



Date: October 11, 2023

To: Nicole Quick, MD, MPH, Deputy Director for Health Protection, Los Angeles County Department of Public Health

From: Pablo Sanchez-Soria, Ph.D., CIH, and Angie Perez, Ph.D., CIH, Senior Toxicologists, CTEH

Subject: CTEH's Response to County Public Health's October 10, 2023 Letter Concerning the October 2, 2023 Health Risk Screening Memorandum

Dear Dr. Quick:

CTEH is in receipt of the Los Angeles Department of Public Health's (Public Health's) October 6, 2023 Letter (Letter), which was sent by Public Health to CTEH on October 10, concerning CTEH's October 2 Health Risk Screening One-Pager (One-Pager). Upon review of Public Health's and Roux Associates' conclusions concerning the Summary, it appears there is a misunderstanding as to the purpose of the One-Pager.

CTEH drafted the One-Pager proactively, in response to Public Health's and the community's repeated requests in public forums for immediate guidance on the air monitoring data being collected. CTEH was not otherwise required under any plans or agreements to produce such a document. As a cooperative partner to the County and communities surrounding Chiquita Canyon Landfill, CTEH published the One-Pager using the limited parameters provided in SCS's August 2023 Report in a manner that would be digestible and helpful to the general public's understanding of otherwise highly technical data.

The purpose of the One-Pager was to communicate potential public health risks to the community and serve as a useful and accessible synthesis of SCS's August 2023 Report from a toxicological viewpoint for the public. Chiquita had discussed this type of proactive outreach, written in a way that is easily accessible to a lay person, with the County. CTEH discussed the purpose of this document and the underlying analysis during Chiquita's October 5 community meeting, at which numerous County employees were in attendance. Considering this purpose, CTEH's (I) responses to Public Health's Letter and (II) next steps for analysis and evaluation are outlined below:

#### **I. CTEH RESPONSE TO PUBLIC HEALTH'S ISSUES WITH THE ONE-PAGER**

Public Health, Roux Associates, and the Technical Advisory Committee's (TAC) were not the intended audience for the One-Pager, rather, it was intended for the community. To fulfill its sole purpose to communicate to the public, the One-Pager purposely omits technical jargon and

detailed summary tables that would be redundant with the information already available in the [SCS August 2023 Report and the laboratory reports](#) that contain the raw data. The One-Pager states in the first paragraph how to access that data.

Public Health's statement that the One-Pager is not supported by sufficient data or analysis is based on an apparent mistaken assumption which could have been easily corrected had either party simply inquired. While the One-Pager does not detail every single result (which again, would have defeated its purpose), CTEH conducted an analysis of all the data provided by SCS in its August 2023 Report. Those data were compared against appropriate health protective benchmarks where available, which served as the basis for the conclusions provided. The conclusions provided in the One-Pager are supported by the rigorous analyses demanded by the toxicological profession.

Further, Public Health's statements that the conclusions in the CTEH One-Pager are premature and misleading are false and irresponsible, given that Public Health and Roux apparently have not yet analyzed the data that was previously made available to confirm or refute CTEH's conclusions. Such statements are likely to sow confusion and distrust in the community while damaging CTEH's credibility. Public Health should not be making such unsupported, unfounded statements.

Public Health's letter next states that "the TAC has the following issues" with CTEH's One-Pager. However, the letter is signed by DPH and not on behalf of the TAC. The next TAC meeting is scheduled for October 24, 2023. CTEH was not made aware of any TAC meetings held to discuss these conclusions between the distribution of the One-Pager on October 2 and CTEH's receipt of the October 6 Letter on October 10. DPH requested that Chiquita retain a consultant (CTEH) to work with the TAC – CTEH is confused as to why these questions were not raised in a discussion with the full TAC, much less with CTEH.

Public Health's letter lists seven specific criticisms of CTEH's One-Pager. CTEH responds to each in turn:

**A. CTEH conducted a fulsome analysis requisite to meet the conclusions provided in the One-Pager.**

1. A summary of analytical samples compared to appropriate screening values is provided in the SCS August 2023 Report. CTEH encourages Public Health and Roux Associates to conduct an independent analysis of these data.
2. A selection of specific screening levels has been conducted; however, given the One-Pager's purpose for public use, CTEH summarized this process for public accessibility. A detailed explanation of which screening levels were used can be provided to Public Health, if needed, and will also be provided in CTEH's technical report which is currently planned to be produced January 2024.

