



**Matthew Rodriguez**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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**Edmund G. Brown Jr.**  
Governor

### Response to Comments

(November 19, 2014)

Draft Interim Measures Work Plan and Draft Negative Declaration  
Northern and Southern Assessment Areas near  
Exide Technologies –Vernon Facility  
2700 South Indiana Street  
Vernon, California 90262  
EPA ID. NO. CAD076180843

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### **Background**

#### **Public Participation Activities:**

The Department of Toxic Substances Control (DTSC) issued a public notice for the Draft Interim Measures Work Plan (IMWP) and Draft Negative Declaration on September 16, 2014. Display advertisements were placed in local newspapers: Los Angeles Times, La Opinion (Spanish), and Eastern Group Publications announcing the comment period. A Community Notice with information about the project and public participation were mailed to approximately 2,719 addresses on the facility mailing list. Document repositories were set up at the Robert Louis Stevenson and Cesar Chavez Public Libraries, and at the DTSC Regional Office in Cypress, California.

The comment period ran from September 16, 2014 through October 20, 2014. Seventeen (17) total comment forms/letters/emails were received from citizens of Maywood, California and Burbank, California. Comment letters also were received from the South Coast Air Quality Management District (SCAQMD), and Los Angeles City Council District 14 Councilmember Jose Huizar. A co-sponsored letter was received from Communities for a Better Environment, East Yard Communities for Environmental Justice, and Natural Resources Defense Council. Copies of all comment forms and letters are attached.

#### **California Environmental Quality Act (CEQA):**

DTSC prepared an Initial Study, dated September 16, 2014, to evaluate potential environmental effects associated with the proposed interim measure. On the basis of the Initial Study, DTSC found that the project could not have a significant effect on the environment and a Draft Negative Declaration was prepared.

**Table of Commenters**

<b>Comment Number</b>	<b>Commenter Name</b>	<b>Date Received</b>
1	Doelorez Mejia	9/19/2014
2	Camargo, Veronica & Moxial	9/23/2014
3	Melero, Georgina	9/25/2014
4	Zaldumbide, Gladys	9/25/2014
5	Sáenz, Mario Alberto	10/3/2014
6	Maldonado, Alfonso	10/3/2014
7	Bañuelos, Gonzalo	10/3/2014
8	Amdrade, Soledad	10/3/2014
9	Hernández, Marcelo	10/3/2014
10	Méndez, Enrique	10/3/2014
11	Familia Lepe	10/3/2014
12	Castro, Rafael	10/3/2014
13	Salgado Jr., Armando	10/13/2014
14	Solorio, Teresa,	10/13/2014
15	Moreno, Martha	10/13/2014
16	Pérez, María E.	10/13/2014
17	Molinar, Griselda & Martinez, José	10/13/2014
18	SCAQMD - Jillian Baker, Ph.D.	10/17/2014
19	Limón, Gladys; López, Mark; Sivasubramanian, Ramya	10/20/2014
20	Los Angeles City, 14th District Councilmember José Huizar	10/20/2014
21	County Sanitation Districts of Los Angeles County	10/22/2014 (postmarked 10/20/2014)

**Public Comment #1- Doelorez Mejia**

*Comment: Regarding ANY HAZARDOUS WASTE info that pertains to our neighborhood, we want another repository @ Ben Franklin Library, since it is located across street from Boyle Heights City Hall- In fact there is no reason why you all can't direct info to ALL interested and impacted locations, especially to your partner government agencies, that would have to be informed for emergency type situations, like say .... evacuating a school, clinic, senior center! You know like FIRST RESPONDERS, Fire Department, Police, Sheriffs, Hospitals, Clinics, etc should be MANDATORY to send to ALL NOTICES to these entities and MANDATORY to post. You as a Public Participation SPECIALIST, should be ESPECIALLY concerned about notifying locations mentioned above, and encouraging them to POST! Who designates these locations without consulting community? You would have to LIVE OR WORK in impacted community to determine what's best for community. So until there is a thorough audit & possible federal take over of your agency, please excuse yourself from matters that don't involve you, in the future. I am referring to your imposing on conversation I previously had with Mr. Ed Nieto regarding the generous accommodations you all provided to EXIDE by extending their opportunity to fulfill permit application requirements for another full year, until the fall of 2015, & allowing them to operate AGAIN WITHOUT A REAL PERMIT once they retrofit their ramshackle POISON FACTORY! For a few moments I was in shock that your agency has once again, not CLEARLY DISCLOSED ACCURATE INFO about the permitting process or lack of one in the EXIDE TOXIC TECHNOLOGIES case, and that I had to manipulate public information out of you all about the extended deadline that SHOULD HAVE BEEN JULY 17, or so I believe! I have never raised my voice to Mr. Nieto before, because he is generally an even tempered, almost timid kind of guy, that may not work well when it comes to dealing with ARROGANT POLLUTERS LIKE EXIDE, or OUTRAGED VICTIMS LIKE ME! Due to your incessant interruptions on a phone call with Mr. Nieto that I had never asked U to be on, the tone escalated, rather than for you to either facilitate understanding or just excuse yourself from the conversation as i had asked you to do. I am always interested in resolving conflicts whenever possible- . You have not done so, in this matter any way. I am still waiting. Disappointed, but not surprised that your agency is NOT INTERESTED in PROTECTING PEOPLE NOT POLLUTERS!*

*EASTSIDE COALITION AGAINST EXIDE  
TOXIC TECHNOLOGIES  
(& their PARTNERS IN CRIME ... DTSC)*

*Doelorez Mejia  
(unpaid public servant)*

**Response to Public Comment #1:**

Ben Franklin Library was contacted in regards to using the facility as another repository for documentation for Exide related materials subject to public review. Personnel at the Library have indicated this public library is small and that storage issues would preclude the use of this library as a repository of public documentation regarding Exide or other

facilities DTSC oversees in the area. The remainder of the email is not germane to the interim measures work proposed and therefore no further response is deemed necessary.

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**Public Comment #2- Veronica & Moxial Camargo**

*Comment: I agree with the Draft Cleanup plan in all affected areas. This should start immediately. My sister in law developed breast cancer, as well as other women I know in Maywood! Children cannot play in they're own yards! ridiculous!*

**Response to Public Comment #2:**

Comment noted.

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**Public Comment #3 – Georgina Melero**

Comment: *(left blank)*

**Response to Public Comment #3:**

No response necessary.

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**Public Comment #4 – Gladys Zaldumbide**

*Comment: Please forward any and all pertinent information regarding my property in Maywood. I would like to be kept abreast of all results.*

**Response to Public Comment #4**

Comment noted. DTSC would be pleased to forward any and all pertinent information regarding the Zaldumbide property, and encourages Ms. Zaldumbide to contact DTSC and provide the specific address in Maywood.

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**Public Comment #5 – Mario Alberto Sáenz**

*Comment: Mi propiedad ha sido inspeccionada dos veces por personal de Exide las dos inspecciones han dado pruebas de contaminación de plomo muy altas. Me gustaría que se realizaran algunos trabajos de limpieza para remediar el problema. También quiero que tomen las medidas necesarias para hacer que Exide cumpla con estándares federales para eliminar la contaminación de plomo y arsénico.*

*Translation: My property has been inspected two times by Exide staff. I have received test results showing very high lead level contamination both times. I would like to see remediation activities to resolve the problem. I also want steps to be taken to make Exide clean up to federal standards to clean up the lead and arsenic contamination.*

**Response to Comment #5:**

DTSC appreciates the cooperation the property owners have extended to have the property sampled. The results of the sampling will be shared with the property owners and remediated in accordance with the prioritization criteria set forth in the Interim

Measures Work Plan. The results of the sampling are confidential and will be shared only with the property owner. The federal standards allow for much higher concentrations of lead to remain in soil. DTSC is requiring Exide to clean-up lead in soils at a far lower concentration than required by federal agencies. Arsenic is not a target constituent because previous sampling in the Northern and Southern Assessment Areas did not find arsenic exceeding background concentrations.

Traducción: DTSC agradece la cooperación de que los propietarios que para tener la propiedad muestreada. Los resultados del muestreo serán compartidos con los propietarios y remediados conforme a los criterios de priorización establecidos en el Plan de Trabajo de Medidas Provisionales. Los resultados del muestreo son confidenciales y serán compartidos sólo con el propietario. Las normas federales permiten concentraciones mucho más altas de plomo a permanecer en el suelo. DTSC exige que Exide limpiar el plomo en los suelos en una concentración mucho menos al exigido por las agencias federales. Arsénico no es un constituyente de blanco porque no se encontraron concentraciones de fondo superior al arsénico durante el muestreo en las zonas del norte y del sur.

