

To: Regional Water Quality Control Board
From: Brenda Cedarblade
Re:Draft Clark Pacific Cease and Desist Order

June 25, 2012

We support your cease and desist order for Clark Pacific and Clark Structural and request that additional measures are put in place; including but not limited to expediting the removal of the lime from ponds, that the lime and soils that made up the ponds over the years are continually tested for additional known adverse chemicals and materials used in the sugar process. That for item 4 background testing of soils done using soil from adjacent property where there has been no run off or contamination from Spreckles ponds breaking or dumping as occurred in the past to properties located to the North of the site to get a true soil baseline. A clean soil sample would be difficult on their site as there were ponds and dumping on the Spreckles site, as the ground on their site is compromised.

Our problems with exposure to the lime dust generated by Clark Pacific on the neighboring former Spreckels Sugar Plant go back to about 2008. However, starting this past January 2012, we have been impacted by the lime dust on a daily basis.

Recently, I had been gone for a period of time and came back to find my home and everything in it literally covered with lime dust. To this day, I have not been able to get the lime dust removed completely from my home. Due to the exposure and severe reaction to this lime dust, I ended up in the hospital, again. I had and continue to have eye problems attributed to the dust, breathing issues and on bad days rashes, bronchial issues etc...

The doctor's have even have called poison control and recommended I contact Env Health. I filed complaints with the County Env Health, County Counsel, Air Quality and, just as with numerous complaints over the years, they again did nothing. According to the Oct 1, 2003 Spence Trucking permit #P-52-89 YSAQMD permit holder was responsible in item #2 to not discharge from ANY source such quantities of air contaminates or other materials which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause to have a natural tendency to cause injury or damage to business or property District Rule 2.5.

We just had a horse show June 9 -10th 2012 on a gusty, windy weekend and sheets of lime were blown onto our property, exhibitors, their horses and spectators. The lime ruined our show and potential contract for next year. When the dust was blowing during the morning of the show I was not home and the show management went over to their site and complained to Jack Spence and Ryan Nakkon from Clark Pacific. The large area they are stock piling the loose lime is right across from my arena and bleachers. People complained about the dust burning their eyes and throats. We were told by the people next door whatever substance they sprayed on the loose lime pile to compact it

had failed and they had to call the company back. Large chunks of the disc shaped lime , sort of like roofing material blew on the property exposing the loose lime to the wind that came at our show and spectators in sheets. The water truck they had going did little to prevent this.

When we bought our ranch in Woodland adjacent to the Spreckels Sugar factory, that factory had ceased operation. All we could see of the old plant adjacent to our property, however, were grass and plant covered hills about 30 ft. high. The hills even had young trees growing on them. At this time Holly Sugar was maintaining care of these and had them sprinklered periodically. There was a road between our two properties with an easement and they had this patrolled hourly.

The problems really began when Sugarland Farm's LLC; a group of local landowners and attorney's purchased the property. Buildings and cooling towers began being demolished on weekends. Sometimes even Sundays starting at 4-5 in the morning. Sometime during this time in 2007 or 2008 the sprinklers on the hills were removed.

A trucking company was taking out small sections of the backside of these hills. This did not affect us much, as we had the large hills, buffering between our two properties. The hills offered us a barrier. The problems began on windy days when the lime was being loaded and not watered.

Back then we thought this removal of material was going to be done quickly, not knowing how our future was to become adversely affected and our daily lives and business impacted.

As the hills were being removed in 2008 - 2009, though, the problems began to escalate. They were mining heavily and exposing large sections of the hill to the wind without watering it down before excavation. This allowed the loosened lime to start blowing in the wind. After that, the blowing lime became a daily challenge. In 2008 the sections the burrowing owls and bank swallows lived in were demolished and chopped up. We started noticing loose lime dust accumulating all over our property and theirs. On windy days you could taste the chalky material in the air. This became frequent to the point we began feeling like our existence was reduced to that of the parakeet in the mine.

In April 2012 they completely removed the 30 foot hill that was a barrier between our ranch and the old plant and exposed us to the large site they had chopped up with loose lime. This was not at all the small section like they had excavated in the past.

