

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

HOLLY L. WOLCOTT
Interim City Clerk

When making inquiries relative to
this matter, please refer to the
Council File No.

Office of the
CITY CLERK

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SHANNON HOPPE
Council and Public Services
Division

www.cityclerk.lacity.org

March 11, 2014

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 14-0002-S9, at its meeting held March 4, 2014.



City Clerk
srb

Mayor's Time Stamp
OFFICE OF THE MAYOR
2014 MAR -5 PM 2:16
CITY OF LOS ANGELES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2014 MAR -5 PM 2:10
CITY CLERK
BY _____
DEPUTY

SUBJECT TO THE CONCURRENCE OF THE MAYOR

COUNCIL FILE NO. 14-0002-S9

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE MARCH 4, 2014

RE: THE CITY'S POSITION TO SUPPORT SB 812 (DE LEON) AND SB 712 (LARA)

LAST DAY FOR MAYOR TO ACT MAR 17 2014
[10 Day Charter requirement as per Charter Section 231(h)]

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED
✓

*DISAPPROVED

*Transmit objections in writing pursuant to Charter Section 231(h)

DATE OF MAYOR APPROVAL OR DISAPPROVAL 3/10/14

E. G. [Signature]
MAYOR

CITY CLERK
DEPUTY
2014 MAR 11 AM 9:42
CITY CLERK'S OFFICE

30

File No. 14-0002-S9

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City's position to support SB 812 (De Leon) and SB 712 (Lara).

Recommendation for Council action, pursuant to Resolution (Huizar - Fuentes), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 State Legislative Program SUPPORT for SB 812 (De Leon) which would establish stringent Department of Toxic Substances Control (DTSC) permit renewal requirements for the continued operation of hazardous waste facilities, and require a time certain by when permit renewal applications are to be decided; and SUPPORT for SB 712 (Lara) which would require the DTSC to issue a final permit or a final denial of application by December 31, 2015 to hazardous waste facilities operating under an interim permit.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

At its regular meeting of February 21, 2014, the Rules, Elections and Intergovernmental Relations Committee considered a CLA report and Resolution (Huizar - Fuentes) to support SB 812 (De Leon) and SB 712 (Lara). The CLA report, attached to the Council file, provides a summary of the Resolution and additional background information. After consideration and having provided an opportunity for public comment, the Committee recommended that Council adopt the accompanying Resolution. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE



MEMBER	VOTE
WESSON:	YES
HUIZAR:	YES
LABONGE:	YES

ADOPTED

MAR 4 2014

LOS ANGELES CITY COUNCIL

ep
14-0002-S9 2-21-14

14-0002-59

RESOLUTION

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

JAN 22 2014

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Exide Technologies battery recycling plant in Vernon has a history of pollution concerns, including recent findings of emissions with high arsenic levels that significantly increased cancer risk levels affecting workers at and residents around the plant; and unsafe conditions related to deteriorated systems for the handling and disposal of contaminated wastewater; and

WHEREAS, upon learning of the increased cancer risk levels, the Energy and the Environment Committee, then chaired by Councilman Jose Huizar, held a public hearing at which it requested the City Attorney, Bureau of Sanitation, and Chief Legislative Analyst to report back on what remedies -legal and otherwise - the City has against Exide in this matter; and

WHEREAS, to attempt to address these pollution concerns, state agencies including the South Coast Air Quality Management District (SCAQMD) and the State Department of Toxic Substances Control (DTSC) have taken actions recently, including temporary curtailments of operations at the plant and new restrictions on emissions of toxic air contaminants from large battery recycling facilities in the region; and

WHEREAS, ongoing structural concerns remain about the efficacy of regulations given that the Exide facility had operated on an interim permit from DTSC since December 1981; and

WHEREAS, the City Council on June 11, 2013, adopted a resolution by Councilmember Huizar (CF# 13-0630) that included a call for a full investigation to determine how a plant with known pollution problems had been allowed to operate for 31 years on a temporary permit; and

WHEREAS, SB 812 would seek to address concerns about DTSC permitting by establishing a fixed term of 10 years for a permit for the operation of hazardous waste facilities in California and requiring the approval or denial of an application for the renewal of a permit within 36 months of the expiration of the facility's permit; and

WHEREAS, SB 712 would seek to address concerns about DTSC permitting by requiring DTSC to issue a final permit or a final denial of application to certain hazardous waste facilities operating under an interim permit by July 1, 2015,

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-2014 State Legislative Program support for SB 712 and SB 812, to set time limitations on DTSC interim permits, to require a time certain by when applications for permit renewals to be decided, and to establish a fixed term for hazardous waste facility permits.

I CERTIFY THAT THE FOREGOING RESOLUTION WAS ADOPTED BY THE COUNCIL OF THE CITY OF LOS ANGELES AT ITS MEETING OF MAR 4 2014 PRESENTED BY: BY A MAJORITY OF ALL ITS MEMBERS.

HOLLY L. WOLCOTT INTERIM CITY CLERK

BY [Signature] DEPUTY

SECONDED BY: [Signature]

[Signature]
Jose Huizar
Councilmember, 14th District



ORIGINAL

[Signature]
JAN 22 2014