

BOARD MEETING DATE: January 6, 2023

AGENDA NO. 9

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from November 1 through November 30, 2022. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:  
Receive and file.

Bayron T. Gilchrist  
General Counsel

BTG:cr

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|   | <u>Civil Filings</u> | <u>Violations</u> |
|---|----------------------|-------------------|
| 1. Larson's Shipyard<br>Orange County Superior Court – Small Claims<br>Case No.: 30-2022-01292236-SC-SC-CJC; Filed 11.17.22 (GV)<br>P66979 and P66981<br>R. 109(c) – Recordkeeping for Volatile Organic Compound<br>Emissions |                      | 1                 |
|   |                      | 1 Violation       |

**Attachments**

November 2022 Penalty Report  
Index of South Coast AQMD Rules and Regulations

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

**Settlement Penalty Report (11/01/2022 - 11/30/2022)**

Total Penalties

|                           |             |
|---------------------------|-------------|
| Civil Settlement:         | \$64,895.00 |
| Hearing Board Settlement: | \$17,000.00 |
| MSPAP Settlement:         | \$3,700.00  |

**Total Cash Settlements: \$85,595.00**

**Fiscal Year through 11/30/2022 Cash Total: \$2,223,018.63**

| Fac ID  | Company Name                       | Rule Number                    | Settled Date | Init | Notice Numbers         | Total Settlement |
|---|------------------------------------|--------------------------------|--------------|------|------------------------|------------------|
| <b>Civil</b>  |                                    |                                |              |      |                        |                  |
| 44577   | LONG BEACH CITY, SERRF PROJECT     | 3002                           | 11/18/2022   | JL   | P66479                 | \$16,365.00      |
| 131732  | NEWPORT FAB, LLC                   | 2004                           | 11/08/2022   | DH   | P72854, P72856, P72862 | \$26,980.00      |
| 191334  | OC STONE MASTER, INC.              | 403                            | 11/04/2022   | ND   | P70267                 | \$2,000.00       |
| 187885  | SMITHFIELD PACKAGED MEATS CORP.    | 402, 2004, 3002, H&S 41700     | 11/17/2022   | KCM  | P65279, P67395, P69534 | \$9,950.00       |
| 191333  | STRAIGHTWAY CONSTRUCTION CO., INC. | 403                            | 11/10/2022   | RM   | P70268                 | \$1,100.00       |
| 18931   | TAMCO                              | 221, 2004, 2012(c)(2)(A), 3002 | 11/03/2022   | MR   | P64432, P64433, P70414 | \$7,500.00       |
| 185241  | VALENCIA EUROPEAN MOTORSPORTS      | 203, 1171                      | 11/03/2022   | RM   | P68634                 | \$1,000.00       |
| <b>Total Civil Settlements: \$64,895.00</b>         |                                    |                                |              |      |                        |                  |
| <b>Hearing Board</b>                                |                                    |                                |              |      |                        |                  |
| 112573  | FREUND BAKING COMPANY              | 1153.1                         | 11/08/2022   | JL   | 6226-1                 | \$5,000.00       |
| 112573  | FREUND BAKING COMPANY              | 1153.1                         | 11/08/2022   | JL   | 6226-1                 | \$5,000.00       |
| 112573  | FREUND BAKING COMPANY              | 1153.1                         | 11/18/2022   | JL   | 6226-1                 | \$7,000.00       |
| <b>Total Hearing Board Settlements: \$17,000.00</b> |                                    |                                |              |      |                        |                  |
| <b>MSPAP</b>  |                                    |                                |              |      |                        |                  |
| 22632   | ANAHEIM EXTRUSION CO., INC.        | 1147                           | 11/03/2022   | GC   | P69758                 | \$1,200.00       |
| 121117  | CASTLE CLEANERS, DBA RICARDO RUIZ  | 203, 1421                      | 11/03/2022   | GC   | P69508, P69514         | \$1,000.00       |
| 190758  | F.A.L. TRANSPORTATION, INC.        | 13 CCR 2485                    | 11/01/2022   | GC   | P69577                 | \$700.00         |
| 164291  | J&R AUTO BODY                      | 109(c)(1), 1171                | 11/03/2022   | GC   | P67112                 | \$800.00         |

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**Total MSPAP Settlements: \$3,700.00**

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**SOUTH COAST AQMD'S RULES AND REGULATION INDEX**  
**NOVEMBER 2022 PENALTY REPORT**

**REGULATION I - GENERAL PROVISIONS**

Rule 109            Recordkeeping for Volatile Organic Compound Emissions

**REGULATION II - PERMITS**

Rule 203            Permit to Operate

Rule 221            Plans

**REGULATION IV - PROHIBITIONS**

Rule 402            Nuisance

Rule 403            Fugitive Dust

**REGULATION XI - SOURCE SPECIFIC STANDARDS**

Rule 1147            NOx Reductions from Miscellaneous Sources

Rule 1153.1          Emissions of Oxides of Nitrogen from Commercial Food Ovens

Rule 1171            Solvent Cleaning Operations

**REGULATION XIV - TOXICS**

Rule 1421            Control of Perchloroethylene Emissions from Dry Cleaning Operations

**REGULATION XX - REGIONAL CLEAN AIR INCENTIVES MARKET (RECLAIM)**

Rule 2004            Requirements

Rule 2012            Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

**REGULATION XXX - TITLE V PERMITS**

Rule 3002            Requirements

**CALIFORNIA HEALTH AND SAFETY CODE**

41700                Prohibited Discharges

**CALIFORNIA CODE OF REGULATIONS**

13 CCR 2485        Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling