Department of Toxic Substances Control

Barbara A. Lee, Director
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Matthew Rodriquez
Secretary for
Environmental
Protection

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Governor

December 27, 2016

Mr. John Hogarth
Exide Technologies, Inc.
2700 S. Indiana Street
Vernon, CA 90058

CONDITIONAL APPROVAL OF EXIDE TECHNOLOGIES, INC.'S GANTRY PLAN

Dear Mr. Hogarth:

The Department of Toxic Substances Control (DTSC) is writing to provide its **conditional approval**, as further detailed below, of Exide Technologies, Inc.'s (Exide) proposed "Gantry Plan" as detailed in Exide's September 29, 2016 letter re: Closure Plan, Alternative 3, Mechanical Kettle Removal – Gantry System Method and accompanying report by Advanced GeoServices Corporation (AGC) titled, "Mechanical Kettle Removal – Gantry System Method," and December 9, 2016 letter re: Gantry System Implementation.

On September 29, 2016, Exide initially wrote to DTSC requesting DTSC's approval of its proposed Gantry Plan, detailing how Exide proposes to implement mechanical removal and demolition of the seven kettles with hardened lead that are too heavy to be moved with Exide's existing Smelter Building cranes. On November 29, 2016, DTSC responded, outlining the additional information DTSC recommended be included in Exide's Phase 1 Closure Implementation Plan (Implementation Plan) if the Gantry System were to be utilized by Exide. On December 9, 2016, Exide provided additional information to DTSC regarding its proposed Gantry Plan.

Based on the above-referenced documents and discussions with Exide regarding those documents, DTSC preliminarily determines that Exide's proposed Gantry Plan is consistent with the DTSC-approved Final Closure Plan for the former Exide facility and with the analysis of mechanical removal as set out in the Final Environmental Impact Report. DTSC accordingly provides its **conditional approval** of Exide's proposed

Gantry Plan, subject to the conditions outlined below, to facilitate Exide's procurement of a negative pressure air enclosure unit from HAKI (HAKI System) and a gantry crane in anticipation of implementing the proposed Gantry Plan upon final DTSC approval. Exide has informed DTSC that these specific aspects of the proposed facility closure process require long lead times and currently are critical path items to implement the facility closure.

DTSC's **conditional approval** of Exide's proposed Gantry Plan is subject to the following conditions:

- DTSC review and approval of a contingency plan for minor repairs of the HAKI System prepared by Exide prior to implementation of the proposed Gantry Plan. Because Exide proposes to use the HAKI System regardless of whether it implements the Gantry Plan, Exide shall submit such a contingency plan with the Implementation Plan on or before January 9, 2017.

- South Coast Air Quality Management District (SCAQMD) and the U.S. Environmental Protection Agency (U.S. EPA) may provide additional requirements regarding specifications and configuration for secondary containment monitoring (i.e., manometers and anemometers). Exide must comply with any monitoring requirements specified by SCAQMD and U.S. EPA.

- California Division of Occupational Safety and Health (Cal/OSHA) review of the complete Health and Safety Plan that Exide will submit as an appendix to the Implementation Plan. Exide must comply with any additional health and safety requirements as prescribed by Cal/OSHA.

DTSC's **conditional approval** of Exide's proposed Gantry Plan does not affect the requirement for Exide to submit its Implementation Plan on or before January 9, 2017, for DTSC review and approval. DTSC approval of the Implementation Plan will be required prior to Exide beginning closure work at the facility. DTSC's **conditional approval** of the Gantry Plan will become final upon written notification of DTSC's approval of the Implementation Plan and confirmation of compliance with the aforementioned conditions.

If you have any questions regarding this letter, please contact me at (714) 484-5621 or Mohsen.Nazemi@dtsc.ca.gov or Matt Wetter at (916) 255-6629 or matthew.wetter@dtsc.ca.gov.

Sincerely,

Mohsen Nazemi, PE
Deputy Director
Brownfields and Environmental Restoration Program

cc: (via e-mail)

Mr. Gwen Tellegen, Exide
Mr. Paul Stratman, AGC
Ms. Jennifer DiJoseph, AGC
Mr. Dan Henke, Exide
Nicolas Serieys, Alta Env.
Mr. Amir Dejbakhsh, SCAQMD
Mr. Randy Visser, Sheppard Mullin

Ms. Suhasini Patel, DTSC
Mr. Peter Ruttan, DTSC
Mr. Matt Wetter, DTSC
Mr. Perry Meyers, DTSC
Ms. Jennifer Holman, DTSC
Ms. Jill Whynot, SCAQMD