



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

Office of the Executive Officer
Wayne Nastri
909.396.2100, fax 909.396.3340

November 24, 2020

The Irvine City Council
1 Civic Center Plaza
P.O. Box 19575
Irvine, California 92623-9575

Re: South Coast AQMD Efforts at All American Asphalt
and Frank R. Bowerman Landfill

Dear Mayor Shea and Members of the Irvine City Council,

The South Coast Air Quality Management District (South Coast AQMD) received your letter, dated November 17, 2020, addressed to Dr. William A. Burke, Chairman of the South Coast AQMD Governing Board. Dr. Burke asked that I respond to your letter and provide an update on this agency's efforts at All American Asphalt and the Frank R. Bowerman Landfill (Bowerman Landfill), both of which are located near residential communities in the City of Irvine.

South Coast AQMD staff agrees that a proactive and transparent approach is needed to address the community's concerns, which is exactly how we have proceeded to date. For instance, we have communicated openly with all parties through phone calls, meetings, emails, letters and through our website. This has included regular contact with the City of Irvine's attorneys to keep them apprised of our efforts and to answer questions about All American Asphalt. Staff has also spoken directly with community members and responded to numerous requests for information regarding the facility. On September 22, 2020, South Coast AQMD had an extended meeting via video conference with Councilmember Anthony Kuo, local resident Lesley Tan and over 30 other concerned community members; and our staff members have made themselves available for a follow-up meeting next month with this citizen group. In October 2020 we created a [dedicated page on our website that details our investigation of All American Asphalt](#), and we update this page as new information becomes available.

Going forward, we agree that a public meeting with Irvine residents would be consistent with this transparent and community-centered approach. While we are unable to meet in person due to COVID-19, staff is presently evaluating potential dates for a virtual meeting during the second week of December. Additionally, as discussed below, there will be a public hearing before the South Coast AQMD Hearing Board on December 17 regarding the variance sought by the Bowerman Landfill.

The following sections describe the proactive approach that South Coast AQMD staff has taken to assist the residents of the City of Irvine.

All American Asphalt

Starting in September 2019, there was a noticeable increase in odor complaints for All American Asphalt, and South Coast AQMD took immediate action. Our inspectors responded to complaints and conducted field operations, and an on-site inspection of the facility was done in October 2019. Our inspectors performed odor surveillance activities more than 75 times and were on site at the facility as part of odor investigations over 30 times since September 2019. Multiple Notices of Violation (NOV) were issued during this time period. One NOV was for violations of permit requirements and the other NOVs were for public nuisance.

As a result of our efforts, All American Asphalt has taken steps to alleviate odors in the surrounding community, such as making repairs to certain equipment, increasing the use of odorant in the facility's processes, rerouting trucks carrying asphalt away from residential neighborhoods and requiring those trucks to use tarps. Following these changes, the number of public complaints decreased noticeably, including no complaints in June 2020 and only one complaint in July. However, in September 2020 there was again an increase in complaints.

That month, the facility applied for an air quality permit with South Coast AQMD for the installation of new odor control equipment. Our engineering staff expedited the permitting process and a research permit was issued last week that covers the crumb rubber asphalt blending tanks and associated air pollution control equipment. The new carbon adsorption system should reduce the potential for odors from this equipment. The research permit includes conditions for extensive source testing for emissions of volatile organic compounds, speciated organic toxics, polycyclic aromatic hydrocarbons or PAHs, sulfur and metals in order to fully evaluate the effectiveness of the air pollution controls. The carbon adsorption equipment is expected to be operational within two weeks. The research permit is valid for 90 days and the previously mentioned testing is required to be done within this timeframe. The permit is posted on our website: <http://www.aqmd.gov/docs/default-source/permitting/rule-441-permit-letter-11-20-2020-all-american-asphalt-crumb-rubber-carbon-adsorber.pdf?sfvrsn=6>.

With respect to air monitoring, staff has been working with the Irvine Unified School District to gain access to two school sites to set up air monitoring equipment. The soonest date that school representatives were available to meet for a site evaluation was November 20, 2020. Staff went out on that date to both Canyon View Elementary School and Northwood High School to evaluate the suitability for taking air samples at those locations. These schools were selected because they are located in or near neighborhoods where numerous complaints have been reported. Due to the upcoming holiday school closures, air sampling is anticipated to start on December 2. We intend to take 8 to 10 samples over a 6 to 8-week period. It is extremely challenging to identify pollutants that cause odors through air monitoring, but we will evaluate these samples for air toxics to address the concern raised by the community about potential air toxic emissions. Data from these samples will be posted on our website as soon as the information is available.

While continuing with the permitting process for air pollution control equipment at All American Asphalt and conducting air monitoring and sampling, South Coast AQMD will continue to respond to community complaints, conduct on-site facility inspections and related field operations and take appropriate enforcement action.

Bowerman Landfill

As you are aware, the community complained exclusively to the City of Irvine regarding odors from the Bowerman Landfill for the last several years, until recently when they became aware of how to file complaints directly to South Coast AQMD. The October 26, 2020 Silverado Fire knocked out power at the landfill and damaged the gas collection and control system that would normally mitigate the potential for odors. The facility is currently under an Interim Variance that was issued on November 3, 2020 by the South Coast AQMD Hearing Board. The Hearing Board is a quasi-judicial body authorized to provide temporary relief from South Coast AQMD rules or permit conditions when situations arise like this fire that damaged landfill equipment. An Interim Variance is temporary until a Regular Variance hearing can be held. The Interim Variance includes conditions to ensure the facility is expediting repairs, minimizing release of landfill gas and reducing odors to the extent possible, and includes requirements for monthly air monitoring. If any additional NOVs are issued, a status hearing is required. The hearing for a Regular Variance will be on December 17, 2020 at 9:00 a.m. and the meeting is open to the public. There will be an opportunity for public testimony, and information about the hearing will be posted on our website.

It is our understanding that Bowerman Landfill is diligently working to reduce odors. On November 13, 2020, South Coast AQMD staff responded within a few hours to a request from facility operators to bring a portable thermal oxidizer on site. This equipment is currently in operation and should help reduce odors.

In conclusion, South Coast AQMD staff remains committed to working with all parties in a transparent manner and will continue the proactive efforts in order to address community concerns as quickly as possible. We will be contacting you soon with information for the virtual community meeting in December.

Please feel free contact me if you have any additional questions or concerns.

Sincerely,



Wayne Nastri
Executive Officer

cc: South Coast AQMD Governing Board
Marianna Marysheva, Interim City Manager
Pete Carmichael, Director of Community Development
Mark Steuer, Director of Public Works