

## Oakland turns cold shoulder to embattled crematory

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OAKLAND -- For just a few hours on May 10, one of the state's busiest crematories was moving to East Oakland.

That's how little time passed between the moment the Neptune Society secured a city building permit for a new facility that would cremate up to 3,000 people per year and City Council member Larry Reid requested an emergency ordinance to block Neptune's project.

Round one went to Reid.

The council backed his measure last week, requiring Neptune to get additional approvals from Oakland's Planning Commission, and once again pitting the company against a low-income community opposed to a facility that pumps out about three pounds of mercury every year.

In 2006, community groups successfully blocked Neptune from moving its operations from Emeryville to Richmond, where residents argued they already had too many industrial polluters.

Reid said he won't stand for a major crematory in East Oakland, which has similarly high rates of asthma and air pollution. Even if the Planning Commission backed Neptune, Reid said he'd help provide or find the funds for residents to appeal the decision to the City Council.

"They got run out of Richmond and they should have learned their lesson," he said.

Neptune's President Mike Miller noted that the proposed Oakland site already had passed preliminary environmental inspection and gone through the city's permitting process.

"We were portrayed as if we were working under the radar or trying to sneak into this neighborhood; that's not the case," Miller said. "No one told us there would be a problem moving to this part of Oakland."

Neptune, a subsidiary of a national firm Sentinel Cremation Societies, has been cremating bodies at its Apollo Crematory in Emeryville since the early 1980s. But the company is feeling increased pressure to move.



Crematory opponent Ronnesha Cato of Oakland, Calif. poses with 21-month-old daughter Zwena Kambon at the site of the proposed crematory on Kitty Lane (D. Ross Cameron/Staff)

Emeryville rezoned the surrounding area for housing over a decade ago, and an apartment complex now towers over the nondescript crematory at 4080 Horton Street. New neighbors have led to fresh complaints against the facility filed with the Bay Area Air Quality Management District.

The district previously had found no issues with the Emeryville facility. But a recent Preliminary Risk Assessment raised concerns about whether mercury emissions that had been acceptable when the crematory was surrounded by factories and warehouses was too high now that people lived nearby, district spokesman Ralph Borrmann said.

Neptune likely will have to do a more-extensive risk assessment of its Emeryville site and could have to pay for upgrades to stay in compliance, Borrmann said.

## **Mercury is main issue**

Crematories emit mercury primarily because the toxic heavy metal is used in many dental fillings. As the bodies burn, the mercury in the fillings is released. The facilities also emit small amounts of carbon monoxide, sulfur dioxide and other chemicals, which is why they are monitored by local air districts.

Miller said that a new Oakland crematory would likely emit less mercury and other pollutants because it will be equipped with more modern technology. Also mercury emissions are expected to go down over time as more dentists fill cavities with pricier non-mercury fillings.

Oakland already has four crematories, including two atop of Piedmont Avenue. But those facilities, which are connected to adjacent cemeteries, do only a small fraction of the business projected by for Neptune.

Cremations are increasingly common in California. The state ranks 9th overall, Miller said, with about 53 percent of people being cremated.

## **Almost a Done Deal**

After Richmond's City Council rejected Neptune, the company turned its attention to Oakland and last year purchased for nearly \$2 million a property at 9850 Kitty Lane, near 98th Avenue and the Oakland Airport.

Instead of abutting an apartment complex, the Oakland site is in an industrial area more than 1,000 feet from homes.

The air district in November granted Neptune a permit to construct the facility, determining that risk levels were acceptable provided Neptune used modern technology to minimize emissions.

Oakland followed course by issuing the building permit on May 10, but by then community opposition was mounting.

Because Oakland zoning rules permit crematories in light industrial area, no public hearing was required on the proposal, and notices only went out to the businesses within 300 feet of the

proposed facility. That rankled Reid, who said he found out about the proposed crematory in April from two nearby business owners.

"If they were moving to Alameda or San Ramon, trust me, they would have ... alerted the elected official that they want to put a crematorium in their city," he said.

Reid has been joined in opposition to the grass roots group Communities for a Better Environment, which organized several members to speak during last week's council meeting.

"My neighborhood already has a lot of pollution and the crematorium will only add more pollution," said Ronnesha Cato, who lives about 10 minutes from the proposed site.

Miller said Neptune hasn't decided whether to appeal the city's emergency ordinance, which requires conditional use permits for new crematories.

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