR K INC./ARCO AM/PM  
Los Angeles Superior Court – Pomona Courthouse North  
Court Case No. 12S01348; Filed: 12.6.12 (PH)\*  
P56146, P56149  
R. 461 – Gasoline Transfer and Dispensing
  
- 1 RIVERSIDE MAGNUM RANGE INC.  
Los Angeles Superior Court – Riverside Moreno Valley Branch  
Court Case No. MVS1204456; Filed: 12.18.12 (PH)\*  
P55909  
R. 203 – Permit to Operate
  
- 1 COLOR’S FINEST FINISHES  
Los Angeles Superior Court – West Covina Courthouse  
Court Case No. 12J02270; Filed: 12.13.12 (PH)\*  
P58669  
R. 203 – Permit to Operate
  
- 1 CLAUSTIRO REFINISHING  
Los Angeles Superior Court – Pomona Courthouse North  
Court Case No. 12S01350; Filed: 12.6.12 (PH)\*  
P59457  
R. 203 – Permit to Operate  
R. 109 – Recordkeeping for Volatile Organic Compound Emissions
  
- 1 KBS INVESTMENTS, INC.  
Los Angeles Superior Court – Pomona Courthouse North  
Court Case No. 12S1349; Filed: 12.6.12 (PH)\*  
Hearing Board Case No. 5886-1  
R. 461 – Gasoline Transfer and Dispensing

9 Violations

8 Cases Filed

\*Small Claims Court Filing

Attachments  
December 2012 Penalty Report  
Index of District Rules and Regulations

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
District Prosecutor's Office

December 2012 Penalty Report

Total Penalties

Civil Penalties:	\$85,450.00
MSPAP Penalties:	\$24,380.00
Hearing Board Penalties:	\$2,000.00
Miscellaneous Penalties:	\$159,065.32 *

\*payment of back emission fees not applied as a penalty

Total Cash Penalties:	\$270,895.00
Total SEP Value:	\$10,000.00

Fiscal Year through December 2012 Cash Total:	\$5,290,527.37
Fiscal Year through December 2012 SEP Value Only Total:	\$176,661.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<u>CIVIL PENALTIES:</u>							
160916	FXI FOAMEX INNOVATIONS, INC.	203 (B)		12/26/2012	KCM	P56083	\$16,600.00
158146	HERMETIC SEAL CORP/AMETEK	203 (B)		12/5/2012	NAS	P57131	\$4,000.00
16338	KAISER ALUMINUM FABRICATED PRODU	2004 2004, 2012	Y	12/27/2012	KCM	P57366 P57365	\$17,700.00
158622	NBTY MANUFACTURING, LLC	2202 2202 2202		12/7/2012	KCM	P55891 P55889 P55890	\$2,700.00
6163	OHLINE	1,093,002 109		12/21/2012	NSF	P57973	\$7,500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
151602	OXY USA, INC.	203(B), 463		12/27/2012	JMP	P50697	\$1,500.00
12182	PARK LA BREA	3002, 3002(C)(1)		12/5/2012	KCM	P57944	\$3,500.00
800416	PLAINS WEST COAST TERMINALS LLC	2004	Y	12/11/2012	NAS	P51976	\$6,000.00
25965	RAINBOW TRANSPORT TANK CLEANERS,	402		12/20/2012	KCM	P53784	\$1,900.00
13920	SAINT JOSEPH HOSPITAL	3003		12/21/2012	KCM	P58919	\$1,200.00
140073	SHEEBA & SONS INC Small Claims Case	203(B), 461(C)(2)(B) 203(B), 461		12/7/2012	NAS	P57012 P56148	\$2,500.00
156002	SRJ MARKETING INC Small Claims Case	461		12/20/2012	PH3	P54043	\$750.00
150604	SWEISS PETROL Small Claims Case	461 (E) (1) 461(C)(2)(B)		12/19/2012	NAS	P56493	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
18452	UNIVERSITY OF CALIFORNIA, LOS ANGELES		1146	12/6/2012	KCM	P57946	\$3,600.00

TOTAL CIVIL PENALTIES: \$70,450.00

SUPPLEMENTAL ENVIRONMENTAL PROJECTS:

24209	GEORGE INDUSTRIES		1147	12/20/2012	TRB	P58681	\$25,000.00
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TOTAL SUPPLEMENTAL ENVIRONMENTAL PROJECTS: \$25,000.00

MSPAP SETTLEMENTS:

