MOTION BY SUPERVISORS JANICE HAHN AND   December 11, 2018
KATHRYN BARGER

Public Health Directive

In October 2016, the Southern California Air Quality Management District (SCAQMD) found that hexavalent chromium, a known carcinogen, was being emitted at unsafe levels by certain facilities in the City of Paramount and adjoining areas. As a result, SCAQMD issued Orders of Abatement to three businesses that were emitting excessive levels of hexavalent chromium. The SCAQMD Hearing Board ordered that if any of these facilities exceeded the emission limit for hexavalent chromium specified in the Orders of Abatement, they must temporarily shut-down chromium-emitting processes. While some emission reductions were achieved, the levels of hexavalent chromium in the surrounding region remain significantly higher than in other parts of the County.

Facilities that emit toxic substances can pose serious public health threats. For this reason, DPH issued seven public health directives to metal processing companies in the cities of Paramount and Long Beach to comply with SCAQMD required limits for the emission of excessive levels of hexavalent chromium. However, some of these companies continue to pose an unacceptable health risk to nearby residents.

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RIDLEY-THOMAS	_____
KUEHL	_____
BARGER	_____
HAHN	_____

DPH currently does not have direct regulatory authority to limit or stop these companies from continuing to release hazardous substances which threaten the health of residents in the surrounding neighborhoods. The County Fire Department's Health and Hazardous Material Division (HHMD), permits and inspects many of these emitting businesses. HHMD inspectors are also deputy health officers.

The Local Health Officer should be given authority to prevent industrial chemicals from poisoning our communities. On this premise, in November 2017, the Board of Supervisors directed Counsel to determine the feasibility of strengthening the enforcement authority of the Local Health Officer to issue Public Health Directives to businesses that emit hazardous substances and threaten the public's health.

On May 11, 2018, Counsel provided the Board with a report that offers various options to strengthen DPH directives, including seeking legislation to expand a local health officer's authority to enforce public health directives against businesses emitting excessive amounts of pollutants, and to take immediate action along with other regulatory partners to mitigate the threat posed by these hazardous air emissions in the absence of a declared emergency.

WE, THEREFORE MOVE that the Board of Supervisors:

1. Instruct the County's Chief Executive Office, in conjunction with current county sponsored legislative efforts, to seek legislation that provides specific statutory authority for the Local Health Officer to take immediate preventive and remedial measures to protect the public health from any public health hazard and require businesses or other entities emitting hazardous substances to immediately mitigate such releases that pose a substantial immediate or chronic health threat to Los Angeles County residents, and to report back on the strategy in 45 days;

and

2. Direct the Department of Public Health and the Fire Department's Health and Hazardous Materials Division to continue to collaborate on potential regulatory strategies to mitigate substantial negative health effects caused by permitted and non-permitted businesses emitting excessive amounts of hazardous substances.

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JH:jb

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Public Health Directive

CATEGORIES: (Please check ☒ those that apply)

☐ 1. Child Welfare

☐ 2. Community and Youth Empowerment

☐ 3. County Services

☐ 4. Economic Justice

☐ 5. Economic and Workforce Development

☐ 6. Education

☐ 7. Environment

☐ 8. Fiscal

☐ 9. Governance

☒ 10. Health

☐ 11. Homelessness

☐ 12. Immigration

☐ 13. Public Safety

☐ 14. Social Justice and Human Rights

☐ 15. Technology and Data