

# EXIDE ADVISORY GROUP

## MEETING SUMMARY

**Advisory Meeting Date:** June 11, 2015 **Time:** 6:00 pm

**Location:** Maywood Academy

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Actions Items are highlighted in red.

### **1. Welcome/ Opening Remarks:**

Introductions were completed by:

Maywood City Council Member, Oscar Magana

Exide Advisory Group Co-Chair, Mark Lopez, East Yard Communities for Environmental Justice

Department of Toxic Substances Control Director, Barbara A. Lee,  
South Coast Air Quality Management District, Deputy Executive Officer, Mohsen Nazemi

California State Assemblyman, Miguel Santiago

Director Lee explained the May 28th meeting was centered on the advisory group formation and general structure. Today's meeting will be more substantive issues.

### **2. Director Lee reviewed the action items from the May 28<sup>th</sup> meeting.**

- It was announced that Mark Lopez of East Yard Communities for Environmental Justice, has been chosen as co-chair.
- A subcommittee will be formed to select the technical advisor(s).
- A letter was sent to the LAUSD Superintendent, and DTSC is currently having conversations with the school district regarding testing the soil at school sites. It will take a week or two to have a finalized agreement.

Jane Williams, California Communities Against Toxics: I appreciate being nominated for co-chair. I also know that Father John appreciates that I was nominated, but this is a job that I did not want. Mark was chosen for his youth, commitment and stamina, and I think he is good choice.

### **3. Review of Proposed Closure Plan and DTSC Comments/ SCAQMD Role:**

Deputy Executive Officer, Mohsen Nazemi began explaining the process by which Exide is removing materials that are currently in storage to another Exide facility out of state.

Wayne Lorentzen and Sarah Cromie, DTSC, began their presentation detailing what is happening at the facility right now, the proposed closure plan and the DTSC review process.

**The presentation was stopped to take questions**

**Andrea Hricko, USC Medical School:** I am completely shocked that this is going on. I think this is astounding, what about worker's safety? Why did we not know about this?

- Director Lee: The removal was public noticed in February of 2015, and we worked with AQMD to ensure that the air quality was monitored.

This started before the facility was closed? I was told that waste was not transported. At the last meeting I asked where the soil was going to be transported, and because I mentioned LA Street Blog I was laughed at, now you are saying that it was transported. Where was it taken?

- Director Lee: It was taken to Muncie, IN.
- Su Patel: What was transported to Muncie was feed stock, not soil.

**Teresa Villegas, Office of Supervisor Solis:** What financial assurances are there to ensure that there will be enough money for all of this?

- Director Lee: A surety bond of \$11 million is in place. Exide will make payments over a ten year period. Exide will pay for each phase of clean up, and then get reimbursed from a trust fund. The 2015 order stipulates that when all of the closure work is completed, then what is left over in the trust fund will roll over to pay for corrective action measures. If there is anything left over, the remaining funds will be used for residential cleanup.

**Martha Jimenez, Resident unincorporated East L.A:** Do you have a government agency to respond to an imminent event at the facility?

- Director Lee: There are a number of agencies, local, county and state. DTSC does have an emergency response team.

What community safety plan do you have in place? Why didn't more residents know about this, and in both English and Spanish?

- Director Lee: Before the trucks began transporting, the public was noticed in February.
- Marina Perez, DTSC: The bilingual public notice was also sent to the mailing list of approximately 2700 people.
- Wayne Lorentzen: The public notice was also published in the newspaper.
- Director Lee: Everything is posted on the website.

**Theresa Marquez resident, Boyle Heights:** It would have been nice if you guys could have emailed me. You guys have my email. I saw the trucks traveling through Vernon. I saw a truck with two trailers and only one was covered. They are supposed to take Bandini, not Indiana or Lorena to get to the Pomona Freeway. They should have something on the trucks to say they are coming from Exide. Who is directing them?

Who decides their routes?

- Director Lee: I think you do make a good point of identifying the trucks. The routes and the removal were decided before the facility closing. They did submit a plan, which was approved.

I'm sorry I want the answers today, right now at this meeting.

- Deputy Executive Officer, Mohsen Nazemi: There are different types of materials that are leaving the facility right now it is feed material, which is wrapped before being put in the truck. The trucks are then cleaned and washed before leaving the facility.
- Director Lee: I think Father John is correct in pointing out that there is some confusion between the trucks that are leaving the facility with feed material and the trucks that are transporting soil from the remediated yards.

I'm sorry, but we need to look at this, so that they don't go through our neighborhoods. These trucks are under DTSC's responsibility, and they didn't follow the law then, and they are not following the law now.

- Director Lee: **The truck routes will be discussed at next week's scoping meeting.**

**Mark Lopez, Co-Chair:** A lot of mistakes were made before the formation of this CAG. Can we get all of the appropriate paperwork to routes and procedures to determine the route?

- Director Lee: **We certainly can put together a list of all of the documents we have. We can make them available electronically.**

**Robert:** What is feed material? When the trucks are pressure washed, what happens to the wastewater?

- Director Lee: Feed material results when the batteries are crushed and turned into blocks of lead. Because the facility is closed the process of recycling cannot be completed. Exide has a wastewater treatment facility on site. Once the water is decontaminated it is reused.

Are there specific funds to transition the workers? Who will the future workers be?

- Director Lee: There are only a few workers there now. The future workers will mostly be contractors, who are specifically trained to do this kind of work.

**Assemblyman Santiago:** Let's move on with the presentation so members of the public who came to see the presentation have that opportunity, and take questions later.

