

Agenda Date: October 18, 2018
Agenda Placement: Admin.
Estimated Time: N/A
Continued Item: No

Board Agenda Item

TO: Air Pollution Control District Board

FROM: Aeron Arlin Genet, Air Pollution Control Officer

CONTACT: Kaitlin McNally, Compliance Division Manager (961-8855)

SUBJECT: Notice of Violation Report

RECOMMENDATION:

Receive and file the attached summary of notices of violation issued and penalty revenue received during the months of August and September 2018. In addition, receive and file the attached addendum summary of penalty revenue received during the month of July 2018.

DISCUSSION:

Pursuant to Section 40752 of the California Health and Safety Code, the Control Officer shall observe and enforce Part 3 and Part 4 of Division 26 of the Health and Safety Code, all orders, rules, and regulations prescribed by the District Board, all variances and orders prescribed by the District Hearing Board, and all permit conditions imposed pursuant to the District permit program.

In order to keep your Board informed of the enforcement actions taken by the Control Officer, the attached reports list a summary of the notices of violation issued and the penalties received during the months indicated. Included in the attached NOV Reports are two violation settlement agreements with payment plans:

- 1) Greka Oil & Gas – Total civil penalty of \$240,000 was paid in nine installments, with the last paid in August 2018.
- 2) Greka Oil & Gas – Total civil penalty of \$81,000 was paid in three installments, with the last paid in September 2018.

ATTACHMENTS:

- NOV Report, August 2018 and July 2018 Addendum
- NOV Report, September 2018

Notices of Violation Issued August 2018

Nov #	Facility	Company	Location	Source Of Violation	Self Reported	Violation Issued	Rule
11312	San Marcos Growers	SAR Contractors and Resource Drilling, Inc.	Goleta	Operated diesel engine greater than 50 bhp without a District permit		8/20/2018	201
11360	Crystal Cleaners	Crystal Cleaners	Santa Maria	Operated a perchloroethylene dry cleaning machine beyond the compliance date		8/31/2018	206, Dry Cleaning ATCM
11361	Lompoc Valley Medical Center	Lompoc Valley Medical Center	Lompoc	Exceeded diesel engine maintenance and testing hourly limits		8/31/2018	206

Penalty Settlement Payments Received July 2018 Addendum ¹

Nov #	Facility	Company	Location	Source Of Violation	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
11310	Fairview Ave, 165 N. (MVFF)	Convenience Retailers, LLC	Goleta	Failed to submit vapor recovery test results by due date and failed to submit the Annual Report for 2017		5/17/2018	206	7/10/2018	\$4,000

\$4,000

1. Addendum includes one payment for a Notice of Violation that was not reported at the APCD Board meeting on August 16, 2018.

Penalty Settlement Payments Received August 2018

Nov #	Facility	Company	Location	Source Of Violation	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
11042	Blair Lease - Barham Ranch	Purissima Hills, LLC	Los Alamos	Exceeded the number of allowable leaks and operated engines with a combined bhp greater than 400 bhp without a permit		7/29/2016	201, 331	8/9/2018	\$5,250
10971	Tajiguas Landfill	Fortistar Methane Group LLC	Goleta	Failed to monitor and maintain landfill gas flow to engine and maintain records	x	4/19/2016	206	8/14/2018	\$1,000
11309	Montecito St, 401 W. (MVFF)	Montecito Harbor Chevron	Santa Barbara	Failed to submit vapor recovery test results by due date and failed to submit the Annual Report for 2017		5/17/2018	206	8/20/2018	\$500
11297	Newsome St, 206 (MVFF)	County of Santa Barbara-General Services	Cuyama	Failed to submit the Annual Report for 2017 by due date		6/15/2018	206	8/24/2018	\$250
11355	Sweeney Rd, 2010 (MVFF)	County of Santa Barbara Public Works	Lompoc	Failed to submit the Annual Report for 2017 by due date		6/14/2018	206	8/24/2018	\$250
11348	Agro-Jal Farms, Inc.	Agro-Jal Farms, Inc.	Santa Maria	Conducted an agricultural burn without a valid permit, on a designated no-burn day, that contained prohibited waste		6/5/2018	401	8/28/2018	\$1,000
Multiple ¹	Multiple	Greka Oil & Gas	Santa Maria	Violated requirements for oil and gas operations (Payment 9 of 9 for the Violation Settlement Agreement dated 3/12/18)		Multiple	Multiple	8/28/2018	\$40,000
Multiple ²	Multiple	Greka Oil & Gas	Santa Maria	Violated requirements for oil and gas operations (Payment 2 of 3 for the Violation Settlement Agreement dated 6/18/18)		Multiple	Multiple	8/28/2018	\$27,000
11349	Sisquoc Sand, Rock and Gravel Plant	Hanson Aggregates Mid-Pacific, Inc.	Santa Maria	Exceeded visible emissions limit from a baghouse exhaust stack		6/13/2018	302	8/30/2018	\$1,000

