

BOARD MEETING DATE: June 3, 2016

AGENDA NO. 18

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from April 1 through April 30, 2016, and legal actions filed by the General Counsel's Office from April 1 through April 30, 2016. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, May 20, 2016, Reviewed

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

- | | |
|---|--|
| 1 | OCCIDENTAL TOWER APARTMENTS
Los Angeles County Superior Court
Case Number: 16K04021; Filed: 4.1.16 (NAS)
P58191
R. 1146.2 - Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers |
| 1 | SHAATH and OUDEH ENTERPRISES dba ARCO AM/PM
Superior Court of Riverside
Case Number: R1604299; Filed: 4.13.16 (NSF)
P60923
R. 203 – Permit to Operate
R.461 – Gasoline Transfer and Dispensing |

1 NELCO PRODUCTS, INC.
County of Orange Superior Court
Case Number: 30-2016-008-46497-CU-MC-CJC; Filed: 4.15.16 (BB)
P56315
R. 203 – Permit to Operate
R. 2004 – RECLAIM Requirements

3 Cases

3 Violations

Attachments

April 2016 Penalty Report

Index of District Rules and Regulations

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

April 2016 Settlement Penalty Report

Total Penalties

Civil Settlements:	\$460,250.00
SRV Settlements:	\$500.00
MSPAP Settlements:	\$32,260.00
Total Cash Settlements:	\$493,010.00
Total SEP Value:	\$42,555.00
Fiscal Year through April 2016 Cash Total:	\$2,763,548.17
Fiscal Year through April 2016 SEP Value Only Total:	\$42,555.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
CIVIL SETTLEMENTS:						
119907	BERRY PETROLEUM COMPANY	2004(b)(1), 2004(b)(4) 2004(d)(1)	4/12/2016	BTG	P62054	\$25,000.00
70481	CITY OF GLENDALE, FIRE STATION #24	1470	4/12/2016	LN	P60853	\$500.00
174248	CITY OF SEAL BEACH Facility representative must attend a Rule 1403 Class by June 22, 2016 and provide proof of attendance.	1403	4/7/2016	BTG	P53078	\$500.00
177691	GALICIA'S PAINTING	1403	4/19/2016	NAS	P33594	\$1,000.00
178165	HEIDARI CONSTRUCTION	1403	4/15/2016	RRF	P53085	\$2,500.00
147371	INLAND EMPIRE UTILITIES AGENCY	3002	4/20/2016	NSF	P64500	\$1,500.00
48522	INTERNATIONAL RECTIFIER HEXFET AMERIC	203(B)	4/21/2016	MJR	P59508	\$2,000.00
45709	IPS CORPORATION	1168(C)(1), 1171(c)(1)	4/1/2016	KCM	P60331	\$25,000.00
174245	JEFFREY SCOTT FICKS	1403	4/12/2016	BTG	P61355	\$1,500.00
177448	KLATCH COFFEE	1147 201, 203(A), 1147	4/1/2016	WBW	P62020 P62016	\$250.00
157928	LIFEGUARD WATERPROOFING PRODUCTS, INC	1113(C)(1)	4/21/2016	WBW	P60345	\$1,500.00
177590	MANN LIVING TRUST/JULIE GABBETT	1403, 40 CFR	4/19/2016	NAS	P33593	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
159291	MIKE BUBALO CONSTRUCTION Facility representative must attend a Rule 1403 Class by June 22, 2016 and provide proof of attendance.	1403	4/7/2016	BTG	P53077	\$500.00
154233	MP AUTO BODY SHOP	109, 203 (A)	4/20/2016	MJR	P56898	\$500.00
40483	NELCO PROD. INC	REGXX	4/19/2016	BBB	P56315	\$9,000.00
144089	NEW CINGULAR WIRELESS PCS, AT&T MOBIL	1470	4/15/2016	NSF	P61802	\$97,500.00
112853	NP COGEN INC	2004, 2012	4/7/2016	VKT	P57375	\$300.00
158910	RANCHO LPG HOLDINGS, LLC	1173	4/1/2016	NSF	P61509	\$3,500.00
172857	ROOP CORPORATION	203(b), 461(c), 461(c)(2)(B) 203(b), 461(c), 461(c)(2)(B) 461, 461(c), 461(c)(1)(A) 203(b), 461, 461(c)(2)(B) 203(b), 461	4/1/2016	NSF	P60841 P60847 P60849 P59323	\$6,500.00
117227	SHCI SM BCH HOTEL LLC, LOEWS SM BCH H	2004(F)(1), 2012 2004	4/21/2016	NSF	P62800 P14151	\$15,000.00
114801	SOLVAY USA, INC.	402, 3002(C)(1), 41700	4/27/2016	BTG	P57744	\$115,000.00
11119	THE GAS CO./ SEMPRA ENERGY Includes self-reported violation.	2004, 2012 2012 2004 2004	4/15/2016	KCM	P51982 P37233 P55534 P51980 SRV 114*	\$150,000.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
154445	WILMINGTON PARK INC	461(c), 461(c)(B), 41960.2	4/21/2016	PH	P60840	\$200.00

TOTAL CIVIL PENALTIES: \$460,250.00

SELF-REPORTED VIOLATION SETTLEMENTS:

