

BOARD MEETING DATE: October 2, 2015

AGENDA NO. 19

REPORT: Civil Filings and Civil Penalties Report

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

COMMITTEE: Stationary Source, September 18, 2015, Reviewed

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

1 DRAKE LARSON dba MESQUITE ENTERPRISES, LLC
Riverside Superior Court
Case No. INS1501357; Filed: 8.6.15 (PH)
P59055
R. 204 - Permit Conditions
R. 444 - Open Fires

1 Violation

1 Case

Attachments

July and August 2015 Penalty Reports
Index of District Rules and Regulations

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

July 2015 Settlement Penalty Report

Total Penalties

Civil Settlements:	\$69,200.00
MSPAP Settlements:	\$42,525.00
Hearing Board Settlements:	\$4,600.00
Total Cash Settlements:	\$116,325.00
Total SEP Value:	\$0.00
Fiscal Year through July 2015 Cash Total:	\$116,325.00
Fiscal Year through July 2015 SEP Value Only Total:	\$0.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
CIVIL SETTLEMENTS:						
3417	AIR PRODUCTS & CHEMICALS INC.	2012 2004	7/14/2015	NSF	P34697	\$3,700.00
101656	AIR PRODUCTS AND CHEMICALS, INC.	2004, 3002(C)(1) 2004(F)(1)	7/14/2015	NSF	P57081	\$10,000.00
123664	AQUAMAR INC.	1146	7/9/2015	ML	P56722	\$5,500.00
141103	CITY OF ALHAMBRA/ALHAMBRA POLICE DEPARTMENT	203(B), 1470	7/7/2015	BTG	P48499	\$1,500.00
800056	KINDER MORGAN LIQUIDS TERMINALS, LLC	40 CFR, 401, 3002	7/7/2015	VKT	P34682	\$5,000.00
148676	MONROE SHELL, KEN GILBERT DBA	203(B)	7/28/2015	NSF	P59786	\$500.00
103838	NIKRAD ENTERPRISES INC #3	461(C)(2)(B), 41960.2 201, 203(A) 203(B), 461(C)(2)(B) 41960.2 461(C)(2)(B)	7/14/2015	NSF	P60806 P60817 P60813 P59346	\$8,500.00
8220	PROVIDENCE ST JOSEPH MEDICAL CENTER	PERP 2460	7/9/2015	KCM	P61714	\$2,500.00
132368	QG PRINTING CORP	3002	7/22/2015	NSF	P61192	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
32840	ROYAL TRUCK BODY INC	3002	7/22/2015	SH	P52992	\$500.00
89116	THERMO FISHER SCIENTIFIC	1146.2	7/22/2015	NSF	P62155	\$30,000.00
158079	TREMCO INC	1113(C)(1)	7/30/2015	LBN	P60321	\$500.00
TOTAL CIVIL SETTLEMENTS: \$69,200.00						
MSPAP SETTLEMENTS:						
166213	76 LAKEWOOD, ZIBA INVESTMENT CORP	461(C)(2)(B), 41960.2,	7/14/2015		P61951	\$550.00
173007	ALAMEDA FUEL	206, 461(C)(2)(B)	7/28/2015		P59320	\$3,190.00
173007	ALAMEDA FUEL	461	7/28/2015		P59349	\$2,060.00
178581	BNSF HIGHGROVE YARD	403	7/15/2015		P60451	\$10,000.00
172994	CIRCLE K #2709496	461, 41954, 41960.2	7/15/2015		P61666	\$1,170.00
178580	COMPLETE COACH WORKS	203 (A)	7/8/2015		P58097	\$2,310.00
166865	CSC TEAM	461(C)(2)(B), 41960.2	7/7/2015		P60818	\$1,235.00
116304	HIGHRIDGE CAR WASH	461(C)(1)(A), 41960.2	7/28/2015		P59309	\$650.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
178412	OPI PRODUCTS & COTY INC.	203(A), 1146.1, 1472	7/29/2015		P57475	\$1,750.00
160411	PETERSON CHASE GEN ENG CONSTRUCTION	PERP 2460	7/9/2015		P59676	\$375.00
8433	QUALITY FINISHING INC.	1147	7/7/2015		P61709	\$750.00
75865	R D BUILDERS, INC.	461, 41954	7/14/2015		P60928	\$1,250.00
117019	SHERMAN CAR, INC.	203 (B), 461	7/14/2015		P59317	\$1,400.00
153058	SKANSKA USA CIVIL WEST CA DISTRICT INC.	403	7/23/2015		P62006	\$2,000.00
177352	SUNBOA, INC.	203 (A)	7/16/2015		P60069	\$375.00
151937	TESORO S. COAST CO, EQUILLION DLR., R&M PAC #68	203, 461, 41960.2	7/7/2015		P62431	\$750.00
8935	TRAIL RITE INC.	3003	7/7/2015		P58282	\$500.00
172096	TRIUMPH STRUCTURES LOS ANGELES	203 (B)	7/23/2015		P59638	\$7,800.00
141769	VONS A SAFEWAY CO. #3138	201, 203	7/8/2015		P61317	\$2,850.00
178589	WOODLAND HILLS 76	203 (A)	7/22/2015		P60074	\$1,000.00
154943	XERXES PETROLEUM	461	7/7/2015		P61955	\$560.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
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MSPAP SETTLEMENTS: \$42,525.00

