EXIDE CLEANUP LIMPIEZA DE PLOMO

Department of Toxic Substances Control

Exide Technologies Advisory Group Technical Working Session
Thursday, August 18th 2016
4:00 PM – 6:00 PM
Maywood City Council Chambers
4319 Slauson Ave. Maywood, CA 90270

SUMMARY OF REQUESTED ACTION ITEMS AND QUESTIONS
Summary of Thursday, June 16th Meeting

1. How can the samplings results of schools and parks be obtained?
DTSC has sampled 27 out of 28 public schools identified within the Preliminary Are of Investigation (PIA). The list of schools and results are available from DTSC's online library Envirostor at:
http://www.envirostor.dtsc.ca.gov/public/final_documents2.asp?global_id=60002267&doc_id=60410871

Results of schools in the LA Unified School District (LAUSD) are also available on their website at:
http://achieve.lausd.net/Page/2030

Sampling results for parks have been shared with the cities. Contact your local parks department for more information.

2. Is there property tax relief for homeowners in the Preliminary Investigation Area?
In March, 2016, Los Angeles County Assessor Jeffrey Prang announced his office was reviewing all properties in the Preliminary Investigation Area to determine any loss of property values that may provide tax relief to local property and business owners. His office is also in the process of developing outreach materials for the public and local government. Local government officials can contact Eric Cabrera at ecabrera@assessor.lacounty.gov or (626) 258-6030 for further details. If property owners have any questions, they are encouraged to call the Assessor's Office general public service line at 626-258-6001.

California law allows for a temporary reduction in assessed value when a property suffers a "decline-in-value". A decline-in-value occurs when the current market value of a property is less than the assessed value as of January 1 of the previous year. Once a request has been made, the Office of the Assessor will review the property to determine if it has suffered a decline-in-value. If a reduction is warranted, the property's assessed value will be lowered, thereby resulting in a lower property tax bill.

3. Why are individual sampling results made public for the Omaha Lead Cleanup project but not for Exide?
Omaha Lead Cleanup project is a Superfund project. Superfund or *Comprehensive Environmental Response, Compensation, and Liability Act* of 1980 (*CERCLA*) is a federal law designed to clean up sites contaminated with hazardous substances and pollutants; and it authorizes primarily the federal Environmental Protection Agency (EPA) to recover natural resource damages caused by hazardous substances. Each of the cleanup sites are placed on the National Priorities List (NPL). Omaha Lead Cleanup has listed each residential property as a NPL site that goes through the process of listing-cleanup-

delisting. Exide cleanup is a state funded cleanup project that follows the CERCLA cleanup guidelines but the project site is considered to be the entire Preliminary Investigation Area (PIA) and not individual residential properties. State process requires CEQA compliance for the entire PIA and we do not list and delist individual properties.

4. What is the response to the Advisory Group request that the radius be expanded?

It is the procedure of DTSC to start investigations at the source and conduct step-out sampling to find the outer boundary of the contamination. In 2013, DTSC ordered Exide to investigate the nearest residential communities - approximately a mile to the north and about a mile to the south based on air-modelling conducted by the SCAQMD. These are referred to as Initial Assessment areas. Next, DTSC ordered Exide to conduct additional sampling farther away from the Exide facility and outside the Initial Assessment areas. DTSC also collected additional soil samples in all wind directions, with the Exide facility in the center. All of the data collected (over 20,000 soil samples) was analyzed to estimate that Exide's emissions may have reached as far as 1.7 miles away from the facility, what we refer to as the Preliminary Investigation Area (PIA). In April 2016, Governor Brown allocated funds to sample all of the projected 10,000 residential properties in the 1.7 mile radius. DTSC is currently sampling these properties and will use the additional data collected to confirm the boundary and present it to the Advisory Group and the public.

5. What is the schedule for public meetings and can they be more frequent?

Below is a schedule of 2016-2017 Advisory Group and public meetings. The Advisory Group agreed to meet bi-monthly and hold public meetings quarterly. Additional public meetings are scheduled during key decision-making times such as the recent three scoping meetings held in Huntington Park, Commerce and Boyle Heights. Additionally, DTSC's expanded Public Participation staff will be actively attending community events to obtain Access Agreements and hosting neighborhood meetings to discuss a diversity of topics related to the sampling and cleanup. If you would like DTSC staff to staff a booth at an event or make a presentation to your community contact Susan Castro-Valenzuela at susan.castro-valenzuela@dtsc.ca.gov or call 818-717-6691.