138740	21ST CENTURY OIL DYER,LLC/CIRC K		461 (E) (1)	12/27/2012		P58148	\$1,000.00
170516	3227 W 54TH LLC		461(C)(2)(B)	12/4/2012		P58531	\$900.00
130707	ARCO FAC #09510 - PERFECT FUEL I		203(B), 41960.2 461(C)(2)(B)	12/4/2012		P59040	\$3,400.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
157819	ASHDON DEVELOPMENT, LAGUNA HILLS	203		12/12/2012		P59865	\$550.00
167174	BEVERLY PLACE, L.P., TISHMAN	203 (A)		12/13/2012		P53946	\$550.00
104307	CHANDLER AGGREGATES INC	203(A)		12/4/2012		P44861	\$1,560.00
25591	COUNTY OF RIVERSIDE (BA176)	1146.1		12/12/2012		P59818	\$300.00
61470	COUNTY OF RIVERSIDE (PG1101)	1146.2		12/19/2012	KCM	P60012	\$300.00
61470	COUNTY OF RIVERSIDE (PG1101)	1146.2		12/19/2012	KCM	P58345	\$300.00
171999	DE LANDHOLDINGS, LP	203(A)		12/12/2012		P53947	\$550.00
119165	DESERT SANDS UNI SCH DIST; LA QU	1470		12/12/2012		P58332	\$400.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
119167	DESERT SANDS UNI SCH DIST;INDIO	1470		12/12/2012		P58330	\$400.00
169819	DESERT SANDS UNIFIED SCHOOL DIST	203		12/12/2012		P58335	\$1,000.00
169820	DESERT SANDS UNIFIED SCHOOL DIST	203, 1470		12/12/2012		P58333	\$1,000.00
169831	DESERT SANDS UNIFIED SCHOOL DIST	203		12/12/2012		P58336	\$1,000.00
13854	EAST LOS ANGELES COLLEGE	3002		12/19/2012		P48491	\$400.00
119409	GOOSE CREEK GOLF CLUB	461 (E) (2)		12/4/2012		P57135	\$800.00
79321	GRIFFITH COMPANY	461		12/12/2012		P57279	\$1,400.00
157150	JOHN & SON'S QUALITY FINISHING	203 (A)		12/19/2012		P58836	\$1,100.00
156663	LINKS AT SUMMERLY	461		12/13/2012		P58045	\$375.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
146390	RITeway AUTO PAINT AND BODY WORK	109, 203(A)		12/6/2012		P58920	\$1,650.00
152177	SAN PEDRO CHEVRON	461, 41960.2		12/4/2012		P59969	\$535.00
31201	SEMPRA ENERGY (THE GAS CO)	203(B), 461		12/5/2012		P57948	\$825.00
800278	SFPP, L.P. (NSR USE)	1173		12/27/2012		P57728	\$1,100.00
169984	SWEDA	203		12/5/2012		P59401	\$1,700.00
127999	THE HIDEAWAY	461		12/13/2012		P60005	\$700.00
155911	VICS UNION 76	461		12/5/2012		P58537	\$585.00

TOTAL MSPAP SETTLEMENTS: \$24,380.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
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**MISCELLANEOUS SETTLEMENTS:**

800386	LA CO., SHERIFF DEPT Under payment of Annual Emission Fees for Fiscal Years 01/02, 02/03, 03/04, 04/05, 05/06, 06/07 and 07/08 and Calendar Years 2008, 2009, 2010, and 2011. (not included in penalty totals)			12/11/2012		MIS150	\$159,065.32
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**TOTAL MISCELLANEOUS SETTLEMENTS: \$159,065.32**

**HEARING BOARD SETTLEMENTS:**

171772	ELSINORE VALLEY MUNICIPAL WATER Hearing Board Case No. 5742-2 Facility agreed to pay \$1,000/month for operating a portable ICE commencing 10/1/12.	203		12/12/2012	NAS	HRB2091	\$1,000.00
147371	INLAND EMPIRE UTILITIES AGENCY Hearing Board Case No. 5209-4 IEUa agrees to pay \$1,000 per month until final compliance			12/1/2012	KCM	HRB2090	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
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with the Order is achieved. Penalty period covers December 2012

TOTAL HEARING BOARD SETTLEMENTS: \$2,000.00

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

**REGULATION IV - PROHIBITIONS**

Rule 402      Nuisance

Rule 461      Gasoline Transfer and Dispensing (*Amended 6/15/01*)

Rule 463

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1146      Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters (*Amended Rule*)

Rule 1146.1      Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters (*Amended 5/13/94*)

Rule 1146.2      Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers (*Adopted 1/9/98*)

Rule 1147      NOx Reductions from Miscellaneous Sources

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

**REGULATION XIV - TOXICS**

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<sub>x</sub>) 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*)

Rule 3003 Applications (*Amended 3/16/01*)

**CALIFORNIA HEALTH AND SAFETY CODE § 41700**

41960 Gasoline Vapor Recovery