

USEPA South Prescott Lead CAG Meeting, July 12, 2010

EPA Attendees: Leana Rosetti
Steve Calanog
John Jaros
Janis Witul

EPA Contractors: Sara Dwight/Ecology&Environment
Carolyn Moore/Camp, Dresser & McKee, Inc.

Interpreter: Jack Medina

CAG Members: Brian Beveridge
David Carter
Bruce Beasley
Phoebe Rossiter
Hilair Rossiter
Eric Gerrick
Mary Ellen McDonald
Laurence Beasley
Kathy Webster
Miguel Avalos
Nicanor Mendoza
Tori Johnson
Manuel Pimentel
Angie May
Brent Bucknum
Kerri Atwood
Mike Blodgett
Eric Maundu
Ellen Wyrick Parkinson
Francis Watson
Bradley Angel/GreenAction
John Schweizer/Technical Assistant

EPA West Oakland Residential Lead Assessment

Disclosure/property values issues for lead cleanup from perspective of a realtor

The community planned to bring in a real estate broker to answer questions regarding lead contamination and property values. However, the real estate broker could not attend the meeting.

Answers to Past Community Questions Re: Lead

John Schweitzer of T3W is contracted to assist the community under an EPA-funded technical assistance services for communities (TASC) grant. John was asked to research/address four issues for this meeting by the South Prescott Neighborhood Association.

1. Research and provide a map of the original bay shoreline as it relates to the South Prescott neighborhood.
 - There have been concerns that lead contamination at the site may have been caused by the placement of contaminated fill.
 - A map was provided that showed the South Prescott Neighborhood was located north and west of the fill that was placed on bay mud between 1860-1900. This indicates the lead contamination in the neighborhood was probably not from contaminated fill.
2. Review EPA final reports prepared subsequent to remediation of large residential areas for lead.

- Three reports were reviewed: 38th and Quince Street Removal Action, San Diego, California; Ford City Burn Dump, Ford City, California; and Iron King Mine Site, Humboldt, Arizona.
 - Level of detail is different in each report
 - Schweitzer's comments on the reports:
 - Technical reports may be difficult for a layperson to understand.
 - Prefers figures that have confirmation sampling locations and results.
 - The Sampling and Analysis Plan should be included as an appendix in the final report.
3. Research and provide species-specific radii of protection for approximately 100 mature trees in the neighborhood.
- How can mature trees be protected during excavation/lead removal work?
 - Must account for tree species, tree condition, amount of roots, root condition, and tree age.
 - The best way to protect a tree is to have an inspection done before construction begins by a horticultural consultant, and the consultant will prepare specifications for tree protection.
 - Contractors should be monitored by someone with the authority to shut down the job to ensure trees are protected.
 - Mr. Michael Baefsky of Orinda, California was recommended as the Horticultural Consultant.
4. Provide recommendations for someone to answer the South Prescott Neighborhood Association's real estate and legal questions.
- Mr. Gregory Brock, Esq. was recommended as a lawyer with experience in:
 - Lead poisoned child cases
 - Landlord's liability if a known problem is not corrected
 - Homeowner's liability if lead problem is not corrected on homeowner's property and is a nuisance to neighbors
 - Ms. Sara Garabedian, Realtor, was recommended as an expert on:
 - Property values in West Oakland
 - Effect of lead contamination on property values
 - Effects on the value of a property if owner chooses not to correct a lead problem
- Both experts are available to attend a CAG or ad hoc meeting at the request of the community.

Community Involvement/Outreach Update

EPA efforts:

- EPA went door-to-door in the entire neighborhood a couple weeks ago to improve outreach.
 - Everyone who answered their door seemed interested in the clean up.
 - There may be some who are not interested that are not answering their doors.
- A South Prescott Park Tent Meeting will be held in October for additional outreach.