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**Public Comment #6 –Alfonso Maldonado**

Comment: *Quiero que mi casa sea revisada y limpiada del plomo y el arsénico que Exide que tira al aire. La solución es que esta fábrica cierre sus puertas. Que limpien toda su cochinateda de contaminación.*

Translation: *I want my home to be analyzed and cleaned of the lead and arsenic that Exide emits every day in this area. But I ask that you close this source of infection that Exide close, now!*

**Response to Comment #6:**

The address of the Commenter is outside the boundaries of the Northern and Southern Assessment Areas which are the subject of the Interim Measures Work Plan. The Commenters address will be retained as an alternative address to be sampled should additional information regarding the extent of lead beyond these two assessment areas be required. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Plan.

Traducción: La dirección del comentarista es fuera de los límites de análisis en las áreas del norte y el sur que son objeto del Plan de Trabajo de Medidas Provisionales. La dirección del comentarista será conservada como una dirección alternativa por si acaso sea necesario obtener información adicional sobre el grado de plomo más allá de estas áreas. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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**Public Comment #7 –Gonzalo Bañuelos**

Comment: *Quiero que mi casa sea revisada y limpiada del plomo y el arsénico que Exide que tira todos los días en esta zona pero pido que se cierre este foco de infección que Exide cierre. ¡¡Ya!!*

Translation: *I want my home to be analyzed and cleaned of the lead and arsenic that Exide emits every day in this area. But I ask that you close this source of infection that Exide close, now!*

**Response to Comment #7:**

The address of the Commenter is outside the boundaries of the Northern and Southern Assessment Areas which are the subject of the Interim Measures Work Plan. The Commenters address will be retained as an alternative address to be sampled should additional information regarding the extent of lead beyond these two assessment areas be required. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Pan.

Translación: El domicilio del comentarista es fuera de los límites de análisis en las áreas del norte y el sur que son objeto del Plan de Trabajo de Medidas Provisionales. La dirección del comentarista será conservada como una dirección alternativa por si acaso sea necesario obtener información adicional sobre el grado de plomo más allá de estas áreas. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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**Public Comment #8 – Soledad Andrade**

Comment: *Mi comentario es este en el año 1990 murió mi hija de leucemia y otros 2 niños en esta misma calle, a los pocos años también le dio leucemia a una nieta pero que gracias a Dios se recuperó a que se deben estos casos no sé porque no soy doctor*

Translation: *My comment is this, in 1990 my daughter died of leukemia and two other children on the same street. A few years later a granddaughter was also afflicted with leukemia. But thanks to God she recovered. What this was due to I do not know because I am not a doctor.*

**Response to Comment #8:**

DTSC would like to extend our deepest sympathy for the loss of your child and others you know in the neighborhood.

Translación: DTSC extiende nuestro más sentido pésame por la pérdida de su hijo y otros en el vecindario.

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**Public Comment #9 – Marcelo Hernández**

*Comment: Quiero que revisen el patio de mi propiedad y lo limpie de la contaminación de Exide de todo el plomo y el arsénico. Causan mucho daño la comunidad pero principal que cierren definitivamente este foco de infección.*

Translation: I want my backyard on my property to be checked and cleaned of all of the Exide contamination of lead and arsenic. They create a lot of damage to the community. But more importantly, definitely close this source of infection.

**Response to Comment #9:**

The address of the Commenter is within the boundaries of the Northern and Southern Assessment Areas which are the subject of Interim Measures Work Plan. The Commenters address and phone number has been provided to the sampling contractor to schedule sampling at this residence. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Pan.

Translación: El domicilio del comentarista es fuera de los límites de análisis en las áreas del norte y el sur que son objeto del Plan de Trabajo de Medidas Provisionales. La dirección del comentarista será conservada como una dirección alternativa por si acaso sea necesario obtener información adicional sobre el grado de plomo más allá de estas áreas. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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**Public Comment #10 – Enrique Méndez**

*Comment: Doy permiso para que analicen la tierra de mi casa. Para saber si tiene plomo u otros químicos contaminantes. Pido que cierren compañía de baterías de Vernon CA.*

Translation: I give permission to have the soil at my home analyzed to determine if there is lead or other chemical contaminants. I ask that you close the battery company in Vernon, CA.

**Response to Comment #10**

The address of the Commenter is outside the boundaries of the Northern and Southern Assessment Areas which are the subject of Interim Measures Work Plan. The Commenters address will be retained as an alternative address to be sampled should additional information regarding the extent of lead beyond these two assessment areas be required. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Pan.

Translación: El domicilio del comentarista es fuera de los límites de análisis en las áreas del norte y el sur que son objeto del Plan de Trabajo de Medidas Provisionales.

La dirección del comentarista será conservada como una dirección alternativa por si acaso sea necesario obtener información adicional sobre el grado de plomo más allá de estas áreas. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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**Public Comment #11 –Familia Lepe (Lepe Family)**

Comment: *Nosotros estamos dispuestos a prestar nuestro terreno para que hagan un estudio del suelo contaminado en Maywood tocante plomo y otros contaminantes. Gracias. Quiero que cierren la Exide de Vernon en CA.*

Translation: *We are available to have our property sampled for contaminated soil in Maywood with regards to lead and other contaminants. Thank you. I would like Exide in Vernon CA to be shut down.*

**Response to Comment #11**

The address of the Commenter is outside the boundaries of the Northern and Southern Assessment Areas which are the subject of Interim Measure Work Plan. The Commenters address will be retained as an alternative address to be sampled should additional information regarding the extent of lead beyond these two assessment areas be required. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Pan.

Traducción: El domicilio del comentarista es fuera de los límites de análisis en las áreas del norte y el sur que son objeto del Plan de Trabajo de Medidas Provisionales. La dirección del comentarista será conservada como una dirección alternativa por si acaso sea necesario obtener información adicional sobre el grado de plomo más allá de estas áreas. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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**Public Comment #12 – Rafael Castro**

Comment: *Yo, Rafael Castro doy permiso para mi propiedad hagan analices de la tierra para saber si está contaminada de plomo y otros químicos. Mi recomendación es que cierren la planta, recicladas de baterías Exide en Vernon, CA.*

Translation: *I, Rafael Castro, grant permission to have the soil on my property sampled for lead contamination and other chemicals. My recommendation is to close the battery recycling plant, Exide in Vernon, CA.*

**Response to Comment #12**

The address of the Commenter is outside the boundaries of the Northern and Southern Assessment Areas which are the subject of Interim Measures Work Plan. The Commenters address will be retained as an alternative address to be sampled should additional information regarding the extent of lead beyond these two assessment areas

be required. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Pan.

Traducción: El domicilio del comentarista es fuera de los límites de análisis en las áreas del norte y el sur que son objeto del Plan de Trabajo de Medidas Provisionales. La dirección del comentarista será conservada como una dirección alternativa por si acaso sea necesario obtener información adicional sobre el grado de plomo más allá de estas áreas. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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**Public Comment #13 – Griselda Molinar and José Martinez**

Comment: *Apoyamos la propuesta de remover la planta recicladora de baterías. Comprendemos el daño que hace a la salud. Las químicas que existen tanto en la tierra y aire y respiramos, apoyamos lograr remover esta planta a un lugar en el cual no esté cerca de población. Por su attention a estas palabras.*

Translation: *We support the proposal of removing the battery recycling plant. We understand the danger it poses to health – the chemicals that exist in the soil and in the air we breathe; we support the removal of this plant to a location that is far from the community. Thank you for your attention to these words.*

**Response to Comment #13**

Comment noted. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Pan.

Traducción: Comentario anotado. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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**Public Comment #14 – Teresa Solorio**

Comment: *Please make sure our city is clean. The job needs to get done.*

**Response to Comment #14**

Comment Noted.

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**Public Comment #15 – Armando Salgado Jr.**

Comment: *Soy un ciudadano residente y padre viviendo en la ciudad de Maywood CA 90270. Esta carta la escribo más que todo como padre preocupado. Preocupado más a todo por mis hijos, su futuro y el porvenir de sus hijos. Esta planta que retira químicas toxicas nocivas para la salud están? Despididas y cultivadas en nuestras comunidades y así con ese cultivo en caso o se van cosechada enfermedades respiratorios y en casos extremos hasta cáncer. Me conforme el avancé de años trae represaríaas dañinas*

*e irreparables para innumerables familias, tengo la opinión de que tomando las apropiadas medidas podemos llegar a un acuerdo y remover esta planta un lugar más desolado y menos habitado de donde hoy se encuentra. El medio ambiente está en peligro y esto despidos dañan la capa de ozono. Quiero que se cierre ese lugar.*

Translation: *I am a citizen resident and father residing in the city of Maywood, CA 90270. I write this letter more than anything as a concerned father. More than anything, I am concerned about my children, their future and their well-being. This plant that releases toxic chemicals in our communities which breeds respiratory illnesses and in extreme cases, cancer. As time passes, there are irreparable damages to numerous families. I am of the opinion that taking the right measures we can come to an agreement and move this plant to a desolate and less populated location. The environment is a risk and these releases damage the ozone layer. I want this place shut down.*

#### **Response to Comment #15**

Comment Noted. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Plan.

