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SOUTH COAST AQMD
CLERK OF THE BOARDS

BEFORE THE HEARING BOARD OF THE

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

In The Matter of SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, Petitioner, vs. EXIDE TECHNOLOGIES, [Facility ID No. 124838] Respondent.	**Case No. 3151-32** **FINDINGS AND DECISION** District Rule 1420.1(d)(2)

FINDINGS AND DECISION OF THE HEARING BOARD

The South Coast Air Quality Management District's Petition for an Order for Abatement was filed on April 11, 2014 and set for hearing on July 9, 2014, pursuant to notice and in accordance with the provisions of California Health and Safety Code Section 40823 and District Rule 812. The following members of the Hearing Board were present: Edward Camarena (Chair), Julie Prussack (Vice Chair), Patricia Byrd, David Holtzman, and Robert F. Wayner, M.D. Petitioner, the Executive Officer of the South Coast Air Quality Management District, was represented by Nancy S. Feldman and Teresa R. Barrera. Respondent Exide Technologies was represented by Stephen J. O'Neil and Jeffrey J. Parker, Sheppard Mullin Richter & Hampton LLP.

The public was given an opportunity to testify on each day noted above. The hearing was held in a community-based location to provide better access to the public for the purpose of receiving their input. The matter was submitted and evidence was received.

The Hearing Board finds and decides as follows:

FINDINGS OF FACT

1. The South Coast Air Quality Management District ("Petitioner" or "District") is a body corporate and politic established and existing pursuant to Health and Safety Code §40000, *et seq.* and §40400, *et seq.*, and is the sole and exclusive local agency with the responsibility for comprehensive air pollution control in the South Coast Basin.

2. Respondent, Exide Technologies ("Respondent" or "Exide") is a Delaware corporation subject to the jurisdiction of the District. Respondent owns and operates a secondary lead smelting facility located at 2700 South Indiana Street, Vernon, CA 90023 ("the Facility"). Respondent has been issued a Title V Permit to Operate by the District.

3. Respondent's Facility is approximately 26 acres in size, with a building area of approximately 220,000 square feet. Approximately 130 employees work at the Facility on a three-shift, seven-day work schedule. The Facility recycles approximately 25,000 lead batteries per day and recovers approximately 97% of the lead contained within those spent batteries.

4. District Rule 1420.1(d)(2) requires, in relevant part, that no person who owns/operates a lead-processing facility shall discharge into the atmosphere emissions which contribute to ambient concentrations of lead that exceed 0.150 micrograms per cubic meter ("$\mu g/m^3$") averaged over 30 days. The ambient air concentrations of lead are determined by ambient monitors required to be maintained and operated by the Facility or at any District-installed monitor.

5. On or about March 14, 2014, Exide began suspending its recycling activities for purposes of conducting various construction and maintenance activities. The District contends that Exide's maintenance and construction activities resulted in Exide violating District Rule 1420.1(d)(2) by discharging into the atmosphere emissions which contribute to ambient concentrations of lead that exceed 0.150 $\mu g/m^3$ averaged over 30 days. This violation was

determined through data collected from Exide's Northeast ambient monitor. Exide denies these allegations. On May 12, 2014, Exide submitted a "Mitigation Plan for Construction of Risk Reduction Measures, RCRA RFI Sampling, and Major Maintenance Activities" prepared for Exide by Remediation Services, Inc. ("The Plan"). The Plan is designed to control dust that potentially contains lead and other toxic air contaminants during construction and maintenance activities at the Vernon facility. The District reviewed the Plan and provided comments and revisions to Exide on June 12, 2014. Exide submitted a final version of the Plan on June 19, 2014. (A copy of the Plan is attached as Appendix A.)

6. On October 18, 2013, the District filed a Petition for Order for Abatement, Case No. 3151-29, alleging violations of District Rules 203(b), 2004(f)(1), 3002(c) and 1407(d)(5) associated with Exide's smelting operations. After multiple days of hearings, the Parties entered into a Stipulated Order for Abatement which also was set for hearing on July 9, 2014. The Hearing Board therefore takes into consideration the fact that Exide has stipulated that it will refrain from operating its blast and reverberatory furnaces as specified in that Stipulated Order for Abatement.

7. It is critical to the successful installation of the upgraded air pollution control system, as well as the completion of other construction and maintenance projects at the Facility, for Exide to comply with the dust control and other mitigation measures set forth in the Plan.

8. In order to ensure that all terms and conditions set forth in the Plan are legally enforceable, Respondent is stipulating to entry of this Order for Abatement pursuant to California Health & Safety Code §42451(b).

CONCLUSIONS

1. The parties have jointly agreed to enter into this Order for Abatement.

2. The issuance of this Order for Abatement will not constitute a taking of property without due process of law.

3. The issuance of this Order for Abatement is not expected to result in the closing or elimination of an otherwise lawful business.

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ORDER

THEREFORE, good cause appearing, this Board orders Respondent to immediately comply with the following conditions and increments of progress:

1. During the Order for Abatement period, Respondent shall comply with all terms, conditions and mitigation measures identified in the Plan attached hereto as Appendix A.

2. Respondent shall file with the Hearing Board on the 15th of every month a status report summarizing the progress on all work being performed pursuant to this Order for Abatement. A copy of this report shall be served upon the General Counsel's Office for the District (attention Nancy S. Feldman [nfeldman@aqmd.gov] and Teresa Barrera [tbarrera@aqmd.gov] and Engineering and Compliance (attention Edwin Pupka [epupka@aqmd.gov])). Upon receipt of any status report, the Hearing Board may, at the discretion of any single member, schedule a status hearing. The status hearing shall be scheduled with a minimum of 10 days notice and shall be calendared for the first week of the month following the filing of the status report.

