

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
STEPHEN J. O'NEIL, Cal. Bar No. 127120
2 JEFFREY J. PARKER, Cal. Bar No. 155377
OLIVIER THEARD, Cal. Bar No. 217763
3 ALISON N. KLEAVER, Cal. Bar No. 251410
333 South Hope Street, 43rd Floor
4 Los Angeles, California 90071-1422
Telephone: 213.620.1780
5 Facsimile: 213.620.1398
soneil@sheppardmullin.com
6 jparker@sheppardmullin.com
otheard@sheppardmullin.com
7 akleaver@sheppardmullin.com

8 Attorneys for Respondent
EXIDE TECHNOLOGIES

9

10 BEFORE THE HEARING BOARD OF THE
11 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

12

13 EXECUTIVE OFFICER OF THE SOUTH
14 COAST AIR QUALITY MANAGEMENT
DISTRICT,

15 Petitioner,

16 v.

17 EXIDE TECHNOLOGIES, INC., a Delaware
18 corporation,

19 Respondent.

Case Nos. 3151-29 and 3151-32

**JUNE 2015 STATUS REPORT OF
RESPONDENT EXIDE TECHNOLOGIES
FILED IN ACCORDANCE WITH
STIPULATED ORDERS FOR
ABATEMENT**

20

21 Respondent Exide Technologies (“Exide”) files this combined Status Report in accordance
22 with the two stipulated Orders for Abatement issued in Case No. 3151-29 (terminated June 2,
23 2015) and in Case No. 3151-32. This Status Report covers the period from May 16, 2015 to June
24 15, 2015 (“Update Period”).

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I.
HEARING BOARD HAS TERMINATED ORDER FOR ABATEMENT 3151-29

On June 2, 2015, Exide appeared before the Hearing Board seeking to terminate Order for Abatement 3151-29 on the grounds that the Order was no longer needed because Exide had provided notice that it would permanently close the Vernon facility. The Order required Exide to install various risk reduction measures before Exide could resume recycling operations. However, Exide’s decision to permanently close obviated the need to complete installation of the risk reduction measures, thereby mooted the Order. The Hearing Board found good cause to terminate the Order for Abatement and issued a minute order to that effect on June 4, 2015. Exide will no longer provide monthly updates regarding Order for Abatement 3151-29.

II.
ORDER FOR ABATEMENT 3151-32

Order for Abatement 3151-32 remains in effect for District-required dust mitigation. Exide performed a variety of maintenance and other tasks during this Update Period, such as: (i) soil and groundwater sampling, (ii) removing and shipping feed material, (iii) dust removal from various areas, and; (iv) repair of equipment within total enclosures.

1 Tetra Tech, the District’s third party monitor, submitted five weekly reports during this
2 Update Period, each confirming that “mitigation measures were observed to be implemented in
3 full compliance with the previously approved mitigation measures” Tetra Tech noted no
4 deviations by Exide.

5
6 Dated: June 16, 2015

7 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

8 By


JEFFREY J. PARKER

9
10 Attorneys for Respondent
11 EXIDE TECHNOLOGIES
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28