We have water troughs for our cattle and horses, just adjacent to where Clark Pacific was removing the lime with have mosquito fish in them. When Clark Pacific took out the hill across from our house running 7 excavators back to back day after day; a lot of this in the wind, a lot of lime got into the troughs. The water tested alkali and the mosquito fish died off in the troughs closest to the lime operation. This has now happened a few times.

One day in April 2012 we asked Jack Spence to stop until the wind died down and we could find a way to keep the lime from coming on to our property. It was a gusty, windy day. He said he would however; his boss, Clark Pacific would not allow him to stop the removal and the Coutny told them it was ok to continue. We took video of the wind and lime dust on this day and do not agree with their assessment. The wind blew this dust from their equipment, loose lime, the loading, the exposure of the from the sides of the lime hills that were sheered off right into our home.

Historically I have had various health related issues to exposure to the lime dust over the years. Others have as well that have come in contact with the lime dust . Due to the nature of leveling most of the preexisting, compacted lime hills across from us and the restocking of loose lime in new hills, we are being forced to live with lime in our home and air daily. My only alternative is to leave my home and property for relief which I have been doing for an extended period, now.

In April 2012, after coming home late and tired, I immediately went to bed not especially noticing the dust; I awoke to find my house filled with this dust that was thick in the house and bed; especially around areas where there were windows, doors or vents. My throat swelled, my eyes swelled shut to the point I could not put food and water in my mouth but was unable to swallow. I began having such severe eye issues that I could not open my left eye and issues with my eye sight. Most of the medical issues I have related to the lime dust exposure seem to get better when I leave my house for an extended period of time and return after about 30 minutes of being back in the home or out on my property where they are removing the lime.

The lime dust is irritating when it gets on my skin and others, it causes rashes and hives, breathing problems and even will burn the skin especially around fingers and my wedding rings if it is hot and I am sweating. I continue to have worsening reactions which the doctors attribute to my previous cumulative exposures. My husband is also having similar health related issues which also started when the lime was beginning to be removed from their site Fugitive dust blew onto our property

Clark Pacific has torn into the whole site, exposing large areas of land and removed a lot of the hills that were covered in lush vegetation and offered us some relief and barrier to their excavation and load out operations. The site is large, flatter and almost the whole area is exposed to the wind. Now that the lime hill is down between the properties, all that remains is large areas of mounds of flattened loose lime, sheered of walls from lime hills that have yet to be removed and the loose lime that is being re stockpiled in a 20 or so foot hill right across from our ranch. We were now totally exposed to the dust. Day and night – 24 hours a day and 7 days a week to lime that was drifting on us in the slightest breeze; into our home, barns, on our food, and vehicles each night in the delta breeze. The dust is so fine that it is in drawers. You can see it around the door where it is coming in through the seems. Visitors to the ranch frequently comment on the taste of chalk or that the air is burning their eyes and throat.

The lime is loose and being stock piled maybe 100 feet directly across from our barn, main arena, bleachers and spectator areas. Boarders complain almost daily about the air, issues related to their horses from the site next door and the number of boarders we have has plummeted in recent years, especially lately, as the lime exposure worsened. In the slightest wind, you can taste what everyone describes as "Chalk" in the air when you breath.

Each day I try and clean the dust off the furniture and floor in my house. The day following clean up, I awake to find more of this dust settling on our tables, food, clothing. If we are gone for any period of time, it is thick when we get back. The lime dust has gotten into our vents, it gets on my bed, on our food, clothing. I have to put my cloths in the dryer before I wear them to get the dust off. We have noticed the lime dust even changes the color of the clothing to a burnt color on the shoulders in the pattern of the hanger where the lime lands and is left to settle for any period of time; even though we keep our closet door shut.

We have even tried putting up plastic painters sheets to try and seal the windows, but the lime dust still comes in. I put the sheets of plastic over the bedding when I get up, so that when I go to sleep I can remove them, to try and minimize the lime from getting on the bedding.

When I finally got Yolo County Env Health to come out, they saw the dust and without even testing it they stated it was just farm dust and I had nothing to worry about. We know this is not just farm dust, though, because the dust was very recently limited tested and it clearly shows contamination with alkalinity, ammonia, and chromium. We have been advised to have more extensive testing done.