3. This Order may be terminated by a mutual agreement of the parties or by delivery by Exide of written notice to the District (attention Nancy S. Feldman [nfeldman@aqmd.gov] and Teresa Barrera [tbarrera@aqmd.gov] and Engineering and Compliance (attention Edwin Pupka [epupka@aqmd.gov])) that Exide has permanently ceased operations at the Facility. The Hearing Board shall retain jurisdiction over this matter until such termination or until March 15, 2015, whichever is sooner.

4. The Hearing Board may modify the Order for Abatement without the stipulation of the parties upon a showing of good cause, therefore, and upon making the findings required by Health and Safety Code Section 42451(a) and District Rule 806(a). Any modification of the Order shall be made only at a public hearing held upon 10 days published notice and appropriate written notice to Respondent.

5. This Order for Abatement is not and does not act as a variance, and Respondent is subject to all rules and regulations of the District, and with all applicable provisions of California law. Nothing herein shall be deemed or construed to limit the authority of the District to issue

Notices of Violation, or to seek civil penalties, criminal penalties, or injunctive relief, or to seek further orders for abatement, or other administrative or legal relief.

6. Respondent shall notify the Clerk of the Board in writing when final compliance is achieved.

FOR THE BOARD: _____

DATED: _____

SO STIPULATED:

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Nancy S. Feldman
Principal Deputy District Counsel

Dated: July 3, 2014

EXIDE TECHNOLOGIES

Jeffrey J. Parker
Sheppard, Mullin, Richter & Hampton LLP
Attorneys for Exide Technologies

Dated: July 2, 2014

APPENDIX A

MITIGATION PLAN

For

CONSTRUCTION of RISK REDUCTION MEASURES, RCRA RFI SAMPLING, AND OTHER PLANT ACTIVITIES

Prepared For:

Exide Technologies

2700 Indiana Street

Vernon, CA 90058

Prepared by:

Remediation Services, Inc.

Independence, KS

June 19, 2014

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1. Introduction

Remediation Services, Inc. (RSI) has prepared this Site Mitigation Plan to identify the measures that will be taken to monitor and minimize fugitive emissions of lead and other toxic metals associated with planned maintenance activities, RCRA RFI sampling activities, and facility modifications being conducted pursuant to the Final Risk Reduction Plan at Exide Technologies' Vernon Recycling Center. The goal of this plan is to exceed standard South Coast Air Quality Management District (SCAQMD) requirements pertaining to dust and emission controls to prevent emissions of lead and other toxic metals during those construction and maintenance activities. RSI anticipates that Exide Technologies (Exide's) mitigation activities at the Vernon facility will be coordinated with and overseen by a third party consultant retained by Exide. The name and qualifications of the third party consultant will be provided to AQMD 2 business days in advance of hiring the third party consultant.

As described below, Exide will implement general measures to minimize emissions during implementation of the Risk Reduction Construction activity, all maintenance activities, Other Plant Activities and the RCRA RFI sampling activities. In addition, Exide and their third party consultant will track the status of specific risk reduction activities that have been approved by the SCAQMD, and will implement the specific mitigation measures described in detail below during each respective step of the risk reduction construction, maintenance work and RCRA RFI sampling activities.

2. General Measures to Be Undertaken During Implementation of the Risk Reduction Construction, Maintenance Activities, RCRA RFI Activities and Other Plant Activities

Exide will undertake these General Measures during the entirety of performing the activities set forth herein.

Any and all maintenance activity(ies) as defined in SCAQMD Rule 1420.1(c)(17) shall be conducted in accordance with the requirements of Rule 1420.1(i) Maintenance Activity.

Except for work on the MAC baghouse until such time as HEPA filters are installed, total containment buildings shall be maintained under negative pressure and vented to HEPA filtration when electrical system modifications and maintenance work is performed through the use of rented temporary electrical power generators. HEPA filters will be installed on the MAC baghouse once Exide receives a permit. All temporary enclosures will have negative pressure and HEPA filtration.

Large piles of material such as slag, battery scrap or other lead containing material shall not be kept near the high-speed doors to prevent the release of fugitive emissions through the rollup doors when open.

Any maintenance or repair work, conducted on the facility's premises, to a HEPA vacuum, sweeper, or negative air machine shall only be performed inside of a total enclosure building maintained under negative pressure and vented to permitted air pollution control systems.

The established plant speed limit of 5 mph as required by the Basic Safety Orientation Form HS002, Rev 3.19.2014 shall be required of every Employee, Contractor and Visitor.

The maximum speed limit of no greater than 10 mph for vehicles on-site transporting material from inside an enclosure to areas outside an enclosure and no greater than 20 mph for any other vehicle on-site of the facility.

During all RCRA RFI sampling activities and maintenance activities, the plant grounds shall be swept at least twice per shift using a mobile HEPA sweeper. Records of the sweeping shall be kept and made available to SCAQMD staff, upon request.

During the RCRA RFI sampling and all maintenance activities, if at any time any of the six fenceline monitors obtain laboratory results showing a daily Excursion of lead greater than 0.15 ug/m3, Exide or their Contractors shall stop all RFI sampling and maintenance activities, and submit further mitigations measures to the SCAMD for review and approval.

During the RCRA RFI sampling and all maintenance activities, Exide shall designate an environmental staff person whose responsibility shall be to assure ongoing and sustained compliance with all applicable SCAQMD Rules and Regulations. This environmental designee shall be trained and knowledgeable of R1420.1 and R1420 and be empowered to expeditiously employ sufficient mitigation measures and stop work to gain facility compliance.

