



County of Los Angeles
CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

May 20, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC HEALTH: APPROVAL TO ACCEPT COOPERATIVE
AGREEMENTS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY FOR FISH CONTAMINATION INSPECTION, OUTREACH,
AND EDUCATION
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Obtain approval to accept funding and enter into a Cooperative Agreement with the United States Environmental Protection Agency.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and instruct the Director of the Department of Public Health (DPH), or his designee, to accept and enter into the attached two Cooperative Agreements, Numbers 08-012 and 08-024, Exhibits I and II, from the United States Environmental Protection Agency (USEPA), for DPH's Toxics Epidemiology and Environmental Health programs, to provide funding to implement a fish contamination inspection, outreach and education project, effective upon date of Board approval through June 30, 2011, in the amount of \$422,997 at no net County cost.
2. Delegate authority to the Director of DPH, or his designee, to execute amendments to Cooperative Agreements Numbers 08-012 and 08-024 to accept rollover funds, or increase or decrease funding by 25 percent, or extend each term for two additional years through June 30, 2013; when directed by the USEPA to do so, at no net County cost, subject to the review and approval of County Counsel and the Chief Executive Office and notification of Board office.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

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MICHAEL D. ANTONOVICH
Fifth District

PURPOSE OF THE RECOMMENDED ACTIONS/JUSTIFICATION

Approval of the recommended actions will allow DPH to accept funds from the USEPA to implement and evaluate a fish contamination inspection, education and outreach project within Los Angeles County.

The purpose of each Cooperative Agreement is to assist USEPA with fish contamination inspection, education and outreach tasks. Under the agreements, DPH Toxics Epidemiology Program will conduct public outreach and education to targeted communities and build capacity in addressing fish contamination issues, for the purpose of reducing human health risks associated with eating contaminated fish from the Palos Verdes Shelf site. DPH Environmental Health will conduct inspections of specified retail markets, assist in collecting white croaker samples and potentially expand inspection of wholesale food facilities in Los Angeles County to help USEPA determine whether contaminated white croakers from the Palos Verdes Shelf are reaching consumers via wholesale markets.

FISCAL IMPACT/FINANCING

USEPA Cooperative Agreements Numbers 08-012 and 08-024 provide \$110,992 annually for DPH's Toxics Epidemiology Program and \$30,007 annually for DPH's Environmental Health program, effective upon date of Board approval through June 30, 2011, a total three year funding provision of \$422,997, at no net County cost.

FACTS AND PROVISIONAL/LEGAL REQUIREMENTS

Under this agreement, activities of the Toxics Epidemiology Program will focus on increasing awareness and knowledge among Los Angeles County public health and health care professionals of the health risks associated with the consumption of contaminated fish, via various workshops and outreach efforts. Environmental Health provides enforcement support in targeted markets in Los Angeles County to help determine the source and prevent the illegal sale of contaminated white croaker.

The Toxics Epidemiology Program and Environmental Health have been working on fish contamination issues with the USEPA since 1999. This project is part of USEPA's overall program to address human health risks posed by the fish contamination related to the Palos Verdes Shelf Superfund site, which is one of the largest contaminated sediments in the nation.

Previously DPH received funding from USEPA via Impact Assessment (the fiscal entity contracted with USEPA) to address local fish contamination concerns/activities, such as quarterly Public Health Nurse (PHN) orientations, exploring how other public health programs address fish contamination, collaborating with DPH's Comprehensive

Honorable Board of Supervisors
May 20, 2008
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Perinatal Services and Child Health and Disability Prevention Programs to educate medical providers about fish contamination, and the development and implementation of the commercial fish vendor pilot project. In the past, rather than enter into a formal agreement, USEPA agreed to develop an MOU and offer DPH a donation to offset some of the costs it incurred working on the fish contamination project. This action will begin formal agreements with USEPA to fund DPH activities in this area.

County Counsel has approved Exhibits I and II as to form. Attachment A is the Grant Management Form.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the Cooperative Agreements will allow DPH to offset the general expenses incurred as a result of participation in the fish contamination project of a Superfund site.

CONCLUSION

When approved, DPH requires three signed copies of your Board's action.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

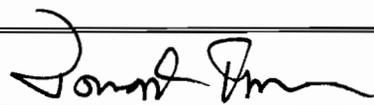
WTF:SRH:SAS
MLM:TOF:yb

Attachments (3)

c: County Counsel
Director and Health Officer, Department of Public Health

**Los Angeles County Chief Administrative Office
Grant Management Statement for Grants Exceeding \$100,000**

Department: Public Health Services	
Grant Project Title and Description	
FISH CONTAMINATION INSPECTION, OUTREACH AND EDUCATION	
Funding Agency	Program (Fed. Grant #/State Bill or Code) Grant Acceptance Deadline
U.S. Environmental Protection Agency	08-012 and 08-024 ASAP
Total Amount of Grant Funding: \$422,997 County Match Requirements: N/A	
Grant Period: 3 Years Begin Date: Date of Board End Date: June 30, 2011 Annroval	
Number of Personnel Hired Under this Grant: Full Time 0 Part Time 0	
<u>Obligations Imposed on the County When the Grant Expires</u>	
Will all personnel hired for this program be informed this is a grant funded program?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Will all personnel hired for this program be placed on temporary ("N") items?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is the County obligated to continue this program after the grant expires	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If the County is not obligated to continue this program after the grant expires, the Department will:	
a). Absorb the program cost without reducing other services	Yes <input type="checkbox"/> No <input type="checkbox"/>
b). Identify other revenue sources (Describe)	Yes <input type="checkbox"/> No <input type="checkbox"/>
c). Eliminate or reduce, as appropriate, positions/program costs funded by this grant.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Impact of additional personnel on existing space:	
Other requirements not mentioned above	

