

BOARD MEETING DATE: January 4, 2013

AGENDA NO. 10

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Not Applicable

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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Violations

Civil Actions Filed

- |   |   |
|---|---|
| 2 | AIRPORT FINE STAR INC.<br>Los Angeles Superior Court – Pomona Courthouse North<br>Court Case No.12S01261; Filed: 11.15.12 (NSF)*<br>P58541, P58502<br>R. 461 – Gasoline Transfer and Dispensing |
| 1 | SWEISS PETROL INC.<br>Los Angeles Superior Court – Pomona Courthouse North<br>Court Case No.12S01198; Filed: 11.1.12 (NAS)*<br>P56493<br>R. 461 – Gasoline Transfer and Dispensing              |

- 1 THE VILLAS AT THE PARK LA BREA  
Los Angeles Superior Court – Pomona Courthouse North  
Court Case No. 12S01285; Filed: 11.20.12 (NSF)\*  
P57932  
R. 203 – Permit to Operate
- 1 SRJ MARKETING INC.  
Los Angeles Superior Court – Pomona Courthouse North  
Court Case No. 12S01260; Filed: 11.15.12 (PH)\*  
P54043  
R. 461 – Gasoline Transfer and Dispensing
- 2 J&J OIL, INC.  
Los Angeles Superior Court – Pomona Courthouse North  
Court Case No. 12S01284; Filed: 11.20.12 (NSF)\*  
P56762, P57011  
R. 461 – Gasoline Transfer and Dispensing
- 3 RANDY’S AUTO BODY AND PAINT  
San Bernardino County Courthouse – Central District  
Court Case No. SMCDS1204086; Filed: 11.16.12 (NAS)\*  
P55413, P55425, P58307  
R. 109 – Recordkeeping for Volatile Organic Compound Emissions  
R. 203 – Permit to Operate  
R. 1151 – Excavation of Landfill Sites

10 Violations

6 Cases Filed

\*Small Claims Court Filing

Attachments

November 2012 Penalty Report

Index of District Rules and Regulations

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
District Prosecutor's Office

November 2012 Penalty Report

Total Penalties

Civil Penalties:	\$189,200.00
MSPAP Penalties:	\$33,110.00
Hearing Board Penalties:	\$10,500.00
Miscellaneous Penalties:	\$80,000.00
Self-Reported Penalties:	\$2,003,500.00

Total Cash Penalties:	\$2,316,310.00
Total SEP Value:	\$0.00

Fiscal Year through November 2012 Cash Total:	\$5,178,697.37
Fiscal Year through November 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>							
161717	ABRAXIS BIOSCIENCE, INC.	1146.1, 1415		11/9/2012	NSF	P53496	\$5,000.00
141479	AIRPORT FIVE STAR INC.	461 461, 41960.2		11/29/2012	NSF	P58541 P58502	\$450.00
161229	ANTHONY VINEYARDS	402		11/27/2012	JMP	P56029	\$500.00
171772	ELSINORE VALLEY MUNICIPAL WATER DIST	203 (A)		11/14/2012	NAS	P61150	\$7,500.00
158070	FOUR SEASONS LANDSCAPING	203(A) 203(A)		11/28/2012	NAS	P57511 P54078	\$1,500.00
117744	GOLD COAST BAKING CO	203 (A), 1153		11/14/2012	NSF	P53694	\$28,000.00
150019	GOLDEN STATE CONCRETE PUMPING, INC.	PERP 2460 PERP 2460 203 (A) 203(A) 203 (A)		11/8/2012	NAS	P57517 P57514 P46729 P49279 P57272	\$2,000.00
164066	H N F INTERNATIONAL, INC	403		11/13/2012	NSF	P54129	\$1,000.00