**Mark Lopez, Co-Chair:** We'll take one more question and get back to the presentation.

**Andrea Hricko, USC Medical School:** I think what happened was there is confusion about where the soil is going and where the feed material is going.

Wayne Lorentzen and Sarah Cromie finished their presentation.

- Director Lee added: your input is incorporated before DTSC makes any final decisions.
- Deputy Executive Officer, Mohsen Nazemi added: AQMD will be present throughout the entire process to monitor air quality.

#### **4. Update on Technical Advisor:**

**Jim Marxen, DTSC:** A technical advisor will be hired to assist the advisory group. The salary for the advisor was increased to \$75,000/annually. **A subcommittee will be formed within this advisory group to assist with selecting the technical advisor.**

#### **5. General Community Question & Answer Session**

**Frank:** I am concerned that the smog issue is not being considered. Have there been any calculations about the impact of this many extra trucks that have to go through the area. Water treatment; will the treatment facility be taken down last? Can the batteries be melted down and then transported?

We are not scientists, we just care that you do not screw it up again.

The old polluting equipment; it should be destroyed instead of being re-sold.

There is always room for error- hire three technical advisors instead of just one.

- Director Lee: **All documents related to the trucks will be made available.** When the wastewater treatment facility will be deconstructed is still under review. There will be a risk assessment done and the USEPA will have input. The batteries cannot be melted down. The community does not want this facility to operate in any way, so we are not allowing that.

**Martha Jimenez, Resident unincorporated East L.A:** Who is advising Exide during the deconstruction?

- Director Lee: Hired contractors that are licensed for this type of work.

How soon can we get CALOSHA and the feds involved? I have already called Diane Feinstein and Hilda Solis.

**Rocio Hernandez, Office of City Council member Jose Huizar:** What is the revised estimate of the closure plan? So far six parks were sampled. Were any in Boyle Heights or the City of Los Angeles?

- Director Lee: The revised cost is \$34 million. **We will have a financial summary at the next meeting.**

Is that (\$34 million) for private or public properties?

- Director Lee: **During the next meeting we can talk about the corrective measures study.**

**Mark Lopez, Co-Chair** opened the floor **Public Comments from the general audience:**

**Hugo Lugan, East Yard Communities for Environmental Justice:** I propose that community organizations can get air monitors. If the trucks were to go down Bandini, that will greatly affect the City of Commerce. Can we have a community meeting in the City of Commerce to explain the test results? Can we receive the power points two weeks in advance? Can we record these meetings?

- Director Lee: I apologize, but we cannot have the PowerPoints available two weeks in advance. My staff will tell you that I make changes to the presentations, sometimes the day before or even the day of the presentation. **We can try to have them available a couple of days in advance. We can look into recording the meetings.**

**Augustine Perez:** Develop a cleanup plan for the City of Commerce. Explain the process and test results. Has there been an environmental impact report on the LA River?

- Director Lee: We are working with the City of Vernon, to address the LA River.

We need information on all of the contractors and companies involved with this cleanup. Can we be alerted a week beforehand, when these trucks will be moving through our area?

- Director Lee: **Yes, we can make a list of all companies involved available.**

**Kayla Ann Davis:** I have kidney failure. I have privileged information, because of where I work. My doctors are saying that there is nothing published about the health effects of this type of thing. I am very upset because of the health problems that I have had.

**Dolores Mejia:** What do advisory groups do? It's as good as we make it. Can we get the information in a more timely manner? Who comes up with the timelines for Exide?

- Director Lee: The federal, state and local governments set all of the guidelines.

They had thirty violations. How can you allow them to come up with their own plan?

- Director Lee: This is a very quick timeline.

Why don't the regulators just come up with the plan?

- Director Lee: We are the ones that ultimately impose the plan. There are a lot of steps to ensure that their plan is safe. We are expediting the process for the community. If this group wants more time, you can ask for that.

Shouldn't the community be held to the same standards? I want the local representatives to participate. Forget all this tiptoeing, you are the state and you should make these people do something. Transportation of this toxic waste; why isn't there an emergency protocol for transporting? You guys should have a procedure to shut down

the freeway. What are you guys doing? You guys should also send a public health advisory to all agencies involved.

**Irene Bandala:** I live in East L.A. in the Maravilla Projects. Are you going to do testing in that part of L.A., because I think there is lead over there? I believe the lead reaches us over there, and that the children are exposed. Have you reached an agreement with Exide for this kind of testing? When will all this cleanup be done?

- Director Lee: I don't know where that is, so I cannot say right now. I will have to follow up in that. We are in contact with Exide regularly, and in the next couple of days a letter will go out regarding testing. Once the closure plan is approved, then cleanup can begin. Currently residential cleanup is in two areas, and we are continuing to sample.

**Jane Williams, California Communities Against Toxics:** We have bugged Cal OSHA.

I urge all of us to call them. There are only a few workers now, but over the years there will be thousands. We need to get OSHA involved.

Why can't Public Health alert the medical community about Exide?

Why can't you have a line that the trucks have to follow?

Why can't we use digital cameras to take photos of every truck that leaves the facility?

What about getting a third party monitor?

**Talia Leon, Office of Congresswoman Roybal-Allard:** I'm just thinking of better ways to track the trucks. Maybe develop an app, so that people can submit photos in an easy way. Also are the pipelines in the facility going to be left there?

- Director Lee: We will be discussing the pipelines in future meetings. The majority will be plugged and filled with concrete.

## 6. Next Meeting/Closing

Closing remarks were provided by Director Lee.

The next meeting is scheduled for July 23<sup>rd</sup>, 2015 at the Resurrection Church.