




air pollution control district
SANTA BARBARA COUNTY

Agenda Item: D-3
Agenda Date: May 18, 2023
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) 979-8298

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 2023.

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 penalty revenue received during the months indicated. Included in the attached NOV Reports are two payment plans:

- 1) Security Paving Company, Inc. - Violation Settlement Agreement civil penalty of \$90,000 was paid in two installments. Both installment payments, of \$45,000 each, were received in March 2023.
- 2) Mel Giffin, Inc. – Violation Settlement Agreement civil penalty of \$8,790 is being paid in six installments, with the last due in July 2023. Two installment payments were received: \$1,465 in March and \$1,465 in April.

ATTACHMENTS:

- A. NOV Report, March 2023
- B. NOV Report, April 2023

Aeron Arlin Genet, Air Pollution Control Officer

 (805) 979-8050

 260 N. San Antonio Rd., Ste. A Santa Barbara, CA 93110

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ATTACHMENT A

Notice of Violations
March, 2023

May 18, 2023

Santa Barbara County Air Pollution Control District
Board of Directors

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

Notices of Violation Issued March 2023

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule
13265	Bell Lease (Cat Canyon)	Team Operating, LLC.	Santa Maria	Failed to seal an open-ended line		03/03/2023	331
13268	State St, 3999 (MVFF)	California Department of Transportation	Santa Barbara	Failed to maintain all vapor recovery equipment in good working order, leak free, and vapor tight		03/06/2023	316
13269	State St, 3735 (MVFF)	Educated Car Wash/Wasem Family Partners	Santa Barbara	Failed to keep records of all inspections, maintenance, repairs and testing of Vapor Recovery System components		03/06/2023	206
13270	Alston (801) ES Engine	OK Wave, LLC.	Santa Barbara	Installed and operated a diesel engine over 50 brake-horsepower without a District permit		03/09/2023	201
13271	Gold Coast Packing	Gold Coast Packing	Santa Maria	Failed to conduct source testing by due date		03/14/2023	206
13272	Gold Coast Packing	Gold Coast Packing	Santa Maria	Failed to obtain District approval prior to cancelling a scheduled source test		03/14/2023	206
13273	Davis Lease	Team Operating, LLC.	Santa Maria	Stored crude oil in a tank battery without a leak-free, properly installed, maintained and operated vapor recovery system		03/14/2023	325
13274	Clean & Clear, LLC.	Clean & Clear, LLC.	Lompoc	Installed and operated cannabis manufacturing equipment without a District permit		03/16/2023	201
13275	Clean & Clear, LLC.	Clean & Clear, LLC.	Lompoc	Failed to keep monthly solvent cleaning records		03/16/2023	206
13276	Clean & Clear, LLC.	Clean & Clear, LLC.	Lompoc	Failed to use a District-approved flow meter to measure make-up butane transferred to each cannabis extractor		03/16/2023	206
13277	Clean & Clear, LLC.	Clean & Clear, LLC.	Lompoc	Exceeded the daily ROC emission limit from Sept. 2022 - Feb. 2023, and exceeded the monthly make-up butane limit from Sept. 2022 - Feb. 2023		03/16/2023	206
13278	State St, 1935 (MVFF)	Santa Barbara Fuel, Inc.	Santa Barbara	Failed to submit 2022 Annual Report by due date		03/16/2023	206
13279	Vandenberg SFB, Space Launch Delta 30	United States Space Force	VSFB	Failed to conduct Vapor Recovery System testing by due date		03/16/2023	316
13280	Meredith Lane, 2310 S. (MVFF)	J.B. Dewar, Inc.	Santa Maria	Failed to conduct Vapor Recovery System testing by due date		03/17/2023	206
13281	Cate School	Cate School	Carpinteria	Failed to regenerate the Diesel Particulate Filter as required, failed to provide records upon request, and failed to submit a complete 2022 Annual Report		03/21/2023	206
13283	Lash Const. (5 S. Calle Cesar Chavez)	Lash Construction	Santa Barbara	Installed and operated a portable screening unit without a District permit		03/27/2023	201

