

Bayview Hunters Point Environmental Justice Response Taskforce Meeting Minutes
Wednesday September 18, 2019 at 2-4pm
Located at Radio Africa Kitchen: 4800 3rd Avenue, San Francisco, CA 94124

2:00PM Welcome

- Thanking everyone who came out yesterday to City Hall, 1st action in 3 years

2:05PM Review of Recent Pollution Complaints Filed on www.bvhp-ivan.org

- 1st complaint: Illegal dumping/trash
 - Asking if there is any agency here that deals with trash? Public health not at meeting
- 2nd complaint: trash on sidewalk
- 3rd complaint:
 - called 311 repetitively and no action
 - Someone's suggestion: "call bay area quality management district (odor) to get them to come faster" but still file on IVAN to bring up issue at meeting and acknowledge
- **QUESTION:** "Dr. Palmer's presentation on the air pollution discovered, who from the district here that challenged our work?" People from the district were Kate, Michael, and Kristin
- **COMMENT:** "Citing 2006 and 2007 study, study was done on top of Whitney Young Hill, test on one spot, as if BVHP was same everywhere. 1998 study went to 8 different locations and found benzene levels at 1 in 10,000, 10 fold increase. Benzene coming out of body shops, out of people's homes. Measuring from the top of the hill won't show, district didn't do that they did"
 - Dr. Palmer one of the nation's leading analytical chemists, district wants to keep pushing 2006-07 study. "Disturbing findings not just the air," "fugitive gas leaving the worksite as well as particulate dust, some of this stuff is right next to someone's home. there's a reason why there's a 15 year life expectancy shortage compared to Russian Hill...we need enforcement from the district...this is also coming out the sewage plant...city agencies don't want to tell on other agencies"

2:10PM Community Announcements

- BBQ in October
- **COMMENT:** They work at Starbucks in BVHP plaza and will be having coffee with cops. Captain is going to be there on October 2nd. Workplace has faced Recology fining them, battling landlord, is she able to call? Or would that be a landlord issue?
- **COMMENT (Dalila):** "We've been trying to hold the city accountable for legal dumping."

- **COMMENT:** There's a get out to vote to register Opera House on October 19th, important to spread the word, to stop electing people not invested in our interests, they barely come to our district, if more people came out it will show them"
- **COMMENT (Leaotis Martin):** "The reason some of us don't vote is because we feel like nothing's gonna change, but it does make a difference whether you vote or not, whether you come to meeting or not, knowledge is power, to know what's killing us and our people, people in City Hall don't give a damn about us, we are forcing them to do their job."
- **COMMENT:** "Fill out an IVAN complaint if you see trash, water turn a different color, or if the air smells weird."

2:15PM Update on BVHP Shipyard Superfund Site Retesting by Golden State University School of Law-Environmental Law and Justice Clinic

- Bryan Madden, Miranda Hardison, and Tyler are students from Golden Gate University School of Law working at the Environmental Law and Justice Clinic
- Clinic focuses on radiological contamination at the shipyard, allegations of fraud by the Navy's contractor, tetra tech
- Here today to tell us what they've been doing at Greenaction, brief history of the shipyard, updates to Greenaction's comments to the Navy, and then Q&A.
- A Brief History of Naval Shipyard - Very limited overview of what happened - Extremely complex cleanup, presentation consists of quotes from Navy documents
 - The Navy is responsible for cleanup
 - 1940 Navy purchased
 - 1989 area was declared superfund
 - 1991 cleanup began
 - After decades of operations it left a toxic legacy including radioactive material identified as a superfund, federal cleanup law, Navy responsible/lead agency for cleaning up, EPA supervises cleanup, Navy set goals for clean up, Navy has to collect data, in their 5 year review Navy determined that data was falsified by one of their contractors/falsified documents
 - In December of 2017, EPA found that 90% to 97% of the data was not reliable
 - Navy started corrective actions, Navy and EPA in contact on how to proceed since 2018, EPA has not yet commented
 - EPA mandates to the Navy every 5 years to ask if the clean up is protecting human health, toxicity data, are the cleanup levels still valid, has anything since then changed?
- **Miranda:** EPA policy states that clean up levels are not to be reconsidered. If we were to use Navy's calculations it would far exceed EPA guidelines
 - The Navy instead of cleaning up these problems, institutional control a strategy to prevent future exposures by limiting contact from toxic things like putting up fence instead of cleaning it up

