




Agenda Date: May 16, 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 March and April 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 multiple installments, with the last due in May 2019.

ATTACHMENTS:

- A. NOV Report, March 2019
- B. NOV Report, April 2019

Aeron Arlin Genet, Air Pollution Control Officer

Notices of Violation Issued March 2019

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule
11487	Carrillo St., 101 W. (MVFF)	Channel Auto Services, LP	Santa Barbara	Failed to conduct weekly nozzle inspections		3/1/2019	206, 316
11457	City of Santa Barbara - El Estero WWTP	City of Santa Barbara	Santa Barbara	Failed to conduct required maintenance		3/6/2019	206
11485	H St, 1400 N. (MVFF)	Circle K Stores, Inc.	Lompoc	Failed to conduct weekly nozzle inspections		3/7/2019	206, 316
11398	Bell Lease (Cat Canyon)	HVI Cat Canyon, Inc.	Santa Maria	Failed to conduct required recordkeeping, tuning, and meter calibrations	x	3/11/2019	206
11399	Blochman Lease	HVI Cat Canyon, Inc.	Santa Maria	Failed to provide maximum vapor pressure for Wash Tank and failed to perform quarterly inspection of each accessible component in 3Q15	x	3/11/2019	206, 331
11321	Montecito Fire - Sycamore Canyon Road	Montecito Fire Protection District	Santa Barbara	Failed to submit the Annual Reports for 2017 and 2018		3/20/2019	206
11322	Montecito Fire - San Ysidro Road	Montecito Fire Protection District	Santa Barbara	Failed to submit the Annual Reports for 2017 and 2018		3/20/2019	206
11323	Montecito Fire - San Ysidro Road	Montecito Fire Protection District	Santa Barbara	Failed to adhere to Permanent Engine Replacement Condition requirements		3/20/2019	206
11488	Adams Services - Degassing	Adams Services, Inc.	Santa Barbara	Failed to monitor equipment during tank degassing operations and failed to provide required reporting information		3/20/2019	206, 343
11458	Milpas St, 134 S. (MVFF)	Stop & Shop Gas 2	Santa Barbara	Failed to operate Vapor Recovery System equipment as certified by CARB and failed to conduct Vapor Recover System testing within the required timeframe		3/25/2019	206, 316
11436	Microdyn-Nadir US	Microdyn-Nadir US	Goleta	Failed to submit the Annual Report for 2018		3/27/2019	206
11459	City of Santa Maria Public Works	City of Santa Maria Public Works	Santa Maria	Failed to operate Vapor Recovery System equipment as certified by CARB		3/29/2019	206, 316

Penalty Settlement Payments Received March 2019

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
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	3/4/2019	\$2,000
11454	Waller Lane, 505 W. (MVFF)	Santa Mara Country Club	Santa Maria	Failed to submit the Annual Report by the due date for 2017		2/14/2019	206	3/4/2019	\$250
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	3/6/2019	\$500
Multiple ¹	Santa Maria Asphalt Refinery	California Asphalt Production, Inc. 2	Santa Maria	Violated requirements for asphalt refinery operations (Payment 2 for the Violation Settlement Agreement dated 12/20/18)		Multiple	Multiple	3/28/2019	\$20,000

\$22,750

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 multiple installments, with the last due in May 2019.