Ideas for community-led efforts:

- Those at the meeting understand why the cleanup is necessary and need to convince their neighbors of the same. Community members at the meeting expressed that they feel this is a unique opportunity to get clean yards (as opposed to if they lived in the next neighborhood over) and to learn about affordable lead treatment methods.
- Community should hold their own meeting, not lead by EPA
 - EPA can help to coordinate/facilitate the arrangements (meeting room, etc.)
- Need for more door knocking/outreach that is community based.
- August 3, 2010, from 5-7 pm, is South Prescott "neighborhood night out" – would be a good opportunity to talk to neighbors
 - Could hand out flyers with compelling message – i.e., "Will you be liable if you don't clean up?" or positive message of greatly improving yards

- Include translation services
- Everyone needs to talk to/engage their neighbors
- Information kiosk on each block – need more ways for people to access information (possibly funded by a TASC grant?)
- All streets in the neighborhood except Peralta were represented at the public meeting. Everyone present agreed to share their emails with others at the meeting to create an email list. EPA will create this email list based on meeting sign-in sheets to facilitate communication.
- Discuss long-term implications in property ownership (liability, property values, etc.) with neighbors. Need to hear from realtor and legal expert on these issues.
 - These issues may help persuade those who don't have kids or dirt yards to participate in the cleanup.
 - They will likely have to disclose contamination to prospective buyers and disclose that they elected not to participate in a clean up.
 - Neighbors could sue those who did nothing (dust blowing from non-remediated yards could be regarded as a nuisance.)
 - EPA cannot be involved in legal discussions but can help coordinate logistics such as meeting room, etc.
- Residents may want to hold a Spanish-speaking only meeting to attempt to include Spanish speaking residents.

Any sense for how many absentee owners there are in the neighborhood?

- EPA can search for this information. Absentee owners are being notified of the situation through mailings.
- EPA cannot provide absentee owner information to the community, but this information is available as public record at the assessor's office.

Does the South Prescott Neighborhood have significantly more lead contamination than other neighborhoods in the Oakland flatlands?

Yes. Alameda County Lead Poisoning Prevention group has sampled other neighborhoods and South Prescott has higher lead levels on average than they do.

Possible lead sources unique to South Prescott neighborhood include:

- Proximity to the former freeway
- Proximity to a former foundry located at 3rd and Center Streets
- Yards used for car repair (lead batteries, lead painted vehicles)
- Businesses

Bench Testing for Phosphate-Fixing of Lead

Steve Calanog of EPA presented a plan for testing the phosphate immobilization remedy prior to its implementation.

- Most lead concentrations in sampled yards were above the EPA residential screening level of 400 milligrams per kilogram (mg/kg)
- Now the California state screening level is much lower – 80 mg/kg, so essentially every yard sampled in the South Prescott neighborhood is considered to contain elevated lead levels.
- EPA has identified a number of alternatives to remove/treat the elevated lead concentrations
 - Now that the action level is lower, it isn't economically or environmentally feasible to "dig and haul" the contaminated dirt to landfills.
 - Landfill capacity is a finite resource.
 - EPA focusing on "green" alternatives.
 - Phosphate immobilization

- Capping
- Phytoremediation

Phosphate Immobilization Bench Test

- Phosphate immobilization treatment will be evaluated in the next several months
- Phosphate immobilization treatment has been proven to reduce lead toxicity at industrial sites but has not been tested on a residential scale.
- Four universities have studied its effectiveness.
- The testing is intended to determine that phosphate immobilization will be an effective treatment for the South Prescott neighborhood soils.
- Approximately 60 pounds (5-6 foot square footprint) from the top 2 inches of soil will be collected from volunteer's yards. Grass will be replaced if it is dug up. Soil will be mixed with phosphate at an offsite location and analyzed at laboratories.
- Timeframe: collect samples within the next 3 weeks, conduct laboratory testing in August.
- Contact EPA if you wish to volunteer for the bench test.
- For additional technical details, go to the Facebook fan page – "U.S. EPA - AMCO Superfund Site." If you're having trouble finding the Facebook page, EPA will email out the link to the email list.
- If you have specific technical questions about the phosphate immobilization bench test or effects of phosphate on soil, write them down and EPA will answer them.

