



## MONTEREY BAY AIR RESOURCES DISTRICT

24580 Silver Cloud Court, Monterey, CA 93940

<b>MEETING DATE:</b>	September 16, 2020	<b>CONSENT AGENDA</b>
<b>TO:</b>	Board of Directors	
<b>FROM:</b>	Amy Clymo, Engineering and Compliance Manager	
<b>SUBJECT:</b>	Accept and File Report of Summary of Mutual Settlement Program Actions for August 2020	

### RECOMMENDATION

Accept and File Report of Summary of Mutual Settlement Program Actions for the Month of August 2020.

### DISCUSSION

The Mutual Settlement Program resolves significant violations of air quality regulations without formal legal proceedings. Notices of Violation are usually settled by mutual agreement between the District and the respondent. When a mutual settlement has been reached, and its obligations fulfilled, the respondent is then released from liability for that incident. Settlements include civil penalties, emission reductions, and Supplemental Environmental Projects (SEP). The Mutual Settlement Program is operated from within the Compliance Division by District staff.

During the month of August 2020 five (5) cases were settled through the District's Mutual Settlement Program. The cases involved violation of District Permit, Vapor Recovery and PERP Regulations. The settlements ranged from penalties in the amount of \$367.00 to \$5,141.00.

The District issued two (2) Notices of Violation during this month. As of August 31, 2020, there were five (5) cases in process or pending settlement.

### ATTACHMENTS

Table of Dispositions of Mutual Settlement Actions.

DISPOSITIONS OF MUTUAL SETTLEMENT ACTIONS  
**For the Month of August 2020**

SOURCE (City)	NOV #	VIOLATION	SETTLEMENT
GAWFCO ENTERPRISES, INC. (CAPITOLA)	GDF19-049	Violation of District Rule 200.3.7 by failing to comply with conditions No. 4, 5, and 10 of permit to operate 16175, to wit; weekly inspections of EVR Phase I and Phase II components were not completed and a complete ISD alarm and maintenance log and contractor repair records were not maintained.	\$612.00
PINNACLE FUEL COMPLIANCE (ROYAL OAKS)	GDF20-012	Violations of District Rule 1002.4.6.2.7 by failing to provide a written vapor recovery test report within 30 calendar days after conducting tests, to wit; failure to submit test results.	\$367.00
HNS HOSPITALITY LLC (MARINA)	PTO19-180	<p>1. Violation of District Rule 200.3.7 by failing to comply with Condition 4 a), &amp; b) in Permit to Operate GNR-0017017, to wit no Phase I and Phase II inspections documented.</p> <p>2. Violation of District Rule 1002.3.2.2 failure to maintain CARB certified equipment in accordance with Title 17 of the California Code of Regulations, sections 94000 et seq.</p> <p>3. Violation of District Rule 200.3.7 by failing to comply with Condition 5 in Permit to Operate GNR-0017017, to wit no maintenance/ repair log and all records onsite.</p> <p>4. Violation of District Rule 200.3.7 by failing to comply with Condition 10 e), f) &amp; g) in Permit to Operate GNR-0017017; to wit the ISD alarm printouts showed several alarms with warnings and failures with no alarm log. Pumps were disabled and enabled with no maintenance or repair log.</p>	\$1,224.00
MONTEREY TILTH LLC (SALINAS)	PTO19-200	Violation of District Rule 200.3.2 by the operation of seven prime internal combustion engines without a valid Permit to Operate.	\$5,141.00
CNWI LLC (SALINAS)	PTO19-201	Violation of District Rule 200.3.2 by the operation of regulated equipment without a valid Permit to Operate.	\$2,938.00