

BOARD MEETING DATE: February 6, 2015

AGENDA NO. 9

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Stationary Source, January 23, 2015, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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No Civil Actions Filed

Attachments  
December 2014 Penalty Report  
Index of District Rules and Regulations

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

**December 2014 Settlement Penalty Report**

**Total Penalties**

<b>Civil Settlements:</b>	<b>\$5,345,300.00</b>
<b>Self-Reported Settlements:</b>	<b>\$67,000.00</b>
<b>MSPAP Settlements:</b>	<b>\$41,118.00</b>
<b>Hearing Board Settlements:</b>	<b>\$11,000.00</b>
<b>Total Cash Settlements:</b>	<b>\$5,464,418.00</b>
<b>Total SEP Value:</b>	<b>\$299,000.00</b>
<b>Fiscal Year through December 2014 Cash Total:</b>	<b>\$6,704,551.66</b>
<b>Fiscal Year through December 2014 SEP Value Only Total:</b>	<b>\$299,000.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
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FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
<b>CIVIL SETTLEMENTS:</b>							
161754	DEAN FOODS OF SOUTHERN CAL LLC	41700 402 402 41700 41700 402 41700 402		12/16/2014	KCM	P59406 P57683 P59406 P59404 P59403  P57683 P59404	\$32,000.00
800189	DISNEYLAND RESORT	2012	Y	12/2/2014	NAS	P57814	\$2,500.00
148978	GOLDEN WEST LUBRICANTS	1144		12/2/2014	WBW	P55897	\$1,000.00
6384	LA CO., RANCHO LOS AMIGOS NAT. REHAB	1146		12/23/2014	RRF	P57289	\$50,000.00
800183	PARAMOUNT PETR CORP	1176 2012 2004 2011 2004 2004	Y	12/2/2014	TRB	P53796 P53791 P53782 P53791 P53783 P53791	\$24,500.00
169962	PECORA CORPORATION	1113(C)(1)		12/16/2014	WBW	P60323	\$5,600.00
3585	R. R. DONNELLEY & SONS CO	3002(C)(1)	Y	12/19/2014	BTG	P56322	\$1,500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
7757	REPUBLIC WASTE SERVICES OF SO CALIFORNIA	203 (B) 402, H&S Code 41700		12/16/2014	WBW	P53990 P53989	\$10,000.00
167981	TESORO LOGISTICS OPERATIONS LLC	462 462, 3002	Y	12/23/2014	KCM	P56566 P52623	\$8,400.00
142002	THE VILLAS AT PARK LA BREA	203 (A)		12/11/2014	KCM	P57932	\$8,800.00
6768	VERNON CITY, PUB WKS FAC	1470		12/4/2014	NSF	P62364	\$25,000.00
176758	WESTMINSTER HOMEOWNERS ASSOCIATION I	1146.1 201, 203 (A)		12/18/2014	KCM	P61701	\$1,000.00
<b>TOTAL CIVIL SETTLEMENTS:</b>							<b>\$170,300.00</b>

**SUPPLEMENTAL ENVIRONMENTAL PROJECTS:**

800335	LA CITY, DEPT OF AIRPORTS Cash: \$75,000; SEP: \$99,000 Department of Airports agrees to replace three gasoline powered passenger vehicles currently in use at LAX with	2004, 3002	Y	12/18/2014	NSF	P54976	\$174,000.00
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FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
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three 100% electric passenger vehicles to be completed within six months from the date of the settlement agreement (June 2, 2015).

18931	TAMCO Cash: \$5,100,000; SEP: \$200,000 SEP to be applied at the Rancho Cucamonga steel mill that will benefit air quality and include, but not limited to, the installation of equipment to reduce the emission of air contaminants beyond AQMD rule equipment; the purchase and use of electric or fuel cell vehicles; and/or installation of additional non-required air pollution monitoring equipment by December 31, 2015.	203, 3002 2012(C)(2)(A) 201, 2004 2012(I) 2012(C)(3)(A) 1420 2004 3002	Y	12/16/2014	NSF	P52187      P49165 P53133 P52187	\$5,300,000.00
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**TOTAL SEP SETTLEMENTS: \$5,474,000.00**

