



April 28th, 2022

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South Coast Air Quality Management District
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RE: Comments and Recommendations to Strengthen the South LA AB 617 CERP

The undersigned social, health and environmental justice groups strongly support strengthening the South LA Community Emissions Reduction Plan (South LA CERP) to achieve the goals of AB 617 and truly reflect a community driven approach to localized emissions reductions that will achieve tangible improvement in health and air quality.

Air pollution in South Los Angeles emanates from a variety of sources, both stationary and mobile. Our community is peppered among residential homes, schools, recreational facilities, and commercial establishments are auto body shops, metal manufacturing facilities, oil and gas extraction sites, warehouses, and other industrial sites. Freeways and high-volume thoroughfares surround and crisscross this urban landscape. These pollution sources regularly emit harmful gasses and particles, often above health standard levels, which combined with other socio-economic and environmental determinants of health, significantly impact the health and well-being of South LA's residents.¹

South LA communities cannot afford to implement programs that will not result in tangible emissions reduction. **Community members, members of the SCLA-PUSH project, AB617 South LA Community Steering Committee (CSC) members, community organizations, and academic experts**, who have for decades work towards ensuring social and environmental justice in South LA, are demanding that the South LA CERP is recentered in the long-term goal of improving local air quality and thus the quality of life and health of residents. Community members include 20 SCLA-PUSH Air Quality Ambassadors trained residents, 12 SCOPE CSC members, 10 Watts Clean Air CSC members, and 5 PSR-LA CSC members.

Given the urgent need to protect South LA residents from toxic air pollution, the South LA CERP needs to re-focus on developing direct pollution reduction measures with and in a manner that prioritizes the health and well-being of communities. Generally the vast majority of

¹ https://sclapush.org/user/themes/sclapush/files/SCLA-PUSH_Final_Report_2019-2020.pdf



the actions listed in the current South LA CERP draft do not require or propose to require the development of quantifiable, permanent, and enforceable emissions reductions beyond what is already required by existing law.²

“Permanent, enforceable emissions reductions are essential for communities so that they can count on and enforce the intended emissions reductions. While other types of measures may also be worthwhile, a lack of enforceable and permanent measures may mean that communities’ air will not improve in a significant way as a result of these plans.”³

General Recommendations to Strengthen the SLA CERP:

Several actions throughout the South LA CERP – listed in Chapters 5A through 5G – are too vague, overly focused on outreach and research, and are not **quantifiable emissions reduction actions**. Many of the SLA CERP actions include language such as, “conduct outreach,” “distribute outreach materials,” “conduct workshops,” “collaborate with other agencies,” “educate the community,” etc. While these actions are important to engage regulated industries and the community in the AB617 implementation process, education and outreach rarely translate to tangible emissions reduction. We demand that these actions be coupled with new regulations, rule proposals, and enforcement measures that aim to reduce emissions.

To achieve these tangible, measurable, and enforceable emissions reductions in South LA, the South Coast Air Quality Management District (SCAQMD) must include the implementation of community driven strategies, Best Available Control Technologies (BACT), Best Available Retrofit Control Technology (BARCT), businesses and industries best practices, continuous monitoring, and community-led enforcement plans. To support our broader vision to improve air quality at the pace and with the urgency needed, the actions we demand to see in the South LA CERP include but are not limited to the following:

- Require BACT/BARCT implementation for all industries throughout the permitting process,

² https://caleja.org/wp-content/uploads/2021/05/CEJA_AB617_r4-2.pdf

³40 C.F.R. Section 63.2 (defining federally enforceable).



- Phase out chemical usage in industrial operations and enforce BACT for chemical substitutions with the least harmful alternatives and safer cleaner technologies that will protect health;
- Require installation of zero emissions equipment when feasible and zero emissions fleet for industrial operations;
- Prohibit the use of fossil fuels/diesel power generation for all industries and provide access to incentives for implementation of cleaner energy technologies;
- Require implementation of good neighborhood agreements and businesses/industries best practices to reduce emissions such as emissions entrapment technologies or requiring equipment locations to be trapped on-site to reduce communities exposure, diesel sweepers, and mandatory monitoring on site.

