

BOARD MEETING DATE: April 5, 2024

AGENDA NO. 16

REPORT: Civil Filings and Civil Penalties Report

SYNOPSIS: This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from February 1 through February 29, 2024. An Index of South Coast AQMD Rules is attached with the penalty report.

COMMITTEE: Stationary Source, March 15, 2024, Reviewed

RECOMMENDED ACTION:
Receive and file.

Bayron T. Gilchrist
General Counsel

BTG:cr

	<u>Civil Filings</u>	<u>Violations</u>
1.	H7 Contracting & Engineering County of Riverside Superior Court – Small Claims Case No.: SCBA2400017; Filed 2.07.24 (CL) NOV No.: P75211 R. 403 – Fugitive Dust California Health and Safety Code § 42402	1
2.	Exclusive Auto Body & Customs, Inc. County of Riverside Superior Court – Small Claims Case No.: SCSW2400187; Filed 2.14.24 (CL) NOV No.: P74165 R. 203 – Permit to Operate California Health and Safety Code § 42402	1
		2 Violations

Attachments

February 2024 Penalty Report

Index of South Coast AQMD Rules and Regulations

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
General Counsel's Office
Settlement Penalty Report (02/01/2024 - 02/29/2024)

Total Penalties

Civil Settlement: \$374,963.00
Miscellaneous Settlement: \$30,000.00
MSPAP Settlement: \$232,840.50

Total Cash Settlements: \$637,803.50
Total SEP Value: \$40,000.00

Fiscal Year through 02/29/2024 Cash Total: \$3,845,510.93

Fiscal Year through 02/29/2024 SEP Value Only Total: \$668,125.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
Civil						
117140	AOC, LLC	2004, 3002	02/15/2024	EC	P66069, P66075	\$2,300.00
121215	BARKEN'S HARDCHROME, INC.	201, 203, 1469	02/08/2024	KER	P69802, P69814, P69827, P79105	\$1,171.00
180575	CHROMADORA, INC.	203, 1469	02/21/2024	JL	P74702, P77857	\$1,200.00
53616	COLUMBINE ASSOCIATES	203, 463, 1148.1, 1173	02/09/2024	EC	P73303, P73315	\$3,500.00
193402	CUSTOM ROOF COMPANY	1403, 40 CFR 61.145	02/14/2024	JL	P73623	\$3,500.00
193638	DIAMOND HOMES, INC.	1403, 40 CFR 61.145	02/07/2024	ND	P70129	\$2,500.00
179985	FREEDOM POWDER COATING & SANDBLASTING	203, 1155	02/20/2024	KER	P65286, P73811, P73876	\$5,270.00
176669	GGG DEMOLITION, INC	1403, 40 CFR 61.145	02/22/2024	RM	P67501, P70416, P73608	\$4,500.00
16338	KAISER ALUMINUM FABRICATED PRODUCTS, LLC	2012	02/20/2024	SH	P79206	\$2,750.00
186629	KB HOME SOUTHERN CALIFORNIA	403	02/01/2024	SH	P79304	\$3,000.00
800075	LADWP SCATTERGOOD GENERATING STATION	2004	02/22/2024	SH	P68677	\$1,500.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
6384	RANCHO LOS AMIGOS NATIONAL REHABILITATION CENTER	3002	02/07/2024	RL	P67121	\$600.00
39855	MIZKAN AMERICA, INC	3002	02/07/2024	ND	P63980, P63985, P63995	\$5,269.50
133349	MSRK, INC. - PLAYA VISTA	203, 461	02/07/2024	ND	P75723, P75732	\$2,000.00
175582	NCK INDUSTRIES (DBA "VIKING ENVIRONMENTAL")	1403, 40 CFR 61.145	02/13/2024	RM	P69168, P70502, P70503, P72931	\$4,212.00
109693	PALLET MASTERS, INC.	1137	02/08/2024	SH	P73875, P73878	\$2,000.00
194999	PINTAR INVESTMENT COMPANY	1403	02/14/2024	SH	P74569	\$3,000.00
20203	RECONSERVE OF CALIFORNIA	2004, 2012, 2012 Appendix A	02/01/2024	SH	P66070, P66870, P74254, P74270, P74271, P76055, P76072, P76081	\$10,000.00
152707	SENTINEL ENERGY CENTER, LLC	2004, 3002	02/20/2024	KER	P66089, P66090	\$14,052.00
184510	STANDARD DEMOLITION, INC.	1403, 40 CFR 61.145	02/14/2024	ND	P72941	\$2,927.50
58653	TEMESCAL VALLEY WATER DISTRICT	201, 203, 1403, 40 CFR 61.145	02/09/2024	KCM	P72935	\$7,500.00
181667	TORRANCE REFINING COMPANY	1118, 3002, 40 CFR 60, QQQ	02/01/2023	DH	P68973	\$224,832.00
181667	TORRANCE REFINING COMPANY	402, 1173, 3002, H&S 41700	02/01/2024	DH	P67958, P67960, P67961, P67962	\$28,397.00
181667	TORRANCE REFINING COMPANY	203, 1176, 2004, 3002, 40 CFR 60, QQQ	02/15/2024	DH	P67966, P67967, P67968, P67969	\$21,956.00
181667	TORRANCE REFINING COMPANY	463, 1178, 2004, 3002	02/15/2024	DH	P67970, P68998, P75060	\$14,684.00
144681	WARREN E&P, INC	203, 463	02/20/2024	KER	P74517	\$2,342.00

