Notes from Navy, Derek Robinson, BRAC Environmental Coordinator, meeting March 16, 2016, in San Francisco and telephone conversation with Lily Lee March 21, 2016

The Navy has done the following:

- Defense Criminal Investigation Services (DCIS) is investigating the allegations of Mr. Anthony Smith and has interviewed him and plans a followup interview.
- BRAC office entered unfavorable reviews about Tetra Tech's performance at Hunters Point contracts at the time discovery of the anomalous soil samples. Tetra Tech did not get awarded new contracts after 2014. However it is still completing work under previously awarded contracts and under Navy-wide contracts.

So far, Mr. Smith has stated the following to the Navy:

- He worked for Tetra Tech 2010 – 2012.
- He was ordered to dig out samples in locations that engineers had identified needed to be sampled. But he then replaced those with soil collected from other locations.
- The samples that came from the engineer-identified areas were then disposed in open trenches. He did not observe larger quantities of potentially contaminated soil placed into open trenches.
- He observed falsification of samples only on confirmation sampling after cleanup was conducted. He did not observe falsification of original sampling to determine the scope of cleanup needed.
- At Building 351A, before remediation, a sample in the crawl space under the building was found to be contaminated. The hot spot was removed. Tetra Tech falsified confirmation sampling that was collected in this area.
- Tetra Tech's motivation was to close out the backfilling of trenches sooner to save resources.

The Tetra Tech internal investigation 4/14

- Included all samples Tetra Tech has ever previously collected throughout all locations at the base
- Did not include information from Mr. Smith because he could not be reached for interviews during the time of the

The Navy's Radiation Affairs Support Office (RASO) has evaluated the situation and their judgement about potential exposure to public health and the environment:

- RASO is most concerned about the crawl space under Building 351. They are checking the resampling that Tetra Tech EC, Inc., already did to evaluate the fingerprint.
- At the potential highest concentrations and highest volumes of materials, the public and the environment would not be harmed either above a durable cover or during excavation into previously filled areas
- For radium to travel through groundwater requires acidic levels higher than present at the Hunters Point Naval Shipyard

Additional questions from Lily that the Navy will answer:

1st Priority: If Mr. Smith's allegations are confirmed to be true, what would be the potential threats to human health and the environment currently? For example

- People walking on top of the durable cover?
- People excavating in areas where improper disposal of contaminated soil occurred?
- Groundwater carrying material from trenches into the San Francisco Bay?

2nd Priority: What additional work would be needed before Parcels could be considered appropriate clean enough for transfer?

More specifically:

- What is the geographic scope of the improper activities that Mr. Smith observed?
- Which open trenches did Mr. Smith observe hiding of contaminated samples? Only storm drain and sanitary sewer line excavations? Or other areas too? How deep did he observe the contaminated samples were placed?
- What is the potential volume of individual and total contaminated samples improperly placed into open trenches?
- Could the area where excavation is planned for the Artist Studio have radionuclide levels above the release criteria due to Tetra Tech EC, Inc., improper activities?
- Could Navy and contractor workers conducting excavation have been unknowingly exposed to soil at concentrations above release criteria? For example, areas assumed to be already clean would no longer be considered Radiologically Controlled Areas (RCA's), so workers would no longer be required to go through the usual protections, e.g. hand scanning hands and shoes as people exit the RCA, wear dosimeters while inside the RCA, etc.
- Has the Navy conducted its own independent sampling in addition to the Tetra Tech internal investigation?
- Has the Navy scanned potentially affected areas after the backfill of trenches?
- Was the Tetra Tech EC, Inc., contract payments fixed price or time and materials?
- When and how will the Navy communicate its assessment of potential risks to the regulators? To the public?