

May 5, 2025

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Planning, Rule Development, and Implementation
South Coast Air Quality Management District
21865 Copley Drive
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RE: Comments on Proposed Amended Rule 1171 – Solvent Cleaning Operations

Dear Proposed Rule 1171 Staff:

Communities for a Better Environment (“CBE”) submits these comments on Proposed Rule 1171 (“Proposed Rule”). We appreciate staff’s work on Rule 1171 but we remain concerned that the current language will not meaningfully regulate an industry that has been polluting our communities for years. We have some concerns that remain unresolved by the Proposed Rule and it is critical that the South Coast Air Quality Management District (“AQMD”) do everything in authority to control pollution from solvent cleaning operations, specifically auto body shops. We understand the need for our local air district to do everything it can to ameliorate the air quality concerns for AB 617 communities in its jurisdiction.

CBE is a member of the Southeast Los Angeles AB 617 Community Steering Committee. We have participated in the Proposed Rule working groups and provided public comments during the April 18, 2025, Stationary Source Committee meeting. Our membership includes youth and adult members who live, work, learn, and play in homes and schools, at times, directly adjacent to industries who use solvent cleaners. Unequitable and racist policies like redlining have and continues to force communities to bear the brunt of potential VOC emissions. Stronger requirements under Rule 1171 could help address excessive air emissions and provide critical safety measures for Southeast Los Angeles communities. While we applaud AQMD for phasing out known carcinogens tertbutyl acetate (“TBAC”) and para-chlorobenzotrifluoride (“PCBTF”) from solvent cleaning operations, we urge AQMD staff to consider:

1) Rule 1171 should include a signage provision that requires auto body shops to notify adjacent communities of potential VOC exposure

While we applaud AQMD for recommending the prohibited use of TBAC and PCBTF in the Proposed Rule, volatile organic compounds (“VOCs”) exposure from solvent cleaning operations are still a concern for Southeast Los Angeles (“SELA”) communities. Some VOCs are known to be highly toxic while other VOCs have been linked to an elevated risk of cancer and other health issues,¹ which is alarming given that many SELA communities live adjacent or near auto body and repair shops that depend on solvent cleaning products. Additionally, AQMD staff are only recommending a 95% emission reduction for solvent cleaning products despite

¹Hussain MS, Gupta G, Mishra R, Patel N, Gupta S, Alzarea SI, Kazmi I, Kumbhar P, Disouza J, Dureja H, Kukreti N, Singh SK, Dua K. Unlocking the secrets: Volatile Organic Compounds (VOCs) and their devastating effects on lung cancer. *Pathol Res Pract*. 2024 Mar;255:155157. doi: 10.1016/j.prp.2024.155157. Epub 2024 Jan 26. PMID: 38320440.

some VOCs being labeled as hazardous.² The Proposed Rule should include a signage requirement like Rule 1460³ where residents can report air quality issues such as odors from facilities that use solvent cleaning products. VOCs can be colorless at room temperature but have strong odors that are either sweet or foul, making daily life uncomfortable for residents who live near auto body and repair shops. Including a signage requirement for residents to report any air quality issue not only protects residents from air pollution but holds facilities accountable to the adherence of Proposed Rule's provisions.

2) Additional provisions require regular facility inspection for rule 1171 compliance

Compared to the last amendment of Rule 1171, CBE supports the Proposed Rule's new provisions and stronger amendments that hold facilities accountable and transparent with their solvent cleaning operations. This includes additions to General Prohibitions, Alternative Compliance Options, and Test Methods. The updated language and tables for Alternative Compliance Options provides clarity for facilities who use solvent cleaning materials such as the Usage Limits and the Product-Weighted MIR ("PW-MIR").⁴ This new provision, paired with the additional Test Methods amendments, ensures additional protections for communities living near or adjacent to auto body and repair shops.

We also applaud AQMD staff for finally adding a Recordkeeping Requirement. Record keeping is important to track and evaluate the operations of a business, and for solvent cleaning operations it's conducive to understand the types of solvent cleaners used, where the suppliers are, where the solvent supplies are going, and the amount that be is being supplied.⁵ Record keeping can also support a variety of initiatives that can support AQMD with strategic decision-making to further reduce emissions or research efforts that investigate the prevention of VOC exposures and/or the feasibility of safer cleaning alternatives. Lastly, we support section (f) (6) of General Prohibitions states that no solvent cleaner can be used without the proper documentation. While these additions are necessary and imperative to protecting human health, the Proposed Rule is only as strong as AQMD allows it. Meaning that these new amendments require regular facility inspection for the adherence of the Proposed Rule. AQMD staff needs to include language that specifies regular and consistent inspections of solvent cleaning operations to ensure communities are not exposed to VOC emissions.

