



Exide Bankruptcy: Community Informational Briefing

Wednesday, October 21, 2020
5:00 p.m. – 6:00 p.m.

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Bankruptcy Timeline

- **Sept. 25-Oct. 6:** U.S. DOJ and U.S. EPA public comment period on Exide's bankruptcy plan. 1,000+ comments were received from California, opposing abandonment of the site
- **Oct. 13:** U.S. DOJ and U.S. EPA held a public meeting that lasted five hours
- **Oct. 15-16:** The federal bankruptcy court reviewed and approved the plan and settlement
- **Oct. 18:** DTSC appealed the judge's order and filed a motion to stay final approval of the plan

Status

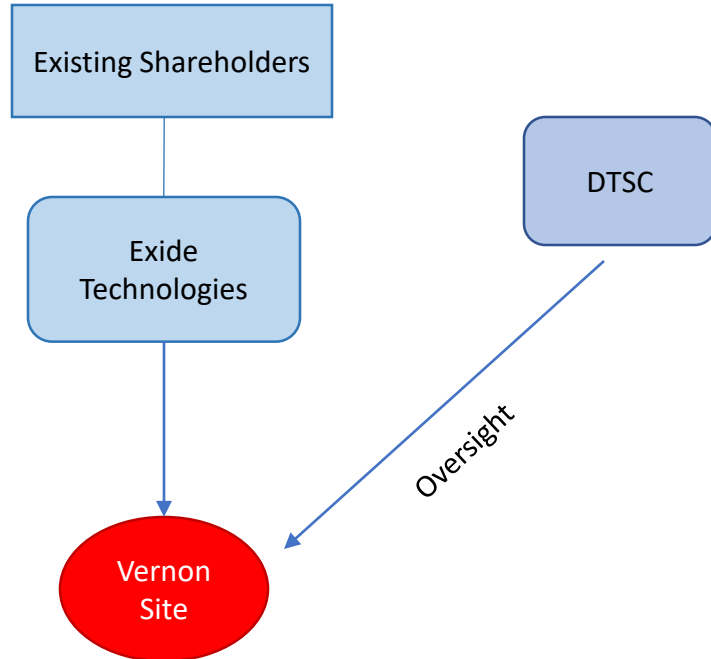
- The federal bankruptcy court has released Exide from its obligations to clean up its former facility in Vernon, and is **allowing Exide to abandon the site**
- DTSC appealed this court decision and will continue to prioritize the health and safety of nearby communities
- The court left the option of establishing an **Exide Vernon Environmental Response Trust**, managed by a Trustee

DTSC's Actions to Keep Communities Safe

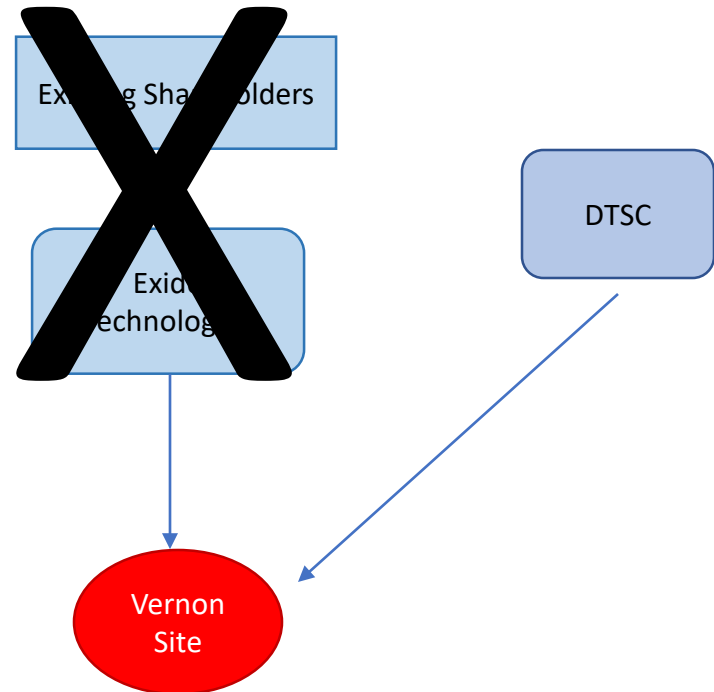
- Exide must maintain the temporary protective structures and systems at the site to prevent releases of contamination until October 30
- Unless the court's order is stayed, cleanup will transition to an environmental trust or DTSC will step in to secure the property and oversee future cleanup
- DTSC's imminent and substantial endangerment determination allows us to take actions to protect communities in the case of abandonment, despite that abandonment would leave site with no owner

Current Structure vs. Structure if Abandoned

Current Structure



Abandonment



DTSC's Actions in Case of Abandonment

- Contract with a vendor to ensure the site is safe and secure
- Plan to enter the first contract on or before October 30, 2020
- Closure activities would be restarted through a new DTSC contract

Role of the Environmental Response Trustee

- Own the site
 - Property management, safety, and security obligations
- Implement the existing facility Closure Plan and perform other onsite cleanup approved by DTSC
 - Enter into contracts with contractors to perform the work
 - Would have \$28.9 million to use
- Prepare periodic status reports
- Ability to sell or lease the site, with DTSC approval
- Engage with the community to provide information about site safety, security and cleanup status

Role of DTSC: Environmental Response Trust

- Oversees Trustee's compliance with the Closure Plan
- Approves budgets
- Review periodic Trustee status reports
- Approval over Trustee's sale of the site

Questions

- To ask a question, please press *1 on your phone
- *En la línea de idioma español, comuníquese con el facilitador de la reunión*
- For more information, visit www.dtsc.ca.gov/exide-bankruptcy
- Contact DTSC at ExideCleanup@dtsc.ca.gov

