

BOARD MEETING DATE: July 10, 2015

AGENDA NO. 24

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from May 1 through May 31, 2015, and legal actions filed by the General Counsel's Office from May 1 through May 31, 2015. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, June 19, 2015, Reviewed

RECOMMENDED ACTION:

Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

No Civil Actions Filed

Attachments

May 2015 Penalty Report

Index of District Rules and Regulations

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

May 2015 Settlement Penalty Report

Total Penalties

Civil Settlements:	\$419,545.77
MSPAP Settlements:	\$34,835.00
Hearing Board Settlements:	\$10,000.00
 Total Cash Settlements:	 \$464,380.77
Total SEP Value:	\$0.00
 Fiscal Year through May 2015 Cash Total:	 \$8,383,777.65
Fiscal Year through May 2015 SEP Value Only Total:	\$299,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
CIVIL SETTLEMENTS:							
159111	ATLANTIC TIMES SQUARE LLC	203 (A), 1470		5/20/2015	RRF	P58694	\$5,000.00
69081	BAXTER HEALTHCARE CORP., HYLAND DIV	203 (B), 1146		5/19/2015	NSF	P59375	\$18,000.00
177694	BERKELEY HALL SCHOOL	203 (A), 1470 203 (A), 222, 1470		5/27/2015	NSF	P60658 P60655	\$5,000.00
33837	BODYCOTE THERMAL PROCESSING	1147 1147 1147		5/21/2015	WBW	P58263 P58265 P58270	\$300,000.00
144590	CALIBER COLLISION CENTERS, CALIBER AC	3002(C)(1)		5/27/2015	SH	P60125	\$1,500.00
31915	CASABLANCA FAN COMPANY Cash received through Bankruptcy Claim No. 000136; Case No. 91-67258	203		5/7/2015	ERS	Z38130	\$3,328.33
107533	COTO DE CAZA GOLF & RACQUET CLUB	222, 1146.2 222, 1146.2		5/20/2015	RRF	P59664 P59668	\$35,000.00
136173	E/M COATING SERVICES	3002(C)(1)		5/26/2015	NAS	P61313	\$2,500.00
161081	FLORENCE RTM INC. Small Claims	461		5/7/2015	PH	P62332	\$300.00
160079	GACO WESTERN LLC	1113(C)(1)		5/7/2015	LBN	P60326	\$750.00
140486	GAS & GO, HARI ALIPURIA DBA Small Claims	461		5/14/2015	PH	P59949	\$600.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
142907	GREIF PACKAGING LLC	1147		5/20/2015	KCM	P61443	\$1,700.00
166475	HEMET VALLEY MEDICAL CENTER	42401		5/14/2015	NAS	P60044	\$1,000.00
72040	KTLA INC	1470		5/7/2015	RRF	P59362	\$2,000.00
49805	LA CITY, BUREAU OF SANITATION (LOPEZ CANYON)	203, 3002		5/19/2015	ML	P49846	\$1,200.00
550	LA CO., INTERNAL SERVICE DEPT	2004(F)(1), 3002(C)(1)	Y	5/26/2015	KCM	P57819	\$3,500.00
129063	LOWE'S HIW INC	1470 1470		5/14/2015	NSF	P62156 P62153	\$25,000.00
62731	MAXIMA ENTERPRISES, INC.	203(B)		5/5/2015	NAS	P53083	\$500.00
58495	MOBIL DLR, K KASHANI	203(B), 41960.2		5/5/2015	NAS	P62230	\$3,000.00
139836	NEW LOOK CLEANERS	203 203		5/28/2015	NSF	P60047 P60048	\$1,500.00
157059	RENAISSANCE CLUB SPORT	1470 1470		5/12/2015	WBW	P59672 P59673	\$6,292.44
176377	TESORO LOGISTICS MARINE TERMINAL 2	3002(C)(1)		5/14/2015	KCM	P57741	\$1,875.00

