To: Meer, Daniel[Meer.Daniel@epa.gov]; Huetteman, Tom[Huetteman.Tom@epa.gov]; Miller, Amy[Miller.Amy@epa.gov]; Jones, Joel E.[Jones.Joel@epa.gov]; Serda, Sophia[Serda.Sophia@epa.gov]; Lyons, John[Lyons.John@epa.gov]; Minor, Dustin[Minor.Dustin@epa.gov]; Maier, Brent[Maier.Brent@epa.gov]; Zito, Kelly[ZITO.KELLY@EPA.GOV]
Cc: Scott, Jeff[Scott.Jeff@epa.gov]; Manzanilla, Enrique[Manzanilla.Enrique@epa.gov]; Johnson, Kathleen[Johnson.Kathleen@epa.gov]
From: Reyes, Deldi
Sent: Wed 2/17/2016 7:47:11 PM
Subject: FW: Gov. Brown Proposes $176.6 Million Exide Cleanup Plan

From: Mascarenas, Ana@DTSC [mailto:Ana.Mascarenas@dtsc.ca.gov]
Sent: Wednesday, February 17, 2016 11:42 AM
To: Mascarenas, Ana@DTSC <Ana.Mascarenas@dtsc.ca.gov>
Subject: Gov. Brown Proposes $176.6 Million Exide Cleanup Plan

Dear Members of the Advisory Group and stakeholders:

Governor Brown just issued the below press release and letter from the Department of Finance proposing a $176.6 million cleanup plan for Exide. I wanted you to be aware of this news. Please contact me if you have further questions.

Best,

Ana

Ana Mascareñas, MPH

Assistant Director for Environmental Justice and Tribal Affairs

California Department of Toxic Substances Control

(916) 956-1896 (mobile)

ana.mascarenas@dtsc.ca.gov

FOR IMMEDIATE RELEASE:
Wednesday, February 17, 2016

Contact: Governor's Press Office
(916) 445-4571

Governor Brown Proposes $176.6 Million Exide Cleanup Plan

SACRAMENTO – Governor Edmund G. Brown Jr. today proposed a $176.6 million spending plan to fund expedited and expanded testing and cleanup of residential properties, schools, daycare centers and parks around the former Exide Technologies facility in Vernon, California.

"This Exide battery recycling facility has been a problem for a very long time," said Governor Brown. "With this funding plan, we're opening a new chapter that will help protect the community and hold Exide responsible."

The Administration's plan was detailed today in a Department of Finance letter sent to the California State Senate and Assembly Budget and Appropriations Committee chairs. The $176.6 plan will ensure all residential properties, schools, daycare centers and parks within the 1.7 mile radius of the Exide Technologies facility are tested and contaminated soil removed where lead levels are the highest and potential exposure the greatest. This plan expedites and expands efforts already underway and includes an exemption to the California Environmental Quality Act.

More information on the California Department of Toxic Substances Control's testing and cleanup efforts in the communities near Exide can be found here.

The full text of the letter is copied below.

February 17, 2016

Honorable Mark Leno, Chair

Joint Legislative Budget Committee

Senate Budget and Fiscal Review Committee

Honorable Shirley Weber, Chair

Assembly Budget Committee

Honorable Ricardo Lara, Chair

Senate Appropriations Committee

Honorable Jimmy Gomez, Chair

Assembly Appropriations Committee

Notification of Intent to Fund through a Separate Appropriations Bill—Cleanup and Corrective Action in the Exide Technologies Residential Area

The purpose of this letter is to inform the Legislature of the Administration's intent to pursue an additional appropriation in the amount of $176.6 million from the Toxic Substances Control Account to expedite sampling and cleanup of lead contamination in the residential area surrounding the Exide Technologies facility. The State will vigorously pursue Exide and other potential responsible parties to recover the costs of this cleanup.

Exide Technologies is located in the City of Vernon, about five miles southeast of downtown Los Angeles. The facility occupies 15 acres in a heavily industrial region with surrounding residential areas. Facility operations included recycling lead-bearing scrap materials obtained from spent lead-acid batteries. This facility ceased operations in 2014 and permanently closed after the Department of Toxic Substances Control notified Exide that its application for a new permit would be denied. The Department then ordered Exide to test and clean up residential properties and conducted its own testing.

The Department's analysis indicates that releases from the facility deposited lead dust across an area of southeast Los Angeles County, resulting in contamination extending 1.7 miles from the facility and impacting up to 10,000 properties, including residences, parks, and schools.

In August 2015, $7 million of emergency funding was approved to test up to 1,500 residential properties, parks, schools, and daycare centers in the surrounding community; develop a comprehensive cleanup plan; and begin cleanup of the highest priority sites based on the degree of lead contamination and other exposure factors. To date, the Department has removed more than 10,000 tons of contaminated soil and analyzed more than 20,000 soil samples from hundreds of properties. The Department has also established an Advisory Group of community leaders, local residents, business leaders, scientists, and elected officials to help guide closure and cleanup efforts.

The Administration is now proposing additional funding in the amount of $176.6 million from the Toxic Substances Control Account to test the remaining properties, schools, daycare centers, and parks in the 1.7 mile radius and remove contaminated soil at the properties that have the highest lead levels and greatest potential exposure to residents. In addition, the Department will conduct specialized tests and analyses to conclusively identify the source of the contamination and hold Exide –and any other responsible parties – accountable.

For the purposes of expediting the cleanup of the contaminated sites, this proposal also includes an exemption to the California Environmental Quality Act. However, the Department will analyze and mitigate adverse impacts that may occur from the cleanup activities.

The plan provides resources to expand community engagement in the testing and cleanup process, enhance coordination and job training for community residents, and promote the use of local business and labor for contracting purposes.

The $176.6 million appropriation from the Toxic Substances Control Account will be supported by a loan from the General Fund. This loan will enable the Department to address the significant public health concerns in the communities surrounding the Exide Technologies facility in an expedited manner. However, cleanup costs initially incurred by the State will ultimately be sought from the parties responsible for the lead contamination.

In addition, the Governor is directing the Department to evaluate lead-acid batteries through a Hazardous Waste Reduction Initiative. The analysis could result in identifying lead batteries as a “Priority Product” under the Safer Consumer Products program, which will require manufacturers to evaluate the product’s health impacts and consider ways to reduce impacts.

Please call me or Ellen Moratti, Principal Program Budget Analyst, if you have any questions.

MICHAEL COHEN

Director

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Governor Edmund G. Brown Jr.
State Capitol Building
Sacramento, CA 95814

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