

BOARD MEETING DATE: September 4, 2015

AGENDA NO. 19

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from June 1 through June 30, 2015, and legal actions filed by the General Counsel's Office from June 1 through June 30, 2015. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, July 24, 2015, Reviewed

RECOMMENDED ACTION:
Receive and file this report.

Kurt R. Wiese
General Counsel

KRW:lc

Violations

Civil Actions Filed

3	LOHARPUL, INC., dba McFADDEN GASOLINE Central Justice Center (Orange) Case No. 30-2015-00794133-SC-SC-CJC; Filed: 6.18.15 (PH) P62424, P59328, P60800 R. 203 – Permit to Operate R. 206 - Posting of Permit to Operate R. 461 - Gasoline Transfer and Dispensing
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3 Violations

1 Case

Attachments

June 2015 Penalty Report

Index of District Rules and Regulations

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

June 2015 Settlement Penalty Report

Total Penalties

Civil Settlements:	\$321,620.59
Miscellaneous Settlements:	\$2,400.00
MSPAP Settlements:	\$41,405.00
Hearing Board Settlements:	\$7,500.00
Total Cash Settlements:	\$372,925.59
Total SEP Value:	\$60,000.00
Fiscal Year through June 2015 Cash Total:	\$8,756,703.24
Fiscal Year through June 2015 SEP Value Only Total:	\$359,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
CIVIL SETTLEMENTS:							
130543	8750 WILSHIRE ASSOCIATES, LP	1470 1470		6/26/2015	NSF	P60963 P60957	\$5,000.00
160080	AERVOE INDUSTRIES INC	1113(C)(1)		6/19/2015	WBW	P60309	\$3,670.59
177424	BROTHERS HAULING	1403		6/23/2015	KCM	P60158	\$3,500.00
16389	CEDARSSINAI MEDICAL CTR	3002(C)(1) 3002		6/25/2015	AJO	P57999 P60131	\$25,000.00
178449	EL TORO PLAZA L.P.	1403		6/17/2015	WBW	P53086	\$6,000.00
105334	HOLLYWOOD ROOSEVELT HOTEL	1470		6/9/2015	RRF	P59369	\$10,000.00
126219	HYEFLO	461		6/11/2015	NSF	P61472	\$2,500.00
134018	INDUSTRIAL CONTAINER SERVICESCA LLC	3002(C)(1)	Y	6/2/2015	SH	P60504	\$1,000.00
800170	LA CITY, DWP HARBOR GENERATING STATION	2004, 2012 2004, 2012 3002	Y	6/9/2015	NAS	P55537 P55548 P55537	\$19,000.00
172505	LOHARPUL, INC. DBA MCFADDEN GASOLINE	203(A), 203(B), 461(C)(2)(B) 461 (E) (1) 203, 203(A), 206, 461(C)(2)(B)		6/26/2015	PH	P59328 P60800 P62424	\$1,900.00
5887	NEXGEN PHARMA INC	3002		6/11/2015	SH	P58898	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
141473	NONG SHIM AMERICA, INC	203, 203 (A), 1146 203 (A), 203(B)		6/5/2015	KCM	P56717 P56721	\$112,500.00
138034	RAINBOW SANDALS CORP	109, 203 (A), 203(B), 442 203(A), 203 (B)		6/3/2015	TRB	P59661 P59663	\$12,900.00
800182	RIVERSIDE CEMENT COMPANY		3002	6/23/2015	TRB	P54975	\$1,000.00
140316	SUNRISE OF SAN GABRIEL		1470 1470	6/10/2015	WBW	P58595 P58599	\$6,000.00
154445	WILMINGTON PARK INC Small Claims		461	6/11/2015	PH	P61489	\$650.00

TOTAL CIVIL SETTLEMENTS: \$211,620.59

SUPPLEMENTAL ENVIRONMENTAL PROJECTS:

