

BOARD MEETING DATE: March 1, 2013

AGENDA NO. 13

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from January 1 through January 31, 2013, and legal actions filed by the District Prosecutor during January 1 through January 31, 2013. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, February 15, 2013, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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Violations

Civil Actions Filed

- |   |   |
|---|---|
| 1 | JOAQUIN GARCIA dba O.J. AUTOBODY REPAIR SHOP<br>Superior Court of California, Pomona Courthouse North<br>Court Case No. 13S00052; Filed: 1.8.13 (PH)*<br>P58816<br>R. 203 – Permit to Operate     |
| 1 | PETER LEE dba RIVERSIDE MAGNUM RANGE INC.<br>County of Riverside – Moreno Valley Branch<br>Court Case No. MVS1204456; Filed: 1.16.13 (PH)*<br>P55909<br>R. 203 – Permit to Operate                |
| 1 | WILLIAM D. BRADLE dba LOCAL CONCRETE PUMPING SERVICE<br>Los Angeles Superior Court – El Monte Courthouse<br>Court Case No. 13S00093; Filed: 1.18.13 (PH)*<br>P56245<br>R. 203 – Permit to Operate |

1 FERNANDO ROBLES dba GENESES CUSTOM MOTOR  
Los Angeles Superior Court – Pomona Courthouse North  
Court Case No. 13S00053; Filed: 1.18.13 (PH)\*  
P58901  
R. 109 – Recordkeeping for Volatile Organic Compound Emissions

4 Violations

4 Cases Filed

\*Small Claims Court Filing

Attachments

January 2013 Penalty Report

Index of District Rules and Regulations

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

**January 2013 Penalty Report**

**Total Penalties**

**Civil Penalties: \$688,275.00**  
**MSPAP Penalties: \$52,782.00**  
**Hearing Board Penalties: \$5,300.00**

**Total Cash Penalties: \$688,275.00**  
**Total SEP Value: \$1,000,000.00**

**Fiscal Year through January 2013 Cash Total: \$6,036,884.37**  
**Fiscal Year through January 2013 SEP Value Only Total: \$1,176,661.00**

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<b>FAC ID</b>	<b>COMPANY NAME</b>	<b>RULE NUMBER</b>	<b>RECLAIM ID</b>	<b>SETTLED DATE</b>	<b>ATTY INT</b>	<b>NOTICE NO</b>	<b>TOTAL SETTLEMENT</b>
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FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b><u>CIVIL PENALTIES:</u></b>							
160330	ADVANTAGE RENT A CAR, SIMPLY WHEELZ	203		1/10/2013	NAS	P57976	\$5,000.00
82613	ANCON MARINE INC	203		1/31/2013	NSF	P34675	\$6,000.00
164009	COLOR COAT INC NOV associated with Hearing Board Case No. 5915-1 and 5915-2. \$10,000 suspended penalty due if facility is issued a NOV for any District rule commencing 2/1/2013 thru 2/1/2015.	203  1145		1/24/2013	NAS	P52296	\$25,000.00
158589	CONVENIENCE PRODUCTS	1113(C)(2)		1/15/2013	JMP	P50610	\$50,000.00
140811	DUCOMMUN AEROSTRUCTURES INC	109, 1469.1 3002		1/16/2013	TRB	P53642	\$37,400.00
97578	HI-TECH ENVIRONMENTAL SVCS INC	1403, REG X		1/22/2013	KRW	P49885	\$2,500.00
126446	HUNTINGTON BCH, CITY, CENTRAL PARK S	203 (B), 1150.1		1/30/2013	NAS	P61100	\$1,000.00
115314	LONG BEACH PEAKERS LLC	2012	Y	1/23/2013	KRW	P57060	\$2,500.00
800080	LUNDAY-THAGARD COMPANY	2004 203, 1173	Y	1/18/2013	NSF	P34671 P34674	\$39,000.00
137145	MAPEI CORPORATION	203 (B)		1/22/2013	NAS	P58951	\$10,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
		203 (B)				P46724	
170496	MIDORI GARDENS	203(A)		1/25/2013	NAS	P59252	\$600.00
133349	MSRK INC - PLAYA VISTA	461, 41960.2		1/11/2013	PH3	P58527	\$250.00
77345	PALM SPRINGS AERIAL TRAMWAY	203		1/4/2013	KCM	P60013	\$35,800.00
79639	PALM SPRINGS UNIFIED SCHOOL DIST	203, 1470 1470 203, 1470		1/24/2013	NAS	P60011 P60010 P58347	\$5,000.00
150145	PROCESS SOLUTIONS, DIV VEOLIA WATER	202		1/15/2013	JMP	P57726	\$1,000.00
108901	QWIK STOP, ALI YASIN DBA Small Claims filing.	206, 461(C)(2)(B)		1/22/2013	PH3	P57789	\$525.00
46169	RANDY'S AUTO BODY & PAINT	109, 203(A), 1151 109, 203 (A) 42401		1/29/2013	NAS	P55413 P55425 P58307	\$1,000.00
800182	RIVERSIDE CEMENT CO (EIS USE)	3002(C)(1) 2011, 2012, 3002 2004 2004, 2012 2011, 2011(E)(1) 3002(C)(1)	Y	1/31/2013	TRB	P54966 P51883 P53128 P54958	\$40,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
		2012 APPEN A 2012(E)(2)(B) 2012(C)(3)(A) 2012(E)(2)(B) 2011, 2012				P54966	
100600	RIVERSIDE COUNTY	203(A), 1470		1/7/2013	KCM	P58069	\$1,000.00
800436	TESORO REFINING AND MARKETING CO	1173	Y	1/4/2013	KCM	P58206	\$10,500.00
88343	THE GENERAL SERVICES ADMINISTRATION	203 (B), 1146		1/10/2013	NSF	P54823	\$10,000.00
163465	TOP CONSTRUCTION	1403 1403		1/17/2013	NSF	P49920 P49919	\$1,200.00
50310	WASTE MGMT DISP & RECY SERVS INC (BRA	203(B), 3002		1/30/2013	NAS	P49842	\$3,000.00

