

BOARD MEETING DATE: May 3, 2013

AGENDA NO. 15

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This reports the monthly penalties from March 1 through March 31, 2013, and legal actions filed by the General Counsel's Office during March 1 through March 31, 2013. An Index of District Rules is attached with the penalty report.

COMMITTEE: Stationary Source, April 19, 2013, Reviewed

RECOMMENDED ACTION:  
Receive and file this report.

Kurt R. Wiese  
General Counsel

KRW:lc

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Violations

Civil Actions Filed

- |   |   |
|---|---|
| 1 | CARLISLE CONSTRUCTION MATERIALS INC.<br>Los Angeles Superior Court<br>Court Case No. KC0658461; Filed: 3.13.13 (NSF)<br>P55147<br>R. 1168 – Adhesive and Sealant Applications |
| 1 | DONG HWA FARM INC.<br>Riverside Superior Court<br>Court Case No. 1301673; Filed: 3.14.13 (KRW)<br>P59050<br>R. 208 – Permit for Open Burning<br>R. 444 – Open Fires           |

2 Violations

2 Cases Filed

Attachments  
March 2013 Penalty Report  
Index of District Rules and Regulations

## DISTRICT RULES AND REGULATIONS INDEX FOR MARCH 2013 PENALTY REPORTS

### REGULATION I - GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions (*Amended 5/2/03*)

### 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 12/3/04*)

Rule 218 Continuous Emission Monitoring (*Amended 5/14/99*)

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 X - NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

### REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1110.2 Emissions from Gaseous- and Liquid-Fueled Internal Combustion Engines (*Amended 11/14/97*)

Rule 1145 Plastic, Rubber and Glass Coatings (*Amended 2/14/97*)

Rule 1146 Emissions of Oxides of Nitrogen from Industrial, Institutional and Commercial Boilers, Steam Generators, and Process Heaters (*Amended Rule*)

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

Rule 1157 PM10 Emission Reductions From Aggregate And Related Operations

Rule 1162 Polyester Resin Operations (*Amended 11/17/00*) Rule 1168

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

## **REGULATION XIV - TOXICS**

- Rule 1402 Control of Toxic Air Contaminants from Existing Sources (*Amended 3/17/00*)
- 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 1421 Control of Perchloroethylene Emissions from Dry Cleaning Operations (*Amended 6/13/97*)
- Rule 1469 Hexavalent Chromium Emissions From Chrome Plating and Chromic Acid Anodizing Operations (*Adopted 10/9/98*)
- 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 4/6/07*)

## **REGULATION XXX - TITLE V PERMITS**

- Rule 3002 Requirements (*Amended 11/14/97*)
- Rule 3003 Applications (*Amended 3/16/01*)

## **CALIFORNIA HEALTH AND SAFETY CODE § 41700**

- 41700 Violation of General Limitations
- 41960.2 Gasoline Vapor Recovery

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

**March 2013 Penalty Report**

**Total Penalties**

<b>Civil Penalties:</b>	<b>\$100,100.00</b>
<b>MSPAP Penalties:</b>	<b>\$86,470.00</b>
<b>Hearing Board Penalties:</b>	<b>\$10,250.00</b>

<b>Total Cash Penalties:</b>	<b>\$196,820.00</b>
<b>Total SEP Value:</b>	<b>\$0.00</b>

<b>Fiscal Year through March 2013 Cash Total:</b>	<b>\$6,618,479.37</b>
<b>Fiscal Year through March 2013 SEP Value Only Total:</b>	<b>\$1,176,661.00</b>