Traducción: Comentario anotado. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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#### **Public Comment #16 – Martha Moreno**

Comment: *Mi comentario es cómo es posible que digan que ya quitaron la contaminación con dos casas y que le han quitado la tierra y han sacado muestras. ¿Creen que nos van a convencer de lo que dicen? No somos niños. No entiendo cómo proteger todas las demás casas para que ustedes solamente limpien unas casas. ¿Y las demás qué? No les importa, como ustedes solo piensan en intereses, como no viven en este lugar no les importa que nos estamos ? con toda la química que nos están echando y lo interesante es que solo hablan de plomo y no del arsénico que lo que quiere la comunidad es que cierren ese lugar.*

Translation: *How can you say the contamination has been removed with two homes now that the soil has been removed and you have taken samples? Do you think you are going to convince us with what you say? We are not children. I do not understand how you can protect the rest of the homes when you only clean up a few homes. What about the other homes? You don't care about this. You are only thinking about your interests since you do not live here and that we are being exposed to chemicals. What's interesting about this is that you only speak about lead and not about the arsenic. The community wants this place to be shutdown.*

#### **Response to Comment #16**

The Interim Measures Work Plan describes the cleanup activities that occurred at the two homes. The purpose of the Interim Measures Work Plan is to address the remaining homes in the Northern and Southern Assessment Areas where homeowners have

granted access. Additional sampling in the Northern and Southern Assessment Areas is currently underway; should interim measures work become necessary based on the results of the sampling, DTSC will contact the homeowner to schedule soil removal work based on the criteria set forth in the Interim Measures Work Plan. Arsenic is not a target constituent because previous sampling in the Northern and Southern Assessment Areas did not find arsenic exceeding background concentrations.

Translación:

El Plan de Trabajo de Medidas Provisionales describe las actividades de limpieza que se ha completado en dos casas. El propósito del Plan de Trabajo de Medidas Provisionales es atender a los hogares restantes en las áreas de análisis del norte y el sur donde los propietarios han proveído acceso. Muestreo adicional en las áreas de análisis del norte y del sur se está llevando a cabo; basado en los resultados del muestreo, DTSC se pondrá en contacto con el propietario para programar el trabajo de remoción del suelo basándose en los criterios establecidos en el Plan de Trabajo de Medidas Provisionales. Arsénico no es un constituyente de blanco porque anterior muestreo en las áreas de análisis del sur y del norte no encontró las concentraciones de fondo superior al arsénico.

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**Public Comment #17 – María Pérez**

Comment: *Nosotros estamos a favor de que se cierre esa compañía porque es un peligro para la salud de toda nuestra comunidad, aparte de las personas que tienen cáncer por la contaminación, pues lo que más nos preocupa es el aire que respiramos pues todos eso químicas van a nuestros pulmones y tal vez un futuro tengamos que usar mascarillas. Por favor escuchen nuestro ruego. Cierren esa compañía. María E. Pérez.*

Translation: *We are in favor of closing the company because it is a danger to the entire health of our community. Aside from the people who have cancer because of the contamination, what concerns us is the air we breathe. All the chemicals that enter our lungs. We might need to start wear masks in the future. Please listen to our plea. Close this company. María E. Pérez.*

**Response to Comment #17**

Comment Noted. Comments regarding the cessation or continued operation of the Exide Vernon facility are outside the scope of the Interim Measures Work Plan.

Translación: Comentario anotado. Comentarios sobre el cese o continuidad del funcionamiento de las instalaciones de Exide Vernon están fuera del alcance del Plan de Trabajo de Medidas Provisionales.

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**Public Comment #18 – South Coast Air Quality Management District (SCAQMD)**

Comment: *The SCAQMD staff expresses the utmost concern for the potential of fugitive lead dust emissions generated from the removal and disposal of the impacted soil and recommends that the lead agency incorporate the following measures, in*

*addition to the dust control measures proposed in Section 3.1 of the Draft IWMP, to prevent and mitigate lead emissions:*

- *Store or clean by wet wash or a vacuum equipped with a filter(s) rated by the manufacturer to achieve a 99.97% capture efficiency for 0.3 micron particles, all lead-contaminated equipment and materials used for any soil excavation activity immediately after completion of work in a manner that does not generate fugitive lead dust;*
- *Immediately after cessation of excavation work on days of high wind speeds (> 20 mph), secure or cover excavation areas and soils in a manner that does not generate fugitive lead dust; and*
- *Transport excavated, lead-contaminated soils in sealed, leak-proof containers (the Draft IWMP only indicates tarping of haul-off trucks).*

*The SCAQMD staff also requests that the Lead Agency include in the final CEQA document, identification of mitigation measures to address any accidental spills or releases of excavated soils during its transport near the project site and along the truck routes specified in the Draft IWMP. Due to the Exide facility being subject to SCAQMD Rule 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recyclers, multiple ambient air lead monitors are located at the fenceline of the Exide facility as well as in areas near the project site, and fugitive lead dust emissions generated from excavation and transport of lead-contaminated soils may cause or contribute to exceedances of the Rule 1420.1 ambient air lead concentration limit of 0.150 µg/m<sup>3</sup> averaged over any consecutive 30 day period.*

### **Response to Comment #18**

DTSC shares SCAQMDs concern for the potential of fugitive lead dust emissions generated from the removal and disposal of the impacted soil.

Regarding the first bullet; Section 3.1.15 of the draft Interim Measure Work Plan has been revised to state “The largest potential source of dust and emissions during the work will be the excavation and handling of material during soil removal. As discussed above, dry decontamination techniques will be used on transport trucks with HEPA vacuuming as needed. The Contractor will store excavation equipment in a manner that does not generate fugitive dust immediately after completion of work. To decontaminate excavation equipment, the Contractor will clean by wet wash or a HEPA vacuum equipped with a filter rated by the manufacturer to achieve a 99.97% capture efficiency for 0.3 micron particles immediately after completion of the work and prior to exiting the property.”

Regarding the second bullet; Section 3.1.15.1 of the draft Interim Measure Work Plan has been revised to state that “On days where wind speeds exceed 20 mph, cease work and immediately secure or cover excavation areas and soils in a manner that does not generate fugitive lead dust.”

Regarding the third bullet; Section 3.1.15.1 of the draft Interim Measure Work Plan has been revised to state that “All transport vehicles used for off-site transport of materials will be lined with polyethylene sheeting to prevent leaking. Sufficient sheeting material will be placed in the transport vehicle to allow the Contractor to cover and wrap the waste within the vehicle. The Contractor will install secured, strapped-down covers to prevent any fugitive lead dust during transport to the disposal facility.

To address accidental spills, the draft Interim Measures Work Plan has been changed to include the language “The Contractor will develop and implement a Materials Transportation Emergency Response Plan (MTERP) consistent with the CalTrans *Maintenance Manual, Volume 1, Chapter D5 Spills and Substances on Highway Rights of Way, dated July 2014* as part of the overall general Health and Safety Plan to address any accidental spills or releases of excavated soils that may occur during transport along the transport highway routes.” Additional Changes to the IMWP are included at the end of this document under “*Summary, Changes to the Draft Interim Measure Work Plan*”

DTSC does not believe the proposed soil excavation work is likely to affect fenceline monitoring at the Exide facility as each area is located well away from the facility. The locations of the ambient air monitors and none of the monitors are within or proximate to the Assessment Areas and would in no way be affected by the operations. Real-time air monitoring for particulates and sampling for lead in air will be performed during the excavation work and will be compared to the exceedance level during construction. No revisions to the IMWP are required.

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**Public Comment #19 – Communities for Better Environment, East Yard Communities for Environmental Justice, Natural Resources Defense Council**

Comment: *We have four concerns with the draft IMWP’s tiered protocol for cleaning lead contaminated soil in this regard.*

*First, the draft IMWP applies only to homes in the Northern Assessment Area and Southern Assessment Area, even though additional sampling outside these areas is being done to determine the full extent of contamination. Whether through this IMWP or through another plan, a full cleanup must address lead contaminated soils outside these areas.*

*Second, while the draft IMWP identifies and prioritizes homes for soil cleanup based on ongoing soil sampling results, the current soil sampling process has been problematic. As noted in our letter of October 10, 2014, community members have had issues with the DTSC’s sampling request process. Many residents feel they are not being kept informed about the process, and several have shared that DTSC staff has discouraged them from requesting soil sampling. Any and all homes requesting soil sampling, should be sampled.<sup>1</sup> And any and all homes above the 80 ppm threshold established for Priority 3 cleanup in the draft IMWP, should be cleaned up. The assumption appropriately is that all 213 homes in these areas require cleanup.*

*Third, the draft IMWP states that soil cleanup at identified homes will extend to the greater of “where the 95th UCL is less than 80mg/kg or the yet to be established background level.” Given the appropriate 80 ppm threshold established for identifying Priority 3 cleanups and the similar background level established from the prior comparison sample, the cleanup level should simply be until the 95th UCL is less than 80mg/kg to ensure a full cleanup that protects public health.*

*Finally, given the sensitive populations at and around these residential homes, the IMWP must ensure the strongest of dust suppression measures and air monitoring. While the residents of the homes being cleaned up will be relocated during the cleanup, their neighbors will not be. Diligent precautions must be taken to ensure their and the community’s health and safety*

Footnote

<sup>1</sup> Additional sampling requests, however, should not delay the cleanup of any homes already identified as requiring cleanup.)

