

U.S. EPA West Oakland Residential Lead Assessment CAG Meeting

January 24, 2011

Attendees:

EPA: Leana Rosetti
Steve Calanog

EPA Contractor: Sara Dwight/Ecology&Environment
Interpreter: Jack Medina
CAG Members: Brian Beveridge
Bruce Beasley
Eric Gerrick
Vic Johnson
Tony Diamantidis
Dan Vigil
Kathy Webster
Nick Robinson
Brent Bucknum
Jill and Dan Vigil
Scott Oliver
Phoebe Rossitu
Angie May
Tori Johnson
Ellen Parkinson
Frances Watson
Kerri Atwood
James Marshall
Gloria Riley
Maggie O'Donnell
Bradley Angel/Green Action
John Schweizer/Technical Assistant

Lead Cleanup Presentation, Steve Calanog, U.S. EPA

Lead problems similar to those in residential yards in West Oakland exist in urban areas all over the world. The U.S. EPA administrator Lisa Jackson and Congresswoman Barbara Lee toured the West Oakland community open house in South Prescott Park back in October 2010 and have become very interested in how community involvement is playing a role in the proposed cleanup of West Oakland residential yards. This project has attracted the attention of leaders, community members, scientists, activists, organizers, etc. There are many people interested in seeing how the West Oakland residential yard cleanup progresses and in learning from the community collaborative component of this project.

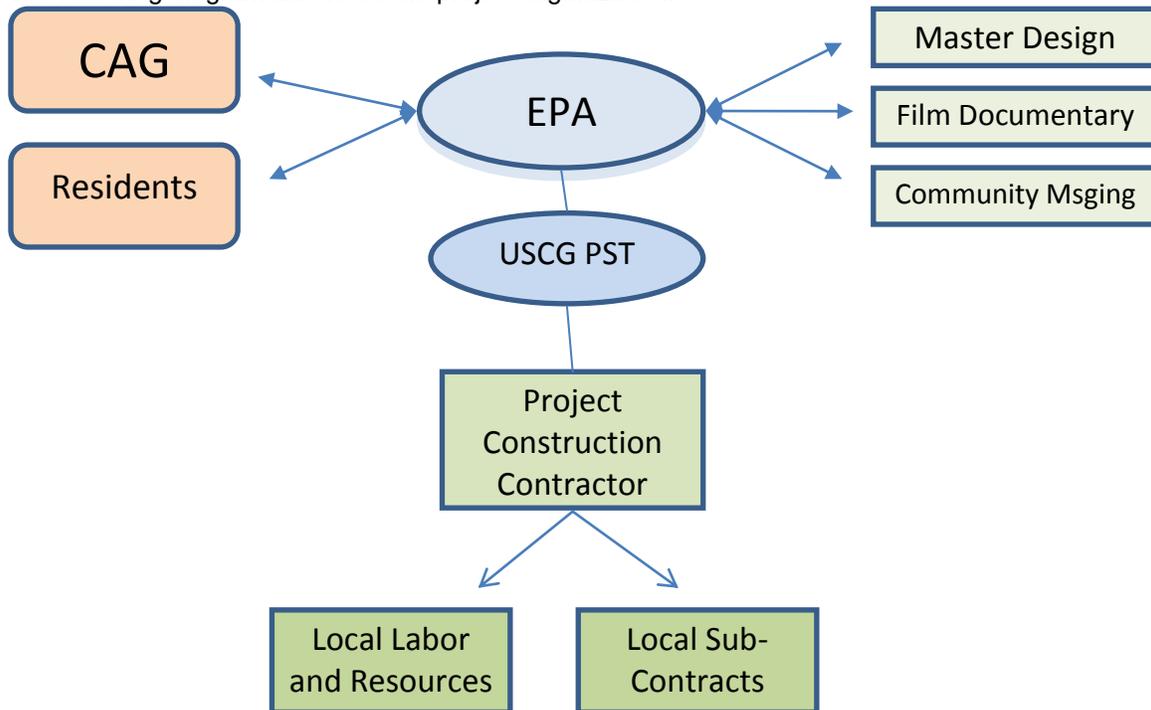
Many components of the proposed solution for the West Oakland residential yards came from the community and are being heard/implemented. The U.S. EPA wants to perform the proposed cleanup so that it meets the following project objectives that came from the community:

