

9.B-1

To: Redwood City Council Members
From: Colleen Jordan
Re: Motion to implement Council Policy
on Recycled Water Use in Residential Areas

**Policy: Redwood City will not make the use of Recycled Water
Mandatory to Current Home Owners or their Associations**

Fellow Council Members,

Tonight I would like to ask you to make a commitment in the form of a Council Policy, as stated above, not to force recycled water use on current homeowners.

The following are the reasons why this policy is logical, rational and reasonable.

- 1) **QUESTION OF SAFETY.**
 - a. **We will never have Absolute Proof.** Whether or not treated effluent is "safe" is currently a hotly debated issue. As you can see in the attached report from the California Recycled Water Task Force, "*despite a long history of water reuse in California, the question of safety of water reuse is still difficult to define...*" We will never be able to prove with absolute confidence that there will never be negative consequences as a result of it's intended use in Redwood City.
 - b. **What is Acceptable today can become Unacceptable tomorrow.** Both the State and the EPA are studying the potential health risks of recycled water. Even if one or both agencies declare a certain "acceptable" level of risk, we've seen various examples in history where government agencies have had to backtrack. The most recent example takes place in Mountain View (see attached articles) where the EPA had to backtrack on what they thought was an "acceptable" level of a compound in the ground. This compound is now known by the EPA to be 60 times more dangerous than they previously thought.
- 2) **Equitability.** The primary goal of Redwood City's Water Shortage Contingency plan is to "*Share hardships equitably among all water user classes.*" Yet, so far, the primary, biggest, most expensive proposal in our Water Supply Reliability plans, is to force ONE CLASS of residential water users (those with common landscaping) to disproportionately carry the burden of a potential drought by mandating the use of treated sewage on their lawns near their children and pets. The irony is that residents with HOAs (condos, townhomes and many single-family homes) are already using less water than single-family homes without HOAs because they have, on average, much less lawn and landscaping per family.
- 3) **Benefit of the doubt.** The debate about the safety of recycled water is, for the time, a no-win debate. The point here is that there is a substantial amount of residents in Redwood Shores that do not want the thousands of unregulated substances found in treated wastewater around their homes, their children and their pets. If the health of the rest of Redwood City were at stake (i.e. probable or even possible death or illness for single-family

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homeowners as a result of water rationing), then the use of recycled water is worth the risk. But that is not the case.

The benefit of the doubt ought to be given to the potential for adverse health consequences regardless of drought over the potential for brown lawns in case of drought.

- 4) **Devaluation of Property.** With realtors compelled to disclose the use of recycled water, the debate of safety becomes irrelevant with regard to property sales. Perception is reality – and with a disclosure requirement regarding the use of recycled water – the reality will be that buyers will understand that homes under mandatory recycled water use are inferior to those using potable water.
- 5) **Buyers in New Developments will have Choice.** Making NEW developments subject to recycled water use is fair. Those consumers will be able to choose whether or not to buy or rent a home where recycled water is being used.

Enclosures

1. Letter from The Safewater Coalition
2. Two Newspaper Articles regarding EPA Backtracking on “Acceptable levels of risk”
3. Report from California Recycled Water Task Force

9.B-3

Jan. 27, 2003

The Safewater Coalition
164 Monaco Dr.
Redwood City, CA 94065

For City Council Meeting Agenda, Feb. 3, 2003

Redwood City Council
City of Redwood City
1017 Middlefield Rd.
P.O.Box 391
Redwood City, CA 94064-0391

Dear Redwood City Council Members,

Today, February 3rd, at our city council meeting you are going to make another decision about recycled wastewater and how this city is going to move forward on the process. In that context, the Safewater Coalition has a few thoughts for you to review and respond. We respectfully request that this letter be placed in the City Council meeting agenda.

The 2002 State of California Recycled Water Task Force has stated that there is no absolute proof of any health concerns. However, the Chairman of this California State Recycled Water Task Force stated clearly that there is health risks associated with treated wastewater. In the report he states, "recent studies in environmental toxicology and pharmacology have revealed potential long-term health risks associated with chemical compounds such as disinfection byproducts, pharmaceutically active compounds, pesticides, and personal care products at low concentrations." Said another way, our own state leaders cannot guarantee our health concerns when using treated wastewater. How do you respond?