### **Response to Comment #19**

DTSC appreciates the comments and offers the following responses.

Regarding the first concern (third paragraph of October 20, 2014 comment letter); the commenter is correct that the Interim Measure Work Plan applies only to homes in the Northern Assessment Area and Southern Assessment Area. The commenter is correct that sampling is occurring at select homes outside these two areas; this sampling effort is being performed to evaluate the extent of lead contaminated soils beyond the assessment areas; the need for any soil cleanup at homes outside the assessment areas will be the subject of a thorough evaluation of the soil data.

Regarding the second concern (fourth paragraph of the October 20, 2014 letter); DTSC is not aware of any attempt by DTSC to suppress the dissemination of information to residents; on the contrary, an exhaustive effort to contact homeowners in the assessment areas, either through telephone, letter writing, or physically visiting the property has been employed. The commenter should be aware that sampling beyond the assessment areas is both specific and targeted, and therefore arbitrary sampling efforts, at this point, are inconsistent with the current iterative environmental investigative process. Also, in regard to cleaning up all 213 homes; DTSC cannot force homeowners to have their properties sampled and if necessary to be clean-up. The proposed interim measures work is voluntary; residents have refused sampling or have simply not contacted the DTSC, or returned our calls, or have not responded to our letters. DTSC will continue to solicit all property owners in the assessment area to have their properties tested during the implementation of the IMWP.

Regarding the commenters third concern (fifth paragraph of the October 20, 2014 letter); DTSC will continue to base our decisions on the relevancy of the data and will consider any and all valid scientific principles without prejudice. The use of 95% Upper Confidence Level (UCL) of 80 mg/kg will be our clean-up goal until a scientifically valid method for establishing a background level for the area can be employed and determined to be representative. The DTSC has never taken a position that required a

responsible party to clean-up contamination below background. The Commenter should be aware that 80 mg/kg is a screening level and is a clean-up level considered on a case-by-case basis only.

In regards to the commenters last concern (second to last paragraph of the October 20, 2014 letter), DTSC is committed to ensure that all necessary dust suppression measures techniques and all appropriate air monitoring will be employed during the soil removal work to ensure neighbors that all is being done to protect their health and their property.

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**Public Comment #20 – Jose Huizar, Councilmember, 14<sup>th</sup> District**

*Comment: DTSC has an important responsibility to the safety of residents of Boyle Heights and other communities surrounding the Exide Technologies plant in Vernon. The legacy of pollution from this plant and its history of violations contribute to unacceptable health risks in the area. These communities deserve DTSC's full attention and a Work Plan that ensures a thorough yet rapid response to clean up contaminated soil to achieve the safest levels of remediation possible.*

*The initial steps taken to assess and remediate residential areas are important and must proceed without delay, but these are initial steps and must not be viewed as final actions. The Work Plan should not be limited to only the residential areas in the initial assessment. Additional sampling outside these areas seeks to determine the full extent of contamination. It is DTSC's responsibility to ensure that all associated contaminated areas receive remediation.*

*I am also concerned about reports of difficulty that community members have had in participating in and receiving information about DTSC's sampling and remediation program. DTSC should continue to accept requests for properties to be sampled, and further plans should be created to address any and all homes above the threshold established for clean up in the draft Work Plan.*

*DTSC should demand that Exide Technologies provide funding for an extended phase and expanded geography for full remediation of impacted neighborhoods.*

*I urge you to redouble your efforts to protect Boyle Heights and other neighborhoods affected by Exide's decades of pollution. While DTSC must demand full conformance with the strictest environmental standards in the industry before Exide is allowed to operate, DTSC must also ensure that Exide dedicate appropriate resources to address its legacy pollution issues.*

**Response to Comment #20**

Thank you for your comments. DTSC shares your concern that the communities affected receive full attention and a rapid remediation of contaminated soils to protective levels. As stated in the work plan, this is an interim measure and not a final action. Pursuant to the 2002 Corrective Action Consent Order (CACO), DTSC is requiring Exide to continue along the standard iterative Corrective Action process to develop a remedy determination for contamination associated with their past operations.

The areas outside of the Northern and Southern Assessment Areas are being investigated and results from the sampling will determine the actions necessary for the protection of the residents.

DTSC has sent out several letters to the homeowners in the two assessment areas (215 residential properties), we have had nearly half of these homeowners sign-up for the sampling program. We continue to be vigilant in this effort.

As to the extended phase where additional sampling is occurring, Exide is providing funding for the sampling activities; should the additional sampling activities result in the need for Exide to further cleanup contamination associated with their facility as part of the overall corrective action process, Exide will be held responsible for fully funding any such actions.

---

**Public Comment #21 – County Sanitation Districts of Los Angeles**

*Comment: The proposed development is located within the jurisdictional boundaries of Districts Nos. 1 and 2. We offer the following comments:*

- 1. The proposed project may impact existing and/or proposed Districts' trunk sewers over which it will be constructed. Existing and proposed Districts' trunk sewers are located directly under and/or across directly beneath the proposed project alignment. The Districts cannot issue a detailed response to or permit construction of the proposed project until project plans and specification that incorporate Districts' sewer lines are submitted. In order to prepare these plans, you will need to submit a map of the proposed project alignment, when available, to the attention of Mr. Jon Ganz of the Districts' Sewer Design Section at the address shown above. The Districts will then provide you with the plans for all Districts' facilities that will be impacted by the proposed project. Then, when revised plans that incorporate our sewers have been prepared, please submit copies of the same for our review and comment.*
- 2. The proposed project may require a Districts' permit for Industrial Wastewater is charge. Project developers should contact the Districts' Industrial Waste Section at extension 2900, in order to reach a determination on this matter. If this permit is necessary, project developers will be required to forward copies of final plans and supporting information for the proposed project to the Districts for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, go to [http://www.lacsd.org/wastewater/industrial\\_waste/permit.asp](http://www.lacsd.org/wastewater/industrial_waste/permit.asp).*

**Response to Comment #21**

In regards to bullet Item 1: the proposed work will not involve excavation activities within any street rights-of-way where existing and proposed District trunk sewers reside. All excavation work will be performed within the boundaries of private residential lots. In addition, excavation activities will not exceed to a depth greater than 18 inches.

In regards to bullet Item 2: as indicated in the proposed work plan, the contractor will be directed to obtain all necessary permits prior to any excavation work beginning.

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## Summary

### Changes to the Draft Interim Measure Work Plan

Based on the comment received changes to the Draft Interim Measures Work Plan are presented below.

#### 3.1.12 Disposal of Excavated Soils

Advanced GeoServices will perform waste characterization on soils from each property scheduled for remediation. A five-point composite sample will be analyzed for Soluble Threshold Limit Concentration (STLC), Total Threshold Limit Concentration (TTLC) and Toxic Characteristic Leaching Procedure (TCLP). Drip zone samples will not be in the composites. The samples will be sent to Eurofins Calscience Inc. laboratory in Garden Grove, California.

Based on the waste characterization, the Contractor will identify the disposal facility, based on the characterization results, prior to removal work at that property. It is expected that the disposal facility for the soils will be the La Paz County landfill in Parker, AZ. The trucks/roll-offs will proceed directly to the disposal facility after loading and decontamination. The precautions the Contractor will utilize to prevent track-out from trucks or roll-off bins will be a decontamination area consisting of plastic sheeting. The vehicles will undergo dry decontamination methods (i.e., shovels to remove any fallen soil, brushes to loosen caked on soil, etc. followed by HEPA vacuuming) as necessary. Following the transport vehicle departure, the Contractor will remove any residual soils from the decontamination area using the techniques discussed above. Transport vehicle departure will be scheduled when the transport vehicle has reached its limit of weight or volume. Actual times for departure will be determined by the Contractor in the field. **The Contractor will develop and implement a Materials Transportation Emergency Response Plan (MTERP) consistent with the CalTrans Maintenance Manual, Volume 1, Chapter D5 Spills and Substances on Highway Rights of Way, dated July 2014 as part of the overall general Health and Safety Plan to address any accidental spills or releases of excavated soils that may occur during transport along the transport highway routes.**

**The MTERP will include the following mitigation measures:**

- **Requirement that the contracted trucking company hauling the soils to the disposal facility is licensed in California to transport hazardous waste if the materials are characterized as such.**
- **Operator (Driver) Training**

- The operator will receive education on the characteristics of the materials being transported.
- The operator will ensure that the hazardous waste manifest including the waste characterization is present within the cab of the truck at all times.
- The operator will perform a pre-travel inspection of the vehicle and safety check on the emergency equipment included with the vehicle.
- The operator will be trained to notify the correct authorities in case of an accidental material spill during transport to the disposal facility.
- Safety training for emergency response
- Notification to California Highway Patrol, the Incident Commander (IC)
- Notification to California Transportation Department (CalTrans)
  - CalTrans will take the lead to ensure proper clean-up. CalTrans will determine which qualified operator will perform the cleanup depending upon conditions, identification and hazard assessment, containment and clean-up.
- Spill handling performed by CalTrans or qualified Contractor
  - Safe Approach
  - Isolation and Containment
  - Notifications
  - Identification and Hazard Assessment
  - Clean-up and Disposal

Following each day's construction activities, the Contractor will HEPA vacuum all areas to remove any residual soils from non-excavation areas.

### 3.1.15 Dust Suppression

The largest potential source of dust and emissions during the work will be the excavation and handling of material during soil removal. As discussed above, dry decontamination techniques will be used on transport trucks with HEPA vacuuming as needed. The Contractor will store excavation equipment in a manner that does not generate fugitive dust immediately after completion of work. ~~and the~~ To decontaminate excavation equipment, the Contractor will clean by wet wash or a HEPA vacuum equipped with a filter rated by the manufacturer to achieve a 99.976% capture efficiency for 0.3 micron particles immediately after completion of the work and prior to exiting the property followed by HEPA vacuuming.

#### 3.1.15.1 Dust Suppression Techniques

A rule of "no visible dust" will be applied to all aspects of the work that involve impacted soils. This will be accomplished by implementing the

following procedures to control the possible generation and migration of dust during the excavation and handling of materials:

- Apply water directly to the active excavation prior to soil disturbance. Additionally, water will be applied during the truck loading operations, as appropriate.
- Promptly apply water to excavation, loading or unloading operations upon any observance of dust.
- Control dust during operation of trucks by not allowing material to be dropped from heights above the top rail of the truck body.
- ~~Cease work if the~~ **On days where wind speeds exceed 20 mph, cease work** ~~wind speeds exceed 20 miles per hour~~ **and immediately secure or cover excavation areas and soils in a manner that does not generate fugitive lead dust.**
- Regularly inspect all rear gate seals and locking mechanisms on material transport vehicles in order to prevent spillage and dust production.
- HEPA vacuum and/or wash the trucks prior to leaving the loading areas to prevent the deposition of material.
- Clean up all spilled soil material within the loading area and work areas.
- ~~Tarp~~
  - **All transport vehicles used for off-site transport of materials will be lined with polyethylene sheeting to prevent leaking. Sufficient sheeting material will be placed in the transport vehicle to allow the Contractor to cover and wrap the waste within the vehicle. The Contractor will install secured, strapped-down covers to prevent any fugitive lead dust during transport to the disposal facility.**

~~a~~ **All trucks transport vehicles used for off-site transport of materials will be lined with polyethylene sheeting to prevent leaking and secured, strapped-down covers will be used to prevent any fugitive lead dust during transport to the disposal facility.**

Air monitoring to ensure compliance with the project performance standards will be conducted as per Section 3.1.16.

#### Section 4.0 Schedule

This IMWP **is** subject to public review and comment as well as review under CEQA. ~~This process is expected to take at least 4 weeks before DTSC can~~

~~provide final comment and approve the work plan.~~ During this review period, the results of the ongoing soil sampling program ~~will be~~ **were** reviewed and properties prioritized as per Section 3.1.1 in conjunction with DTSC. Property specific soil removal plans ~~on Priority 1 properties will be~~ **were** produced and reviewed with DTSC to establish the horizontal and vertical limits of excavation. ~~Exide will pursue access agreements with the Priority 1 property owners, and in conjunction with DTSC, initial meetings with the property owners may be held.~~ **Efforts towards identifying and retaining qualified contractors also took place during the public review period.** ~~The Contractor will be retained and will be directed to obtain the necessary permits based on the property prioritization.~~ Soil removal **Interim measures** activities **which include interactions with the property owners, pursuit of access agreements, and conduct of pre-excavation meetings followed by soil removal** will begin on properties according to the established priority within two weeks of DTSC approval of the IMWP. The Contractor will be expected to work on soil removal at two properties concurrently **in each of the Northern and Southern Assessment Areas.** Backfill and restoration will immediately follow the soil removal. Interior cleaning will be performed within two weeks of completion of exterior work on the property as scheduled by the property owner. All work is subject to property owner approval as demonstrated by signing the access agreement.

Exide will notify DTSC as soon as practicable if circumstances beyond its or the Contractor's control such as extended rain events, receipt of permits, unforeseen material or obstacles in the yard or difficulties in obtaining access prevent the work from being completed according to this schedule.

#### CEQA

Based on the above, DTSC's initial assessment (as stated in the Initial Study) has not changed. DTSC maintains that the effects of the project activities in regards to air quality remain less than significant, and therefore mitigation measures are not considered necessary for this project.

**From:** doelorez mejia [<mailto:eastsidecoalition@gmail.com>]

**Sent:** Friday, September 19, 2014 9:40 AM

**To:** Perez, Marina@DTSC; carlosmmontes5; Liza Tucker; Teri Griffin; Bradley Angel; [nestor.valencia@att.net](mailto:nestor.valencia@att.net); Erick Rivas; resurrectionla

**Subject:** Re: Exide Technologies - Community Update

Regarding ANY HAZARDOUS WASTE info that pertains to our neighborhood, we want another repository @ Ben Franklin Library, since it is located across street from Boyle Heights City Hall- In fact there is no reason why you all can't direct info to ALL interested and impacted locations, especially to your partner government agencies, that would have to be informed for emergency type situations, like say.... evacuating a school, clinic, senior center! You know like FIRST RESPONDERS, Fire Department, Police, Sheriffs, Hospitals, Clinics, etc should be MANDATORY to send to ALL NOTICES to these entities and MANDATORY to post. You as a Public Participation SPECIALIST, should be ESPECIALLY concerned about notifying locations mentioned above , and encouraging them to POST! Who designates these locations without consulting community? You would have to LIVE OR WORK in impacted community to determine what's best for community. So until there is a thorough audit & possible federal take over of your agency, please excuse yourself from matters that don't involve you, in the future. I am referring to your imposing on conversation I previously had with Mr. Ed Nieto regarding the generous accomodations you all provided to EXIDE by extending their opportunity to fulfill permit application requirements for another full year, until the fall of 2015, & allowing them to operate AGAIN WITHOUT A REAL PERMIT once they retrofit their ramshackle POISON FACTORY! For a few moments I was in shock that your agency has once again, not CLEARLY DISCLOSED ACCURATE INFO about the permitting process or lack of one in the EXIDE TOXIC TECHNOLOGIES case, and that I had to manipulate public information out of you all about the extended deadline that SHOULD HAVE BEEN JULY 17, or so I believe! I have never raised my voice to Mr. Nieto before, because he is generally an even tempered, almost timid kind of guy, that may not work well when it comes to dealing with ARROGANT POLLUTERS LIKE EXIDE, or OUTRAGED VICTIMS LIKE ME! Due to your incessant interruptions on a phone call with Mr. Nieto that I had never asked U to be on, the tone escalated, rather than for you to either facilitate understanding or just excuse yourself from the conversation as i had asked you to do. I am always interested in resolving conflicts whenever possible- . You have not done so, in this matter any way. I am still waiting. Disappointed, but not surprised that your agency is NOT INTERESTED in PROTECTING PEOPLE NOT POLLUTERS!

EASTSIDE COALITION AGAINST EXIDE  
TOXIC TECHNOLOGIES  
(& their PARTNERS IN CRIME...DTSC)

Doelorez Mejia  
(unpaid public servant)



## DTSC PUBLIC COMMENT FORM

### Draft Interim Measures Work Plan, draft Negative Declaration and Initial Study for Exide Technologies

Public Comment Period - September 16, 2014 through October 20, 2014

You may use this form to send your written comments on the draft Interim Measures Work Plan (IMWP), draft Negative Declaration, and the Initial Study.

Please include your name and address on this form with your comments. All written comments must be postmarked no later than **October 20, 2014** to:

**Peter Ruttan, DTSC Project Manager  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826**

You may also e-mail a copy of this form with your written comments to:  
[peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) or fax to: (916) 255-3734.

Name: Veronica Camargo / Maxia L. Camargo <sup>unit</sup>

Agency or Organization (if applicable): Residence at Maywood

Street Address: 4026 E 53rd St

City: Maywood Zip Code: 90270 Phone (Optional): 323 826-0359

Please add me to the site mailing list  Please remove me from the site mailing list

**Comments on draft IMWP, draft Negative Declaration, and the Initial Study (Please print):**

I agree with the Draft Clean up plan  
in all affected areas. This should start  
immediately. My sister in law developed breast  
cancer, as well as other women I know  
in Maywood! Children cannot play in their  
own yards! ridiculous!

