



SENATOR KEVIN DE LEÓN

PRESIDENT PRO TEMPORE

March 6, 2015

Barbara Lee, Director Designate
Department of Toxic Substances Control
P.O. Box 806
Sacramento, CA. 95812-0806

RE: Exide Technologies Vernon Permit

Dear Director Lee:

I am writing to urge the department in the strongest terms to deny a new hazardous waste facilities permit to the Exide Technologies Vernon Facility, to close the facility immediately, and to begin implementation of the closure/post-closure plan and cleanup.

Last week, my staff met with CAL-EPA and DTSC staff to review the status of the permit and other issues at the facility. The department indicated all of the following:

1. It is in the process of reviewing the Exide hazardous waste facilities permit and may announce a proposed determination either to issue or to deny within the next several weeks or months. The law requires it to issue a final decision by the end of 2015.
2. Since its discovery of serious violations of hazardous waste control laws at the facility in January, still newer and potentially even more serious violations have come to light that the department has not yet acted upon. These new violations may affect the structural soundness of the buildings located at the facility and may require major alterations to those structures.
3. There is an existing, enforceable closure-post-closure plan in place that will fully fund the cleanup of the site and restore it to levels that are safe for public health and the environment, and for my constituents who live in the surrounding communities. Therefore, no public funds will be needed or used to clean up the site.

Assuming the information provided to my office last week is accurate, and in particular there is a fully funded path to post-closure cleanup paid for by the owner/operator, there is no reason why this facility should continue to operate. It has caused untold public health and environmental harm to the residences in my Senate District. It has cost the department and the people of the state untold additional funds for the investigation, enforcement, and cleanup of this recidivist

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violator of state laws. It is time to close the facility, clean it up, and restore the confidence of the residences in my district that the state is doing its job.

Thank you in advance for your assistance.

Sincerely,

A handwritten signature in blue ink that reads "Kevin de León". The signature is written in a cursive style with a prominent flourish at the end.

KEVIN DE LEÓN
President pro Tempore
Twenty-Fourth Senate District