Message

From: Kappelman, David [Kappelman.David@epa.gov]
Sent: 4/19/2018 5:20:39 PM
To: Fairbanks, Brianna [Fairbanks.Brianna@epa.gov]; LEE, LILY [LEE.LILY@EPA.GOV]
CC: Chesnutt, John [Chesnutt.John@epa.gov]; Lane, Jackie [Lane.Jackie@epa.gov]; Yogi, David [Yogi.David@epa.gov]; Huitric, Michele [Huitric.Michele@epa.gov]; Harris-Bishop, Rusty [Harris-Bishop.Rusty@epa.gov]
Subject: RE: REVIEW - draft EPA response - FW: Media query - Curbed SF - HPNS follow-up
Attachments: djk SF Curbed press questions - EPA responses Draft V1 4-18-2018 brf.docx

I made another "tracked changes" comment to the document in A1.

David Kappelman
USEPA ERT
513-240-6840

From: Fairbanks, Brianna
Sent: Thursday, April 19, 2018 9:04 AM
To: LEE, LILY <LEE.LILY@EPA.GOV>
Cc: Chesnutt, John <Chesnutt.John@epa.gov>; Lane, Jackie <Lane.Jackie@epa.gov>; Yogi, David <Yogi.David@epa.gov>; Huitric, Michele <Huitric.Michele@epa.gov>; Harris-Bishop, Rusty <Harris-Bishop.Rusty@epa.gov>; Kappelman, David <Kappelman.David@epa.gov>
Subject: RE: REVIEW - draft EPA response - FW: Media query - Curbed SF - HPNS follow-up

Here are my edits/comments.

Brianna Fairbanks
Attorney/Advisor
EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3907

From: LEE, LILY
Sent: Thursday, April 19, 2018 4:24 AM
To: Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Cc: Chesnutt, John <Chesnutt.John@epa.gov>; Lane, Jackie <Lane.Jackie@epa.gov>; Yogi, David <Yogi.David@epa.gov>; Huitric, Michele <Huitric.Michele@epa.gov>; Harris-Bishop, Rusty <Harris-Bishop.Rusty@epa.gov>; Kappelman, David <Kappelman.David@epa.gov>
Subject: REVIEW - draft EPA response - FW: Media query - Curbed SF - HPNS follow-up

Dear Brianna,

Attached is a draft response to questions below and relevant excerpts from larger documents. Please give legal review.

Dear Dave Kappelman,

I especially want your feedback as a health physicist from ERT to make sure my attempt to summarize in layperson language is technically accurate.

Thanks!

Lily

Begin forwarded message:

From: "Huitric, Michele" <Huitric.Michele@epa.gov>
Date: April 18, 2018 at 8:23:01 AM PDT
To: "LEE, LILY" <LEE.LILY@EPA.GOV>, "Fairbanks, Brianna" <Fairbanks.Brianna@epa.gov>
Cc: "Chesnutt, John" <Chesnutt.John@epa.gov>, "Harris-Bishop, Rusty" <Harris-Bishop.Rusty@epa.gov>, "Huitric, Michele" <Huitric.Michele@epa.gov>
Subject: Media query - Curbed SF - HPNS follow-up

Hi –

Here are some follow-up questions from Chris Roberts. FYI, I've included below the responses we've sent him most recently.

He didn't give a deadline. If we are able to wrap up by Thursday, that would be good as I'm out Friday. But if the questions will take more time than that, then we can try for Monday.

Thanks,
Michele

Q1: Will EPA explain why and how the "scanner van" would scan areas that were later remediated, including the utility corridors, as well as "areas of Parcel B, Parcel C, and minor portions of Parcels D and E," areas known to have contamination, and find nothing above background levels? Doesn't the van's failure to detect radioactive contamination in areas known to have contamination cast doubt on its results? If not, why not

Q2: Additionally, where can I find out more about the "EPA health physicist [who] conducted an independent scan of the area to confirm that the former building site was clean"? When was this done? Will you provide documents, or explain where documents may be kept?

