From: Fagone, Jason
To: R9FOIA
Subject: FOIA request: EPA evaluations of Hunters Point Shipyard cleanup
Date: Monday, May 14, 2018 9:07:24 AM

May 14, 2018
FOIA Officer
Environmental Protection Agency
Region 9 (States: AZ, CA, HI, NV, AS, GU)
75 Hawthorne Street
Environmental Protection Agency, (OPPA-2)
San Francisco, CA 94105
(415) 947-4251
r9foia@epa.gov

FOIA REQUEST
Fee benefit requested
Fee waiver requested

Dear FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of all EPA comments from 2017 and 2018 that are related to the cleanup of Hunters Point Naval Shipyard in San Francisco, California. This request includes EPA comments on U.S. Navy draft radiological data evaluation findings for all parcels and buildings at Hunters Point Shipyard, including but not limited to Parcels B, C, D, E, F, G, UC-1, UC-2, UC-3, and building sites. Again, this request is for evaluations done on the cleanup of soil, buildings and any other aspects that were reviewed.

I would like to receive the information in electronic format (PDF files preferred), via email. As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on the cleanup of toxic materials at Hunters Point Shipyard that is of current interest to the public because hundreds of people live and work at the Shipyard and are concerned about their health and safety and the health of their loved ones. This information is being sought on behalf of the San Francisco Chronicle for dissemination to the general public.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. This request is primarily for non-commercial purposes and is in the public interest because it involves the cleanup of an EPA Superfund site and possible fraud involving the cleanup activities that risks the health and safety of the public.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees. If some of the records become available before others, please release those as they are found, as opposed to waiting for the entire search to be completed.

I would appreciate your communicating with me by email or telephone, rather than by mail.

Please provide expedited processing of this request which concerns a matter of urgency. As a reporter, I am primarily engaged in disseminating information. The public has an urgent need for information about EPA oversight of the cleanup of Hunters Point Shipyard because multiple government agencies, incuding EPA, the Navy, DTSC, and CDPH have made serious allegations of wrongdoing by the contractor in charge of the cleanup, and the City of San Francisco and other public agencies are now deciding how to address the wrongdoing. This is a process to which informed members of the public might contribute through lobbying or other contacts with public officials, and in these instances, delay would rob the public of its ability to make known its views in a timely manner. EPA has already acknowledged the urgency of this information and the urgent public interest in receiving it. In EPA's December 2017 review of the Navy's draft radiological evaluation for Parcels B and G, EPA wrote, "This report will likely attract interest from a broad audience that will include laypeople.... Please add language to the end of the Executive Summary and in the Report's conclusion that answer the following questions: 1) What happens next with each parcel? 2) How does the public get involved?"

I certify that my statements concerning the need for expedited processing are true and correct to the best of my knowledge and belief.

I look forward to your determination regarding my request for expedited processing within 10 calendar days, as the statute requires.

Thank you for your assistance.

Sincerely,
Jason Fagone
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