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	7/16/2015	KCM	HRB2283	\$4,000.00
72040	KTLA INC Hearing Board Case No. 6027-1 Facility will pay \$1000/month until noncompliant generator is removed from service and replaced with a compliant generator.	1470	7/16/2015	RRF	HRB2282	\$100.00
159199	SIC/LEED 1015 SANTA ANA LLC Hearing Board Case No. 6009-1 Beginning January 1, 2015 through period of O/A, should facility operate the emergency engine identified in settlement agreement, facility will pay \$500/month.	1470	7/8/2015	TRB	HRB2281	\$500.00

TOTAL HEARING BOARD SETTLEMENTS: \$7,500.00

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

August 2015 Settlement Penalty Report

Total Penalties

Civil Settlements:	\$521,568.49
MSPAP Settlements:	\$40,583.00
Hearing Board Settlements:	\$4,500.00
Total Cash Settlements:	\$566,651.49
Total SEP Value:	\$0.00
Fiscal Year through August 2015 Cash Total:	\$682,976.49
Fiscal Year through August 2015 SEP Value Only Total:	\$0.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
CIVIL SETTLEMENTS:						
161814	ALLENCO ENERGY INC.	203 (B), 1176 1176 402, 41700 203 (B), 206	8/25/2015	BTG	P61504 P61503 P61502 P50699	\$144,250.00
134227	ALTA III DRY CLEANERS, HO SUNG PARK	203 203	8/12/2015	NSF	P61188 P61186	\$1,000.00
800022	CALNEV PIPE LINE, LLC	3002	8/25/2015	BTG	P37236	\$1,500.00
22911	CARLTON FORGE WORKS	2004(F)(1), 3002(C)(1)	8/12/2015	BTG	P57644	\$342,500.00
104633	CHEVRON DLR, ABBAS ESLAMI Settlement includes a suspended penalty of \$1,000 that shall be paid if facility representative does not attend the District's Compliance Assistance Class for Rule 461 by December 4, 2015.	461 203(B), 461	8/21/2015	LBN	P59979 P59955	\$500.00
123974	CONSOLIDATED DISPOSAL SERVICES INC	402, 41700	8/4/2015	NAS	P57737	\$5,000.00
150463	MODERN MASTERS INC.	1113(C)(1)	8/14/2015	WBW	P60320	\$5,418.49
150397	RF MAC DONALD CO.	203, 1146	8/13/2015	WBW	P62750	\$10,000.00
161835	SANTA MONICA 405, INC. Small Claims settlement	461, 41960.2	8/12/2015	PH3	P35799	\$400.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
800278	SFPP, L.P. (NSR USE)	3002	8/25/2015	BTG	P37237	\$5,000.00
165306	SUPERIOR CLEANERS Settlement includes a suspended penalty of \$1500 to be paid if NOV is issued from June 15, 2015 through June 15, 2016 for any District rule violation and shall be in addition to a civil penalty for the new NOV.	203 (A) 203	8/20/2015	KCM	P60961 P60968	\$0.00
1/9/1966	WEBER METALS INC	3002(C)(1), 3004 3002	8/6/2015	RRF	P57144 P61448	\$6,000.00

TOTAL CIVIL SETTLEMENTS: \$521,568.49

MSPAP SETTLEMENTS:

