

FACT-CHECKING THE EARTHJUSTICE REPORT: QUEMETCO RESPONSE

Earlier this year, Earthjustice released a report titled “Quemetco’s Lead Legacy” which claims to “document the devastating impacts of hazardous operations at Quemetco.” In its attempt to paint Quemetco as another Exide, the Earthjustice report contained mischaracterizations and outright misstatements of facts, and the report completely ignored the extensive evidence showing that Quemetco’s operations have had no impacts on the community near Quemetco’s City of Industry recycling plant. Here are key examples of mischaracterizations included in the Earthjustice report:

- ***Claim: As a lead acid battery recycler, Quemetco is the latest in a long line of such facilities to contaminate communities and the environment.***

This is not correct. Quemetco is not Exide, and never has been. The Earthjustice attempt to paint Quemetco as just another battery recycler, such as the now shuttered Exide, is baseless and misleading. In fact, Quemetco is the cleanest lead-acid battery recycling facility in the world, and cannot be characterized as “another Exide” or any other secondary lead smelter because there are no other lead smelters with comparable environmental controls.

Quemetco’s commitment to the environment and the community is demonstrated by the company’s ongoing effort to develop and implement improved controls and standards that represent the best and most effective available air pollution control technologies. As part of this initiative, and at a cost of over \$50 million, the company voluntarily installed a Wet Electrostatic Precipitator (WESP) and a Regenerative Thermal Oxidizer (RTO) as part of a state-of-the-art emission control system that has reduced emissions of lead and arsenic by more than 95 percent below the levels that can be achieved by conventional emissions control systems (e.g., baghouses) used elsewhere. In addition, Quemetco’s processing facilities are fully enclosed and under negative air pressure, virtually eliminating the potential for fugitive emissions.

The success of these efforts is well documented – in 2019, when Quemetco safely recycled more than 120,000 tons of lead from 10 million batteries, Quemetco’s lead emissions were 6.43 pounds/year (less than half the lead found in a single car battery) and the facility’s rolling average arsenic emissions are measured at approximately 2.5 pounds/year.

- ***Claim: Emissions from Quemetco have contaminated soil in the surrounding community.***

This is not correct. As Earthjustice is aware, between May 2016 and February 2017, Quemetco voluntarily conducted and funded a soil investigation with the goal of identifying potential impacts from Quemetco’s historical operations to soil in the community surrounding the Quemetco facility. The investigation was overseen by DTSC, which was involved in both the design and implementation of the investigation, and approved both the methodology and parameters.

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During this investigation, over 6,000 soil samples were collected from an area within a radius of approximately ¼-mile from Quemetco and analyzed for lead and other compounds. The results of this investigation demonstrated that Quemetco's historical operations have **not** had a material impact on soil in the surrounding neighborhoods. The data, which is publicly available, showed that nearly 68% of the residential soil samples contained lead at less than 80 parts per million (ppm) and only 0.5% of the residential soil samples contained lead above 400 ppm. None of the 132 residential properties sampled had a representative soil lead concentration above 300 ppm (maximum residential soil lead concentration was 298 ppm).

These results are not only far below the lead contamination found in the neighborhoods near the Exide site, they are also consistent with what has been found by other studies in similar Southern California areas not located near a lead recycling facility. The results also add to the clear scientific evidence that Quemetco's operations over six decades have **not** caused a health threat which contaminated soil in the surrounding community.

- ***Claim: Impacts from Quemetco's operations have led to higher rates of cancer and similar chronic health conditions in the surrounding community.***

This is not correct. Cancer is an insidious disease that medicine and global public health community as a whole work tirelessly to eradicate. The many forms of cancer have a variety of origins and risk factors specific to each form. Quemetco has conducted health risk assessments supervised by local and state regulatory authorities to understand the potential contribution of facility emissions to cancer and other health risks in our neighboring communities. Those studies demonstrate that Quemetco's operations do not pose significant risks to anyone living or working near our facility. In fact, recent third-party studies have shown no evidence of increased blood lead levels or cancer in the communities surrounding Quemetco, including:

- A 2018 cancer cluster study conducted by the University of Southern California Cancer Surveillance Program (CSP), which maintains data on all cancer cases diagnosed in Los Angeles County. The information collected includes age, race/ethnicity, patient's address, gender, and specific type of cancer. The study, conducted at the request of SCAQMD, DTSC and Quemetco, concluded that there was no elevated cancer risk from living close to the facility.
- Blood lead testing conducted by the LA County Department of Public Health for residents in Hacienda Heights and Avocado Heights in 2019 and 2020. The results of this testing showed no increased blood lead levels in residents living near Quemetco.

Community health issues deserve very careful consideration and should not be manipulated to achieve any special interest agendas. In this case, community representatives have the right to know that the available evidence indicates Quemetco's operations do **not** pose a threat to its neighbors.

- ***Claim: Current information clearly establishes that Quemetco has contaminated groundwater.***

This is not correct. Quemetco has been monitoring groundwater at its facility for over twenty-five years. This historical groundwater monitoring data mainly shows the presence of naturally occurring compounds. Compounds present which could potentially be due to Quemetco's operations have been found infrequently, with no data indicating that these sporadic results were due to a release from Quemetco's operations. For example, the monitoring data shows that dissolved lead concentrations exceeded the MCL in only 5 out of 747 historical samples. And to the extent such compounds have been observed, they have been found close to the surface, and not at depths where impacts to the aquifer or sources of drinking water would occur. These groundwater monitoring results are to be expected – in the early 1990s, Quemetco performed extensive soil remediation beneath the facility that involved the removal of contaminated soil that was replaced with clean soil, a process overseen by both DTSC and EPA. This extensive clean-up eliminated the most significant threat to groundwater from Quemetco's operations. This data is all publicly available, and for Earthjustice to maintain that Quemetco's operations are impacting groundwater and, in turn, sources of drinking water, is simply irresponsible and likely to create unnecessary fear in the community.

Conclusion: Quemetco Operates Safely and Does Not Pose a Health Threat to Its Neighbors or its Workers

In fact, all these data are publicly available, to Earthjustice and to anyone who cares to look at the evidence. Failure to acknowledge these facts undermines the credibility of the Earthjustice report and the reliability of its conclusions. And the Earthjustice attempt to cast Quemetco in the same light as Exide is unfounded. The Exide situation is a stunning example of failed project management and regulatory response, coupled with a company culture that did not prioritize environmental and regulatory requirements. Quemetco is NOT Exide, and the Earthjustice attempts to paint Quemetco as another Exide are baseless. Quemetco has been for decades and continues to be committed to fully meeting or exceeding all of its environmental obligations, constantly improving its health and safety practices with a substantial investment in training and technology, and operating responsibly in compliance with all applicable requirements, for the benefit of the environment and the health of our state and our communities.

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