Total Civil Settlements: \$374,963.00

MISCELLANEOUS

	PACIFICA SENIOR LIVING MANAGEMENT	1403	2/1/2024		<u>California District and City Attorneys v. Pacifica Hosts, Inc. and Pacifica Senior Living Management</u> , Monterey County Superior Court Case No. 23CV002044	\$30,000.00
--	-----------------------------------	------	----------	--	--	-------------

Total Miscellaneous Settlements: \$30,000.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
MSPAP						
180760	199 PASADENA PARTNERS, LLC	222, 1415	02/23/2024	CL	P78023	\$5,855.00
145948	7-ELEVEN, INC.	461	02/16/2024	VB	P76192	\$1,747.00
185806	ACADEMY SQUARE	203	02/23/2024	CL	P76521	\$1,171.00
199743	ADVANCED FIBERGLASS CONCEPTS	109, 201, 203	02/02/2024	CL	P73826	\$2,927.00
156125	AEROPOSTALE, INC.	203	02/09/2024	CL	P78354	\$1,942.00
165227	AIRPORT COURTHOUSE - JCC/AOC	222	02/09/2024	CL	P78413	\$2,342.00
140836	ALISO VIEJO AUTO CARE, INC.	203, 461	02/02/2024	VB	P77704	\$1,493.00
158682	ALLIED WASTE SERVICES	461	02/16/2024	CL	P75311	\$2,342.00
99512	ALTERNATIVE TECHNOLOGIES, INC.	1403	02/16/2024	CL	P74584	\$11,500.00
177966	APRO, LLC (DBA "UNITED OIL #159")	461	02/23/2024	VB	P78700	\$5,269.00
139541	AT CORPORATION	201, 461	02/16/2024	VB	P73113	\$3,747.00
33581	CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION	461	02/23/2024	VB	P75219	\$1,336.00
198329	CARSTAR CAR MASTERS COLLISION	203	02/16/2024	CL	P76303	\$2,225.00
116144	CHEVRON PRODUCTS COMPANY	461, H&S 41960	02/09/2024	CL	P75728	\$1,530.00
191374	CIRCLE K STORES, INC. - #2709510	461	02/23/2024	CL	P76153, P76166	\$2,342.00
121107	CIRCLE K STORES, INC. - #5802	461	02/23/2024	VB	P76156	\$510.00
169354	CIRCLE K STORES, INC. - #2	461	02/23/2024	VB	P76155	\$510.00
174892	CIRCLE K STORES, INC. - #221116	461	02/23/2024	VB	P80603	\$7,768.00
187211	CIRCLE K STORES, INC.	461	02/23/2024	CL	P78675	\$2,042.00
167328	CITY OF SANTA ANA	403	02/16/2024	VB	P77610	\$4,355.00
200145	CONSTRUCT ONE CORPORATION	403	02/09/2024	CL	P73829	\$4,605.00
161901	CRESCENT CARWASH, LLC	461, H&S 41960.2	02/09/2024	VB	P78661	\$4,594.00
181249	CUSTOM MATERIAL SALES	203	02/09/2024	VB	P75216	\$5,355.00
155175	D & K MILK PALACE	461	02/09/2024	CL	P66049	\$1,021.00
120180	EAGLE GLEN GOLF CLUB	461	02/23/2024	CL	P75434	\$4,363.00
172792	EL SEGUNDO OIL, LLC	203	02/02/2024	VB	P73271	\$2,042.00
