

June 26, 2015

Suhasini Patel  
Branch Chief  
Office of Permitting  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826-3200

Wayne Lorentzen, P.E.  
Permitting Division  
Hazardous Waste Management Program

Re: Exide Technologies, Vernon California (CAD 097854541) – Blast Furnace Feed Room Shipment Schedule

Dear Ms. Patel and Mr. Lorentzen:

By this letter, Exide Technologies (“Exide”) respectfully requests an extension of time until October 1, 2015 to complete shipment of feed material out of the Blast Furnace Feed Room. Exide will work diligently to complete shipment before October 1, but Exide needs an extension because the company has encountered unexpected difficulty in shipping the material to its Muncie, Indiana facility, and in finding appropriate locations to receive the feed material that Muncie cannot process. Exide still plans to send the vast majority of the material to its Muncie facility. However, Muncie has encountered production issues that limit the pace at which it can process those materials, and regulatory requirements limit Exide’s ability to store the materials in Muncie. Consequently, the shipments of blast furnace feed material to Muncie cannot proceed as quickly as the reverb feed material shipments that Exide previously sent to Muncie. Exide still believes, however that shipping the vast majority of blast feed material to Muncie provides the most environmentally-protective option available to Exide. Therefore, Exide is requesting this extension.

Exide’s continued storage of the feed material in the Blast Furnace Feed Room pending shipment does not create a significant risk to public health or the environment for a number of reasons. First, in February 2015, Exide completed extensive repairs to the roof of the Blast Feed Room, sealing potential openings to prevent the escape of fugitive dust. A copy of a letter confirming the completion of those repairs is attached as Exhibit A. Second, Exide follows a Standard Operating Procedure (SOP), provided to DTSC, that addresses fugitive dust control from the containment buildings. Third, Exide corrected alleged deficiencies with external doors. Fourth, unlike the material in the Reverb Feed Room, the material in the Blast Feed Room is dry, meaning there is no risk of releases of liquid into the environment. Fifth, Exide has continued to maintain required negative pressure standards within the building housing the blast

furnace feed room. Therefore, continued storage of feed in the Blast Furnace Feed Room pending shipment does not pose a significant risk to human health or the environment.

### Material Shipped To Date

As DTSC is aware, earlier this year Exide shipped 13,843,484 pounds (over 6,921 tons) of feed from the Reverb Feed Room offsite to Muncie. Exide accomplished this task in less than two months, ahead of schedule and within the time frame ordered by DTSC, all without any incidents or violations. This demonstrates that Exide has a strong commitment to shipping material out of the plant in a diligent and legally-compliant manner, using all available resources.

Soon after Exide finished shipping Reverb Feed Room material, Exide began shipping material out of the Blast Feed Room. In accordance with DTSC's May 28, 2015 letter and Exide's approved Shipment Plan, Exide continues to ship feed material out of the Blast Furnace Feed Room, taking appropriate measures to load the material into leak-proof end dump trailers and DOT approved drums and ship it out in an environmentally sound manner. To date, as demonstrated by Exide's weekly reports to DTSC, Exide has shipped 12 loads (491,060 pounds) of reverb slag to Muncie. Exide has also shipped 3 loads (95,400 pounds) of coke and lime rock for offsite disposal, which represents the entirety of Exide's stock of coke and lime rock in Vernon. Exide anticipates that all of the remaining reverb slag can be shipped to Muncie starting by July 6 and finishing by July 26th. The remaining tin dross, antimony dross, refining drosses and plates will be shipped as expeditiously as possible, but Exide requires an extension through October 1 to accomplish that shipping.

### Exide Has Good Cause for an Extension

Exide acknowledges that its May 22, 2015 Shipment Plan anticipated that shipment would take place in 19 working days. Exide had prepared its Shipment Plan in response to DTSC's May 13, 2015 directive to remove all of the feed by June 30. Exide provided an aggressive schedule in a good faith effort to remove the feed in compliance with DTSC's order. However, as Exide began the process of actually shipping out the material, Exide encountered numerous unanticipated logistical barriers. While Exide continues to address those barriers in an environmentally responsible manner, it has become impossible for Exide to ship out all Blast Furnace Feed Room material by June 30.