Spence Trucking now has a water truck spraying roads whenever they load. This is a token measure and does not prevent the exposed hills that are now sheered off and exposed, still 30 feet in some places from carrying the lime in the air across our property, daily. On gusty days we can visibly see the lime coming off in sheets when it is windy out, no matter how much they try and water the roads The disturbed loose piles are not watered, though.

The people from the trucking company go home and do not water past 5 pm or even on the weekends for that matter. During these times, the lime is left to drift. We have to live with this nasty dust in our house and in the air on our property, 24 hours a day. Even on the sections of dug up lime on their site that they manage to put a crust on, if a rabbit or bird lands on it, you can see the lime dust poof up and carry in the wind.

Our property is on the National Register of Historic Places added in 1972; Building and Property #72000266. We have a 1 acre community garden for adults with developmental disabilities that grow food organically and then donate the food to the local Wayfarer Center and Food Bank. The dust gets on this food too. These mentally disabled people also sometimes complain about issues when the dust gets thick in the air.

On our property we have a permit to hold different events that we got through the County Planning Department and a hearing with the Planning Commission. The weekends are when we have events at our ranch, hosting large horse shows, weddings, children's birthday parties. We have spectators and horse shows. The lime is now affecting these events. People are complaining about the dust burning their eyes and the affects it has on their horses. We have been and are continuing to lose horse boarders because of the uncontrolled lime dust. The dust blows at us during horse shows. We do not think we will be able to have horse shows in the future due to problems from the blowing lime dust. Financially, this lime removal operation is ruining us.

We tried to put up with this dust in hopes they would get rid of it. I stayed away as much as possible from the house and property. I was told the lime was all supposed to be gone by 2006 then 2010-11 then 2013 and now 2015. I was hoping they would get rid of it, but they claim their operation depends on being able to sell it. They only operate if they can sell it, so the lime is not being moved like it should be. This is leaving the lime to further create new problems. Why doesn't Clark Pacific move it to one of their properties and be done with it? It would only take days with enough trucks

We are having other issues we attribute to the lime such as an abnormal amount of corrosion of the metal and paint occurring on vehicles and roofs at the Historic Nelson Ranch property where the lime comes in contact and settles.

A few months ago Jack Spence doing the removal of lime, even noted the issues of he lime drifting onto our property and said he had no idea why the County would give us a permit to put our barn close to the lime piles. When we built our barn, it was next to grass covered hills. We did not know what was to be or the restrictions the lime operation would impose on our lives and use of our property. We did not know that the green covered hills and land, would be opened and expose the chalky lime talc underneath. The lime piles that were adjacent to our fence in some areas has even now spilled directly onto our property, we can see the chunks that have been flung there off the tires of the heavy equipment.

More and more of the hills are being cut up and restockepiled creating new mountains of loose lime. This process in itself creates a tremendous amount of dust as the big excavators tear into solid lime hills dating to 1937, load the lime chunks and crush it making loose lime airbornee and then restockpile it, driving over the area with the large tires that toss the dust up into the air.

We do not think disturbing the lime hills, re stockpiling it and exposing more surface area to wind was ever properly disclosed to any agency and was NOTthe intent of any permits or orders to remediate the problems. Even when they do try and water the roadways to minimize the dust, their runoff water is running off the lime, down the county road, off their site in the culverts and draining. I would imagine this is making the issues worse with the groundwater aquifer rather than protecting us in any meaningful way. The public road and ground around the plant used to even bubble with colored water seeping

up from below ground. Clark Pacific keeps trying to convince me that it is ok as it is only lime and not harmful to their health. But, my doctors tell me a different story.

I have been having various allergic reactions that are increasing in affect. When it is really blowing and I have to take in the horses, I have no option but to be out in this blowing lime. More often than not, my body's reaction to exposure to the lime dust will lay me up for days. I get something called dermagraphia. This is a condition is where your swollen and people can write words by lightly touching your skin. The doctors are quite concerned by this as I am. I feel more like a lab rat than a human being. I have my throat swell to the point where I can put food in my mouth and not be able to swallow it. As I am exposed more and more, my body has worse and worse reactions.