Department Head Signature 

Date 4-24-08

WORKPLAN

Cooperative Agreement between

**Los Angeles County Department of Public Health (LACDPH)
Toxics Epidemiology Program
&
United States Environmental Protection Agency (USEPA)
Superfund Program**

For

**Palos Verdes Shelf Superfund site
Institutional Controls Program**

PURPOSE:

The purpose of this Cooperative Agreement is to obtain the assistance of Los Angeles County Department of Public Health (LACDPH) Toxics Epidemiology program for implementing portions of the USEPA Non-Time Critical Removal Action for the Palos Verdes (PV) Shelf Superfund site. LACDPH and EPA are entering into this agreement under the provisions in 40CFR§35.6240 (Support Agency Agreement under Subpart O) & appropriate regulations. Under this Cooperative Agreement, LACDPH will conduct public outreach and education to targeted communities and build capacity in addressing fish contamination issues at the Los Angeles County and communities levels, for the purpose of reducing human health risks associated with eating contaminated fish related to the PV Shelf site.

BACKGROUND:

EPA Superfund Action

The USEPA is working on the PV Shelf Superfund site in Los Angeles, California. The PV Shelf site includes contaminated sediments on both the continental shelf and continental slope, in a 43 square kilometer area extending one to three miles offshore, between Point Fermin and Point Vicente. The primary contaminants of concern (COCs) at the PV Shelf site are DDT and PCBs.

In September 2001, after years of working with federal, state and local stakeholders, USEPA selected the Institutional Controls (ICs) Program as an initial step to address the human health risks posed by eating fish contaminated by site-related COCs. The ICs Program was initiated as a Removal Action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). Under CERCLA (Superfund) regulations in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR, Part 300), the ICs Program is expected to supplement

future engineering controls or other remedial actions selected by USEPA for the site. The PV Shelf ICs program includes public outreach and education, increased enforcement of existing commercial and recreational fishing restrictions, and market and ocean fish monitoring and the full implementation of this 10 year program began in October 2002. Concurrently, USEPA is also investigating the nature and extent of contamination and remediation alternatives for the site.

Sport (recreational, subsistence) Fishing

In 1985, the State of California Office of Environmental Health Hazard Assessment (OEHHA) issued an interim health advisory recommending limitations on the consumption of sport fish and discouraging consumption of white croaker caught in Santa Monica Bay, on the Palos Verdes Shelf, and in the Los Angeles/Long Beach Harbor area because of DDT and PCB contamination. OEHHA issued a final advisory in 1991.

Following the initial health advisory in 1985, signs were posted by Los Angeles County at several fishing locations to warn anglers about the potential health risks. New signs were posted by the County in 1999 following a joint effort by EPA, the State, and the Santa Monica Bay Restoration Commission (then Santa Monica Bay Restoration Project) and the County to develop an updated warning sign. The state's fish consumption advisories have been included in the California sport fishing regulations since March 1, 1992. However, recreational anglers including subsistence anglers continue to catch and consume white croaker and other species possibly contaminated with DDT and PCBs in areas which are covered by the fish advisories.

Commercial (white croaker) Fishing

In 1990, the California Department of Fish and Game (CDFG) closed commercial fishing of white croaker on the PV Shelf because of the threat to human health posed by the DDT and PCB contamination in the fish (Section 7850 of the Fish and Game Code). The closure was adopted in Title 14 of the California Code of Regulations in May 1990, and became permanent in February 1991. The closure extends from Point Vicente to Point Fermin and from the shoreline out three miles.

A 1997 study by Heal the Bay found that levels of DDT and PCBs in some white croakers purchased in retail markets (primarily Asian markets) were similar to those in fish caught by the Los Angeles County Sanitation District (LACSD) on the PV Shelf. As of March 1998, and in response to concerns about white croaker caught by sport fishermen being sold at commercial fish markets, the CDFG revised the white croaker bag limit from unlimited to a limit of 10 fish per day.

From August 2004 through January 2005, as part of ICs Program market monitoring effort, USEPA went to 56 markets in Los Angeles County and 12 markets in Orange County that primarily serve local Asian communities. USEPA was able to collect white croakers at six markets (four in Orange County and two in Los Angeles County). The white croakers were analyzed for DDTs and PCBs and the levels detected present

potentially significant impacts to human health from fish consumption, some of which exceeded current FDA regulatory levels.

LACDPH Program Activity

From 1999 through present, the LACDPH, Toxics Epidemiology Program has been an active participant in the public outreach and education component of the PV Shelf program. The LACDPH has trained more than 400 Public Health Nurses and Environmental Health Inspectors on the fish contamination education messages during that period. In addition, the Toxics Epidemiology Program collaborated with a variety of internal programs, such as Maternal and Child Health (MCH), Comprehensive Perinatal Services Program (CPSP), Child Health and Disability Prevention (CHDP) Program and the Nutrition Program, to develop effective ways to address fish contamination issues. Through various collaborative efforts, over 360 obstetricians and more than 1,200 pediatricians were reached throughout Los Angeles County. These physicians provide medical care to pregnant women and children which are the populations most vulnerable to effects from fish contamination.

TERM OF THE AGREEMENT:

The proposed period of performance for this Cooperative Agreement is three years (July 1, 2008 – June 30, 2011) with two additional years subject to availability of USEPA funds. The first year funding is \$110,992 with a 3-year ceiling of \$332,976. The agreement will be funded incrementally on an annual basis. Additional funding is contingent upon performance and availability of funding.

ROLES AND RESPONSIBILITIES:

USEPA: USEPA has the primary authority and management responsibility for the PV Shelf Superfund site ICs Program, under CERCLA. Through this Cooperative Agreement, USEPA intends to provide funding to LACDPH to implement certain public outreach and education components of the ICs Program.