201201	EMPIRE POLO	403	02/16/2024	VB	P79315	\$4,855.00
180290	FORTRESS RESOURCES, LLC (DBA "ROYAL TRUCK BODY")	201, 203	02/02/2024	CL	P76277	\$3,884.00
109223	G & M OIL CO, LLC - #24	203, 461, H&S 41960.2	02/16/2024	CL	P78693	\$5,826.00
117353	G & M OIL CO, LLC - #29	203	02/16/2024	VB	P73129	\$4,684.00
190840	HUTCHINSON CORPORATION	203	02/16/2024	CL	P75801	\$971.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
99119	INTERPLASTIC, CORPORATION	203, 1146.1	02/02/2024	CL	P78307	\$6,147.00
72489	IRVINE RANCH WATER DISTRICT	203	02/02/2024	CL	P77821	\$921.00
195605	JIMENEZ MEXICAN FOODS, INC.	203, 1146	02/09/2024	VB	P75422	\$3,500.00
200612	KOGEMAN CONSTRUCTION	1403	02/09/2024	VB	P79167	\$3,295.00
12056	LA COUNTY MUSEUM OF NATURAL HISTORY	203	02/02/2024	VB	P76310	\$971.00
154179	LA PALMA GAS STATION, INC.	461	02/09/2024	CL	P78763	\$1,637.00
150753	LARRY JACINTO CONSTRUCTION, INC.	203, 461	02/09/2024	CL	P77951	\$5,615.00
200998	LENNAR HOMES	403	02/16/2024	CL	P75435	\$4,605.00
159363	LOMA LINDA UNIVERSITY HEART & SURGICAL HOSPITAL	203	02/23/2024	VB	P75239	\$971.00
67971	LOMA LINDA UNIVIVERSITY HEALTH CARE	203	02/23/2024	VB	P75240	\$969.00
159107	LOMA LINDA UNIVERSITY HEALTH BEAUMONT BANNING	203, 1146.1	02/23/2024	VB	P75238	\$18,351.00
179554	LOMA LINDA UNIVERSITY MEDICAL CENTER	203	02/23/2024	VB	P75241	\$971.00
124904	LOS ANGELES TIMES COMMUNICATIONS, LLC	3002	02/16/2024	CL	P73571	\$2,342.00
800398	MASK OFF COMPANY, INC.	3002	02/09/2024	VB	P78015	\$1,531.00
142668	MENIFEE CAR WASH	461	02/09/2024	VB	P76180	\$4,339.00
31878	MESSER, LLC	203	02/23/2024	CL	P78310	\$1,021.00
196668	MG GASOLINE, INC.	201	02/02/2024	CL	P73122	\$776.00
148784	MILES GAS, LLC	461	02/09/2024	VB	P73125	\$2,150.00
197236	MILLIE & SEVERSON	403	02/23/2024	CL	P63992	\$3,914.00
129857	NICK'S CHEVRON SERVICE	461	02/16/2024	VB	P66048	\$1,797.00
171863	NIKKU ENTERPRISES	461, H&S 41960.2	02/16/2024	VB	P73114	\$2,484.00
32518	OLD RANCH COUNTRY CLUB	461	02/02/2024	CL	P73831	\$1,756.00
143229	ORANGE OIL, CO. - COLTON	203	02/09/2024	VB	P76174	\$1,171.00
98158	PACIFIC COAST ENERGY COMPANY	203	02/16/2024	CL	P73283	\$2,042.00
144580	PENSKE CADILLAC	461	02/02/2024	CL	P78314	\$3,573.00
24550	PILGRIM PLACE HEALTH SERVICE CENTER	201, 203	02/16/2024	CL	P73163	\$918.00

