



HEALTH & ENVIRONMENTAL CONTROL DEPARTMENT

Leonard Grossberg, Director / Health Officer
4305 Santa Fe Avenue, Vernon, California 90058
Telephone (323) 583-8811

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Los Angeles County BOS Item #6 – Motion re County Toxic Threat Strike Team (Molina)

Mr. Chair and Supervisors...

My Name is Dave LeDuff, and I am the Chief Deputy Director for the City of Vernon Health and Environmental Control Department.

I am here speaking on behalf of the City of Vernon to support Supervisor Molina's motion to create a Los Angeles County Toxic Threat Strike Team to identify and prioritize target facilities that release toxic pollutants in highly burdened communities.

For the past year, the City of Vernon Department of Health and Environmental Control has worked cooperatively with the South Coast Air Quality Management District (AQMD) and California Department of Toxic Substances Control (DTSC) to compel Exide Technologies to operate its lead-acid battery recycling facility in accordance with all applicable federal, state and local environmental rules, regulations, codes, ordinances and statutes.

For the past year, Vernon elected officials made it clear to our department staff:

- Exide must operate in a manner that is safe.
- Exide's plant must not pose a health and safety threat to its workers.
- Exide's plans must not pose a health and safety threat to workers at nearby facilities.
- Exide plant operations must not pose a threat to the health and safety of residents living in our city's surrounding communities.

In April 2013, in response to published news reports of elevated arsenic emissions at the Exide plant, Vernon City Administrator Mark Whitworth sent a letter to AQMD

Exclusively Industrial

Executive Officer Dr. Barry Wallerstein requesting a health advisory for the Eastern and Western Regions of the South Coast Air Basin.

In October 2013, the Vernon City Council unanimously approved a resolution calling for an AQMD health advisory in regard to Exide plant air emission violations.

In December 2013, the City of Vernon – working in cooperation with DTSC – ordered Exide to remediate hazardous levels of lead dust within 1,500-feet of its plant facility. The lead dust was detected by DTSC's field tests.

In December 2013, the City of Vernon submitted a comment letter to the AQMD's Executive Officer supporting AQMD Rule 1420.1. The rule toughens air emission standards for lead acid battery recycling facilities operating in the South Coast Air Basin.

- Vernon Mayor Michael McCormick sent letters to the mayors and council members of Los Angeles, Bell, Maywood, Commerce and Huntington Park urging them to support AQMD's tougher air emissions standards for lead acid battery recycling facilities.
- The letter urging support for Rule 1420.1 was sent to your Board.

In January 2014, the AQMD Governing Board voted to approve Rule 1420.1.

- City staff has been an active participant in the Rule 1420.1 Rule Making Group.

The City of Vernon is pleased that AQMD Rule 1420.1 is now in place.

The city is pleased that Exide has been ordered by AQMD to comply with its new air emission standards by January 1, 2015 or face stiff penalties for any failure by it to fully comply.

- We know that Exide has filed suit to seek more time to comply with Rule 1420.1.

AQMD and DTSC have both taken action within the past 12-months to restrict or temporarily halt Exide's plant operations due to arsenic air emissions violations and lead dust exposure.

The City of Vernon does not have broad regulatory authority to order the closure of the Exide plant in order to fully comply with all applicable air emissions and toxic substance regulations. (Air emissions and toxic substance regulations are under the authority of AQMD and DTSC respectfully.)

- The city does fully enforce all applicable regulations and codes within its jurisdiction as it relates to Exide's operations.

The City of Vernon is committed to working effectively with federal, state, county and regional authorities to ensure the public health and safety of workers and nearby residents is protected.

- The City has dedicated a section to Exide on the City web-page for updates and announcements.
- The City participates in monthly “Strike Force Meetings” with local enforcement agencies and the District Attorney’s office, to coordinate possible enforcement cases.

The City of Vernon would make the same commitment to work cooperatively with a proposed County Toxic Threat Strike Team should your Board vote to establish such an authority.

Thank you for the opportunity to speak on this matter.