Include Detailed Enforcement Plans To Reduce Emissions:

The current South LA CERP actions include generic language that is vague in terms of how those proposed actions will achieve emissions reductions. Throughout Chapters 5A - 5F, and more specifically for the chapters on general industrial facilities, auto body shops, and metal facilities, actions include language such as “identify sources of concern,” “prioritize facilities of concern,” “identify locations of concern,” “inform businesses on rules and regulations”.⁴ An example of this lack of measurable actions language can be seen in the [SLA CERP chapter 5E goals B and C](#).

These actions are redundant and do not further the goals of AB617 as these focus on implementing what currently exists in the regulatory landscape. Inequitable and inadequate enforcement by SCAQMD has perpetuated the air pollution disparities faced by South LA communities and is insufficient to advance environmental justice. Identifying sources of concern and prioritizing facilities should not be a CERP action given that this was already completed through the active engagement of residents during the CSC’s multiple meetings. We demand that these actions be coupled with detailed enforcement plans, new rule development, and regulations as required under the AB617 mandate to ensure efforts “maximiz[e] emissions reductions”. Merely identifying sources within the next 5 years for the CERP implementation will not improve air quality in South LA. While identifying sources is an important step in the process, these actions must be coupled with environmental justice-driven enforcement plans.

⁴<http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/south-la/cerp/preliminary-draft/ch5e.pdf?sfvrsn=15>



Additionally, this CERP does not state how the current listed actions target specific and all pollutants of concern, and the expected emissions reductions of such targets are vague. We want to see more specific enforcement actions that are linked to all pollutants of concern. We want to see reflected in the CERP what pollutants will be monitored, what actions can reduce these pollutants, and how these reductions will occur.

Community Driven Enforcement and Data Transparency:

Data transparency is an essential component of a successful CERP. There is an imbalance of knowledge which benefits and privileges regulatory agencies in this process. While the community must take great strides to access, analyze and understand permit, emissions, air monitoring and inspection data, this is readily available to SCAQMD. All action plans must integrate data transparency and facilitate the transfer of data to community members and their partners. This information should be provided to the community in understandable formats and multiple languages. The South LA CSC should have access to readily available and timely enforcement data including public notification of new permits, updated emissions reports and inspections information on the SCAQMD AB617 website. This is key in ensuring communities are informed of the process and have a better understanding of how enforcement actions are being implemented to establish community-enforced air quality improvement metrics.

SCAQMD should strive to address compliance and enforcement gaps in hard to reach industries by improving the reporting and complaints system and allow community ground truthing efforts to inform enforcement actions. Lastly, SCAQMD tools that are used to access permitting facilities data such as F.I.N.D need to be improved in terms of their interface. The F.I.N.D tool is not accessible, hard to navigate, and often leads to irrelevant information regarding polluting facilities. We request that as part of the South LA CERP, SCAQMD allocates resources and efforts to improve F.I.N.D to search by pollutant; enable the download of all records and multiple records at once; allow for all data to be accessed readily, and include oil and gas extraction facilities.

Health Metrics Recommendations:

Establishing health metrics associated with South LA CERP actions can support the evaluation process of the plan implementation. It is important that the South LA CERP actions include documenting how existing health disparities be addressed. A recommendation to ensure health protective measures and evaluation metrics are included in the South LA CERP is the



creation of a South LA Health Advisory Board, which can help evaluate the CERP actions and metrics and create collaborations with health clinics and health professionals that can support the implementation process.

Specific Air Quality Priorities Recommendations:

Oil and Gas:

- Create new rule amendment to SCAQMD rules 1148.1 and 1148.2 to include injections well in public notifications, ban chemical odorants in acid work, and add mandatory public notices for when acid works are done.
- Mandate the electrification of all equipment used in Oil and Gas operations including the use of diesel trucks;
- Ban fossil fuels/diesel power generation and electrify diesel workover rigs;
- Mandate the replacement of on-site polluting/dirty equipment (eg diesel-powered) with less polluting/greener alternatives;
- Ban the use of chemicals odorants at Oil and Gas operations;
- Conduct frequent and responsive targeted monitoring for defined Oil Well activities including flaring, odors, stimulation, noise and acid work;
- Mandate air monitoring equipment on site for Oil and Gas operations that detects methane and VOC leaks to ensure compliance and support enforcement and inspections processes;
- Support the Oil and Gas wells phase-out efforts of the City of LA and LA County by creating collaborations with those agencies;
- Inform the community of inspections and compliance efforts.

