

RESOLUTION

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 have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Lead-Acid Battery Recycling Act of 2016 (Act) requires a California Battery Fee of \$1 to be imposed on a person for each replacement lead-acid battery that is purchased from a dealer; and

WHEREAS, the Act also requires a Manufacturer Battery Fee of \$1, which sunsets on March 31, 2022, to be imposed on a manufacturer of lead-acid batteries for each lead-acid battery it sells at retail to a person in California; and

WHEREAS, following an investigation by the State Department of Toxic Substances Control (DTSC), excessive lead contamination levels have been found in Boyle Heights and Southeast Los Angeles, which is widely attributed to the Exide Technologies battery recycling plant; and

WHEREAS, currently pending before the State Legislature, AB 142 (Garcia) would remove the March 31, 2022 sunset date of the Manufacturer Battery Fee and increase the amount of the Manufacturer Battery Fee from \$1 to \$2 per battery to match the consumer fee; and

WHEREAS, according to AB 142, a portion of the lead-acid battery fees will be deposited into the Lead-Acid Battery Cleanup Fund, which will be used for the investigation, site evaluation, cleanup, remedial action, removal, monitoring, or other response actions at any area of the State that is suspected to have been contaminated by a lead-acid battery recycling facility; and

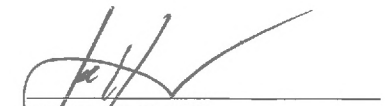
WHEREAS, AB 142 would allow for the repayment of the State’s \$176.6 million General Fund loan to DTSC for clean-up activities only after the clean-up of the Exide Technologies remediation site and other areas of the State that may be contaminated by lead acid batteries has been completed; and

WHEREAS, the increased revenues collected from the battery fees are important for the City of Los Angeles due to the significant and urgent need to remediate the extensive lead contamination of Boyle Heights and the surrounding communities as a result of the Exide Technologies battery recycling plant;

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 2019-2020 State Legislative Program SUPPORT for AB 142 (Garcia) which would remove the March 31, 2022 sunset date of the Manufacturer Battery Fee, increase the amount of the Manufacturer Battery Fee to an amount no less than \$2 per battery, and create the Lead-Acid Battery Cleanup Fund for cleanup activities in areas of the State that are suspected to have been contaminated by a lead-acid battery recycling facility, including Boyle Heights contamination from Exide Technologies.

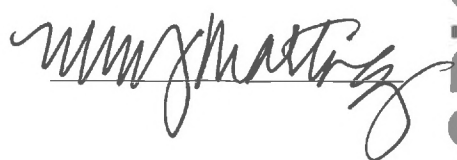


PRESENTED BY:



 JOSE HUIZAR
 Councilmember, 14th District

SECONDED BY:



MAR 27 2019

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