- Handout contradicts, if the Navy were to include homegrown food risk,
- **Bryan:** Minimal safety measures, taking 1 foot of dirt away
- **Miranda:** Radium 226 present at shipyard, has a half-life of 1,599 years, a dirt cover is ineffective protection from radioactive material, burrowing animals and insects, fault lines, plant roots, erosion, rising sea levels due to climate change, landslides.
- Radium 226 goal is 297 times more protective than the Navy's
- Advocating for the Navy to adopt EPA's current more protective standard
- **Miranda:** Concern about the data's accuracy, critique: in the 4th 5 year review Navy claimed some parcels are protected, remedy only short term protective, data is unreliable, unclear what data they're using to determine at risk populations, without retesting entire site the Navy does not have reliable data to conclude risk assumption
- 2 Updates
 - 2017 Greenaction filed petition to ask to revoke Tetra Tech EC's license to, waiting to hear back on decision in the next few months
 - Greenaction has asked the Navy to reinstate advisory board
- **QUESTION (Dr. Thompkins):** "What parcels A, B, C? which ones are not in compliance, previously EPA wanted 97% of parcel B retested. have you reviewed G and their proposal on that?"
- **COMMENT (Tyler):** Presentation was for 5 year review, for the superfund site, 5 year review reviews everything not included parcel A, every 5 years as long as there is still contamination. Parcel G a review of that plan, next plan intended to be transferred to the city. Section for parcel G, B, etc.
- **COMMENT (Dalila):** So Parcel G is the one they want to transfer, even though the data is 97% unreliable.
- **COMMENT (Tyler):** Delayed due to problems with the data, Greenaction just submitted comments about the 5 year addendum, all of the things that they have presented have already presented in a long document to the Navy
- **QUESTION:** Tetra Tech, their contract is how long? Do we know what the contract is? Who else can we use for the clean up? An outside agency? International? How long is that contract, after putting in fraudulent material they shouldn't be allowed, are we able to stop Tetra Tech to be a part of that process?
- **ANSWER (Tyler):** Tetra Tech EC is a subsidiary of a larger Tetra Tech, it's no longer working at the shipyard. Greenaction in 2017 challenged their license to work with radiological material, still seeing if it will be revoked
- **COMMENT (Leaotis):** Hypothetically, working with parcel data, 97% and other 3% tell you to run with it and everything is clean, trying to understand in plain terms, navy should have done it in the first place.
- **COMMENT (Tyler):** Greenaction has been working on this issue for a long time, this work is ongoing
- **COMMENT (Leaotis):** While we suffering, (community) and they're across the town doing good, long life expectancy, expecting us to take it nice and easy cool and calm, serious nature, can talk about all these number doesn't compare to the

people that are dying, Kids born with cancer, and people born with all of these health issues

- **COMMENT:** Thank you for working with Greenaction, wanted to point out history in 91 the cleanup began in the Navy, my ship carried nuclear weapons was decontaminated there, is there any record of what recontamination was still done by the navy even though it was still done in 91
- **COMMENT (Dr. Thompkins):** No, what they call parcel F reclassification was in 93, core samples taking the analysis, site classification at the shipyard 93 and 94
- **COMMENT:** My ship was there in 96
- **COMMENT (Tyler):** The takeaway from the presentation is that Greenaction asked the Navy to reestablish board, one of the reasons why that's important is because history of the shipyard is knowledge in the community, Greenaction thinks reestablishing RAV and reestablishing forum to talk about those issues one of the different ways there might be an opportunity for you to bring that up specifically.
- **COMMENT:** In the deed people are not allowed to plant in the dirt, Navy's solution is to put cement over dirt, aren't they telling us that there's something wrong with the dirt, not testing deep into the dirt
- **COMMENT (Dr. Thompkins):** Terminology is containment not clean up, if it was clean then it was unrestricted residential, he was part of the team community first coalition. 86.5% of residents of SF voted for residential clean up, put plants there and not pulling contamination up. In EPA marked the Freedom of Information Act, EPA who was supposed to be regulating them was in cahoots with Lenar, and then coming and lying to the board and figuring out the language to make it not as bad as you think it is, when reviewing those record please be cognizant of that. Sierra Communications to clean up all records, anything that was negative about the Navy and what they did. What you're reviewing in historical documents are distorted, Navy too scared to come out to the community, they met up and they didn't even have them in the record
- **QUESTION (Bryan):** That's not on record?
- **COMMENT (Dr. Thompkins):** Have a critical eye because it's distorted and they're outright lies.
- **COMMENT:** Interested to know if anything has looked into any business, food establishments that are selling food out of the shipyard, animal facility that has been there since the 80s. Since you are law students maybe think about implementing some kind of policy, that no schools can be built on hazardous neighborhood, during constructions and redevelopment. In Malcolm X Elementary roaches were coming up.
- **COMMENT (Bryan):** Working with Greenaction for 4 years, we should sit down and talk about it, I think it's a great idea
- **COMMENT (Dr Thompkins):** Consideration for the future, checks and balances, for radiological, UC and state universities have them do a spot check, don't tell them everything and don't tell them when you're coming to check stuff out, telling the fox how many chickens you stole out of chicken coop
- **QUESTION:** Now is the time to set some data standards so that in 5 years we can see the changes, we made a class action suit dont know data, can we start

separate suit for the EPA? Is there any way we can start something related to the health, not for the money but for the testing, people can't afford going to the hospital to check for microlevel contaminants?