- Minimize and/or eliminate the Pb risk to the community, especially the high-risk age group – children 0 – 6 yrs of age
- Implement project with the least detrimental impact to the community and environment.
 - Use electric vehicles/equipment
 - Minimize/eliminate landfill disposal
 - Utilize recycled materials, locally grown/native plants

- Utilize to the maximum extent possible local resources.
 - Build local capacity, use local expertise

Project organization

The following diagram illustrates the project organization:



- EPA personnel include Leana Rosetti, Steve Calanog, Barbara Lee (contracts manager)
- CAG members and residents are an integral part of the project and provide feedback directly to EPA.
- USCG PST – U.S. Coast Guard Pacific Strike Team members will be used as safety officers/EMTs
- Project Construction Contractor is the “Big Contract” – they will be responsible for addressing lead in soil, restore yards
 - Local labor and resources (i.e. security, nurseries, landscapers, etc)
 - Local subcontracts
 - This contract is still under negotiation
- Smaller Contracts that are out for bid include:
 - Master design – provide visual aids and options for yard design; designed to promote discussion and for community members to visualize their options for yard restoration
 - Film documentary – There is a lot of outside interest in this project, so a documentary is proposed that will capture the community participation and dialogue
 - Community messaging (PR) – once the yard work starts, there will be a greater need to answer questions within the community, share the message from a community perspective

Contracts

Status of contracts

- 4 contracts (as described above) are currently out for bid.
- Contract negotiations are ongoing so work cannot start in February/March 2011 as originally anticipated.
- EPA has received many more bids than they originally expected, so it is taking longer to go through them and award them.
- There is about a 2 week delay in awarding the smaller contracts.

Project Construction Contract

- Role – treat soil and restore yards
- Utilizing local labor and resources
- Minimize impacts to the community
- Items currently in discussion
 - Project Office Location
 - EPA will have an office trailer on site that will have an “open door” policy. Residents can get information, catch up on project details, etc.
 - The project construction contractor will need to lease space for this office trailer in the neighborhood.
 - If anyone has ideas regarding potential space (i.e., a vacant lot) please pass information/ideas on to Steve Calanog.
 - Utilizing local labor pools
 - Plan to hire 2 teams of 4-5 people to work on 2 yards at a time. May expand and add additional staff depending on how the work progresses.
 - Hire part time office help to staff office trailer in neighborhood. They'll be looking to hire someone within the next 6 weeks or so.
 - Electric Vehicles
 - Cut down on noise/pollution
 - Solar Power
 - EPA used a diesel generator in Fall 2009 when they performed the initial assessment. Diesel generators are noisy, contribute to pollution, and are targets for vandalism/theft.
 - EPA prefers to use solar power for equipment if possible. There are construction sites that provide solar panels on a trailer that are equivalent to generators.
 - Local Resources
 - Nurseries – potential contract growing, sod,
 - Landscape designers – each individual yard will have a design aspect with regards to restoration (separate from master design which is more conceptual)
 - Landscapers – final finishing touches for restoration
 - Security
 - Other activities as needed

Small Contracts

- Master Design Concepts
 - Pre-work ideas for yard restoration
 - Residents won't be limited to these designs; they are mostly to start discussion and let residents visualize what is possible in their yards
- Film Documentation
 - Episodic filming of project
 - EPA received all 13 bids for the documentary by word of mouth
 - Documentary will focus on community perspective, challenges they face, working with EPA, etc.
- Community Messaging
 - Keep community up to date on project status
 - Social media/meetings/work scheduling
 - Hope to use all sorts of aspects – door knocking, flyers, office trailer, etc

Question: When and where were these contracts advertised?