**TOTAL CIVIL PENALTIES: \$288,275.00**

**SUPPLEMENTAL ENVIRONMENTAL PROJECTS**

800030	CHEVRON PRODUCTS COMPANY Cash: \$400,000; SEP: \$1,000,000 Chevron must replace a thermal oxidizer system at the Huntington Beach facility with carbon absorpotion VRU; within 45 days submit an application to the District to construct VRU; and complete installation of the VRU and have it	203, 40 CFR 1176, 3002 3002(C)(1) 2004(F)(1) 41701 401(B)(1)(B) 41701	Y	1/29/2013	JMP	P48733  P48735  P48736	\$1,400,000.00
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FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
	fully operational no later than 18 months after date of issuance of permit. If unable to complete SEP, Chevron will be obligated to pay the full additional cash penalty of \$1,000,000.	401(B)(1)(B) 3002(C)(1) 2004(F)(1) 1173(D)(1)(D) 1118, 3002 463(C)(1)(A) 3002(C)(1) 1176 1173(D)(1)(D)				P48737 P26984 P51968  P48741 P48738	

**TOTAL SEP SETTLEMENTS: \$1,400,000.00**

**MSPAP SETTLEMENTS:**

158553	AARN INC DBA H T UNION 76 #1	461, 41960.2		1/30/2013		P56799	\$160.00
55808	AMERICAN WASTE SYSTEMS, INC.	403		1/16/2013		P53979	\$585.00
157473	ARCO AM/PM	203 (B)		1/24/2013		P55036	\$1,400.00
155431	BAJWA'S AM-PM	41960.2 461(C)(2)(B)		1/24/2013		P58535	\$600.00
155372	CASTAIC UNION 76, MPS INC	41960.2 461(C)(2)(B)		1/2/2013		P59248	\$500.00
107071	CHARLIE'S AUTO CENTER, INC.	461, 41960.2		1/29/2013		P59974	\$1,010.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
110853	CIRCLE OF LIFE, MARGUERITE C JOHNSON	203 (B)		1/29/2013		P61154	\$840.00
113092	COX COMM OR CO INC, COX COMMUNICATIO	1470		1/23/2013		P59658	\$620.00
163027	CULVER CARWASH, LLC DBA CULVER AUTO	461(C)(2)(B) 203 (B), 41960.2		1/25/2013		P59878	\$930.00
63180	DARLING INTERNATIONAL INC	2012	Y	1/24/2013		P56310	\$2,000.00
40290	DOTY BROS EQUIP CO 03	403		1/2/2013		P57633	\$1,280.00
120455	EASTERN MUNICIPAL WATER DISTRICT	1110.2		1/16/2013		P58049	\$500.00
70304	EASTERN MUNICIPAL WATER DISTRICT	1110.2		1/16/2013		P59814	\$1,000.00
70298	EASTERN MUNICIPAL WATER DISTRICT	1110.2		1/16/2013		P59815	\$700.00
70305	EASTERN MUNICIPAL WATER DISTRICT	1110.2		1/16/2013		P59816	\$800.00
110255	EL MONTE R V CENTER	461		1/3/2013		P57283	\$850.00
144811	FASTECH	461		1/3/2013		P59125	\$1,360.00
110663	FRITO LAY, INC.	203 (A)		1/24/2013		P55999	\$800.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
110663	FRITO LAY, INC.	203 (A)		1/24/2013		P59353	\$1,000.00
139789	G&M OIL CO #132	461(C)(2)(B) 41960.2		1/3/2013		P59867	\$1,062.00
94998	GAGE CANAL COMPANY	203(B), 1110.2		1/8/2013		P58972	\$2,040.00
108346	GOLF N STUFF	461 (E) (2)		1/8/2013		P57281	\$2,400.00
149530	GRACE ELECTRON LLC	203 (B)		1/18/2013		P59464	\$1,600.00
169707	HARRIS CONCRETE PUMPING	203 (A)		1/29/2013		P57557	\$450.00
146862	JIN S. KWAK & KEN. KWAK SHELL #13608	461		1/22/2013		P58547	\$750.00
14314	JONES BROS CONST CO	461		1/10/2013		P60008	\$1,280.00
19311	LA CITY, DEPT OF GEN SERVICES	461		1/2/2013		P56889	\$450.00
156779	LPS AGENCY SALES AND POSTING	203 (B)		1/2/2013		P58876	\$550.00
170488	MAACO COLLISION REPAIR & AUTO PAINTI	203 (A)		1/2/2013		P58868	\$500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
137737	MARRAKESH COUNTRY CLUB	461		1/30/2013		P60009	\$375.00
154457	MEBTAHI STATION SERVICES	461(E)(2)(C)		1/2/2013		P59965	\$500.00
172182	MPG EQUIPMENT	203(A)		1/22/2013		P59258	\$550.00
