



Department of Toxic Substances Control

Barbara A. Lee, Director
9211 Oakdale Avenue
Chatsworth, California 91311

SUMMARY OF VIOLATIONS

On January 20, 2015, the Department of Toxic Substances Control (DTSC), California Environmental Protection Agency, conducted an inspection at:

Facility Name: Exide Technologies Inc.

Facility Address: 2700 Indiana Street
Vernon, California 90023

EPA ID Number: CAD 097 854 541 **County:** Los Angeles

As a result of this inspection, violations of hazardous waste laws, regulations, and requirements listed on the attached pages were discovered. All violations must be corrected; the actions you must take to correct the violations are listed with each violation. If you disagree with any of the violations or proposed corrective actions listed in this Summary of Violations, you should inform DTSC. Additional violations may be found after the site visit, and these will be identified in the Violation section of the inspection report.

DTSC will provide you a complete inspection report within 65 days of the date of this inspection. You may request a meeting with DTSC to discuss the inspection, inspection report, or the Summary of Violations. The issuance of this Summary of Violations does not preclude DTSC from taking administrative, civil, or criminal action as a result of the violations noted in the Summary of Violations or violations that have not been corrected within the time provided. A false statement that compliance has been achieved is a violation of the law and punishable by a fine of not less than \$2,000 or more than \$25,000 for each occurrence. DTSC may re-inspect this facility at any time.

Company Representative Accepting Summary DTSC Representative

Name: _____

Name: Brian Wu

Signature: _____

Signature: _____

Title: _____

Title: Environmental Scientist

Date: _____

Date: _____



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SUMMARY OF VIOLATIONS

Facility Name: Exide Technologies Inc. Date: 01/28/2015

SECTION I: NON - MINOR VIOLATIONS AND REQUIRED CORRECTIVE ACTION (Violations not considered Minor Violations)

You must correct the following violation(s) within the specified time frame for each violation.

1. Storage and treatment of hazardous waste in temporary tanks without authorization

Exide Technologies Inc. (Exide) violated Health and Safety Code section 25202, subdivision (a), in that on or about January 20, 2015, Exide stored or treated hazardous wastes in temporary tanks without authorization from the Department, to wit: sludge water has been treated in temporary tanks southwest of the Waste Water Treatment System (WWTS) without authorization from the Department.

Corrective Action:

Effective immediately, Exide shall not store or treat hazardous wastes in temporary tanks unless authorized by the Department. Within 10 days of this notice provide documentation to the Department that Exide has ceased storing or treating hazardous waste in the temporary tanks.

2. Failure to have adequate secondary containment for the temporary tank systems

Exide violated California Code of Regulations, title 22, section 66265.193 in that on or about January 20, 2015, Exide failed to have adequate secondary containment for temporary tank systems used to store and treat hazardous waste.

Corrective Action:

Effective immediately, Exide shall cease using the temporary tanks unless it has a secondary containment for temporary tank systems that complies with section 66265.193. Within 10 days of this notice provide documentation to the Department that it has corrected the violation.



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SUMMARY OF VIOLATIONS

Facility Name: Exide Technologies Inc. Date: 01/28/2015

Continuation Sheet for SECTION I : **NON-MINOR VIOLATIONS AND REQUIRED CORRECTIVE ACTION**

3. Failure to have tank assessment for the temporary tank systems holding hazardous wastes

Exide violated California Code of Regulations, title 22, section 66265.192, in that on or about January 20, 2015, Exide failed to have written assessment for the temporary tank systems used to store and treat hazardous waste.

Corrective Action:

Effective immediately, Exide shall cease using the temporary tanks for hazardous waste storage and treatment until Exide obtains, submits to the Department, and keeps on file at the facility written assessment pursuant to section 66265.192(g) requirement. Within 10 days of this notice provide documentation to the Department that the violation has been corrected.

4. Failure to minimize the possibility of release

Exide violated Stipulation and Order, Docket HWCA No. 2014-6489, Par. 30., and California Code of Regulations, title 22, section 66265.31, in that on or about January 21, 2015, Exide failed to minimize the possibility of any unplanned sudden or non-sudden release of hazardous wastes or hazardous waste constituents to air, soil or surface water, to wit: catchment sump at container storage area was corroded in a way that any spill in the area would leak into the surrounding soil. In addition, the pipes connected to Reaction Tank 1 were leaking during the inspection, and one of the tied down cables (earthquake enhancement measure) for battery acid tank was corroded and broken off.

