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9 TRI-VALLEY CARES, MARYLIA KELLEY, and  
JANIS KATE TURNER

10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 TRI-VALLEY CARES, MARYLIA )  
14 KELLEY, and JANIS KATE TURNER, )  
15 Plaintiffs, )

16 vs. )

17 UNITED STATES DEPARTMENT OF )  
18 ENERGY, NATIONAL NUCLEAR )  
19 SECURITY ADMINISTRATION, and )  
20 LAWRENCE LIVERMORE NATIONAL )  
LABORATORY, )  
21 Defendants )

Case No.: 08-cv-1372-SBA

) DECLARATION OF JANIS KATE TURNER  
) IN SUPPORT OF PLAINTIFFS' MOTION  
) FOR SUMMARY JUDGMENT

1 I, Janis Kate Turner, declare as follows:

2  
3 1. I am a named plaintiff in this action, and I have personal knowledge of the following and  
4 could and would competently testify thereto if called upon to do so.

5 2. I live, work and recreate in close proximity to the Lawrence Livermore National Lab's  
6 main site, where the BSL-3 operates.

7 3. I have lived in Livermore for more than 40 years and I own a home at 748 Hazel Street,  
8 approximately one-half mile from Lawrence Livermore National Lab's main site, which houses  
9 the BSL-3.

10 4. For over twenty years I taught literature and science at East Avenue Middle School in  
11 Livermore which is also within a mile the Lawrence Livermore National Lab's main site, which  
12 houses the BSL-3. Although I am retired, I still occasionally substitute teach at the same middle  
13 school.

14 5. I ride my bicycle often for exercise and recreation and frequently ride along the border of  
15 the Lawrence Livermore National Lab's main site, which houses the BSL-3, in order to access  
16 specific roads.

17 6. From 1958 to 1974 the City of Livermore Sewage Treatment Plant gave away sewage  
18 sludge to residents for use as a soil amendment. Unbeknownst to the plant, the sludge was  
19 contaminated with plutonium that the lab had "accidentally released" into the sewage system. I  
20 obtained sludge during that period and used in my garden. I maintain a vegetable garden, an herb  
21 garden and numerous fruit trees which provide a portion of my daily diet. I volunteered to serve  
22 on the task force established by the Alameda County Public Health Department to determine  
23 appropriate monitoring and remediation of the sludge problem.

24 7. My daughter in-law, a local Livermore girl, died at the age of 27 from malignant  
25 melanoma. A three decade study, conducted by the California State Department of Health  
26 services, found that Livermore born children and youth had more than 6 times the expected rate  
27 of malignant melanoma. As a teacher, I also knew a number of local children who suffered from  
28 the disease. I believe that Livermore Lab operations may be implicated.