The operation has ruined our lives. Now that the hills are down, when it is slightly breezy and I have to stay inside my home, I have to sleep or watch TV covering my mouth with a wet towel or put it over my face at night. Inside my house when the sun hits the air right, you can see the crystals glisten in air of my home. I have to wear a breathing mask when outside, even on some days inside my own home. I have had skin burns that are attributed to the lime alkalinity mixing with sweat. I wake up sometimes when the wind picks up at night unable to breath, with my chest tight; it feels like I am being buried alive.

We no longer have the luxury of opening our windows to allow the delta breeze to cool off our home. Our windows and doors have to stay shut, as the lime is in the air and will get in and settles on everything. But when I get home after being away for awhile, I have had to throw open all of the windows and doors just to try and get the lime out after being gone. My husband trys to help and changes the filters in our vents almost weekly. They are covered and test positive for the lime.

In April 2012 when it was blowing and terrible, and I was sickened and in the hospital from my contact with this dust blowing on our ranch, I requested Clark Pacific to have a company clean my house and get the lime dust out as I was too sick and my doctor did not want me near it. They never responded.

We have also had to throw out lots of hay from our barn when it gets covered in lime because if there is lime dust on the product the horses are consuming, it could lead to any any number of problems overtime as a result.

Clark Pacific has no water on the site they are loading from as is required by their permit. This is the reason they disconnected the sprinklers in the past. The trucks have to drive across 100B to get water. There is daily track out from their trucks and loaded trucks along 100B. When traffic on 100B drives over the lime rock and lime dirt left behind by the trucks, the dust blows up into the air and it is visible as the air plume usually drifts toward our ranch. We have video of this.

The trucks hauling the lime go down the road with lime rocks falling off their tires and bouncing out of the bed of the trucks. You can see the lime dust coming up from the bed

as they travel down the roads and freeways of the trucks in the air because the trucks are not tarped.

I believe there is a lot more than just lime in the piles also because I noticed when they excavate certain sections of the lime pile, they get into rings that are discolored, not white. I also notice that when they hit certain sections, I have more swelling, or reaction to the dust. I also noticed our horses, more than once, all break out in full body rashes at the same time when they excavate certain portions of the lime. One of them was so bad this past April, that the vet had to give it medicine to control the reaction that caused it to founder, where the feet of the horse almost came off. I did not know this at the time, because I was in the hospital myself from a severe reaction after being out in the wind and lime.

YSAQMD says that they do not see anything wrong. Our video and photographs tell another story however. I also notice that the operation next door will totally shut down just prior to AQMD coming out to observe. I have documented the guys working and then leaving in their truck 30 minutes or so before AQMD arrives right in the middle of the work day. So I have learned to videotape the events before and when I call them. In the videotapes and photographs you can visibly see the lime blowing off their piles, being thrown around by the truck tires in the wind, even small sheets of the crusted lime coming at us.

The Cache Creek settling basin is less than 1.5 away. We have nesting Swainson Hawks that have been documented by the State of California. There is or was until early this past year a ditch between the two properties that went to Cache Creek and between wooded areas. Clark has filled this ditch in so any runoff will now flow right onto our property.

I do not believe Clark Pacific's operation are legal and request that they immediately do everything possible to alleviate this problem immediately. Somebody has to help us. I hope the Water Board will.

We suggest immediate relief by ordering the following:

Protection from Blowing Lime –

1. Complete tarping & posting the entire lime pond site should be ordered. Tarping would provide immediate relief from blowing lime. It would also be a positive prevention plan for animals such as the Swainson Hawks that nest above this and other habitat from becoming in contact with alkali material.
2. Removal should only allowed to take place in areas as they pull tarp back. Prevention of removing any lime or soil should be prohibited until an adequate dust suppression plan in place that includes 24 hr sprinklers.
3. Clark Pacific should also actually provide the earthen berm that Clark Pacific was supposed to do along east and south boarder per their use permit APN -27-25-05 and -027-250-19. Clark Pacific should also provide a 300 foot buffer area

between the two sites where no mechanized vehicles are permitted across from the ranch and horse barns, arena and spectator areas.

