



FACT SHEET

December 6, 2010

Background

- In 2005, the Board of Supervisors of the City and County of San Francisco and the San Francisco Redevelopment Agency approved the transfer of Parcel A' of the Bayview Hunters Point Shipyard to Lennar BVHP, LLC ("Lennar") for a redevelopment project in which Lennar plans to construct approximately 1,600 attached single family homes.
- Parcel A' is located in an area that contains naturally occurring asbestos (NOA), which is a term used for several types of fibrous minerals found in ultramafic and serpentine rock. Grading and construction activities at the site are subject to requirements of CARB's Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations ("the ATCM"), which is intended to limit the public's exposure to NOA.
- The ATCM requires that construction and grading operations be conducted in accordance with an Asbestos Dust Mitigation Plan (ADMP) that has been approved by the local air district. ADMPs must contain dust mitigation measures addressing topics such as the control of dust tracked out from the construction site, and the limitation of dust emissions from the offsite transportation of excavated soil. The ATCM also allows air districts to require that an ADMP provide for ambient air monitoring for asbestos.
- On October 7, 2005, the Air District approved the ADMP, which Lennar submitted pursuant to the ATCM. The ADMP includes all the dust mitigation measures the ATCM mandates, and further requires Lennar to conduct air monitoring for asbestos and establishes specific action levels based on air monitoring results. The ADMP includes, among other mitigation measures, measures to suppress dust during earth moving activities; prevent track-out of dust onto public roads; limit the emission of dust from soil storage piles and during offsite soil transport; and stabilize the ground after construction.
- In order to protect public health, the District incorporated into the ADMP requirements that Lennar take action to reduce the concentration of asbestos in the air around Parcel A' when the ADMP-required air monitors indicate asbestos concentrations

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have reached either of two action levels. The District based the action levels on health risk assessment protocols established by the State Office of Environmental Health Hazard Assessment (OEHHA). The first action level in the ADMP is set at 1,600 asbestos structures per cubic meter and requires that Lennar notify the District and implement more stringent dust control measures. The second action level in the ADMP is set at 16,000 asbestos structures per cubic meter and requires Lennar to stop work until asbestos levels decline.

- The District considers the action levels established in the approved ADMP to be conservative and health protective because they are based on annual average concentrations and assume continuous exposure over a 70-year lifetime. Exceeding the action levels on an occasional basis will not cause any significant increase in health risk pursuant to OEHHA guidelines.
- The District issued the following two Notices of Violation (NOVs) to Lennar alleging violations of the ADMP: NOV#A46068, issued 9/9/06, alleges a failure to properly conduct air monitoring for a period of time, and a failure to provide a gravel truck wheel wash bed at an exit road. NOV#A46075, issued 10/26/07, alleges the overfilling of trucks with material and a failure to maintain wheel wash beds free of accumulated material. Both NOVs were settled on August 12, 2008, without litigation, in accordance with California Health and Safety Code section 42403(b), for a civil penalty of \$515,000. The District received full payment of the civil penalty in early September 2008. Since, the District issued a Notice to Comply to Lennar in January 2009 for inadequate track-out prevention and control.

Public Comments/Issues

- Bay View Hunters Point (BVHP) community members have expressed concerns over health effects resulting from construction activities at the Parcel A' site. District staff met with Minister Christopher Mohammad and other representatives of BVHP to discuss issues and concerns surrounding the Parcel A' project on numerous occasions starting in November 2007. Community engagement meetings have been held to help the public better understand the District's regulatory program with respect to this project site.
- Through a competitive bid process, IQAir North America, Inc., an air purification manufacturer, was awarded the contract for the "Improved Indoor Air Quality Pilot Project at Six Bay View Hunters Point Schools". The project, funded by a portion of the penalty settlement money (approximately \$300,000), provides improved indoor air quality by upgrading existing HVAC systems with high-performance panel air filters or installing stand-alone filtration systems in classrooms without suitable HVAC systems. IQAir North America has completed air filtration upgrades at two Bay View Hunters Point schools. Air filtration upgrades are expected to be

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completed at an additional three schools early in 2011. The sixth school is slated for closure and will not be upgraded.

- District staff met with Bayview Hunters Point Community members to discuss potential projects to be funded from the remaining penalty settlement money. A representative of the Prescott Joseph Center for Community Enhancement gave a presentation at this meeting in response to community interest in expanding the Breathmobile mobile asthma clinic to schools in Bay View Hunters Point.

Project Status

- Lennar has completed most of the major grading and earth movement entailed with the Parcel A' redevelopment project. Current construction activity is associated with completion of utilities infrastructure installation as Lennar moves toward commencing building construction. The San Francisco Public Utilities Commission commenced installation of electrical cable lines. The next phase will include temporary electrical power for building construction and installation of street lights.
- A revised Asbestos Dust Mitigation Plan (ADMP) was approved on August 4, 2009 that improved the public health protection from any potential airborne asbestos. The revised ADMP expands the monitoring network to 9 ambient asbestos monitors to improve the public health protection for the community and incorporates 14 additional dust mitigation measures to prevent airborne emissions.
- The District invited U.S. EPA Region IX to review the District approved ADMP and associated air monitoring plan to ensure it is appropriately conservative and protective of public health. In its final June 9, 2010 report, EPA concluded that the implementation and enforcement of the Asbestos Dust Mitigation Plan are effectively minimizing dust asbestos exposure and the Air District project oversight is appropriate.
- Based on ambient asbestos monitoring data, and using risk assessment protocols established by OEHHA, in December 2010 the District estimated the cancer health risk associated with NOA released by construction and grading activity at Parcel A' by Lennar monitoring station as follows: Station HV1 – 1.1 in a million, Station HV2 – 0.9 in a million, Station HV4 – 2.9 in a million, Station HV5 – 0.7 in a million, Station HV6 – 0.5 in a million. The estimated cancer health risk associated with the community monitors is as follows: Station HVc7 – 0.6 in a million, Station HVc9 – 1.6 in a million, Station HVc11 – 3.7 in a million, Station HVc12 – 4.5 in a million. These risk estimates are well below established significance levels for projects in the air district.
- The District assessed the potential health impacts from exposure to airborne metals (arsenic, hexavalent chromium, and manganese) in response to community

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concerns. These naturally occurring metals are part of the geologic makeup of the soils and bedrock in the area. Parcel A' never had heavy metals contamination from past shipyard activities, other than lead contamination from lead paint associated with Navy housing, which was cleaned up. The U.S. EPA, Department of Toxic Substances Control, and Regional Water Quality Control Board oversaw the environmental clean-up of Parcel A' and certified the site safe for development. Based on hundreds of soil sample reports and particulate matter monitoring data and risk assessment protocols established by OEHHA, the District estimated health risks from airborne metals and concluded there is no significant health risks associated from inhalation of airborne metals at Parcel A'.

- The District continues to conduct daily inspections to verify compliance with the ADMP and the Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations.