CalEPA
California Environmental Protection Agency

Department of Toxic Substances Control

The Plan to Expedite and Expand Testing and Cleanup of Properties Contaminated by Exide

March 2016

Section 1: Summary

♦ What has the Governor proposed for testing and cleaning up properties?

On February 17, 2016, Governor Brown proposed a $176.6 million Plan to expedite and expand testing and cleanup of residential properties, schools, daycare centers and parks (affected properties) around the former Exide Technologies facility in Vernon, California. The Plan has three parts:

- The Plan will ensure testing of all affected properties within a 1.7 mile radius of the facility, and removal of contaminated soil where lead levels are the highest and potential exposure the greatest.
- The Plan expands community and local government engagement in the testing and cleanup process, develops and enhances coordination and job training for community residents, and promotes the use of local business and labor.
- The Plan calls for a California Environmental Quality Act (CEQA) exemption to help expedite the cleanup.

> "With this funding plan, we're opening a new chapter that will help protect the community and hold Exide responsible."
> Governor Brown (February 2016)

♦ How many residences and other properties will be tested and cleaned up?

Current data show that Exide's releases may potentially impact up to 10,000 properties. The Plan calls for testing all of the properties that the Department of Toxic Substances Control (DTSC) has not yet tested (estimated at 8,500), and cleaning up soil at properties with the highest levels of lead and the greatest chance for exposure to lead (estimated at up to 2,500).

♦ What is the timeframe for testing and cleaning up these properties?

The Plan calls for testing and cleaning up at an unprecedented rate; testing all properties in the first year and cleaning up to 2,500 properties over an estimated two years.

Several factors can impact this rate, including any required process under CEQA, absent an exemption; difficulties in analyzing and mitigating impacts that may occur as a result of the cleanup (e.g. increased truck traffic and air pollution); building cleanup capacity (i.e. training people and contracting with businesses); and the logistics of communicating and coordinating with people who live in the properties that will be tested and cleaned up.

♦ What is the process used to test and cleanup properties?

DTSC must first obtain the necessary access agreements to conduct testing or cleanup activities. Then, DTSC uses a hand-held X-ray fluorescence device (XRF) to quickly analyze soil and paint for lead. DTSC employs several state-of-the-art techniques to analyze soil from select properties to best identify the sources of lead. Contaminated soil is removed and replaced with clean fill. Yards are then re-landscaped, and the interior of residences cleaned.

♦ What testing and cleanup has already occurred?

In November 2013, DTSC ordered Exide to test for lead in areas of Boyle Heights, East Los Angeles (called the "Northern Assessment Area"), and Maywood (called the "Southern Assessment Area"). The South Coast Air Quality Management District identified these areas as being most likely affected by Exide's releases. Results found elevated levels in the soil of 39 homes.

In November 2014, DTSC ordered Exide to test for and clean up lead contamination in all properties in the Assessment Areas. DTSC oversaw the cleanup of 186 residential properties in these Areas.

While the residential properties in the Assessment Areas were undergoing cleanup, DTSC used specialized testing and analysis outside of the Assessment Areas to better identify the extent of Exide's impacts. In August 2015, DTSC announced that Exide's contamination may potentially extend up to 1.7 miles from the facility. This area is called the Preliminary Area of Investigation. That same month, DTSC began testing 1,500 properties and cleaning 50 properties in the Preliminary Area of Investigation.

By February 24, 2016, DTSC had done the following activities in the Preliminary Area of Investigation:

- Collected 771 access agreements to allow soil testing and needed cleanup on properties
- Tested soil at 416 properties
- Assigned 126 residential properties with the highest lead levels and greatest chance of exposure as "Priority 1"
- Cleaned up 16 residential properties

To date, DTSC has removed more than 10,000 tons of contaminated soil and analyzed more than 20,000 soil samples from hundreds of properties.

♦ Will Exide and other potentially responsible parties pay for the cleanup?

In 2014, Exide was in bankruptcy, which limited options for securing any near -term funds. Despite this bankruptcy, DTSC ordered Exide to pay $9 million to fund the testing and cleanup of residential properties in the Assessment Areas. The Order authorizes DTSC to collect payment from Exide for cleanups and other costs after 2019.

In 2015, DTSC told Exide that DTSC would deny Exide's permit application. DTSC also amended its order, requiring Exide to pay $5 million more by 2020 as an added down payment for cleanup.

In August 2015, the Administration and Legislature provided $7 million to test 1,500 properties and cleanup 50 properties. DTSC is also collecting data to identify the sources of contamination found and the potentially responsible parties for the contamination.

DTSC is working with the Attorney General's Office to pursue Exide, and other parties who may be responsible for contamination. DTSC will use all available remedies to recover response costs, including testing and cleanup costs, from Exide and other potentially responsible parties.

♦ What are the sources of lead and how can people reduce their risks?

Lead sources can include battery and other industrial facilities, lead paint and water pipes, lead from fuel combustion, and hobby items. Exposure can occur by eating or breathing in this metal.

Even low levels of lead in the blood can harm human health, especially children's health. The attachment to this FAQ contains more information on health effects and ways to reduce exposures.

♦ Who can the public contact with questions?

Please contact DTSC's Residents Hotline at (844) 225-3887.

Section 2: Need for a CEQA Exemption

♦ Why is a CEQA exemption needed?

California law requires compliance with CEQA for cleanups that may adversely impact the environment (e.g. increased truck traffic and air pollution). DTSC would likely need to conduct an Environmental Impact Report (EIR) before cleaning up potentially thousands of properties in the Preliminary Area of Investigation.

Cleanups in the Assessment Areas were conducted after a study, public comment, and the issuance of a Negative Declaration under CEQA. DTSC used an Addendum to the Negative Declaration to approve the cleanup of up to 50 residences in the Preliminary Area of Investigation. The additional cleanups funded under the Plan would likely require an EIR.

Absent a CEQA exemption, property clean ups will most likely be delayed until at least the end of the year.

♦ Why can't cleanups occur under an existing CEQA exemption for emergency actions?

The levels of lead contamination are not considered an emergency. However, if any emergency conditions are found, DTSC will clean up the lead contamination as soon as possible.

♦ Can DTSC analyze and mitigate a cleanup's harmful impacts if it's exempt from CEQA?

Yes. DTSC would still analyze and then mitigate harmful effects that may occur from a cleanup. Such effects may include increased traffic, additional noise and air pollution, and reduced parking. An exemption would allow cleanup to happen sooner and would prevent further exposures at affected properties cleaned up under the Plan. DTSC has a robust public participation process, including an Advisory Group with a Technical Advisor, to receive input from the community.

Section 3: Testing and Cleanup Timelines and Costs

The Plan calls for testing and cleaning up at an unprecedented rate: testing up to an estimated 8,500 properties in one year; and, cleaning up as many as 2,500 properties in two years. DTSC, local governments and others must continue to work together to help get access agreements and increase testing.

Several factors can impact this rate, including building testing capacity (i.e. training people and contracting with businesses) and coordinating with residents living in the Preliminary Area of Investigation.

DTSC is continuing to compile the information necessary to accurately assess the labor, training and contracting requirements needed to increase testing and cleanup activities.

♦ Will DTSC continue to test properties with the money it received in August 2015?

The $7 million appropriation in August is being used to test up to 1,500 properties. DTSC expects to finish this testing by July 2016.

The Plan will allow DTSC to test the remainder of the properties in the Preliminary Area of Investigation within one year.

♦ When will the testing under the Plan start?

Once legislation is enacted to provide funding for the Plan and a CEQA exemption for cleanup, DTSC can begin immediately building out its capacity to test and cleanup additional properties.

DTSC will also develop and expand the training of local workers and contracting opportunities with local businesses.

♦ What types of testing will occur?

DTSC will use hand -held XRF devices that quickly analyze metals in soil and lead paint. Each property will have multiple soil tests analyzed at different depths. Paint will be tested for lead, and additional testing will occur if lead paint is found and is peeling from structures. This is to address possible recontamination after cleanup. DTSC will employ state-of-the-art techniques to analyze soil at select properties to best identify lead sources.

♦ How much does it cost to test a property?

The cost of testing using an XRF device averages roughly $2,000 per property. However, this cost can vary, depending on the level of moisture in the soil, size of the property, the amount of the property covered with concrete or other material, and other factors. The specialized tests at residential properties can cost more than $10,000.

♦ What amount of lead contamination triggers a cleanup under the Plan?

This Plan will clean up properties where the top three inches have a lead reading at or above 1,000 parts per million (ppm); two soil tests at or above 1,000 ppm within 18 inches of the surface; or exposed soil, test results with a lead level at or above 400 ppm in the top three inches, and there is a vulnerable person living in the residence. At schools, parks, and formal and informal daycares, DTSC will also remove lead levels of concern.

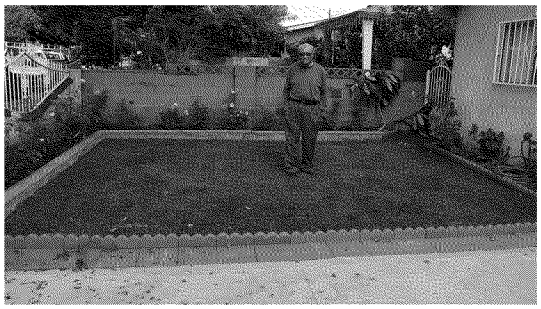
♦ What is the process used to cleanup a property?

