



ALL AMERICAN ASPHALT
ALL AMERICAN AGGREGATES

T 951-736-7600 F 951-739-4671
P.O. BOX 2229, CORONA, CA 92878-2229
CONTRACTORS LICENSE #267073 AC12
DIR #1000001051

Dear Councilmembers:

As you are likely aware, last week, *Voice of OC* published a misleading (and in a number of instances, outright false) article regarding All American Asphalt's Irvine facility titled "Irvine Residents Raise Alarm Over Dangerous Emissions In Million Dollar Neighborhood". I am writing to ensure that the Council understands how baseless the article's claims are, and to provide the Council with an update on the work being conducted by All American, the South Coast Air Quality Management District, and the City of Irvine to address residents' complaints – work which shows that All American's operations do not pose a health risk or otherwise negatively impact air quality for local residents.

First, All American provides the following rebuttal to the numerous misleading and/or false claims made in the recent *Voice of OC* article:

- **Claim:** *"Since Sept. 2019 alone, residents have submitted over 700 complaints about the factory to the South Coast Air Quality Management District, the state agency in charge of regulating emissions for Southern California."*
 - **Response:** This statement is incredibly misleading. SCAQMD inspectors have thoroughly investigated these allegations, and in nearly all instances, have either not been able to verify the alleged odors or have been unable to attribute the odors to All American's operations. SCAQMD inspectors were only able to verify odors attributable to All American's operations on six occasions, the last such instance occurring four months ago. And prior to 2019, All American operated this facility for over 20 years with zero odor complaints.
- **Claim:** *A "UCI team" is conducting an investigation into All American.*
 - **Response:** The article includes 12 references to UCI's involvement in a study purporting to evaluate impacts of All American's operations on the surrounding community. In a January 13, 2021 letter to the City of Irvine, UCI expressly disavowed this study, stating that "The University of California, Irvine is not engaged nor a sponsor of the research activities by faculty as related to All American Asphalt" and clarified that this was research being conducted independently and outside of the university's programs. The article's repeated references to UCI are misleading and inappropriate, and play into the study sponsor's efforts to lend credibility to a poorly designed and executed study, the results of which are flawed and unreliable.
- **Claim:** *"After two months, the results are clear – the factory is releasing chemicals into nearby homes"*
 - **Response:** The only thing clear from this "study" is that its design is so fundamentally flawed that no meaningful conclusions can be drawn from the data collected. Most significantly, these study flaws include: (1) the use of equipment that is incapable of delineating between types of VOCs, rendering the study's data virtually meaningless, and unusable in determining the source of VOCs detected during the study; (2) the

apparent lack of any evaluation of background sources of VOCs, which are extremely common in residential settings (VOCs can emanate from cleaning products, wood products, artificial turf, carpet, adhesives, candles, fireplaces, and shampoos) and were likely the primary (if not sole) source of VOCs detected in this study; and (3) the lack of any meaningful effort to attribute any of the VOCs detected in this study to All American's operations.

- **Claim:** *"The recommended safe levels [of VOCs] by scientists with the Tecam Group, a European environmental regulation company, fall under .5 parts per million in the air."*
 - **Response:** The Tecam Group represents an outlier position that is not widely accepted in these types of evaluations. This standard is inconsistent with broadly accepted screening levels, such as those used by the SCAQMD, that have been established to be protective of human health and the environment in the United States (and elsewhere). Reliance on this outlier standard renders the conclusions of the study virtually meaningless.
- **Claim:** *"Looking at the UCI team's hourly data for releases of chemical compounds, there were often spikes as high as 10 parts per million, 20 times the recommended limit"*
 - **Response:** The "spikes" observed in the study occurred between December 25 and December 29, 2020. All American's Irvine facility shut down on December 24, 2020, and did not begin operations again until December 30, 2020. Because All American was not operating, it could not have been the cause of these alleged VOC spikes. Rather, these spikes must have been caused by localized VOC sources, not evaluated as part of this study, and wholly discrediting the study's conclusions.
- **Claim:** *The article characterizes SCAQMD's ambient air sampling results as merely showing that All American's emissions are "holding within legal limits" and further minimizing these very positive results by claiming that "even if the factory's emissions hold within the legal limits, it doesn't necessarily mean residents are safe"*
 - **Response:** This is a mischaracterization of SCAQMD's findings and creates the false impression that All American's emissions are harmful to residents. In fact, the SCAQMD results show that ambient air near All American's Irvine facility contains levels of air toxics that are generally below typical background levels, and are, across the board, below (and frequently well below) OEHHA health-based exposure levels. To characterize these results as "holding within legal limits" is extremely misleading. As concluded by SCAQMD, the data from their study shows no "elevated air toxics levels that would cause a health threat to the residents of the community near the facility."

Perhaps most tellingly, *Voice of OC* buries, at the end of the article, a summary of the City's ambient air study results that found "chemicals all fell within typical background levels within the factory's property line." As we assume the Councilmembers are aware, the City's results showed that All American's emissions had no meaningful impact on air quality at the fence-line of All American's property. The lack of any air impacts directly adjacent to All American's operations is damning to the article's claim that All American's emissions pose a health risk to surrounding residents, and totally undermines the conclusions reached by the "study" discussed in the article. Burying the lead like this was irresponsible and is, unfortunately, almost certain to create unwarranted fear among community members regarding All American's emissions.

The overwhelmingly positive data obtained through both the City's and SCAQMD's investigations should have been the focus of this story, and the residents deserve to be fully informed of these reassuring findings. The false and misleading statements in this article do a disservice to the community, create unnecessary fear and panic among our neighbors, and undermine the work being done by the City,

SCAQMD, and All American to conduct a thorough and scientifically sound investigation in response to the recent complaints related to All American's operations.

Second, I want to provide a brief update to the Council regarding the progress that All American has made in the installation of the Granular Activated Carbon ("GAC") unit at our facility as an enhancement to our emission control equipment aimed at further reducing any odors from our operations. As the Council is likely aware, the GAC unit has been on-site for some time. However, because the rubber plant was non-operational pending the arrival and installation of an updated low NOx burner, the evaluation of the GAC unit requested by SCAQMD has not yet begun. While All American's previous evaluation found the GAC unit to be extremely effective at treating emissions from the rubber plant, SCAQMD has requested further evaluation of the GAC unit prior to issuing a permit for the permanent operation of the GAC unit at our facility.

I am happy to report that the upgraded burner arrived last week and is being installed and tested. It is anticipated that within 30 days, the SCAQMD-requested testing will begin on the GAC unit. We look forward to completing this testing in order to obtain final approval from SCAQMD to permanently operate the GAC unit.

All American is pleased with the progress that has been made in recent months and is working hard to ensure that this progress continues in the coming months. As this work continues, I want to reiterate All American's commitment to working with the City on collecting data and addressing any remaining concerns about our operation.

Sincerely,

A handwritten signature in cursive script that reads "John Gardner".

John Gardner