


Agenda Date: March 21, 2019  
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 (805-961-8855)

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 January and February 2019.

### 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 one violation settlement agreement with a payment plan:

- 1) California Asphalt Production, Inc. – Total civil penalty of \$65,000 is being paid in five installments, with the last due in May 2019.

### ATTACHMENTS:

- NOV Report, January 2019
- NOV Report, February 2019

## Notices of Violation Issued January 2019

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule
11390	Platform Habitat	DCOR, LLC.	Santa Barbara	Exceeded the hourly hydrocarbon venting limit	x	1/2/2019	206
11391	Security Fee/Thomas Lease	HVI Cat Canyon, Inc. <sup>1</sup>	Santa Maria	Exceeded the 24 hour timeframe for reporting a breakdown		1/2/2019	505
11477	Macy's - Town Center East	Macy's West Stores, Inc.	Santa Maria	Failed to submit Annual Report by due date for 2017		1/3/2019	206
11479	Main St, 1204 E. (MVFF)	Au Energy, LLC	Santa Maria	Failed to maintain recordkeeping		1/7/2019	206
11452	Terravant Wine Company - 35 Industrial Way	Terravant Wine Company	Buellton	Failed to conduct annual tuning of boilers		1/10/2019	206
11453	City of Santa Maria WWTP	City of Santa Maria	Santa Maria	Vented digester gas		1/11/2019	206
11480	Columbia Business Center Partners	Rossi Enterprises	Santa Maria	Failed to maintain emergency standby diesel generator and associated hour meter as permitted		1/16/2019	206
11319	Goleta Valley Cottage Hospital	Goleta Valley Cottage Hospital	Goleta	Failed to source test boilers and failed to calibrate fuel meters		1/24/2019	206, 342
11392	Righetti Lease	HVI Cat Canyon, Inc. <sup>1</sup>	Casmalia	Failed to conduct quarterly I&M inspections in 3Q16, 4Q16, 2Q17, 3Q17, 4Q17		1/24/2019	331
11393	N.R. Boneti Lease (Casmalia)	HVI Cat Canyon, Inc. <sup>1</sup>	Casmalia	Failed to conduct quarterly I&M inspections in 3Q16, 4Q16, 2Q17, 3Q17, 4Q17		1/24/2019	331
11394	Morganti Lease	HVI Cat Canyon, Inc. <sup>1</sup>	Casmalia	Failed to control emissions of produced gas		1/24/2019	325
11395	Tognazzini - Adams Lease	Krummrich Engineering Corporation	Santa Maria	Stored crude oil in a tank battery without a leak-free, properly installed, maintained, and operated vapor recovery system		1/25/2019	325

1. HVI Cat Canyon, Inc. was formerly known as Greka Oil and Gas, Inc.

**Penalty Settlement Payments Received January 2019**

<b>Nov #</b>	<b>Facility</b>	<b>Company</b>	<b>Location</b>	<b>Violation Description</b>	<b>Self Reported</b>	<b>Violation Issued</b>	<b>Rule</b>	<b>Date Paid</b>	<b>Total Penalty Received</b>
11365	Careaga Lease	Santa Maria Energy, LLC	Santa Maria	Exceeded total sulfur content during source test		10/26/2018	206	1/2/2019	\$1,000
10986	Sanford Winery	Sanford Winery Company	Lompoc	Failed to submit the Annual Reports by due dates for 2013, 2014 and 2015. Exceeded emission limits in 2013, 2014, and 2015. Installed equipment without prior approval.		5/4/2016	206	1/14/2019	\$1,000
11383	Platform Hidalgo	Freeport-McMoRan Oil & Gas, LLC	Santa Maria	Failed to seal an open-ended line		10/25/2018	331	1/15/2019	\$250
11366	Foster Rd, 912 W. (MVFF)	County of Santa Barbara-General Services	Santa Maria	Failed to submit Annual Report by due date for 2017		11/6/2018	206	1/15/2019	\$250
11315	Various Locations	County of Santa Barbara-General Services	SB County	Operated equipment without a valid District permit		11/13/2018	201	1/15/2019	\$1,000
10989	H St, 1001 N. (MVFF)	Pommerville's Automotive & Gas	Lompoc	Failed to install ISD, failed to submit Annual Report by due date for 2015, and failed initial Vapor Recovery System tests		5/25/2016	206, 316	1/22/2019	\$500
11110	Avenue of the Flags, 631 (MVFF)	Eagle Energy Inc.	Buellton	Failed initial Vapor Recovery System tests and exceeded the annual throughput limit in 2015		11/15/2016	206, 316	1/22/2019	\$1,000
11112	Bell St, 290 (MVFF)	Collins Market	Los Alamos	Failed initial Vapor Recovery System tests		11/30/2016	206, 316	1/22/2019	\$500
11257	Bell St, 290 (MVFF)	Collins Market	Los Alamos	Failed initial Vapor Recovery System tests, and failed to submit the Annual Report by due date for 2016		11/3/2017	206, 316	1/22/2019	\$1,500
11367	Betteravia Rd, 1155 E. (MVFF)	Valley Pacific Petroleum Services, Inc.	Santa Maria	Failed to submit Annual Report by due date for 2017		11/9/2018	206	1/22/2019	\$500
11475	SY Rancho Estates Mutual Water Co.	SY Rancho Estates Mutual Water Co.	Santa Ynez	Failed to maintain recordkeeping		12/7/2018	206	1/22/2019	\$250
11078	Lillie Ave, 2285 (MVFF)	Summerland Gas & Liquor	Summerland	Suspended civil penalty payment for repeat violation (NOV 11302 issued on 12/20/2017).		12/21/2016	206	1/28/2019	\$500
11302	Lillie Ave, 2285 (MVFF)	Summerland Gas & Liquor	Summerland	Failed to conduct Vapor Recovery System testing by due date and failed to maintain recordkeeping		12/20/2017	206	1/28/2019	\$1,000
11190	Jonata Park Road, 721 (MVFF)	California Department of Transportation	Buellton	Exceeded the annual throughput limit in 2016		6/6/2017	206	1/28/2019	\$250
11086	Firestone Rd, 1699 (MVFF)	City of Santa Barbara Motor Pool	Goleta	Failed to maintain equipment as certified by CARB		5/31/2017	206	1/29/2019	\$250
11301	5910 Encina Road, Unit #1	David and Jennifer Jones	Goleta	Failed to thoroughly inspect for asbestos prior to renovation		12/5/2017	1001	1/30/2019	\$350
11264	ERG Resources, LLC	ERG Operating Company	Santa Maria	Failed to submit Annual Report by due date for 2016		12/7/2017	206	1/31/2019	\$250
10984	Broadway, 1611 S. (MVFF)	Anita's Spirit	Santa Maria	Failed to submit Annual Reports by due dates for 2014 and 2015		4/21/2016	206	1/31/2019	\$500
11133	Broadway, 1611 S. (MVFF)	Anita's Spirit	Santa Maria	Failed initial Vapor Recovery System Test		12/7/2016	206, 316	1/31/2019	\$250

**\$11,100**

## Notices of Violation Issued February 2019

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule
11320	Invenios - Castilian	Invenios	Goleta	Installed and operated two stacked 1.75 MMBtu/HR boilers without a District permit		2/4/2019	201
11481	Broadway, 1601 N. (MVFF)	Pepper Tree Chevron	Santa Maria	Failed to perform two Vapor Recovery Tests and failed to install certified low permeation hoses by deadline		2/6/2019	206, 316
11396	Security Fee/Thomas Lease	HVI Cat Canyon, Inc. <sup>1</sup>	Santa Maria	Stored crude oil in a tank battery without a properly operating vapor recovery system, and stored light crude oil in a tank without a system capable of collecting all ROCs		2/7/2019	325, 326
11397	3950 Baseline Rd, Santa Ynez	Pacific Coast (Tyson Davis)	Santa Ynez	Operating three portable diesel engines without a valid District permit, and operating two portable diesel engines in violation of the Portable Diesel ATCM		2/13/2019	201, Portable Diesel ATCM
11454	Waller Lane, 505 W. (MVFF)	Santa Maria Country Club	Santa Maria	Failed to submit the Annual Report by the due date for 2017		2/14/2019	206
11482	H St, 1001 N. (MVFF)	Pommerville's Automotive & Gas	Lompoc	Failed to submit the Annual Report by the due date for 2016 and 2017		2/14/2019	206
11455	Gas Plant 10	E&B Natural Resources	Cuyama	Failed to conduct annual flow rate testing of natural gas compressor rod packing/seals that are vented to atmosphere		2/22/2019	206, CARB GHG O&G Reg
11486	Industrial Way, 166 (MVFF)	California Highway Patrol	Buellton	Failed to apply for Permit to Operate by the due date		2/25/2019	206
11456	Alfalfa Camp	Sebastian Guillen	Santa Maria	Conducted an agricultural burn without a valid permit, on a designated no-burn day, and prior to sunrise		2/28/2019	206

