MEETINGS WITH HUNTERS POINT NAVAL SHIPYARD COMMUNTY GROUPS

December 8, 2010
Briefing Materials for Mathy Stanislaus

DRAFT EDITED 11/29/10 – DO NOT CITE OR QUOTE

CONTENTS

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BACKGROUND AND CONCERNS

STOP LENNAR ACTION MOVEMENT (S.L.A.M.)

The following is the mission statement from SLAM's webpage: "S.L.A.M. is a coalition of African Americans, Latinos, Pacific Islanders, Asian Americans and Anglo Americans who are vehemently opposed to the poisoning of their most vulnerable -- women, children and elders. They contend that the government refuses to do their job of protecting the people as well as the environment and that it is criminal. They feel that the government officials cooperate with, accept money from and align themselves with Lennar who is the master developer of Parcel A. Parcel A is a delisted and transferred portion of the Hunters Point Naval Shipyard. S.L.A.M. says that the government allows Lennar to continue to pollute and conduct land grabbing in the community. They feel that the U.S. Navy is failing to do the required cleanup of the Hunters Point Naval Shipyard Superfund Site and that it is a most heinous crime. S.L.A.M. is a spiritual movement and professes that God is with them. They feel that those who have the blood of their children on their hands will face God's judgment." Contact Person: Brother Leon Muhammad.

In April 2009, S.L.A.M. met with EPA and expressed the following concerns:

- Dust generation related to construction work at Parcel A
- Health concerns (specifically high rate of asthma and nose-bleeds that the group attributes to dust generation at Parcel A)
- Health effects from naturally-occurring asbestos and heavy metals in dust
- A three-month period of heavy grading while no monitoring was conducted (by error of Lennar's contractor).

EPA provided the following direct assistance and provided TASC services as follows:

- A technical advisor was provided to assist S.L.A.M. in formulating a needs assessment to help focus their efforts.

- EPA staff conducted technical analysis of dust mitigation plans and independent laboratory analyses of data associated with the City and Air District's efforts to control naturally-occurring asbestos and heavy metals in dust associated with construction activity on Parcel A at the former Hunters Point Naval Shipyard.

- EPA released the draft report called "U.S. EPA's Review of Dust/Asbestos Control Measures and Air Monitoring at Hunters Point Shipyard Parcel A." An independent e asbestos expert reviewed the data and draft EPA report for the community and held a public meeting for the community to hear the results. After incorporating the TA's comments, EPA finalized the report.

- A technical advisor was provided for S.L.A.M to review portions of the City's draft EIR report that concerned the Hunters Shipyard cleanup. EPA had TASC arrange a public meeting hosted by SLAM where the TA gave presentation on the comments submitted to the City.

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REPRESENTATIVES FROM THE AFRICAN AMERICAN REVITILIZATION CONSORTIUM, BAYVIEW HUNTERS POINT PROJECT AREA COMMITTEE AND SAN FRANCISCO CITIZENS ADVISORY COMMITTEE

African American Revitalization Consortium is a group of leaders and representatives of Bayview Hunters Point community (i.e., advisors, political representatives and community representatives) who work with the City, the master developer of the Hunters Point Naval Shipyard and union officials to help the community understand the redevelopment plan and the economic interests of the project. Contact Person: Pastor Walker.

Bayview Hunters Point PAC is a community entrusted group with the responsibility of providing advice, recommendation, and direction to the San Francisco Redevelopment Agency. Through the development of a Concept Plan that specifically details the exigency of the community, the PAC's and the community participation in the revitalization of the Bayview Hunters Point will result in a blueprint of empowerment and revitalization that is in the best interest of the current Bayview Hunters Point residents, businesses and community organizations. Our interest is in fostering accessibility and availability to the ambient factors needed to become a vibrant, family-oriented and exciting economically viable community. The PAC members are appointed by the City Mayor. Contact Person: Linda Richardson and Angelo King.

CAC (Citizen's Advisory Committee) is an advisory committee made up of Bayview Hunters Point residents and business owners, Shipyard tenants, and other stakeholders that advise the Mayor on matters affecting the reuse of the Hunters Point Shipyard. Recommendations from the CAC are also forwarded to the Board of Supervisors and the San Francisco Redevelopment Agency. Members of the CAC are appointed by the Mayor in consultation with the San Francisco Supervisor representative. Contact Person: Dr. Hunnicutt.

The main concerns of the representatives above are that the development of Parcel A and the cleanup of the remaining parcels at the Hunters Point Naval Shipyard to be transferred will be conducted in a safe manner and that the health of the community is in the forefront. They want the remaining parcels cleaned up to the standards proposed in the Hunters Point Naval Shipyard Redevelopment plan. EPA has met with the representatives and they request that we keep them informed of any assistance offered and we make sure the community-at-large is informed. They do not want us to center assistance to only one segment of the community.

BACKGROUND ON THE NAVY'S DRAFT COMMUNITY INVOLVEMENT PLAN AND RECURRING INTERVIEW THEMES DISCOVERED

The Navy, with assistance from the EPA, Regional Water Control Board and CA Department of Toxic Substances Control representatives, conducted 73 interviews with various segments of the community (i.e., residents, minority groups, environmental groups, former restoration advisory board members, local business, educators, media, health provided and elected officials) representing the three zip code areas around the shipyard. The Navy made numerous attempts to interview S.L.A.M. representatives, but only two individuals agreed to be interviewed. The main representatives refused to be part of the process because they felt that the dissolution of Restoration Advisory Board was conducted illegally and did not want to participate in any attempts to replace it.

