ADDENDUM
ENVIRONMENTAL IMPACT REPORT
CLOSURE PLAN
EXIDE TECHNOLOGIES BATTERY RECYCLING FACILITY

Clearinghouse Number 2015051081

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1 INTRODUCTION

This document comprises an addendum to the Environmental Impact Report (EIR) prepared for the California Environmental Protection Agency's (CalEPA's) Department of Toxic Substances Control (DTSC) in considering the approval of a Closure Plan of a hazardous waste treatment and storage facility owned and operated by Exide Technologies, Inc. (Exide), a secondary lead smelter (the proposed Project). Exide requested DTSC's approval of a Closure Plan for the facility at 2700 South Indiana Street in Vernon, California (Exide facility), which was previously operating under Interim Status authorization under California Code of Regulations, title 22, section 66265 et seq. DTSC has principal responsibility for making a determination on the Closure Plan approval and is the Lead Agency under CEQA for preparation and approval of the EIR, as well and any subsequent CEQA actions. The EIR was certified in December 2016 (2016 EIR), the Closure Plan was approved in December 2016 (Closure Plan), and the Closure Implementation Plan (CIP) was approved in October 2017.

As assessed in the EIR, Exide would permanently close the facility and implement the Closure, which includes decontaminating and deconstructing operations (Phase 1) and addressing remaining contamination at the facility (Phase 2). The Closure Plan approved in conjunction with the EIR outlined a multi-year approach for removal and decontamination of contaminated equipment, structures, and soils at the site in phases: Phase 1 (Closure); Phase 2 (Contingent Closure); and Phase 3 (Post-closure; and Contingent Post-closure). Work began on Phase 1 in November 2017 and the facility has been undergoing Phase 1 Closure since then. On August 30, 2019, DTSC expressed their concerns that Exide would be unable to complete Phase 1 of Closure within 34 months and directed Exide to submit a revised schedule to include six specific Enforceable Milestones. In a letter dated November 6, 2019, Exide proposed to modify the closure schedule and to move the Wastewater Treatment Plant ("WWTP") removal from Phase 1 to Phase 2 of Closure. In that letter Exide asserted that it was experiencing some unanticipated work delays due to complexity of the project overall and as a result of prioritizing worker safety, protection of the human health and the environmental and compliance with required mitigation measures and other best management practices over productivity of day to day Closure activities. As proposed under the schedule modifications, Phase 1 would be extended for approximately 15 months (December 2021 as compared to Fall 2020 in original CIP). Exide asserts that it is requesting

the schedule change to ensure safe and practical implementation of Phase 1, and the proposed modifications would not result in additional or substantial new environmental impacts as compared to the 2016 EIR findings.

1.1 Environmental Setting

The Exide facility is located in the City of Vernon. Vernon is 5 miles south of downtown Los Angeles, adjacent to the cities of Maywood and Huntington Park, and 2.9 miles from the city of Bell. The region is marked by a number of dense urban centers with residential, commercial, and industrial uses in proximity to each other. Vernon consists almost entirely of warehouses and factories. The entire city is zoned for industrial uses; there is no residential zoning notwithstanding the existing residential units within the city. While Vernon is highly industrial, the surrounding cities and neighborhoods of Huntington Park, Maywood, Bell, and Boyle Heights are largely residential communities supporting a variety of uses including single- and multi-family housing; schools; churches, synagogues, and other places of worship; and urban parks.

The Exide facility occupies 15.5 acres of land on two parcels bisected by South Indiana Street. The Exide facility is bounded to the north by East 26th Street and the Atchison, Topeka, and Santa Fe Railroad Yard (Hobart Yard); to the south by Bandini Boulevard; and to the west and north by Command Packaging (formerly Pioneer Aluminum). The nearest residences are south of Fruitland Avenue in Maywood, approximately 0.6 mile to the south, and at East Vernon Avenue between Alcoa Avenue and South Downey Road in Vernon, approximately 0.6 mile to the west. I-5 runs east-west to the north of the facility, and I-710 runs north-south to the east of the facility. Local access to the site is provided by South Indiana Street, a surface street connecting Bandini Boulevard to the south and 26th Street to the north.

1.2 Project Background

DTSC is the lead regulatory agency for assessing the potential environmental effects associated with approving a Closure Plan for the Exide facility. Several other agencies provide additional regulatory support, especially South Coast Air Quality Management District (SCAQMD) for implementation and enforcement of regulations related to potential air borne emissions. This includes complying with all Title V and Rule 1420.1 requirements. As part of the final Closure Plan, Exide began permanently closing the facility and

implementing the CIP in 2017, including dismantling operations and cleanup of the facility. The final Closure Plan outlines a multi-year approach for removal and decontamination of equipment, structures, and soils at the site during three phases, as follows:

- **Phase 1** includes removal of all hazardous wastes from all hazardous waste units; decontamination and removal of all contaminated equipment, structures, and sampling of soils and soil gas to characterize the contamination under the equipment and structures.
- **Phase 2** is contingent on the results of soil and soil gas sampling in Phase 1 and may include additional subsurface sampling to characterize potential contamination under the equipment and structures. Phase 2 would include addressing contaminated soil beneath the former equipment, buildings, structures, and pavement; and restoration activities.
- **Phase 3** will include post-closure and contingent post-closure work to implement long-term inspections, monitoring, and maintenance.

As discussed in the 2016 EIR, because the general scope of the entire project is known but because the results of sampling activities in Phase 1 will inform Phases 2 and 3, the EIR included both a project-specific and programmatic environmental analysis. Project-specific analyses examine the potential environmental consequences of specific work elements. Programmatic analyses evaluate known impacts in a comprehensive fashion and provide for further environmental review when project details are known, where warranted. When construction plans become available for later phases, DTSC will re-examine the environmental analysis and determine whether impacts were fully assessed and disclosed, consistent with the requirements of CEQA (Cal. Code Regs., title 14, § 15063(c)(3)(D)). If DTSC discovers the potential for new significant impacts during the assessment, the need for additional environmental review will be evaluated. This addendum does not serve as the analysis for Phases 2 and 3; it only addresses the potential for the Phase 1 schedule modification to change EIR findings. DTSC will reevaluate the 2016 EIR findings in light of the Phase 2 and 3 Closure Plan details.

1.2.1 Proposed Modifications

Consistent with the 2016 EIR, The CIP calls for decontamination and deconstruction of the buildings and equipment in Phase 1 in a prescribed sequence, beginning with the west

buildings, moving to the east buildings, and ending with the center buildings. This sequence allows for decontamination and deconstruction of each Segment to take place fully enclosed by a large tent like structure known as the Full Enclosure Unit ("FEU"). The FEU maintains a negative pressure, which prevents lead-contaminated dust and other debris generated during decontamination and deconstruction from escaping the FEU. The FEU must be sturdy, but also sufficiently portable to be redeployed from Segment 1 to Segment 2, and then to Segment 3. To meet these requirements, the FEU uses a relatively unusual "HAKI" truss system as the roof, standard industrial scaffolding for the walls, and fire-retardant plastic sheets to complete the negative pressure enclosure. Maintaining and moving the FEU and performing physically demanding closure activities under the FEU at this scale while maintaining worker safety, has taken longer than anticipated in the approved schedule as described in the CIP. Therefore, additional time is being requested to complete the previously approved work elements.

In addition, the approved Closure Plan (and CIP) calls for the existing WWTP to remain operational as long as possible, but to be removed by the end of Phase 1 and replaced by a temporary wastewater treatment system with a simpler treatment process that has a lower capacity and is less expensive to operate. However, retaining the existing system, which would take three to five months to dismantle, has a larger capacity, is more robust, and is proven to work, provides more confidence in being able to manage site water in compliance with DTSC and other local agency permit requirements. Therefore, Exide is proposing to re-phase removal of the WWTP to the end of Phase 2.

