

BOARD MEETING DATE: November 1, 2013

AGENDA NO. 16

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from September 1 through September 30, 2013, and legal actions filed by the General Counsel's Office during September 1 through September 30, 2013. An Index of District Rules is attached with the penalty reports.

COMMITTEE: Stationary Source, October 18, 2013, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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Violations

Civil Actions Filed

2 Air Plaza, Inc dba Airtel  
Los Angeles Superior Court – Van Nuys Courthouse East  
Case No. LC100754; Filed: 9.6.13 (NAS)  
P51636, P58159  
R. 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters  
and Small Boilers and Process Heaters

1 Violation

1 Case

Attachment  
September 2013 Penalty Reports  
Index of District Rules and Regulations

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
General Counsel's Office**

**September 2013 Settlement Penalty Report**

**Total Penalties**

|                                 |                     |
|---------------------------------|---------------------|
| <b>Civil Penalties:</b>         | <b>\$165,600.00</b> |
| <b>Self-Reported Violation:</b> | <b>\$13,000.00</b>  |
| <b>MSPAP Penalties:</b>         | <b>\$41,845.00</b>  |
| <b>Hearing Board Penalties:</b> | <b>\$11,500.00</b>  |
| <b>Total Cash Penalties:</b>    | <b>\$231,945.00</b> |
| <b>Total SEP Value:</b>         | <b>\$0.00</b>       |

|   |                       |
|---|-----------------------|
| <b>Fiscal Year through September 2013 Cash Total:</b>           | <b>\$1,334,159.00</b> |
| <b>Fiscal Year through September 2013 SEP Value Only Total:</b> | <b>\$10,500.00</b>    |

| FAC ID                         | COMPANY NAME                          | RULE NUMBER                          | RECLAIM ID | SETTLED DATE | ATTY INT | NOTICE NO        | TOTAL SETTLEMENT |
|--------------------------------|---------------------------------------|--------------------------------------|------------|--------------|----------|------------------|------------------|
| <b><u>CIVIL PENALTIES:</u></b> |                                       |                                      |            |              |          |                  |                  |
| 48849                          | COMMUNITY HOSPITAL OF HUNTINGTON PARK | 1146.2<br>1470                       |            | 9/27/2013    | KCM      | P58683           | \$11,000.00      |
| 800075                         | LA CITY, DWP SCATTERGOOD GENERATING   | 402, 41700<br>402, 41700             | Y          | 9/18/2013    | NSF      | P37225<br>P37226 | \$5,000.00       |
| 44173                          | LOS ANGELES AIRPORT HILTON            | 1146.1                               |            | 9/5/2013     | MJR      | P57981           | \$27,500.00      |
| 173153                         | MWH AMERICAS INC                      | 3002                                 |            | 9/19/2013    | MJR      | P61054           | \$14,200.00      |
| 21728                          | PLACENTIA LINDA HOSPITAL              | 222<br>1146.2                        |            | 9/5/2013     | TRB      | P58942           | \$6,000.00       |
| 94272                          | RGF ENTERPRISES INC                   | 3002(C)(1)                           |            | 9/19/2013    | RRF      | P58074           | \$1,000.00       |
| 800129                         | SFPP, L.P.                            | 462                                  | Y          | 9/26/2013    | RRF      | P37229           | \$7,000.00       |
| 126961                         | SODEXO HO MANAGEMENT INC              | 203 (B)                              |            | 9/17/2013    | ML       | P50698           | \$2,500.00       |
| 156002                         | SRJ MARKETING INC<br>Small Claims     | 461(E)(2)(C)<br>203(B), 461(E)(2)(C) |            | 9/13/2013    | PH       | P59958<br>P59238 | \$900.00         |

