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June 16, 2017

Frank Mellow, Vice President
Carlton Forge Works
7743 East Adams Street
Paramount, CA 90723-4200

Dear Mr. Mellow:

**RE: PUBLIC HEALTH DIRECTIVE TO CARLTON FORGE WORKS, CITY OF
PARAMOUNT**

On June 13, 2017, the South Coast Air Quality Management District (SCAQMD) petitioned the District Hearing Board for an Order for Abatement directed to Carlton Forge Works (see attached). The SCAQMD has determined that operations at Carlton Forge Works are the source of metallic odors in the adjacent community. Metallic odors have been reported over the last six months and constitute a public nuisance. These odors have the potential to cause symptoms such as headache, nausea, respiratory irritation, irritation of the eyes, nose and throat and others (see attached ATSDR fact sheet), as well as impact overall quality of life and sense of well-being.

Pursuant to Los Angeles County Code Section 11.02.190, Carlton Forge Works is hereby directed to urgently take all necessary actions to abate the nuisance and comply with the California Health and Safety Code Section 41700. Provide a written response to the Department of Public Health within 24 hours of your intent to comply with this directive.

The Los Angeles County Department of Public Health (DPH) is working closely with SCAQMD to ensure the nuisance odors are abated without delay. Please copy SCAQMD on your submittals to DPH.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey D. Gunzenhauser, MD, MPH".

Jeffrey D. Gunzenhauser, MD, MPH
Interim Health Officer
Los Angeles County Department of Public Health

Enclosures: 2

1 OFFICE OF THE GENERAL COUNSEL
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
2 DAPHNE HSU, SBN 247256
Senior Deputy District Counsel
3 21865 Copley Drive
Diamond Bar, California 91765
4 TEL: 909-396-3400 • FAX: 909-396-2961

SOUTH COAST AQMD
CLERK OF THE BOARDS

17 JUN 13 P2:01

5 Attorneys for Petitioner
South Coast Air Quality Management District
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7

8 BEFORE THE HEARING BOARD OF THE
9 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
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11 **In the Matter of**
12 SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,
13
14 Petitioner,
15 CARLTON FORGE WORKS, a California
corporation,
16 [Facility ID No. 22911]
17 Respondent.

CASE NO. 6086-1

**PETITION FOR ORDER FOR
ABATEMENT**

Health and Safety Code § 41700 and
District Rules 402 and 2012(e)(2)(A)

Date: July 13, 2017

Time: 9:00 a.m.

Place: 21865 Copley Drive
Diamond Bar, CA 91765

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20 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (hereinafter referred to as
21 "District") petitions the District Hearing Board for an Order for Abatement directed to Respondent
22 CARLTON FORGE WORKS, a California corporation (hereinafter referred to as "Respondent" or
23 "Facility"), with regard to their operation of manufacturing rolled rings and open and closed die
24 forgings for aerospace, gas turbine, industrial, commercial, and nuclear industries located at 7743
25 East Adams Street, Paramount, California 90723. The District alleges as follows:

26 1. Petitioner is a body corporate and politic established and existing pursuant to Health
27 and Safety Code sections 40000, *et seq.* and 40400, *et seq.*, and is the sole and exclusive local
28 agency with the responsibility for comprehensive air pollution control in the South Coast Basin.

1 2. Respondent is a business subject to the jurisdiction of the District. Respondent
2 manufactures parts from all forgeable alloys and is located at 7743 East Adams Street, Paramount,
3 CA 90723, identified with District Facility ID 22911.

4 3. Respondent's principal alloy groups are nickel, titanium, aluminum, cobalt,
5 zirconium, niobium and iron.

6 4. **District Rule 402 and California Health and Safety Code ("H&S Code")**
7 **Section 41700** prohibit the discharge from any source whatsoever such quantities of air
8 contaminants or other material which cause injury, detriment, nuisance, or annoyance to any
9 considerable number of persons or to the public, or which endanger the comfort, repose, health or
10 safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury
11 or damage to business or property.

12 5. **District Rule 2012(e)(2)(A)** requires Respondent to "install, maintain and operate a
13 totalizing fuel meter and/or timer or any device or any device approved by the Executive Officer or
14 designee to be equivalent in accuracy, reliability, reproducibility, and timeliness for the NOx
15 process unit, to measure quarterly fuel gas usage or other applicable variables as specified" in the
16 Rule.

17 **Violation of District Rule 402 and California Health and Safety Code Section 41700**

18 6. Since December 8, 2016, the District has received more than 190 odor complaints
19 against Respondent.

20 7. Since December 9, 2016, the District issued seventeen Notices of Violations
21 (NOVs) to Respondent for violations of District Rule 402 and H&S Code Section 41700. Prior to
22 issuing notices of violation, the District conducted odor surveillance and verified that Respondent
23 was the source of the complained of odors. The District has traced odors to Respondent's grinding
24 room and to an area near Gates 7 and 8.