125104	LONG BEACH TRUCK STOP	461(C)(2)(B)	11/1/2012	NSF	P56666	\$1,650.00
151474	MARUKOME USA, INC.	203 (B)	11/30/2012	NAS	P58870	\$10,000.00
91954	MENZIES AVIATION GROUP, INC.	3002	11/28/2012	KCM	P57313	\$1,800.00
17953	PACIFIC CLAY PRODUCTS INC	2004 461(E)(2), 2004, 2012 3002(C)(1) 2004 2004	11/1/2012	NSF	P50343 P54961  P50332 P50334	\$80,000.00
140552	PERFORMANCE COMPOSITES, INC	3002(C)(1) 3002(C)(1) 3003	11/27/2012	KCM	P54748 P54747 P54748	\$1,500.00
133987	PLAINS EXPLORATION AND PRODUCTION CO	203(B), 1173 1176(E)(2)	11/7/2012	JMP	P56560	\$2,500.00
158910	RANCHO LPG HOLDINGS, LLC	1173 1173	11/28/2012	NSF	P34681 P34673	\$5,000.00
163485	RAYCON ENVIRONMENTAL INC.	203 (A)	11/8/2012	KCM	P54806	\$300.00
167684	SEPP CIRCUIT BREAKERS & RETROFIT	109, 203(A)	11/27/2012	JMP	P56710	\$500.00

119416	SIERRA PROCESS SYSTEMS, INC	203	11/8/2012	KCM	P58207	\$35,000.00
137722	VOPAK TERMINAL LONG BEACH INC,A DELAW	203, 1415	11/13/2012	NAS	P34677	\$5,000.00

**TOTAL CIVIL PENALTIES: \$189,200.00**

**SELF-REPORTED SETTLEMENTS:**

166073	BETA OFFSHORE Facility selfreported exceeding hours of operation imposed by its permit.	203	11/13/2012		SRV89	\$3,500.00
4477	SO CAL EDISON CO SCE self-reported rule violation and agreed to pay penalty for monetary and investigative costs.	2012	11/7/2012		SRV88	\$2,000,000.00

**TOTAL SELF-REPORTED SETTLEMENTS: \$2,003,500.00**

**MSPAP SETTLEMENTS:**

160802	ALL CITIES TREE SERVICE, INC.	TITLE 13	11/9/2012		P57566	\$500.00
114017	BOSE & AVINDER, INC, KANGAROO FOOD MA	461, 41960.2	11/28/2012		P58383	\$1,400.00

11174	BRONZEWAY PLATING CORP	203 (B)	11/28/2012	P51525	\$410.00
163747	CAPISTRANO BEACH 76	203(B), 461(C)(2)(B)	11/9/2012	P59866	\$1,600.00
147989	CENTURY ARCO, ASHVINI AGGARWAL DBA	461	11/9/2012	P56789	\$200.00
153473	CERRITOS SURGERY CTR LLC/SURGERY CTR	201, 203	11/9/2012	P52985	\$1,860.00
70890	CHAFFEY JOINT UNION HIGH SCHOOL DISTR	1146.1	11/14/2012	P51586	\$825.00
18223	CITY OF SANTA MONICA/FLEET MGMT	203 (A)	11/27/2012	P56886	\$3,520.00
156596	DELAILLA, INC./ 26101 P.C. HOLDINGS	461, 41960.2	11/8/2012	P58533	\$600.00
112383	DELAMO PARK, INC.	461	11/28/2012	P59123	\$200.00
98587	DESERT DISCOUNT CLEANERS	203 (B), 222	11/30/2012	P58042	\$680.00
55933	EXXONMOBIL DLR,NAZIH WAREN,11562,#18	461, 41960.2	11/2/2012	P59048	\$400.00
149925	G & M OIL CO., LLC #148	203(B), 461	11/13/2012	P59902	\$850.00

140842	GENERAL OLD GOLF COURSE	461	11/2/2012	P59813	\$1,200.00
169848	LEGACY PARTNERS SUNSET LOFTS LLC	201, 203(A)	11/28/2012	P57936	\$250.00
160954	LONG BEACH OCEAN CORP.	203 (B), 206 461(C)(2)(B)	11/8/2012	P56693	\$1,000.00
160954	LONG BEACH OCEAN CORP.	461(C)(2)(B)	11/8/2012	P56694	\$500.00
139204	O AND K OIL, INC/JOHNS TARZANA SHELL	203(B), 461	11/13/2012	P59234	\$250.00
170230	PORTER PUMP CRETE	203 (A)	11/9/2012	P55623	\$450.00
34804	R & R MANAGEMENT	461, 41960.2	11/2/2012	P56783	\$375.00
42499	RABI, INC, DBA LOW	41960.2 461(C)(2)(B)	11/13/2012	P59237	\$1,350.00
170533	RJ'S AUTO BODY	203 (A)	11/28/2012	P48492	\$375.00
157783	RJM VALLEJO MINI MARKET, INC.	41960.2 461(C)(2)(B)	11/9/2012	P59121	\$550.00
142041	ROYAL 2HR CLEANERS	1421	11/29/2012	P56890	\$1,350.00