1.3 California Environmental Quality Act Requirements

Section 15164 of the State CEQA Guidelines provides that when an EIR has been adopted for a project, the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

The analysis presented in Section 2 evaluates the proposed schedule modification activity in the context of the 2016 EIR. This evaluation describes the findings of the 2016 EIR and determines whether there is substantial evidence of any new or substantially more severe impact not disclosed in the EIR. All mitigation measures identified in the 2016 EIR remain

in place. As discussed in Section 2, the proposed activity would not present new information or result in any significant environmental impact that was not examined in the 2016 EIR.

2 ENVIRONMENTAL ANALYSIS

As presented in the EIR and associated Finding of Fact and Statement of Overriding Considerations, there are several environmental impacts that could be reduced to less than significant with mitigation and several environmental impacts that would be less than significant.

2.1 Impacts Found to be Less Than Significant Following Mitigation

2.1.1 Cultural Resources

The proposed Project includes disturbance of soil through direct removal and soil sampling. If archaeological materials are present in previously undisturbed native sediments, they could potentially be disturbed during construction and closure activities. Therefore, though unlikely, the proposed Project has the potential to result in a significant impact. In addition, the proposed Project includes disturbance of soil through direct removal and soil sampling. If human remains are present in previously undisturbed native sediments, they could potentially be disturbed during construction and closure activities. Therefore, though unlikely, the proposed Project has the potential to result in a significant impact.

After implementation of mitigation measures MM-CHR-1 and MM-CHR-2 the residual impact would be less than significant.

Finding of proposed schedule modification:

The proposed schedule modifications would not affect the amount of soil disturbance at the site and therefore findings would be the same as described in the EIR.

2.1.2 Noise and Vibrations

Additional traffic generated by the proposed Project is not expected to increase the Community Noise Equivalent Level (CNEL) at any location in the study area to a level that exceeds the City's "normally compatible" guideline for that land use. Therefore, proposed Project traffic will not expose persons to noise levels, or generate traffic noise levels, in excess of standards established in the City's General Plan; the impact is less than significant. The maximum noise level generated by the proposed Project's closure deconstruction

activities may exceed the threshold of 85 dBA at the nearest industrial buildings to the northwest and southeast; therefore, at these locations the proposed Project may expose persons to noise levels, or generate noise levels, in excess of standards established in Section 12.08.440 of the LACMC; the impact is potentially significant. At the remaining non-residential buildings in the vicinity, the impact will be less than significant. At the nearest existing residential property (on E. Vernon Ave.), the estimated proposed Project noise levels of 33 to 56 dBA comply with the daytime (7:00 a.m. to 10:00 p.m.) threshold of 60 dBA, but may exceed the nighttime threshold of 50 dBA for activities between 10:00 p.m. and 7:00 a.m. At this location, or at other residential locations at a similar distance from the facility, the proposed Project may expose persons to noise levels, or generate noise levels, in excess of standards established in Section 12.08.440 of the LACMC. Therefore, impacts to commercial and residential receptors as a result of noise levels in excess of local standards during closure activities would be considered significant without mitigation. Noise associated with Phases 2 and 3 would be assessed when construction plans are available for those phases. The implementation of mitigation measures, **MM-NV-1, MM-NV-2** and **MM-NV-3** would reduce impacts below significance.

Finding of proposed schedule modification:

While the proposed schedule modifications would affect the length of Phase 1 activities, due to the delays, annual construction activities have been less than anticipated in the EIR. Therefore, noise levels are assumed to be the same or slightly less than assumed in the EIR. In addition, mitigation measures MM-NV-1, MM-NV-2 and MM-NV-3 would continue to be implemented to reduce impacts below significance. Therefore, findings are the same.