Penalty Settlement Payments Received March 2023

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
Multiple ¹	Giffin Equipment	Mel Giffin, Inc.	Goleta & Santa Barbara	Operated 7 portable diesel engines without District permits or PERP registrations		12/13/2022	201	03/02/2023	\$1,465
12893	6495 Santa Rosa Road	Pro Farms	Santa Barbara County	Installed and operated a diesel engine over 50 bhp at a cannabis facility without a District permit		11/18/2021	201	03/02/2023	\$29,000
12897	6495 Santa Rosa Road	Pro Farms	Santa Barbara County	Installed and operated a second diesel engine over 50 bhp to provide backup power to non-agricultural activities at a cannabis facility without a District Permit		01/14/2022	201	03/02/2023	\$29,000
12825 ²	909 S. Kellogg Avenue	Security Paving Company, Inc.	Goleta	Operated concrete recycling equipment without a District permit		08/26/2021	201	03/03/2023	\$45,000
13203	J&A Santa Maria - Main St	J&A - Santa Maria II, LLC	Santa Maria	Failed to conduct annual source testing by due date for one cogen engine at the Santa Maria Regional Landfill		10/18/2022	206	03/07/2023	\$5,000
13204	J&A Santa Maria - Church St	J&A - Santa Maria, LLC	Santa Maria	Failed to conduct annual source testing by due date for two cogen engines at Marian Medical		10/18/2022	206	03/07/2023	\$5,000
13263	J&A Santa Maria - Main St	J&A - Santa Maria II, LLC	Santa Maria	Failed to submit source test results by due date for landfill gas engine at the Santa Maria Regional Landfill		02/23/2023	206	03/07/2023	\$5,000
13264	J&A Santa Maria - Church St	J&A - Santa Maria, LLC	Santa Maria	Failed to submit source test results by due date for landfill gas engine at Marian Medical		02/23/2023	206	03/07/2023	\$2,500
13260	San Andres St, 1502 (MVFF)	Clean Energy Holdings, LLC	Santa Barbara	Failed to notify the District prior to startup vapor recovery system testing		02/14/2023	206	03/13/2023	\$250
12900	MNUS	Microdyn-Nadir US	Goleta	Exceeded a permitted Solvent Casting Emission Limit	x	12/20/2021	206	03/17/2023	\$12,500
12901	MNUS	Microdyn-Nadir US	Goleta	Failed to maintain emission calculation summaries required in 3 permits		12/20/2021	206	03/17/2023	\$750
12904	MNUS	Microdyn-Nadir US	Goleta	Failed to provide all records required by the permit to verify compliance with emission limits		12/20/2021	206	03/17/2023	\$500
12905	MNUS	Microdyn-Nadir US	Goleta	Failed to arrange for the Source Compliance Demonstration Period inspection by due date and failed to apply for a Permit to Operate by due date		12/20/2021	206	03/17/2023	\$500
12906	MNUS	Microdyn-Nadir US	Goleta	Operated equipment beyond the end date of the Source Compliance Demonstration Period without a District Permit to Operate		12/20/2021	201	03/17/2023	\$250
12825 ²	909 S. Kellogg Avenue	Security Paving Company, Inc.	Goleta	Operated concrete recycling equipment without a District permit		08/26/2021	201	03/31/2023	\$45,000

\$181,715

1. Payment was received for the following 7 Notices of Violation: 13229, 13230, 13231, 13232, 13233, 13234, and 13235. These violations were issued on December 13, 2022. The total civil penalty of \$8,790 for these violations is being paid in 6 installments, with the last due in July 2023. This is Payment 2 of 6.

2. The total civil penalty of \$90,000 for NOV 12825 was paid in 2 installments. Both \$45,000 installment payments were received in March 2023.

ATTACHMENT B

Notice of Violations
April, 2023

May 18, 2023

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 2023

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule
13282	SBA Towers II, LLC. - Broadcast Peak (CA12653-A)	Santa Barbara Tower, LLC.	Santa Barbara	Failed to keep required records, notify the District when the transfer switch failed, and properly maintain the diesel generator		04/04/2023	206
13284	H St, 940 N. (MVFF)	Stuart's Petroleum	Lompoc	Failed to maintain daily inspection records		04/05/2023	206
13285	Industrial Way, 166 (MVFF)	California Highway Patrol	Buellton	Failed to conduct Vapor Recovery System testing by the due date		04/05/2023	206
13286	Gold Coast Packing	Gold Coast Packing	Santa Maria	Failed to conduct weekly monitoring using a District-approved portable analyzer		04/05/2023	206
13287	Thornburg St, 2201 S. (MVFF)	California Department of Transportation	Santa Maria	Installed and operated a diesel generator rated over 50 bhp without a District permit		04/10/2023	201
13288	Main St, 815 W. #0693 (MVFF)	Apro, LLC.	Santa Maria	Failed to conduct Vapor Recovery System testing by the due date		04/11/2023	206
13289	Broadway, 1601 N. (MVFF)	Pepper Tree Chevron	Santa Maria	Failed to conduct and maintain daily inspection and alarm records		04/12/2023	206
13290	Safran Cabin, Inc. - 2850 Skyway Drive	Safran Cabin, Inc.	Santa Maria	Installed a paint booth without a District permit		04/14/2023	201
13291	Safran Cabin, Inc. - 2641 Airpark Drive	Safran Cabin, Inc.	Santa Maria	Installed 9 pieces of equipment without a District permit		04/14/2023	201
13292	Santa Maria Mesa Rd, 4680 (MVFF)	CalPortland Construction	Santa Maria	Failed to conduct Vapor Recovery System testing by the due date		04/14/2023	206
13293	Platform C	DCOR, LLC.	Santa Barbara County	Exceeded the number of allowable leaks		04/17/2023	331
13294	Platform B	DCOR, LLC.	Santa Barbara County	Failed to seal an open-ended line		04/17/2023	331
13295	Platform A	DCOR, LLC.	Santa Barbara County	Exceeded the number of allowable leaks		04/17/2023	331
13296	Highway 166, 5007 (MVFF)	New Cuyama Gas Station	New Cuyama	Failed to conduct Vapor Recovery System testing by the due date		04/19/2023	206
13297	Woodley (351) ES Engine	OK Wave, LLC.	Santa Barbara	Failed to keep required records		04/19/2023	206
13298	Guadalupe St, 751 (MVFF)	Fastrip Oil Company, L.P.	Guadalupe	Failed an initial Vapor Recovery System test		04/20/2023	206
13299	Travis Lease	PetroRock, LLC.	Santa Maria	Installed a portable steam generator burner that was authorized by the District permit		04/24/2023	206
13300	Russell Ranch Lease	Elysium Russell, LLC.	New Cuyama	Failed to perform quarterly inspections on 8 pieces of oil and gas equipment		04/26/2023	325

Penalty Settlement Payments Received April 2023

Nov #	Facility	Company	Location	Violation Description	Self Reported	Violation Issued	Rule	Date Paid	Total Penalty Received
Multiple ¹	Giffin Equipment	Mel Giffin, Inc.	Goleta & Santa Barbara	Operated 7 portable diesel engines without District permits or PERP registrations		12/13/2022	201	04/03/2023	\$1,465

\$1,465