

Agenda Date: June 21, 2018
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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 month of May 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 report list a summary of the notices of violation issued and the penalties received during the month of May. Included in the attached NOV Report are two violation settlement agreements with payment plans:

- 1) One Hour Valley Cleaners – Total civil penalty of \$1,130 is being paid in two installments of \$565, with the last due in June 2018; and
- 2) Greka Oil & Gas – Total civil penalty of \$240,000 is being paid in 9 installments, with the last due in August 2018.

ATTACHMENT:

- NOV Report, May 2018

Notices of Violation Issued May 2018

Nov #	Facility	Company	Location	Source Of Violation	Self Reported	Violation Issued	Rule
11308	116 S. Blosser Road	Rafael Arias	Santa Maria	Failed to inspect for asbestos prior to renovation		5/2/2018	1001
11337	Greka Refining Company	Greka Refining Company	Santa Maria	Failed to supply records upon request		5/2/2018	206
10365	Mission St, 402 W. (MVFF)	Circle K Stores, Inc.	Santa Barbara	Failed initial vapor recovery system tests		5/7/2018	206, 316
11073	University of California - Santa Barbara	University of California - Santa Barbara	Santa Barbara	Installed and operated equipment without a permit		5/9/2018	201
11338	Bradley Lands/Bradley Consolidated	Greka Oil & Gas	Santa Maria	Stored oil in a tank without vapor recovery, exceeded the number of allowable leaks, and had two open-ended gas lines		5/9/2018	325, 331
11339	Bradley Lands/Bradley Consolidated	Greka Oil & Gas	Santa Maria	Failed to maintain recordkeeping		5/9/2018	206
11340	Bradley Lands/Bradley Consolidated	Greka Oil & Gas	Santa Maria	Failed to analyze sulfur content of gaseous fuel, failed to maintain recordkeeping, and failed to conduct 3 quarterly I&M inspections (1Q17, 3Q17, 4Q17)		5/9/2018	206, 331
11341	Highway 246, 188 E. (MVFF)	Aljnar, Inc.	Buellton	Failed to submit the Annual Report for 2017		5/9/2018	206
11309	Montecito St, 401 W. (MVFF)	Montecito Harbor Chevron	Santa Barbara	Failed to submit vapor recovery test results within the timeframe specified by permit, and failed to submit the Annual Report for 2017		5/17/2018	206
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
11343	Agro-Jal Farms, Inc.	Agro-Jal Farms, Inc.	Santa Maria	Failed to register five agricultural engines within required timeframes	X	5/21/2018	1201
10364	Milpas St, 6 N. (MVFF)	Milpas Rental Incorporated	Santa Barbara	Replaced gasoline dispenser without a permit		5/23/2018	201

Penalty Settlement Payments Received May 2018

Nov #	Facility	Company	Location	Source Of Violation	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
11241	Church St, 810 W. (MVFF)	City of Santa Maria Public Works	Santa Maria	Failed initial vapor recovery system test		3/20/2018	206, 316	5/2/2018	\$250
Multiple ¹	One Hour Valley Cleaners - Santa Maria	One Hour Valley Cleaners - Santa Maria	Santa Maria	Failed to maintain records and submit the Annual Reports for 2014 and 2016 (Payment 1 of 2 for the Violation Settlement Agreement dated 4/19/18)		Multiple	206	5/4/2018	\$565
11237	SB County Public Works	SBC Resource Recovery & Waste Management Division	Los Olivos	Failed to conduct portable analyzer monitoring for prime diesel engine		1/11/2018	206,333	5/4/2018	\$500
11070	Milpas St, 8 S. (MVFF)	Heritage Recovery Corporation	Santa Barbara	Failed to maintain recordkeeping		2/23/2018	206	5/11/2018	\$250
11244	Betteravia Rd, 1220 E. (MVFF)	Circle K Stores, Inc.	Santa Maria	Failed to maintain recordkeeping		3/23/2018	206	5/18/2018	\$500
11304	Premier Auto Finish	Premier Auto Finish	Santa Barbara	Failed to submit Transfer of Ownership/Operator application		2/22/2018	206	5/21/2018	\$250
Multiple ²	Multiple	Greka Oil & Gas	Santa Maria	Violated requirements for oil and gas operations (Payment 6 of 9 for the Violation Settlement Agreement dated 3/12/18)		Multiple	Multiple	5/22/2018	\$40,000
11245	Ocean Ave, 801 E. (MVFF)	Moller Retail, Inc.	Lompoc	Failed to submit the Annual Report for 2017		4/20/2018	206	5/31/2018	\$250
11246	Betteravia Rd, 910 E. (MVFF)	Moller Retail, Inc.	Santa Maria	Failed to submit the Annual Report for 2017		4/20/2018	206	5/31/2018	\$250
11247	Highway 246, 89 E. (MVFF)	Moller Retail, Inc.	Buellton	Failed to submit the Annual Report for 2017		4/20/2018	206	5/31/2018	\$250
11248	Stowell Rd, 1027 E. (MVFF)	Moller Retail, Inc.	Santa Maria	Failed to submit the Annual Report for 2017		4/20/2018	206	5/31/2018	\$250
11249	La Cumbre Rd, 150 S. (MVFF)	Moller Retail, Inc.	Santa Barbara	Failed to submit the Annual Report for 2017		4/20/2018	206	5/31/2018	\$250

\$43,565

1. Payment was received for the following 2 Notices of Violation: 10745 issued on 8/5/15 and 11231 issued on 9/13/17. The total civil penalty of \$1,130 for these violations is being paid in 2 installments, with the last due in June 2018.

2. 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 is being paid in 9 installments, with the last due in August 2018.