Locally, realtors are starting to require a new disclosure form from Redwood City residents, specifically in Redwood Shores. This new disclosure form requires a selling party to disclose that the possibility of recycled wastewater will be used on local properties. Your decision tonight will move the city closer to the possibility of this water being used on private property, thereby risking decreased property values and ultimately lower tax revenues to the city. How do you respond?

You have pledged to NOT move the city forward on a recycled wastewater project until all health concerns have been addressed and now you are voting to move forward. How do you respond?

Mr. Ingram uses a drought as a ploy to get our city to move forward on this project. Yet, there is no drought. How do you respond?

Our vice mayor, Mr. Jeff Ira, sent a letter dated January 25th in which he assured the residents of Redwood Shores that no project would move forward into Redwood Shores with the vote on February 3rd on recycled water-pipelines. How do you respond?

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Mr. Ira also confirms the 2002 State Task Force has not finalized its report. There are other sources nationally that discuss the health and safety issues surrounding recycled wastewater. Ultimately, you will need to state that there are absolutely no health risks to the residents of Redwood City in order to approve the use of recycled wastewater at our homes. Absent this statement and its basis, the City Council will be in a vulnerable position. How do you respond?

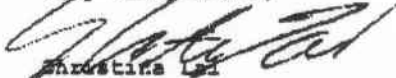
Moving forward with the recycled water-pipeline moves the city a step closer to later approval for its use right at our homes. Yet you stated on the record in December that no decisions would be made until all health concerns were mitigated. Did you mean what you said then or have you changed your mind now? How do you respond?

The simple fact is that the decision to establish a large recycled wastewater project is all about money.

The Safewater Coalition respectfully requests that you give due consideration to this entire project. **As it appears you are going to approve this recycled water-pipelines tonight, we request that you also state on the record that no recycled water will be used in our residential areas.**

Thank you for your consideration in this matter and we all await your public response tonight and continuing commitment to the citizens of Redwood City.

Very Truly Yours,



Christina Lee
Founder of Safewater Coalition
650-508-9698

9.B-5

Firms must test the air for toxin

EPA SAYS MTN. VIEW SITES MAY HAVE TCE SEEPING UP

By Joshua L. Kwan
Mercury News

The U.S. Environmental Protection Agency will require 10 Silicon Valley high-tech companies that once operated manufacturing plants in Mountain View to conduct — for the first time — air-quality testing for a toxic substance inside several offices that were later built on the land.

The same companies are suspected of having leaked into the ground a substance called trichloroethylene, known as TCE, a widely used solvent that cleans machine parts.

Now, the EPA believes TCE might be 60 to 70 times more dangerous to humans than previously thought, and it is concerned that contamination in groundwater is seeping into the air inside office buildings constructed in areas vacated by those companies.

In a letter to be sent this week, the Mercury News has learned, the EPA will notify such storied Silicon Valley semiconductor manufacturers as Intel and Fairchild Semiconductor, among others, that they must submit a work plan for testing the soil, indoor air and outside air for TCE.

The companies are suspected of creating a plume of TCE-contaminated groundwater years ago that lies beneath new office buildings now occupied by companies including AOL Netscape, Nokia and Veritas Software. The TCE may be making its way up through the soil, between cracks in the buildings' foundations and into indoor air.

Intel spokesman Chuck Mulloy said the company has

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TCE | Toxin tests at Mtn. View sites

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not seen the EPA letter, but the company "would be happy to cooperate with the EPA once we understand what the request is."

Although the EPA has been monitoring the groundwater for years, recent research suggests that, in lower levels, TCE can cause cancer, said EPA toxicologist Stan Smucker.

The human body breaks down TCE into two smaller components called dichloroacetic acid and trichloroacetic acid. Both substances also are found in chlorinated tap water.

EPA officials believe the total intake of the two smaller substances. Repeated risk assessments for TCE did not take this contamination into account.