Downwind monitoring with TSI DustTraks (Dust Traks) should also be performed for all RCRA RFI maintenance/construction/demolition activities (activities) conducted outside of an enclosure building (including any activities conducting in a portable enclosure even if vented to HEPAs). The number of DustTraks utilized downwind should be in proportion to the degree of wind direction variance with one unit for each 30 degrees of wind direction variance. The values should be recorded every 15 minutes. As observing personnel note potentially adverse dust evolution using these devices in conjunction with visual observation and experience, they shall direct work stoppage and then direct adjustments in the work practices and/or the applied control measures as appropriate. In response to adverse visual observations or DustTrak results the mitigation measures as discussed in the Mitigation Plan shall be implemented. Records of DustTrak monitors, including time and locations, shall be recorded and kept on site and made available upon request by SCAQMD staff.

a. Dust Removal

Prior to the start of construction on any of the risk reduction equipment or Other Plant Activities within any total enclosure buildings, accumulated dust that may contain lead or other toxic metals will be removed from horizontal surfaces, such as building columns, upper rafters and supports, and from equipment that will be modified during the construction activities. This dust will be recycled through the existing dust conveyance, which converts the dust into water slurry. That slurry will then be sent to the filter press circuit. This dust removal process will be completed using wet wash down methods and/or High Efficiency Particulate Air equipped vacuums.

b. Continuous Air Monitoring

The third party oversight contractor will utilize hand-held continuous particulate aerosol monitors (TSI DustTrak or equivalent) which work on the principle of optical scatter from aerosols both inside and outside the enclosures during all risk reduction construction and maintenance activities. Such devices were utilized by the contractors and Exide oversight personnel during the recent storm water piping replacement effort. As may be relevant to the particular work aspect at hand, these devices will be deployed on a stand downwind and potentially upwind of a work function to track and gauge the trending in particulate dust generation during work progress. Each Dust Trak Unit will cover 30° of wind direction change. An appropriate number of Dust Trak units will be deployed for each project depending on the wind direction and location of the work. When the wind direction is outside the capture zone of at least one Dust Trak unit the work will be stopped until the Dust Trak unit(s) can be relocated. As observing personnel note potentially adverse dust evolution using these devices in conjunction with visual observation and experience, they shall direct work stoppage and then direct adjustments in the work practices and/or the applied control measures as appropriate. In response to adverse visual observations or DustTrak results the mitigation measures as discussed in the Mitigation Plan shall be implemented.

In response to adverse visual observations or DustTrak results Exide shall implement the following increased dust suppression activities. These increased dust suppression abatement activities will include, but are not limited to the following:

- Stop all work outside of any total enclosure building that has the potential to generate lead or other toxic metals containing dust. Negative air filtration units installed on enclosures will remain in operation for the duration of the stop work order. Equipment that was being used inside of the total enclosure building shall remain in place during the stop work period.
- Immediately begin application of water on all paved areas.
- Stop all onsite vehicle traffic outside of all total enclosure building.
- All overhead doors on any total enclosure building are to remain closed.
- Determine if there are any activities within any total enclosure building that could be contributing to the increase in dust concentration. If so stop that activity.
- Determine if there are any offsite activities that are being conducted by others that are contributing to the increase in dust concentration. If so, suspend all activities outside of total enclosure buildings that have the potential to generate lead and other toxic metals containing dust until additional dust mitigation has been implemented or the activity completed and the areas both on-site and off-site are cleaned.

The abatement activities described above will remain in effect until Exide and their third party consultant determine the cause of the adverse readings and additional dust mitigation for the activity that caused the increase in dust concentration has been implemented.

If the cause of the adverse Dust Trak readings cannot be attributed to any one activity of total enclosure buildings and no activity within any total enclosure building, the work outside of the total enclosure building will be restarted on a rolling basis with the activity that would be expected to generate the least amount

of lead containing dust starting first. No work may resume until DustTrak readings show that the adverse dust condition does not exist anymore.

The real time data from the DustTraks will be continuously monitored during this rolling start to determine if there is an increase in the dust concentrations following the restart of any one activity. If an increase is noted after restarting any activity, that activity will be stopped until additional dust suppression measures have been implemented. The rolling start activities following the activity that caused the increase in dust consideration may be restarted using the basis described above with continuous monitoring of the real time particulate data to insure none of the follow on activities causes an increase in the total particulate concentration. If after work resumes, DustTrak readings show adverse dust conditions, the dust suppression and abatement activity described above shall be implemented. All dust measurements obtained by DustTraks during the activities described in this Mitigation Plan must be maintained in an electronic format and be made available to SCAQMD staff upon request.

c. Damper Installation

Manual dampers will be installed on the makeup air inlet louvers of the baghouse row total enclosure building to close and prevent the escape of particulates in order to enhance emission control.

d. Installation of High Speed Doors

High speed doors will be installed on the two overhead doors, one on the north end of the baghouse building and one on the south end of the Corridor. To minimize the potential for loss of negative pressure during installation of the doors, temporary total enclosures will be installed on the exterior of the door prior to removal of the existing door. The temporary total enclosures will be constructed by installing a frame covered with heavy fire resistant reinforced plastic sheeting that is fastened to the building skin. No activities shall be conducted in the baghouse building or corridor from the time the existing doors are removed until the new high-speed doors are installed.

e. Controlled Access to North Overhead Door

Use of the north overhead door in the baghouse building will be minimized and access controlled to minimize emissions from the baghouse building.

f. Decontamination Areas

Each overhead door location will be equipped with potable water to be used to decontaminate any materials and equipment prior to transfer outside of the total enclosure buildings. The overhead door will remain closed during all decontamination activities to prevent the release of contaminated overspray out of the building. The decontamination area floor will be cleaned prior to removal of the piece of equipment to ensure lead residue is not transferred outside of the total enclosure building.

g. **Facility Trash and Debris**

All facility trash and debris designated for offsite disposal will be placed in covered containers prior to transfer to the rolloff container. The rolloff container will be covered when materials are not being actively placed into it. The exterior of the rolloff container will be taken to the decontamination area in the Corridor and cleaned with potable water prior to removal from the plant.

Roll-off Containers that are to be used to transport scrap metal, concrete, soil, or any construction or demolition debris shall be totally contained where no dust or liquid leaking is allowed during transport.

h. **Drilling, Pavement Removal and Soil Activities**

All concrete or asphalt cutting/drilling performed outside total enclosure buildings shall be performed under 100% wet conditions and fully comply with the provisions of Rule 1420.1(i).

