

UCSF Wins Round in Fight over Lab

In a decision that the University of California at San Francisco (UCSF) has been anticipating for months, the California Supreme Court has ruled that there is no evidence that basic biomedical research at a university laboratory would hurt the public or the environment.

The decision cheered UCSF scientists who have spent more than 2 years fighting allegations that their work is too dangerous to be carried out in a building in a residential neighborhood near the campus.

However, the battle over how UCSF can use a laboratory building known as Laurel Heights is far from over. In a setback for the university, the court also ordered a new environmental impact report for the project. This will further postpone the time when UCSF can move its School of Pharmacy into the building and give opponents another chance to make their case.

Nevertheless, the university views the decision as a victory because the court rejected charges that the new laboratories would be unsafe. The justices devoted almost half of their 79-page decision to safety issues, concluding that there was "substantial evidence" that any potential hazards would be properly mitigated. Further, they criticized some of the charges made by opponents as "gross misstatements of the record," "greatly exaggerated" fears, and "dire predictions."

Ethan Schulman, an attorney for UCSF, said the decision appears to have "laid to rest, once and for all, the baseless allegation . . . that there's something risky about the university's research. It's a decision we're very encouraged by."

UCSF chancellor Julius R. Krevans said the decision is also important for other research-oriented universities, whose safety practices have come under increasing scrutiny from the public. He said he hoped the ruling would discourage people from opposing basic research on environmental grounds—a tactic that already has been used to delay construction of two buildings at Stanford University and to protest a building project at the University of California at Berkeley.

However, Kathryn R. Devincenzi, attorney for the neighborhood group that sued to stop the project, said she plans to take full advantage of the opportunity offered by the requirement for a new environmental report. "We're quite pleased with the [Supreme Court] decision. It's a very significant victory," she said. "Essentially we nipped [the project] in the bud, at a time when viable alternatives can be considered."

The controversy at UCSF started in 1985, when the university bought a 342,000-square-foot building, formerly headquarters for an insurance company, to relieve crowding at its main campus. When neighbors learned the building would include laboratories for 150 researchers from the School of Pharmacy, they sued to stop the project (*Science*, 11 March, p. 1229).

To the university's chagrin, an appeals court sided with the neighbors. It declared inadequate an environmental report prepared by the University and ordered the laboratory shut down. The California Supreme Court reopened the lab a few days later pending its own decision. In the 17 months since then, the small group of scientists already installed in the new laboratory has been working under a cloud of uncertainty, its research hampered by court-imposed restrictions on the use of radioactive isotopes.

The Supreme Court has now removed some of that uncertainty by declaring that the scientists can continue to work in the lab while the new environmental report is being prepared and that they can resume the use of radioactive isotopes. To close the lab down, as protesters had requested, would "serious-

ly disrupt ongoing scientific research and perhaps cause the university to lose important faculty members and research funds," the justices wrote. "UCSF's research is designed to improve the state of medical knowledge and thus improve and even save lives. We are especially reluctant to interfere unnecessarily with such a salutary enterprise."

The court ordered UCSF to address two issues in the new environmental report: alternatives to using the Laurel Heights building and the potential impact of using the entire building for university programs. (The university is currently leasing about two-thirds of the building to a state agency.) Schulman said it will take at least 8 to 10 months to complete a new report and 18 to 20 months before a move could take place.

Nina Agabian, a molecular parasitologist who heads the group working in the new laboratory, said, "We're really gratified that the Supreme Court was able to take a clear and considered view of the real issue, which is whether or not science is safe to do in a residential community." But she worries about further delays. "We're losing millions of dollars in grant funds and the ability to recruit people," Agabian said.

■ GLENDA CHUI

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DOE's Guide to Weapons Plant Spills

On 6 December, the Department of Energy (DOE) published its first comprehensive look at the pollution left behind by 40 years of nuclear weapons manufacturing, a mess inherited from the defunct Atomic Energy Commission.

Energy Secretary John Herrington estimated earlier this year that the total cost of cleaning up the weapons plants may be more than \$110 billion. The money may be hard to come by. For example, in a related area, DOE has been told by the White House that it will not get the \$200-million increase it seeks in its budget for safety improvements at the Savannah River Plant, just one of 16 sites that need attention. The money will have to be scavenged from existing programs.

The inch-thick report, called "Preliminary Environmental Survey of Defense Production Facilities," attempts to catalog all the chemical spills that are known at this time, ranking them by significance. Public attention on this subject has been increasing as states sue to have the federal government pay for cleaning up long-neglected dumps.

In its report, DOE notes reassuringly that

three-quarters of the 148 "near-term" problems in its survey are barely severe enough to qualify as health risks under the standards used by such federal agencies as the Environmental Protection Agency. The public hazard in these cases, says DOE, "can be roughly equated to a level of risk [of fatality] of 10^{-4} to 10^{-6} ," which is "an indication that most of the environmental problems are at a level of risk comparable to or less than that of environmental regulatory concern."

But some clearly are worrisome, such as the two at the top of the list, involving volatile chemical leaks at weapons plants in Rocky Flats, Colorado, and Amarillo, Texas. In both of these cases, contaminants have penetrated the soil near aquifers that provide water for cattle, crops, or humans. In Colorado, the concern is that Denver's drinking water might some day be affected by tetrachloroethylene. In Amarillo, the threatening chemicals are dimethylformamide and acetone.

DOE's list represents the culmination of a massive field survey undertaken by the agency's environmental staff beginning in 1986. The task will not be completed until next