Questions

Can you plant in soil that has been treated with phosphate?

Yes

Will adding phosphate to soil reduce its quality? Many gardeners in the South Prescott neighborhood are concerned with soil quality.

If soil has a high clay content, adding phosphate to the soil can make it hard. As a part of the bench testing, EPA will conduct testing on neighborhood soils to evaluate their clay content. EPA also wants to make sure that there is no increased phosphate runoff from treated soils and will be testing that in the bench test as well.

Landscaping

The community has been discussing having a landscape architect involved in the restoration of the yards. Kerri Atwood is a landscape designer who lives in the South Prescott neighborhood. Kerri and her mentor, Cat Chang, presented their proposal for a landscape design clinic for the neighborhood.

Hold design clinic in Prescott Park

- Residence basemaps
- Use magnetic parts on a basemap to arrange/visualize landscaping ideas and create a preliminary concept design.
- Complete pilot landscape at a neighborhood location (TBD)
- EPA hopes to have cleanup options ready to discuss by the tent meeting in October.

Yard Restoration Project Concept

- Existing yard design/assessment
 - What is the current EPA assessment tool? For example, mature gardens don't take as much maintenance and water as a new garden.
- Professional design consultation
- Cost
 - Obtain TASC grant? Leana Rosetti (EPA) will check on the possibility of applying for/using a TASC grant to fund landscape design and implementation.
 - EPA would have to provide landscaping consultants anyway; this cost would be built into the budget.

- Possibly adapt existing EPA budget to provide/fund local landscaping services.
- EPA wants to do the work as “green” as possible; landscape design could be one aspect of “green” work as it will result in long term environmental benefit.
- Bay Friendly Gardens
- Dry-scaping/Green/Water conservation
- Possible info Tent/Dialogue
- What is the Baseline/Minimum budget per yard?
- Certification
 - Each property owner who has remediation done will receive a letter report detailing the work done on their property.

Landscaping could be an incentive that might encourage people to participate in the remediation project.

What will happen to the park on Chester Street?

EPA needs to talk to the city. A local job training agency reportedly has priority to use the park, to train people to build houses. The community could propose an alternative (i.e. landscaping pilot project). The park was sampled but is mostly paved.

EPA wants to build local capacity. How local is local?

EPA considers Alameda County/the east bay as local. EPA funds part of an environmental technician training program at the Cypress Mandela Training Center. EPA would like to hire environmental technicians from this program to conduct some of the work.

Can the EPA also get rid of crabgrass during the landscaping portion?

Possibly. Resident states that additional incentive for him to get his neighbors to participate is so that crabgrass from their yards doesn't transplant into his remediated yard and ruin his landscaping.

What about the median strip (aka tree lawn) between the street and sidewalk?

EPA needs to talk to the city.

Miscellaneous Questions and Discussion

Testing is still available for properties that have not been sampled.

Have any treatment alternatives been ruled out?

Not yet. EPA wants to conduct as green a clean up as possible. For example, dig and haul is not the preferred alternative for treating the entire neighborhood because EPA wants to minimize disposal in landfills. However, dig and haul may still happen, but on a smaller scale. (i.e., small square of dirt in a yard may be easier to dig and remove than to treat.) EPA will work with each owner individually and propose the best method for their yard.

What about properties with peeling paint that may be a continual source of lead? What about foreclosed/condemned properties?

EPA needs to discuss these issues with the city/county. A program exists in Alameda County to assist with remediation of peeling paint. Some community members at the meeting stated that it is hard to qualify for this program. EPA will look into using this program in an expedited timeframe.

Is there a set budget per yard?

Approximately \$20,000 per yard (+/- \$5000). The exact budgets will have to be determined on a case by case basis.

Is “dig and haul” the only way to remediate a property down to the State action level of 80 mg/kg?