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b><u>CIVIL PENALTIES:</u></b>							
165178	4JR ENTERPRISES Small Claims	461(C)(2)(B) 41960.2		3/22/2013	NSF	P54041	\$400.00
121215	BARKEN'S HARDCHROME, INC	203 (B)		3/22/2013	JMP	P53071	\$500.00
19051	CALIFORNIA AMFORGE CORPORATION	1147		3/19/2013	NSF	P54142	\$17,500.00
138689	CALTRANS DISTRICT 7 HEADQUARTERS	203 (B), 1146.1 203 (B), 1146.1		3/19/2013	NAS	P54846 P54844	\$4,000.00
166228	CONEJO CONSTRUCTION JOSE VALENCIA GARXIA	1403		3/12/2013	JMP	P49925	\$1,000.00
140421	COURTYARD BY MARRIOTT Settlement include stipulated penalty stating that facility must conduct thorough environmental audit and develop a training program conducted every six months for 2 years. It must be completed no later than August 30, 2013. If facility does not, then they will pay \$5,000.	1146.2 222		3/22/2013	NAS	P57459 P57461	\$8,000.00
115663	EL SEGUNDO POWER, LLC	2004(F)(1), 3002(C)(1) 2004(F)(1), 3002(C)(1)	Y	3/22/2013	JMP	P52179 P52185	\$2,500.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
121669	ERNST & YOUNG	203 (B), 1470 203 (B), 1470		3/8/2013	NAS	P54847 P62450	\$8,000.00
166553	G&M OIL COMPANY, INC.	461(C)(2)(B), 41960.2 461(C)(2)(B), 41960.2 203 (B) 203 (B)		3/27/2013	NAS	P58144 P58143 P58145	\$4,000.00
800234	LOMA LINDA UNIV. HEALTH CARE	3002 1470 3002 3002 218, 1470, 3002 1470 218 203		3/27/2013	TRB	P60020 P56365 P56387 P56365 P53810 P53831 P53827 P53831	\$15,000.00
140583	LOS ANGELES CO, SAN DIMAS SHERIFF'S	203 (B)		3/20/2013	KCM	P59463	\$2,600.00
107891	ORANGE COAST MEMORIAL MEDICAL CENTER	1146.1 1146.1(C)(2)		3/29/2013	NAS	P58935	\$14,000.00
158821	POMONA GAS STATION INC	203(A), 461(C)(2)(B) 41960.2		3/12/2013	NAS	P58370	\$3,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
		461, 41960.2				P58377	
132368	QG PRINTING CORPORATION	3003		3/5/2013	NSF	P58349	\$2,500.00
170922	R. S. HUGHES COMPANY, INC.	1168		3/22/2013	JMP	P57630	\$1,000.00
102153	READY PAC PRODUCE INC Settlement include suspended penalty of \$100,000 which will be permanently suspended if facility does not receive any NOVs for 18 months from March 3, 2013 thru September 2014.	218.1, 222, 1110.2 218, 203(A), 203(B) 222		3/12/2013	JMP	P59460	\$10,000.00
159155	ROSEMEAD OLD PRODUCTS INC.	402, 41700		3/12/2013	NAS	P57664	\$500.00
1334	SOCCO PLASTIC COATING CO	1162, 109, 3002 3002(C)(1) 203(A), 3002(C)(1)		3/19/2013	TRB	P52336 P52251	\$1,000.00
129286	TRI CLEANERS	1402, 1421		3/29/2013	KCM	P57303	\$1,000.00
12505	VALLEY PRESBYTERIAN HOSPITAL	203(B), 1146.1		3/12/2013	KCM	P56896	\$3,600.00

**TOTAL CIVIL PENALTIES: \$100,100.00**

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>MSPAP SETTLEMENTS:</b>							
164800	A.S. FUEL	461(C)(2)(B) 41960.2		3/12/2013		P60200	\$850.00
168340	ALPHA POWDER COATING	203 (A)		3/12/2013		P58410	\$1,200.00
162631	APRO LLC #48	203 (B)		3/26/2013		P62204	\$4,950.00
141593	ARAD OIL INC	41960.2 461(C)(2)(B)		3/7/2013		P59134	\$390.00
129490	ARCO AM/PM/DEEPS INVESTMENT INC	203 (B), 461		3/13/2013		P57775	\$1,300.00
129490	ARCO AM/PM/DEEPS INVESTMENT INC	203 (B), 461		3/13/2013		P57777	\$100.00
163967	ARROYO BUILDING MATERIALS, INC	203 (A), 461		3/7/2013		P57568	\$1,210.00
158014	ARTESIA 5220, INC.	461		3/20/2013		P59980	\$715.00
141311	BEL AIR OIL INC/ BEL AIR 76	461, 41960.2		3/20/2013		P62206	\$1,170.00



FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
32606	BRAEMAR COUNTRY CLUB	461		3/7/2013		P56893	\$480.00
121570	C B SHEETS	1146		3/22/2013		P57285	\$825.00
22911	CARLTON FORGE WORKS	2004	Y	3/7/2013		P55529	\$300.00
155372	CASTAIC UNION 76, MPS INC	461(E)(5)		3/20/2013		P60201	\$900.00
163553	CHAMPION HOME BUILDERS, INC	3002(C)(1)		3/26/2013		P58076	\$660.00
144362	CITY OF CORONA, CITY HALL	203(A)		3/28/2013		P59829	\$550.00
18542	COLLEGE OF THE DESERT	1146, 1146.2, 461, 222		3/7/2013		P58048	\$4,200.00
18542	COLLEGE OF THE DESERT	1146		3/7/2013		P61157	\$1,950.00
38440	COOPER & BRAIN BREA	2004	Y	3/22/2013		P55530	\$750.00
125736	DAMAC PRODUCTS/AIR TOUCH POWDER COAT	203 (B)		3/20/2013		P48494	\$6,900.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
120860	DRIVE THRU CLEANERS, SOO BONG JUN	222, 1146.2		3/26/2013		P58572	\$685.00
150719	EAGLES AUTO BODY & PAINT	109		3/12/2013		P58927	\$495.00
74060	ENGINEERED POLYMER SOLUTIONS INC	1146		3/19/2013		P58408	\$1,560.00
114961	EVANS DEDICATED	461		3/7/2013		P57797	\$1,000.00
114961	EVANS DEDICATED	461		3/7/2013		P59903	\$1,400.00
144666	FISHER AUTO SERVICE BODY & FENDER RE	109, 203(A)		3/27/2013		P58840	\$1,000.00
131380	FOOD 4 LESS #354	203 (B)		3/27/2013		P59246	\$850.00
43605	FREE FLOW PACKAGING INTERNATIONAL	3002(C)(1)		3/28/2013		P58409	\$650.00
150866	FRESH & EASY NEIGHBORHOOD MARKET	1146		3/26/2013		P59823	\$3,025.00
147540	GEORGE'S SERVICE INC	203(B), 41960.2 461(C)(2)(A)		3/21/2013		P56794	\$800.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
19130	HALLMARK SW CORP	3002		3/26/2013		P59826	\$1,200.00
105321	HARBOR VIEW CLEANERS	203 (B), 1421		3/12/2013		P55786	\$1,800.00
44127	HARVEY MUDD COLLEGE	203(A), 201, 222, 1146.2		3/7/2013		P57679	\$800.00
148639	HOME DEPOT USA, INC.	203 (B)		3/22/2013		P59654	\$900.00
23401	HOOD MFG INC	3002		3/20/2013		P58881	\$300.00
170643	I & S MINIMARKET CORP.	203 (B), 461		3/27/2013		P59967	\$1,200.00
72489	IRVINE RANCH WATER DISTRICT	1110.2		3/26/2013		P58880	\$6,750.00
143310	KIM SHELL STATION	461, 41960.2		3/13/2013		P58543	\$250.00
168875	L&E FUEL INC.	461(C)(2)(B) 41960.2		3/26/2013		P59243	\$925.00
170810	LA CO. FLOOD MAINTENANCE DIV. LYNN	203(A)		3/13/2013		P56292	\$550.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
152764	LEE PATTEN CONSTRUCTION, INC.	203 (A)		3/28/2013		P59702	\$550.00
155395	LIM'S UNION, BONG SANG LIM	203 (B), 461		3/5/2013		P58548	\$900.00
157501	MARTIN'S PRENA, JUAN GONZALEZ	203 (A)		3/1/2013		P59952	\$200.00
116410	MGM SHELL, MARWAN ALABBASI, DBA	203 (B) 461(E)(2)(C)		3/22/2013		P59978	\$850.00
16424	NORTH OR. CO. COMM COL DIST	203(A), 1415		3/27/2013		P58838	\$550.00
72525	ORANGE, COUNTY OF SHERIFF DEPT	222, 461, 1470		3/26/2013		P58571	\$1,350.00
3550	PACIFIC LIFE INSURANCE	1415, 1472		3/22/2013		P58573	\$750.00
172457	PAULUS ENGINEERING INC	403		3/26/2013		P52987	\$3,000.00
95318	RANCHO CALIFORNIA WATER DISTRICT	1110.2		3/13/2013		P61155	\$150.00
33465	RANCHO SAN ANTONIO	203(B), 1110.2		3/26/2013		P60101	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
23487	ROYAL PAPER BOX CO	3002(C)(1)		3/26/2013		P59607	\$600.00
132957	S.L.S.&N. INC.	1157 403(D)(1) 403(D)(2)		3/20/2013		P58072	\$3,850.00
152107	SIERRA FURNITURE, INC.	109, 203(A)		3/7/2013		P58841	\$900.00
145605	STATE OF CALIFORNIA CALTRANS	203 (A)		3/22/2013		P58678	\$1,500.00
156200	STAY GREEN, INC.	203 (A)		3/20/2013		P57570	\$550.00
153338	STEWART FAMILY INC DBA SAN JUAN SHEL	203(B), 461(C)(2)(B)		3/20/2013		P59893	\$400.00
132213	SUPERIOR SANDBLASTING & COATINGS	203 (B)		3/20/2013		P52294	\$550.00
171782	TESORO (USA) 63324	461		3/22/2013		P59910	\$825.00
152667	THE HOME DEPOT	203(B), 1470		3/22/2013		P58260	\$700.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
102951	THE HOME DEPOT #667	203, 1470		3/22/2013		P60000	\$1,530.00
172787	TURNER CONSTRUCTION COMPANY	403		3/20/2013		P59503	\$1,100.00
139193	UHS CORONA INC/CORONA REGIONAL	1146		3/22/2013		P59828	\$1,650.00
143057	UNITED NO. 1, LLC	461		3/20/2013		P60052	\$1,700.00
25248	US GOVT, FED CORRECTIONAL INST (FCI)	1146		3/28/2013		P57234	\$300.00
171145	VALLEY CHEVRON	461 (C)(3)(L)		3/26/2013		P59750	\$550.00
163104	VONS 2822	203 (A)		3/20/2013		P58885	\$1,400.00
99008	WESTLAKE GOLF COURSE, PYJ V LTD PART	203 (B)		3/20/2013		P60100	\$1,800.00
172842	WHITCOMB DRILLING INC.	203(A)		3/20/2013		P59261	\$875.00
154943	XERXES PETROLEUM	203 (B), 461, 41960.2		3/20/2013		P56778	\$850.00