EPA Answer: Steve believes the main contract was advertised in September/October 2010. EPA will follow up regarding where the notices were advertised, as this is done by the contracts office and must go by certain regulations.

Project proposed work dates/Work Schedule

Due to delays in the contracting process, the project work schedule has been revised.

- Previous Schedule
 - Bench Testing ongoing
 - Demonstration plots – January/February 2011
 - Begin work on yards March/April 2011
 - Est. completion of 150 yards – August/September 2012
- Latest schedule
 - Bench testing ongoing
 - Demonstration plots – late February/early March 2011
 - Begin work on yards – May 2011
 - Estimated completion of 150 yards – October 2012

Question: When does the designing come into this schedule?

EPA Answer: The master design contract should be awarded in about 2 weeks.

Preliminary Results of the Laboratory Bench Test

- Objective of the bench test: evaluate the effectiveness and optimize the fish bone treatment that is planned for use in residential yards to detoxify the lead.
- The basic science behind the bench test is:
 1. Fish bones (containing calcium phosphate) degrade in the soil collected from selected yards.
 2. The phosphate binds to lead to create pyromorphite which is naturally occurring and non toxic.
 3. This method has been used primarily by military to clean up gun range sites.
- EPA's bench test set up:
 1. EPA took 75 lbs of soil from 10 yards, some front and back.
 2. Removed rocks and roots by sieving.
 3. Divided the soil up into five containers per yard:
 - One contained untreated soil (no fish bones),
 - Added fish bones at 3% to two containers
 - Added fish bones at 5% to two containers.
 4. Watered all containers.
- Laboratory analyses are performed to evaluate the proposed treatment regime (3% and 5% amendments of fish bone to soil)
- First set of samples sent in September.
- Three month samples were sent to lab right after thanksgiving.

Analytical Laboratory Work

- The analytical work for the West Oakland bench test is way more extensive than has been conducted across the country. Analyses performed include:
 - X-Ray Fluorescence (Total Pb)
 - TCLP (Pb Leachate)
 - **In-Vitro Extraction** (Bioavailability of Pb from treated soil)
 - **X-ray Absorption Microscopy** (Pb Speciation – Argonne National Labs)
 - pH, particle size, organic matter content, calcium carbonate, bulk density, cation exchange capacity
- Primary analyses
 - **In-Vitro extraction** (bioavailability of lead from treated soil)

- Measures how much of the lead in the samples is available to a human being if the lead were ingested. No animals are being harmed – this is a simulation of what happens in a human stomach done in a lab.
 - First report is not yet finalized.
 - **X-Ray Absorption Microscopy** (lead speciation – Argonne National Labs)
 - Tells us specific types of lead that are formed in samples
 - Shoot samples with x-rays, molecules vibrate and send signals back, and allow you to determine the different lead compounds – not all lead compounds are toxic.
 - For this project, we are interested in converting toxic lead to non-toxic lead.
 - Initial x-ray absorption microscopy results show the treatment is working
 - Backyard of 316 Henry: Untreated soil – no pyromorphite formation, meaning the toxic lead is still there. After the addition of 5% fish bones, we have 44% reduction in toxic lead in 2 weeks.
 - 323 Henry: Untreated soil – 11% pyromorphite (non-toxic lead). After the addition of 5% fish bones, we have 61.7% pyromorphite in 2 weeks.
 - 349 Chester St.: Untreated soil – no pyromorphite formation, meaning the toxic lead is still there. After the addition of 5% fish bones, we have 59.5% reduction in toxic lead in 2 weeks.
- John Schweizer has come out twice to see the bench test. The invitation is open to anyone to come and see the bench test at the EPA Region 9 Lab in Richmond. Contact Steve Calanog if interested.

Question: Should we add more fish bones (10-12%)?

EPA Answer: This is a case of diminishing returns – studies have shown that greater than 5% fish bones doesn't result in any more reduction of lead.

Question: Do you expect the concentrations of toxic lead to keep reducing over time?

EPA Answer: Yes but at some point it will level off.

Question: What about the total lead concentration number?

EPA Answer: The total lead concentration number WILL NOT CHANGE. This is a very important concept.

