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**FOR IMMEDIATE RELEASE**

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**RESIDENTS CALL FOR SHUT DOWN OF EXIDE ACID-LEAD BATTERY  
SMELTER, ENVIRONMENTAL JUSTICE**

*Exide Neighbors Demand that the DTSC and Elected Officials  
Deny Hazardous Waste Facility Permit*

Nearly 200 residents from Boyle Heights to Maywood and Huntington Park gathered in a rally today to call on state officials to close down a lead-acid battery recycling plant in the City of Vernon. Spirited chanting of “stand by our side, shut down Exide,” was followed by impassioned testimony of residents and environmental justice advocates.

The plant, owned by Exide Technologies, is notoriously known for emitting dangerous levels of lead and arsenic into neighboring communities, and discharging at least 1,500 pounds of lead into the LA River watershed. Both Exide and the DTSC have come under fire in recent years, as residents have demanded that the state revoke the temporary permit that has allowed the facility to operate for over 30 years.

The protest was in response to eight new violations issued against Exide by the DTSC little over a week ago, including for using unauthorized tanks to treat contaminated sludge and having inadequate safeguards against battery acid spills. The violations come even as the plant is temporarily closed pursuant to orders of abatement issued by the South Coast Air Quality Management District. Residents expressed indignation and outrage at the DTSC’s failure to deny Exide a pending application for a hazardous waste permit required under federal law, which has been languishing within the agency since it was first filed in 1988. The plant has since developed a long record of state and federal law violations.

Rally participants accused the DTSC of environmental racism, alleging that the majority Latino, working-class demographics of affected communities has played a role in the agency’s failure to close Exide. Milton Hernandez-Nimatuj, a Youth Organizer with Communities for a Better Environment, stated, “DTSC’s actions show that it has placed Exide’s and the State’s financial interests above the Latino communities’ human rights to breath clean air and live in safe communities.” Hernandez-Nimatuj pointed out that “an almost identical Exide facility was closed down by leaders of Frisco, Texas, an affluent, White-majority town, and yet the DTSC has opted to negotiate with Exide.” The DTSC has a history of imposing on Exide light fines, a patchwork of enforcement orders, and entering into settlement agreements.

In June 2014, the DTSC issued Exide a Third Notice of Deficiency, which under state law is a facility’s last opportunity to qualify for a hazardous waste permit. Rather than initiate permit denial proceedings, the agency entered into a settlement agreement in which Exide’s ongoing deficiencies were resolved by way

of settlement. Exide stated in a court filing that the settlement “paves the way for [it] to reopen the Vernon Facility and proceed with the final permit application process.” The DTSC struck the deal after previously determining that the plant posed an imminent and substantial danger to public health, worker safety and the environment, and after the SCAQMD concluded that it poses the greatest cancer risk to Southern California of the 450 facilities it has ever regulated.

Monsignor John Moretta and parishioners of Resurrection Church made a notable presence at the rally. Father Moretta, a well-known community leader and champion of local environmental justice issues, remarked, “Surely our political leadership agrees that the safety and health of 100,000 people is more important than 100 jobs which pose grave dangers to workers. Keep Exide closed. Help workers re-tool with clean jobs.”

mark! Lopez, Director of Eastyard Communities for Environmental Justice, testified that remediation efforts pursuant to the settlement agreement are also flawed. Over 60% of 108 homes that have had soil testing contain high-risk lead levels, and over 20% contain over 1,000 ppm of lead, which is classified as hazardous waste. According to Lopez, the remediation covers only a small residential area, and fails to reach other affected areas. Lopez stated, “My grandmother and mother fought against Exide in the 90’s. I’m standing here, fighting to shut down Exide permanently, so my toddler daughters won’t have to fight Exide to protect their children’s health in the future.”

According to Gladys Limón, staff attorney at CBE, state law prohibits the DTSC from granting Exide a hazardous waste permit if certain requirements are unmet, such as having an effective hazardous waste treatment process – the subject of the recently issued violations. Limón explained that, “The DTSC has a duty to initiate a permit denial process based on Exide’s historical and ongoing violations. It is reckless and creates dangerous precedent to allow a facility that has placed unconscionable health burdens on its workers and surrounding communities, to continue to operate.”

Exide currently faces various lawsuits, including from the AQMD and residents, as well as a federal criminal investigation arising from the Vernon plant’s lead and arsenic contamination. The LA County Board of Supervisors unanimously voted to also initiate legal proceedings last November.