| FAC ID                          | COMPANY NAME                       | RULE NUMBER            | RECLAIM ID | SETTLED DATE | ATTY INT | NOTICE NO        | TOTAL SETTLEMENT |
|---------------------------------|------------------------------------|------------------------|------------|--------------|----------|------------------|------------------|
| 11119                           | THE GAS CO./ SEMPRA ENERGY         | 2004<br>2004           | Y          | 9/11/2013    | KCM      | P52619<br>P51977 | \$61,000.00      |
| <b>TOTAL CIVIL PENALTIES:</b>   |                                    | <b>\$165,600.00</b>    |            |              |          |                  |                  |
| <b>SELFREPORTED VIOLATIONS:</b> |                                    |                        |            |              |          |                  |                  |
| 128243                          | BURBANK CITY,BURBANK WATER & POWER | 218<br>2004            | Y          | 9/26/2013    | NAS      | SRV96            | \$13,000.00      |
| <b>TOTAL SRV VIOLATIONS:</b>    |                                    | <b>\$13,000.00</b>     |            |              |          |                  |                  |
| <b>MSPAP SETTLEMENTS:</b>       |                                    |                        |            |              |          |                  |                  |
| 133100                          | 6TH & CATALINA CHEVRON, KOHANOFF   | 461 (E) (1)<br>41960.2 |            | 9/19/2013    |          | P59993           | \$2,990.00       |
| 153157                          | ALL FORTUNE GROUP LLC              | 203                    |            | 9/11/2013    |          | P59704           | \$715.00         |
| 109968                          | ALUMAFOLD PACIFIC, INC.            | 203 (B)                |            | 9/17/2013    |          | P59620           | \$840.00         |

| FAC ID | COMPANY NAME                          | RULE NUMBER             | RECLAIM ID | SETTLED DATE | ATTY INT | NOTICE NO | TOTAL SETTLEMENT |
|--------|---------------------------------------|-------------------------|------------|--------------|----------|-----------|------------------|
| 48574  | APPLE MARKETS INC, APPLE MARKET ONE   | 203 (B)<br>461          |            | 9/17/2013    |          | P59929    | \$1,620.00       |
| 118917 | APRO INC #8                           | 203(B), 461, 41960.2    |            | 9/4/2013     |          | P62226    | \$1,050.00       |
| 160603 | ARCO #83101                           | 203                     |            | 9/24/2013    |          | P59129    | \$2,700.00       |
| 168121 | B & B VENTURES INC                    | 461(C)(2)(B)            |            | 9/17/2013    |          | P56836    | \$495.00         |
| 14931  | BAU FURNITURE MANUFACTURING           | 3003                    |            | 9/19/2013    |          | P56981    | \$600.00         |
| 151740 | BEST CLEANER                          | 203 (A)                 |            | 9/17/2013    |          | P57634    | \$550.00         |
| 155468 | BOB'S 76 SERVICES                     | 461(C)(2)(B)<br>41960.2 |            | 9/18/2013    |          | P62317    | \$550.00         |
| 174039 | BOYD'S CONCRETE PUMPING               | 203 (A)                 |            | 9/4/2013     |          | P61175    | \$200.00         |
| 160350 | BOYLE GAS STATION, 4TH & 5 MART, INC. | 461                     |            | 9/18/2013    |          | P60058    | \$1,600.00       |
| 136705 | BURBANK SHELL, JAGDISH KHANGURA DBA   | 461<br>41960.2          |            | 9/27/2013    |          | P35789    | \$400.00         |

| FAC ID | COMPANY NAME                            | RULE NUMBER                      | RECLAIM ID | SETTLED DATE | ATTY INT | NOTICE NO | TOTAL SETTLEMENT |
|--------|---|----------------------------------|------------|--------------|----------|-----------|------------------|
| 148782 | CANYON FOOD & MINI MART                 | 203 (B)<br>461(C)(2)(B)          |            | 9/17/2013    |          | P59933    | \$495.00         |
| 154458 | CHERRY DEVELOPMENT CORP                 | 203 (B), 461                     |            | 9/17/2013    |          | P59924    | \$330.00         |
| 137018 | CHEVRON DEALER, JAMAL SAYEGH #90477     | 41960.2<br>461(C)(2)(B)          |            | 9/4/2013     |          | P35788    | \$600.00         |
| 153226 | CHINO VALLEY FUELS                      | 461                              |            | 9/27/2013    |          | P62314    | \$550.00         |
| 169530 | CIRCLE K #2709472 CIRCLE K STORES, INC. | 203 (B), 41960.2<br>461(C)(1)(A) |            | 9/10/2013    |          | P62403    | \$900.00         |
| 152707 | CPV SENTINEL LLC                        | 201, 203, 3002                   | Y          | 9/11/2013    |          | P52621    | \$550.00         |
| 46316  | CRENSHAW LUMBER CO                      | 461                              |            | 9/10/2013    |          | P50730    | \$600.00         |
| 169743 | CULVER CITY CHEVRON                     | 461 (E) (1)                      |            | 9/4/2013     |          | P62222    | \$330.00         |
| 28512  | FREEDOM ORANGE COUNTY INFORMATION       | 203 (B), 1415                    |            | 9/24/2013    |          | P58887    | \$2,250.00       |