LACDPH: The LACDPH has the responsibility to protect and improve the health of all Angelenos. This means providing residents with protection from the basic threats to public health, such as, toxic exposures. Because every community has its own specific needs, we work in partnership with each one to develop new ways to deliver effective programs and health education messages.

Under this Cooperative Agreement, LACDPH will carry out the outreach and education activities described in the work plan. The detailed scope may change based on mutual agreement between EPA and LACDPH.

FUNDING SOURCES:

The activities under this agreement will be funded under USEPA Non-Time Critical Removal Action authority, specified in the September 2001 Action Memorandum for Institutional Controls at the Palos Verdes Shelf, and any Amendments thereto. The expenditure of the program funding needs will be consistent with the scope and conditions specified in the USEPA Action Memorandum.

GENERAL REQUIREMENTS:

The LACDPH will provide program and technical support in accordance with this work plan and all other relevant guidance. The LACDPH will comply with all appropriate USEPA guidance documents and will follow all applicable regulations that are in the final award package.

The LACDPH will maintain all technical and financial records for this Cooperative Agreement. During the period of agreement, (1) LACDPH will maintain all technical and financial records for this Cooperative Agreement; (2) LACDPH will submit directly to the USEPA's Project Officer (PO) electronic copies of each report, or other documents produced pursuant to the requirements of the work plan. Upon written direction of the PO, hard copies of the deliverable may be submitted in addition to or in place of the electronic copies.

The LACDPH is allowed to purchase property or equipment to carry out the activities specified in the Cooperative Agreement. USEPA will need to approve any equipment purchase requests prior to the purchase. The LACDPH shall submit a property inventory report within 90 days after completing the activities in the agreement. If the supplies have an aggregate fair market value of \$5000 or more at the end of the project period, LACDPH must take appropriate actions at the direction of USEPA in accordance with provisions in 40 CFR § 35.6340.

USEPA PRIMARY CONTACT:

For the Cooperative Agreement administrative and fiscal matters, the primary contact will be specified in the final award document. The primary technical and program contact for the Agreement is Sharon Lin, the Project Officer (PO), who can be reached at (415) 972-3446, via telefax at (415) 947-3526, or via e-mail at lin.sharon@epa.gov. The mailing address is Sharon Lin, USEPA Region 9, Mailcode: SFD-7-1, 75 Hawthorne Street, San Francisco, CA 94105.

LACDPH PRIMARY CONTACT:

For the Cooperative Agreement administrative matters, the primary contact is, Gary Izumi who can be reached at (213)240-8179 or via e-mail at gizumi@ph.lacounty.org. Mailing address is Gary Izumi, Contracts and Grants, 313 N. Figueroa St., Room 601, Los Angeles, CA 90012-2659. The primary technical and program contact for the

Agreement is Janet Scully, who can be reached at (213) 738-6121, via telefax at (213) 250-4503, or via e-mail at jscully@ph.lacounty.org. The mailing address is Janet Scully, LA County Public Health, Toxics Epidemiology Program, 695 S. Vermont Ave. South Tower, 14th floor, Los Angeles, CA 90005.

ENVIRONMENTAL RESULTS:

EPA Order 5700.7, Environmental Results under EPA Assistance Agreements, requires all assistance agreement work plans to demonstrate environmental results by including well-defined outputs and, to the maximum extent practicable, well-defined outcomes. This cooperative agreement contributes to the attainment of environmental results under IFMS Program Results Code (PRC) 302DD2 as noted in the EPA's Strategic Plan, Goal 3, Objective 3.2, Subobjective 3.2.2, Annual Performance Goal 3.3: Assess and Clean Up Contaminated Land, by enabling states to participate in Superfund cleanups, and to consult with EPA before, during, or after Superfund Cleanup activities as provided in CERCLA §121(f). The final outcome for the Cooperative Agreement is to reduce exposure from eating contaminated fish related to the Palos Verdes Shelf site. The output measure is 50% increase in awareness in the outreached population from the established program baseline utilizing pre- and post-training/outreach evaluation tools.

TASKS:

Pursuant to this Cooperative Agreement, the LACDPH will perform the following tasks as directed by the USEPA Remedial Project Manager (RPM)/PO for the PV Shelf ICs Program:

- **Task 1: Overall Cooperative Agreement Management**
- **Task 2: Assist with the Market Monitoring and Enforcement Program**
- **Task 3: Present fish contamination information to Public Health Professionals, such as Public Health Nurses (PHN)**
- **Task 4: Serve as the fish contamination public information clearinghouse for Los Angeles County**
- **Task 5: Review outreach material & fishing signage update**
- **Task 6: Explore outreach efforts to reach obstetricians and pediatricians**

Task 1: Overall Cooperative Agreement Management

- Coordinate activities with the USEPA RPM/PO;
 - **Yearly work plan development meeting.** LACDPH and USEPA will have a work planning meeting on yearly basis. The purpose of the meeting is to jointly plan program activities in the upcoming year. The

LACDPH and USEPA will jointly develop a detailed work plan including a description of the activities to be performed during the following year, a cost estimate, and a schedule. The agreed-upon yearly work plan will be submitted to USEPA at least 2 months before the project year starts. Work plan will follow the calendar year schedule, beginning January 1, 2008.

