

Agenda Item:
Agenda Date: May 20, 2021
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 2021.

DISCUSSION:

Pursuant to Section 40752 of the California Health and Safety Code, the Air Pollution 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 Air Pollution 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 is one violation settlement agreement with a payment plan:

- 1) California Asphalt Production, Inc. – Total civil penalty of \$26,400 is being paid in six installments, with the last due in June 2021. The third installment payment of \$4,400 was received in April.

ATTACHMENT:

- A. NOV Report, March 2021
- B. NOV Report, April 2021

Notices of Violation Issued March 2021

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule
12645	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 95 bhp diesel generator for prime power for 133 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12646	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 170 bhp diesel generator for prime power for 63 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12647	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 170 bhp diesel generator for prime power for 161 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12648	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 170 bhp diesel generator for prime power for 253 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12649	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 170 bhp diesel generator for prime power for 343 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12650	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 257 bhp diesel generator for prime power for 295 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12651	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 322 bhp diesel generator for prime power for 168 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12652	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 170 bhp diesel generator for prime power for 26 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12653	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 170 bhp diesel generator for prime power for 141 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12669	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 237 bhp diesel generator for prime power for 168 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12670	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 150 bhp diesel generator for prime power for 80 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12671	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 512 bhp diesel generator for prime power for over 27 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12672	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Operated a 825 bhp diesel generator for prime power for over 27 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/02/2021	Title 17, Title 13
12673	8701 Santa Rosa Road	Cental Coast Agriculture	Buellton	Use of an 825 bhp emergency/standby diesel generator without a District permit		03/02/2021	201

12677	C2 Cellars	C2 Cellars	Santa Maria	Installed storage/fermentation tanks without a District permit		03/04/2021	201
12678	Santa Maria Asphalt Refinery	California Asphalt Production, Inc.	Santa Maria	Failed to resubmit a modified fence line monitoring plan by the due date		03/08/2021	364
12679	Blosser, 1611 S. (MVFF)	NAPHT LLC	Santa Maria	Failed to perform routine nozzle inspections		03/11/2021	206, 316
12680	Blosser, 1611 S. (MVFF)	NAPHT LLC	Santa Maria	Failed initial Vapor Recovery System tests		03/11/2021	206, 316
12681	5645 Santa Rosa Road	Central Coast Agriculture	Buellton	Operated a 170 bhp diesel generator for prime power for over 301 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/16/2021	Title 17, Title 13
12682	5645 Santa Rosa Road	Central Coast Agriculture	Buellton	Operated a 512 bhp diesel generator for prime power for over 26 days in violation of the Distributed Generation Certification Regulation and in violation of the Portable Equipment Registration Program Regulation		03/16/2021	Title 17, Title 13
12683	Platform Hidalgo	Freeport-McMoRan Oil & Gas, LLC.	Santa Barbara County	Failed to utilize water injection to control Nox emissions from Turbine G-93	x	03/17/2021	206
12685	Highway 166, Mile Marker 60.1 (MVFF)	California Department of Transportation	Cuyama	Failed initial Vapor Recovery System test		03/22/2021	206
12686	Mission Hills Community Services District	Mission Hills Community Services Dist.	Lompoc	Failed to complete multiple Source Compliance Demonstration Period requirements by due dates		03/23/2021	206
12687	Various Locations	Nu Line Technologies LLC	Santa Barbara	Operated a 109 bhp portable diesel engine over 50 bhp without a District permit or PERP registration		03/24/2021	201
12688	Montecito Retirement Association	Montecito Retirement Association	Montecito	Failed to adhere to Recordkeeping, Reporting, and Initial Operations and District Inspection permit conditions		03/24/2021	206
12689	Guadalupe St, 1080 (MVFF)	Pfg Guadalupe inc	Guadalupe	Failed to correct a Vapor Recovery System leak as required after an In Station Diagnostics system alarm.		03/25/2021	206, 316
12690	UCSB	University of California - Santa Barbara	Santa Barbara	Failed to conduct boiler fuel use meters calibration, failed to perform boiler tuning according to District requirements, and failed to calibrate the analyzer prior tuning boilers	x	03/26/2021	206
12691	Guadalupe St, 751 (MVFF)	Y K Market	Guadalupe	Failed initial Vapor Recovery System test		03/26/2021	206, 316
12692	J&A Santa Maria - Church St	J&A - Santa Maria, LLC	Santa Maria	Exceeded the inlet sulfur concentration during source testing for landfill gas-fired engine		03/26/2021	206
12693	J&A Santa Maria - Church St	J&A - Santa Maria, LLC	Santa Maria	Failed to conduct Cylinder Gas Audits in 3Q20 and 1Q21		03/26/2021	206
12694	Los Banos Pool	City of Santa Barbara	Santa Barbara	Failed to adhere to Monitoring and Reporting permit conditions		03/29/2021	206
12695	L3Harris Technologies, Inc.	Harris Corporation	VAFB	Failed to submit Annual Report for 2020 by due date		03/29/2021	206
12696	Calle Real, 5661 (MVFF)	Seven-Eleven, Inc.	Goleta	Modified the Phase II Enhanced Vapor Recovery System without a District permit		03/30/2021	201