3) Include language that protects impacted workers who use solvent cleaning materials

As previously mentioned, some VOCs are known to be hazardous and can have carcinogenic effects on the human body. While the Proposed Rule no longer includes solvents with TBAC or PCBTF, VOC exposure still poses a risk to communities and frontline workers. It's disappointing to see that the Proposed Rule exempts cleaning operations such as janitorial cleaning (including graffiti removal), cleaning operations from printing processes, and VOC limits to a variety of applications.⁶ Regardless of the solvent use, solvent cleaners that emit high VOCs can have short- and long-term effects on the human body. This is especially true for auto body and repair workers who use solvent cleaning materials daily. AQMD should coordinate

² Beyond the Label: Health Impacts of Harmful Ingredients in Cleaning Products. WVE. April 21, 2021. <https://womensvoices.org/wp-content/uploads/2021/04/Beyond-the-Label-Report.pdf>. Accessed May 1, 2025.

³ Rule 1460 – Control of Particulate Emissions from Metal Recycling and Shredding Operations. SCAQMD. Pg. 9. <https://www.aqmd.gov/home/rules-compliance/compliance/rule-1460>. Accessed May 1, 2025.

⁴ Proposed Amended Rule 1171 - Solvent Cleaning Operations, SCAQMD, pg. 17. <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules/rule-1171>.

⁵ *Ibid*, pg. 20.

⁶ *Ibid*. Pg. 25.

with CalOSHA, Los Angeles Public Work and Planning Commissions to provide and require personal protective equipment and require ventilation controls to reduce VOC exposure.

4) Updating Rule 1171 when stronger emission control systems are feasible and safer alternatives are available given the range of solvent use cleaners

Even with the prohibition of TBAC and PCBTF from solvent cleaning operations, the Emission Control Systems in the Proposed Rule fail to protect frontline workers and communities who live near auto body and repair shops. Currently, the highest emission control system stands at 95% with the lowest at 70%. During the March 28, 2025 Public Workshop, AQMD shared that emission control systems are not 99% due to feasibility and operation type. No matter the use, frontline workers and communities must be protected from VOC exposures and that means implementing emission control systems close to 100% capture. AQMD should revisit and amend Rule 1171 when new technologies are available as well as when solvent cleaning materials with lower VOC emissions are available. Stronger requirements under Rule 1171 can help reduce VOC exposure and protect the health of frontline workers and communities living near or adjacent auto body and repair shops.

5) Regular inspections of facilities using solvent cleaning materials can prevent VOC contamination onsite and offsite, avoiding the possibility of vapor intrusion into residential homes.

The former Central Metal Inc. (“CMI”) site, now today’s proposed U-HAUL facility, was a 12-acre scrap metal processing facility that dismantled metals as large as buses, house trailers, fire engines, and rail cars. CMI was located right next door to the residents of Walnut Park and two blocks away from homes in Florence-Firestone. CBE organizes residents in both the Walnut Park and Florence-Firestone areas who experience the cumulative impacts of countless polluting industries, of which CMI was one of the most egregious. According to EJ Screen, Walnut Park ranks in the 95-100th percentile nationally for Hazardous Waste Proximity and in the 80-90th percentile for the Superfund Proximity.⁷

CMI had a history of violations noticed and documented by the Department of Toxic Substances Control (“DTSC”), the Los Angeles Regional Water Quality Control Board (“Water Board”), and the Planning Commission, and yet they were still allowed to operate over the years. Even the U.S. Environmental Protection Agency (“EPA”) found that various scrap metal and debris were stored across exterior portions of the site in large, uncontained, and uncovered debris piles since the early 2000s.⁸ The piles were not covered to prevent rainwater intrusion, nor were they managed to prevent airborne releases, as required by their then-existing CUP. These soil waste piles were found to have hazardous levels of toxic metals such as lead and arsenic and other unidentified materials that compromised the piles.³ In 2011, DTSC and the South Coast Air Quality Management District (“SCAQMD”) conducted air monitoring in and around the facility’s perimeter and found exceedingly high lead levels in dust in several locations on the sidewalks outside the facility⁴, making it evident that CMI was a fugitive emission source into the communities.⁹

⁷ Data + Screening Tools, “EJ Screen: Environmental Justice Screening & Mapping Tool.” Public Environmental Data Partners. Accessed May 1, 2025. <https://pedp-ejscreen.azurewebsites.net/>.

⁸ Site Inspection Report: Central Metal, Huntington Park, Los Angeles County, California. EPA ID: No.: CAN000903324, September 2023.

⁹ *Id.* at 13.