No. EPA has been discussing this project with the California Department of Toxic Substances Control. Only lead that is bioavailable (can be absorbed by the body) is toxic. Lead is also present in other forms that are not toxic. The action level of 80 mg/kg does not accurately reflect the health risk associated with lead, because it includes a number of different forms of lead, both bioavailable and not. This is referred to as total lead.

The addition of phosphate to the lead contaminated soils will reduce the bioavailability of lead, but other forms of lead will still be present. A number of tests will be done at laboratories during the bench test to determine how much bioavailable lead is present in the soil, both before and after the addition of phosphate. These include lead speciation, leachability, and in vitro bioaccessibility tests.

When does the South Prescott lead remediation work need to be completed?

Work needs to be completed within two years.

The successful cleanup of some yards may encourage others to participate in the cleanup.

Will there be post-remediation sampling?

EPA hopes there will not be a need for post-remediation sampling, as the sampling done for the bench test is considered representative of neighborhood conditions after treatment. It is possible that a subset of samples will be collected to confirm the reduced bioavailability of the lead, if phosphate treatment is used.

How long will the remediation take per yard?

EPA estimates the remediation will take 5 to 10 days per yard, with several (3 to 5) yards being done at a time.

Will yards get different treatments?

EPA hopes to come up with a preferred remediation approach based on parameters.

EPA will consult with the community as to the preferred approach.

Properties will be dealt with on a case by case basis.

Will EPA use the “three alternatives, choose one” approach, as discussed during the last meeting?

EPA will lay out options for each yard and discuss with property owners individually. EPA will document existing yard condition.

“Leaving yards better than you found them” could be a good selling point to convince people to participate in the remediation. What can be said to convince homeowners? What can they get?

- This is a unique opportunity for homeowners to clean up lead contaminated soil on their property and improve their landscaping.
- They could have a fully sodded lawn (expensive to maintain) or other landscaping options as desired.
- Raised beds are available.
- Paving or patio (decomposed granite patio) if people want it (this is a form of capping)

Resident proposed different tiers of incentives, i.e. a resident who chooses dryscaping would get more restoration done than someone who chooses a grass lawn.

What if, in the future, someone takes up their concrete slab and exposes contaminated soil in their yard? Will EPA return to remediate the soil?

No. EPA is only conducting remediation of exposed areas at this time and will not return in the future.

Should people remove their concrete now?

If they wish. EPA will not remove concrete or driveways to remediate soil beneath them. Only areas that are exposed during the project timeframe will be remediated.

Open Questions

Residents need clarification on legal and property value issues regarding lead contamination in yards.

Residents request structured document from EPA containing treatment and landscape design options.

Reuse Assessment Draft Report

No comments on the draft report; it will be issued as final after adding Kijiji Grows request.

Meeting with Operation Paydirt

- A similar project (Fundred and Operation Paydirt) is being conducted on 83,000 yards in New Orleans that contain similar levels of lead contamination as South Prescott.
 - www.fundred.org
 - <http://www.fundred.org/about/operation-paydirt.php>
- Representatives from Operation Paydirt (Mel Chin, Amanda Wiles) will be in town on Monday, July 19, 2010 and are interesting in meeting with the community and visiting the neighborhood.
- If community members are interested in meeting with them, contact Steve Calanog (EPA). Currently a meeting is set at 2pm on Monday July 19 at Brent Bucknum's residence, 351 Henry Street #2.

Upcoming meetings:

- AMCO Superfund Site CAG Meeting: August 9, 6:30 – 8:30 PM
Mandela Gateway Apartments Community Room located at 1350 7th Street, Oakland.
- Leana Rosetti (EPA) will be gone in September; Steve Calanog (EPA) will be gone in August. The community may want to hold meetings on their own.
- A tour of the KijijiGrows aquaponics and urban farming facility will be given at 4:30pm before the next meeting at 1357 5th St. A presentation will follow during the meeting.

EPA West Oakland Residential Lead Assessment Area Map

Source: DigitalGlobe, Image date 2009-04-01