Penalty Settlement Payments Received March 2021

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
11472	Imerys Filtration Minerals, Inc.	Imerys Filtration Minerals, Inc.	Lompoc	Suspended penalty, due to repeated violation (see NOV 12245). Exceeded the sulfur limits on the 1st stage dryer inlet and kiln	x	06/12/2019	206	03/02/2021	\$2,500
12659	The Okonite Company	The Okonite Company	Santa Maria	Failed to maintain a calibrated flow meter for 3 boilers		01/22/2021	206	03/03/2021	\$3,000
12021	Hot Rod Alley	Hot Rod Alley	Lompoc	Failed to submit Annual Report for 2018 by due date		09/17/2019	206	03/08/2021	\$250
11397	3950 Baseline Rd.	Tyson Davis Well Drilling	Santa Ynez	Operated 3 portable diesel engines over 50 bhp without a District permit or PERP, and operated diesel engines past the compliance deadline		12/13/2019	201, Portable Diesel ATCM	03/15/2021	\$7,500
12421	H St, 603 N. (MVFF)	Vons - A Safeway Company	Lompoc	Failed to submit Annual Report for 2019 by due date		10/30/2020	206	03/19/2021	\$250

\$13,500

ATTACHMENT B

Notice of Violations
April, 2021

May 20, 2021

Santa Barbara County Air Pollution Control District
Board of Directors

260 San Antonio Road, Suite A
Santa Barbara, California 93110

Notices of Violation Issued April 2021

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule
12697	Agri-Chip	Agri-Chip	Santa Barbara	Exceeded engine CO emission limit on 2/1/21, failed to correct the exceedance, failed to perform follow-up inspections required by District approved Inspection and Maintenance Plan		04/12/2021	206, 1001
12698	Agri-Chip	Agri-Chip	Santa Barbara	Exceeded engine CO emission limit on 2/14/21, failed to correct the exceedance, failed to perform follow-up inspections required by District approved Inspection and Maintenance Plan		04/12/2021	206, 1001
12699	Platform Hidalgo	Freeport-McMoRan Oil & Gas, LLC.	Santa Barbara County	Failed to utilize water injection to control Nox emissions from Turbine G-93		04/14/2021	206
12700	J&A Santa Maria - Main St	J&A - Santa Maria II, LLC	Santa Maria	Exceeded the inlet sulfur concentration during source testing for landfill gas-fired engine		04/19/2021	206
12701	J&A Santa Maria - Main St	J&A - Santa Maria II, LLC	Santa Maria	Failed to conduct Cylinder Gas Audits in 3Q20 and 1Q21		04/19/2021	206
12702	J&A Santa Maria - Main St	J&A - Santa Maria II, LLC	Santa Maria	Exceeded the engine NOx emission limit		04/19/2021	206
12703	Platform Henry	DCOR, LLC.	Santa Barbara County	Exceeded the permitted number of quarterly pig launching events in 1Q20 and 2Q20		04/20/2021	206
12704	Imerys Filtration Minerals, Inc.	Imerys Filtration Minerals, Inc.	Lompoc	Exceeded the PM10 limit on Baghouse 135 during a source test		04/20/2021	206
12705	Fess Parker Winery and Vineyard	Fess Parker Winery and Vineyard	Santa Maria	Installed equipment without a District permit		04/22/2021	201
12706	Bell Lease (Cat Canyon)	Team Operating, LLC.	Santa Maria	Failed to complete multiple Source Compliance Demonstration Period requirements by due dates		04/21/2021	206
12707	Chamberlin Lease	Team Operating, LLC.	Santa Maria	Failed to complete multiple Source Compliance Demonstration Period requirements by due dates		04/21/2021	206
12708	Davis Lease	Team Operating, LLC.	Santa Maria	Failed to complete multiple Source Compliance Demonstration Period requirements by due dates		04/21/2021	206
12709	225 State Street	Pacifica Capital Investments, LLC & Hangar 225, LLC & Mainz Builders, Inc. & The Cearnal Collective, LLP	Santa Barbara	Failed to thoroughly inspect for asbestos prior to the commencement of renovation activities		04/22/2021	1001, 40 CFR 61.145

