

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies 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, decades of unabated pollution from the Exide Technologies battery recycling plant in Vernon have resulted in excessive contamination levels in what many are calling a silent toxic catastrophe in Boyle Heights, East Los Angeles and Southeast Los Angeles where residents have long complained about unexplained health issues consistent with toxic exposure, including cancer and other illnesses.

WHEREAS, Exide's own Health Risk Assessment of arsenic and other carcinogens indicated that residents of the City of Los Angeles living in Boyle Heights faced the highest risks among the more than 100,000 affected residents.

WHEREAS, operations at the Exide facility have ceased, but there remains significant and dangerous levels of residual contamination, especially lead contamination.

WHEREAS, the site is outside the jurisdiction of the City Los Angeles, and oversight of the facility has been largely the responsibility of the California Department of Toxic Substances Control (DTSC).

WHEREAS, the DTSC allowed Exide to operate under an "interim" temporary DTSC permit for more than 30 years, despite repeated violations and persistent concerns from the surrounding communities

WHEREAS, as the number of violations grew, Exide entered into an agreement overseen by the DTSC to avoid criminal prosecution from the US Attorney's Office but funds provided by Exide and the State thus far for testing of soil and remediation cleanups are dwarfed by the millions of dollars more that are needed to adequately complete the task.

WHEREAS, the DTSC has stated that they have set aside just 50 workers to target select properties of the approximately 10,000 residential units that are at risk of lead contamination in Boyle Heights and elsewhere for testing and remediation of contaminated soil, a program that has been widely criticized as unclear, slow, underfunded, and too narrow in its scope.

WHEREAS, the current efforts of the DTSC demonstrate a severe lack of urgency in dealing with the Exide-related contamination and its ongoing ill effect on Boyle Heights

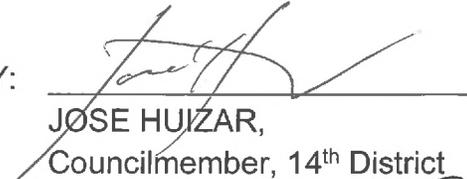


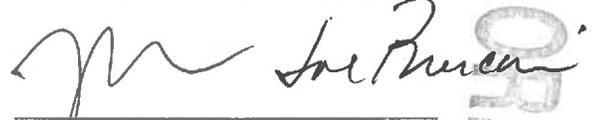
FEB 12 2016

and the surrounding East and Southeast L.A. communities.

WHEREAS, Boyle Heights and the surrounding communities deserve to know when a full remediation plan will be issued by the DTSC for their homes and public spaces, complete with full cost estimates so that Governor Brown and state officials can do the work necessary to expedite a fully funded cleanup plan.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City Los Angeles hereby supports executive action by California Governor Jerry Brown and/or legislative action by the state legislature, to ensure that the DTSC has a fully funded and expedited plan, with a public timeline, and all necessary resources – financial and otherwise – to test and quickly remediate, all possibly contaminated homes and public spaces in Boyle Heights related to the Exide battery recycling plant in Vernon.

PRESENTED BY:   
JOSE HUIZAR,  
Councilmember, 14<sup>th</sup> District

SECONDED BY:   
  
  


ORIGINAL

DTSC 5/1/07