First, in order to avoid fugitive emissions, it is taking longer than anticipated for Exide to drum and package the material for shipment. Exide submitted two mitigation plans to the South Coast Air Quality Management District (AQMD) for approval to ship the material. To comply with both AQMD and DTSC directives, Exide must first load the material into drums that are lined with shrink wrap – a process that provides good environmental control. The drosses must be loaded into drums by contractors using hand shovels, which keeps fugitive dust at a minimum, but causes delays. Exide was not required to use drums to ship feed from the Reverb Feed Room. As a result, the process of loading the Blast Furnace Feed Room material into drums has taken much more time than anticipated. Exide intends to continue taking the time necessary to properly load the material for shipment, and believes it is prudent to allow sufficient time to do so.

Second, similar to the reverb feed material, Exide anticipated being able to send the blast feed material to Muncie at a rapid pace. While Exide still intends to send the majority of the material to Muncie, Exide's Vernon facility has now determined that Muncie lacks the capacity to receive all of the material at a rapid pace because of limitations on the quantities of blast feed material that Muncie can physically process. Exide has been in negotiations with various other facilities to secure locations for the feed material, and Exide is currently making arrangements with another facility for the shipment of tin dross. Exide is developing a detailed plan and schedule for shipping and delivering the feed material, and Exide will provide that revised plan to DTSC next week. Exide is working diligently to overcome logistical obstacles in an effort to ensure that the material is used as useful product – which is more environmentally sound – instead of disposing of the material in a landfill.

#### Continued Storage in the Blast Feed Room Pending Shipment Does Not Present a Significant Environmental Risk

DTSC states in its May 13 letter that an inspection in 2014 “revealed interior openings between buildings . . . that allow free transfer or airborne particulates.” These interior doors pose no risk to human health or the environment since all of the adjacent rooms are under continuous negative pressure from a combination of baghouses that employ secondary HEPA filtration. As further precautionary measures, Exide has addressed potential concerns with the Blast Feed Room, as follows:

- In February 2015, Exide repaired holes in the roof of the containment buildings, including the Blast Feed Room, thereby preventing fugitive emissions. [See, Exide March 11, 2015 Letter].
- Exide updated its SOP specifically to address fugitive emissions from containment buildings, including the Blast Feed Room. The SOP is detailed and sets forth procedures for sweeping and cleaning the containment buildings, limiting traffic, storing material to avoid emissions and other maintenance and housekeeping measures. [See, December 2014 SOP].
- Exide performed repairs to the external doors near the Blast Furnace Feed Room to prevent fugitives from exiting the total enclosure building.
- The feed material is dry, which eliminates the risk of liquids leaking or spilling into the environment. So long as: (i) the material remains in the containment building, (ii) Exide continues to follow its SOP, and (iii) Exide follows the AQMD-approved mitigation measures to avoid fugitive emissions, then keeping the material in the Blast Furnace Feed Room pending shipment is the best solution from an environmental perspective.
- Required negative pressure levels in the furnace feed room are still maintained in the building. In fact, for months, Exide's ambient Hi-Vol lead monitors have been detecting extremely low levels of lead, usually at or below 0.02 ug/m<sup>3</sup>. Further, the lead-in-air levels inside the enclosure building have recently been below PEL levels.

Conclusion

Exide has provided substantial support for its extension request and is developing a revised plan for removing the feed material in a diligent manner, taking into consideration the need to maintain strict control to avoid emissions. For the foregoing reasons, Exide respectfully requests an extension until October 1, 2015 to ship remaining feed from the Blast Furnace Feed Room.

Sincerely,

A handwritten signature in black ink, appearing to read "J. S. Hogarth", with a long horizontal flourish extending to the right.

John S Hogarth  
Exide Technologies  
Vernon Plant Manager