

January 7, 2001

Jill Thompson
SFPUC Commission Secretary
1155 Market Street
San Francisco, CA 94103

Dear Commissioners,

Thank you for taking the time to review the extensive literature contained within your Fluoridation Feasibility Study.

Bay Area Action formally opposes water fluoridation on a variety of grounds, including:

- Individuals constitutional right to refuse medication
- Serious concerns about adverse human health impacts
- Lack of effectiveness in reducing dental cavities
- Numerous unapprised environmental consequences

Expansion of the SFPUC water fluoridation program by adoption of the East Bay alternative will require the SFPUC to undertake an extensive environmental review process to determine if the addition of fluoride, and contaminants contained within the fluoridation products, pose significant threats to the environment. The East Bay alternative would add approximately 96,000 gallons per year of Fluosilicic acid to the environment of the San Francisco Bay and adjacent aquatic and terrestrial ecosystems. Such a large volume of material containing known environmental toxins must be evaluated within the context of all applicable federal and state laws, including but not limited to, the Clean Water Act, The Endangered Species Act, the California Environmental Quality Act, and the National Environmental Policy Act.

1. Example questions concerning environmental issues: .

- A. What has been the cumulative impact of fluoride deposition, including trace contaminants (heavy metals, radionuclides), in the riparian, bay and bay sediment ecosystems affected by the current operations? How will the additional burden affect these ecosystems?
- B. How will the on-going releases of the West Bay alternative, and the annual, additional releases proposed in the East Bay alternative, impact plans for large-scale wetlands restoration in the South Bay? Especially critical will be the re-release of fluoride and contaminants as bay sediments are disturbed during restoration work.
- C. What is the cumulative impact of prior and proposed releases on endangered steelhead trout, especially during= larval and young adult phases?
- D. What is the cumulative impact of prior and proposed releases on the endangered Red legged frog?
- E. What is the cumulative inn act of prior and proposed releases on the California Tiger Salamander, a candidate endangered species?
- F. How will the new cadmium MCL of 0.5 ppb impact the compliance capability of the water treatment plants receiving fluoridated water?

2. Use and transportation of hazardous materials (Fluosilicic acid):
 - A. When and how does the hazardous industrial waste become re-designated to permit its' introduction to public drinking water supplies?
 - B: When does the SFPUC assume liability for the hazardous waste materials proposed in bothh alternatives?
 - C. Are SFPUC users, or California taxpayers liable for these hazardous wastes at any time during their transport, storage or use?
 - D. Are all Dept. of Transportation (DOT) and state regulations for transport of hazardous materials followed?
 - E. What special precautions are in place for ensuring adequate response in the event of a spill during transportation? Who is responsible for repairing environmental damages caused by a spill?
 - F. Are all Federal and State water quality regulations followed when introducing these materials into the waters of the State?
3. Drinking Water Standards (Maximum Contaminant Level)
 - A. The EPA drinking water standard (MCL) for fluoride is 2.0 ppm. SFPUC currently maintains a control range of 0.9-1.6 ppm, how will the SFPUC ensure that the MCL is not exceeded?
 - B. What reporting mechanisms will be in place if the MCL is exceeded?
 - C. What mechanism does the SFPUC have in place for changing the control range should the EPA further lower the MCL?
4. Public Health Issues:
 - A. Does SFPUC plan to seek FDA approval regarding the safety and effectiveness of the chemicals being used in either proposed alternative? If not, why not?
 - B. Does the SFPUC assume liability for individual health problems arising from fluoride over-exposure? Including, but not limited to:
 1. Dental fluorosis
 2. Hip fracture
 3. Osteosarcoma
 4. Neurologic impairment
 - C. Does the SFPUC guarantee that this public health measure will reduce the rate of caries in newly-medicated populations? If not, why not?
 - D. Does the SFPUC plan any epidemiological studies to determine dental effectiveness, or adverse medical consequences of exposure to fluoride, or from contaminants within the products used? If not, why not?

While we would prefer that the SFPUC close the existing west bay plant and end fluoridation of public drinking water using untreated hazardous industrial wastes, we recognize that this is not one of the options before you. Thus, we respectfully request that you choose the West bay alternative for the following reasons.

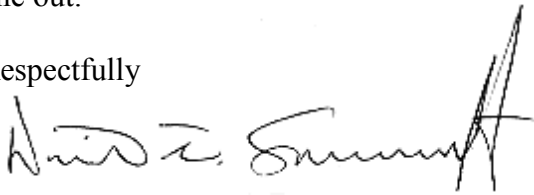
The Federal government is currently debating a national moratorium on water fluoridation. It is only a matter of time before this poorly-founded public policy ends. The SFPUC will best serve it's clients, and best utilize it's financial resources, by maintaining the existing westbay facility, and dosing it when the national moratorium goes into effect.

Further, the SFPUC is not the right agency to be addressing the onerous list of questions posed above. These questions rightfully belong before the FDA, EPA, Congress, and a well-informed citizenry. We submit that by maintaining the status quo and awaiting direction from the proper government organizations you will avoid costly and unnecessary processes. These include; extensive environmental review, contentious public hearings, and ensuing public relations nightmares, expensive legal challenges and, the ensuing delays in construction of your East Bay disinfectant facility.

By selecting the west bay alternative you can continue current practices while avoiding scientific, technical, and legal embroilment in an issue which is not your purview.

We appreciate your review of these materials and look forward to your wise decision to sit this one out.

Respectfully

A handwritten signature in black ink, appearing to read "David T. Smernoff". The signature is fluid and cursive, with a prominent vertical stroke at the end.

David T. Smernoff, Ph.D.
Co-Director, Bay Area Action