169529	OXEL, INC.	461(E)(2)(C)		1/2/2013		P58396	\$1,000.00
98725	PORT PETROLEUM INC	461(E)(2)(C)		1/22/2013		P59970	\$300.00
135882	RAPID GAS #76	203 (B)		1/30/2013		P59244	\$2,880.00
158031	RGS SERVICES INC	Title 13		1/22/2013		P55785	\$100.00
171850	ROBERT STINCHFIELD INC.	203 (A) 203 (A)		1/2/2013		P57564 P57565	\$550.00
163701	SANDS ENTERPRISES INC	461		1/18/2013		P58546	\$360.00
171533	SEAL BEACH MOBIL	461 41960.2		1/23/2013		P59964	\$300.00
166931	SIKRAS & KIPA, INC	461		1/18/2013		P56796	\$300.00
134013	SIMAAN SERVICES/ VALLERO	461		1/30/2013		P59139	\$600.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
14319	SO CAL EDISON CO	203 (B) 462		1/22/2013		P59153	\$550.00
7599	SO CAL EDISON CO	462(E)(2)(A)(I) 203(B)		1/22/2013		P59155	\$550.00
135597	STEVEDORING SERVICES OF AMERICA	203		1/22/2013		P57237	\$1,000.00
157133	SUNLAND STATION	461(C)(2)(B)		1/4/2013		P59009	\$300.00
94999	THE GAGE CANAL COMPANY	1110.2 203 (B)		1/8/2013		P58973	\$1,360.00
94996	THE GAGE CANAL COMPANY	1110.2		1/8/2013		P58983	\$750.00
94997	THE GAGE CANAL COMPANY	1110.2		1/8/2013		P58984	\$850.00
95000	THE GAGE CANAL COMPANY	1110.2 203 (B)		1/8/2013		P58985	\$2,700.00
137753	THE IRVINE COMPANY	203 (A)		1/8/2013		P58872	\$700.00
137753	THE IRVINE COMPANY	203 (A)		1/8/2013		P58879	\$500.00
153370	THE WET SEAL INC	203 (A)		1/18/2013		P59656	\$950.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
		1470					
126198	TMP CORPORATION	461		1/3/2013		P58538	\$460.00
134976	TOLL BROS INC	461(E)(2)		1/17/2013		P61151	\$360.00
164879	TOMARO DESIGN BUILD INC	403(D)(1)		1/24/2013		P55620	\$1,400.00
109081	US TEXTILE PRINTING INC	203		1/18/2013		P51587	\$550.00
133934	VALLEYWAY ARCO	203 (B) 461(C)(2)(B) 41960.2		1/24/2013		P59951	\$2,300.00
171431	VANCE CORPORATION	403		1/23/2013		P56030	\$770.00
109965	WORLD OIL MARKETING COMPANY	461		1/18/2013		P58542	\$450.00
108242	YWIS CORP	461		1/17/2013		P56781	\$450.00
TOTAL MSPAP SETTLEMENTS: \$52,782.00							
HEARING BOARD SETTLEMENTS:							
171772	ELSINORE VALLEY MUNICIPAL WATER DISTRICT	203		1/23/2013	NAS	HRB2096	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
	Hearing Board Case No. 5742-2 For facility's operation of portable ICE they shall pay \$1,000/month commencing October 2012. Penalty covers December 2012.						
24209	GEORGE INDUSTRIES Hearing Board Case No. 5905-2 Facility agrees to pay \$200/day for every day it operates RAMCO oven until its brought into compliance. Penalty covers December 2012.	1147		1/9/2013	TRB	HRB2094	\$800.00
147371	INLAND EMPIRE UTILITIES AGENCY Hearing Board Case No. 5209-4 IEUA agrees to pay \$1,000/month for operation of equipment in violation of permit conditions. Period covers January 2013.			1/8/2013	KCM	HRB2093	\$1,000.00
79639	PALM SPRINGS UNIFIED SCHOOL DIST Hearing Board Case No. 5922-1 PSUSD shall pay \$500/month for operation of any of the two noncompliance ICEs commencing January 25, 2013. Penalty covers January 2013.			1/24/2013	NAS	HRB2097	\$500.00
138372	VERIZON WIRELESS Hearing Board Case Nos. 5900-1 and 5660-4 Failure to install diesel particulate filters operating 6 ICEs greater than 50 bhp without control equipment.	1470 203		1/15/2013	NAS	HRB2095	\$1,000.00
165209	WESTCOAST PLATING, INC. Stipulated penalty until permits obtained for plating line. Penalty is for December 2012.	1469 203 201		1/2/2013		HRB2092	\$1,000.00

