To: Gross, Barbara[Gross.Barbara@epa.gov]
Cc: Christenson, Kara[Christenson.Kara@epa.gov]; Sims, Mark[Sims.Mark@epa.gov]; Salazar, Matt[Salazar.Matt@epa.gov]
From: Jones, Joel E.
Sent: Wed 5/27/2015 11:14:07 PM
Subject: Exide

Hi Barbara,

Below is the most recent summary of our actions re Exide. I think the information has already been shared widely (and publicly), and should provide Jeff with an adequate response to any requests at the community meeting. Please keep in mind that the enforcement case is ENFORCEMENT CONFIDENTIAL and cannot be shared with the public.

Let us know if you have any questions.

- Joel

-

Exide Technologies

In 2014 EPA issued a Notice of Violation under the Clean Air Act to Exide for excessive lead emissions. EPA's investigation, prompted by community concerns and ongoing investigations by state and local agencies, found that Exide violated federally enforceable lead emissions standards more than 30 times since September 2013. In March 2015, we issued a Findings of Notice of Violations under the Clean Air Act for the following violations –

•□□□□□□□□ Failure to have an updated SOP manual for baghouses (period of non-compliance > 5 years);

•□□□□□□□□ Failure to have an updated SOP manual for fugitive dust sources (period of non-compliance 2 ½ months 1/6/14 to mid-March 2014 shutdown);

•□□□□□□□□ Failure to have electronic records for the bag leak detection system (period of non-compliance 2 ½ months);

•□□□□□□□□ Failure to have complete temperature monitoring records (period of non-compliance > 5 years).

On March 12, 2015, it was announced that battery recycler Exide Technologies (Vernon, Calif.) would will permanently close its plant and avoid criminal charges under an agreement between the company and the U.S. attorney's office reached Wednesday night. Under the deal, Exide will acknowledge criminal conduct, including the illegal storage and transportation of hazardous

waste, but will avoid prosecution in exchange for shutting down, demolishing and cleaning its 15-acre battery recycling plant about five miles southeast of downtown Los Angeles, according to a person involved in the negotiations. The facility, one of only two battery recycling plants west of the Rocky Mountains, has stoked outrage among community groups and elected officials for its long history of violating air pollution standards and hazardous waste laws (*Los Angeles Times*). We are currently in negotiations with Exide.