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Background:

Exide Technologies owns a now-closed battery recycling facility at 2717 South Indiana Street in Vernon, California. The facility began operations in 1922, recovering lead from various used, old or discarded materials. During the early 1980s, the facility was the subject of a major modernization and reconstruction that resulted in the current site configuration. It acquired the facility in September 2000 and last conducted recycling operations in March 2014. Over the years, DTSC issued more than \$1 million in fines and penalties against the plant's operators

In February 2015, DTSC, which regulates the facility's hazardous waste operations, informed Exide that it would deny the company's permit application. In March 2015, DTSC issued an order requiring Exide to begin closing its facility in Vernon. Under the enforcement order, Exide was required to set aside a total of \$38.6 million for safely closing the plant, and \$9 million for the cleanup of residential yards in two initial assessment areas. The closure process involves the safe dismantling of the facility. A public hearing on the Draft Closure Plan and Draft Environmental Impact Report will be held February 3, 2016.

Summary of DTSC's Oversight to Protect the Community

In April 2013, DTSC ordered to suspend operations when a risk assessment report from the South Coast Air Quality Management District (SCAQMD) showed that Exide hadn't controlled airborne emissions. DTSC also ordered Exide to test for lead in residential yards in portions of Boyle Heights and Maywood. According to the SCAQMD these two areas were the most likely to be affected by Exide's air emissions of lead. Exide was required to clean up contaminated yards in the two residential areas in Boyle Heights and Maywood.

- More than 200 property owners in these areas were contacted by DTSC to obtain access to sample their properties. Most property owners agreed to have sampling conducted in their yards.
- 195 residential properties were sampled
- 186 residential properties were cleaned up when sampling showed lead contamination in their yards
- More than 10,000 tons of lead-contaminated soil was removed

Residential Soil Sampling and Clean-Up in Preliminary Area of Investigation

DTSC required Exide to sample properties outside the initial assessment areas. The results of that sampling were shared with property owners in May 2015. DTSC used soil data from the Expanded Area and from industrial area sampling out to 4.5 miles from Exide to perform an investigation to determine the extent of Exide's impact. Based on the preliminary findings of this investigation, DTSC determined Exide's lead contamination goes out to an approximately 1.7-mile radius around the facility.

In August 2015, the Governor's Office allocated \$7 million for additional sampling and cleanup this year, which could ultimately lead to soil removal at thousands of additional properties. There are approximately 10,000 residential properties in the area, now referred to as the Preliminary Investigation Area (PIA). DTSC presented options for sampling and clean-up of properties in the PIA to the Technical Advisory Group in November of 2015. The option selected included the bulk of DTSC outreach in three "Focus Areas" most likely to have been impacted based on wind patterns and proximity to Exide.

DTSC is sampling properties in the focus areas and within the PIA area as access agreements are received.

- 103 properties have been sampled so far
- Of those sampled, 19 have had greater than 1,000 parts per million lead in soil and have been identified as Priority 1 for cleanup.
- Cleanup recently began, and four properties have been cleaned up so far
- DTSC is also contracting two local NGOs to assist with door to door canvassing in the PIA to obtain access agreements
- DTSC will use the \$7 million allocated by the governor's office to clean as many of the high-priority properties as possible by July.

On-Site Corrective Action:

These are requirements that go beyond site closure, and involve investigating and remediating site releases that went more than five feet and impacted soil and groundwater.

Emergency Response Interim Measures (ERIM) On-site Stormwater Piping (2013 Stipulation and Order)

- The ERIM On-site Stormwater Piping removal was completed in early 2014.
- The stormwater pipe removal work included the removal of approximately 3,100 linear feet of old stormwater system piping and 33 structures (including manholes and drain inlets), and the abandonment in-place of approximately 600 linear feet of old stormwater system piping.
- This clean-up effort involved the removal and disposal of approximately 2900 tons of California Hazardous Waste soils, and about 3500 tons of Federal RCRA hazardous waste soils.

Current RCRA Facility Investigation Efforts

- RCRA Facility Investigation Fieldwork (Sampling) was completed in December 2015.
- RFI has included over 300 shallow and deep soil borings, the collection and laboratory analysis of thousands of soil samples, and the installation and sampling of more than 25 on-site and off-site groundwater wells.
- Draft RFI Reports for Soil and Groundwater are due in Spring 2016.
- Under the 2015 Stipulation and Order Exide must submit a Corrective Measures Study for Soil and Groundwater by December 31, 2016.

Off-Site Industrial Area Cleanup – Interim Measures:

- In 2010, Exide was ordered to performed dust and dirt cleaning of a neighboring property’s building rooftop and parking lot, and cleaning of streetways, curbs, and sidewalks just north, south and east of the Exide Facility.
- In December 2013, DTSC ordered Exide to perform emergency response cleanup to remove dust and dirt in areas where RFI off-site sampling efforts showed lead concentrations greater than 1,000 parts per million (ppm).
- The Industrial Area Cleanup began in January 2014 and concluded in March 2014. The cleaning included hand vacuuming of sidewalks and curbs and vacuum sweeping of the streetway along East 26th Street, South Indiana Street and Bandini Boulevard. Storm water inlets and piping were also cleaned and soil was removed from street-side tree wells and landscaped areas.
- Based on review of the Industrial Area cleanup report, DTSC ordered Exide to perform additional cleanup which involved cleaning a flood control open channel that bisects the Exide facility all the way to the LA River and additional storm water system inlets, manholes and storm water piping along East 26th Street, South Indiana Street and Bandini Boulevard.
- The open flood control channel has been cleaned twice since June 2015.

In the last year, DTSC also has:

- Analyzed the results from more around 20,000 soil samples at residential and non-residential properties around Exide
- Participated in more than 20 public meetings and other forums to inform the community. The Department has distributed tens of thousands of notices about activities and information to residents around Exide.
- Established an Advisory Group to provide input into the closure of the facility and the cleanup of contamination in residential and non-residential areas around it
- Co-funded with South Coast Air Quality Management District a technical advisor for the Advisory Group.

Other agencies’ involvement:

Other agencies also have regulatory powers of certain functions of Exide’s operations. Those include:

- South Coast Air Quality Management District, which monitors air emissions at the facility in Vernon. The District also issues air pollution compliance permits to the facility. The air district also helped form the Advisory Board and to fund the technical advisor position.
- Los Angeles County, which allocated \$2 million for soil sampling and is conducting a blood-lead sampling program.
- US EPA has provided consultation on the soil sampling and removal based on experience in other states, including a large residential lead cleanup project ongoing in Omaha.
- Local cities that are allowing DTSC to use their facilities and staff.
- Los Angeles Regional Water Quality Control Board enforces standards for water that flows away from Exide’s property into the sewer.