

BOARD MEETING DATE: March 3, 2023

AGENDA NO. 10

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from January 1 through January 31, 2023. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: Stationary Source, February 17, 2023, Reviewed

RECOMMENDED ACTION:
Receive and file.

Bayron T. Gilchrist
General Counsel

BTG:cr

There are no Civil Filings for January 2023

Attachments

January 2023 Penalty Report

Index of South Coast AQMD Rules and Regulations

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

Settlement Penalty Report (01/01/2023 - 01/31/2023)

Total Penalties

Civil Settlement: \$1,447,662.81
MSPAP Settlement: \$3,813.00

Total Cash Settlements: \$1,451,475.81

Fiscal Year through 01/31/2023 Cash Total: \$3,891,019.44

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs/Case Nbrs	Total Settlement
Civil						
141126	AM/PM OF DIAMOND BAR	461, HSC 41960.2	01/04/2023	GV	P69615	\$2,789.66
183832	AST TEXTILE GROUP, INC.	1100, 2004, 2005, 2012	01/26/2023	SH	P66126, P68659, P74253, P74256, P74259, P74261, P74268	\$98,500.08
117912	AVIBANK MANUFACTURING INC.	2202	01/20/2023	SH	P66977	\$1,000.00
800030	CHEVRON PRODUCTS CO.	40 CFR 63.670, 218, 401, 1118, 1173, 1176, 3002, HSC 41701	01/24/2023	BT	P65625, P65626, P65627, P65628, P65629, P65630, P67837, P67839, P75051	\$266,000.00
186899	ENERY HOLDINGS LLC	2004, 2012, 2012 Appendix A, 3002(C)(1)	01/06/2023	SH	P66066, P66072, P66076, P66173	\$12,000.00
124838	EXIDE TECHNOLOGIES	203, 221, 430, 1407, 1420, 2004, 3002, 3004, HSC 42401	01/20/2023	BTG	<u>In re: Exide Technologies, Inc.</u> , U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case); United States Court of Appeals, Third Circuit, Case No. 20-1858	\$349,923.07
176901	FARHA ENTERPRISERS, INC.	203, 461	01/05/2023	RM	P67212, P70358, P70364	\$1,250.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs/Case Nbrs	Total Settlement
Civil						
113160	HILTON COSTA MESA	2004	01/19/2023	JL	P70003	\$5,400.00
183591	INDY'S DEMOLITION	1403	01/06/2023	SH	P69433	\$5,500.00
8547	QUEMETCO INC.	40 CFR 63.544, 1420.1, 2004, 3002(C)(1)	01/24/2023	JL	P67058, P76066	\$35,000.00
174591	TESORO REF & MKTG CO LLC,	1155, 1158, 2004, 3002	01/26/2023	KCM	P67926, P67950, P74506	\$4,500.00
151798	TESORO REF & MKTG CO LLC CO.	221, 1118, 3002	01/24/2023	KCM	P67805, P67806, P68969, P68970,	\$5,000.00
195521	TRANE TECHNOLOGIES	1111	01/24/2023	MR	SRV2020-00060	\$660,800.00
Total Civil Settlements: \$1,447,662.81						
MSPAP						
172792	EL SEGUNDO OIL, LLC	1173	01/06/2023	MT	P73352	\$2,477.00
156061	INC.	461	01/06/2023	MT	P69880	\$1,336.00
Total MSPAP Settlements: \$3,813.00						

SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX
JANUARY 2023 PENALTY REPORT

REGULATION II - PERMITS

Rule 203 Permit to Operate
Rule 218 Continuous Emission Monitoring
Rule 221 Plans

REGULATION IV - PROHIBITIONS

Rule 401 Visible Emissions
Rule 430 Breakdown Provisions
Rule 461 Gasoline Transfer and Dispensing

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1100 Implementation Schedule for NOx Facilities
Rule 1111 NOx Emissions from Natural-Gas-Fired, Fan-Type Central Furnaces
Rule 1118 Emissions from Refinery Flares
Rule 1155 Particulate Matter Control Devices
Rule 1158 Storage, Handling and Transport of Petroleum Coke
Rule 1173 Fugitive Emissions of Volatile Organic Compounds
Rule 1176 Sumps and Wastewater Separators

REGULATION XIV - TOXICS

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities
Rule 1407 Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Ferrous Metal Melting Operations
Rule 1420 Emissions Standard for Lead
Rule 1420.1 Emissions Standards for Lead from Large Lead-Acid Battery Recycling Facilities

REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)

Rule 2004 Requirements
Rule 2005 New Source Review for RECLAIM
Rule 2012 Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions
Rule 2012 Appx. A Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

REGULATION XXII ON - ROAD MOTOR VEHICLE MITIGATION

Rule 2202 On-Road Motor Vehicle Mitigation Options

REGULATION XXX - TITLE V PERMITS

Rule 3002 Requirements
Rule 3004 Permit Types and Content

CODE OF FEDERAL REGULATIONS

40 CFR 63.544 Standards for Total Enclosure for NESHAPs from Secondary Lead Smelting
40 CFR 63.670 Requirements for Flare Control Devices

CALIFORNIA HEALTH AND SAFETY CODE

41701 Restricted Discharges
41960.2 Gasoline Vapor Recovery
42401 Violation of Order for Abatement