Grading of soils prior to pouring concrete or asphalt paving shall only be performed if soil surface that will be disturbed has at minimum 12% moisture content

Any soil grading/leveling project which has the potential to generate any dust whatsoever shall be performed under temporary negative pressure enclosures maintained through the use of permitted HEPA negative air machines. Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes when the work area is not immediately to be covered by concrete, asphalt, paving material, etc.

The liquid run off from areas that are wetted shall be contained or directed into drains so as not to allow the liquid run off to evaporate and cause a secondary means of dust to be entrained into the air.

Any drilling, pavement removal, and soil disturbing activities outside of the total enclosure buildings will be performed only when outdoor sustained wind velocities are less than 12 MPH and instantaneous gusts are less than 20 mph, which is more stringent than required by South Coast Air Quality Management District (AQMD) Rule 1420.1. Any work of this type on Exide's property will be completed in an enclosure with negative air and HEPA filtration.

i. **Third Party Oversight Consultant**

Exide will contract with a third party consultant to oversee and document the mitigation activities performed during the maintenance, RFI sampling, and risk reduction activities described below, and will provide weekly reports to the District regarding the Mitigation Plan activities and progress on Friday of each week. Reports shall include activities conducted up to 24 hours following implementation of mitigation activities.

The following are the specific additional mitigation measures planned for the various activities being undertaken.

3. **Risk Reduction Activities and Specific Mitigation Measures**

a. **Blast Furnace Tray Type Wet Scrubbing System Installation**

Description of Construction:

A new venturi and tray type wet scrubbing system will be installed to serve the main air pollution control system (APCS) function for the blast furnace, removing this load from the existing Neptune scrubbing system. The new system will be moved into the plant using forklifts using an existing overhead door. The existing Neptune scrubber will continue in service for the reverberatory furnace. Installation of this second wet scrubbing system will allow the primary process draft to each furnace to be managed independently to reduce emissions and maintain appropriate pressure in both furnaces pursuant to amended AQMD Rule 1420.1. This modification will also reduce emissions of metal and organic constituents as limited in amended AQMD Rule 1420.1. Both scrubbers (existing and new) will discharge to a new, larger single stack.

The majority of the work will be completed within the total enclosure building with negative pressure and HEPA air filtration. The work will include the removal and replacement of the existing stack and stack support structure which extends through the roof. The work will include the removal of the existing floor and limited amounts of soil to allow installation of new concrete foundations. Any work conducted outside the enclosure buildings will be subject to the mitigation measures listed under Section 2 of this document.

Specific Mitigation Measures for Foundation Installation:

Prior to removal of the existing floor and underlying soil to allow installation of the foundations for the new scrubber system, the existing floor will be thoroughly cleaned using HEPA vacuums followed by washing with potable water. The construction contractor will saw the concrete using wet methods to minimize generation of dust. The concrete being removed will be kept damp to minimize the generation of dust during the concrete demolition and removal activities. Additional dust control will include applying a fine water mist directly on the demolition hammer point during the demolition activities. A fine water mist will also be applied to the concrete and soil as it is being excavated to minimize the generation of dust.

Concrete and soil will be transferred into a rolloff container that is staged inside of the total enclosure building, which will minimize trips into and out of the building and minimize the possibility of any dust generated by placing the concrete and soil into the container being released into the environment. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside any enclosure buildings.

Specific Mitigation Measures for Removal and Replacement of the Existing Stack and Stack Support System

A scaffold system will be installed on the roof to provide a means to construct a total enclosure around the existing Neptune Scrubber stack and associated stack support structure prior to their removal. The scaffold will be totally enclosed using reinforced fire resistant poly sheeting. The enclosure around the Neptune Scrubber stack and scaffold will be operated under negative pressure and vented to a HEPA filtration control device. The roof in the area of the scaffolding will be cleaned using HEPA vacuums and washed prior to installation of the scaffolding. The underside of the roof and roof support system will be cleaned to remove accumulated dust using HEPA vacuums. The underside of the roof will be washed promptly after the enclosure on the roof has been installed. All water used for washing the roof areas shall be captured and treated properly to prevent a secondary means of fugitive emissions into the air.

Once the exterior scaffold has been erected and enclosed, the structure that supports the existing Neptune Scrubber stack will also be wrapped with fire resistant poly sheeting to provide secondary protection. The installation of the secondary enclosure will be completed by accessing the pipe support structure from inside of the building.

A crane will be used to lower the existing Neptune Scrubber stack and support structure into the building. A small hole, approximately 1 foot in diameter, will be cut in the top of the temporary enclosure to allow the crane rigging to be attached to the stack and support structure. The existing Neptune Scrubber stack and support structure will then be lowered into the total enclosure building for dismantling. Each section will be removed as it is cut away from the sections above using forklifts or cranes working inside of the total enclosure building.

Because some modifications to the roof and roof support system will be required to allow installation of the new stack and support system, the inside of the roof and roof support structure will be inspected and re-cleaned prior to beginning the modifications. This work will be completed with the temporary enclosure in place, and Exide and the third party consultant will ensure that there is sufficient inward air velocity through any openings (minimum 300 fpm measured at the opening using a handheld anemometer) to prevent dust that is generated during the work from migrating into the temporary enclosure constructed on the roof.

The new stack and support structure will be lowered into the building using a crane. A hole, large enough to allow placement of the equipment through the temporary structure, will be cut in the top of the plastic enclosure immediately prior to the installation. Once the structure has been lowered into place, the top of the temporary structure will be replaced to minimize the size of the opening to only what is required for the crane rigging.

After the new stack and structure have been installed, the roof will be repaired from within the containment structure. If access into the temporary structure is required from the roof, an airlock-type temporary door with at least 300 fpm draft, verified using a handheld anemometer, will be constructed to provide access into and out of the temporary enclosure.

