



# Enforcement News

## **\$17 million in penalties proposed in probe of warehouse fire that polluted Dominguez Channel and caused widespread noxious odor**

***Formal complaints issued against owners and operators of warehouse***

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**LOS ANGELES** – The owners and operators of a warehouse facility in the city of Carson are facing \$17 million in penalties after an investigation by the Los Angeles Regional Water Quality Control Board into hydrogen sulfide odors that emanated for miles from the Dominguez Channel Estuary in fall 2021. If adopted by the Los Angeles Water Board during its Oct. 12 meeting, these will be the largest penalties the board has ever imposed.

The warehouse, located in the 16000 block of South Avalon Boulevard, is operated by Day to Day Imports Inc. and Virgin Scent Inc. dba ArtNaturals, and owned by Liberty Property Limited Partnership and Prologis Inc. The operators and owners are alleged to have improperly stored large amounts of alcohol-based products, including hand sanitizer and anti-bacterial wipes.

Products stored outside the warehouse caught fire on Sept. 30, and in the days following, the South Coast Air Quality Management District (SCAQMD) began responding to the first of more than 4,000 odor complaints from residents in several nearby cities, including Carson, Gardena, Wilmington, Torrance, Long Beach and Redondo Beach. SCAQMD determined hydrogen sulfide was the cause of the noxious odor. During the lengthy effort to fight the fire, pollutants, including alcohols, were discharged from the warehouse facility into the Dominguez Channel Estuary and are believed to have contributed to the hydrogen sulfide odors. A post-fire inspection of the warehouse facility found huge piles of burned debris containing alcohol-based products and hazardous substances.

“The Los Angeles Water Board devoted considerable resources to investigating the hydrogen sulfide odors and will continue to do so and hold those responsible accountable for their actions,” said Hugh Marley, an assistant executive officer of the Los Angeles Water Board. “The proposed penalties reflect the egregiousness of the alleged violations and significant impacts, not only to the Dominguez Channel Estuary



but to nearby residents who are already disproportionately burdened by multiple sources of pollution.”

The warehouse operators and owners are considered responsible for violations of the Clean Water Act – which became law 50 years ago and established the basic structure for regulating pollution in U.S. waters – and the Porter-Cologne Water Quality Control Act in connection with the discharge of over 6 million gallons of polluted water, including hazardous substances, to the Dominguez Channel Estuary due to fire suppression activities. The Los Angeles Water Board prosecution team has proposed a type of penalty, known as an administrative civil liability, of over \$15 million for this violation.

On Dec. 9, the Los Angeles Water Board issued a cleanup and abatement order for Day to Day Imports and Liberty Property Limited Partnership requiring the removal of all waste by Dec. 31. To date, they have failed to complete all activities required by the order, leading the board’s prosecution team to propose an additional administrative civil liability of over \$600,000 for this violation.

Lastly, the prosecution team also included a penalty of nearly \$1 million against the operators for failing to obtain permit coverage for discharges from the facility.

A public hearing before the board to consider the proposed penalties is set for Oct. 12. Hearing procedures, including instructions for how the public can comment on the complaints, will be issued in the coming days on the [board’s website](#).

*With over 10 million residents, the Los Angeles Water Board regulates the most densely populated region in the state, including the coastal watersheds of Los Angeles and Ventura Counties and small portions of Kern and Santa Barbara Counties.*