150216	BREITBURN OPERATING LP Cash: \$110,000; SEP: \$60,000 By July 2, 2015; Breiture shall enter into a contract with ARCA to fund ARCA to recycle and replace old, inefficient residential household refrigerators for dismantling and processing at its Compton facility for a minimum of two years.	203(B), 462(D)(1)(A)		6/23/2015	NAS	P56984	\$170,000.00
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TOTAL SEP SETTLEMENT: \$170,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
MSPAP SETTLEMENTS:							
149102	2000 AVE OF THE STARS/TRAMMELL CROW C	203 (B), 1415		6/3/2015		P60660	\$4,000.00
178889	AFCO DEVELOPMENT INC.	403(D)(1), 403(D)(2)		6/23/2015		P61711	\$3,850.00
165878	AVALON ARCO & SN MART	461(C)(2)(B)		6/11/2015		P59348	\$1,200.00
169632	BELL GAS	461(C)(2)(B), 41960.2		6/23/2015		P61954	\$825.00
173861	BLUE DEVILS LESSEE, LLC	203		6/2/2015		P60967	\$1,000.00
76120	CAL ST, WATER RESOURCES DEPT	203 (B)		6/17/2015		P61551	\$550.00
102137	CIRCLE K STORES INC., #5221	461, 41954, 41960.2		6/24/2015		P61663	\$900.00
122876	COMMERCE CITY	403(D)(1), 403(D)(2) 403(D)(1)		6/18/2015		P60508 P60513	\$6,000.00
172250	CORONA FUELING & ELECTRIC, INC	461, 41954		6/4/2015		P60912	\$690.00
29853	ELECTRO CONSTRUCTION CORPORATION	PERP 2460		6/2/2015		P62484	\$500.00
145620	ENTERTAINMENT CENTER LLC	203 (A)		6/3/2015		P60659	\$200.00
141471	FERNANDO NUNEZ	PERP 2460		6/11/2015		P60511	\$350.00
131380	FOOD 4 LESS #354	203 (B)		6/11/2015		P60067	\$600.00
175966	GARDENA CAPITAL LLC GARDENA MOBIL MAR	461		6/11/2015		P59322	\$130.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
148907	GILL AND SUMRA, INC./H&K GAS & GROCER		461	6/11/2015		P60071	\$150.00
115355	HAT PETROLEUM	461 (E) (1), 41960.2		6/24/2015		P61658	\$450.00
115355	HAT PETROLEUM	461 (E) (1)		6/24/2015		P62429	\$450.00
161383	HIGHLAND PARK OIL INC	203 (A), 461		6/11/2015		P60061	\$150.00
177285	JULIO ORTIZ AGUIRE	203 (A)		6/12/2015		P55648	\$300.00
2338	LOS ANGELES NATIONAL CEMETARY	203 (A)		6/5/2015		P60132	\$1,350.00
148835	M & J UNION 76, RAFAAT R LUGA	461, 41960.2		6/10/2015		P59777	\$520.00
141324	RODRIGUEZ SANDBLASTING, C. RODRIGUEZ	203 (A)		6/16/2015		P59674	\$375.00
10267	SAINT MARY'S MEDICAL CENTER	204, 221, 1146		6/25/2015		P59714	\$7,900.00
175641	SARO GHAZERI	461		6/11/2015		P61956	\$400.00
56747	SUPERFINE	461		6/10/2015		P60072	\$800.00
147549	VALERO, THREE FOUR INC.	203		6/17/2015		P60823	\$1,000.00
116953	VALLEY BLVD PRP INC, UNION 76 MINI MK	203(B), 461(C)(2)(B)		6/2/2015		P60921	\$1,440.00
146496	VULCAN MATERIALS COMPANY	403 403		6/16/2015		P57699 P57698	\$1,925.00
40674	WEBB'S AUTO & TRUCK SERVICE, R. WEBB	461(C)(2)(B)		6/16/2015		P61953	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
125302	WESTERN STATES ENGINEERING & CONSTRUCTION		461	6/23/2015		P62348	\$1,600.00
28653	WINALL OIL CO #11		461	6/12/2015		P62346	\$800.00

MSPAP SETTLEMENTS: \$41,405.00

MISCELLANEOUS SETTLEMENTS:

175512	B/E AEROSPACE DBA TEKLAM CORP. This matter was brought to Prosecutor's Office by Area Sources. The facility was in violation of District Rules pertaining to the operation of two heaters through and including June 12, 2015.	203, 222, 1146.2		6/5/2015	KCM	MIS157	\$2,400.00
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TOTAL MISCELLANEOUS SETTLEMENT: \$2,400.00

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		6/12/2015	KCM	HRB2279	\$4,000.00
44873	A. C. D. INC Hearing Board Case No. 5970-2 Penalty for ongoing operation of the facility's equipment in noncompliance until 9.15.15.	203, 1147, 1303		6/2/2015	KCM	HRB2278	\$2,500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO.	TOTAL SETTLEMENT
118984	NORTHRIDGE HOSPITAL MEDICAL CENTER Hearing Board Case No. 6004-2 Penalty relates to the settlement of NOV P62151. Northridge agreed to pay \$1000/month for continuous use of two broilers out of compliance with District rule.		1146	6/2/2015	NAS	HRB2277	\$1,000.00

TOTAL HEARING BOARD SETTLEMENTS: \$7,500.00

DISTRICT RULES AND REGULATIONS INDEX FOR JUNE 2015 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 203 Permit to Operate (*Amended 1/5/90*)

Rule 204 Permit Conditions (*Amended 10/8/93*)

Rule 206 Posting of Permit to Operate (*Amended 10/8/93*) *Explains how and where permits are to be displayed.*

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 403 Fugitive Dust (*Amended 12/11/98*) *Pertains to solid particulate matter emitted from man-made activities.*

Rule 442 Usage of Solvents (*Amended 12/15/00*)

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 1146.2 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 1403 Asbestos Emissions from Demolition/Renovation Activities (*Amended 4/8/94*)

Rule 1415 Reduction of Refrigerant Emissions from Stationary Refrigeration and Air Conditioning Systems (*Amended 10/14/94*)

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

41954 Compliance for Control of Gasoline Vapor Emissions

41960.2 Gasoline Vapor Recovery

CALIFORNIA CODE OF REGULATIONS

PERP 2460 Portable Equipment Testing Requirements