General Industries (Dry Cleaners and Warehouses):

- Require the improvement of SCAQMD's reporting/complaints response systems for small stationary sources by conducting outreach and reporting enforcement actions regularly to the community.
- Create new rule amendment to SCAQMD rule 1102 to classify Professional Wet Cleaning as BACT in the permitting process for new dry cleaners, to ensure new dry cleaners use the safest cleanest alternative that reduce emissions and address legacy contamination
- Create a new incentive and support program to allow ALL dry cleaners to switch from PERC and hydrocarbons based solvents to Professional Wet Cleaning, including



amendment of funding from AB998 to ensure fee includes hydrocarbons and can fund transition to PWC.

- Phase out existing non-perc dry clean solvent machines after useful life and remove regulatory exemptions for non-perc dry clean solvent machines
- Provide annual updates on the compliance of all warehouses with the Indirect Source Rule (ISR).
- Provide information about daily trucks count and other diesel equipment used under the ISR implementation.

Auto Body Shops:

- Develop a rule amendment to SCAQMD rules 1151 and 1171 to include EPA Auto body shops Best Practices as required BACT in the permitting process for auto body shops;
- Incentivize the implementation of best practices including the use of low VOCs coat paintings and use of water based cleaners and coatings to help reduce emissions at the source.

Metal Facilities:

- Require amendments of SCAQMD rules 1407 and 1420 to include best practices that can reduce emissions including integration of: 1) ride along wet sweeper, 2) stacks equipment to trap emissions on site, and 3) installation of monitors on site;
- Integrate new rulemaking to replace the use of Hexavalent chromium and applicability to South LA metal facilities;
- Review actions to reduce pollutants at the fenceline of metal recycling facilities.
- Collaborate with appropriate agencies to assess potential soil contamination in fenceline neighborhoods;
- Expand emissions reporting requirements to address gap between the many number of permitted metals facilities and the very few required to participate in AQMD's Annual Emissions Reporting (AER) program;
- Develop good neighbor policies between CSC members and metal facilities representatives to spearhead pilot projects of implementation of best practices to reduce emissions and community led solutions.

Mobile Sources:

- Address No Idling rules compliance gaps;
- Require and mandate zero emissions trucks for industries operations and provide incentives pathways for businesses to transition their operations fleet;



It is not clear how the California Air Resources Board (CARB) is meeting the requirement to develop and implement the mobile sources actions in the South LA CERP. CARB should be working collaboratively with SCAQMD and the CSC to develop mobile source actions. Further, the mobile source rules referenced in the South LA CERP (Chapter 5a) were already being planned and thus do not reflect any additional assurance of emissions reductions in South LA. We urge CARB and the local air district to work with the community to identify gaps in mobile sources CERP actions such as community access to EV's and address diesel operations trucks.

Conclusion

Our major concern regarding the South LA CERP is that many of the actions listed do not require concrete emissions reductions beyond what is already required by existing programs and laws. The CERP thus does not reflect the needs and priorities identified by the CSC to address pollution burden. The majority of the CERP actions rely on research, incentives, and outreach rather than actual concrete regulatory requirements. Incentives, while important, do not assure emissions reductions. South LA CERP measures are vague and refer only to potential future actions—not clear enforceable regulatory actions.

As community and environmental justice advocates, we urge the SCAQMD to take our recommendations and strengthen the South LA CERP to ensure its implementation is centered on the communities needs and aims at achieving the mission of AB617 - to reduce pollution burden in disadvantaged communities. We are thankful for the opportunity to address our concerns regarding the South LA CERP and we look forward to the work we can do together to improve the AB617 implementation in reflection of the communities we serve and their vision for cleaner, safer, and healthier communities for all.

Sincerely,

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