- **Semiannual planning meetings.** The purpose of the meetings is to jointly plan program activities on a semi-annual basis. The LACDPH and USEPA will alternate hosting the meetings. The semiannual planning meetings should take place at least 30 days before the next six month period begins. One of the semiannual planning meetings could be replaced by the yearly work plan development meeting if mutually agreed upon by the LACDPH and USEPA.
- Report regularly to USEPA RPM on task progress;
 - **Quarterly progress and financial reporting.** The purpose of the quarterly reporting is to keep USEPA apprised of the progress of the project. The reports are due to USEPA by the 30th day after the end of each fiscal quarters (e.g. January 30th, April 30th, July 30th, October 30th)
 - **Ongoing reporting and communication.** In addition to the above scheduled progress reports USEPA expects regular ongoing written and oral communication between the LACDPH project manager and the EPA project officer to ensure that the program is progressing on track and meeting its intended goals.
- Perform overall project management responsibilities including keeping the tasks on schedule and costs within the work plan.

Task 2: Assist with the Market Monitoring and Enforcement Program

- Coordinate meetings between LACDPH (Toxics Epidemiology and Environmental Health), EPA and CH2MHill (or SGA).
- Act as a liaison between EPA and Environmental Health
- Assist with the training of Environmental Health Inspectors
- Develop and/or revise inspection and training materials
- Collect the data generated via the inspections
 - Develop a database for the completed inspection survey forms
 - Manage and analyze the data
- Outreach to consumers and markets (in collaboration with LA County Environmental Health) in targeted communities such as Monterey Park/San Gabriel Valley on PV Shelf fish contamination issues
- Support other related efforts as needed

Task 3: Present fish contamination information to Public Health Professionals, such as Public Health Nurses (PHN)

- Educate Public Health Nurses (PHN) by presenting fish contamination information at PHN Orientations
 - LACDPH has been presenting fish contamination information to newly hired PHNs at the quarterly PHN Orientation Sessions since 2004. We plan to continue these quarterly presentations, modifying the lecture as needed.
 - Continue administering a pre- and post –session quiz to each participant and manage/analyze the data collected.
 - Provide educational materials and resources for the PHNs to distribute to patients and other interested clientele.

Task 4: Serve as the fish contamination public information clearinghouse for Los Angeles County

- Expand the LACDPH Toxics Epidemiology website to include fish advisories, educational materials, and other relevant resources. We will work with the FCEC to determine most up-to-date and relevant information. We will also collaborate with the LACDPH web master to have information added to the Toxics Epidemiology website.
- Fill requests for fish contamination materials from CBOs, health/medical professionals, teachers, and the general public.
- Act as the lead agency for addressing calls from the public and provide the appropriate resources/materials based on the needs of the callers.
 - Utilize developed database in order to track the types of calls received and the materials/resources offered

Task 5: Review outreach material & fishing signage update

- Perform technical review of proposed materials associated with public outreach and education program either via participating in workgroups that are responsible for developing such materials (e.g. fact sheet and media materials) for the program or performing individual review
- Update appropriate fish advisory signage at piers/fishing locations in Los Angeles County after the issuance of updated fish advisory by the CalEPA/OEHHA, in partnership with the FCEC and Environmental Health Program

Task 6: Offer lectures to medical providers specifically targeting obstetricians and pediatricians

- Create a flyer to announce the lectures being offered
- Mail out flyers to medical providers through existing LACDPH networks
- Deliver lectures/seminars to OB/GYN care providers on information related to local fish contamination issues
 - Administer a pre- and post –session quiz to each participant

- Produce a database for the information collected via the pre- and post- session quizzes
 - manage/analyze the data collected

LOS ANGELES COUNTY - DEPARTMENT OF PUBLIC HEALTH
DIVISION OF CHRONIC DISEASE AND INJURY PREVENTION
TOXICS EPIDEMIOLOGY PROGRAM
FISH CONTAMINATION PROJECT
AGREEMENT NUMBER 08-012

DETAIL BUDGET

Budget Period: July 1, 2008 - June 30, 2009

	# of FTE	% of Time	Number of Mos.	Monthly Salary	Effective		Monthly Salary 2.75 % Half Step	Monthly Salary 3 % COLA	Effective Jan.09	Total Program Budget
					1-Jul-07	half step				
PERSONNEL										
Chief Physician I	1	5%	12	\$14,822	\$15,230	\$15,687	\$16,118	\$16,601	\$	9,816
Epidemiologist	1	10%	12	6,291	6,479	6,658	6,857	7,032	\$	8,109
Public Health Nurse	1	10%	12	7,262	7,480	7,686	7,916	8,142	\$	9,361
Research Analyst III	1	25%	12	5,699	6,032	6,198	6,384	6,568	\$	18,874
Senior Typist Clerk	1	35%	12	3,218	3,314	3,406	3,508	3,604	\$	14,518
Subtotal Salaries	5								\$	60,678
Employee Benefits					48.1600%				\$	29,222
									\$	89,900

I. Operating Expenses:

Office Supplies - assuming 4 trainings, folder,s paper, link cartridges, pen/pencils, labels

Travel/mileage: 0.45/mile for travel to meetings for 2 personnel, 2 out of state trips for conference

Total Operating Expenses

\$ 5,000

II. INDIRECT COST (on subtotal salaries)

18.2800%

\$ 10,000

TOTAL PROGRAM BUDGET

\$ 11,092

3 year budget = \$110992 x 3 = \$ 332976

WORKPLAN
Cooperative Agreement between
Los Angeles County Department of Public Health
Environmental Health (LACEH) and
The United States Environmental Protection Agency (USEPA)
For the
Palos Verdes Shelf Superfund Site
Institutional Controls Program Enforcement Program

Purpose:

The purpose of this Cooperative Agreement is to obtain the assistance of Los Angeles County Department of Public Health Environmental Health (LACEH) for implementing portions of the USEPA Non-Time Critical Removal Action for the Palos Verdes (PV) Shelf Superfund site. Under this Cooperative Agreement, LACEH will conduct inspections of specified retail markets, assist in collecting white croaker samples and potentially inspect wholesale food facilities in Los Angeles County to help EPA determine whether contaminated white croakers related to PV Shelf are reaching consumers via market place.