Penalty Settlement Payments Received April 2021

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
12495	Lompoc Oil and Gas Plant	Freeport-McMoRan Oil & Gas, LLC.	Lompoc	Exceeded fuel heat input limit for Heater Treater A	x	08/20/2020	206	04/02/2021	\$2,500
12665	Main St, 815 W. #0693 (MVFF)	Apro, LLC.	Santa Maria	Failed to perform nozzle inspections as required		02/05/2021	206, 316	04/02/2021	\$250
12666	Main St, 815 W. #0693 (MVFF)	Apro, LLC.	Santa Maria	Failed to conduct Vapor Recovery System testing by due date		02/05/2021	206, 316	04/02/2021	\$1,000
Multiple ¹	Santa Maria Asphalt Refinery	California Asphalt Production, Inc.	Santa Maria	Violated requirements for asphalt refinery operations (Payment 3 of 5 for the Violation Settlement Agreement dated 12/16/20)		Multiple	Multiple	04/05/2021	\$4,400
11600	Newlove Lease	Pacific Coast Energy Company LP	Orcutt	Failed to control emissions of produced gas at all times, and had a vapor leak on an open-ended line		06/05/2019	325, 331	04/06/2021	\$250
12657	Newlove Lease	Pacific Coast Energy Company LP	Orcutt	Failed to seal an open-ended line		01/19/2021	331	04/06/2021	\$500
12683	Platform Hidalgo	Freeport-McMoRan Oil & Gas, LLC.	Lompoc	Failed to utilize water injection to control NOx emissions from Turbine G-93	x	03/17/2021	206	04/13/2021	\$1,250
12679	Blosser, 1611 S. (MVFF)	NAPHT LLC	Santa Maria	Failed to perform routine nozzle inspections		03/11/2021	206, 316	04/14/2021	\$250
12680	Blosser, 1611 S. (MVFF)	NAPHT LLC	Santa Maria	Failed initial Vapor Recovery System tests		03/11/2021	206, 316	04/14/2021	\$500
12285	C2 Cellars	C2 Cellars	Santa Maria	Failed to submit Annual Report for 2019 by due date		10/05/2020	206	04/16/2021	\$1,000
12677	C2 Cellars	C2 Cellars	Santa Maria	Installed storage/fermentation tanks without a District permit		03/04/2021	201	04/16/2021	\$1,000
12636	County of Santa Barbara - Mobile Refueler	County of Santa Barbara	Santa Barbara	Failed to perform and pass all required Vapor Recovery System tests in 2019		12/10/2020	206	04/20/2021	\$1,000
12675	Firefly Aerospace	Firefly Aerospace	VAFB	Installed two diesel engines without a District permit		02/24/2021	201	04/20/2021	\$2,000
12691	Guadalupe St, 751 (MVFF)	Y K Market	Guadalupe	Failed initial Vapor Recovery System test		03/26/2021	206, 316	04/23/2021	\$250
12635	Beachfront Lease	InterAct PMTI, Inc.	Goleta	Failed to provide Exemption completion report by the due date		12/09/2020	201	04/26/2021	\$250
12660	City of Santa Maria Landfill	City of Santa Maria	Santa Maria	Exceeded the flare sulfur limit		01/22/2021	206	04/26/2021	\$5,000
12690	UCSB	University of California - Santa Barbara	Santa Barbara	Failed to conduct boiler fuel use meters calibration, failed to perform boiler tuning according to District requirements, and failed to calibrate the analyzer prior tuning boilers	x	03/26/2021	206	04/26/2021	\$1,000
12694	Los Banos Pool	City of Santa Barbara	Santa Barbara	Failed to adhere to Monitoring and Reporting permit conditions		03/29/2021	206	04/26/2021	\$750
12446	Calle Real, 6465 (MVFF)	California Highway Patrol	Goleta	Failed to perform required Vapor Recovery System testing		05/28/2020	206, 316	04/30/2021	\$750
12447	Calle Real, 6465 (MVFF)	California Highway Patrol	Goleta	Failed initial Vapor Recovery System test		06/05/2020	316	04/30/2021	\$250

\$24,150

1. Payment was received for the following 7 Notices of Violation: 12030, 12437, 12460, 12461, 12462, 12503, and 12615. These violations were issued between October 2019 and November 2020. The total civil penalty of \$26,400 for these violations is being paid in 6 installments, with the last due in June 2021.