149102	2000 AVE OF THE STARS/TRAMMELL CROW	203 (B)	8/5/2015		P60665	\$4,500.00
7/8/2007	AMERICAN MOBILE POWER CO.	PERP 2460	8/5/2015		P61712	\$450.00
156049	AMERICAS STYRENICS LLC	203(A), 203 (B)	8/26/2015		P60711	\$1,650.00
162379	ANIKAT GAS & FOOD INC.	461, 41960.2	8/25/2015		P59788	\$825.00
179857	APEX PARKS GROUP DBA BOOMERS	203 (A)	8/28/2015		P56730	\$550.00
68073	BEVERLY CLEANERS	203 (A), 1421	8/12/2015		P59643	\$1,540.00
179297	BURRO CANYON SHOOTING PARK	203 (A)	8/25/2015		P60854	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
139763	COMILLA CORP	461	8/25/2015		P60827	\$410.00
179534	COMMERCE CONSTRUCTION CO.	403(D)(1) 403(D)(2)	8/12/2015		P56041	\$3,850.00
102569	CONVENIENCE RETAILERS LLC # 2705248	461	8/14/2015		P36740	\$600.00
124414	ELITE SANDBLASTING, GILBERT NUNEZ	Title 13	8/19/2015		P60134	\$638.00
170704	ELMESIRY, INC. SM OIL	203	8/19/2015		P60825	\$400.00
168686	EXCEL CONSTRUCTION SERVICES, INC.	PERP 2460	8/28/2015		P59640	\$500.00
178597	INDEPENDENT CONSTRUCTION COMPANY	203	8/19/2015		P61190	\$1,600.00
177672	KOOS CLEANERS	203	8/5/2015		P50732	\$250.00
178156	KYLE NELSON	461	8/25/2015		P60915	\$600.00
179091	LA FARM LP	222	8/5/2015		P60133	\$100.00
148835	M & J UNION 76, RAFAAT R LUGA	203(B), 461	8/18/2015		P59785	\$350.00
60284	MAYA STEEL FABRICATIONS INC	203 (A)	8/14/2015		P62487	\$100.00
179197	MORLEY BUILDERS	PERP 2460	8/19/2015		P60510	\$375.00
178828	NATURAL ENVIRONMENTAL PROTECTION	403	8/14/2015		P61801	\$500.00
179535	OLTMANS CONSTRUCTION CO.	403(D)(1), 403(D)(2)	8/14/2015		P56042	\$1,650.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
151742	PALMIRA ASSOCIATES, INC.	461	8/5/2015		P60065	\$1,000.00
174882	PETROL X, INC.	461, 41960.2	8/28/2015		P60073	\$500.00
112907	ROSEMEAD OIL CO.	203	8/19/2015		P61662	\$10,000.00
105598	SENIOR AEROSPACE SSP	203 (B)	8/25/2015		P61713	\$1,600.00
86630	SIERRA VISTA	203 (A)	8/18/2015		P61554	\$800.00
155559	SUNSTATE EQUIPMENT CO.	Title 13 PERP 2460	8/18/2015		P44890	\$400.00
152001	TESORO S.COAST, S.KIM, MARGUERIT, #6	203(B), 461(C)(2)(B)	8/19/2015		P62427	\$1,100.00
179255	THE R.J. NOBLE COMPANY	403 403	8/12/2015		P52994 P52993	\$2,195.00
28330	WORLD OIL CO SS# 34	461	8/18/2015		P61254	\$1,000.00

MSPAP SETTLEMENTS: \$40,583.00

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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	8/14/2015	KCM	HRB2285	\$4,000.00
159199	SIC/LEED 1015 SANTA ANA LLC Hearing Board Case No. 6009-1 Beginning January 1, 2015 through period of O/A, should facility operate the emergency engine identified in settlement agreement, facility will pay \$500/month.	1470	8/4/2015	TRB	HRB2284	\$500.00

TOTAL HEARING BOARD SETTLEMENTS: \$4,500.00

**DISTRICT RULES AND REGULATIONS INDEX
FOR JULY AND AUGUST 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 206 Posting of Permit to Operate (*Amended 10/8/93*) *Explains how and where permits are to be displayed.*
- 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 401 Visible Emissions (*Amended 9/11/98*)
- 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*)

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)
- 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 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

Rule 1472. Requirements for Facilities with Multiple Stationary Emergency Standby Diesel Fueled Internal Combustion Engines

REGULATION XX REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements (*Amended 5/11/01*)

Rule 2005 New Source Review for RECLAIM (*Amended 4/20/01*)

Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions (*Amended 5/11/01*)

REGULATION XXX - TITLE V PERMITS

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

Rule 3003 Applications (*Amended 3/16/01*)

Rule 3004 Permit Types and Content (*Amended 12/12/97*)

CALIFORNIA HEALTH AND SAFETY CODE § 41700

41700 Violation of General Limitations

41954 Compliance for Control of Gasoline Vapor Emissions

41960.2 Gasoline Vapor Recovery

CALIFORNIA CODE OF REGULATIONS

Title 13 Mobile Sources and Fuels

PERP 2460 Portable Equipment Testing Requirements