

Frances Dinkelspiel did a thorough, excellent job detailing the long history of the Pacific Steel Casting Company (PSC) and its union workers' struggles but the article fell short in reporting the community's decades long struggle to learn what was emanating from PSC and how these emissions could impact the health of workers and community members. We sought transparency and accountability from PSC and our local government agencies to protect the health and safety of residents and workers, and ethically refuse to bow to political and economic pressure against the interests of the greater community.

Some inaccuracies and omissions in the PSC article:

"Janice Schroeder is one of many Berkeley residents who is not sorry to see Pacific Steel Casting close, although she is sympathetic to those who lost good-paying union jobs."

Since 1979 I have never advocated for PSC to close or move to another place.

As a member of both Neighbors For Clean Air (1980 - 2005) and The West Berkeley Alliance for Clean Air and Safe Jobs (2005 - present) we adopted a KIMBY ("Keep It In My Backyard") approach to keep jobs local and the environmental and social responsibility for products we use close to home. We oppose the relocation of toxic industrial processes to another region or country, where other local communities would be impacted and good jobs would be lost in our community. This position was directly opposed by some other community members and groups that wanted PSC to close and move elsewhere.

<http://westberkeleyalliance.org/about-the-alliance/mission/>

<http://westberkeleyalliance.org/about-the-alliance/history-membership/>

"...helped set up monitoring stations around the neighborhood, put the complaint line to the Bay Area Air Quality Management District (BAAQMD) on speed dial, driven investigators around to locate the source of foul smells, filed lawsuits in court..."

I was not involved with setting up monitoring stations. I never had the BAAQMD complaint line on speed dial. I never drove inspectors around to locate the source of foul smells. Tommy Mayfield was the BAAQMD inspector who in a BAAQMD car drove me around in concentric circles to have me identify the odor I was smelling and say when the odor was becoming stronger until we reached PSC. I also have never personally filed a lawsuit against PSC.

"The city keeps getting whipped by this small community group that we're not doing enough, we're not doing enough," said Maio. "No amount of science on the emissions side is ever trustworthy, is never enough."

Under pressure from the community, the Tetra Tech consulting firm was hired by the City of Berkeley to review PSC's Health Risk Assessment (HRA) of 2007

which BAAQMD had mandated. Tetra Tech's review found a number of serious problems with the science of PSC's HRA and recommended changes in the HRA be made. https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/2009-09-10_ZAB_ATT%207_1421%20Second_Review%20of%20PSC%20by%20TetraTech.pdf

BAAQMD's monitoring station in West Berkeley analyzed air samples every six days on a schedule published on its website. Foreknowledge created an opportunity where PSC could slow down production on test days. According to BAAQMD staff the monitoring device was unable to pull down emissions and so could lead to misleading data.

The City has always deferred to BAAQMD although the City has the ability to add stringent conditions to PSC's use permit to protect workers and the community.

Although BAAQMD notified PSC to submit an application for a Synthetic Minor Operating Permit (SMOP) in 2005, the SMOP was not issued by BAAQMD until June of 2018, [06/25/2018 SMOP Final Permit](#), [06/25/2018 Eval Clean](#)

The SMOP would have reduced PM10 emissions by 3/4, reduced lead emissions by 1/2, and also reduced nickel emissions. The SMOP finally would have required toxic emission reductions, but it's more than ten years too late!

"From the community's perspective, BAAQMD's odor-complaint system is broken..."

The community can only call the BAAQMD complaint hotline with public nuisance/odor complaints but many of PSC's toxic emissions do not have an odor but we have no ability to seek enforcement action regarding non-odorous harmful emissions. http://westberkeleyalliance.org/wp-content/uploads/2012/10/toxics_and_our_health.pdf

Councilwoman Linda Maio has never attended a BAAQMD Board of Directors meeting to advocate for her community and has never called the BAAQMD complaint hotline to complain about PSC's noxious odors although at a community meeting she stated that she had smelled PSC's distinctive odor while at the North Berkeley BART station but did not call in a complaint. As a public official her one odor complaint call could have resulted in a notice of violation (NOV) issued to PSC. The community must have five confirmed complaints (from five different households or businesses) within a 24-hour period for an NOV to possibly be issued to the offending industry. An inspector may come to the complainant's location from San Francisco, Richmond or elsewhere and must be able to smell the odor with the complainant and then follow the odor back to the source for one

confirmed complaint. Inspectors are available during regular business hours but PSC operates 24/7.

"In 2011, the Department of Homeland Security did an audit and made the company prove that its 600 or so employees were working legally in the U.S. ..."
The Berkeley City Council unanimously voted to adopt a resolution to dissuade the U.S. Dept. of Homeland Security from pursuing I-9 employment eligibility audits of PSC. The Alliance wrote a letter of support for the resolution and I attended the council meeting, giving public comment in support of the resolution by then Councilmember Arreguin. Members of the Alliance also participated in the March For Dignity in solidarity with the PSC workers who lost their jobs due to the I-9 audit.

Janice Schroeder

Core Member West Berkeley Alliance for Clean Air and Safe Jobs

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