Background:

The USEPA is working on the PV Shelf Superfund site in Los Angeles, California. The PV Shelf site includes contaminated sediments on both the continental shelf and continental slope, in a 43 square kilometer area extending one to three miles offshore, between Point Fermin and Point Vicente. The primary contaminants of concern (COCs) at the PV Shelf site are DDT and PCBs.

In September 2001, after years of working with federal, state and local stakeholders, USEPA selected the Institutional Controls (ICs) Program as an initial step to address the human health risks posed by eating fish contaminated by site-related COCs. The ICs Program was initiated as a removal action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). Under CERCLA regulations in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR, Part 300), the ICs Program is expected to supplement future engineering controls or other remedial actions selected by USEPA for the site. The PV Shelf ICs program includes public outreach and education, increased enforcement of existing commercial and recreational fishing restrictions, and market and ocean fish monitoring. Concurrently, USEPA is investigating the nature and extent of contamination and remediation alternatives for the site. The current ICs Program is a 10 year activity which began in October 2002.

In 1990, the California Department of Fish and Game (CDFG) closed commercial fishing of white croaker on the PV Shelf because of the threat to human health posed by the DDT and PCB contamination in the fish (Section 7850 of the Fish and Game Code). The closure was adopted in Title 14 of the California Code of Regulations in May 1990, and

became permanent in February 1991. The closure extends from Point Vicente to Pint Fermin and from the shoreline out three miles.

A 1997 study by Heal the Bay found that levels of DDT and PCBs in some white croakers purchased in retail markets (primarily Asian markets) were similar to those in fish caught by the Los Angeles County Sanitation District (LACSD) on the PV Shelf. As of March 1998, and in response to concerns about white croaker caught by sport fishermen being sold at commercial fish markets, the CDFG revised the white croaker bag limit from unlimited to a limit of 10 fish per day.

From August 2004 through January 2005, as part of ICs Program market monitoring effort, USEPA went to 56 markets in Los Angeles and 12 markets in Orange County that primarily serve local Asian communities. USEPA was able to collect white croakers at six markets (four in Orange County and two in Los Angeles County). The white croakers were analyzed for DDTs and PCBs and the levels detected present potentially significant impacts to human health from fish consumption.

Under the California Health and Safety Code, enforcement officers with local health agencies can enter and inspect retail food facilities and impound any food that is found to be or suspected of being contaminated or adulterated in a retail food facility. With this agreement, USEPA and LACEH are establishing a direct working relationship that focus on the targeted markets.

LACEH and USEPA are entering into this Cooperative Agreement under appropriate regulations including 40 CFR §35.6000-35.6820 and applicable provisions in 40 CFR Part 31. LACEH will provide enforcement support in targeted markets in Los Angeles County to help determine the source and prevent illegal sale of contaminated white croaker,

Term of the Agreement:

The period of performance for this Cooperative Agreement is three years (July 01, 2008- June 30, 2011) with two additional years subject to availability of USEPA funds. The agreement will be funded incrementally on an annual basis. The 1st year funding is \$30,007 with a 3 year ceiling of \$90,021. The agreement will funded on a yearly basis subject to funding availability and performance.

Roles and Responsibilities:

USEPA: USEPA has the primary authority and management responsibility for the PV Shelf Superfund site ICs Program, under CERCLA. Through this Cooperative Agreement, USEPA intends to provide funding to LACEH to implement certain investigation and enforcement components of the ICs Program.

LACEH: LACEH has the authority to conduct inspections of and oversee retail markets and wholesale food facilities in Los Angeles County. The California Health and Safety

Code gives the authority to LACEH to impound any food that is found to be or suspected of being contaminated or adulterated in a retail food facility.

Under this Cooperative Agreement, LACEH will inspect all of the 29 identified markets every 6 months as the first phase of this agreement (Attachment 1 & Figure 1). The identified markets may change at EPA's direction, depending on future phases of the USEPA market monitoring program. If USEPA wishes to add sites beyond the 29, LACEH reserves the right to expand its participation or limit its involvement to a total of 29 sites. LACEH inspectors will be trained on fish identification and contamination issues related to the PV Shelf by the USEPA and its contractors (e.g. staff with Fish Contamination Education Collaborative (FCEC)). The LACEH and USEPA will jointly develop an appropriate inspection protocol that will achieve the goal of the ICs program. LACEH will perform inspection procedures in accordance with the protocol. LACEH will potentially expand the inspection program to include wholesalers if USEPA determines such is needed for the overall enforcement program and pending the terms and funding provisions of the Cooperative Agreement.

Funding Sources:

The activities under this agreement will be funded under USEPA Non-Time Critical Removal Action authority, specified in the September 2001 Action Memorandum for Institutional Controls at the Palos Verdes Shelf, and any Amendments thereto. The expenditure of the program funding needs will be consistent with the scope and conditions specified in the USEPA Action Memorandum.

General Requirements:

The LACEH is allowed to purchase property or equipment to carry out the activities specified in the Cooperative Agreement. USEPA will need to approve any equipment purchase requests prior to the purchase. The LACEH shall submit a property inventory report within 90 days after completing the activities in the agreement. If the supplies have an aggregate fair market value of \$5000 or more at the end of the project period, LACEH must take appropriate actions at the direction of USEPA in accordance with provisions in 40 CFR § 35.6340.

USEPA Primary Contact:

For the Cooperative Agreement administrative and fiscal matters, the primary contact is, EPA Superfund Grants Work Leader, Susan Chiu at (415) 972-3674, or via e-mail at chiu.susan@epa.gov. The primary technical and program contact for the Agreement is Sharon Lin, the Project Officer (PO), who can be reached at (415) 972-3446, via telefax at (415) 947-3526, or via e-mail at lin.sharon@epa.gov. The mailing address is Sharon Lin, USEPA Region 9, Mailcode: SFD-7-1, 75 Hawthorne Street, San Francisco, CA 94105. The primary contact for LACEH is Jackie Taylor, Environmental Health

Manager, who can be reached at (818) 902-4463. Mailing address is Environmental Health, 6851 Lennox Ave., Suite 405, Van Nuys, CA 91405.

Environmental Results:

EPA Order 5700.7, Environmental Results under EPA Assistance Agreements, requires all assistance agreement work plans to demonstrate environmental results by including well-defined outputs and, to the maximum extent practicable, well-defined outcomes. This cooperative agreement contributes to the attainment of environmental results under IFMS Program Results Code (PRC) 302DD2 as noted in the EPA's Strategic Plan, Goal 3, Objective 3.2, Subobjective 3.2.2, Annual Performance Goal 3.3: Assess and Clean Up Contaminated Land, by enabling states to participate in Superfund cleanups, and to consult with EPA before, during, or after Superfund Cleanup activities as provided in CERCLA §121(f). The final outcome for the cooperative agreement is to prevent contaminated fish from reaching the consumers through the retail markets. The measure is zero (0) markets carrying contaminated white croakers based on the inspection work.

Work Plan:

Pursuant to this cooperative agreement, LACEH will perform following tasks:

- Task 1: Overall Cooperative Agreement Management
- Task 2: Enforcement and Monitoring Program Assistance
- Task 3: Support for other PV Shelf ICs Activities

Task 1: Overall Cooperative Agreement Management

- Coordinate activities with the USEPA RPM/PO;
 - **Semiannual planning meetings.** The purpose of the meetings is to jointly plan program activities on semiannual basis. LACEH and USEPA will alternate hosting the meetings. The semiannual planning meetings should take place at least 30 days before the next round of inspection begins.
- Report regularly to USEPA RPM on task progress;
 - **Quarterly progress and financial reporting.** The purpose of the quarterly reporting is to keep USEPA apprised of the progress of the project. The reports are due to USEPA by the 20th of the 4th month (for example, progress and financial reports for July-September 2008 are due to USEPA by October 20th, 2008).
 - **Ongoing reporting and communication.** In addition to the above scheduled progress reports USEPA expects regular ongoing communication with the LACEH project manager to ensure that the program is progressing on track and meeting its intended goals.

- Perform overall project management responsibilities including keeping the tasks on schedule and costs within the scope of work.

Task 2: Enforcement and Monitoring Program Assistance

- **Training for LACEH.** LACEH inspectors will attend a training workshop on the PV Shelf Fish Contamination Issues including white croaker and other local fish identification, contamination history and problems, resources and educational materials available for the PV Shelf program. It is expected that the training would take place by the end of July '08. .
- **Develop Inspection Protocol.** LACEH and USEPA will jointly develop the protocol for the health inspectors which will include an assessment form to be filled by the inspectors (see Attachment 2 as an example of the inspection form). It is expected the protocol will be developed and in place by the end of July '08.
- **Implement Inspection Protocol.** In the first year of the Cooperative Agreement, LACEH will conduct market inspections at the 29 identified markets in Los Angeles County every 6 months.
- **Assist in Market Monitoring/Surveillance Program.** In the first year of the cooperative agreement, LACEH will collect white croakers from retail markets as part of the USEPA PV Shelf market monitoring/surveillance program. LACEH will contact USEPA contractor to make arrangements for sample handling and transport. USEPA contractor will be responsible for receiving the white croakers from the inspectors and shipping them to an analytical laboratory. Detailed logistics will be described in the Inspection Protocol.
- **Possible Inspection of Wholesalers.** If implementation of the Inspection Protocol leads to wholesale suppliers of the contaminated white croakers or wholesalers to be identified by other related work, LACEH will inspect these wholesale facilities in Los Angeles County to prevent contaminated white croakers from the PV Shelf area from getting to the commercial retail markets.

Task 3: Support for other PV Shelf ICs Activities

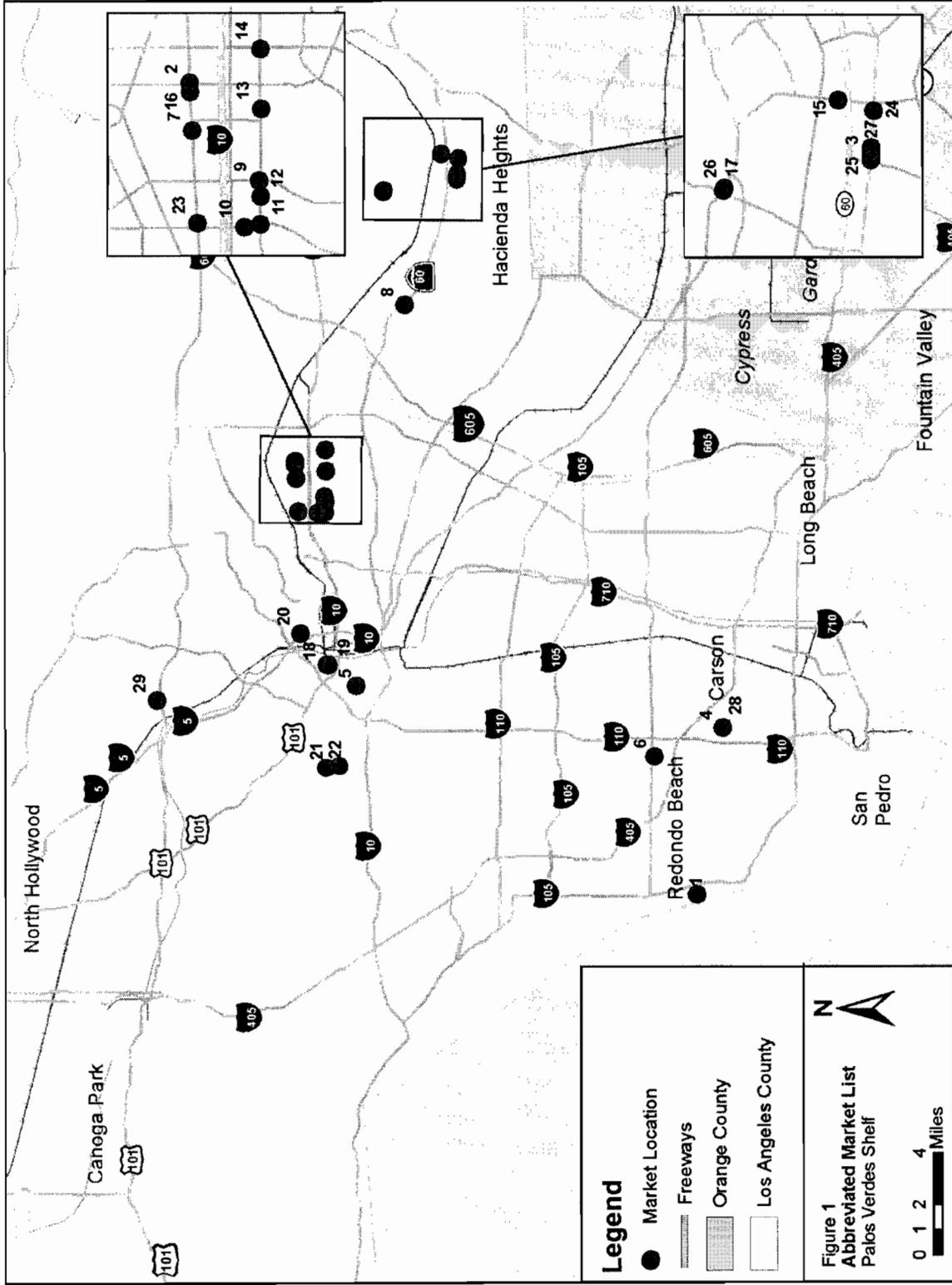
LACEH will support USEPA's other ongoing PV Shelf ICs activities such as public outreach and education (Fish Contamination Education Collaborative) activities. The Fish Contamination Education Collaborative is designed to carry out the education of consumers about avoiding eating contaminated fish from the PV Shelf site. LACEH's **support** may include:

- Participating in quarterly Fish Contamination Education Collaborative partners meeting;
- Participating in workgroups that are responsible for developing appropriate outreach materials (e.g. fact sheet and media materials) for the program and
- Coordinating with the Los Angeles County Public Health Toxics Epidemiology Program on PV Shelf public outreach and education activities.

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**Attachment 1
PV Shelf Los Angeles County White Croaker Market Inspection List (Phase 1)**

Market Number	Market Name	Address	City	County	Zip Code
1	Quality Seafood	130 S. International Boardwalk	Redondo Beach	Los Angeles	90277
2	Hawaii Supermarket	120 E. Valley Blvd.	San Gabriel	Los Angeles	91776
3	Hong Kong Supermarket	18414 Colima Rd.	Hacienda Heights	Los Angeles	91748
4	Tambuli Seafood Market	126 W. Carson St.	Carson	Los Angeles	90745
5	South China Seafood Center	1225 E. 7th St.	Los Angeles	Los Angeles	90014
6	99 Ranch	1340 W. Artesia	Gardena	Los Angeles	90248
7	Valley Supper Market (formerly Quang Hoa)	1251 E. Valley Blvd.	Alhambra	Los Angeles	91801
8	99 Ranch	1625 S. Azusa Ave.	Hacienda Heights	Los Angeles	91745
9	Hong Kong Supermarket	127 N. Garfield Ave.	Monetary Park	Los Angeles	91754
10	Shun Fat Supermarket	420 N. Atlantic Blvd.	Monetary Park	Los Angeles	91754
11	99 Ranch (formerly T&T Supermarket)	771 W. Garvey Ave.	Monetary Park	Los Angeles	91754
12	Quang Hoa Supermarket	350 E. Garvey Ave.	Monetary Park	Los Angeles	91754
13	Del Mar Market	7822 E. Garvey Ave.	Rosemead	Los Angeles	91776
14	99 Ranch	8150 E. Garvey Ave. #121	Rosemead	Los Angeles	91770
15	99 Ranch	1015 S. Nogales	Rowland Heights	Los Angeles	91748
16	99 Ranch	140 W. Valley Rd.	San Gabriel	Los Angeles	91776
17	Seafood City Supermarket	1525 E. Amar Rd.	West Covina	Los Angeles	91792
18	Far East Supermarket	758 New High St.	Los Angeles	Los Angeles	90012
19	Far East Supermarket	711 New High St.	Los Angeles	Los Angeles	90012
20	Kawa Market	2310 Pasadena Ave.	Los Angeles	Los Angeles	90031
21	Assi Supermarket	3525 W. 8th St.	Los Angeles	Los Angeles	90005
22	Galleria Market	3250 W. Olympic Blvd	Los Angeles	Los Angeles	90006
23	Asia Supermarket	910 W. Valley Blvd.	Alhambra	Los Angeles	91803
24	Greenland Market (Korean)	18901 Colima Rd.	Hacienda Heights	Los Angeles	91748
25	HC Supermarket	18317 Colima Rd.	Hacienda Heights	Los Angeles	91748
26	Island Pacific Supermarket	1512 E. Amar Rd.	West Covina	Los Angeles	91792
27	SF Supermarket (Chinese)	18475 Colima Rd.	Hacienda Heights	Los Angeles	91748
28	Seafood City Supermarket	131 W. Carson	Carson	Los Angeles	90745
29	HK Market	831 N. Pacific Ave.	Glendale	Los Angeles	91203



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**Attachment 2
LOS ANGELES COUNTY PUBLIC HEALTH – ENVIRONMENTAL HEALTH
MARKET INSPECTION FORM
FOR
USEPA/LACEH PALOS VERDES SHELF COOPERATIVE AGREEMENT**

DBA/Name:		Inspection Date:	
		Program Element:	
Address:		Date of last fish outreach:	
		Permit #	
Owner/Operator:	Inspector:	District:	CT:
		Change of ownership: <input type="checkbox"/> Yes <input type="checkbox"/> No	

- Is market/processor owner aware of "Fish Contamination Issue" off the Coast of Los Angeles County?
 Yes No N/A (If No, or N/A, go to question #3)
- If Yes, where did market/processor owner hear about contaminated fish?
 Warnings Newspaper Signs Community based organization
 Radio Television Internet Tri-fold pamphlet
 Friend/family member Outreach worker Other (specify) _____
- Determine the presence of ONE of the fish species below (check one). Indicate Fresh or Frozen.

✓	Fish Species (listed in order of priority)	Check one	
		Fresh	Frozen
	White Croaker (Tomcod, Kingfish):		
	Other Croaker. Name: _____		
	Queenfish		
	California Corbina		
	Scorpionfish (Sculpin)		
	Pacific Chub Mackerel		
	Bonito		
	Other Available Fish. Name: _____		

- Invoice Information: (attach copy of invoice(s) if applicable)

Invoice	Date of Purchase	Lbs. of fish	Frequency of Shipment	Supplier's name and address
<input type="checkbox"/> On site <input type="checkbox"/> Not on site <input type="checkbox"/> Presented within 48 hrs <input type="checkbox"/> Not presented within 48 hrs				

- Invoice presented matches the fish checked above (from question #3): Yes No
- All fish in the premises labeled with "Country of Origin", "Farmed" or "Wild": Yes No
- "Prop 65 Notice" sign posted: Yes No
- Market/processor sells (check all that apply): Shark Swordfish Tuna N/A
- Packet of information given: Yes No
- Indicate topics covered during visit:
 Reminder to buy from reputable sources Prop 65 COOL
 ID of white croaker & reasons for concern Health effects & populations at-risk
 Catch ban & contaminated zones Other _____
- Violations Noted:
 Unapproved Sources Labels-consumer foods Misbranded Food
 Hearing Issued Referral Made Impound
- Hearing Results:

Milestones and Deliverables

Year 1: July 1, 2008 – June 30, 2009

Year 2: July 1, 2009 – June 30, 2010

Year 3: July 1, 2010 – June 30, 2011

Attachment 3

Summary and Schedule of Submittals For LACEH/USEPA PV Shelf Superfund site agreement

Task	Deliverables	Due Date
1- Project Management	Semiannual Planning meeting	30 days prior to the start of the 6 months
1- Project Management	Quarterly progress and financial report	30 days after the end of quarter (e.g., due dates are November 1st, February 1st, May 1st, August 1st)
1 – Project Management	Monthly inspection tracking sheet	15 days after the month ends (e.g. July report is due by August 15)
1 – Project Management	Enforcement subcommittee meeting	Ongoing, as requested
2 – Program Assistance	Training for LACEH	Complete by June 30, 2007
2 – Program Assistance	Develop Inspection Protocol	Complete by June 30, 2007
2- Program Assistance	Implement Inspection Protocol	Ongoing
2 – Program Assistance	Assist market monitoring program	Ongoing
3- Support PV Shelf ICs program	Attend partners' meeting	Quarterly
3- Support PV Shelf ICs program	Support on material development	Ongoing
3 – Support PV Shelf ICs program	Update fish advisory signage	Contingent upon fish advisory update
3- Support PV Shelf ICs program	Coordinate with LACEH-toxics and epidemiology program	Ongoing

References:

1. Action Memorandum for Institutional Controls at the Palos Verdes Shelf, USEPA, September 2001.

2. Palos Verdes Shelf Institutional Controls Implementation Plan, USEPA, December 2001.

LOS ANGELES COUNTY - DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH
USEPA and Environmental Health Joint White Croaker Fish Project
Budget Period: July 1, 2008 through June 30, 2009
Proposal Budget

Description	Total Hours	Hourly Rate	Total Salaries	Employee Benefits 48.16%	Indirect Costs 18.28%	Total Proposed Budget
<u>PERSONNEL</u>						
<u>Facility Inspection :</u>						
Environmental Health Specialist II	30	\$36.01	\$1,080	\$520	\$198	\$1,798
Environmental Health Specialist III	10	\$39.65	\$397	\$191	\$72	\$660
Environmental Health Specialist IV	10	\$41.76	\$418	\$201	\$76	\$695
Chief Environmental Health Specialist	10	\$47.58	\$476	\$229	\$87	\$792
EHS Manager	60	\$53.30	\$3,198	\$1,540	\$585	\$5,322
<u>Reinspection:</u>						
Environmental Health Specialist III	15	\$39.65	\$595	\$286	\$109	\$990
Environmental Health Specialist IV	5	\$41.76	\$209	\$101	\$38	\$348
Training (EH training hours - one day)						<u>\$13,600</u>
Total Personnel Cost						\$22,407
<u>OPERATING EXPENSES</u>						
Equipment						3,500
Travel						1,700
Office Supplies						2,000
Other						<u>400</u>
Total Operating Expenses						\$7,600
TOTAL PROGRAM COST						<u>\$30,007</u>