Q3: Lastly: Whistleblower Anthony Smith has sworn in the petition sent to the NRC last year that he took what was meant to be a background sample of soil from Parcel A. This soil was tested and was found to have "2 to 3 picocuries per gram of cesium-137, which Smith knew was much higher than background levels and the cesium-137 cleanup standard of 0.113 picocuries per gram – 18 to 26 times higher than the set health and safety ceiling." According to Smith, the area where this sample was taken is near Building 101, where the commercial kitchen is today on Parcel A. Was this report ever given to EPA? Did EPA or the Navy investigate? In any event, did EPA receive or is EPA party or privy to other reports or allegations of contamination on Parcel A?

Previous responses:

Q1: Was the "scanner van" also used to scan other parcels on the shipyard remediated by the Navy? If so, where and when? [Restated question:] Were the other parcels scanned by EPA *after* Tetra Tech remediation work in the years that followed, i.e. 2004 to 2016?
EPA has not done any rescanning of whole parcels after the Tetra Tech remediation work.
Q2: You say that Building 322 was scanned by the Navy and demolished, and that EPA has "no reason to question any cleanup work" on that Parcel. However, according to the Navy, Building 322 was scanned by Tetra Tech, the same firm whose data is now called into question all over the base. And according to the draft radiological findings report for buildings, there was no data for that

building. Does EPA's contention that there is "no reason to question" the work stand, in light of Tetra Tech's apparent fraud? If so, how can we trust this work, and not other work?
Yes, we stand by our previous statement that we have no reason to question any cleanup work performed on Parcel A. Following the removal of Building 322 and a Tetra Tech scan of the building footprint, an EPA health physicist conducted an independent scan of the area to confirm that the former building site was clean. The health physicist did not detect any radiological contamination, so the site was determined to be transferable without restriction.

Questions:

- Wanted to see what the best way to discuss with EPA the findings from the most recent radiological findings report from the Hunters Point shipyard -- these, related to buildings -- might be. As the report says, the cleanup data from buildings appears to have been falsified--but the report also says that a building on Parcel A, building 322, was scanned and declared clear by Tetra Tech back in 2004. Based on what we know now, can that declaration be trusted? And in any event, how can we be certain that that building is in fact clean and poses no danger to the environment or the public--and what, if any, actions will be taken as a result? [Also, paraphrased from reporter's voicemail: Whistleblowers have declared that Parcel A had contamination; how are those concerns being addressed?]
- Also, it looks like the EPA is also reviewing Tetra Tech's data. Has EPA produced comments on all of the Navy's draft radiological findings reports? Will EPA provide copies of all comments on the draft radiological findings reports produced to date?
- Today, an organization called PEER put out a release in which the EPA's comments on the US Navy's draft radiological findings reports from the former Navy shipyard at Hunters Point in San Francisco, an EPA Superfund site, were published. But only the EPA comments on Parcels B and G were obtained. Has the EPA commented on the draft radiological findings reports from the other parcels? If so, can EPA provide those documents?
- I understand that prior to the transfer, EPA ran a "scan van" over Parcel A and collected its own cleanup data to verify the Navy's. Is that accurate? Can you provide those findings? And was the "scan van" run over other parts of the base after other Navy cleanup?

Response:
We have no reason to question any cleanup work performed on Parcel A. Historically, the majority of Parcel A was used for residences and administrative offices, not industrial activities.
The only radiological materials found at Parcel A were sandblast grit and firebricks, these have since been removed. Former Buildings 322, 816, and 821 had potential for radiological contamination. The Navy scanned all three buildings and did not find radiological contamination above required cleanup levels. Buildings 322 and 816 were demolished and removed. Building 821 is located on Crisp Road, not in the developed portion of Parcel A. No other sources of radiological contamination were identified during the investigation or cleanup of Parcel A. In 2002, EPA conducted a radiological scanner van survey of Parcel A and navigable roads on other parts of the Shipyard (please see attached report). All of the anomalies detected during the scan were attributable to natural occurring sources at levels consistent with what would normally be found in the environment.
Please see attached for copies of EPA's independent review of Parcels B and G (attachment #1) and Parcels D-2, UC-1, UC-2, and UC-3 (attachment #2). Please note, for the report on Parcels D-2, UC-1, UC-2, and UC-3 (attachment #2), there is a small typo in Table 2. Where it says "71%" in the last row of Table 2, it should actually say "85%". Please let us know if you have any specific questions about these reports.
EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.