

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF DELAWARE**

<b>IN RE:</b>  <b>EXIDE TECHNOLOGIES, et al.,</b>  <b>Debtors.</b>	* * * * * * * *	<b>CHAPTER 11</b>  <b>Case No. 02-11125 (KJC)</b> <b>(Jointly Administered)</b>  <b>Hearing Date: August 25, 2003</b>  <b>HONORABLE KEVIN J. CAREY</b>
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**OBJECTION TO APPROVAL OF DEBTOR'S DISCLOSURE STATEMENT**  
**DESCRIBING FIRST AMENDED JOINT PLAN OF REORGANIZATION**  
**(RELATED DOCKET NOS. 2096, 2097 AND 2099)**

**NOW INTO COURT**, through undersigned counsel, comes the Louisiana Department of Environmental Quality (hereinafter "LDEQ") which hereby objects to approval of the Debtor's Chapter 11 Disclosure Statement in the above-referenced case, for the following reasons:

1. The Disclosure Statement fails to disclose the Debtor's liability for clean up of its Dixie Metals site located on Highway 531 east of the city limits of Heflin in Webster Parish, Louisiana.
2. Exide Technologies is the parent company and owner of the Dixie Metals Site.
3. A sampling and analysis report submitted to LDEQ in May 2000, documented that lead, a hazardous waste constituent, spilled to surface soils during operation of the Dixie Metals Site and has migrated and continues to migrate and leach into surface

water via contaminated ditch sediments. Documentation also shows contamination has reached the groundwater.

4. The Debtor, pursuant to an administrative order, was to submit a Remedial Action Pledge that meets the RECAP standards set forth in LAC 33:I Chapter 13. Risk Evaluation/Corrective Action Program (RECAP).
5. The Debtor has submitted a deficient plan, therefore, the LDEQ is simultaneously filing a Motion for Compliance with 28 U.S.C. Section 959(b).

WHEREFORE, the Louisiana Department of Environmental Quality prays for an order of this Honorable Court denying approval of the Debtor's Chapter 11 Disclosure Statement. The Department prays for such other relief as is just, fair and equitable.

Respectfully submitted,

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
Herman Robinson, General Counsel (#2077)

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