| FAC ID | COMPANY NAME                           | RULE NUMBER     | RECLAIM ID | SETTLED DATE | ATTY INT | NOTICE NO        | TOTAL SETTLEMENT |
|--------|--|-----------------|------------|--------------|----------|------------------|------------------|
| 165784 | GREEN PLANET FUEL                      | 461(E)(5)       |            | 9/11/2013    |          | P59142           | \$500.00         |
| 167281 | JOE AND TONY SCHEIB, INC THEE EARL     | 203 (A)         |            | 9/24/2013    |          | P62353           | \$200.00         |
| 132364 | K.D.M. ENTERPRISES                     | 203 (B)         |            | 9/17/2013    |          | P56829           | \$800.00         |
| 170730 | LYON'S SERVICE                         | 461             |            | 9/27/2013    |          | P60215           | \$225.00         |
| 93019  | MILLERS CLEANERS, FRANCISCO VALLEJO    | 1421<br>203 (B) |            | 9/4/2013     |          | P56299           | \$1,500.00       |
| 171363 | OAK VALLEY CHEVRON                     | 461<br>41960.2  |            | 9/4/2013     |          | P56834           | \$550.00         |
| 38014  | ORANGE CITY, WATER DEPT                | 1470            |            | 9/27/2013    |          | P55790           | \$550.00         |
| 164636 | PACIFIC SCREENPRINT INTERNATIONAL      | 109, 1171       |            | 9/4/2013     |          | P58932           | \$1,000.00       |
| 172900 | RDB LA GROUP, INC                      | 201<br>201      |            | 9/6/2013     |          | P58189<br>P58190 | \$1,000.00       |
| 161240 | RGB SYSTEMS INC, DBA EXTRON ELECTRONIC | 1470            |            | 9/27/2013    |          | P56096           | \$900.00         |

| FAC ID | COMPANY NAME                      | RULE NUMBER             | RECLAIM ID | SETTLED DATE | ATTY INT | NOTICE NO | TOTAL SETTLEMENT |
|--------|-----------------------------------|-------------------------|------------|--------------|----------|-----------|------------------|
| 170815 | RVT'S PLAYA VISTA/MAHBUBAR RAHMAN | 461                     |            | 9/17/2013    |          | P62223    | \$600.00         |
| 170728 | S & F ALRABADI INC.               | 461                     |            | 9/24/2013    |          | P60216    | \$1,275.00       |
| 170728 | S & F ALRABADI INC.               | 461(E)(2)(C)            |            | 9/24/2013    |          | P59249    | \$470.00         |
| 128584 | S & S OIL INC                     | 461                     |            | 9/18/2013    |          | P62231    | \$720.00         |
| 155425 | SANTA FE ENERGY, INC.             | 41960.2<br>461(C)(2)(B) |            | 9/19/2013    |          | P62312    | \$420.00         |
| 4477   | SO CAL EDISON CO                  | 201, 203 (A)            | Y          | 9/18/2013    |          | P52190    | \$1,000.00       |
| 163690 | STERICYCLE, INC                   | 1146<br>203(B)          |            | 9/18/2013    |          | P58685    | \$1,100.00       |
| 132814 | SUN CLEANERS                      | 203 (A)                 |            | 9/19/2013    |          | P56095    | \$550.00         |
| 164345 | SUNSHINE CAR WASH                 | 41960.2<br>461(C)(1)(A) |            | 9/12/2013    |          | P62400    | \$550.00         |



