

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

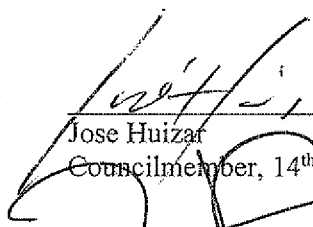
WHEREAS, the City Council on June 11, 2013, adopted a resolution by Councilmember Huizar (CF# 13-0630) that included a call for a full investigation to determine how a plant with known pollution problems had been allowed to operate for 31 years on a temporary permit; and

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.

PRESENTED BY:

  
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Jose Huizar  
Councilmember, 14<sup>th</sup> District

SECONDED BY:

  
JAN 22 2014

ORIGINAL