

Exide Technologies Advisory Group Technical Working Session
Thursday, January 19th 2017
4:00 PM – 6:00PM
Maywood City Council Chambers
4319 East Slauson Avenue
Maywood, CA 90270

SUMMARY OF REQUESTED ACTION ITEMS AND QUESTIONS
Summary of Thursday, December 15th Meeting

1) Can you please explain further the difference between phase 1 and phase 2 of the closure plan?

Phase 1 (Closure): Phase 1 is a well-defined element that includes inventory removal; decontamination and removal of hazardous waste management units (a.k.a. Interim Status units or IS Units) and decontamination and deconstruction of buildings containing the former IS units. Subsurface soil and soil gas sampling will be conducted to inform Phase 2 activities. Select IS units--such as the Stormwater Surface Impoundment, the Stormwater Pump Sump, and Stormwater Management System (such as the underground piping system)--will remain operational through Phase 2 to manage Stormwater and to manage water associated with decontamination of deconstruction equipment and vehicles before they exit the Site.

Phase 2 (Contingent Closure): Phase 2 addresses below grade impacts from the former IS unit operations. The exact scope of Phase 2 is dependent on the sampling data generated during Phase 1 soil and soil gas sampling and may be influenced by data currently being generated from the Resource Conservation and Recovery Act (RCRA) Corrective Action investigation process. Phase 2 may include soil removal, contaminated soil stabilization, surface capping, or some combination of these and/or other measures.

2) What are the requirements for Title V regulation in compliance with final closure plans?

A Title V permit is currently required by the South Coast Air Quality Management District (SCAQMD). The Compliance Plan For Closure Activities pursuant to SCAQMD Rule 1420.1 is currently under review by SCAQMD and when finalized will be incorporated into Exide's Title V permit as part of the Title V renewal process. The final approved SCAQMD compliance plan for closure will require Exide to be in full compliance with all of the closure requirements in SCAQMD Rule 1420.1 (Exide will also have to comply with housekeeping requirements in their existing approved Rule 1420 Compliance Plan, if more stringent than other requirements in Rule 1420.1). SCAQMD compliance plan for closure requirements include that, at a minimum, Exide:

- Lead emissions shall not be discharged into the atmosphere which contribute to ambient air concentrations that exceeds 0.100 µg/m³ averaged over any thirty day period.

- Arsenic emissions shall not be discharged into the atmosphere which contribute ambient air concentrations that exceed 10.0 ng/m³ averaged over a 24-hour period.
- Include measures in their plan that ensure these ambient air concentrations are not exceeded.
- Include additional contingency measures in the event these ambient air concentrations are exceeded.

3) What documents is DTSC going to receive from Exide and what will the documents determine?

DTSC received the Closure Implementation Plan from Exide on January 10, 2017, as required by the Final Closure Plan. The Closure Implementation Plan describes the specific procedures Exide's contractors will follow to comply with the Final Closure Plan. The Closure Implementation Plan includes a Health and Safety Plan that describes how workers will be protected during closure activities. DTSC is currently reviewing the plan in coordination with other agencies including SCAQMD and Division of Occupational Safety and Health (Cal/OSHA). The Closure Implementation Plan focuses on site-specific details and logistics and is not subject to a public comment period.

4) After the implementation plan is received from EXIDE what is the timeline to begin work at the facility and how long will it take?

Once DTSC approves the Closure Implementation Plan, Exide will also need to obtain approval from the SCAQMD for their Title V permit before implementing closure activities.

However, some low risk preparation activities, including mobilization of equipment to the facility and removal of materials that were not historically used to manage hazardous waste may be undertaken in the coming months. DTSC anticipates full scale closure will be underway by the summer of 2017.

5) What type of air emission could be expected from the implementation of the closure plan including emissions from trucks and the Gantry?

The air emissions expected from implementing the Closure Plan are presented in the Final Environmental Impact Report (FEIR), which is available on DTSC's website. Emissions would be similar to those of any deconstruction project requiring the use of heavy equipment. Any deconstruction work that has the potential to generate lead dust will be conducted within a negative pressure full enclosure unit and Exide will be required to demonstrate compliance with Title V permitting requirements related to lead and arsenic dust as described above.

In order to minimize emissions from heavy equipment, powered by diesel engines, contractors will be required to adhere to emission mitigation measures described in the Closure Plan Mitigation Monitoring Reporting Program including but not limited to:

- One hundred percent of diesel-powered construction equipment greater than 50 horsepower must meet U.S. Environmental Protection Agency (USEPA) Tier 4 off-road emission standards with exceptions listed in the MMRP.

- Use clean diesel (less than 15 parts per million [ppm] sulfur) in all diesel-powered equipment.
- Maintain all equipment in good working order and according to manufacturers' specifications.
- Restrict idling of construction equipment to a maximum of 5 minutes when not in use.
- Use diesel oxidation catalysts and catalyzed diesel particulate traps, where available.

The gantry crane is not expected to be a significant source of emissions. The proposed gantry engine is less than 50 horsepower and will be used intermittently for four to six weeks during the kettle moving activities only. Also, the gantry will be used inside a high efficiency particulate air (HEPA) filter negative pressure enclosure described above, which would capture most of the diesel emissions emitted from the gantry.

6) What documents is DTSC going to receive from Exide and what will the documents determine?

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7) After the implementation plan is received from EXIDE what is the timeline to begin work at the facility and how long will it take?

Once DTSC approves the Closure Implementation Plan, Exide will need to obtain approval from the SCAQMD for their Title V permit before mobilizing equipment. DTSC anticipates mobilization in June 2017.

8) Prioritization in the draft RAP mentions Children as sensitive receptors... is there a similar determination for senior citizens?

