

California State Senate

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SENATOR LENA A. GONZALEZ

THIRTY-THIRD SENATE DISTRICT

SENATE MAJORITY WHIP
CHAIR, SENATE COMMITTEE ON TRANSPORTATION

July 13, 2022

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20004

Subject: Support of Funding for the Cleanup of the Former Exide Facility

Dear Administrator Regan,

As the State Senator representing California's 33rd Senate District, I am writing to express strong support for the recent request that the California Department of Toxic Substances Control (DTSC) submitted to the U.S. Environmental Protection Agency (US EPA) to designate the former Exide facility in Vernon, CA and the affected residential properties and parkways surrounding the facility as a Superfund Site within the US EPA's National Priorities List (NPL).

Designating the Exide facility, which is located in my Senate district, and the surrounding communities as a Superfund site would mean that the site and the surrounding communities will have access to additional federal resources and expertise to help address the remaining cleanup work. The former plant operated for more than 100 years as a lead acid battery recycling facility, but went bankrupt in 2020, without investigating the full extent of its contamination, and without cleaning up the contamination the State of California identified as originating from the former facility's operations.

In October 2020, a Delaware federal bankruptcy court allowed Exide to walk away from its obligations and transferred the facility to the newly created Vernon Environmental Response Trust (VERT) under US EPA oversight. Subsequently, VERT hired contractors to remove most of the above-ground structures following DTSC's guidance and using limited funds from a settlement agreement financed by Exide. VERT's contractor concluded its work on May 1, 2022, and DTSC engaged a new contractor to ensure operations, maintenance activities, and cleanup work continue uninterrupted. Further, DTSC continues with the investigation and cleanup of an estimated 10,000 parcels in the surrounding communities with lead contamination from the facility.

Approximately 3,800 parcels out of 5,940 scheduled for cleanup in the area surrounding the former Exide facility have been remediated by DTSC using state funds. These parcels include residential properties, schools, daycare centers, and parks.

Exide's willful betrayal of public trust resulted in thousands of children and families being poisoned or exposed to lead and other toxic chemicals. As a result, the communities in my district now suffer from pollution while California taxpayers bear the cleanup cost. This is deplorable and additional federal resources are critically needed to address this injustice.

For these reasons, I respectfully request that you designate the former Exide facility and the affected residential properties as a Superfund Site within the US EPA's NPL. Thank you for your consideration of this request, which will not only revitalize these impacted communities, but will help provide unparalleled positive quality of life, health, and economic benefits for the impacted communities surrounding the former Exide facility. The return on investment will be significant, long-lasting, and tangible for all parties involved. Should you have any questions regarding my support, please do not hesitate to contact my office at (916) 651-4033.

Sincerely,



Lena Gonzalez
Senator, Senate District 33

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