Almost everyone (DTSC, state, locals, etc.) is fixated on total lead. Total lead doesn't mean you definitely have a problem, it means you MAY have a problem. The acceptable total lead number is dropping, meaning large parts of the bay area are above the acceptable risk level. It is not feasible to dig up the entire bay area to remove lead. The key is to reduce the **toxic** lead component of the total lead number. The fish bone treatment is how EPA plans to do this at the West Oakland neighborhood.

Question: Will you do post-testing after treatment?

EPA Answer: Yes, probably not in every yard but EPA will do confirmation sampling.

Question: Do you think over time EPA will modify its overall definition of "lead"?

EPA Answer: Yes, they will have to. Not just EPA but realtors and many others who are concerned with lead contamination.

Question: Is there an easy way to test for bioavailability of lead?

EPA Answer: Today, no. Hopefully this work will help to spread knowledge of this situation and develop these testing capabilities. People fear lead contamination because they fear the unknown, and are worried it will cost them tons of money to dig up their yard and fix the problem.

Process for House by House Work

How will it work?

- Pre-Work (weeks to months prior)
 - Property owners and/or tenants will meet with EPA (discuss concerns, pets, residents schedule, etc)
 - Discuss work and agree on best times/dates
 - Discuss and agree on how the yard will be restored
 - EPA will be addressing exposed surfaces. We won't dig up paved areas or decks. Focus on areas where kids could get into dirt and get exposed.
 - Schedule and conduct a pre-work yard inventory
 - Photos and videos may be taken
 - Yard drawings
 - Discuss status of structural exterior paint
 - Some houses have peeling paint. This should be mitigated before doing work so that peeling paint doesn't recontaminate the soil.
 - EPA cannot paint your house or peel the paint.
 - Alameda County Lead Poisoning Prevention Program – programs are available to assist residents with peeling paint issues.

Question: Who will pay for the removal of mitigation of peeling paint issues?

EPA Answer: Property owners can get some money from the county. If a house has a paint problem, EPA would want to wait until there is resolution of the peeling paint issue before beginning yard work/restoration so as to avoid recontamination.

EPA will talk to county about how to work together and address this. Property owners must qualify for county assistance so EPA will talk to Alameda County to see what assistance is possible. Perhaps community groups and/or volunteers could help.

- Discuss and sign access agreement – gives EPA permission to enter/perform work.
 - EPA doesn't want to walk through houses or be in houses; they only want to be in back yards.
 - Houses will be approached on a case by case basis if the yard is only accessible from inside the house.
- Sign restoration agreement
 - EPA, property owner agree on design
 - Will have conceptual drawing for each yard that shows how yard will be restored,
 - Everyone will sign off that that's what was discussed and agreed upon
- Discuss need/desire to relocate
 - Work will likely (typical yard 25 ft x 100 ft) take 5-7 work days.
 - In the event that work makes you need to be away from your house, you can relocate

Question: Would you suggest that people with kids relocate?

EPA Answer: Dust suppression using a water truck/water stream should prevent exposure to lead, but if dust suppression isn't successful there could be an exposure. EPA will discuss with people on a case by case basis if they are interested in relocating. Equipment: team of 4-5 people, shovels, rototiller, rakes, mostly manual labor, hose, dust suppression

Comment: Neighbors want to be notified before work so that cars can be moved or covered to keep them from getting dusty.

EPA Response: Good idea for community messaging.

- EPA WILL NOT BE DIGGING UP TREES!

Question: What if you want your tree removed?

Resident says you must contact public works to get any tree removed, desirable or undesirable. Oakland has a tree protection ordinance that requires a city permit to remove trees. EPA requests information from a resident who works at City of Oakland regarding tree removal permits.

Questions: So if you want your tree removed and the City of Oakland approves it, then will EPA remove your tree? What if your trees are very tall and need to be topped? Would EPA work with residents to integrate things like topping trees since there would already be tree people/landscapers in the area – contract it at the same time, have it all done at once?