Fac ID	Company Name	Rule Number	Settled Date	Init	Notice Nbrs	Total Settlement
200150	QUALITY POWDER COATING & SANDBLASTING, LLC	201, 203	02/16/2024	CL	P79405	\$2,210.00
199475	RADIUS KOREA TOWN	203	02/16/2024	VB	P76543	\$5,243.00
183313	RANGI GVD PARTNERS	461	02/02/2024	CL	P76181	\$3,000.00
9784	REDLANDS COMMUNITY HOSPITAL	1146	02/02/2024	VB	P75213	\$11,710.00
131295	RIO PETROLEUM, INC.	461, H&S 41960.2	02/09/2024	CL	P77711	\$1,914.00
189893	ROUX ASSOCIATES, INC.	221, 1166	02/09/2024	VB	P72945	\$1,942.00
144027	S & M SERVICE STATION, INC	461	02/16/2024	CL	P75738	\$1,164.00
146025	SAM'S SHELL	203, 461	02/16/2024	VB	P78755	\$2,858.00
199687	SELECT AUTO BODY	109, 203	02/09/2024	VB	P74471	\$873.00
169385	SILVERADO CONTRACTORS, INC.	221, 1166	02/16/2024	VB	P72946	\$1,171.00
45032	SNOW VALLEY, INC.	203	02/23/2024	CL	P74667	\$1,171.00
18606	STEINER CORPORATION AMERICAN LINEN SUPPLY COMPANY	203, 1146	02/23/2024	CL	P80052	\$1,873.00
170967	SUN VALLEY UNION 76	461, H&S 41960	02/16/2024	VB	P80601	\$1,531.00
200808	SURPRISE FINISHING	109, 203	02/08/2024	VB	P74030	\$1,456.50
151852	TESORO WEST COAST CO., LLC	461, H&S 41960.2	02/09/2024	CL	P77736	\$825.00
187052	VEER FUEL PARTNERS, INC.	203	02/02/2024	CL	P75721	\$1,942.00
149027	WARREN E & P, INC.	203	02/16/2024	VB	P75665	\$3,162.00
129097	WEIR CANYON HONDA	203, 461	02/09/2024	CL	P75623	\$873.00
163809	WEKA, INC.	403.1	02/09/2024	CL	P76473	\$3,471.00
153004	XTRA FUEL - #2	461	02/02/2024	CL	P78688	\$1,531.00
Total MSPAP Settlements: \$232,840.50						

SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX FOR FEBRUARY 2024 PENALTY REPORT

REGULATION I - GENERAL PROVISIONS

Rule 109 Recordkeeping for Volatile Organic Compound Emissions

REGULATION II - PERMITS

Rule 201 Permit to Construct

Rule 203 Permit to Operate

Rule 221 Plans

Rule 222 Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II.

REGULATION IV - PROHIBITIONS

Rule 402 Nuisance

Rule 403 Fugitive Dust

Rule 403.1 Wind Entrainment of Fugitive Dust

Rule 461 Gasoline Transfer and Dispensing

Rule 463 Storage of Organic Liquids

REGULATION XI - SOURCE SPECIFIC STANDARDS

Rule 1118 Emissions from Refinery Flares

Rule 1137 PM10 Emission Reductions from Woodworking Operations

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

Rule 1146.1 Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters

Rule 1148.1 Oil and Gas Production Wells

Rule 1155 Particulate Matter Control Devices (10-08)

Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil

Rule 1173 Fugitive Emissions of Volatile Organic Compounds

Rule 1176 Sumps and Wastewater Separators

Rule 1178 Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities

REGULATION XIV - TOXICS

Rule 1403 Asbestos Emissions from Demolition/Renovation Activities

Rule 1415 Reduction of Refrigerant Emissions from Stationary Air Conditioning Systems

Rule 1469 Hexavalent Chromium Emissions from Chrome Plating and Chromic Acid Anodizing Operations

**SOUTH COAST AQMD'S RULES AND REGULATIONS INDEX
FOR FEBRUARY 2024 PENALTY REPORT**

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
- Rule 2012
- Appendix A Protocol for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NOx) Emissions

REGULATION XXX - TITLE V PERMITS

- Rule 3002 Requirements

CODE OF FEDERAL REGULATIONS

- 40 CFR 60, QQQ Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater
- 40 CFR 61.145 Standard for Demolition and Renovation

CALIFORNIA HEALTH AND SAFETY CODE

- 41700 Prohibited Discharges
- 41960 Certification of Gasoline Vapor Recovery System
- 41960.2 Gasoline Vapor Recovery
- 42402 Violation of Emission Limitations – Civil Penalty