<b>FAC ID</b>	<b>COMPANY NAME</b>	<b>RULE NUMBER</b>	<b>RECLAIM ID</b>	<b>SETTLED DATE</b>	<b>ATTY INT</b>	<b>NOTICE NO</b>	<b>TOTAL SETTLEMENT</b>
<b>TOTAL HEARING BOARD SETTLEMENTS:</b>		<b>\$5,300.00</b>					

## DISTRICT RULES AND REGULATIONS INDEX FOR JANUARY 2013 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 1/5/90*)

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.*

### 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 462 Organic Liquid Loading (*Amended 5/14/99*)

Rule 463 Storage of Organic Liquids (*Amended 3/11/94*)

### REGULATION X - NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

### REGULATION XI - SOURCE SPECIFIC STANDARDS

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

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

Rule 1118 Emissions From Refinery Flares (*Adopted 2/13/98*)

Rule 1145 Plastic, Rubber and Glass Coatings (*Amended 2/14/97*)

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

Rule 1147 NOx Reductions from Miscellaneous Sources

Rule 1150.1 Control of Gaseous Emissions from Active Landfills (*Amended 3/17/00*)

Rule 1151 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations (*Amended 12/11/98*)

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

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 2011 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO<sub>x</sub>) Emissions (*Amended 5/11/01*)

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

41701 Violation of General Limitations

42401 Violation of Order for Abatement

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

40 CFR – Protection of the Environment

#### **CALIFORNIA CODE OF REGULATIONS**

Title 13 Mobile Sources and Fuels