EPA Answer: Sure. EPA can't necessarily pay extra for it since the primary focus of this project is lead remediation, but residents can work with contractors to have work done at the same time. This is also a good opportunity to get rid of small things like old dog houses, etc. in your yard that you no longer want. EPA will go through yards with botanists to make sure things like root radii of trees are respected.

- Week of Work
 - Most yards should be completed in 7 days
 - All yard furniture, structures, art, ornamental pieces will be moved and stored (on-site/off-site)
 - Grass/weeds will be removed
 - Yards will be graded and then treated with the fish bones and a rototiller
 - Yard will then be restored
 - Need treated soil to be in contact with surface soil and moisture for reaction to occur, so probably won't put a cap on the treated soil.
 - Probably use something biodegradable like burlap to demarcate the treated and restored/topsoil/new plants
 - Yards will be watered weekly for at least 1 month to 3 months depending on local weather – needs to be kept pretty wet because phosphate in water is how pyromorphite is formed.

Question: Will EPA reimburse residents for their water bill?

EPA Answer: EPA will bring in a water truck so that residents' water bills aren't affected.

- Post Work
 - Yards may be sampled
 - Watering may continue (depending on weather – working in the rain actually helps the treatment)
 - EPA will meet with property owners and/or tenants and ensure that the yard was restored to each other's satisfaction
 - EPA will provide a report to the property owners and/or tenants of the lead condition of the yards prior to work and the work done to eliminate the risk of lead (i.e. there was this amount of lead, EPA did this remediation, put in 5 garden beds, restored the yard, etc.)

Question: Would these reports be public documents?

EPA Answer: Yes, because tax payer money was used for this work.

Comment: This could be a warning to people who decide not to do the remediation. It will be documented that people had work done, so there may be negative repercussions for those who don't.

Comment: There will always be people who won't do it.

Comment: You could sue them... you could call the health department first but ultimately you could take civil action.

Comment: The proposed timeline seems particularly ambitious, especially portions that require so much community input. Also if resident wants to do something like put in a graywater system while work is being done, the timing will be longer.

EPA Response: Yes, it will be slow going; people need to be trained to do the work and we want them to be successful. EPA also want to show the neighborhood through some test plots that the restored yards will look pretty nice and the remediation process won't be as painful as they thought it may be. Once the work is being done EPA is hopeful that most people will want to participate voluntarily. 3-4 yards a month may be ambitious but EPA thinks it can be done.

Question: I think the timeline is not ambitious. Points brought up during last meeting aren't being mentioned or addressed. I am angry that the schedule is being postponed, especially messing up growing season. There has been too much meandering, and my concerns aren't being addressed. Why?

EPA Answer: Pursuing these small and local contracts is not something EPA traditionally does and it's taking up a lot of time. Getting these through are Steve Calanog's priority and he apologizes for not attending to the issues previously raised. The contracts are about to be finalized so EPA can focus on these other issues and on starting the work.

Comment: Resident wants the yard work to be the priority so they can get on with their lives.

EPA Response: Government contracting is not quick and easy. EPA's contracting department is handling these contracts and Steve Calanog and Leana Rosetti don't have much influence over the timing of the process. There is an ongoing dialogue with the contracts office and Steve/Leana.

Comment: Residents have timing issues too. For example, a resident needs a new fence but doesn't want to replace it if EPA is going to come in and tear it down in a year. Resident is frustrated.

Comment: We (the project) are on hold, and we'll continue to be on hold because additional logistics will come up.

EPA Response: Steve is glad residents are expressing their frustration. He apologized for the delays and reiterated that the extra time is necessary in order to perform this project in accordance with community objectives (local labor, contracts, etc.)

Question: What is EPA going to do with fences? There will be lots of coordinating involved.

EPA Answer: Fences will have to be addressed on a case by case basis.

Question: What is being done to try to convince neighbors who aren't participating in the remediation?

EPA Answer: Part of the process is that people won't care until they see the finished yards and want their yard done too...this will make the dialogue much richer/more engaging.