Corrective Action:

Effective immediately, Exide shall maintain and operate the facility to minimize the possibility of any unplanned sudden or non-sudden release of hazardous wastes or hazardous waste constituents. Within 10 days of this notice provide documentation to the Department that Exide has corrected the violations.



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SUMMARY OF VIOLATIONS

Facility Name: Exide Technologies Inc. Date: 01/28/2015

Continuation Sheet for SECTION I : NON-MINOR VIOLATIONS AND REQUIRED CORRECTIVE ACTION

5. Failure to manage the containment building free of any standing liquid

Exide violated California Code of Regulations, title 22, section 66265.1101 (b)(2) in that on or about December 12, 2014, and January 20, 2015, Exide failed to have a collection and removal system to prevent the accumulation of liquid on the primary barrier of the Containment Building.

Corrective Action:

Effective immediately, Exide shall prevent the accumulation of liquid on the primary barrier of the Containment Building.

6. Failure to maintain the level of stored hazardous waste below the containment wall

Exide violated California Code of Regulations, title 22, section 66265.1101(c)(1)(B), in that on or about January 20, 2015, Exide failed to maintain the level of the stored/treated hazardous waste within the containment wall of the Containment Building so that the height of any containment wall is not exceeded.

Corrective Action:

Within 5 days of this notice, Exide shall reduce the level of the stored/treated hazardous waste so that the height of any containment wall is not exceeded. Also, within 10 days of this notice provide documentation to the Department that the violation has been corrected.



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Facility Name: Exide Technologies Inc. Date: 01/28/2015

Continuation Sheet for SECTION I : NON-MINOR VIOLATIONS AND REQUIRED CORRECTIVE ACTION

7. Failure to close the containers holding hazardous wastes

Exide violated Stipulation and Order, Docket No. HWCA No. 2014-6489, Par. 30, and California Code of Regulations, title 22, section 66265.173, in that on or about January 20 and 21, 2015, Exide failed to close the containers holding hazardous wastes during storage, to wit: some containers containing lead contaminated debris were not closed during storage.

Corrective Action:

Effective immediately, Exide shall close all containers holding hazardous wastes during transfer and storage except when it is necessary to add or remove the waste. Within 10 days of this notice provide to the Department documentation that the violation has been corrected.

8. Failure to properly label (mark) the containers containing hazardous wastes

Exide violated California Code of Regulations, title 22, section 66262.34, in that on or about January 20, 2015, Exide failed to mark the accumulation start dates on the containers of hazardous waste generated at the facility, to wit: some containers have hazardous waste label on them but without marking the labels with accumulation start dates.

Corrective Action:

Effective immediately, Exide shall manage all hazardous waste generated at the facility by placing the waste in DOT approved closed containers that are properly labeled and marked. Within 10 days of this notice provide to the Department documentation that the violation has been corrected.



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SUMMARY OF VIOLATIONS

Facility Name: Exide Technologies Inc. Date: 01/28/15

SECTION IV: OTHER ISSUES/CONCERNS

The following issue/concern was identified during this inspection. Further research may identify additional violations. Any new violations, with the required corrective action and compliance schedule, will be identified in the Violation section of the inspection report.

1. On or about January 20, 2015, Department staff observed holes on the walls and roof of the Containment Building.

Corrective Action:

Before the next rain, but no later than 10 days of this notice, Exide shall place a tarp(s) to prevent any rain from entering the Containment Building and any hazardous waste dust from being released from the Containment Building. In addition, within 30 days of this notice, Exide shall update the Fugitive Control Plan to address the holes on the walls and roof of the Containment Building.

2. On or about January 21, 2015 the roof in the bag house area was observed to have several openings (holes), which could lead to water leakage into the enclosure.
3. On or about January 13, 2015, Exide failed to meet all reporting requirements pursuant to Health and Safety Code, Chapter 6.95 for the caustic (Sodium Hydroxide) spill. Within 10 days of this notice Exide shall provide to the Department an explanation how it met the reporting and notification requirements of Chapter 6.95.