*(Please continue on additional sheet of paper if necessary.)*

DTSC mailings are solely for the purpose of keeping you informed of DTSC activities. They are however, considered public records and, if requested, may be subject to release.





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**Peter Ruttan, DTSC Project Manager  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826**

You may also e-mail a copy of this form with your written comments to:

[peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) or fax to: (916) 255-3734.

Name: Gladys Zaldumbide

Agency or Organization (if applicable): \_\_\_\_\_

Street Address: 1139 N. Sunset Canyon Drive

City: BURBANK Zip Code: 91504 Phone (Optional): \_\_\_\_\_

Please add me to the site mailing list  Please remove me from the site mailing list

**Comments on draft IMWP, draft Negative Declaration, and the Initial Study (Please print):**

Please forward any and all pertinent information  
regarding my property in Maywood. I  
would like to be kept abreast of all  
results.

(Please continue on additional sheet of paper if necessary.)

DTSC mailings are solely for the purpose of keeping you informed of DTSC activities. They are however, considered public records and, if requested, may be subject to release.



## FORMA DE COMENTARIO PUBLICO DTSC

Borrador del Plan de Trabajo de Medidas Interinas, Declaración Negativa y Estudio Inicial  
para Exide Technologies

Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014

Usted puede usar esta forma para enviar sus comentarios por escrito al borrador del Plan de Trabajo de Medidas Interinas (IMWP, por sus siglas en ingles), borrador Declaración Negativa y el Estudio Inicial.

Favor de incluir su nombre y domicilio con sus comentarios. Todos los comentarios que se envíen por escrito, fax o correo electrónico deberán recibirse o tener el sello postal no más tarde del lunes, 20 de octubre de 2014.

Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov)  
o por fax a: (916) 255-3734.

Nombre: MARIO ALBERTO SAENZ

Agencia o Organización (si es aplicable) \_\_\_\_\_

Domicilio: 3556 1/2 E. 54TH ST

Ciudad: MAYWOOD CA Zona Postal: 90270 Teléfono (Opcional) (323) 600-4774

Favor de añadir mi información a la lista de correo  Favor de remove mi información de la lista de correo

Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial  
(Favor de Usar Letra de Molde):

MI PROPIEDAD HA SIDO INSPECCIONADA  
DOS VECES POR PERSONAL DE EXIDE  
LAS DOS INSPECCIONES HAN DADO PRUEBAS  
DE CONTAMINACION DE PLOMO MUY ALTAS  
ME GUSTARIA QUE SE REALIZARAN  
ALGUNOS TRABAJOS DE LIMPIEZA PARA  
REMEDIAR EL PROBLEMA  
TAMBIEN QUIERO QUE TOMEN LAS MEDIDAS  
NECESARIAS PARA HACER QUE EXIDE  
CUMPLA CON ESTANDARES FEDERALES  
PARA ELIMINAR LA CONTAMINACION O  
PLOMO Y ARSENICO

(Si es necesario, continúe en hoja adicional)

Los correos de DTSC solamente son para el propósito de mantenerlos informado de las actividades de DTSC. Sin embargo, son considerados como registros públicos y, si son solicitados, pueden ser sujetos a publicación.



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Favor de incluir su nombre y domicilio con sus comentarios. Todos los comentarios que se envíen por escrito, fax o correo electrónico deberán recibirse o tener el sello postal no más tarde del lunes, 20 de octubre de 2014.

Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) o por fax a: (916) 255-3734.

Nombre: ALFONSO MALDONADO

Agencia o Organización (si es aplicable) PUMA

Domicilio: 5516 BITFORD, AVE

Ciudad: MAYWOOD Zona Postal: 90270 Teléfono (Opcional) \_\_\_\_\_

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

Comentarios al Borrador IMWP, Borrador Declaración Negativa, y el Estudio Inicial  
(Favor de Usar Letra de Molde):

QUIERO O MI CASA SEA  
REVISADA Y LIMPIADA DE  
EL PLOMO Y EL ARSENICO O  
ESTE TIEN AL AIRE  
LA SOLUCION ES O ESTA  
FABRICA CIERRE SUS  
PUERTAS  
O LIMPIEN TODA SU COCHINA  
DE CONTAMINACION

(Si es necesario, continúe en hoja adicional)

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Favor de incluir su nombre y domicilio con sus comentarios. Todos los comentarios que se envíen por escrito, fax o correo electrónico deberán recibirse o tener el sello postal no más tarde del lunes, 20 de octubre de 2014.

Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov)  
o por fax a: (916) 255-3734.

Nombre: GONZALO BAÑUELOS

Agencia o Organización (si es aplicable) POMNA

Domicilio: 3738 E 55TH ST

Ciudad: MAYWOOD Zona Postal: CA 95770 Teléfono (Opcional) \_\_\_\_\_

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial  
(Favor de Usar Letra de Molde):

QUIERO Q' MI CASA  
SEA REVISADA Y LIMPIADA  
DEL PLOMO Y EL ARSENICO  
Q' EXIDE TIRA TODOS LOS  
DIAS EN ESTA ZONA  
PERO PIDO Q' SE CIERRE  
ESTE FOCO DE INFECCION  
Q' EXIDE CERRA !! Y/N !!

(Si es necesario, continúe en hoja adicional)

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8800 Cal Center Drive  
Sacramento, CA 95826

You may also e-mail a copy of this form with your written comments to:  
[peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) or fax to: (916) 255-3734.

Name: Soledad Andrade

Agency or Organization (if applicable): \_\_\_\_\_

Street Address: 3570 53<sup>rd</sup> ST Maywood

City: Maywood Zip Code: 96270 Phone (Optional): \_\_\_\_\_

Please add me to the site mailing list  Please remove me from the site mailing list

Comments on draft IMWP, draft Negative Declaration, and the Initial Study (Please print):

Mi comentario es este

En el año 1990 murio mi hija de

leucemia y otros 2 niños en esta

misma calle, al los pocos años

Tambien le dio leucemia a una nieta

pero que gracias a Dios se recupero

a que se deben estos casos no se.

(Please continue on additional sheet of paper if necessary.)

DTSC mailings are solely for the purpose of keeping you informed of DTSC activities. They are however, considered public records and, if requested, may be subject to release.

porque no soy doctor.



# FORMA DE COMENTARIO PUBLICO DTSC

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Favor de incluir su nombre y domicilio con sus comentarios. Todos los comentarios que se envíen por escrito, fax o correo electrónico deberán recibirse o tener el sello postal no más tarde del lunes, 20 de octubre de 2014.

**Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826**

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) o por fax a: (916) 255-3734.

Nombre: Marcelo Hernandez

Agencia o Organización (si es aplicable) PUMA

Domicilio: 3544 E. 53 rd. St.

Ciudad: Maywood Zona Postal: 90270 Teléfono (Optional) (323) 503-5469

Favor de añadir mi información a la lista de correo  Favor de remove mi información de la lista de correo

**Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial  
(Favor de Usar Letra de Molde):**

Quiero que revisen el patio de mi propiedad y lo limpie de la contaminación de exide de todo el plomo y el arsenico causan mucho daño a la comunidad pero lo principal que cierran definitivamente este foco de infección

Marcelo Hernandez

(Si es necesario, continúe en hoja adicional)

Los correos de DTSC solamente son para el propósito de mantenerlos informado de las actividades de DTSC. Sin embargo, son considerados como registros públicos y, si son solicitados, pueden ser sujetos a publicación.



# FORMA DE COMENTARIO PUBLICO DTSC

**Borrador del Plan de Trabajo de Medidas Interinas, Declaración Negativa y Estudio Inicial  
para Exide Technologies  
Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014**

Usted puede usar esta forma para enviar sus comentarios por escrito al borrador del Plan de Trabajo de Medidas Interinas (IMWP, por sus siglas en ingles), borrador Declaración Negativa y el Estudio Inicial.

Favor de incluir su nombre y domicilio con sus comentarios. Todos los comentarios que se envíen por escrito, fax o correo electrónico deberán recibirse o tener el sello postal no más tarde del lunes, 20 de octubre de 2014.

**Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826**

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Nombre: ENRIQUE MENDEZ

Agencia o Organización (si es aplicable) \_\_\_\_\_

Domicilio: 5054 E. 60th. PL.

Ciudad: MAYWOOD Zona Postal: 90270 Teléfono (Opcional) \_\_\_\_\_

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial  
(Favor de Usar Letra de Molde):

DOY PERMISO PARA QUE ANALICEN LA  
FIERRA DE MI CASA.  
PARA SABER SI TIENE PLOMO U OTROS  
QUIMICOS CONTAMINANTES  
PIDO CIERREN COMPANIA BATERIAS  
DE VERNON CA.

(Si es necesario, continúe en hoja adicional)

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## FORMA DE COMENTARIO PUBLICO DTSC

Borrador del Plan de Trabajo de Medidas Interinas, Declaración Negativa y Estudio Inicial  
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Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014

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Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8900 Cal Center Drive, Sacramento, CA 95826

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov)  
o por fax a: (916) 255-3734.