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|----------------------------------|--------------------------------|-------------------------------|------------|--------------|----------|-----------|--------------------|
| 174389                           | TIM GREENLEAF ENGINEERING      | 403<br>403(D)(1)<br>403(D)(2) |            | 9/27/2013    |          | P56097    | \$3,300.00         |
| 150584                           | TISHMAN SPEYER PROPERTIES L.P. | 203                           |            | 9/24/2013    |          | P57991    | \$600.00           |
| 9217                             | VEOLIA ENERGY LOS ANGELES, INC | 2004                          | Y          | 9/6/2013     |          | P57067    | \$550.00           |
| 73691                            | WESTWOOD HORIZONS CORPORATION  | 1146.2                        |            | 9/18/2013    |          | P57994    | \$1,200.00         |
| 170215                           | WINDY COVE MARKET & GAS        | 461<br>203 (B)                |            | 9/6/2013     |          | P59925    | \$600.00           |
| 63155                            | WORLD OIL COMPANY #68          | 461(C)(1)(A)                  |            | 9/18/2013    |          | P59999    | \$420.00           |
| 165281                           | YANG'S CHEVRON                 | 41960.2<br>461                |            | 9/4/2013     |          | P61453    | \$350.00           |
| <b>TOTAL MSPAPP SETTLEMENTS:</b> |                                |                               |            |              |          |           | <b>\$41,845.00</b> |

| FAC ID                            | COMPANY NAME  | RULE NUMBER | RECLAIM ID | SETTLED DATE | ATTY INT | NOTICE NO | TOTAL SETTLEMENT |
|-----------------------------------|---|-------------|------------|--------------|----------|-----------|------------------|
| <b>HEARING BOARD SETTLEMENTS:</b> |   |             |            |              |          |           |                  |
| 147371                            | INLAND EMPIRE UTILITIES AGENCY<br>Hearing Board Case No. 5209-4<br>IEVA agrees to pay \$1,000/month for operation of equipment in violation of permit conditions.   | 203, 3002   |            | 9/4/2013     | KCM      | HRB2177   | \$1,000.00       |
| 147371                            | INLAND EMPIRE UTILITIES AGENCY<br>Hearing Board Case No. 5209-4<br>IEVA agrees to pay \$1,000/month for operation of equipment in violation of permit conditions.   | 203, 3002   |            | 9/12/2013    | KCM      | HRB2179   | \$1,000.00       |
| 49111                             | SUNSHINE CANYON LANDFILL<br>Hearing Board Case No. 3448-13<br>Settlement agreement states facility agrees to pay sum of \$2500/month for the ongoing operation of the facility's temp flare. Penalty is for July and August 2013. | 402         |            | 9/4/2013     | NAS      | HRB2176   | \$5,000.00       |
| 12505                             | VALLEY PRESBYTERIAN HOSPITAL<br>Hearing Board Case No. 5920-2<br>Facility must pay \$500/month it operates boilers during the Order for Abatement period.   | 1146        |            | 9/11/2013    | KCM      | HRB2178   | \$500.00         |

| FAC ID | COMPANY NAME  | RULE NUMBER    | RECLAIM ID | SETTLED DATE | ATTY INT | NOTICE NO | TOTAL SETTLEMENT |
|--------|---|----------------|------------|--------------|----------|-----------|------------------|
| 138372 | VERIZON WIRELESS<br>Hearing Board Case Nos. 5900-1 and 5660-4<br>Failure to install diesel particulate filters operating 6 ICEs greater than 50 bhp without control equipment in January 2013 | 203, 1470      |            | 9/3/2013     |          | HRB2175   | \$3,000.00       |
| 165209 | WESTCOAST PLATING, INC.<br>Hearing Board Case No. 5840-1<br>Stipulated penalty until permits obtained for plating line.   | 201, 203, 1469 |            | 9/3/2013     |          | HRB2174   | \$1,000.00       |

**TOTAL HEARING BOARD SETTLEMENTS: \$11,500.00**

## DISTRICT RULES AND REGULATIONS INDEX FOR SEPTEMBER 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 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 402 Nuisance (*Adopted 5/7/76*)

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*)

### REGULATION XI - SOURCE SPECIFIC STANDARDS

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 1171 Solvent Cleaning Operations (*Amended 10/8/99*)

### 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*)

**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**

41700         Violation of General Limitations

41960.2       Gasoline Vapor Recovery