162223	SHALBON CORP.	461	11/6/2012	P56691	\$200.00
7814	STAR MILLING CO	203(A), 1146, 1110.2	11/29/2012	P59811	\$4,600.00
156058	SUMMERTREE INTERIORS, INC	203 (A)	11/27/2012	P58071	\$550.00
157133	SUNLAND STATION	203 (A), 461	11/27/2012	P59003	\$300.00
151986	TESORO REF & MKG, CAR ENT 68833	41960.2 461(C)(1)(A)	11/2/2012	P59112	\$500.00
136054	THE HOSPITAL OF THE GOOD SAMARITAN HOSPITAL	1146.2	11/2/2012	P58831	\$1,750.00
140501	TLC CLEANERS, LILY KWOK DBA	203(B), 1421, 1146.2	11/29/2012	P53938	\$300.00
131639	TUSTIN CENTRE, MULLROCK MORTGAGE, LLC	203 (A)	11/13/2012	P58902	\$360.00
144302	UNITED OIL, RAPID GAS #82	41960.2 461(E)(2)(C)	11/29/2012	P58540	\$1,050.00
159023	VAN NUYS 76	461, 41960.2	11/29/2012	P59021	\$770.00
135682	VASQUEZ MAINTENANCE	461	11/30/2012	P56825	\$360.00

167710	VINTAGE ASSOCIATES INC	203 (A)	11/9/2012	P54693	\$550.00
62617	WILLARD MARINE INC	3003	11/29/2012	P56089	\$1,125.00

**TOTAL MSPAP SETTLEMENTS: \$33,110.00**

**MISCELLANEOUS SETTLEMENT:**

800436	TESORO REFINING AND MARKETING CO Tesoro's settlement of 17 NOVs included SEP of \$80,000 whereby they agreed to create an Educational Outreach escrow account. However, it was decided that the District would instead accept the \$80,000 cash. Tesoro has satisfied this portion of the SEP and has until 2013 to complete the remaining portion of the SEP.		11/14/2012	MIS149	\$80,000.00
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**TOTAL MISCELLANEOUS SETTLEMENT: \$80,000.00**

**HEARING BOARD SETTLEMENTS:**

171772	ELSINORE VALLEY MUNICIPAL WATER DISTRICT Hearing Board Case No. 57421 For operation of portable ICE facility to pay \$1,000/month commencing October 1, 2012.	203	11/14/2012	NAS HRB2088	\$1,000.00
49111	SUNSHINE CANYON LANDFILL Hearing Board Case No. 3488-13 BFI/Republic Services (Sunshine Canyon Landfill) agrees to pay a separate monetary sum to the District for the on-going operation of the facility's temporary flare under Stipulated Settlement Agreement. BFI will pay \$2,500/month (August thru September 2012).	402, 1150	11/13/2012	NAS HRB2087	\$7,500.00

165209	WESTCOAST PLATING, INC. Hearing Board Case No. 5840-1 Stipulated penalty until permits obtained for plating line.	201, 203,1469	11/1/2012	HRB2086	\$1,000.00
165209	WESTCOAST PLATING, INC. Hearing Board Case No. 5840-1 Stipulated penalty until permits obtained for plating line.	201, 203,1469	11/30/2012	HRB2089	\$1,000.00

**TOTAL HEARING BOARD SETTLEMENTS: \$10,500.00**

## DISTRICT RULES AND REGULATIONS INDEX FOR NOVEMBER 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 206 Posting of Permit to Operate (*Amended 10/8/93*) *Explains how and where permits are to be displayed.*

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 402 Nuisance

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 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines (*Amended 11/14/97*)

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 1150 Excavation of Landfill Sites (*Adopted 10/15/82*)

Rule 1153 Commercial Bakery Ovens (*Amended 1/13/95*)

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

## **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

## **CODE OF FEDERAL REGULATIONS**

- PERP 2460      Portable Equipment Testing Requirements
- Title 13          Mobile Sources and Fuels