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2016

Thursday, October 20 (Advisory Group only)
Thursday, December 15 (Advisory Group only)

2017

Thursday, January 19 (Advisory Group and Public Meeting)
Thursday, March 16 (Advisory Group only)
Thursday, May 18 (Advisory Group and Public Meeting)
Thursday, July 20 (Advisory Group only)
Thursday, September 21 (Advisory Group and Public Meeting)
Thursday, November 16 (Advisory Group only)

6. What are the new residential sampling procedures?

In fiscal year 15/16 DTSC increased its goal of sampling 1,000 properties to sampling 1,500 and in order to meet this ambitious goal, had to sample at a more rapid pace. The fastest way to sample properties was determined to be taking the samples off-property and analyze them at a central location. The way in which the samples were prepared (drying to remove moisture, sieving) and analyzing with an XRF, was not changed. DTSC is currently working on an updated sampling plan with the new sampling contractors.

7. What other DTSC cleanup projects are in the PIA?

DTSC's online library is called **Envirostor.** Envirostor is a data management system used by DTSC to track information concerning DTSC's Cleanup, Permitting, Enforcement, and Investigation activities You can search by site name or city. (http://www.envirostor.dtsc.ca.gov/public/). For assistance in how to find a site or documents or how to navigate around the library call 877-7TOXICS (877-786-9427) or envirostor@dtsc.ca.gov.

CalEnviroScreen is a screening tool that evaluates the burden of pollution from multiple sources in communities while accounting for potential vulnerability to the adverse effects of pollution. CalEnviroScreen ranks census tracts in California based on potential exposures to pollutants, adverse environmental conditions, socioeconomic factors and prevalence of certain health conditions. It is used by CalEPA and its boards and departments including DTSC to aid in administering environmental justice grants, promote compliance with environmental laws, prioritize site-cleanup activities and identify opportunities for sustainable economic development. Type in an address and you will see a CalEnviroScreen ranking score and DTSC projects located in the precinct.

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8. Can we declare an emergency and accelerate the cleanup process?

The CEQA exemption for an emergency has been narrowly interpreted and applied by the courts. The exemption has been limited to "occurrences" such as forest fires, floods, earthquakes, and similar events, rather than "conditions" such as what exists in the vicinity of the former Exide facility. A leading court opinion has stated that the exemption should be narrowly construed because this is consistent with the policy of construing CEQA to afford the maximum possible protection of the environment. The interest of stakeholders in protecting the environment reflects the importance of studying the effects of the project, whether through a formal CEQA analysis or by its functional equivalent. In any event the Project's impacts will be studied and the potential time savings of bypassing CEQA might not prove to be significant or reasonable, especially if substantial environmental impacts are identified, as is likely. CEQA provides a vehicle for mitigating against those identified environmental impacts.

9. **Schedule a webinar with the EPA staff working on the Omaha Lead Cleanup project.**

Steve Sanders and Steve Kemp, representatives of US EPA Region 7, will be available to the Exide Advisory Group members during a 90 minute webinar on August 25th from 10:30 am – 12:00 noon, Pacific Time. Steve, Steve and other members of their team will share their experiences remediating residential properties at the Omaha Lead Superfund Site.

In 1998, the Omaha City Council requested assistance from EPA to address the high frequency of children found with elevated blood lead levels in eastern Omaha by the Douglas County Health Department

(DCHD). At that time, EPA began investigating the lead contamination in the Omaha areas under the authority of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also known as the Superfund law. To date, EPA has collected soil samples from more than 38,500 properties and cleaned up more than 12,500 residential yards. EPA completed the EPA-lead remedial action on December 31, 2015. Beyond that date, EPA has a cooperative agreement with the City of Omaha to collect soil from additional properties that have not been sampled and clean up any additional properties whose owners grant access for remediation.

Accessing the Webinar

Please dial 866 299 3188, code: 415 681-7236 and, please also sign into the webinar via this link: http://epawebconferencing.acms.com/r4vgsnzdfxl/ Just sign in as a guest.

For more information about the webinar, contact EPA's Environmental Justice Program Manager, Deldi Reyes, by email or call 415-972-3795.

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