

REGULATORY BULLETIN

August 2009

EAST PENN MANUFACTURING CO., INC. ENVIRONMENTAL COMPLIANCE FACT SHEET

East Penn Manufacturing Co. operates a secondary lead smelting and recycling facility at our Lyon Station, Pennsylvania manufacturing complex. We are permitted to accept spent lead-acid batteries for recycling and metals recovery by the Pennsylvania Department of Environmental Protection (PA DEP) and the U.S. Environmental Protection Agency (EPA).

1. Hazardous Waste Permitting

East Penn operates a permitted (EPA ID NO. PAD002330165) secondary lead smelter that recovers lead, sulfuric acid (electrolyte), and polypropylene from spent lead-acid batteries. We manage a PA DEP permitted storage facility for the spent batteries prior to reclamation, and permit-by-rule facilities for recovery of the battery components, which are recycled for use in the production of new batteries at our Lyon Station campus.

2. Additional Permitting

East Penn's Lyon Station facilities include a PA DEP NPDES permitted process wastewater treatment plant (WTP). The WTP operates a zero discharge of treated wastewater by the re-use of all the treated process wastewater on-site primarily in the production of new batteries. Salt that is produced by our treatment process is sold on the open market.

Our smelter has been used as a model for EPA's Maximum Achievable Control Technology (MACT) Standards, and operates under a PA DEP Title V Permit. We produce a nitrogen sulfur solution as a result of our scrubbing of smelter exhaust gases, which is sold as a fertilizer product. Our battery manufacturing plants operate PA DEP permitted air pollution control devices.

3. Regulatory Agency

East Penn's permitted facilities are regularly inspected by personnel from the Reading Office of the PA DEP Southcentral Regional Office, who monitor our compliance with air, water, wastewater, storm water, and solid waste regulations. This office is located at 1005 Cross Roads Boulevard, Reading, PA. Phone 610-916-0100.

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4. Site Security

The facility has twenty-four hour per day coverage by a contracted security service.

5. Personnel Training

East Penn's employees are trained to meet all applicable regulatory requirements. Such training includes but is not limited to the requirements of OSHA's occupational lead exposure standard, material handling equipment, hazard communication, fire training, RCRA (hazardous waste), and respiratory protection. Annual reviews are also conducted.

Our manufacturing campus has it's own OSHA/EPA trained Hazmat emergency response team.

6. Financial Responsibility

East Penn has environmental impairment insurance with limits of 2 million dollars per occurrence and 4 million dollars aggregate. This insurance is issued through American International Group (AIG), Policy No. PLS5298499. Also, East Penn has satisfied the financial assurance requirements of the Pennsylvania Department of Environmental Protection for liability and post closure costs.

7. Inspection Records

East Penn maintains inspection records for production equipment and pollution control equipment utilized throughout the plant. These inspections exceed the requirements of our various environmental operating permits.

8. Environmental Monitoring

East Penn conducts a ground water monitoring program in accordance with the PA DEP requirements. Storm water discharge is monitored in accordance with PA DEP NPDES permit requirements. High volume ambient air samples are collected at the property boundaries. Air emission stack tests have been conducted as part of the permitting process. Employees are routinely monitored for their biological response and workplace exposure to promote employee awareness and comply with the OSHA standards.

9. Manifests and Record Keeping

All hazardous waste manifest record keeping is performed by the Metals Division staff. Manifests are maintained on site in accordance with PA DEP requirements.

10. Environmental Management System

East Penn's Manufacturing facilities at Lyon Station, as well as its Wire and Cable Manufacturing Division in Kutztown, PA, and its Distribution Center in Topton, PA have received ISO 14001: 2004 Certification.