\$76,250

1. Payment was received for the following 28 Notices of Violation: 10775, 10776, 10778, 10786, 10898, 10948, 11000, 11037, 10781, 11020, 11045, 11100, 11101, 11102, 11105, 11107, 11111, 11113, 11114, 11115, 11183, 11184, 11185, 11186, 11187, 11192, 11194, and 11196. These violations were issued between January 2015 and August 2017. The total civil penalty of \$240,000 for these violations was paid in 9 installments, with the last paid in August 2018.

2. Payment was received for the following 36 Notices of Violation: 11326, 11028, 11175, 11035, 11181, 11026, 11123, 11332, 11041, 11029, 11176, 11272, 11291, 11031, 11178, 11288, 11034, 11180, 11270, 11293, 11027, 11124, 11267, 10949, 11121, 11292, 11269, 11116, 11025, 11122, 11330, 11290, 11030, 11177, 11251, and 11329. These violations were issued between April 2016 and February 2018. The total civil penalty of \$81,000 for these violations is being paid in 3 installments, with the last due in September 2018.

Notices of Violation Issued September 2018

Nov #	Facility	Company	Location	Source Of Violation	Self Reported	Violation Issued	Rule
11313	Montecito Bank & Trust	Montecito Bank & Trust	Goleta	Installed and operated equipment without a District permit		9/4/2018	201
11362	Rocket Town Honda	Rocket Town Honda	Lompoc	Failed to submit the Annual Report for 2017 by due date		9/7/2018	206
11425	Mission Uniform Service	Mission Linen Service	Santa Barbara	Operated a Hurst boiler without a District permit, failed to submit the Annual Reports for 2016 and 2017, failed to arrange District inspection, and failed to apply for a Permit to Operate by due date		9/11/2018	201, 206
11426	Mission Uniform Service	Mission Linen Service	Santa Barbara	Operated a Unilux boiler without a District permit, failed to submit the Annual Reports for 2016 and 2017, failed to apply for Permit to Operate by due date, and failed to tune boiler twice per year		9/11/2018	201, 206, 361
11427	Microdyn-Nadir US	Microdyn-Nadir US	Goleta	Exceeded permitted ROC emission limit, emitted more than 5.0 tons per year of a HAP and 12.5 tons per year of any combination of HAPs, and failed to conduct source tests		9/14/2018	206, 370
11428	Microdyn-Nadir US	Microdyn-Nadir US	Goleta	Failed to conduct source tests		9/14/2018	206
11380	La Goleta	Southern California Gas Company	Goleta	Exceeded permitted NOx emission limit	x	9/17/2018	206
11429	SB County Mobile Refueler	County of Santa Barbara - General Services	Santa Barbara	Failed to submit the Annual Report for 2017 by due date		9/24/2018	206
11430	University of California - Santa Barbara	University of California - Santa Barbara	Santa Barbara	Four boilers exceeded permitted NOx emission limit, and one boiler exceeded the Rule 360 NOx emission limit	x	9/28/2018	206, 360