2.2 Impacts Found Significant and Unavoidable

2.2.1 Air Quality

NOx impacts would exceed significance thresholds in each of Phase 1's closure years; therefore, impacts would be significant and unavoidable. NO2 impacts would exceed significance thresholds for sensitive receptors and offsite workers in each year of Phase 1, and PM10 and PM2.5 impacts would exceed significance thresholds for offsite workers in each year of Phase 1. Air quality impacts would be driven primarily by the combustion of diesel fuel in on-site construction equipment in all years. Phase 2 may also include construction and soil excavation of up to 5 feet. Phase 3 may include limited construction.

Use of construction equipment and trucks will result in onsite and offsite criteria pollutant emissions. Emissions in Phase 2 are likely to be similar to Phase 1 with emissions in Phase 3 lower than Phase 1. With the application of mitigation measure **MM AQ-1**, emission would be reduced by approximately 40% in each closure year but would remain above the level of significance. Therefore, NOx, NO2, PM10 and PM2.5 emissions would be significant and unavoidable in each closure year.

PM10 and PM2.5 impacts would be reduced by approximately 40% to 47% but would remain above the level of significance in all Phase 1 closure years for offsite worker receptors. As noted above, PM10 and PM2.5 emissions will likely be slightly less than estimated. This analysis conservatively abstained from quantifying reductions due to the existing air quality control systems. The mandatory use of these systems would serve to reduce PM10 and PM2.5 emissions occurring within enclosed structures by up to 99.97%. However, because PM10 and PM2.5 emissions would primarily be driven by the combustion of diesel fuel in off-road equipment, impacts would likely remain significant even if the 99.97% capture efficiency was assumed. CO emissions would increase slightly with application of the mitigation measures but would still remain below the level of significance. Therefore, localized NO2 impacts would be significant and unavoidable in closure years 2016 and 2017 for sensitive receptors and in all Phase 1 closure years for offsite worker receptors. Localized PM10 and PM2.5 impacts would be significant and unavoidable in all Phase 1 closure years for offsite worker receptors.

Finding of proposed schedule modification:

While the proposed schedule modifications would affect the length of Phase 1 activities, due to delays, annual levels of construction activities at the site have been less than assumed in the EIR. As noted in Appendix E-1 of the DEIR, peak day construction assumed most construction equipment was used simultaneously for up to 16 hours a day with most pieces being used at 88-100% utilization. As noted in Section 3.2.3 of the DEIR, the schedule used in DEIR analysis is intended to result in conservative emission estimates because assumptions reflect an accelerated schedule and early Phase 1 closure years; postponement of closure activities would likely result in lower impacts as increasingly stringent regulatory requirements are implemented than those assumed in the analysis years. Because peak construction activities were used to model emissions and determine significance, actual

emissions are likely less than reported in the EIR. However, total emissions are likely to be the same over the entirety of closure due to the extended schedule. Mitigation measure **MM-AQ-1** would continue to be implemented to reduce impacts, however impacts would continue to be significant and unavoidable. Therefore, findings are considered to be the same as described in the EIR.

2.2.2 Greenhouse Gases

GHG impacts would exceed significance thresholds for Phase 1; therefore, impacts would be significant. Phase 2 may also include construction and soil excavation of up to 5 feet. Phase 3 may include limited construction. Use of construction equipment and trucks will result GHG emissions. Emissions in Phase 2 are likely to be similar to Phase 1 with emissions in Phase 3 lower than Phase 1. However, because construction phasing and equipment information is not yet available, an impact determination cannot be made at this time.

While mitigation measure **MM-AQ-2** would reduce overall GHG emissions by increasing engine efficiency, the proposed Project GHG emissions in Phase 1 would be driven by indirect emissions associated with onsite electricity use and by fuel use in off-road equipment and on-road vehicles. There are no feasible mitigation measures that would appreciably reduce electricity use, which is required to operate the air quality control equipment and WWTP. GHG emissions would be significant and unavoidable.