1. HVI Cat Canyon, Inc. was formerly known as Greka Oil and Gas, Inc.

## Penalty Settlement Payments Received February 2019

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
11198	Orcutt Hill IC Engines	Pacific Coast Energy Company LP	Orcutt	Failed to perform the required 60 day maintenance requirements on three separate occasions	x	8/21/2017	206, 40 CFR Subpart ZZZZ	2/4/2019	\$750
11284	Platform A	DCOR, LLC	Carpinteria	Exceeded the number of allowable leaks		12/29/2017	331	2/4/2019	\$1,000
11452	Terravant Wine Company - 35 Industrial Way	Terravant Wine Company	Buellton	Failed to conduct annual tuning of boilers		1/10/2019	206	2/7/2019	\$1,000
11318	Las Positas Rd, 2299 (MVFF)	Circle K Stores, Inc.	Santa Barbara	Failed to install certified low permeation hoses by deadline		12/10/2018	206, 316, CARB EO VR-202	2/8/2019	\$1,250
11453	City of Santa Maria WWTP	City of Santa Maria	Santa Maria	Vented digester gas	x	1/11/2019	206	2/12/2019	\$500
11479	Main St, 1204 E. (MVFF)	Au Energy, LLC	Santa Maria	Failed to maintain recordkeeping		1/7/2019	206	2/19/2019	\$500
11094	Sansum - Foothill	Sansum Clinic	Santa Barbara	Failed to submit the Annual Report by the due date for 2016		9/12/2017	206	2/21/2019	\$250
11097	Sansum - Main Clinic	Sansum Clinic	Santa Barbara	Failed to submit Annual Report by the due date for 2016, failed to request SCDP inspection, and operated equipment without a valid permit		9/12/2017	201, 206	2/21/2019	\$250
11098	Sansum Clinic - Ekwil	Sansum Clinic	Santa Barbara	Failed to maintain records, and failed to submit Annual Report for 2016		9/12/2017	206	2/21/2019	\$575
11299	The Home Depot - Santa Maria	The Home Depot	Santa Maria	Failed to submit 3 Annual Reports by the due date for 2017, failed to notify District of initial operations, and failed to arrange for District inspection		6/19/2018	206	2/21/2019	\$1,250
11376	Ardantz Lease	PetroRock, LLC	Santa Maria	Failed to arrange for District inspection within required timeline, and failed to submit permit application within required timeline		6/20/2018	201, 206	2/22/2019	\$250
Multiple <sup>1</sup>	Santa Maria Asphalt Refinery	California Asphalt Production, Inc. <sup>2</sup>	Santa Maria	Violated requirements for asphalt refinery operations (Payment 1 of 5 for the Violation Settlement Agreement dated 12/20/18)		Multiple	Multiple	2/24/2019	\$5,000
11480	Columbia Business Center Parnters	Rossi Enterprises	Santa Maria	Failed to maintain emergency standby diesel generator and associated hour meter as permitted		1/16/2019	206	2/27/2019	\$250
11085	Devereux	Devereux	Goleta	Failed to maintain records and failed to submit Annual Reports by the due dates for 2014, 2015, and 2016		5/31/2017	206	2/27/2019	\$1,000

**\$13,825**

1. Payment was received for the following 5 Notices of Violation: 10940, 11032, 11104, 11182, and 11195. These violations were issued between March 2016 and May 2018. The total civil penalty of \$65,000 for these violations is being paid in 5 installments, with the last due in May 2019.

2. California Asphalt Production, Inc. was formerly known as Greka Refining Company.