

BOARD MEETING DATE: December 5, 2014

AGENDA NO. 20

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from October 1 through October 31, 2014, and legal actions filed by the General Counsel's Office from October 1 through October 31, 2014. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, November 21, 2014, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

---

No Civil Actions Filed

Attachments  
October 2014 Penalty Report  
Index of District Rules and Regulations

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

**October 2014 Settlement Penalty Report**

**Total Penalties**

<b>Civil Settlements:</b>	<b>\$394,700.00</b>
<b>SRV Settlements:</b>	<b>\$204,500.00</b>
<b>Miscellaneous Settlements:</b>	<b>\$47,500.00</b>
<b>MSPAP Settlements:</b>	<b>\$27,505.00</b>
<b>Hearing Board Settlements:</b>	<b>\$24,500.00</b>
<b>Total Cash Settlements:</b>	<b>\$698,705.00</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>
<b>Fiscal Year through October 2014 Cash Total:</b>	<b>\$1,054,867.66</b>
<b>Fiscal Year through October 2014 SEP Value Only Total:</b>	<b>\$0.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
<b>CIVIL SETTLEMENTS:</b>							
157616	ACE HARDWARE PAINT DIVISION	1113(C)(1)		10/21/2014	BTG	P57238	\$317,500.00
79201	AIRTEL CO	1146.2 1146.2		10/29/2014	NAS	P58159 P51636	\$20,000.00
62901	DOMESTIC LINEN SUPPLY CO INC	1146 1146		10/15/2014	MJR	P62452 P54848	\$12,200.00
139010	RIPON COGENERATION LLC	2012(C)(3)(A)		10/21/2014	BTG	P57816	\$5,500.00
171873	SAINT CYRIL OF JERUSALEM SCHOOL	1403		10/10/2014	RRF	P59576	\$1,500.00
161011	TACO BELL RSC	2202		10/15/2014	WBW	P50630	\$3,000.00
800288	UNIV CAL IRVINE	218, 3002(C)(1) 3002(C)(1)		10/23/2014	TRB	P59501 P59667	\$15,000.00
17956	WESTERN METAL DECORATING CO Two year civil probation and suspended penalty of \$30,000 to be paid if facility violates any District Rule or Regulation during the two year period.	2012, 3002(C)(1) 2012(E)(2)(B) 2004, 2012, 3002 2004 2004	Y	10/3/2014	TRB	P57861 P50349 P52272 P53122 P55668	\$20,000.00
<b>TOTAL CIVIL SETTLEMENTS:</b>		<b>\$394,700.00</b>					

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
--------	--------------	-------------	------------	--------------	----------	------------	------------------

**SELF-REPORTED SETTLEMENT:**

44873	A. C. D. INC Facility self-reported and paid settlement amount. Facility is under an Order for Abatement and shall pay \$2,500/month for ongoing operation of facility's engine beginning 12.15.14.	203		10/8/2014	KCM	SRV101	\$9,500.00
13770	CUSTOM BUILDING PRODUCTS	1168		10/16/2014	NSF	SRV102	\$195,000.00

**TOTAL SELF-REPORTED SETTLEMENT: \$204,500.00**

**MISCELLANEOUS SETTLEMENT:**

178634	PERFORMANCE FOODSERVICE OF SO CAL Facility violated ARB's Regulation for the Management of Global Warming Potential Refrigerants for Stationary Sources, California Code of Regulations, Title 17, Section 95380. A settlement of \$95,000 occurred and a portion went to the SCAQMD for investigation costs.			10/22/2014		MIS155	\$47,500.00
--------	--	--	--	------------	--	--------	-------------

**TOTAL MISCELLANEOUS SETTLEMENT: \$47,500.00**

**MSPAP SETTLEMENTS:**

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
147669	7080 HOLLYWOOD, LLC	1146.1		10/2/2014		P59367	\$1,600.00
110411	ARCO DLR, G & H GAS STATION	203(B), 461(C)(2)(B) 41960.2		10/10/2014		P62417	\$1,100.00
147798	BEVERLY HILLS UNIFIED SCHOOL DISTRICT	203 (A)		10/30/2014		P61235	\$1,100.00
173926	BPL 76 BPL GROUP INC.	203(B), 461(C)(2)(B) 41960.2		10/10/2014		P62425	\$900.00
169357	CIRCLE K STORES INC, SAMER ALI YAS	461, 41960.2		10/30/2014		P59334	\$575.00
130180	HAROLD WILLIS ENT, FOOD N FUEL #2	461(C)(2)(B) 203 (B)		10/17/2014		P59938	\$1,000.00
130180	HAROLD WILLIS ENT, FOOD N FUEL #2	461(C)(2)(B)		10/17/2014		P56848	\$300.00
149989	LINE-X OF NORTH HOLLYWOOD	109, 203 (A)		10/16/2014		P57472	\$950.00
146897	LOS ANGELES CO SHERIFF DEPARTMENT	1146.1 1415		10/2/2014		P58594	\$4,950.00
161492	LOS ANGELES DEPT OF WATER & POWER	Title 13		10/30/2014		P44876	\$100.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
162110	MEYMARIAN BROTHERS INC.	461 41960.2		10/2/2014		P61759	\$825.00
168501	NAZARIAN PETROLEUM INC	461		10/2/2014		P61753	\$500.00
160499	NIETO'S STATION	461		10/8/2014		P61495	\$450.00
142602	OLYMPIC LOFTS	203 (A)		10/21/2014		P60500	\$375.00
177218	ORANGE COAST INFINITI	203 (A) 109		10/2/2014		P58274	\$950.00
176590	SAFEPROBE INC	203 (A)		10/2/2014		P61902	\$800.00
176944	SAN BERNARDINO COUNTY, FLEET MGMT	203 (A)		10/23/2014		P52299	\$1,500.00
164420	SANTA MONICA SHELL	461 (E) (1)		10/16/2014		P62237	\$550.00
177300	SUPERIOR RECYCLING	403(D)(1)		10/23/2014		P59516	\$800.00
177571	TEAM AUTO PERFORMANCE	201 203 (A)		10/30/2014		P61704	\$800.00
164469	TOMAHAWK BUILDING LOFTS, LLC	203 (A)		10/29/2014		P60501	\$520.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
77114	TUSTIN CITY OF			10/3/2014		P60600	\$360.00
132404	ULTRAMAX			10/2/2014		P61479	\$300.00
132404	ULTRAMAX			10/2/2014		P61486	\$300.00
160523	UNITED FAMILY LLC			10/15/2014		P61498	\$3,500.00
109081	US TEXTILE PRINTING INC			10/23/2014		P62369	\$2,400.00