TOTAL MSPAP SETTLEMENTS: \$86,470.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
<b>HEARING BOARD SETTLEMENTS:</b>							
70630	ALMORE DYE HOUSE INC Hearing Board Case No. 5916-1 Facility shall pay \$3,750 in resolution of the violations of District Rule 1146 for operating the Kemco Boilder past January 1, 2013 until January 25, 2013.	1146		3/11/2013	KCM	HRB2118	\$3,750.00
24006	CAL STATE UNIVERSITY LOS ANGELES Hearing Board Case No. 5926-1 Beginning on 3.15.13, Cal State LA shall pay \$500/month it operates its noncompliant boiler. Penalty period covers March 2013.	1146		3/15/2013	NAS	HRB2121	\$500.00
164009	COLOR COAT INC Hearing Board Case No. 5915-2 Beginning on 2.15.13 facility agrees to pay \$2500/month it operates in noncompliance with the general two component coatings VOC limit and/or operating the spray booth in non-compliance of District Rule 1145.	1145		3/12/2013	NAS	HRB2119	\$2,500.00
166475	HEMET VALLEY MEDICAL CENTER Hearing Board Case No. 5901-2 Facility shall pay \$500/month it operates any of the two group III boilers in noncompliance with the NOX emission limits required by the District. Penalty period covers January through February 2013.	1146		3/19/2013	NAS	HRB2122	\$1,000.00

FAC ID	COMPANY NAME	RULE NUMBER	RECLAIM ID	SETTLED DATE	ATTY INT	NOTICE NO	TOTAL SETTLEMENT
107891	ORANGE COAST MEMORIAL MEDICAL CENTER Hearing Board Case No. 5932-1 Beginning 3.15.13, facility to pay the District \$500/month it operates any of the 3 boilers in non-compliance with District Rule 1146. Penalty for March 2013.	1146		3/29/2013	NAS	HRB2123	\$500.00
102611	PALM SPRINGS UNIFIED SCHOOL DISTRICT Hearing Board Case No. 5922-1 PSUSD agrees to pay \$500/month it operates ICEs in non-compliance of Rule 203 and 1470 1.25.13 with final compliance achieved by 6.28.13/	1470 203		3/6/2013	NAS	HRB2117	\$500.00
100600	RIVERSIDE COUNTY Hearing Board Case No. 5903-1 Commencing January 8, 2013, Riverside shall pay \$500/month for each month it operates the engine until replacement engine is installed. Period covers February 2013.	203, 1470		3/15/2013	NAS	HRB2120	\$500.00
165209	WESTCOAST PLATING, INC. Hearing Board Case No. 5840-1 Stipulated penalty until permits obtained for plating line.	201, 203, 1469		3/1/2013	JMP	HRB2116	\$1,000.00

**TOTAL HEARING BOARD PENALTIES: \$10,250.00**