Once the work is complete, the roof and interior of the temporary structure will be cleaned using HEPA equipped vacuums to remove any dust prior to removal. A wipe test will then be performed on each side and the top of the enclosure as well as the floor (top of the roof) using a Lead Wipe Test Kit (ESCA Tech Inc. Lead Test Kit). A yellow color indicates lead is present and additional cleaning is required. The additional cleaning will consist of wet wiping using a D-lead solution. No color change indicates no lead is present. All 5 test locations must have a negative result prior to proceeding with dismantlement.

b. Hard Lead Ventilation System Modification

Description of Construction:

Ventilation hoods now connected to the Hard Lead Ventilation System serving the charging area at the top of the blast furnace will be redirected to the inlet side of an enhanced afterburner so that those gases will be directed through the main APCS train serving the blast furnace, including the afterburner and subsequent new wet scrubber.

This work will be completed within the total enclosure building under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

All stacks associated with modifications of air pollution control system equipment shall be capped and sealed prior to removal of hermetic external seals, prior to restarting systems.

All stacks associated with air pollution control system modifications shall be thoroughly cleaned internally prior to removal of hermetic external seals, prior to restarting systems.

During any welding or torching on the ventilation system, the baghouse will be shut down until the welding or torch work is complete. If the work is on a vent duct that is not on the main ventilation run, then that specific vent duct will be blanked off of the main duct ~~This will allow~~ while the baghouse continues to operate, if flanges are already installed to allow for the blank. If welding or torch work is needed when the vent duct leg is ready to be put back into service, the baghouse will be shut down for the required time and then restarted.

Spark arrestors or equivalent precautions shall be employed when hot work will be vented to dry filter media.

All materials removed will be washed with potable water prior to placement into a container for proper offsite disposal or recycling. The scrap will be placed into a rolloff container that is staged inside of the total enclosure building. Staging the rolloff container inside of the total enclosure building will minimize trips into and out of the building as well as minimize the possibility of dust being released into the environment that could be generated when placing materials into the rolloff container. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

All pipe/duct/other materials which are too large for the scrap rolloffs shall be cut down to shipping sized, washed with potable water, and hermetically sealed prior to removal from the total enclosure buildings, and prior to placement on vehicles for export outside of facility.

c. Installation of Blast Furnace Partial Enclosure

Description of Construction:

A new enclosure within the overall blast furnace partial enclosure will be installed around the furnace charge area to serve as a secondary hood to enhance capture of gases escaping the charge isolation door by the hoods at the top of this enclosure. The current partial enclosure in which the blast furnace resides will be enhanced with sealed siding and close-fitting doors.

This work will be completed within the total enclosure building under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

All stacks associated with modifications of air pollution control system equipment shall be capped and sealed prior to removal of hermetic external seals, prior to restarting systems.

All stacks associated with air pollution control system modifications shall be thoroughly cleaned internally prior to removal of hermetic external seals, prior to restarting systems.

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Spark arrestors or equivalent precautions shall be employed when hot work will be vented to dry filter media.

All materials removed will be washed with potable water prior to placement into a container for proper offsite disposal or recycling. The scrap will be placed into a rolloff container that is staged inside of the total enclosure building. Staging the rolloff container inside of the total enclosure building will minimize trips into and out of the building as well as minimize the possibility of dust being released into the environment that could be generated when placing materials into the rolloff container. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

d. Installation of Blast Furnace Charge Level Sensor

Description of Construction:

A radar-based charge level sensor will be installed within the blast furnace in order to provide operators with ongoing data regarding the level of the feed burden within the furnace. The work includes installation of the sensor and instrument cables from the blast furnace to the control room and power to the device.

This work will be completed within the total enclosure building under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

The sensor installation holes have been completed. The remaining work to insert the probes, run cabling and make the connections will not require any mitigation measures.

e. Installation of Blast Furnace Temperature Sensor

Description of Construction:

A temperature sensor will be installed within the top of the blast furnace as an additional operational indicator of charge level. The work includes installation of the sensor and instrument cables from the blast furnace to the control room and power to the device.

This work will be completed within the total enclosure building under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

The sensor installation holes have been completed. The remaining work to insert the probes, run cabling and make the connections will not require any mitigation measures.

f. Blast Furnace Ventilation Hood Modification

Description:

The ventilation hood now connected to the Hard Lead Ventilation System serving the slag tap of the blast furnace will be enlarged and then it will be served with greater air flow. This air will be redirected to the new Blast Furnace #2 baghouse that will be routed to the new wet scrubbing system.

This work will be completed within the total enclosure building under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

All stacks associated with modifications of air pollution control system equipment shall be capped and sealed prior to removal of hermetic external seals, prior to restarting systems.

All stacks associated with air pollution control system modifications shall be thoroughly cleaned internally prior to removal of hermetic external seals, prior to restarting systems.

During any welding or torching on the ventilation system, the baghouse will be shut down until the welding or torch work is complete. If the work is on a vent duct that is not on the main ventilation run, then that specific vent duct will be blanked off of the main duct ~~This will allow~~ while the baghouse continues to operate, if flanges are already installed to allow for the blank. If welding or torch work is needed when the vent duct leg is ready to be put back into service, the baghouse will be shut down for the required time and then restarted.

Spark arrestors or equivalent precautions shall be employed when hot work will be vented to dry filter media.

All materials removed will be washed with potable water prior to placement into a container for proper offsite disposal or recycling. The scrap will be placed into a rolloff container that is staged inside of the total enclosure building. Staging the rolloff container inside of the total enclosure building will minimize trips into and out of the building as well as minimize the possibility of dust being released into the environment that could be generated when placing materials into the rolloff container. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

g. Reverb Furnace Feed Modification

Description of Construction:

The existing ram feeding mechanisms on the reverberatory furnace will be replaced with screw feeders to reduce the potential for organic-bearing process gases to be drawn into the Soft Lead Ventilation System pickup hooding when the ram feeders cycle.

