

SAFETY NET

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RESIDENTS SUE OVER BU'S PROPOSED BIOTERRORISM LAB

News of Infected BU Biolab Workers Shows the Dangers of Having a BSL4 Lab in Neighborhood

Ten residents of Boston, members of the Safety Net, have sued Boston University (BU), Boston Medical Center (BMC), the Boston Redevelopment Authority (BRA), and state agencies challenging the environmental analysis for placing BU's dangerous bioterrorism laboratory in the South End/ Roxbury. The laboratory would experiment with the most dangerous biological agents known, agents that cause incurable diseases and that can be used in biowarfare and bioterrorism. Concern about the bioterrorism lab was compounded today as the Boston Globe reported that BU and the City of Boston failed to disclose immediately a breach at a BU lab in 2004 that infected three researchers.

The lawsuit, filed in Suffolk Superior Court, asserts that the defendants violated the Massachusetts Environmental Policy Act (MEPA) as follows:

- University Associates (BU and BMC) violated MEPA by submitting an incorrect and incomplete Final Environmental Impact Report that inadequately described the potential environmental impacts of the bioterrorism laboratory, included an inaccurate worst case release scenario, and significantly underestimated the potentially devastating and deadly effect a release from the laboratory would have on the community.
- BU and BMC violated MEPA by submitting an application for federal funding for the lab that irrevocably committed the laboratory to the South End location without prior MEPA approval or review of alternative locations.
- The BRA, the Executive Office of Administration and Finance Division of Capital Asset Management, and the Office of Commonwealth Development Department of Housing and Community Development violated MEPA by taking numerous actions before the MEPA process was completed that should not have been done until after MEPA was completed, thus illegally paving the way for BU and BMC to build the laboratory.

Ms. Dolly Battle, one of the plaintiffs, said, "It is time to stop deals made behind closed doors that violate state laws designed to protect community residents." Ms. Angela Francis, another plaintiff, said, "I live only a few blocks from where the lab will be built. If the lab is as safe as

BU claims, why won't BU tell the truth about the lab, and why won't it obey the law?" Plaintiff Rose Arruda said, "We need to sue. BU has not been open or honest with the community. At the same time that BU was saying the lab is safe, it was not telling the public that three of its researchers had been infected in one of its labs. What else is BU hiding?"

Douglas Wilkins of the law firm of Anderson & Kreiger is handling the case pro bono for the plaintiffs. Attorney Wilkins said that the plaintiffs have raised serious issues of law that go the heart of the MEPA process. "If MEPA is to work, there must be a full and fair environmental review of projects such as the proposed laboratory and all the parties must comply with the letter and spirit of the law."

The Safety Net is comprised of public housing residents and others in Roxbury who came together in 2000 to develop a voice and vision for a sustainable Roxbury and equitable metropolitan development. They are leading the campaign against the BU bioterrorism lab, with support from Alternatives for Community & Environment (ACE) and a large coalition of groups and individuals. More information about the campaign is available at www.ace-ej.org.

Electronic copies of the court complaint are available by emailing stopbioterrorlab@ace-ej.org.