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COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

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August 12, 2014

The Honorable Edmund G. Brown, Jr.
Governor
State of California
State Capitol
Sacramento, CA 95814

Dear Governor Brown:

For the past several months, the County of Los Angeles has collaborated with the California Department of Toxic Substances Control (DTSC) in an effort to protect the health and safety of residents living in communities adjoining the Exide Technologies battery recycling facility in East Los Angeles. As you may know, the communities surrounding the Exide plant have endured 33 years of unregulated toxic emissions from the plant due to the failure of State regulatory agencies, namely, DTSC, to require that Exide comply with all applicable State and Federal laws as a condition of receiving an operating permit. Despite this history, and on behalf of our residents, the County reviewed and advised DTSC on various aspects of the State's proposed testing and remediation plan and secured commitments from DTSC to ensure that such plans would commence without delay.

Recently, this Board has learned that DTSC has begun final preparations for the cleanup of lead-contaminated soils in only two homes out of 39 initially targeted by the State. Additionally, further testing and remediation of the other 37 homes has not been confirmed and may not begin until at least October 2014 because Exide has not yet agreed to comply with DTSC directives issued last March.

This piece-meal approach to an urgent environmental hazard violates the clear commitments made to the County and community leaders by DTSC. Additionally, the State has reneged on its commitment to perform lead testing inside the impacted homes to assess the likelihood that high levels of lead contamination in outdoor soils have resulted in contamination indoors. These commitments were memorialized in a letter dated June 17, 2014 from the County to Cal/EPA Secretary Matt Rodriguez.

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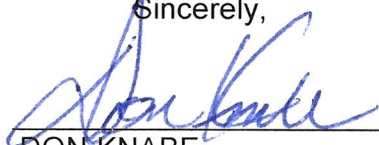
County officials have repeatedly urged the State to prepare for recalcitrance by Exide and take the necessary steps to ensure that all 39 homes were tested and remediated without delay. The residents of these communities, which are already living at risk in a State-designated "highly burdened community" cannot tolerate a partially cleaned up community, which would unjustly leave some residents without the health protections afforded their neighbors whose homes are similarly contaminated. Following through on the commitments made by DTSC is critically important to maintaining public confidence that the State is acting in the public interest, given the poor compliance history DTSC has had with the Exide facility.

Therefore, we respectfully request your intervention with the appropriate State regulatory and environmental agencies to ensure that the following steps be taken immediately:

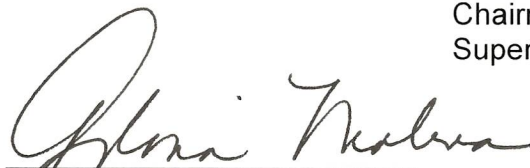
- (1) Guaranteed State funding to immediately begin testing of the remaining 37 homes so that those most heavily contaminated can be cleaned up without delay;
- (2) Lead screening inside the most severely contaminated properties so that if warranted, the home interior is rendered safe; and
- (3) Review of actions that contributed to the failure of the State to issue the required permit for 33 years, and the inadequate regulatory oversight which has failed to prosecute serious violations committed by Exide, and the failure of the State to obtain financial assurance which would have provided sufficient funds for site closure and cleanup as required by law.

We look forward to your response as soon as possible.

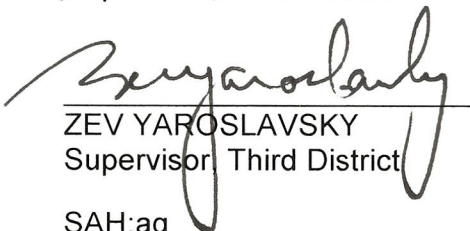
Sincerely,



DON KNABE
Chairman of the Board
Supervisor, Fourth District



GLORIA MOLINA
Supervisor, First District

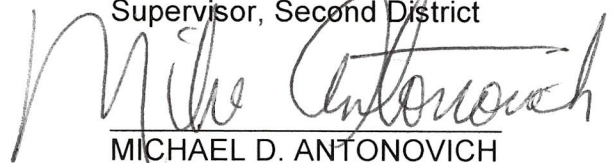


ZEV YAROSLAVSKY
Supervisor, Third District

SAH:ag



MARK RIDLEY-THOMAS
Supervisor, Second District



MICHAEL D. ANTONOVICH
Supervisor, Fifth District