4. Accelerated removal of the contaminated lime in a manner that prevents any further fugitive emissions on our property should be ordered.
5. On Site water source to wash their trucks to prevent track out, to water the areas and to provide the sprinklers 24 hour should be required.
6. Removal and replacement of lime with topsoil suitable for agricultural should be required to prevent lime mixed in soil from blowing on us.
7. Cessation of any excavation or removal activities when winds exceed 5 mph.
8. Washing off streets after each truck is driven out on them to remove all visible signs of soil material track out at time of occurrence.
9. All trucks leaving site with lime should be tarped and covered. All wheels, rims, and bodies of vehicles should be washed prior to exiting on to City or State Roads from the containment area.

Thorough Testing of the Lime and all Underlying Soils and Aquifers for all Possible Toxic Chemicals and Materials

Thorough Testing and Analysis of Any Private Wells that Could be Affected by the Migrating Contaminated Water Plume Should be Performed and a New Deep Well Installed if Contaminated

A Detention Holding Basin Should be Installed Preventing the Runoff of the Contaminated Water from the Site to Protect Neighbors and from Going toward the Cache Creek Settling Basin and Wetlands in this Area.

Cleanup of any fugitive dust and soils from this site on our property.

Sincerely,

Brenda Cedarblade – By Email – Hardcopy to follow
Historic Nelson Ranch

**Log of Veterinarian Visits and Issues Potentially Related or Due to Lime Exposure –
Not All Are Listed**

May 2012- Euthanasia of Horse due to Veterinary issues related to the lime on May 4, 2010

Jan 26, 2010 – doctor and veterinary visits related to lime dust coming onto property from lime removal. Horses have irritated eyes, coughing, drainage, some have hives along load out area.

Feb 23, 2009

Feb 4, 2009

Jan 14, 2009

Dec 22, 2008

Nov 3, 2008

Oct 6, 2008

Sept 22, 2008

June 11, 2008

May 3, 2008 – Doctor and veterinarian related to lime dust. Horses have hives, irritated eyes and lungs

April 10, 2008

March 25, 2008

Jan 30, 2008

Jan 17, 2008

Jan 18, 2008 - Letter from veterinarian about threat of lung disease in proximity to lime stock

1/16/08 - Complaint to AQMD they came out and took pictures of cattle and horses with lime on them and respiratory distress, eyes watering ,, NOV 0005999 #3297

1/15/2008 - Necropsy

Nov 6, 2007

Oct 2007

Sept 13, 2007

July 24, 2007

Feb 19, 2007

Dec 4, 2006

Pct 2, 2006

July 26, 2006

May 30, 2006

March 16, 2006

Jan 3, 2006

Sept 19, 2005

August 3, 2005

April 20, 2005

March 4, 2005

Sept 20, 2004

August 18, 2004

Sept 20, 2004

Feb 10, 2003

Log of My Medical Visits Related to Symptoms of Lime Dust Exposure

May 8 2012- Dr. Gollober Respiratory Distress

May 3, 2010 Dr. Howell related to lime dust exposure

April 23, 2012 – Woodland Hospital

April 3, 2012 - Dr Lynch – Eye swollen, problems, discomfort, blurry

April 3, 2012 – Dr Gollober – Problems swallowing, itchy bumps on arms and neck, left lung sore to breath in . Noted healed dermatofibroma. Folliculitis on exposed arms, neck and leg. Horses also swollen. Related to lime dust in house. Referred me to environmental agencies and insurance as an option.

March 30 – April 2nd Dermographia

March 30, 2012 - Dr Gollober -Re-check allergic reaction to lime. Swelling of eyes, Brown bumps on arms sore to touch, left eye symptoms. Lesion that appears to be a burn – contacted poison control who referred to Yolo County Env Health. Stay away from house/contact with lime.

March 29, 2012= Dr Gollober – Awoke with Swollen eyes, trouble breathing, throat hurt, rash and bumps appeared, blood in sputum of nose, tightness in lungs likely related to lime removal. Recommended cleaning company for lime in house.