**SELF-REPORTED VIOLATIONS:**

46646	ARLON, MATERIALS FOR ELECTRONICS DIV	3002 203 1147		12/10/2014	NAS	SRV103	\$17,000.00
113518	BREA PARENT 2007,LLC	202, 203, 3002		12/16/2014	MJR	SRV104	\$50,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
<b>TOTAL SRV SETTLEMENTS:</b>		<b>\$67,000.00</b>					
<b>MSPAP SETTLEMENTS:</b>							
98727	ANAHEIM CITY		203 (A)	12/10/2014		P61856	\$990.00
171285	C T PROPANE 2		461, H&S Code 41960.2	12/2/2014		P62243	\$745.00
171285	C T PROPANE 2		461(C)(2)(B) 203 (B)	12/2/2014		P60222	\$705.00
145547	COSTA MESA OIL CO		203 (B)	12/2/2014		P62407	\$1,000.00
176986	ENTRAVISION		203 (A)	12/31/2014		P61427	\$5,000.00
177292	G & G INDUSTRIAL		203 (A)	12/10/2014		P56718	\$900.00
162543	GM CONCRETE PUMPING		203 (A)	12/10/2014		P59848	\$200.00
97250	HARTFIELD CONST		1403	12/23/2014		P61065	\$1,000.00
23401	HOOD MFG INC		3003	12/17/2014		P58273	\$200.00
77421	ISLAND RENTALS INC		461 (E) (2)	12/23/2014		P60705	\$300.00
168509	J. MCLOUGHLIN ENGINEERING CO., INC		403.1	12/23/2014		P56037	\$4,800.00
176321	L. A. PROPERTIES		1403	12/23/2014		P61064	\$850.00
5172	LA CITY, PARKS & REC DEPT		203 (B) 461 (E) (2)	12/10/2014		P59366	\$500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
34837	LA CO., FIRE DEPT CAMP #14	461		12/10/2014		P61310	\$1,500.00
175537	LOS ANGELES COUNTY FIRE DEPARTMENT	201, 461 203(A)		12/10/2014		P61311	\$2,000.00
154188	MAIN STREET VALERO	41960.2 461(C)(2)(B)		12/19/2014		P59345	\$510.00
85542	MANOR HEALTH CARE CORP	1146.2		12/2/2014		P58895	\$1,000.00
143584	NEW CINGULAR WIRELESS PCS, AT&T MOBI	203 (A)		12/2/2014		P61425	\$800.00
171321	ONTARIO FUEL	203 (B)		12/10/2014		P60913	\$500.00
171321	ONTARIO FUEL	203 (B)		12/10/2014		P60918	\$500.00
62724	ROBLES AUTOBODY	203 (A)		12/10/2014		P59515	\$1,000.00
144027	S & M SERVICE STATION, INC	461(C)(2)(B) H&S Code 41960.2		12/31/2014		P59314	\$638.00
58670	SAN JUAN SERVICE	461(C)(2)(B)		12/2/2014		P61654	\$750.00
156200	STAY GREEN, INC.	203(A)		12/16/2014		P44879	\$1,800.00
147620	SUNRIDER MANUFACTURING	1146		12/3/2014		P50734	\$2,900.00
173527	TARGET CORPORATION	201		12/30/2014		P61438	\$800.00
151937	TESORO S. COAST CO	461(C)(2)(B)		12/30/2014		P61657	\$750.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
168347	THE GEORGIAN HOTEL	1146.2		12/31/2014		P60124	\$640.00
137708	TLM PETRO LABOR FORCE INC	461 H&S Code 41954		12/17/2014		P60906	\$640.00
51097	UNITED OIL, RAPID GAS #5	203 (B)		12/19/2014		P59327	\$6,400.00
800265	UNIV OF SO CAL (EIS & NSR USE ONLY)	3002(C)(1)		12/19/2014		P62477	\$800.00

**TOTAL MSPAP SETTLEMENTS: \$41,118.00**

**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.	203, 1147, 1303		12/10/2014	KCM	HRB2254	\$4,000.00
155560	LA SALLE HIGH SCHOOL Hearing Board Case No. 5990-2 Facility to pay \$1500/month for every month the engine is operated.	1110.2, 1470		12/3/2014	TRB	HRB2251	\$1,500.00
155560	LA SALLE HIGH SCHOOL Hearing Board Case No. 5990-2 Facility to pay \$1500/month for every month the engine is operated.	1110.2, 1470		12/10/2014	TRB	HRB2252	\$1,500.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
155560	LA SALLE HIGH SCHOOL Hearing Board Case No. 5990-2 Facility to pay \$1500/month for every month the engine is operated.	1110.2, 1470		12/31/2014	TRB	HRB2258	\$1,500.00
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		12/17/2014	NAS	HRB2256	\$1,000.00
159780	ROXBURY MEDICAL TOWER Hearing Board Case No. 5977-1 Facility agrees to pay \$500 for each day it operates an ICE used to drive an emergency fire pump at its medical office under an Order for Abatement.	203		12/31/2014	KCM	HRB2257	\$500.00
173952	THE REHABILITATION CENTER OF BEVERLY Hearing Board Case No. 5996-2 Beginning 11.17.14, RCBH shall pay \$1,000/month until they permanently cease use of all three boilers in noncompliance with District Rule.	1146.2		12/10/2014	NAS	HRB2253	\$1,000.00

**TOTAL HEARING BOARD SETTLEMENTS: \$11,000.00**

## **DISTRICT RULES AND REGULATIONS INDEX FOR DECEMBER 2014 PENALTY REPORTS**

### **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 1/5/90)*

### **REGULATION IV - PROHIBITIONS**

- Rule 401      Visible Emissions *(Amended 9/11/98)*
- Rule 402      Nuisance *(Adopted 5/7/76)*
- Rule 403.1    Wind Entrainment of Fugitive Dust *(Amended 6/16/00)*
- 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 1110.2   Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines *(Amended 11/14/97)*
- Rule 1113      Architectural Coatings *(Amended 6/20/01)*
- Rule 1144      Metalworking Fluids And Direct-Contact Lubricants
- 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 1176      Sumps and Wastewater Separators *(Amended 9/13/96)*

### **REGULATION XIII - NEW SOURCE REVIEW**

- Rule 1303      Requirements *(Amended 4/20/01)*

## **REGULATION XIV - TOXICS**

- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities (*Amended 4/8/94*)
- Rule 1420 Emissions Standard for Lead (*Adopted 9/11/92*)
- 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 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*)
- Rule 3003 Applications (*Amended 3/16/01*)

## **CALIFORNIA HEALTH AND SAFETY CODE § 41700**

- 41700 Violation of General Limitations
- 41954 Compliance for Control of Gasoline Vapor Emissions
- 41960.2 Gasoline Vapor Recovery