After community members shared concerns about contaminated soil from the former CMI site blowing onto their properties, CBE partnered with the EPA in 2018 to assess whether the site qualified for inclusion on the National Priorities List (“NPL”) for Superfund cleanup. In 2019, the EPA initiated a Site Inspection and discovered elevated levels of lead, arsenic, and cobalt in the soil and groundwater, prompting further testing to determine if toxic metals had spread through the air to nearby homes.¹⁰ Through the perseverance of community members - even with the challenges brought on by the COVID-19 pandemic - EPA began residential soil testing in 2022, sampling 63 properties in Walnut Park and 20 in Florence-Firestone. The results revealed lead levels exceeding the federal benchmark of 401 ppm at eight properties and arsenic levels above the 22 ppm threshold at three properties. However, the site was ultimately deemed ineligible for NPL listing due to “minimal screening level exceedances”, inconsistent contamination levels, and the broader industrial pollution history of the Los Angeles area. To this day, residential homes have not been cleaned up, and residents continue to live with high levels of metal contamination.

During the EPA investigation to determine NPL eligibility, the former CMI parcels were sold to U-Haul in 2022 despite community members’ active advocacy for reenvisioning the site and holding agencies accountable to the cleanup of both the site and residential homes. The County approved the Project ministerially, despite the severity of grading heavily contaminated soil, increase in air pollution from the additional truck traffic to and from the site and from extracting and transporting hazardous waste, and potential exposure to VOCs from vehicle repair operation.¹¹ As mentioned previously, residential homes continue to live with metal contamination while the Project owners will have immunity from any wrongdoing because they entered into a California Land Reuse and Revitalization Act (“CLRRA”) agreement. CLRRA’s purpose to redevelop contaminated properties for industrial/commercial reuse fails to adequately protect residents that live near contaminated sites such as the Project, especially where it’s evident that contamination is not only an onsite issue but a regional one as well.

Through the CLRRA investigation, DTSC shared that not only is there high metal contamination across the proposed U-Haul project (“Project”) site, but so are VOCs.¹² The Draft Response Plan (“Plan”) for the proposed Project recommends an extensive soil vapor extraction system (“SVES”) that could take years to mitigate and prevent potential vapor intrusion. There are 47 residences that live adjacent to the Project site [less than 5 ft away]¹³ that might be susceptible to vapor intrusion due to the former CMI’s operations, and the adjacent facility known as Jack

¹⁰ Site Inspection Interim Sampling Report: Central Metal 8201 Santa Fe Avenue Huntington Park, Los Angeles County, California (EPA ID No.: CAN000903324), https://www.epa.gov/sites/default/files/2020-10/documents/can000903324_site_inspection_interim_sampling_report_central_metal_20074.067.024.0003.01_2020-05.pdf.

¹¹ Site Plan Review, Los Angeles County EPIC LA. Plan Number: RPPL2022007986. https://epicla.lacounty.gov/energov_prod/SelfService/#!/plan/a2ed1c5e-6829-4d44-a8ba-af81cd2b30fc?tab=attachments.

¹² EnviroStor, Department of Toxic Substances Control. Accessed May 1, 2025. https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60002329

¹³ Distance Analysis, ArcGIS Pro Desktop. ESRI. Analysis performed on April 29, 2025.

Engle.¹⁴ The Jack Engle ("JE") site has a 100-year history of industrial uses, most recently as a metal and scrap recycler. JE also has a history of operating with expired permits and providing illegal services such as heavy-duty truck storage.¹⁵ DTSC's Plan for the Project makes clear that the VOCs on the proposed Project site possibly originate from the JE site and could be the source of potential vapor intrusion of the residential homes next to the Project. No agency has yet to develop a clear and comprehensive plan on how to address the VOC contamination that crosses multiple parcels and impacts the residential homes living adjacent or close to heavily contaminated sites.

While CMI and JE were not solvent cleaners, it's clear that VOC contamination is a legacy issue. And now with the proposed U-Haul project, which will have auto body and repair services, solvent cleaning operations could potentially exacerbate the VOC contamination and exposures to residents and frontline workers. Community members should not have to wait for problems to be addressed one by one – environmental harm must be addressed from a broader perspective. This is why AQMD has the opportunity to prevent additional VOC exposures, contamination, and vapor intrusion into community member's homes – by strengthening Rule 1171 to prioritize community health over industry. AQMD should include language that requires regular facility inspections to ensure that solvent cleaning materials are not leaking, exposed, and are disposed of properly while ensuring that frontline workers have well-ventilated work areas and adjacent communities are not exposed to VOC emissions. The failure to include consistent facility inspections can result in unnecessary VOC contamination that can leak into the soil and groundwater and potentially migrate into people's homes. Walnut Park and Florence-Firestone communities are already exposed to countless polluting industries and AQMD can prevent one less polluting source.

Sincerely,

Ambar Rivera
Staff Researcher
Communities for a Better Environment

¹⁴ EnviroStor, Department of Toxic Substances Control. Accessed May 1, 2025.
https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60002329

¹⁵ Ashley Orona, "South Gate residents boo decision to delay illegal truck yard's possible closure." LA Public Press. April 23, 2025.