12155	ARMSTRONG WORLD INDUSTRIES Under reporting emissions.		4/12/2016	MJR		\$500.00
11119	THE GAS CO./ SEMPRA ENERGY* Included as part of civil settlement of four NOV's		4/15/2016	KCM		

TOTAL SRV SETTLEMENT: \$500.00

SUPPLEMENTAL ENVIRONMENTAL PROJECTS:

2812	LA CO.,DEPT OF PUBLIC WORKS, EL MONTE AIRPORT Cash: \$0.00; SEP: \$42,555.00 Facility purchased a commercial grade electric lawnmower with a mulching deck for \$22,615 and retrofitted the airport's emergency generator's diesel engine with a diesel filter at a cost of \$19,940. Facility must also submit quarterly reports for two years beginning April 5, 2016 through April 5, 2018.	1470	4/21/2016	WBW	P57292	\$42,555.00
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TOTAL SEP SETTLEMENTS: \$42,555.00

MSPAP SETTLEMENTS:

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
179498	AMERICAN INTEGRATED SERVICES, INC	221, 1166	4/28/2016		P63551	\$1,925.00
179498	AMERICAN INTEGRATED SERVICES, INC	403	4/28/2016		P63553	\$785.00
151081	ARCO #06502, SAINI, INC.	203 (B)	4/28/2016		P63202	\$1,500.00
74094	ARCO DLR, D VERDI & S YASHARIM	461(c), 41954, 41960.2 461(C)(2)(B)	4/28/2016		P61274	\$300.00
107944	ARCO DLR, MOHAMMAD AMIN, H&M INC, DBA	461(c), 41960.2	4/28/2016		P61691	\$1,450.00
181419	CRAIG DEVELOPMENT CORPORATION	403(D)(1), 403(D)(2)	4/28/2016		P61566	\$2,200.00
109236	DOSHI'S ALCO INC	203(B), 461(c), 41960.2	4/28/2016		P63103	\$300.00
151118	IBR INC.	203(B), 461(c), 461(c)(2) 461(C)(2)(B), 41960.2	4/7/2016		P63019	\$750.00
147772	KEROMINA MARKET PLACE INC	461(C)(2)(B), 41960.2	4/28/2016		P63208	\$450.00
127621	LA CO, FIRE DEPT #187	41960.2 461(c), 461(C)(2)(B)	4/28/2016		P63703	\$1,000.00
25649	LA CO., FIRE STA #3	461	4/28/2016		P64106	\$1,500.00
177549	MARINA SHELL #1	461(c), 41954, 41960.2 461(C)(2)(B)	4/28/2016		P61982	\$550.00
171315	MASTER CUSTOM CABINETS	109, 203(B)	4/28/2016		P64101	\$1,750.00

FAC ID	COMPANY NAME	RULE NUMBER	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
181319	MOOREFIELD CONSTRUCTION, INC	403(D)(1), 403(D)(2)	4/28/2016		P56043	\$500.00
156658	O.M.S.R. INVESTMENT LLC	461(C)(2)(A)	4/28/2016		P63010	\$600.00
148579	SAMMY'S SHELL, HANI QAMMOUH	461(c), 41954, 41960.2	4/28/2016		P61276	\$3,750.00
72512	SAN BERN. CO, OFF OF MGMT SERVICE	203	4/28/2016		P61564	\$700.00
108687	SEACLIFF COUNTRY CLUB/AMERICAN GOLF CLUB	222	4/28/2016		P63851	\$4,000.00
127043	SPECTRUM HOTEL GROUP LLC/DOUBLETREE HOTEL	1146.2	4/28/2016		P63601	\$1,600.00
169441	STAR CLEANERS, TERESA ALVAREZ	203(A), 1102	4/28/2016		P64053	\$800.00
171669	TESORO (USA) 63306	461(C)(2)(B), 41960.2	4/28/2016		P64252	\$550.00
171690	TESORO 63264	461(c), 41960.2	4/28/2016		P64301	\$1,100.00
181065	TIMBERLINE CONSTRUCTION INC.	403(D)(1), 403(D)(2)	4/28/2016		P64057	\$1,600.00
143205	US PETRO, INC/CHEVRON FONTANA	461(C)	4/28/2016		P63109	\$1,800.00
133145	ZIBA INVESTMENT CORP	461(E)(2)(C)	4/28/2016		P58288	\$800.00

TOTAL MSPAP SETTLEMENTS: \$32,260.00

**DISTRICT RULES AND REGULATIONS INDEX
FOR APRIL 2016 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 221 Plans (*Adopted 1/4/85*)

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*)

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1102 Petroleum Solvent Dry Cleaners (*Amended 11/17/00*)

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

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

Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil (*Amended 5/11/01*)

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

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

Rule 1173 Fugitive Emissions of Volatile Organic Compounds (*Amended 5/13/94*)

REGULATION XIV – TOXICS

- Rule 1403 Asbestos Emissions from Demolition/Renovation Activities (*Amended 4/8/94*)
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_x) Emissions
(*Amended 5/11/01*)

REGULATION XXX - TITLE V PERMITS

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

CALIFORNIA HEALTH AND SAFETY CODE § 41700

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

CODE OF FEDERAL REGULATIONS

40 CFR – Protection of the Environment