Nombre: FAMILIA LEPE

Agencia o Organización (si es aplicable) \_\_\_\_\_

Domicilio: 5063 E. 60th PL.

Ciudad: MAYWOOD Zona Postal: 90270 Teléfono (Opcional) \_\_\_\_\_

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial  
(Favor de Usar Letra de Molde):

NOSETROS ESTAMOS DISPUESTOS A PRESTAR  
NUESTRO TERRENO PARA QUE HAGAN UN ESTUDIO  
DEL SUELO CONTAMINAD EN MAYWOOD  
TOCANTE PLOMO Y OTROS CONTAMINANTES  
GRACIAS

QUIERO QUE CIERREN LA  
EXIDE DE VERNON EN CA.

(Si es necesario, continúe en hoja adicional)

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**FORMA DE COMENTARIO PUBLICO DTSC**

**Borrador del Plan de Trabajo de Medidas Interinas, Declaración Negativa y Estudio Inicial  
para Exide Technologies  
Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014**

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**Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826**

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) o por fax a: (916) 235-3734.

Nombre: RAFAEL CASTRO  
Agencia o Organización (si es aplicable) PUMAF  
Domicilio: 5064 E. 60TH PL.  
Ciudad: MAYWOOD CA. Zona Postal: 90270 Teléfono (Opcional) \_\_\_\_\_

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

Comentarios al Borrador IMWP, Borrador Declaración Negativa, y el Estudio Inicial  
(Favor de Usar Letra de Molde):

YO RAFAEL CASTRO DOY PERMISO PARA MI  
PROPIEDAD HAGAN ANALICES DE LA TIERRA  
PARA PARA SABER SI ESTA CONTAMINADA  
DE PLOMO Y OTROS QUIMICOS  
MI RECOMENDACION ES QUE CERRAREN  
LA PLANTA, RECIELADORAS DE BATERIAS  
EXIDE EN VERNON CA.

(Si es necesario, continúe en hoja adicional)

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# FORMA DE COMENTARIO PUBLICO DTSC

## Borrador del Plan de Trabajo de Medidas Interinas; Declaración Negativa y Estudio Inicial para Exide Technologies

Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014

Usted puede usar esta forma para enviar sus comentarios por escrito al borrador del Plan de Trabajo de Medidas Interinas (IMWP, por sus siglas en ingles), borrador Declaración Negativa y el Estudio Inicial.

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Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) o por fax a: (916) 255-3734.

Nombre: ARMANDO SALGADO JR

Agencia o Organización (si es aplicable) \_\_\_\_\_

Domicilio: 5256 MAYFLOWER AVE

Ciudad: MAYWOOD Zona Postal: 90270 Teléfono (Opcional) \_\_\_\_\_

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

### Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial (Favor de Usar Letra de Molde):

Soy un ciudadano residente y padre viviendo en la Ciudad de Maywood CA 90270. Esta carta la escribo mas que todo como padre preocupado. Preocupado mas q todo por mis hijos su futuro y el porvenir de sus hijos. Esta planta que critica quimicas toxicas NO moribas para la salud estan siendo despididas y cultivadas en nuestras comunidades, y asi con ese cultivo se van cosechando enfermedades respiratorias y en casos <sup>de algunos</sup> canceres. El avance de la años trae represarias dañinas e irreparables para innumerables familias. Tengo la opinion de que tomando las apropiadas medidas podemos llegar a un acuerdo y remover esta planta a un lugar mas desolado y menos habitado de donde hoy se encuentra. El medio ambiente esta en peligro y esto despidos dañan la capa de ozono. (Si es necesario, continúe en hoja adicional) quiero que sierra ese lugar

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# FORMA DE COMENTARIO PUBLICO DTSC

## **Borrador del Plan de Trabajo de Medidas Interinas, Declaración Negativa y Estudio Inicial para Exide Technologies**

**Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014**

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**Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826**

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Nombre: Teresa Solario

Agencia o Organización (si es aplicable) Pumas

Domicilio: 4703 E 56th St maywood ca 90270

Ciudad: Maywood Zona Postal: 90270 (Teléfono (Opcional) (323) 562-1685)

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

**Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial**  
(Favor de Usar Letra de Molde):

Please make sure our city is clean.  
The job needs to get done.

(Si es necesario, continúe en hoja adicional)

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# FORMA DE COMENTARIO PUBLICO DTSC

## Borrador del Plan de Trabajo de Medidas Interinas, Declaración Negativa y Estudio Inicial para Exide Technologies

### Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014

Usted puede usar esta forma para enviar sus comentarios por escrito al borrador del Plan de Trabajo de Medidas Interinas (IMWP, por sus siglas en ingles), borrador Declaración Negativa y el Estudio Inicial.

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**Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826**

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) o por fax a: (916) 255-3734.

Nombre: Martha Moreno

Agencia o Organización (si es aplicable) Puma

Domicilio: 5258 Mayflower Ave

Ciudad: Maywood Zona Postal: 90270 Teléfono (Opcional) (323) 562 3172

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial  
(Favor de Usar Letra de Molde):

MI comentario es como es posible que digan que ya quitaron la contaminación con 2 casas que le arrendado la tierra y que se un sacado nuestras que nos iban a tabernar de lo que DTSC no somos niños, no entiendo como proteger todas las de nos casas para que se que ustedes solamente limpiar unas casa las demas me preguntan y las demas que no les importa, como usted solo pisan en sus intereses, como no viven en esta lugar no les importa que nos estamos marcando con todas esas químicas que nos esta eludiendo y lo interesante es que solo ablan de puma, y el arsenico que le que quisier la comunidad en que si crean en lugar

Los correos de DTSC solamente son para el propósito de mantenerlos informado de las actividades de DTSC. Sin embargo, son considerados como registros públicos y, si son solicitados, pueden ser sujetos a publicación.



### FORMA DE COMENTARIO PUBLICO DTSC

#### Borrador del Plan de Trabajo de Medidas Interinas; Declaración Negativa y Estudio Inicial para Exide Technologies

Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014

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Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) o por fax a: (916) 255-3734.

Nombre: Maria E. Pérez

Agencia o Organización (si es aplicable) PUMA

Domicilio: 4604 E. 56TH ST.

Ciudad: Haywood CA. Zona Postal: 90270 Teléfono (Opcional) (323) 771-1002

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

#### Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial (Favor de Usar Letra de Molde):

Nosotros estamos a favor de que se cierre esa compañía, porque les un peligro para la salud de toda nuestra comunidad, aparte de las personas que tienen cancer por la contaminación, pues lo que mas nos preocupa es el aire que respiramos pues todos esos químicos van a los nuestros pulmones y tal vez en un futuro tenga mos que usar mascarillas.

Por favor escuchen a nuestras ruego

Cierren esa compañía  
Maria E. Pérez  
Maria E. Pérez

(Si es necesario, continúe en hoja adicional)

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# FORMA DE COMENTARIO PUBLICO DTSC

## Borrador del Plan de Trabajo de Medidas Interinas, Declaración Negativa y Estudio Inicial para Exide Technologies

Periodo de Comentarios Publico - 16 de septiembre - 20 de octubre del 2014

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Peter Ruttan, Gerente del Proyecto de DTSC Department of Toxic Substances Control  
8800 Cal Center Drive, Sacramento, CA 95826

También puede enviar esta forma con sus comentarios por correo electrónico a: [peter.ruttan@dtsc.ca.gov](mailto:peter.ruttan@dtsc.ca.gov) o por fax a: (916) 255-3734.

Nombre: Griselda Molinar y José Martínez

Agencia o Organización (si es aplicable) PUMA

Domicilio: 4714 E. 52<sup>nd</sup> PL Maywood Ca 90270

Ciudad: Maywood Zona Postal: 90270 Teléfono (Opcional) 562 396 6676  
323 6383637

Favor de añadir mi información a la lista de correo  Favor de remover mi información de la lista de correo

Comentarios al Borrador IMWP, Borrador Declaración Negativo, y el Estudio Inicial  
(Favor de Usar Letra de Molde):

Apoyamos la propuesta de remover la planta recicladora de baterías comprendemos el daño q' hace a la salud los quimicos q' expiden tanto en la tierra y aire q' respiramos, apoyamos para lograr remover esta planta a un lugar en el cual no este cerca de la población por su atencion a estas palabras.  
Gracias

(Si es necesario, continúe en hoja adicional)

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South Coast  
Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 ♦ www.aqmd.gov

SENT VIA USPS AND E-MAIL:

October 17, 2014

[Peter.Ruttan@dtsc.ca.gov](mailto:Peter.Ruttan@dtsc.ca.gov)

Mr. Peter Ruttan, Project Manager  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826

**Draft Interim Measures Work Plan (IWMP) – Boyle Heights, East Los Angeles and Maywood (Exide Technologies)**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document for proposed testing and removal of lead contaminated soils in residential yards located in portions of Boyle Heights, East Los Angeles and Maywood. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final IWMP.