This work will be completed within the total enclosure building ~~which is~~ under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

The ram feeders will be washed with potable water prior to cutting into manageable pieces for offsite recycling. The scrap will be placed into a rolloff container that is staged inside of the total enclosure building. Staging the rolloff container inside of the total enclosure building will minimize trips into and out of the building as well as minimize the possibility of dust being released into the environment that could be generated when placing materials into the rolloff container. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

h. Refining Kettle Ventilation Hood Modification

Description of Construction:

The ventilation ducting serving two refining kettles will be removed from the Hard Lead Ventilation System and redirected to the new Blast Furnace #2 baghouse that will be routed to the new wet scrubbing system. In the future, arsenic additions in refining operations will be restricted to these two kettles.

This work will be completed within the total enclosure building ~~which is~~ under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

All stacks associated with modifications of air pollution control system equipment shall be capped and sealed prior to removal of hermetic external seals, prior to restarting systems.

All stacks associated with air pollution control system modifications shall be thoroughly cleaned internally prior to removal of hermetic external seals, prior to restarting systems.

During any welding or torching on the ventilation system, the baghouse will be shut down until the welding or torch work is complete. If the work is on a vent duct that is not on the main ventilation run, then that specific vent duct will be blanked off of the main duct ~~This will allow~~ while the baghouse continues to operate, if flanges are already installed to allow for the blank. If welding or torch work is needed when the vent duct leg is ready to be put back into service, the baghouse will be shut down for the required time and then restarted.

Spark arrestors or equivalent precautions shall be employed when hot work will be vented to dry filter media.

All materials removed will be washed with potable water prior to placement into a container for proper offsite disposal or recycling. The scrap will be placed into a rolloff container that is staged inside of the total enclosure building. Staging the rolloff container inside of the total enclosure building will minimize trips into and out of the building as well as minimize the possibility of dust being released into the environment that could be generated when placing materials into the rolloff container. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

i. Installation of Regenerative Thermal Oxidizer

Description of Construction:

A regenerative thermal oxidizer (RTO) will be installed on the reverberatory furnace feed dryer exhaust to reduce emissions of organic gases. The work will include the removal of the existing floor and limited amounts of soil to allow installation of concrete foundations. The concrete joints will be sealed by installing Sonolastic ® SL1™ or equivalent.

This work will be completed within the total enclosure building ~~which is~~ under negative pressure with HEPA air filtration.

Specific Mitigation Measures for Concrete and Soil Removal:

Prior to removal of the existing floor and underlying soil to allow installation of the foundations for the new RTO, the existing floor will be thoroughly cleaned using HEPA vacuums followed by washing with potable water. The construction contractor will saw the concrete using wet methods to minimize generation of dust. The concrete being removed will be kept damp to minimize the generation of dust during the concrete demolition and removal activities. Additional dust control will include applying a fine water mist directly on the demolition hammer point during the demolition activities. A fine water mist will also be applied to the concrete and soil as it is being excavated to minimize the generation of dust. All water used for washing the floor and for other uses shall be captured and treated properly to prevent a secondary means of fugitive emissions into the air.

Concrete and soil will be transferred into a rolloff container that is staged inside of the total enclosure building, for proper off-site disposal or recycling which will minimize trips into and out of the building and eliminate the possibility of any dust generated during placement of the concrete and soil into the container being released into the environment. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

Specific Mitigation Measures for Installation of the RTO

All stacks associated with modifications of air pollution control system equipment shall be capped and sealed prior to removal of hermetic external seals, prior to restarting systems.

All stacks associated with air pollution control system modifications shall be thoroughly cleaned internally prior to removal of hermetic external seals, prior to restarting systems.

All materials removed will be washed with potable water prior to placement into a container for proper offsite disposal or recycling. The scrap will be placed into a rolloff container that is staged inside of the total enclosure building. Staging the rolloff container inside of the total enclosure building will minimize trips into and out of the building as well as minimize the possibility of dust being released into the environment that could be generated when placing materials into the rolloff container. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

j. Installation of HEPA Filters

Description of Construction:

Secondary High Efficiency Particulate Air (HEPA) filtration will be installed downstream of the MAC baghouses to reduce emissions of lead, arsenic and other metals. Following

these installations, all baghouses at the facility will have secondary filtration provided either by a wet scrubber or a HEPA filtration system.

This work will be completed within the total enclosure building ~~which is~~ under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

All stacks associated with modifications of air pollution control system equipment shall be capped and sealed prior to removal of hermetic external seals, prior to restarting systems.

All stacks associated with air pollution control system modifications shall be thoroughly cleaned internally prior to removal of hermetic external seals, prior to restarting systems.

When the MAC baghouse units (C156/C157) are shut down for HEPA filter installation, no materials will be moved in the Reverb Feed Rooms (main or lower areas) and the existing feed material stockpiles will be covered with plastic. There will be no refinery kettle burner systems started.

All materials removed will be washed with potable water prior to placement into a container for proper offsite disposal or recycling. The scrap will be placed into a rolloff container that is staged inside of the total enclosure building. Staging the rolloff container inside of the total enclosure building will minimize trips into and out of the building as well as minimize the possibility of dust being released into the environment that could be generated when placing materials into the rolloff container. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

4. RCRA RFI Soil Sampling

Description:

The RCRA Facility Investigation (RFI) will require sampling/drilling through a known layer of contaminated soil and fill (typically 2 to 45 feet thick) that underlies the Exide property. Drilling techniques are expected to include direct push technology (i.e. Geoprobe), Rotosonic and hollow stem auger, and the specific technique for each location will be selected based on several factors, including; depth of required sampling, type of samples required and contaminants of concern. Geoprobe and Rotosonic drilling have little to no potential for generation of dust because both techniques allow advancement of the boring without the creation of cuttings and collect a continuous sample in a plastic sleeve. Hollow stem auger drilling techniques produce soil cuttings that travel up the auger and accumulate around the penetration at the ground surface. The cuttings are removed by the drill crew using a shovel and are placed in a container for disposal. The hollow stem auger cuttings created while drilling through the contaminated soil and fill have the potential to produce lead impacted dust. Because of the potential to generate lead impacted dust, on-site drilling performed using hollow stem auger techniques will be subject to additional mitigation measures as described below.