TOTAL CIVIL PENALTIES: \$419,545.77

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
MSPAP SETTLEMENTS:							
14148	A-1 ABRASIVE BLASTING	203 (A)		5/5/2015		P60701	\$1,200.00
177188	ALI OIL	461		5/12/2015		P59783	\$550.00
140813	AMERICAN FUEL	203 (B)		5/12/2015		P59773	\$2,520.00
168818	ARCO AMPM #83349, RANCHO PACIFIC	461		5/19/2015		P60920	\$800.00
168890	ARCO FAC #01981 - DUGAL PETROLEUM, IN	203(B), 461(C)(2)(B)		5/26/2015		P60909	\$1,350.00
175256	BEVERLY CENTER MOBIL	203 (B)		5/19/2015		P61773	\$400.00
137598	CARBON ACTIVATED CORPORATION	Title 13		5/5/2015		P62375	\$1,100.00
174192	COLLICUTT ENERGY SERVICES, INC	203(A)		5/5/2015		P44886	\$550.00
155368	COTT BEVERAGES	1146.1		5/7/2015		P52276	\$2,250.00
161331	CRYSTAL DRY CLEANERS	203 (B), 1421		5/20/2015		P60707	\$580.00
53162	DIMIC STEEL TECH, INC.	201, 203 (A), 203 (B)		5/12/2015		P57692	\$3,500.00
169585	ETIWANDA GAS MART	461, 41960.2		5/27/2015		P59782	\$420.00
124427	EXCALIBER FUELS # 5	461(C)(2)(B)		5/5/2015		P61659	\$500.00
39245	EXXONMOBIL DLR, MAL HUI LEE	461, 41960.2		5/5/2015		P60803	\$810.00
177741	FAITH & FLOWER	222		5/27/2015		P62479	\$100.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
162539	HANS ONESTOP ENTERPRISES INC	203 (B)		5/5/2015		P62345	\$800.00
170032	HASSAN & SONS INC	461, 41960.2		5/27/2015		P62434	\$600.00
124640	HIGHLAND CHEVRON, C H HOUSTON, LLC	461, 41960.2		5/7/2015		P59778	\$420.00
170585	HUDSON 6922 HOLLYWOOD, LLC	203 (A), 1470		5/27/2015		P59368	\$1,120.00
174130	IMPERIAL ENERGY, SOUAD ELBAIALY	203 (B), 461		5/29/2015		P61499	\$1,100.00
62862	IMPERIAL IRRIGATION DISTRICT/ COACHEL	3002(C)(1)		5/27/2015		P56040	\$250.00
173759	K & G READY MIX, INC	201, 203 (A)		5/5/2015		P58277	\$700.00
173759	K & G READY MIX, INC	403		5/5/2015		P58280	\$2,000.00
148451	MAGMA FINISHING CORPORATION	203 (A)		5/12/2015		P60407	\$550.00
171242	MAX CENTRAL CARSON, INC	461(C)(2)(B), 41960.2		5/19/2015		P60810	\$1,150.00
140738	MORENO VALLEY SERVICE STATION	461(C)(2)(B), 41960.2		5/19/2015		P59779	\$1,100.00
4242	SAN DIEGO GAS & ELECTRIC	2004	Y	5/29/2015		P57080	\$500.00
173061	SLAUSON @DEANE INC.	461, 41960.2		5/28/2015		P59343	\$1,200.00
173061	SLAUSON @DEANE INC.	461, 41960.2		5/28/2015		P60802	\$1,350.00
153913	STANTEC	203 (B) 203 (B)		5/7/2015		P54928 P54929	\$1,100.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
174947	THE EDISON RESTAURANT	222		5/19/2015		P62374	\$185.00
160952	TMIC GROUP- ROUTE 66 PIT CENTER	461		5/28/2015		P60926	\$1,040.00
163821	TONY MACIAS TREE EXPERTS	PERP 2460		5/29/2015		P62485	\$400.00
133928	ULTRAGLAS INC	203 (A)		5/26/2015		P61315	\$800.00
128724	VERSAY INC	461, 41960.2		5/22/2015		P59784	\$440.00
147246	WALPORT ENTERPRISES INC., ED O'SON	461(E)(2)(A)		5/28/2015		P61672	\$800.00
33824	WINALL OIL CO #2	461(C)(2)(B), 41960.2		5/28/2015		P60804	\$600.00

TOTAL MSPAP SETTLEMENT: \$34,835.00

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		5/19/2015	KCM	HRB2275	\$4,000.00
44873	A. C. D. INC Hearing Board Case No. 6003-1 Facility self-reported and is now on under a stipulated Order for Abatement for ongoing operation of facility engine in violation of Rule 203.	203		5/7/2015	KCM	HRB2273	\$2,500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
159199	SIC/LEED 1015 SANTA ANA LLC Hearing Board Case No. 6009-2 Facility operated a diesel-fueled ICE under an Order for Abatement beginning January 2015 thru May 2015 paying \$500 a month in civil penalties.	1470		5/26/2015	TRB	HRB2276	\$2,500.00
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		5/14/2015	NAS	HRB2274	\$1,000.00

TOTAL HEARING BOARD SETTLEMENTS: \$10,000.00

DISTRICT RULES AND REGULATIONS INDEX FOR MAY 2015 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 203 Permit to Operate (*Amended 1/5/90*)
- 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 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 1113 Architectural Coatings (*Amended 6/20/01*)
- 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 NOx REDUCTIONS FROM MISCELLANEOUS SOURCES (9/08)

REGULATION XIII - NEW SOURCE REVIEW

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

REGULATION XIV - TOXICS

- Rule 1421 Control of Perchloroethylene Emissions from Dry Cleaning Operations (*Amended 6/13/97*)
- 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*)

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements (*Amended 11/14/97*)

CALIFORNIA HEALTH AND SAFETY CODE § 41700

42401 Violation of Order for Abatement
41960.2 Gasoline Vapor Recovery

CALIFORNIA CODE OF REGULATIONS

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