In the project description, the Lead Agency states that residential soil sampling will be conducted in portions of Boyle Heights and East Los Angeles (Northern Assessment Area) and in Maywood (Southern Assessment Area). Based on sampled areas indicating high levels of lead, a total of 213 homes in both assessment areas may require lead-contaminated soil removal, dust control and air monitoring, yard restoration work and interior home cleaning will be conducted.

The SCAQMD staff expresses the utmost concern for the potential of fugitive lead dust emissions generated from the removal and disposal of the impacted soil and recommends that the lead agency incorporate the following measures, in addition to the dust control measures proposed in Section 3.1 of the Draft IWMP, to prevent and mitigate lead emissions:

- Store or clean by wet wash or a vacuum equipped with a filter(s) rated by the manufacturer to achieve a 99.97% capture efficiency for 0.3 micron particles, all lead-contaminated equipment and materials used for any soil excavation activity *immediately* after completion of work in a manner that does not generate fugitive lead dust;
- Immediately after cessation of excavation work on days of high wind speeds (> 20 mph), secure or cover excavation areas and soils in a manner that does not generate fugitive lead dust; and
- Transport excavated, lead-contaminated soils in sealed, leak-proof containers (the Draft IWMP only indicates tarping of haul-off trucks).

The SCAQMD staff also requests that the Lead Agency include in the final CEQA document, identification of mitigation measures to address any accidental spills or releases of excavated soils during its transport near the project site and along the truck routes specified in the Draft IWMP. Due to the Exide facility being subject to SCAQMD Rule 1420.1 – *Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recyclers*, multiple ambient air lead monitors are located at the fenceline of the Exide facility as well as in areas near the project site, and fugitive lead dust emissions generated from excavation and transport of lead-contaminated soils may cause or contribute to exceedances of the Rule 1420.1 ambient air lead concentration limit of  $0.150 \mu\text{g}/\text{m}^3$  averaged over any consecutive 30 day period.

The SCAQMD staff is available to work with the Lead Agency to address these concerns and any other air quality questions that may arise. Please contact Eugene Kang, Program Supervisor at (909) 396-3524 if you have any questions regarding these comments. We look forward to reviewing and providing comment for the Final CEQA document associated with this project.

Sincerely,

*Jillian Baker*

Jillian Baker, Ph.D.

Program Supervisor

Planning, Rule Development & Area Sources

JB:EK

Control Number: LAC140917-01

October 20, 2014

Peter Ruttan  
DTSC Project Manager  
8800 Cal Center Drive  
Sacramento, CA 95826  
*Via E-mail ([Peter.Ruttan@dtsc.ca.gov](mailto:Peter.Ruttan@dtsc.ca.gov))*

RE: Comments on Exide draft Interim Measures Work Plan, draft Negative Declaration and Initial Study

Dear Mr. Ruttan:

The undersigned community members, organizations, and advocates respectfully submit these comments on Exide's draft Interim Measures Work Plan (IMWP), draft Negative Declaration and Initial Study for the cleanup of lead contaminated soils in the communities surrounding the Exide Technologies facility in the City of Vernon.

These impacted communities – some of the most vulnerable in the state – deserve a full and speedy cleanup. We have four concerns with the draft IMWP's tiered protocol for cleaning lead contaminated soil in this regard.

First, the draft IMWP applies only to homes in the Northern Assessment Area and Southern Assessment Area, even though additional sampling outside these areas is being done to determine the full extent of contamination. Whether through this IMWP or through another plan, a full cleanup must address lead contaminated soils outside these areas.

Second, while the draft IMWP identifies and prioritizes homes for soil cleanup based on ongoing soil sampling results, the current soil sampling process has been problematic. As noted in our letter of October 10, 2014, community members have had issues with the DTSC's sampling request process. Many residents feel they are not being kept informed about the process, and several have shared that DTSC staff has discouraged them from requesting soil sampling. Any and all homes requesting soil sampling, should be sampled.<sup>1</sup> And any and all homes above the 80 ppm threshold established for Priority 3 cleanup in the draft IMWP, should be cleaned up. The assumption appropriately is that all 213 homes in these areas require cleanup.

Third, the draft IMWP states that soil cleanup at identified homes will extend to the greater of "where the 95<sup>th</sup> UCL is less than 80mg/kg or the yet to be established background level." Given the appropriate 80 ppm threshold established for identifying Priority 3 cleanups and the similar background level established from the prior comparison sample, the cleanup level should simply be until the 95<sup>th</sup> UCL is less than 80mg/kg to ensure a full cleanup that protects public health.

Finally, given the sensitive populations at and around these residential homes, the IMWP must ensure the strongest of dust suppression measures and air monitoring. While the residents of the

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<sup>1</sup> Additional sampling requests, however, should not delay the cleanup of any homes already identified as requiring cleanup.

homes being cleaned up will be relocated during the cleanup, their neighbors will not be. Diligent precautions must be taken to ensure their and the community's health and safety.

We appreciate the opportunity to submit these comments, and we look forward to seeing a full and speedy cleanup of all affected properties.

Respectfully,

*Gladys Limon*  
Communities for a Better Environment

*Mark Lopez*  
East Yard Communities for Environmental Justice

*Ramya Sivasubramanian*  
Natural Resources Defense Council



JOSE HUIZAR  
COUNCILMEMBER, 14TH DISTRICT

October 20, 2014

Peter Ruttan  
DTSC Project Manager  
8800 Cal Center Drive  
Sacramento, CA 95826  
Via E-mail ([Peter.Ruttan@dtsc.ca.gov](mailto:Peter.Ruttan@dtsc.ca.gov))

RE: Draft Interim Measures Work Plan for Lead Contaminated Soils near Exide Technologies

Dear Mr. Ruttan:

DTSC has an important responsibility to the safety of residents of Boyle Heights and other communities surrounding the Exide Technologies plant in Vernon. The legacy of pollution from this plant and its history of violations contribute to unacceptable health risks in the area. These communities deserve DTSC's full attention and a Work Plan that ensures a thorough yet rapid response to clean up contaminated soil to achieve the safest levels of remediation possible.

The initial steps taken to assess and remediate residential areas are important and must proceed without delay, but these are initial steps and must not be viewed as final actions. The Work Plan should not be limited to only the residential areas in the initial assessment. Additional sampling outside these areas seeks to determine the full extent of contamination. It is DTSC's responsibility to ensure that all associated contaminated areas receive remediation.

I am also concerned about reports of difficulty that community members have had in participating in and receiving information about DTSC's sampling and remediation program. DTSC should continue to accept requests for properties to be sampled, and further plans should be created to address any and all homes above the threshold established for clean up in the draft Work Plan.

DTSC should demand that Exide Technologies provide funding for an extended phase and expanded geography for full remediation of impacted neighborhoods.

I urge you to redouble your efforts to protect Boyle Heights and other neighborhoods affected by Exide's decades of pollution. While DTSC must demand full conformance with the strictest environmental standards in the industry before Exide is allowed to operate, DTSC must also ensure that Exide dedicate appropriate resources to address its legacy pollution issues.

Thank you for considering these comments to your Draft Work Plan.

Sincerely,

José Huizar  
Councilmember, Fourteenth District  
City of Los Angeles



# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400  
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998  
Telephone: (562) 699-7411, FAX: (562) 699-5422  
www.lacsd.org

GRACE ROBINSON HYDE  
Chief Engineer and General Manager

October 20, 2014

Ref File No.: 3092327

Mr. Peter Ruttan  
DTS Project Manager  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826

Dear Mr. Ruttan:

### **Draft Interim Measures Work Plan**

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Negative Declaration for the subject project on September 17, 2014. The proposed development is located within the jurisdictional boundaries of Districts Nos. 1 and 2. We offer the following comments:

1. The proposed project may impact existing and/or proposed Districts' trunk sewers over which it will be constructed. Existing and proposed Districts' trunk sewers are located directly under and/or cross directly beneath the proposed project alignment. The Districts cannot issue a detailed response to or permit construction of the proposed project until project plans and specification that incorporate Districts' sewer lines are submitted. In order to prepare these plans, you will need to submit a map of the proposed project alignment, when available, to the attention of Mr. Jon Ganz of the Districts' Sewer Design Section at the address shown above. The Districts will then provide you with the plans for all Districts' facilities that will be impacted by the proposed project. Then, when revised plans that incorporate our sewers have been prepared, please submit copies of the same for our review and comment.
2. The proposed project may require a Districts' permit for Industrial Wastewater Discharge. Project developers should contact the Districts' Industrial Waste Section at extension 2900, in order to reach a determination on this matter. If this permit is necessary, project developers will be required to forward copies of final plans and supporting information for the proposed project to the Districts for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, go to [http://www.lacsd.org/wastewater/industrial\\_waste/permit.asp](http://www.lacsd.org/wastewater/industrial_waste/permit.asp).

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Grace Robinson Hyde

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Facilities Planning Department

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cc: J. Ganz  
L. Smith

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