If contaminated soil is found, the soil is removed and replaced by clean fill. The yards are then re-landscaped and the interior of residences cleaned with a HEPA vacuum, and other surfaces are cleaned to remove dust.

♦ At what rate does the Plan estimate properties will be tested and cleaned up?

The Plan calls for cleaning up an estimated 2,500 properties -- at an unprecedented rate -- in two years.

Several factors can impact the ability to sustain the rate necessary to clean up 2,500 properties in two years, including process under CEQA; difficulties in analyzing and mitigating impacts (e.g. increased truck traffic and air pollution); building cleanup capacity (i.e. training people and contracting with businesses); and the logistics of coordinating with thousands of people who live in the Preliminary Area of Investigation.



Estimated* Rate of Testing and Cleaning Up Properties

Date	Properties Tested	Properties Cleaned Up	Total Properties Tested	Total Properties Cleaned Up
July 2016	1,500 - 2,000	50 - 82	1,500 - 2,000	50 - 82
Jan. 2017	3,120—4,800	180 - 360	4,620—6,800	230—442
July 2017	3,200 - 5,380	720	10,000	950 - 1,162
Jan. 2018	n/a	720	10,000	1,670
July 2018	n/a	840	10,000	2,500

*Estimated rates may vary as DTSC executes and implements contracts to test and clean up properties.

♦ What is the average amount spent to cleanup a property?

The average cost of cleaning up a residential property is generally between $40,000 and $50,000, although this number can vary greatly depending on the size and type of the property (e.g. a single family home, duplex, apartment building or school), as well as the amount of soil covered with concrete or other material.

♦ Will the cleanup include removing lead-based paint?

No. Local governments are the primary entities to address this threat. However, DTSC is working with local governments to secure a federal grant from the Department of Housing and Urban Development to stabilize lead-based paint.

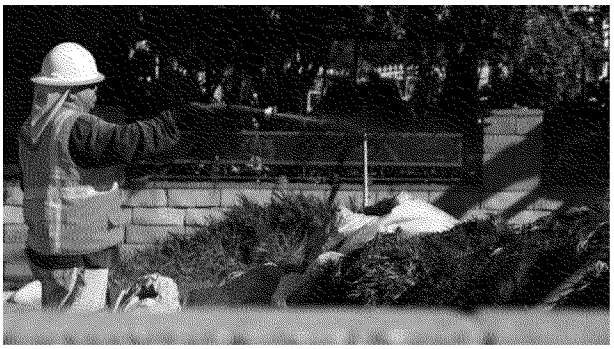
♦ Where will contaminated soil and waste be disposed?

DTSC will require that contaminated soil be disposed only at facilities authorized to accept such material. DTSC will determine the location of the facilities when it approves the Plan.

♦ What steps are DTSC taking to ensure residents are protected during cleanup activities?

DTSC will ensure that residents are protected from exposure to dangerous levels of contaminated soil during all cleanup activities. The approved Plan will contain the final safeguards. However, DTSC has used various safeguards to protect people during the hundreds of past cleanups around Exide's facility, including:

- Dust suppression requirements
- Air monitors to detect dust
- Sealing windows and vents on residences
- HEPA vacuuming exterior surfaces that come into contact with contaminated soil
- Cleaning equipment to remove contaminated material
- Covering trucks that transport soil
- Relocating residents during cleanups
- Interior cleaning of residences following the removal of contaminated soil



♦ What happens if a vulnerable person in the Preliminary Area of Investigation has high blood lead levels?

DTSC will immediately contact local health officials. DTSC will also test soil at the property where the individual lives. If testing results show dangerous levels of lead in the soil, DTSC will clean up the contaminated soil.

Section 4: Making Exide and Other Polluters Pay to Clean up Contamination

♦ How does DTSC make polluters pay to clean up their contamination?

DTSC soil testing and analysis have shown that Exide contamination may potentially extend up to 1.7 miles away from the facility. While Exide is responsible for paying to clean up the contamination, other facilities that released lead may also be responsible.

DTSC will work with the Attorney General's Office to hold potentially responsible parties accountable for cleanup costs under available state and federal laws. DTSC will rely on scientific experts to identify sources of lead to help make polluters pay.

♦ How will DTSC make Exide pay to clean up its contamination?

DTSC will work with the Attorney General's Office to hold Exide and any other potentially responsible parties accountable for the costs of cleaning up the contamination. While Exide has just emerged from bankruptcy, it's a multi-national corporation operating on several continents. DTSC will use all available tools to make Exide and other polluters pay to clean up the contamination.

Section 5: Safely Closing Exide's Vernon Facility

♦ How is DTSC ensuring the safe closure of Exide's facility ?

In February 2015, DTSC informed Exide of the Department's intent to deny Exide's application for a permit. Exide then withdrew its application, and DTSC terminated Exide's authorization to manage hazardous waste in May 2015.

DTSC's regulations required Exide to submit a Closure Plan for safely cleaning and deconstructing the facility. State law also requires DTSC to prepare an EIR for the closure of the facility.

> "DTSC is absolutely committed to safeguarding communities and protecting the environment throughout the closure process."
>
> DTSC Director Barbara Lee (Jan. 2016)

♦ What process is DTSC using to ensure the safe closure of the facility?

DTSC began a 30-day public comment period on the closure process from May to June in 2015, and held a scoping meeting in June 2015 to get public input on the proposed scope of a Draft EIR for closing the facility.

Exide began to produce a formal draft closure plan in June and July 2015, which DTSC reviewed in August and presented to the Exide Advisory Group in September 2015. DTSC proposed changes to the draft Closure Plan in October 2015.

In November 2015, Exide submitted its revised draft Closure Plan. In December 2015, DTSC issued its Draft EIR for Exide's draft Closure Plan. DTSC held a public hearing on the draft document in February 2016.

At the public's request, DTSC has extended the public comment period on the draft Closure Plan and Draft EIR until March 28, 2016.

Within 30 days after DTSC approves a Final Closure Plan, Exide must begin to implement the approved plan.

Lead and Your Health

Office of Environmental Health Hazard Assessment
www.OEHHA.ca.gov

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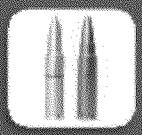
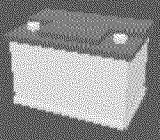
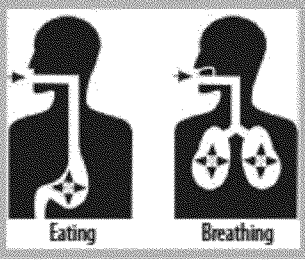
What is Lead used for?



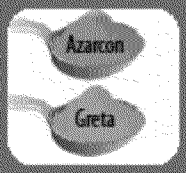
Lead is used to make ammunition and batteries. It was also used in pipes, paint and gasoline.



How Are We Exposed?



Sources of Lead



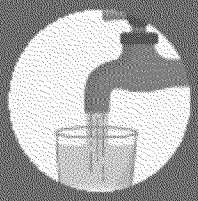
Imported Products
Candies
Foods and Beverages
Jewelry
Cosmetics
Toys

Home and Environment
Soil
Peeling Lead Paint
Lead Water Pipes
Dust

Jobs & Industry
Battery Facilities
Lead Smelting
Steel Welding
Mechanics
Mining

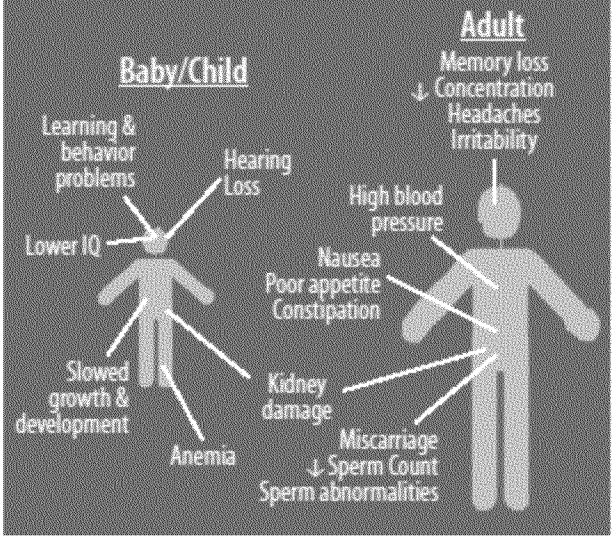
Hobbies and Activities
Home Renovation
Glazed Pottery Work
Stained Glass Work
Fishing Sinkers
Smoking

Cultural Sources
Home Remedies
Lead-Glazed Pottery

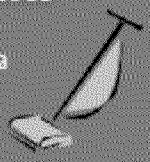


Populations At-Risk

Health Effects



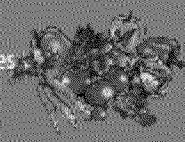
How to Reduce Risk



- Keep floors, windows and surfaces dust free. Use a wet rag or HEPA vacuum.
- Wash hands often, especially kids.
- Cover dirt where kids play with bark, grass, concrete, plants, stones

- Wash children's toys often.

- Change clothes after working with lead to keep lead dust away from your car and home.
- Use store-bought soil to grow food.



- Wash fruits and vegetables. Peel root vegetables like carrots and potatoes.
- Have iron, vitamin C, calcium in your diet.
- Use a washable rug at the door to catch dirt. Better yet, remove shoes at the door.

Get blood lead tested if you are concerned about being exposed, especially your kids.