**TOTAL MSPAP SETTLEMENT: \$27,505.00**

**HEARING BOARD SETTLEMENTS:**

35188	3M COMPANY Hearing Board Case No. 5970-2 Penalty for ongoing operation of the facility's equipment in noncompliance until 9.15.15.			10/7/2014	KCM	HRB2243	\$4,000.00
-------	--	--	--	-----------	-----	---------	------------

<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>
136173	E/M COATING SERVICES Hearing Board Case No. 6002-1 Facility agrees to pay monthly monetary penalty until permanently cease use of the VOC control system.	1124 203 1147		10/2/2014	NAS	HRB2239	\$5,000.00
136173	E/M COATING SERVICES Hearing Board Case No. 6002-1 Facility agrees to pay monthly monetary penalty until permanently cease use of the VOC control system.	1147 1124 203		10/29/2014	NAS	HRB2247	\$5,000.00
54732	INLAND VALLEY REGIONAL MEDICAL CEN Hearing Board Case No. 5982-1 \$1000/month until permanently cease use of both boilers in noncompliance with Rule.	1146.2		10/7/2014	NAS	HRB2242	\$1,000.00
54732	INLAND VALLEY REGIONAL MEDICAL CEN Hearing Board Case No. 5982-1 \$1000/month until permanently cease use of both boilers in noncompliance with Rule.	1146		10/29/2014	NAS	HRB2246	\$1,000.00
155560	LA SALLE HIGH SCHOOL Hearing Board Case No. 5990-2 Facility to pay \$1500/month when noncompliant engine is operated (September penalty).	1470 1110.2		10/10/2014	TRB	HRB2244	\$1,500.00

<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>
172002	NEW CINGULAR WIRELESS PCS, LLC Hearing Board Case No. 5991-1 Facility's electrical box powering the cellular wireless communication tower was vandalized causing an emergency generator to operate to maintain power to the facility.	1110.2 1401 203		10/2/2014	NAS	HRB2240	\$5,000.00
114910	PROVIDENCE HOLY CROSS MEDICAL CTR. Hearing Board Case No. 5701-3 Beginning 12.15.13, facility to pay \$1000/month until they permanently cease use of all 3 Detroit Diesel ICEs in noncompliance with Rule 1479.	1470		10/3/2014	NAS	HRB2241	\$1,000.00
114910	PROVIDENCE HOLY CROSS MEDICAL CTR. Hearing Board Case No. 5701-3 Beginning 12.15.13, facility to pay \$1000/month until they permanently cease use of all 3 Detroit Diesel ICEs in noncompliance with Rule 1479.	1470		10/17/2014	NAS	HRB2245	\$1,000.00
<b>TOTAL HEARING BOARD SETTLEMENTS:</b>		<b>\$24,500.00</b>					

## DISTRICT RULES AND REGULATIONS INDEX FOR OCTOBER 2014 PENALTY REPORTS

### REGULATION I - GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions (*Amended 8/18/00*)

### 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 1/5/90*)

Rule 218 Continuous Emission Monitoring (*Amended 5/14/99*)

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

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

Rule 1130 Graphic Arts (*Amended 10/8/99*)

Rule 1124 Aerospace Assembly and Component Manufacturing Operations (*Amended 9/21/01*)

Rule 1130.1 Screen Printing Operations (*Amended 12/13/96*)

Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters (*Amended 11/17/00*)

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 NO<sub>x</sub> REDUCTIONS FROM MISCELLANEOUS SOURCES (9/08)

Rule 1168 Adhesive and Sealant Applications (*Amended 9/15/00*)

## **REGULATION XIV - TOXICS**

- Rule 1401 New Source Review Of Toxic Air Contaminants (*Amended 6/15/01*)
- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities (*Amended 4/8/94*)
- Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems (*Amended 10/14/94*)
- 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 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 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*)

## **CALIFORNIA HEALTH AND SAFETY CODE**

- 41960.2 Gasoline Vapor Recovery

## **CODE OF FEDERAL REGULATIONS**

- 40 CFR Protection of the Environment

## **CALIFORNIA CODE OF REGULATIONS**

- Title 13 Mobile Sources and Fuels