In June, the EPA's scientific advisory board endorsed a tougher standard for what is considered "acceptable" risk levels of TCE. The EPA can require the companies to take measures to remove the substances or safeguard buildings at risk.

Alana Lee, the EPA's project manager for the Middlefield-Ellis-Whisman site, said the EPA does not expect to find

high levels of TCE in the air inside the buildings, based on the quantities found in the groundwater.

"We don't expect levels to be such that you'd have to evacuate any buildings," Lee said, adding that the data collected will be analyzed to learn more about how TCE might be seeping from groundwater into the air.

The new standards are the first update of the EPA's guidelines, first issued in the late 1980s. A risk range for the EPA typically runs from one person in 1 million to one person in 10,000 who develops

cancer. Previously, the range of TCE that corresponded to those risk levels was 0.2 parts per billion to 20 parts per billion; those have been lowered to 0.008 parts per billion to 0.3 parts per billion.

The forthcoming letter from Lee, the project manager, signals the EPA's formal request for the companies to take action. They will have until roughly Dec. 1 to return a work plan for TCE testing for the EPA's review.

Contact Joshua L. Kwan at jkwann@mercury.com or (650) 688-7580.

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INSIDE



SAN JOSE Harold Atkins teaches a workshop at Our House, a program for homeless youths that seeks to relocate but faces opposition. | 38

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Residents tell fears on chemical

300 AT MTN. VIEW MEETING ON SOIL, WATER CONTAMINATION
Residents expressed frustration that the government has done little testing on the concentration of the cancer-causing chemical that seeped into the ground.

By Joshua L. Kwan
Mercury News

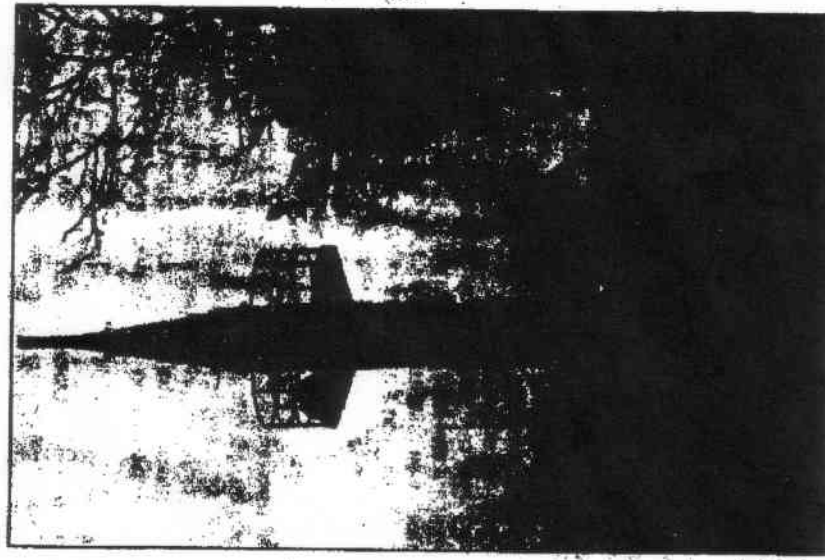
About 300 Mountain View residents packed the city's community center to learn about the increased dangers of a cancer-causing chemical that has contaminated the soil and groundwater near their homes and workplaces.

The U.S. Environmental Protection Agency hosted the open house Wednesday night to inform residents of new research showing that PCBs, or polychlorinated biphenyls, may be up to 65 times more toxic than previously thought. PCBs

is a common industrial solvent used to clean microchips and remove grease from machinery. The EPA is also concerned that the chemical, which leaked into the ground decades ago, may be seeping up through the soil and into homes and offices that sit above contaminated sites. The agency stressed that the city's drinking water supply is not contaminated with TCE.

Several residents expressed frustration at how little testing they said the EPA has done to measure concentrations of TCE near their homes and offices. Others were skeptical of the EPA's assurances that treatment facilities dispersing the toxic chemical high into the air are actually safe.

One Mountain View resident said he lives



A cleanup structure pumps TCE into the air on Williamsman Road, north of Middlefield in Mountain View. JOANNE HOVOUR/LIFE — MERCURY NEWS

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