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STANDING COMMITTEE
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SENATOR KEVIN DE LEÓN
PRESIDENT PRO TEMPORE

SB 93 (De León) Budget Appropriation: Lead Contamination Cleanup in the Communities Surrounding the Exide Technologies Facility
As Amended April 6, 2016

PURPOSE:

Allocates \$176.6 M in funding for the Department of Toxic Substances Control (DTSC) to test and cleanup lead contamination and address public health concerns in Vernon and the surrounding communities. Also holds Exide Technologies and other culpable parties accountable for the community's exposure to toxic materials.

BACKGROUND:

For 30 years, the Exide Technologies facility in the City of Vernon recycled lead-bearing scrap materials obtained from spent lead-acid batteries. Over the course of these decades, inspectors found over 100 violations, including an overflowing pond of toxic sludge, large cracks in the floor of the facility, and hazardous levels of lead in the surrounding soil.

The Department of Toxic Substances Control (DTSC) found that releases from the facility deposited lead dust across a 1.7 mile area, contaminating almost 10,000 properties, including parks, schools, daycares, and homes.

In addition, the South Coast Air Quality Management District reported arsenic emissions from the facility, which presents an elevated risk of cancer for almost 11,000 people.

DTSC permanently suspended operations in 2014, and the facility closed in 2015. Exide was ordered to test and subsequently clean surrounding residential properties.

Early testing found high levels of lead contamination in the soil outside hundreds of homes, putting children at great risk.

In 2015, the Legislature and the Governor authorized \$7 million to test 1,500 properties, parks, schools, and daycares, create a cleanup plan, and begin the cleanup of high priority sites. To date, the DTSC has overseen the sampling of 714 properties and the cleanup of 208 properties.

The additional funding from this measure will provide for the testing and cleanup of remaining properties, schools, daycares, and parks, as well as for the removal of soil from areas with the highest levels of lead. It will also allow the DTSC to conduct specialized tests and analyses to ensure that Exide and other culpable parties are held responsible for the contamination.

The state will pursue recovery of the cleanup costs from Exide Technologies and other responsible parties through the legal process.

PROPOSAL:

- Appropriates \$176,600,000 in the form of a loan from the General Fund to the Department of Toxic Substances Control for activities related to lead contamination cleanup in the communities around the Exide Technologies facility.
- Authorizes the expenditure of funds for activities to test, investigate, and cleanup properties contaminated with lead, as well as for job training for cleanup and investigation, and directs DTSC to undertake all feasible remedies to recover funds, including cost recovery against all responsible parties.

SUPPORT:

Boyle Heights Stakeholders Association
California Communities Against Toxics (CCAT)
Communities for a Better Environment (CBE)
East Yard Communities for Environmental Justice (EYCEJ)
Mothers of East Los Angeles (MELA)
Resurrection Neighborhood Watch Group

For more information, please contact: Kip Lipper, Office of Senator De León, at (916) 651-4024.