Feb 28, 2012- First Sight Eye Dr. – Painful Eye

Feb 21, 2012- Dr Chu – Persistent Pain in eye. Eye “hurts”

Feb 17, 2012- Dr – Eye problems feels like metal in eye. Difficulty with refraction.

Dec 30, 2011 – Dr Howell - Eye pain. Sensation of foreign body in eye. On going.

Jun 27, 2011 – Dr. Luc , Dr Howell, Dr Gollober - Eye problem, sensation of foreign object in eye.

Jun 17, 2011- Dr Luc, Eye Irritation, Redness, Painful –Swelling in eyelid

May 3, 2010 – Dr. Howell - Eye irritation – feels like metal under eyelid and trouble breathing, pain in right lung. Blurry vision.

Jan 26, 2010 – doctor Dr. Horney – dermatology related to lime dust issues and irritant, swollen eyes, breathing issues.

1/22/2010 – Dr. Howell – Brown spots that bleed on exposed areas of body to lime dust.

1/6/2010 – Dr Howell – seen for exposure to lime dust from Spreckles site. Urticaria resulting. Contact Dermatitis & Atopic Dermatitis and skin related problems.

5/6/2008 & 5/7/2008 Dr Henschell & Dr Zavod & Dr Whitcombe- related to urgent care and rash possibly from lime, and site. Rash on face, neck and scalp where exposed to the lime that was blowing from pile being cut into and left exposed to the wind.

Feb 29, 2008 – Dr Brown and Henschell Rash and pruritic and intermittent vesicles & erthwemaous. Blister like appearances. Respiratory issues. Lime blowing on ranch at time and week before form load out.

Feb 15, 2008 Dr. Henschell – Exposure to open lime – Dermatitis, Mild Anemia, Rash and respiratory distress, dermatitis. Burning skin and eyes. Chest discomfort. Multiple brown erythmatous papuales on body. Avoid irritants.

Feb 7, 2008 Dr Brown – patch test. Rash. Outbreaks. Fatigued. Post inflamatoey hyperpigmentation on body. Microcytic amenia. Recurrent rash and fatigue when exposed to lime dust...

Feb 6, 2008 Nurse Dickson, Dr. Pires, Dermatitis, patch test, exposure to open lime dust.

1/25/2008 – Dr. Henschell – Referral from Emergency room. Airway closeure. Chest pain. Eyes swollen. Rash on areas exposed to lime, papules resulting, fatigue, stomach upset, ulcer like leasions on throat. Referral to toxicology. Better after moving away from lime dust. + issues related to Spreckles site.

1/15/2008- Allergic reaction to exposure. Emergency Room. Rash, IV Fluids, ranitidine, cough. Neighboring properties and husband having issues and similar rashes as well. Testing. Contact dermatitis. Toxicologist.

1/9/2008 – Follow up from emergency room to exposure to neighboring property (Spreckles). Allergic reactions, pruitis. Pruritic rash and nosules. Breathing related issues.

1/6/2008- Dr. Kramer & Dr McCAskill - Emergency Room- Allergic Urticaria & Environmental Reaction. Severe.

12/27/2007 Emergency Department – Severe allergic reaction to exposure from Spreckles site. Dizziness, trouble swallowing. Facial swelling and on arms and feet. Pain in lungs. Probably had previous exposure. Upper respiratory infection.

12/26/2007 – Dr. Bland Follow up to Emergency. Allergic reaction to spraying and neighboring property (Spreckles) . Breathing treatment. Skin rash. Allergic rhinitis.

Several papules. Possible anaphylaxis. Sore lungs. Watery Eyes. Acute distress. Treated for wheezing.

12/26/2007 – Woodland Emergency Department. Exposure to things from Spreckles site and clean up seen ...

12/25/07 – Dr Bland – Emergency - Rash and Sore Lungs. Itchy eyes, Cough. EKG. Abnormal - Erythematous. Raised lesions. Acute Allergic Reaction. Bronchospasm.

12/24/07 – McCAskill PA – Exposure – Rashes Itching. Shortness of breath. Difficulty swallowing. Rough Cough. Allergic urticaria. Hives. “Environmental Reaction “Avoid contact.

11/28/06 – Biopsy 2 lesions on body. Erythematous lesions bleeding often and then scab over.