Specific Mitigation Measures:

The hollow stem auger drilling shall be completed within an enclosure. The enclosure will be created using a tent or fire resistant poly sheeting installed over a temporary structure. The enclosure will be operated under negative pressure and vented to a HEPA filtration control device. The enclosure will remain in place and operational for those activities that have the potential to generate airborne dust containing lead. The enclosure will be sized to ensure that drilling can be completed without extending outside of the enclosure, except for the drill mast that will extend through the top of the enclosure. A negative air system, equipped with HEPA filtration, will be installed to provide negative pressure in the enclosure. The negative air unit will be sized to provide a minimum of 4 complete air changes per hour based on the size of the enclosure and the opening that is required for the drill mast.

The ground surface will be covered with a layer of reinforced 10 mil plastic sheeting. The plastic sheet shall cover the entire ground surface that will be affected by the drilling activities and foot traffic within the enclosure. A second layer of plastic sheeting, extending at least 6 feet from the location of the boring shall be placed over the primary layer.

Potable water, using a pump up sprayer or similar spray device, will be used to wet the soil augered out of the hole if there is any dust being generated during the drilling process. Drill cuttings will be placed into containers with lids.

Each auger will be wrapped in plastic sheeting secured with heavy tape before removal from the enclosure. The augers will be transported to the total enclosure building for decontamination in the Corridor's decontamination area.

If the drill rig must remain in a hole overnight all cuttings must be containerized in a properly labeled, sealed 55-gal D.O T. drum. The plastic sheeting covering the ground surface shall be vacuumed using a vacuum equipped with a HEPA filter and the enclosure, including negative air system, shall be maintained. In addition, the upper layer of plastic sheeting around the boring penetration will be removed and replaced. The exposed auger will be wrapped with plastic. These precautions will minimize the chance for windblown dust to become airborne if the HEPA unit malfunctions during the night.

Upon completion of hollow stem auger drilling, the drill rig will be vacuumed, using a vacuum equipped with HEPA filtration, to remove dust and soil followed by ~~removal~~ vacuuming with HEPA filtration of the plastic sheeting on the ground surface after which it shall be removed. The negative air system will then be removed and the enclosure disassembled. The negative air system and enclosure will not be required during construction of monitoring wells (proposed well construction techniques will not generate cuttings or create lead contaminated dust).

No work will be performed when sustained winds exceed 20 MPH or instantaneous wind gusts exceed 25 MPH. No work will be performed if the negative air system is not operating.

5. Other Plant Activities and Specific Mitigation Measures

a. Reverb Furnace Activities

Description of Construction:

This project entails installing new brick in the reverb furnace within the smelter building which is in the total enclosure building. The total enclosure building must be under negative pressure with HEPA air filtration while work is conducted.

Specific Mitigation Measures:

The work area will be enclosed with fire resistant poly sheeting. A negative air system, equipped with HEPA filtration, will be installed to provide negative pressure in the work area. The negative air unit will be sized to provide a minimum of 4 complete air changes per hour based on the size of the enclosure. The work area will be vacuumed, using a vacuum equipped with HEPA filtration prior to the start of work and at a minimum at the end of each shift. More frequent cleaning using the HEPA vacuum will be performed if dust is present on the floors.

The new brick being installed does not contain lead. It will be cut to the proper size using a wet cut brick saw and potable water, which will minimize dust during the cutting process.

b. Blast Furnace Activities

Description of Construction:

This work entails installing a new crucible that has already been bricked in the blast furnace. The existing crucible will be relocated into the Corridor's decontamination area to remove the existing refractory brick.

This work will be completed within the total enclosure building, under negative pressure with HEPA air filtration.

Specific Mitigation Measures for Existing Crucible Refractory Removal

The existing crucible will be relocated into the Corridor's decontamination area for removal of the existing brick. The brick will be removed using wet demolition techniques, which will include pre wetting the refractory and applying a fine water mist onto the surface being demolished. The brick will be transferred into a rolloff container staged within the total enclosure building. Once the brick has been removed, the crucible will be cleaned by washing with potable water prior to storage for future refurbishment. The rolloff container will be covered when not in use and the exterior will be washed with potable water and tarped prior to removal to outside of any enclosure buildings.

c. Reverb A-Pipe Welding

Description of Construction:

Additional welding is required on the new A-Pipe to complete the structural integrity of the A-pipe.

Specific Mitigation Measures:

The areas to be welded will be cleaned by wiping with clean disposable wipes wet with a D-Lead Solution®. A wipe test will then be performed on the area to be welded using a Lead Wipe Test Kit (ESCA Tech Inc. Lead Test Kit). The test solution will be applied to the test kit supplied wipe. A wipe sample will be performed on 4 separate locations on each area to be welded using a new wipe wetted with the test solution. A yellow color indicates lead is present and additional cleaning is required. No color change indicates no lead is present. All 4 test locations must have a negative result prior to proceeding with the welding using standard welding techniques. The MSDS for the specific welding rod to be utilized will be reviewed. A welding rod will be utilized that does not contain lead. This process will be completed for each of the 4 areas that require additional welding. The welding will be completed immediately following the wipe testing.

d. Tank/Sump Repairs Tank 12 (Santa Maria Tank)

Description of Construction:

This project entails installing new steel walls for the tank and placing grout on the foundation. .

This work will be completed within the total enclosure building ~~which is~~ under negative pressure with HEPA air filtration.

Specific Mitigation Measures:

The work area will be enclosed with fire resistant poly sheeting. A negative pressure air system equipped with HEPA filtration will be installed to provide negative air pressure on the enclosure. The negative air unit will be sized to provide a minimum of 4 complete air changes per hour based on the size of the enclosure.

