Message

From: LEE, LILY [LEE.LILY@EPA.GOV]
Sent: 7/29/2018 10:27:47 PM
To: Fairbanks, Brianna [Fairbanks.Brianna@epa.gov]
CC: Chesnutt, John [Chesnutt.John@epa.gov]; Clancy, Maeve [Clancy.Maeve@epa.gov]
Subject: Attached main text of petition - FW: SF Examiner - Greenaction files petition with CDPH RHB to revoke Tetra Tech license
Attachments: Petition to Revoke Tetra Tech, EC, Inc.'s State Radiological License.pdf

Dear Brianna,

I glanced briefly through the attached main narrative text. It quotes from EPA's rad data evaluations quite a bit and attaches it as an exhibit. I spot checked the declarations, and they seem to be repeats of the original attachments to the NRC petition. It's not obvious to me how much new substance is here. I saw some new emails about specific trenches that were not in the NRC petition. Would you consider calling Steve to ask if he has included new allegations or evidence that would show new forms of wrongdoing that we did not know about already? That would savemy having to read through a lot.

From: LEE, LILY
Sent: Saturday, July 28, 2018 8:10 PM
To: Fairbanks, Brianna <fairbanks.brianna@epa.gov>
Subject: Link to petition - FW: SF Examiner - Greenaction files petition with CDPH RHB to revoke Tetra Tech license

I haven't started reading the actual petition files yet, but I downloaded them.

http://www.sfexaminer.com/advocates-seek-bar-hunters-point-shipyard-contractor-radiological-work/

Here is Greenaction press release:
http://greenaction.org/wp-content/uploads/2018/05/July-26-2018-Press-Release-Greenaction-Petitions-CDPH-to-Revoke-Tetra-Techs-License.docx.pdf

Link to download the petition documents:
https://www.dropbox.com/sh/zh2pknpgvuucjp0/AAA-1xjCHxjVtQ_s8wvTpm9Za?dl=0

By Laura Waxmann on July 26, 2018 3:37 pm

Environmental advocates have renewed legal efforts to revoke U.S. Navy contractor Tetra Tech's license to handle radiological materials based on the civil engineering firm's connection to a toxic cleanup fraud at the Hunters Point Shipyard.

Last June, Greenaction for Health and Environmental Justice moved to bar Tetra Tech from conducting radiological remediation work nationally by filing a petition with the Nuclear Regulatory Commission, a federal agency charged with licensure.

More than a year after the national petition was filed, the NRC confirmed earlier this month that it will hear Greenaction's claim. Steven Castleman, an attorney for the Environmental Law and Justice Clinic of the Golden Gate University School of Law, which filed the petition on behalf of Greenaction, said that a date has not been set for the hearing, but that he expects it to take place sometime in September.

On Thursday, the group filed a separate petition at the state level which they say contains new information learned in the 13 months since the national petition was filed with the NRC.

"This is out of an abundance of caution to make sure that even if the NRC revokes their license, that they can't get around that by using their state license," said Castleman. "The best case scenario is they lose their federal and state license, and that they are unable to do future radiation work."

Allegations by whistleblowers of fraud in the cleanup, including the swapping of contaminated soil samples with clean ones, have circulated since at least 2012.

Tetra Tech's work at the shipyard again became the subject of public scrutiny after independent reviews by the Navy and the U.S. Environmental Protection Agency condcuted last year found that at least half — and on some sites up to 97 percent— of the data collected by Tetra Tech in the cleanup may have been compromised.

In May, two former Tetra Tech supervisors were sentenced to eight months in prison, after pleading guilty to falsifying records. The firm has described the supervisors as "rogue" employees and denied that the fraud was widespread.
According to Castleman, a building radiation survey report that was released by the Navy in March allegedly demonstrates new evidence of fraud in the sampling, scanning and remediation of contaminated buildings across the shipyard.

The claim, which was filed with the Radiological Branch of the California Department of Public Health, states that a revocation of the state license is "warranted because Tetra Tech committed massive radiological fraud in the remediation of the decommissioned Hunters Point Naval Shipyard," a former U.S. naval base where a large-scale residential and commercial development has begun to take shape.

The shipyard was used as docking site for cleaning ships exposed to atomic bomb testing in the Pacific Ocean and housed a nuclear warfare research lab for several decades — it was designated as a federal Superfund site in 1989 due to its history of radioactive contamination and other pollution.

Tetra Tech Spokesperson Sam Singer said that the firm was aware of the petitions and confident that "these efforts will be rejected by the regulatory authorities," adding that "what is being said amounts to rumors" and is an effort to "scare the public."

"The Department of Justice investigated two people who committed crimes, that was back in 2012 that the incidents occurred," said Singer. "All of this was addressed and cleaned up by Tetra Tech between 2012 and 2014 with direct oversight by the Navy, EPA, CDPH, and as recently as within the last couple of months, the San Francisco Department of Public health has publicly stated that [the shipyard] should be ordered safe."

Tetra Tech performs over 60,000 projects annually, and while it's $250,000 contract at the Shipyard was terminated, the firm continues to be subcontracted by the Navy at Treasure Island, where a similar radiological cleanup is underway.

Bradley Angel, executive director of Greenaction, said the group's intention is to "escalate the pressure on the government to do their job and protect people and the environment, not giant corporations that apparently committed massive fraud and profit off of our tax dollars."

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