

**RESOLUTION NO. 2013-85**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERNON REQUESTING THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT ISSUE A HEALTH ADVISORY TO THE SOUTHEAST LOS ANGELES COUNTY AIR QUALITY MANAGEMENT DISTRICT REGIONS AND ANY OTHER AREAS THAT MAY BE AFFECTED BY HARMFUL AIR EMISSIONS FROM EXIDE TECHNOLOGIES TO EDUCATE AND INFORM RESIDENTS, WORKERS AND BUSINESSES IN VERNON AND SURROUNDING COMMUNITIES ON IMMEDIATE STEPS THEY SHOULD TAKE TO PROTECT THEMSELVES AND THEIR FAMILIES GIVEN THE AQMD FINDINGS ON EXPOSURE TO LEAD AND ARSENIC AIR EMISSIONS

WHEREAS, the South Coast Air Quality Management District (the "SCAQMD") is the agency responsible for regulating air quality issues for Los Angeles County; and

WHEREAS, the SCAQMD has measured high levels of arsenic being emitted from Exide Technologies ("Exide"), a secondary lead smelting plant which recovers lead from recycled automotive batteries, located at 2700 S. Indiana Street in the City of Vernon; and

WHEREAS, the SCAQMD's recent air emissions monitoring studies that are directly related to operations of the Exide Technologies recycling facility have shown the potential for an elevated risk for cancer and possible neurological disorders in children; and

WHEREAS, the SCAQMD study projects a potential long term negative health impact affecting as many as 250,000 residents in the SCAQMD's Eastern and Western Regions; and

WHEREAS, a series of news reports published about the SCAQMD's health risk study on arsenic and lead emissions connected to operations of Exide Technologies' facility have served to raise the level of fear, concern and alarm within the City of Vernon and its

surrounding communities; and

WHEREAS, the City Council of the City of Vernon, has vital interest in protecting the environment and safeguarding the health and safety of Vernon residents, 55,000 workers at Vernon's 1,800 businesses, and concern for the health and safety of residents in Vernon's surrounding communities; and

WHEREAS, the City Council of the City of Vernon, through its Health and Environmental Control Department, continues to validate the City's commitment to strong environmental controls and continued protection of public health issues; and

WHEREAS, the City Council of the City of Vernon desires to request the SCAQMD to issue a health advisory for the City of Vernon and its businesses, residents and surrounding Southeast Los Angeles County neighborhoods and communities that may be affected by the release of potentially toxic or harmful ambient air pollutants from the Exide facility, to inform those persons that are fearful, concerned and alarmed on the immediate steps they should take to protect themselves and their families given the SCAQMD's findings regarding their possible exposure to harmful lead and arsenic air emissions; and

WHEREAS, the City of Vernon lacks the statutory authority to act independently in this matter of air quality control and regulation and must rely upon the SCAQMD to respond to the grave concerns of a worried public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERNON AS FOLLOWS:

SECTION 1: The City Council of the City of Vernon hereby finds and determines that the above recitals are true and correct.

SECTION 2: The City Council of the City of Vernon finds that this action is exempt under the California Environmental Quality Act (CEQA), in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment.

SECTION 3: The City Council of the City of Vernon hereby requests the South Coast Air Quality Management District issue a health advisory for the SCAQMD's Eastern and Western Regions, to include but not be limited to the City of Vernon and its businesses, relevant employee organizations and labor unions, and residents of surrounding Southeast Los Angeles County neighborhoods and communities that may be affected by the release of potentially toxic or harmful ambient air pollutants from the Exide facility to adequately educate and inform those persons that may potentially be affected by harmful air emissions, to include but not be limited to the immediate steps they should take to protect themselves and their families in light of the SCAQMD's air emissions study findings on lead and arsenic exposure released publicly in April and September 2013.

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SECTION 4: The Interim City Clerk, or Deputy City Clerk, of the City of Vernon shall certify to the passage, approval and adoption of this resolution, and the Interim City Clerk, or Deputy City Clerk, of the City of Vernon shall cause this resolution and the Interim City Clerk's, or Deputy City Clerk's, certification to be entered in the File of Resolutions of the Council of this City.

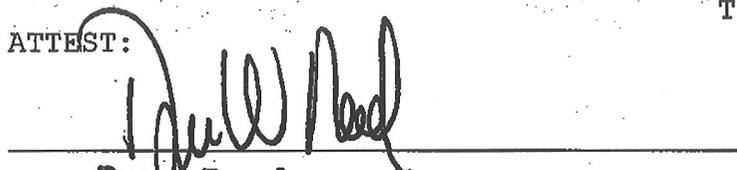
APPROVED AND ADOPTED this 1<sup>st</sup> day of October, 2013.



Name: W. Michael McCormick

Title: Mayor / ~~Mayor Pro Tem~~

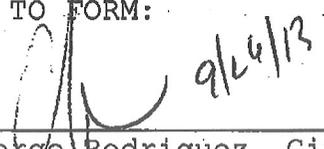
ATTEST:



**Dana Reed**

Interim City Clerk / ~~Deputy City Clerk~~

APPROVED AS TO FORM:



9/24/13

Nicholas George Rodriguez, City Attorney

STATE OF CALIFORNIA            )  
  ) ss  
COUNTY OF LOS ANGELES        )

I, Dana Reed, Interim City Clerk / ~~Deputy City Clerk~~ of the City of Vernon, do hereby certify that the foregoing Resolution, being Resolution No. 2013-85, was duly passed, approved and adopted by the City Council of the City of Vernon at a regular meeting of the City Council duly held on Tuesday, October 1, 2013, and thereafter was duly signed by the Mayor or Mayor Pro-Tem of the City of Vernon.

Executed this 2 day of October, 2013, at Vernon, California.



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Dana Reed  
Interim City Clerk / ~~Deputy City Clerk~~

(SEAL)