Finding of proposed schedule modification:

As discussed in Section 2.2.1, While the proposed schedule modifications would affect the length of Phase 1 activities, due to delays, annual levels of construction activities at the site have been less than assumed in the EIR. Therefore, annual GHG emissions from construction equipment would be slightly less than assumed in the DEIR.

As discussed in the DEIR, indirect GHG emissions would also be generated from electricity usage. Moving the removal of the WWTP from Phase 1 to Phase 2 would also not result in increased emissions as the DEIR conservatively assumed the level of electricity would remain at 2014 electricity levels, which included full use of the WWTP. As discussed in Section 3.10.1.2.2 of the DEIR, from April through December 2014, Exide purchased approximately 17 million kilowatts of electricity to continue support operations (i.e., the WWTP and air emission control equipment). The DEIR assumed that the electrical power to the overall

facility would be maintained throughout Phases 1 and 2 of the proposed Project and that Exide's monthly electrical usage during closure activities is anticipated to remain similar to monthly usage during April through December 2014, which is approximately 1.8 million kilowatts per month.

Therefore, GHG emission rates are likely to be the same or less over the entirety of closure. Mitigation measure **MM-AQ-2** would continue to be implemented to reduce impacts, however impacts would continue to be significant and unavoidable. Therefore, findings are considered to be the same as described in the EIR.

2.2.3 Geology and Soils

The impacts from rupture of a known earthquake fault, landslides, and seismic-related ground failure, including liquefaction, would be less than significant. However, the impact from strong seismic-related ground shaking during closure activities would be significant.

During closure activities that are carried out as a part of the proposed Project, adherence to CBC Seismic Zone 4 design requirements and CBC Chapter 33, Sections 3302 and 3303, which describe construction and demolition safeguards, may reduce impact from strong seismic ground shaking in the event of an earthquake. Additionally, the planned work sequence detailed in the Closure Plan will limit the number of personnel on the site during closure activities that are exposed to risk from strong seismic ground shaking. These measures may reduce impact due to strong seismic ground shaking, but they will not bring it below the level of significant.

There are no mitigation measures available that would reduce impacts below significance for strong seismic ground shaking. Inspection and maintenance of the stormwater impoundment liner to ensure that it remains completely impermeable will ensure that impacts associated with seismic-induced ground failure, including liquefaction-induced later spreading and slope failure, remain less than significant. The residual impact from strong seismic ground shaking would be significant and unavoidable. The residual impact from seismic-related ground failure, including liquefaction, would be less than significant.

Finding of proposed schedule modification:

While the proposed schedule modifications would affect the length of Phase 1 activities, overall construction activities would be similar as described in the EIR. The impact from strong seismic-related ground shaking during closure activities would therefore continue to be significant at similar levels as disclosed in the EIR. Therefore, findings are considered to be the same as described in the EIR

2.3 Cumulative Impacts

As discussed in the EIR, implementation of the proposed Project, cumulatively combined with other related past, present, or probable future projects, may result in substantial cumulative adverse impacts related to air quality, GHG emissions, and geology and soils. Implementation of the proposed Project, cumulatively combined with other related past, present, or probable future projects, would not result in substantial cumulative adverse effects to other resource areas analyzed under CEQA. Because as described in Sections 2.1-2.2, the proposed schedule modifications result in the same or slightly less impacts to affected resource areas, the proposed Project's contribution to cumulative impacts remain the same. As indicated in the EIR and above, air emissions and GHG emissions would continue to exceed thresholds and contribute to existing regional impacts. As the proposed Project is located in a seismically active region, the proposed Project would continue to contribute to worker risk until the site is cleared of structures. Therefore, risks remain the same.

2.4 Conclusion

The proposed activity would not result in any new or substantially more severe impact than disclosed in the 2016 EIR. Therefore, this additional addendum is the appropriate CEQA documentation. This addendum need not be circulated for public review. The decision-making body shall consider this addendum with the 2016 EIR before making a decision on the proposed activity (CEQA Guidelines sec. 15164).