Response to #8 & #9: DTSC received several comments on the Cleanup Plan and EIR at the last Advisory Group Meeting. To ensure that all comments received on the Draft RAP and Draft EIR are addressed and considered in the final action, and treated equally with other comments on those documents, DTSC will respond to these comments in the Response to Comments documents.

In particular, the basis and rationale for prioritization of children as the sensitive subpopulation will be addressed. The protectiveness of the cleanup action to other subpopulations such as senior citizens will also be addressed. In addition, soil health—the continued capacity of soil to function as a vital living ecosystem that sustains plants, animals, and humans will be evaluated at part of the soiling washing alternative. Whether soil washing is used as the final cleanup action or not, the results and determination will be included as part of the Response to Comments documents.

9) **Does soil washing have an impact of people's ability to grow food, i.e. does it impact the soils fertility?**

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10) **What is the different styles of outreach that dept. has engaged in and how do they respond to the profile of people who have not responded to outreach who have not signed the Access Agreements...Is mailing effective?**

DTSC is implementing an outreach plan that was presented to the Advisory Group and other members of the community in the summer of 2016. The outreach plan detailed 5 outreach zones, based on natural neighborhood lines and # of parcels in the area. A Public Participation Specialist was assigned to each of the zones in order to help residents and local government offices have one contact person for questions regarding the project. The outreach plan also detailed a strategy to diversify the methods in which the department was seeking access agreements. The plan detailed a *10 Line of Contact* strategy that included door to door canvassing, mailings, PSAs, (or a)focus groups, and social media outreach. Mailing is a commonly used form of community outreach and is most effective when inviting residents to an in-person meeting and/or providing information about a phone number that residents can call.

11) **Can the dept. bring somebody who represents Native American tribes or interest onto the AG?**

The June 2016 Exide Technologies Advisory Group Operating Principles ([available on the DTSC Exide project website](#)) describes the process for new and/or replacement members. There are currently 38 members of the Advisory Group, and there is a maximum membership of 40. See page 3 of the [Operating Principles](#), "1. Prospective members should submit a letter of application to the co-chairs describing why their interest is unique and is not currently and adequately represented on the Advisory Group by existing Members; 2. The co-chairs will review the application and will decide if the requested position is warranted to be added to the Group." If a representative of a Native American Tribe or representative of Native American interests would like to submit a letter of application to the Advisory Group, DTSC and SCAQMD will work with the co-chairs to review the application.

Additionally, at the December 2016 meeting, DTSC committed to share a summary of tribal outreach and consultation conducted to date and share that summary with Cynthia Gomez, Governor Brown's Tribal

Advisor. Below is a summary of outreach efforts conducted by DTSC staff, and oversight of contractors, related to tribal outreach for the closure and residential sampling and cleanup efforts. The two components of the Exide facility closure and residential cleanup will be addressed separately.

Exide Technologies Facility Closure

The Notice of Preparation for the facility closure EIR was submitted on May 28, 2015. With DTSC oversight, Exide's consultant, Anchor QEA conducted a search of the California Historical Resources Information System (CHRIS) and there were no records found. The facility Closure Plan Final EIR describes Phase I closure activities that involve fill materials and not native soil. Phase 2 and 3 closure activities will require additional CEQA review during which additional tribal outreach will be conducted as part of the process. Mitigation measures MM-CHR-1 and MM-CHR-2 describe how work would be stopped in area if prehistoric or historical archaeological resources are encountered, and how work would be stopped in an area if human remains are discovered. See page ES-16 of the [Final Closure EIR Executive Summary](#), and Appendix A of the [Final Closure EIR Mitigation Monitoring Reporting Program](#).

Exide Residential Area Sampling and Cleanup

For the Northern and Southern Initial Assessment Areas, DTSC requested a record search of the Native American Heritage Commission (NAHC) Sacred Lands File. On October 5, 2015, DTSC received a response that no results were found. DTSC received a Native American Contact List from NAHC with 11 names, and sent letters to all contacts on October 26, 2015. No responses were received from any on the Contact List (or any others) requesting consultation.

The Notice of Preparation of an Environmental Impact Report for the Draft Cleanup Plan of the Preliminary Investigation Area (PIA) was filed on June 16, 2016. All outreach was conducted in compliance with AB 52. DTSC received a Native American Contact List from NAHC with 6 names on November 4, 2016. DTSC sent letters to the 11 contacts (the 6 contacts received on November 4, plus an additional 5 contacts received in 2015) on November 4. One response was received, describing support for DTSC activities. No other responses were received from any on the Contact List (or any others) requesting consultation. On November 9, 2016, DTSC received a response from NAHC that no results were found on a record search of the NAHC Sacred Lands File.

In addition, DTSC requested a separate CHRIS report for the PIA, which went beyond the area of the prior CHRIS report prepared for the facility closure. In the second report, dated June 20, 2016, it was noted that again there were no records found.

12) What are your plans to improve the accessibility of the DTSC website?

DTSC has made several improvements to the Exide website such as adding both a "sing up for soil testing" and "Submit Comments" buttons for the Draft Cleanup Plan and Draft Environmental Impact Report where visitors can easily access the buttons from the Exide pages. A majority of the information on the Exide project is both in English and Spanish. The Investigation and Cleanup graph has been condensed to more accurately represent the current activities in the Preliminary Investigation Area. The

Department is researching options to improve and enhance the Exide website in the future. As the research continues, we will provide updates.

Schedule for public meetings 2017

Thursday, March 16 (Advisory Group only)

Thursday, May 18 (Advisory Group and Public Meeting)

Thursday, July 20 (Advisory Group only)

Thursday, September 21 (Advisory Group and Public Meeting)

Thursday, November 16 (Advisory Group only)