January 24, 2017

TO: Each Supervisor

FROM: Cynthia A. Harding, M.P.H.
Interim Director

SUBJECT: UPDATE ON PROGRESS TO ABATE ELEVATED HEXAVALENT CHROMIUM LEVELS IN THE CITY OF PARAMOUNT

On December 20, 2016 your Board instructed the Interim Director of Public Health (DPH) to report back monthly on the progress to abate the endangerment posed by elevated hexavalent chromium ("Chromium-6") emissions in the City of Paramount. This report provides the first monthly update on these issues and it reflects collaboration with the South Coast Air Quality Management District (SCAQMD), Los Angeles County Fire Department, and County Counsel.

Timeline of Enforcement Activities

On November 4, 2016, SCAQMD first reported to DPH that its air monitors had detected excessive levels of Chromium-6, at which time SCAQMD along with the Fire Department’s Health Hazardous Materials Division began door-to-door investigations of over 150 facilities to determine the source of contamination. On November 29, 2016, SCAQMD issued Petitions for Orders of Abatement to both the Anaplex Corporation (Anaplex) and the Aerocraft Heat Treating Company, Inc. (Aerocraft) after determining that these two facilities were contributing to elevated airborne levels of Chromium-6. Two days later, on December 1, 2016, DPH, utilizing its authority as the Health Officer for the City of Paramount, issued Public Health Directives to both Anaplex and Aerocraft, ordering each facility to work with SCAQMD to take all necessary actions to immediately eliminate the current nuisance endangering the health of the public, which may include full or partial suspension of operations. SCAQMD’s proposed Orders of Abatement established that Chromium-6 emissions are not to exceed 1 ng/m3 at either of these facilities. SCAQMD has also substantially enhanced air monitoring and testing in the area. Once the level of 1 ng/m3 has been consistently achieved, DPH will interpret all data produced by the enhanced air monitoring to determine the need for further reductions.

On December 14, 2016, the SCAQMD Hearing Board held proceedings related to the proposed Orders of Abatement petition filed by SCAQMD against Anaplex and Aerocraft. DPH experts
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testified at the hearing on the dangers and health risks that excessive levels of Chromium-6 pose to persons living and working near the facilities. On December 16, 2016, the SCAQMD Hearing Board approved the Stipulated Order of Abatement that was voluntarily entered into by Aerocraft. Anaplex refused to voluntarily enter into a similar order at that time, and the SCAQMD Hearing Board continued the matter to January 5, 2017. DPH and SCAQMD concurred that the three week continuance of the Anaplex case constituted an unacceptable and ongoing threat to the public’s health that required immediate legal action.

On December 21, 2016 the County and SCAQMD jointly filed a lawsuit against Anaplex in Los Angeles County Superior Court, and sought an emergency abatement order against Anaplex. On December 22, 2016 the Superior Court held a hearing, during which it denied the County and SCAQMD’s motion for an emergency order against Anaplex. The Superior Court stated in its denial of the motion that it did not want to disturb the administrative jurisdiction of the SCAQMD Hearing Board to resolve the allegations against Anaplex.

On January 5, 2017, the SCAQMD Hearing Board reconvened on the Anaplex matter. Supervisor Janice Hahn and an expert from DPH provided public testimony. On January 10, 2017, Anaplex agreed to enter into a Stipulated Order of Abatement with SCAQMD, which was subsequently approved by the Hearing Board.

These Orders of Abatement allow SCAQMD to identify emissions of Chromium-6 at Aerocraft and Anaplex that present an endangerment to the public, and to initiate corrective action immediately upon detection. On January 19, 2017, monitoring at Aerocraft identified an exceedance of the requirements set forth in the order. As a result, Aerocraft was required to suspend all operations at the facility that could release Chromium-6. These operations will remain suspended until Aerocraft collects three measurements over a week demonstrating compliance with the Chromium-6 standard in the Order. DPH and SCAQMD will continue to closely monitor emissions and will take further actions as necessary to ensure compliance with the Orders.

Should it become necessary to take further legal actions beyond seeking to compel compliance with the Orders of Abatement, there are additional legal options that can be exercised. For example, SCAQMD can file a lawsuit against a responsible party alleging violation of the air quality standards required by California law.

Communications with the City of Paramount

DPH has had several discussions with the City Manager and other senior officials in the City of Paramount to ensure they understand the role and authority of DPH as the city’s Health Officer. DPH advised these officials of the urgency of the situation and the gravity of harm presented to their constituents by exposure to high levels of Chromium-6 during two Town Hall Meetings on November 9, 2016 and December 12, 2016. DPH, with input from SCAQMD and the Fire Department, also advised city officials regarding the route of the city-sponsored “Santa Train” festival during the winter holidays, which was subsequently altered so as to avoid stops in the vicinity of the elevated Chromium-6 emissions to prevent unnecessary exposure to the public. DPH will continue to work closely with city officials to ensure that they are informed of important developments and provided with advisement on protecting the public’s health.
Review of Reports on the City of Paramount’s Water Supply

In response to Supervisor Janice Hahn’s request for information on the levels of Chromium-6 in the City of Paramount’s water supply, DPH reviewed the current report from the State Water Resources Control Board’s Division of Drinking Water. The recent test results for the City of Paramount show that Chromium-6 levels in the drinking water are currently below 1 part per billion (1 ppb), which is below the State standard of 10 ppb. The City of Paramount has informed DPH that it will continue testing the drinking water beyond State requirements, in order to maintain public confidence.

Next Steps

In addition to the continued monitoring of Anaplex and Aerocraft to ensure compliance with the Orders of Abatement, SCAQMD, DPH, and the Fire Department are also expanding monitoring and inspection activities within the City of Paramount due to the large number of Chromium-6 emitting facilities in the area. This will allow for the identification of other potential sources of Chromium-6, beyond the Anaplex and Aerocraft facilities. SCAQMD is expanding air monitoring to include locations near other facilities that emit Chromium-6, and together SCAQMD, DPH, and the Fire Department are conducting door-to-door surveys of facilities in the City of Paramount to ascertain the status of their permits and current operations. This additional monitoring will allow for determination of whether further steps must be taken to abate the endangerment posed by elevated levels of Chromium-6 in the community.

DPH will continue to work closely with SCAQMD, the Fire Department, and County Counsel to report monthly on progress to protect the public’s health in the City of Paramount. If you have questions or need additional information, please let me know.

CAH:ab

c: Chief Executive Officer
   County Counsel
   Executive Officer, Board of Supervisors
   Fire Department