25 8. Respondent said it has taken measures to minimize potential to emit odors including
26 ceasing all outdoor grinding, sealing of grind building, and installation of HEPA filtration on grind
27 building exhaust.

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1 9. These measures were insufficient to abate the nuisance. The odor nuisance persists.
2 On May 25, 2017, May 31, 2017, and June 8, 2017, the District issued its fifteenth, sixteenth, and
3 seventeenth Notices of Violation to Respondent related to nuisance. Respondent's operations
4 continue to create metallic odors which constitute a nuisance under District Rule 402 and H&S
5 Code Section 41700.

6 **Violation of District Rule 2012(e)(2)(A)**

7 10. Respondent fails to monitor all natural gas fuel lines to its process unit furnaces in
8 violation of District Rule 2012(e)(2)(A). On March 2, 2017, the District observed that Respondent
9 has unmetered bypass fuel lines for 39 process unit furnaces with the following device numbers:
10 D21, D27, D28, D29, D40, D39, D55, D62, D63, D66, D64, D65, D97, D99, D100, D103, D104,
11 D107, D116, D117, D118, D128, D129, D130, D142, D144, D148, D150, D152, D160, D53,
12 D109, D119, D4, D6, D17, D3, D19 & D20.

13 11. On March 15, 2017, the District issued a notice to comply to install, maintain, and
14 operate totalizing fuel meters on existing natural gas fuel meter bypass lines that are required to
15 have fuel meters. Respondent has not complied with the notice. On May 5, 2017, the District
16 issued a notice of violation for failure to monitor natural gas fuel lines.

17 **Request for Order for Abatement**

18 12. Respondent is and continues to be in violation of H&S Code Section 41700 and
19 District Rules 402 and 2012(e)(2)(A).

20 13. The District, by this petition, seeks an Order for Abatement to require Respondent to
21 cease operations, which violate H&S Code Section 41700 and District Rules 402 and
22 2012(e)(2)(A), or in the alternative, to comply with H&S Code Section 41700 and District Rules
23 402 and 2012(e)(2)(A).

24 14. It is not unreasonable to require Respondent to comply with District rules and
25 regulations.

26 15. The issuance of an Order for Abatement upon a fully noticed hearing would not
27 constitute a taking of property without due process of law.

28 16. This Order for Abatement is not intended to be nor does it act as a variance.

1 17. The issuance of the prayed for Order for Abatement is not expected to result in the
2 closing or elimination of an otherwise lawful business, but if it does result in such closure or
3 elimination, it would not be without a corresponding benefit in reducing air contaminants.

4 18. It is the District's intention to file proposed Findings and Decision a few days in
5 advance of the hearing.

6 WHEREFORE, the District prays for an Order for Abatement as follows:

7 1. That this Hearing Board issue an Order for Abatement requiring Respondent to
8 cease and desist from operating its Facility in violation of H&S Code Section 41700 and District
9 Rules 402 and 2012(e)(2)(A) and or, in the alternative, to take actions as the Board deems
10 appropriate to come into compliance.

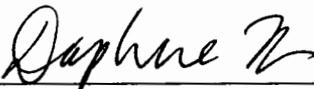
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12 DATED: June 13, 2017

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT

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By: 
Daphne Hsu
Attorney for Petitioner

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1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18
3 and not a party to the within action. My business address is 21865 Copley Drive, Diamond Bar, CA
4 91765.

5 On June 13, 2017, I served the within document(s) described as **PETITION FOR
6 ORDER FOR ABATEMENT – CARLTON FORGE WORKS (Case No. 6086-1)** on the
7 interested parties in this action as stated below: [on the *attached service list*].

8 (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope
9 addressed as set forth above. I placed each such envelope for collection and mailing following
10 ordinary business practices. I am readily familiar with this District's practice for collection and
11 processing of correspondence for mailing. Under that practice, the correspondence would be
12 deposited with the United States Postal Service, with postage thereon fully prepaid at Diamond Bar,
13 California, in the ordinary course of business. I am aware that on motion of the party served, service
14 is presumed invalid if postal cancellation date or postage meter date is more than one day after date
15 of deposit for mailing in affidavit.

16 (BY OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained
17 by Overnight Express, an express service carrier, or delivered to a courier or driver authorized by
18 said express service carrier to receive documents, a true copy of the foregoing document(s) in a
19 sealed envelope or package designated by the express service carrier, addressed as set forth above,
20 with fees for overnight delivery paid or provided for.

21 (BY FAX) By transmitting a true copy of the foregoing document(s) via facsimile
22 transmission from this District's sending facsimile machine, whose telephone number is (909) 396-
23 2961, to each interested party at the facsimile machine telephone number(s) set forth on the attached
24 mailing list. Said transmission(s) were completed on the aforesaid date at the time stated on the
25 transmission record issued by the District's sending facsimile machine. Each such transmission was
26 reported as complete and without error and a transmission report was properly issued by the
27 District's sending facsimile machine for each interested party served. A true copy of each
28 transmission report is attached to the office copy of this proof of service and will be provided upon
request.

(BY PERSONAL SERVICE) I caused to be delivered a true copy of the foregoing
document(s) in a sealed envelope by hand to the offices of the above addressee(s).

(BY E-MAIL) By transmitting a true .pdf copy of the foregoing document(s) by e-mail
transmission from lcantu@aqmd.gov to each interested party at the e-mail address(es) set forth
above [on the attached service list]. Said transmission(s) were completed on [date] at [time am/pm]
as stated on declarant's e-mail transmission record.

Executed on June 13, 2017, at Diamond Bar, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct.

Laura D. Cantu
(Type or print name)


(Signature)

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SERVICE LIST

Thomas R. Wood Steel Rives LLP 760 SW Ninth Ave. Suite 3000 Portland, OR 97205 <u>trwood@stoel.com</u>	
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Are Environmental Odors Toxic?



In general, most substances that cause odors in the outdoor air (environmental odors) are not at levels that can harm your health.

Even if environmental odors aren't at levels that can harm your health, they can still affect your quality of life.

An odor is caused by a substance in the air that you can smell. Odors, or smells, can be either pleasant or unpleasant. In general, most substances that cause odors in the outdoor air are not at levels that can cause serious injury, long-term health effects, or death. However, odors may affect your quality of life and sense of well-being. Sometimes environmental odors can affect entire communities.

You may have signs and symptoms when exposed to environmental odors, but the symptoms usually go away when the odor is gone.

Common Symptoms

Substances that produce odors can sometimes trigger physical symptoms. Symptoms usually occur when the substance is present at "irritation levels". However, you can sometimes have symptoms when the substance in air is below levels of irritation.

The most common symptoms from environmental odors are headache and nausea. Others include

- » **Dizziness**
- » **Watery eyes, stuffy nose, irritated throat**
- » **Cough or wheeze, especially if you have allergies, asthma, and other chronic lung problems**
- » **Sleep problems due to throat irritation and cough**

Environmental odors can also cause stress; you may feel anxious, helpless, discouraged, sad, or depressed.

The following conditions may trigger symptoms when odors are below irritation levels:

- » **If the odor has a very unpleasant smell**
- » **If you've had a previous bad experience with the odor**
- » **If you believe the odor is harmful**
- » **If you feel stressed by the odor**

These signs and symptoms may be from other causes as well. For example, watery eyes and a stuffy nose may also be related to seasonal allergies, and depression may be the sign of other stressful events or problems. As always, you should see a doctor if you have questions about signs and symptoms.

Sensitive Populations

Not everyone reacts to environmental odors the same way. In general, if you are young or female, you may be more sensitive to odors. If you don't smoke, you are usually more sensitive to odors than smokers. If you suffer from depression and anxiety disorders, or have migraines, allergies, asthma, and other chronic lung conditions, you may feel worse when you smell unpleasant odors over a long time.

Reducing Exposure to Odors

You can reduce your exposure to odors by

- » Exercising indoors during days with more environmental odors
- » Staying indoors when your allergies, asthma, and/or chronic lung problems are acting up
- » Leaving the area for a few hours if possible

Odor Control Solutions

Communities and industries can work together to control odors using

- » Odor control laws and ordinances
- » Odor control technologies

(Watch the Odor Control Solutions and Requesting Action videos on ATSDR's Environmental Odors website. For more information visit <http://www.atsdr.cdc.gov/odors/videos.html>).

You may come into contact with environmental odors in your community if you live near industries that produce odors or use materials that produce odors. The chart below provides a short list of industries or processes and the odor-producing substances related to them.

Industries or processes and the odor-producing substances related to them	
Production of semi-conductors, pharmaceuticals, textiles (e.g., fabric, printing, dyes), paper, rubber, fertilizer	Ammonia
Food processing plants, livestock feeding facilities, paper mills, and landfills	Hydrogen sulfide
Wood treatment facilities	Pentachlorophenol and creosote, hydrogen sulfide, sulfur oxides
Petroleum refineries	Hydrogen sulfide, sulfur oxides, benzene, toluene, xylene
Coal-fired power plants, vehicle exhaust	Formaldehyde, sulfur dioxide

For more information about environmental odors, please contact the Agency for Toxic Substances and Disease Registry (ATSDR) at 1-800-CDC-INFO (236-4636) or visit the environmental odors website: www.atsdr.cdc.gov/odors

