DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
33000 NIXIE WAY, BLDG 50 Suite 207
SAN DIEGO, CA 92147

5720
Ser BPMOW.rdc/143
May 15, 2019

Mr. Jeff Ruch
Executive Director
Public Employees for Environmental Responsibility
962 Wayne Avenue, Suite 610
Silver Spring, MD 20910

Dear Mr. Ruch:

This letter responds to your Freedom of Information Act (FOIA) request of November 1, 2018 in which you seek:

1) Documents describing Tetra Tech involvement in radiological assessment/remediation of areas of Treasure Island;
2) Documents and communications related to the sufficiency of prior radiological assessment and remediation work performed by any Tetra Tech entity, including Tetra Tech EC, at Treasure Island;
3) All documents and communications assessing the potential for fraudulent radiological cleanup work to have been conducted at Treasure Island by Tetra Tech or other contractors and the Navy's investigation of that potential;
4) Documents and communications supporting any decision not to review the prior Tetra Tech radiological work at Treasure Island;
5) All documents and communications among BRAC personnel and between BRAC and RASO (Navy Radiological Affairs Support Office) regarding whether Tetra Tech workers involved in fraudulent radiological work at Hunter's Point Naval Shipyard had performed radiological work at Treasure Island; and
6) Documents relied upon or supporting, the statement by BRAC Program Director Laura Duchnak at the May 14, 2018 hearing on Hunter's Point before the San Francisco Board of Supervisors that the Navy has no information that any Tetra Tech workers involved in the fraud at Hunter's Point conducted radiological work at Treasure Island.

Your request was received by this office on November 19, 2018 and assigned file number DON-Navy-2019-002006. A partial group of responsive records were provided to you on March 28 and April 9, 2019. One (1) additional record has been identified as responsive to your request. Review of the identified record revealed that it is partially exempt from disclosure under Exemption 6 of the FOIA (5 U.S.C. § 552(b)(6), which exempts personal information affecting an individual's privacy. A copy of all releasable portions of this record is provided with this letter on FOIA Online. Other records will be released in phases if determined to be responsive. The processing of your request continues and we anticipate completion of the response by January 10, 2020.

5720
Ser BPMOW.rdc/143
May 15, 2019

In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIA online, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy
Office of the General Counsel (ATTN: FOIA APPEALS)
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000

Your appeal, if any, must be transmitted (if appealing by FOIA ONLINE) or postmarked (if appealing by mail) within 90 calendar days from the date of this letter. Please be advised that a FOIA requestor has the burden of proving timely submission of an appeal. Additionally, you must include in your appeal a statement indicating why you believe your appeal should be granted, and you are encouraged to also include a copy of your initial request and a copy of this letter.

For any further assistance regarding any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Any questions concerning this matter should be directed to Ms. Sarah Ann Moore who may be contacted at sarah.moore@navy.mil or 619-524-5727.

Sincerely,

KIMBERLY A. OSTROWSKI
Director