- **ANSWER (Tyler):** Way beyond scope
- **QUESTION:** But can data be used for suit against EPA
- **COMMENT (Helen Khon):** I wanted to say something about EPA. I know there's a lot of distrust, justified based on history, been at clinic 19 years, wanna say one thing EPA is standing up to the Navy on this cleanup issue. It is critical that we not lump anything together, that EPA is doing something bad, we want to convince EPA on our position because they're the only ones that can make the difference towards the Navy. We have little power as community members, we will have more of a voice about clean up by reestablishing board. Your voices are critical in restoring advisory board, important to not lump everything into one category
- **COMMENT (Dr. Thompkins):** Dr. Sumchai is working on a project for biomarkers for measuring your urine to see if you have radiological or chemical contamination, we have people with radiological and chemical contamination. Please see Dr. Sumchai, pee in a cup, ship to lab. Certified so that lawyers can present evidence in a court of law.
- **QUESTION:** Is what they're doing illegal?
- **COMMENT (Tyler):** This is an extremely- you're putting me in a tough spot, the federal law that were working under is--- superfund, clinic has been going on for 20 years, not a question of criminal liability but how clean is clean enough. Here's the main points but this conversation will be ongoing as long as there is contamination in the ground. If they're not gonna clean it up now and then come back in 5 years and ask the same questions. Superfund law is also concerned about costs, not gonna clean up everything 100%. It's very complex and I've been working on it for a year and only beginning to understand that history
- **COMMENT (Leaotis):** When it comes to cost, how much does it cost for my friends to pass away from cancer, add all that up, it doesn't add up, we don't give a damn what it costs cause were the one that are losing lives, what we care about is it getting cleaned up, we need politicians that are going to work for us, they're not doing their job or else we wouldn't have to do it for them

2:35PM Air Monitoring Site Location Activity

Installing air monitors in BVHP, created a quick survey to help discuss air monitors - Mother's and Father's

- Air Quality Issues Locations
 - When you get off the 19 the air is bad
 - Renkin and Evans
 - Smell goes all the way to revere smells bad, sometimes makes it all the way to Fairfax
 - On Ennis, top of the hill coming from the shipyard
- Where do you want the monitors?

- Top of hill, food facilities at shipyard, community garden, schools, candlestick, by the water, devil rock candlestick, UCSF hospital, next to the sewage plant, Potrero Hill
- Air monitors
 - Stationary monitors, close to the ground
 - Cannot put them directly on a polluter site
 - Can put them in houses, poles, put one in Visitacion Valley, Sunnydale next to PG&E site, bus stop
- Anyone willing to host one?

Dr. Ramona and UCSF Medical Students

- Dr. Ramona Tasco, president of UCSF alumni and board of directors, medical students that wanted to come in and meet you and feel your energy
- University of CA School of Medicine, chose to come here because they care about environmental wellness and community
- **Deborah:** 1st time BVHP,
- **Ode:** scientist and clinician, EJ
- **Hab:** environmental justice, racial disparities
- **Alex:** EJ and health disparities
- **QUESTION:** Have you heard of BVHP disparities of asthma and cancer compared to the rest of sf?
- **ANSWER (Deborah):** Can see in data and on maps showing that it's more affected
- **COMMENT (Leaotis):** Injustice, when it comes to poor community, they won't put waste plant next to white house, car shops next to the capitol building, they won't put anything on knob hill cause those people won't let them, our whole fight is that we want to live, they're fight is to kill us all
- **COMMENT:** They care about the money, we don't have enough doctors and scientists in the black community, it's rigged
- **COMMENT (Leaotis):** The most people that's impacted are pregnant women, women that had a baby born with cancer, little kids walking around BVHP with small lungs and heart, don't have the opportunity before they're grown yet before they get sick, during the process of going up they get cancer have asthma, go to the Dr. 4 times a week, can't play sports
- **COMMENT:** We appreciate your passion, change perception on UCSF, i feel like they have failed the community on so many levels, inhalers don't work, stop our menthol cigs but just got 20 mil to study our impacts, minorities decreasing every year in sf, tired of dying at the expense of pharmaceutical companies, hope you guys get in there and change it, tired of being a scientific study, guinea pig
- **COMMENT (Leaotis):** This is ground zero, being in BVHP this is ground zero, walk around and look and see the industrial shops, go to any of the 4 corners take your pick, when you leave from ground zero, don't forget ground zero, don't

be deterred, don't let anybody sway you because you've been to ground zero and you know wrong from right

- **COMMENT (Dr. Ramona):** Dr. Sumchai should be on advisory board, want UCSF students during yearly tours to look at BVHP for them to talk to you develop a passion and then bring it back

3:55PM Next Meeting Dates, Times and Location

- October 16th, dinner meeting 5:30, 6-8 southeast facility

4:00PM Meeting Adjourned