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California State Senate

SENATOR
KEVIN DE LEÓN
CHAIR
SENATE APPROPRIATIONS COMMITTEE
TWENTY-SECOND SENATE DISTRICT

COMMITTEES
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COMMUNICATIONS
GOVERNMENTAL
ORGANIZATION
PUBLIC SAFETY

JOINT COMMITTEE
LEGISLATIVE BUDGET

January 10, 2014



Dr. William A. Burke, Chairman
Members of the Governing Board
South Coast Air Quality Management District (SCAQMD)
21865 Copley Drive
Diamond Bar, CA 91765

RE: Agenda No. 19B – Proposal to Amend Rule 1420.1 – SUPPORT

Dear Chairman Burke and Members of the Governing Board:

I write to express my support for the proposed amendments to South Coast Air Quality Management District (SCAQMD) Rule 1420.1 to address arsenic and other toxic contaminants from battery recycling facilities. Rule 1420.1 applies to the two facilities located in the air basin that recycle lead batteries, Quemetco in City of Industry and Exide Technologies in Vernon. In addition, I support the SCAQMD staff recommendation to further strengthen Rule 1420.1 as it relates to lead emissions from these facilities.

I am deeply concerned by the harmful levels of toxic emissions, including lead and arsenic, from the Exide Technologies battery recycling facility in Vernon which is affecting my constituents in Boyle Heights and surrounding communities. As the agency responsible for air emissions from stationary sources in the basin, it is imperative that the SCAQMD adopt and enforce rules that will ensure the community is well-protected. The toxic emissions from these facilities, particularly lead and arsenic, raise very serious public health concerns. Lead exposure in children and adults can cause cancer, as well as, severe mental and physical development. The Centers for Disease Control (CDC) has noted there is no safe lead blood level in children. Arsenic also presents very serious health concerns, including skin and lung cancer. These potential health impacts are extremely serious, especially when you consider that these are communities that are already experiencing high levels of air pollution from several sources.

Unfortunately, our experience with the Exide Technologies facility demonstrates that battery recycling operations necessitate vigilant monitoring and enforcement to ensure the public's health is protected. While I express my support for your efforts to strengthen rule 1420.1, I would urge that it be further strengthened to not only monitor the emissions from the stacks, but account for the actual contamination that lands and accumulates in the community. Moreover, I urge the agency to strengthen the enforcement provisions to ensure compliance with the goal of preventing this toxic pollution. If the facilities can not demonstrate they can operate safely, they should be shut down.



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My constituents need assurances that emissions levels from the facility are safe. Every night that goes by when my constituents lack these assurances is one night too many.

If you have any questions, please contact me directly at (916) 651-4022 or contact Nidia Bautista of my staff at nidia.bautista@sen.ca.gov.

Sincerely,



KEVIN DE LEÓN
Twenty Second Senate District