The work area, including the floors adjacent to and around the tank and in front of the overhead door, will be vacuumed with a vacuum equipped with HEPA filtration prior to the start of work and at a minimum at the end of each shift. The north building door will remain closed except when needed to move items required for the repair that are too large to access this area by other access routes. Exide will provide an attendant to insure the large north building door is closed at all times except as described above. When use of this door is necessary, the attendant will stop the work, insure all other north facing doors are closed, open the door only enough to allow the material to be set inside the door and immediately close the door.

e. Tank/Sump Maintenance (Tank 24)

Description of Construction:

Additional fiberglass repair work is needed on the internal lining of Tank 24 (North Oxidation Tank). This tank is located outside. The work will be completed using confined space entry procedures. Confined space entry procedure includes continuous monitoring for oxygen, LEL and toxic gas and sufficient ventilation to provide a safe work environment.

Specific Mitigation Measures:

A negative pressure air system equipped with HEPA filtration will be installed to provide negative pressure on the tank. The top of the tank will be covered with a tarp that will be secured to the sides of the tank with a ratchet type strap. A small opening will be provided to allow a portion of the makeup air to enter the tank from the top. The negative pressure air system will be sized to provide a minimum of 4 complete air changes per hour. Entry into the tank will be through a side opening. A protective clothing change area will be established at the ingress/egress into the tank. The change area will consist of a small tent placed immediately adjacent to the tank. Poly sheeting will be installed between the tank and the tent to seal off any openings and provide positive ventilation thru the change area. Personnel entering the tank will don disposable clothing prior to entry into the tank and will remove the soiled protective clothing upon exit from the tank. Multiple layers of poly sheeting will be installed on the floor of the change area. The uppermost layer will be removed and bagged for disposal once personnel have removed their soiled disposable clothing. The soiled disposal clothing and plastic sheeting will be placed into a properly labeled container for offsite disposal. No work will be conducted on this tank when sustained outdoor winds exceed 12 MPH or instantaneous winds are 20 MPH or greater.

f. Storm Water Piping Project Completion/Restoration

Description of Repairs:

Several manholes in the plant have some minor concrete repairs needed around the covers. A few inches of the new concrete will be chipped off at the covers for the repairs.

Specific Mitigation Measures:

An enclosure will be constructed around the work site. A negative pressure air system equipped with HEPA filtration will be installed to provide negative pressure on the enclosure. The negative pressure air system will be sized to provide a minimum of 4 complete air changes per hour. The concrete chipping shall be performed using a Bosch Hammer Drill with Dust Collection System Model HDC-D1. The dust shroud will be attached to a vacuum equipped with HEPA filters with a minimum of 100 CFM of air flow.

The concrete being removed will be kept damp to prevent generation of dust during the concrete chipping. This will include using a pump type sprayer or similar device to provide a fine water mist applied directly to the hammer point. The water used during

the chipping shall be constantly removed using a HEPA filter equipped vacuum designed for the removal of liquids. The removed concrete shall be placed into a properly labeled container as they are removed. The containers shall remain in the enclosure and shall be covered when material is not being actively placed into the containers. All water used for chipping or other purposes shall be captured and treated properly to prevent a secondary means of fugitive emissions into the air.

All concrete or asphalt cutting/drilling performed outside total enclosure buildings shall be performed under 100% wet conditions and fully comply with the provisions of Rule 1420.1(i).

Grading of soil prior to pouring concrete or asphalt paving shall only be performed if soil surface that will be disturbed has at minimum 12% moisture content.

g. Refining Department Production Office Repairs

Description of Repairs:

Repairs are needed to the Smelting building's production office. This work is being completed in the total enclosure building that has negative air with filtration.

Specific Mitigation Measures:

This is standard indoor office repair work that does not impact any facility equipment, and has little to no fugitive emission risk. Any debris generated during the renovation will be placed into bags or wrapped with poly sheeting prior to removal from the office area. The work areas will be vacuumed prior to the start of work using vacuums equipped with HEPA filters and at a minimum once per day at the end of the shift. More frequent cleaning using the HEPA vacuum will be performed if dust is present on the floors.

h. RMPS Feed Room Sprinkler Installation

Description of Activity:

The ongoing sprinkler installation requires moving the feed piles to access the entire ceiling area. Exide will use loaders to relocate the feed stockpiles from one side of the room to the other side to provide access for the man lifts used to install the sprinkler system.

This work will be completed within the total enclosure building which is under negative pressure with air filtration.

Specific Mitigation Measures:

Normal procedures for moving the feed piles from one side of the room to the other will be followed. The loaders are already in the feed rooms and will not exit the building.

6. Other Maintenance and Specific Mitigation Measures

a. Security Surveillance Camera Installation

Description of Activity:

Security cameras need to be installed on the exterior walls of the building and on office roofs. This work entails mounting cameras by drilling small holes in walls/roofs to attach the cameras. All of the remaining locations require drilling thru steel.

Specific Mitigation Measures:

The drill used to drill the holes will be a Bosh Hammer Drill with Dust Collection System Model HDC-D1 or equivalent. The dust shroud will be attached to a vacuum equipped with HEPA filters with a minimum of 100 CFM of air flow. This high volume of air flow over this small area should provide the velocity required to remove the material removed by the drilling activities and transfer it to the drum vacuum.

b. Similar Plant and Maintenance Activities

Description of Activity:

Exide may conduct additional similar plant and maintenance activities to the extent the need for such work arises. Similar activities may include installation of replacement instruments, repair to building skin penetrations, and repairs to doors. Any such work will be coordinated with the AQMD Inspector, with reasonable advance notice. If the work is indoors, it will be completed within the total enclosure building which is under negative pressure with HEPA air filtration. Exide will also follow the General Measures described in this Mitigation Plan. To the extent specific mitigation plans are required for additional activities, Exide will work diligently to develop such plans in communication with AQMD and will submit the plans for AQMD's review and comments before beginning the work.