3. CTEH evaluated screening levels and their adequacy in comparison to detection limits. Public Health's assertion that CTEH did not assess the appropriateness of detection levels relative to screening values is inaccurate and unsupported.

4. Public Health asserts that CTEH did not present cumulative risk estimates. CTEH's evaluation of data from the month of August 2023 accounts for continuous exposures at the August 2023 level for up to one year. As additional data are collected, other screening levels may be considered. A cumulative evaluation will be conducted and provided in the January 2024 report, subject to the approval of CTEH's draft updated work plan.

5. CTEH never agreed to compare off-site to onsite levels of TO-15 VOCs, particularly for a One-Pager that was prepared outside of any of CTEH's work with the TAC. Onsite data are not representative of residential exposures. Further, as stated in the CTEH September 29, 2023 response letter to the TAC regarding the draft updated work plan, due to the multitude of contributing sources of TO-15 VOCs in the ambient urban environment, CTEH will evaluate those results in the context of air quality, rather than in the context of "impacts" from specific emission sources such as the Chiquita Canyon Landfill.

## **B. CTEH's statement regarding H<sub>2</sub>S is based on spatial and temporal analysis.**

1. CTEH is evaluating spatial data based on SCS's predetermined sampling and monitoring station locations in the surrounding community. As to the temporal data, CTEH is evaluating the data based on 1-hour, 24-hour, 14-days, and 365-day durations. While August 2023 was the first month for which CTEH made an evaluation of such data, data for subsequent months will be evaluated on a cumulative basis. Including this level of data is common in technical reports, however, it is almost never included in brief, public risk communication memoranda.

2. The One-Pager was designed to provide the community with an easy to read, direct assessment of the data available to date. It was not intended to provide the comprehensive data and analysis that CTEH will include with its ultimate report to the TAC. As such, no technical report was generated for this One-Pager. If the TAC wishes to have the data analysis and comparisons for these statements, CTEH would welcome the opportunity to engage with the TAC on process management, including strategy development and data sharing. To date, no final work plan has been approved by the TAC to initiate and facilitate data sharing.

## **II. CTEH PUBLIC SUMMARIES AND ADDITIONAL ANALYSIS AND EVALUATION**



In response to DPH’s concerns about the One-Pager, CTEH will make adjustments to its communications moving forward. DPH raised concerns with the temporal qualifier. CTEH already included this information in the introductory language. For future monthly evaluations, CTEH will also add a temporal qualifier for the months of data being considered directly in the risk conclusion language. For example: “Based on our review of the August 2023 continuous air monitoring and discrete air sampling data, there is no evidence of increased health risk to the community.”

Public Health also raised concerns about evaluation of TO-15 VOC constituents, reduced sulfur compounds, and particulate matter. As Public Health knows, in CTEH’s September 29, 2023 Revised Work Plan, CTEH has agreed to perform the short and long-term health impacts analysis pending the approval of that workplan. To CTEH’s knowledge, the enhanced community air monitoring, sampling, and data analysis including TO-15 VOC constituents, reduced sulfur compounds, and particulate matter has begun and was provided to Public Health via SCS’s monthly data reports. In addition, the SCS August 2023 Report and laboratory results containing the raw data are publicly available as of September 20, 2023. Public Health asks that CTEH submit air monitoring data and analysis to Public Health and the TAC on the 21<sup>st</sup> of each month. As Public Health knows, CTEH is not responsible for conducting air monitoring. SCS Engineers conducts all air monitoring and has separately agreed to provide this information to Public Health on a monthly basis. Once SCS’s air monitoring data becomes available, CTEH will conduct an analysis and produce corresponding monthly one-pagers in a timely manner.

With respect to DPH’s request to provide data analysis to Public Health and the TAC on the 21<sup>st</sup> of each month, CTEH welcomes discussion on improved ways to provide this data analysis to Public Health and the TAC in the future. However, to the extent that Public Health or its consultant, Roux Associates, is interested in conducting their own analysis of the real time air monitoring and discrete sampling data, SCS’s reports and the raw data will continue to be available on the Chiquita website and through direct submissions to Public Health.

CTEH shares Public Health’s goal to ensure that the comprehensive air monitoring collection, sampling, and testing is performed and communicated in a manner that follows standard human health risk assessment guidance (e.g. see, [EPA Risk Assessment Guide](#)). We invite Public Health to contact CTEH directly for further discussion at any time.

Sincerely,

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