Penalty Settlement Payments Received September 2018

Nov #	Facility	Company	Location	Source Of Violation	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
11131	Imerys Minerals California, Inc.	Imerys Minerals California, Inc.	Lompoc	Failed to conduct the daily portable analyzer monitoring	x	10/21/2016	206	9/4/2018	\$1,250
11350	Imerys Filtration Materials, Inc.	Imerys Filtration Materials, Inc.	Lompoc	Failed to perform daily portable analyzer monitoring for Nox, Sox, and CO	x	6/8/2018	206	9/4/2018	\$5,000
11138	Allan Hancock College - ES Engines	Allan Hancock College	Santa Maria	Installed and operated equipment without a permit		3/21/2017	201	9/12/2018	\$2,750
11159	Platform Hermosa	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Operated turbines above 650 kW without a water flow rate	x	5/26/2017	206	9/14/2018	\$1,000
11160	Platform Hidalgo	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Operated turbines above 650 kW without a water flow rate	x	5/26/2017	206	9/14/2018	\$2,500
11161	Platform Harvest	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Operated turbines above 650 kW without a water flow rate	x	5/26/2017	206	9/14/2018	\$500
11162	Platform Hermosa	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Operated turbines above 650 kW without a water flow rate	x	5/26/2017	206	9/14/2018	\$500
11163 ¹	Platform Hidalgo	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Operated turbines above 650 kW without a water flow rate and exceeded the number of allowable leaks	x	5/26/2017	206, 331	9/14/2018	\$1,250
11164	FMOG	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Operated turbines above 650 kW without a water flow rate	x	5/26/2017	206	9/14/2018	\$500
11165 ¹	Platform Hidalgo	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Operated turbines above 650 kW without a water flow rate and exceeded the number of allowable leaks	x	5/26/2017	206, 331	9/14/2018	\$1,750
11281	Platform Harvest	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Failed to meet turbine water injection requirements on multiple occasions	x	1/5/2018	206	9/14/2018	\$500
11283	Platform Hidalgo	Freeport-McMoRan Oil & Gas, LLC	Santa Barbara County	Failed to meet turbine water flow rate requirements for an extended period of time	x	1/5/2018	206	9/14/2018	\$1,000
10970	Tajiguas Landfill	MM Tajiguas Energy, LLC	Goleta	Failed to monitor and maintain LFG flow to engine and maintain records	x	4/19/2016	206	9/17/2018	\$2,000
11242	United Launch Alliance - Atlas EELV	United Launch Alliance, LLC	Vandenberg	Exceeded daily, quarterly, and annual emission limits	x	3/23/2018	206	9/18/2018	\$1,250
11243	United Launch Alliance - Delta EELV	United Launch Alliance, LLC	Vandenberg	Exceeded daily emission limits	x	3/23/2018	206	9/18/2018	\$20,000
Multiple ²	Multiple	Greka Oil & Gas	Santa Maria	Violated requirements for oil and gas operations (Payment 3 of 3 for the Violation Settlement Agreement dated 6/18/18)		Multiple	Multiple	9/26/2018	\$27,000

\$68,750

1. Payment was received for NOV components that were not settled with the payment received in July 2018 for the same NOV number.

2. Payment was received for the following 36 Notices of Violation: 11326, 11028, 11175, 11035, 11181, 11026, 11123, 11332, 11041, 11029, 11176, 11272, 11291, 11031, 11178, 11288, 11034, 11180, 11270, 11293, 11027, 11124, 11267, 10949, 11121, 11292, 11269, 11116, 11025, 11122, 11330, 11290, 11030, 11177, 11251, and 11329. These violations were issued between April 2016 and February 2018. The total civil penalty of \$81,000 for these violations was paid in 3 installments, with the last paid in September 2018.