

April 25, 2017

The Honorable Cristina Garcia
Assemblymember, 58th District
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0058

Dear Assemblymember Garcia:

The City of Paramount would like to offer our support of your legislation, Assembly Bill 1132 – Non-vehicular Air Pollution: Order of Abatement.

AB 1132 authorizes air pollution control districts to issue a temporary order for abatement upon determining if a person or company has violated the emission standards of air pollutants and thus presents an imminent and substantial endangerment to the public health or to the environment. The order for abatement would apply to specific operations that are causing the endangerment pending a hearing.

Under current law, a petition for order of abatement may not be heard unless there has been a minimum of 10 days of notice to the public and to the facility, which in practice is usually closer to 15 days to allow for publication in a newspaper. Only after this can the issue be set for a hearing and presented to the air district's hearing board. As this process unfolds, a facility may continue to pollute. Children and families in nearby neighborhoods would continue to be exposed to highly toxic chemicals and air pollution. Air districts must be equipped with the best tools to protect public health.

While the new powers granted to an air pollution control officer in AB 1132 would speed up the process of protecting the public, and would actually bring air districts into compliance with federal clean air regulations, AB 1132 retains due process and other legal protections.

The bill, for instance, requires that the air pollution control officer establish a post-order hearing procedure when notifying the alleged violator about the abatement order. The air pollution control officer's order can only address whatever is necessary to remedy and prevent imminent and substantial endangerment and correct other air pollution violations. Thus, a facility that presents such endangerment must only cease and desist the specific operations that are causing the hazardous emissions. A facility would only be ordered to totally and temporarily shut down, pending necessary corrective actions, if there is no way to operate any part of the facility in compliance.

PEGGY LEMONS
Mayor

DIANE J. MARTINEZ
Vice Mayor

LAURIE GUILLEN
Councilmember

TOM HANSEN
Councilmember

DARYL HOFMEYER
Councilmember



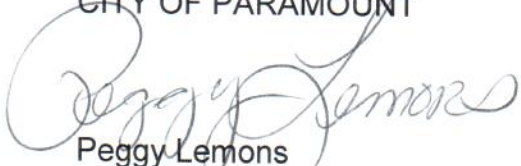
We understand that this authority would only be used in cases of high levels of carcinogenic and toxic air contaminants. Further, we understand that these high levels would be determined through a series of air monitoring around the facility in question. Industries most likely to create a threat consist of those that emit lead or toxic air contaminants such as hexavalent chromium, cadmium, arsenic, asbestos, and hydrogen sulfide, as well as other harmful pollutants.

Recently there have been a number of facilities that were able to continue with processes that spewed toxic contaminants into the air and surrounding communities while the abatement process was underway. Hixson Metals, a chrome plater in Newport Beach released high levels of hexavalent chromium. Anaplex, a chrome anodizer in Paramount also released high levels of hexavalent chromium. Exide, a lead-acid battery recycler was exceeding the national ambient air quality standard for lead, and later was emitting high levels of arsenic. And Ridgeline, a private wastewater treatment facility, was emitting hydrogen sulfide and causing symptoms of illness among nearby residents.

We feel that if AB 1132 had been in place, the issues at play in these facilities would have been dealt with much sooner than they were. While opponents may argue that the current process is sufficient, communities like Paramount or Commerce that have experienced this pollution would say that even ten days of living in toxicity is ten days too many.

The City of Paramount thanks you for your commitment and dedication to our region and looks forward to our continued partnership.

CITY OF PARAMOUNT



Peggy Lemons
MAYOR

cc: Assemblymember Anthony Rendon, 63rd District
Senator Ricardo Lara, 33rd District