Question: How many people are interested/signed on to have their yards remediated?

EPA Answer: Everyone who answered their door when EPA performed community outreach was interested. EPA anticipates that the first yards will look very nice and interest in the project will increase. More than 1/3 of yards were sampled, and EPA expects that those people will have their yards remediated as well.

Question: What about property owners who are renting?

EPA Answer: EPA has talked to several property owners and they are interested and want to engage the tenants when the work is closer to being begun.

Suggestion: The community should put together a committee to go out and do outreach to homes.

Comment: EPA has been trying to change this dialogue from one-on-one with EPA to community with EPA. If EPA had done this as a “textbook” removal, it would have been dig and haul. We (residents) need to think of this as a pilot program for the nation so it’s going to take longer since we’re doing something innovative. We’ll be able to do a lot more yards than if we’d done it conventionally (dig and haul). Also this unique approach to contracting will take longer, because it’s innovative and something that is different from what EPA normally does. This means things may take much longer than even the schedule that is being proposed.

Question: What happened to the “3 options” approach where residents could choose what remediation approach they want? Demonstration plots are to attempt to entice more community members who haven’t been involved/coming to meetings. Resident is frustrated that those who have been coming to meetings for a year are still being dragged along. There aren’t any new faces at the CAG meetings.

EPA Answer: Ultimately this comes down to what is available resource-wise. The dig and haul option is expensive and not really feasible for a large scale residential project such as this.

Comment: Yes we are being inconvenienced but ultimately we will be getting a big benefit. Other places are contaminated and won’t get this program. We are lucky.

Comment: I live across 7th street outside of project area and I think it’s a huge opportunity that EPA is working with the neighborhood and investing the time.

Comment: The people in this room realize that this is a big opportunity.

EPA Response: We need the people in this room – even if they are the same faces. It just takes a few committed citizens to motivate other people. We feel badly that you are frustrated and, yes, you are sacrificing yourself and your time but ultimately EPA and the larger community really appreciate your involvement.

Comment: Resident expressed frustration at timetable and inconvenience. Frustration with not being able to get on with it or plan. We need to come up with an order of yards/process, so that residents will know whether they’re at the top/bottom of the list, etc., for moving forward.

EPA Response: Thank you for voicing your frustration. It is very important for EPA to hear. Once the contracts are complete, a schedule can be put together and EPA will work with people’s schedule requests to put together an order of yards.

John Schweizer TASC presentation

Website

(Phase I) – proposed, not yet funded

- What it does
 - Communicate information the community wants to have
 - Communicate info the community wants EPA to have
 - Communicate questions from the community for TASC to answer, also for other community members to answer
 - Organizes information
 - Allows for modification by the CAG
- Lead Treatment Project – Info for the Community
 - A page to show the schedule for lead treatment of each residence, start and stop
 - A page with pictures of completed projects
 - A page for EPA/contractor to input changes to the schedule and notify residents
- Information that EPA needs
 - Page for members to submit issues that arise as contractors are working (dust is raising, etc) Submit – email goes to Steve, Leana, John
 - Password protected to avoid spam

- Posts issue to the blog so that everyone can see that there's an issue
- Word Press Blog
 - Allows posting of questions and answers similar to Facebook postings
 - Password protected to avoid spam
 - Allows posting links to the TASC documents, indexing by keywords, would organize and make information accessible
 - Organize documents and Q&A by category
 - Indexing by key words
 - Designated CAG members can modify blog

Future

Phase II would be to make changes to the website, add functionality desired by the CAG and approved by the EPA.

Phase III would add mapping and additional functionality so that it could be used in conjunction with the Superfund site.

- Other ideas include adding real-time readout from air monitors, graphics showing contamination and cleanup progress, 3-D graphics showing remediation activities, progress, etc.

Question: This website idea is great! Will it happen?

Answer: John works for a prime contractor on the TASC contract. The first problem is, can a website like this fit within the TASC contract? Yes, but EPA has to authorize the contractor to do it.

Comment: The residents at the meeting agree they want this website and want EPA to authorize it.