Notices of Violation Issued April 2019

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule
11504	Tognazzini - Adams Lease	Krummrich Engineering Corporation	Santa Maria	Stored oil in tank battery without an operational vapor recovery compressor		4/2/2019	206
11500	Bell Lease (Cat Canyon)	HVI Cat Canyon, Inc.	Santa Maria	Failed to submit the Part 70 Permit to Operate re-evaluation application for PT-70/PTO-08869-R10 by the due date		4/4/2019	206, 1304
11501	Blochman Lease	HVI Cat Canyon, Inc.	Santa Maria	Failed to submit the Part 70 Permit to Operate re-evaluation application for PT-70/PTO-08076-R10 by the due date		4/4/2019	206, 1304
11502	Cat Canyon IC Engines	HVI Cat Canyon, Inc.	Cat Canyon Field	Failed to submit the Part 70 Permit to Operate re-evaluation application for PT-70/PTO-08036-R10 by the due date		4/4/2019	206, 1304
11503	Palmer Stendl Lease	HVI Cat Canyon, Inc.	Santa Maria	Failed to submit the Part 70 Permit to Operate re-evaluation application for PT-70/PTO-08075-R10 by the due date		4/4/2019	206, 1304
11437	Microdyn-Nadir US	Microdyn-Nadir US	Goleta	Exceeded the permitted ROC annual emission limits	x	4/5/2019	206
11460	Safran Cabin, Inc. - 2850 Skyway Drive	Safran Cabin, Inc.	Santa Maria	Failed to submit the Annual Report for 2017		4/8/2019	206
11461	Safran Cabin, Inc. - 2625 Skyway Drive	Safran Cabin, Inc.	Santa Maria	Failed to submit the Annual Report for 2017		4/8/2019	206
11505	Highway 246, 230 E (MVFF)	Tom's Gas & Market	Buellton	Failed to maintain records		4/8/2019	206
11506	Shepard CHC Surgical Center	Shepard CHC Surgical Center	Santa Maria	Failed to submit Annual Reports for 2017 and 2018		4/10/2019	206
11438	Harris Corporation	Harris Corporation	Vandenberg	Failed to submit two Annual Reports for 2016, and operated an E/S DICE in excess of the daily hours limit for maintenance and testing		4/11/2019	206
11507	Security Fee/Thomas Lease	HVI Cat Canyon, Inc.	Santa Maria	Failed to seal an open-ended gas line		4/11/2019	331
11508	Fullerton Lease	HVI Cat Canyon, Inc.	Santa Maria	Failed to conduct 6 quarterly hydrogen sulfide measurements of the fuel gas (1Q17, 2Q17, 3Q17, 1Q18, 2Q18, 3Q18)	x	4/11/2019	206
11489	Premier Auto Finish	Premier Auto Finish	Santa Barbara	Failed to submit the Annual Report for 2017		4/15/2019	206
11490	Premier Auto Finish	Premier Auto Finish	Santa Barbara	Failed to submit the Annual Report for 2018		4/15/2019	206
11491	Premier Auto Finish	Premier Auto Finish	Santa Barbara	Failed to maintain records		4/15/2019	339
11527	Fullerton Lease	HVI Cat Canyon, Inc.	Santa Maria	Failed to successfully repair a gas leak within the required timeframe		4/22/2019	331

Penalty Settlement Payments Received April 2019

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
Multiple ¹	Santa Maria Asphalt Refinery	California Asphalt Production, Inc.	Santa Maria	Violated requirements for asphalt refinery operations (Payment 3 for the Violation Settlement Agreement dated 12/20/18)		Multiple	Multiple	4/22/2019	\$22,500
10920 ²	Carrari Rancho Alamo	Carrari Rancho Alamo	Los Alamos	Caused a nuisance due to smoke from an agricultural burn, and failed to meet burn permit requirements for pile size and material dryness		2/13/2017	303, 401	4/22/2019	\$1,200
11321	Montecito Fire - Sycamore Canyon Road	Montecito Fire Protection	Montecito	Failed to submit Annual Reports for 2017 and 2018		3/20/2019	206	4/23/2019	\$375
11322	Montecito Fire - San Ysidro Road	Montecito Fire Protection	Montecito	Failed to submit Annual Reports for 2017 and 2018		3/20/2019	206	4/23/2019	\$375
11362	RocketTown Honda	RocketTown Honda	Lompoc	Failed to submit the Annual Report for 2017		9/7/2018	206	4/23/2019	\$250
11380	La Goleta	Southern California Gas Company	Goleta	Exceeded permitted NOx emission limit	x	9/17/2018	206, 333	4/23/2019	\$1,000
11457	City of Santa Barbara - El Estero WWTP	City of Santa Barbara	Santa Barbara	Failed to conduct required maintenance		3/6/2019	206	4/23/2019	\$1,000
11319	Goleta Valley Cottage Hospital	Goleta Valley Cottage Hospital	Goleta	Failed to source test three boilers and failed to calibrate their fuel meters		1/24/2019	206, 342	4/24/2019	\$7,650
11313	Montecito Bank & Trust - 6900 Hollister Avenue	Montecito Bank & Trust	Goleta	Installed and operated an E/S DICE without a valid District permit		9/4/2018	201	4/26/2019	\$500

\$34,850

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 multiple installments, with the last due in May 2019.

2. The total civil penalty for this NOV is \$1,500. The remaining \$300 will be paid in May 2019.