The U.S. Navy developed a draft summary of the recurring themes found through its interview process. The Navy will develop a draft and have a public comment period to receive input from the community. They will develop activities in the plan to meet the needs of the themes below:

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The majority of the interviewee felt that **the Navy's communication with the Hunters Point Shipyard (HPS) community about the environmental cleanup program has not been effective**

Available general information about the U.S. Navy's environmental cleanup program at HPS is lacking. Most interviewees stated they would like general information about the cleanup but they do not know where to find it. General information included an overview of the program and responsibilities, a timeline, and status of work.

The HPS community is diverse, resulting in varied concerns and communication preferences and needs. No single outreach method exits to communicate with all of the stakeholders in the HPS community. To obtain information and give feedback, some interviewees prefer to attend meetings, while others like to receive information through their church, preferred radio stations, the internet or the mail.

The difference between the Navy's HPS environmental cleanup program and the City's redevelopment of HPS is not well understood. Many interviewees did not know that the Navy is still doing work on HPS; others thought the current redevelopment on a transferred parcel is being conducted by the Navy. In addition, confusion existed about the Navy's role in selecting the City's master developer.

Health is a primary concern for most segments of the community. Interviewees were concerned that contamination at HPS is having an impact on their health and they noted high rates of cancer and asthma in the area. Interviewees were also concerned that contamination at HPS will have negative health effects in the future, especially for people who will live on HPS property.

Coordination with established community members to conduct outreach is important for all demographics. Some interviewees felt that HPS community distrusts the Navy. It was suggested that the Navy work more closely with members from various sectors of community who could relay information about the cleanup directly to their neighborhoods. This communication method was identified as the best way to inform members of every community.

EPA RESPONSE TO S.L.A.M.'S CONCERNS REGARDING THE SAN FRANCISCO EIR AND EARLY TRANSFER PROCESS

Below is a short summary of EPA's response letter to S.L.A.M.s' technical advisor and attorney's letter dated 11/10/10. The longer version is enclosed for purview as well.

1) **Potential lack of adequate enforcement of hazardous materials regulations and oversight of multiple contractors working after Early Transfer.**

   EPA, DTSC and the RWQCB will enter into an enforceable AOC with the SFRA/Developer. The regulatory oversight will be the same after any early transfer as it is currently with the Navy.

2) **Early transfer will expose development construction workers and new residents, school children, etc. to contaminants released during post-transfer cleanup**

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EPA will ensure through the CERCLA process that any remediation planned for after early transfer is suitable for integrating with development. For Parcels B and G, the actual post-transfer remedial work is limited to:

a) **Groundwater and vadose treatment in a small area**: This will not pose a threat because exposure to chemicals during these processes are easily limited by standard engineering controls like carbon filtration.
b) **Installation of shoreline revetment wall**: This is necessary to control shoreline erosion and will be completed prior to any development construction. There are no contaminants present in the revetment area at concentrations above normal construction zone levels.
c) **Install a cover, either hardscape or two feet of soil, over entire area:** This will not pose a threat, first, because it consists of the placement of clean imported soil, or laying of asphalt or concrete that are components of development. The cover is required because the fill soil has naturally occurring metals and some organics that pose a potential risk within the EPA acceptable risk range. We would not typically require a cover in such a situation, but are doing so at HP because of cumulative impacts and the goal to have all remedies result in a less than one-in-a-million potential risk for cancer.
d) **Perform long term groundwater monitoring**: This does not pose a risk.
e) **Enforce Land Use Controls**: This does not pose a risk.

3) Concerns exist over the notification and education about the LUCs to future residents and workers and the long term enforcement of the LUCs.

EPA, the State, the Navy and City are developing very detailed monitoring, inspection and enforcement procedures through the CERCLA process, typical of LUCS implemented at many other Superfund sites.

4) Potential of encountering unknown hazards, such as buried drums, during development.

The potential risk of finding unknowns is the same during regular or early transfer. For Hunters Point, we are developing specific procedures in the AOC to cover potential unknowns.

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EPA MAIN MESSAGES: SHIPYARD CLEANUP, COMMUNITY INVOLVEMENT AND EARLY TRANSFER

- The Navy spends $40M a year on cleaning up the Shipyard
- EPA went above and beyond to address community concerns regarding asbestos and dust
    - Provided two technical advisors of the community's choosing and at our cost to help us all understand and communicate on a very technical asbestos issue.
    - After much work, EPA was able to determine that the community was not exposed to unsafe levels of asbestos and dust, and got the word out to resident.
- EPA will ensure protectiveness of the community before, during, and after development. EPA will remain the lead oversight agency for ensuring compliance.
- EPA will assist the Navy in revising the Shipyard's community involvement program and incorporate input from the community in the designing its activities.
- EPA law imposes specific enforceable requirements on the Hunter's Point Early Transfer and EPA will oversee this process.

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