



February 26, 2014

Stephen Woods, Chief
California Department of Public Health (CDPH)
Center for Environmental Health
Division of Food, Drug, and Radiation Safety
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Email: steve.woods@cdph.ca.gov

Dear Mr. Woods,

My name is Liza Tucker and I am a consumer advocate at Consumer Watchdog, a non-profit, non-partisan public interest group. I have received a tip from a worker on a remediation project at Parcel C at the Hunters Point Navy Shipyard. This worker has asked to remain anonymous as he fears for his job, and requested that our consumer group act on his behalf to report his allegation.

This worker says that other workers at the site have been told they are on a "chemical remediation" project. The project is related to the removal of thousands of feet of radioactively contaminated storm drain and sanitary sewer lines and involves the digging up and removal of large amounts of potentially radioactively contaminated soil.

The project remediation is being conducted without radiologic controls and without the oversight of a Radiation Health and Safety Officer. Project personnel have not been trained in exposure control and are not monitored for potential exposure to radiation through the use of personal dosimeters.

A large mound of excavated soil is now stockpiled adjacent to an active radiologic remediation site. This worker has raised concerns because

extensive soil excavation has taken place right up to the foundations of radioactively contaminated buildings that are undergoing remediation by another company whose workers are under full radiologic controls and monitoring.

Shipping of this soil offsite, as “chemically,” but not “radiologically” impacted began this week, and the concern is that this potentially radioactive soil has gone to state facilities not constructed or licensed to accept low-level radioactive waste.

But documents I have read indicate the potential exists that the soil being excavated is contaminated with radioactive material, while unmonitored exposure to workers may be occurring.

The documents I reviewed that were prepared for the Navy under contract include: The Final Execution Plan, November 2012 for Parcel C Phase II, Radiological Remediation And Support, Hunters Point Navy Shipyard, San Francisco, California” under number DCN: RMAC-0809-0012-0007, and The Final Design Plan, November 2012 Parcel C Phase II Radiological Remediation And Support, Hunters Point Naval Shipyard, San Francisco, California” under number DCN: RMAC-0809-0012-0006.

Federal law (10cfr19) and state regulations allow the request of an inspection under the Radiologic Health Branch Guidance Part X: Notices, Instructions and Reports to Workers: Inspections,” subpart “RHB 10.7 Request by Workers for Inspections.”

I attach links or copies of the relevant documents via email with this letter, as well as photographs depicting the scale of the excavation, and indicating the assigned Navy project and contractor managers. It is clearly stated in the referenced documents that the work area in question has been deemed potentially impacted with radioactive materials, and that a specific protocol was mandated for radiologic assessment that included radiologic clearing of the soil. This worker believes and has stated that no such radiologic soil assessment has been or is being performed.

The Navy’s Remedial Action Implementation Work Plan waved through by the Department of Toxic Substances Control (DTSC) and logged on

the DTSC's publicly accessible Envirostor website in September 2013 does not appear to contain any evidence of results of soil characterization for radionuclides, despite statements that such protocols will be followed and any low-level radiological waste will be managed, transported, and disposed of properly.

While the Work Plan does say that air will be monitored for radionuclides, it does not say that soil will be tested for the same. This means these workers should be monitored for potential radiation exposure from the soil itself, as well as for inhalation and ingestion.

See:

http://www.envirostor.dtsc.ca.gov/regulators/deliverable_documents/4909687638/Final%20RAWP%20Parcel%20C%20HPNS_CT08_r1-Text_Figures_Tables_08.05.2013.pdf

This raises serious questions about the state's regulatory oversight of this cleanup and why California's lead toxics regulator in the state—the DTSC—does not appear to have ensured that radioactively contaminated soil was properly managed.

Consumer Watchdog has significant concerns for worker health and safety as well as for the public's protection from toxic harm if potentially radioactive waste is being unsafely transported and taken to facilities not capable of preventing its migration to the environment. If that is the case, then unsuspecting members of the general public could come in contact with this radioactive waste. If this allegation proves to be true, the way that state regulators perform their oversight to protect the public from toxic harm needs to be investigated and reformed.

As a matter of completeness, a copy of this request for investigation of the activities at Parcel C, at Hunters Point Naval Shipyard is also being sent to:

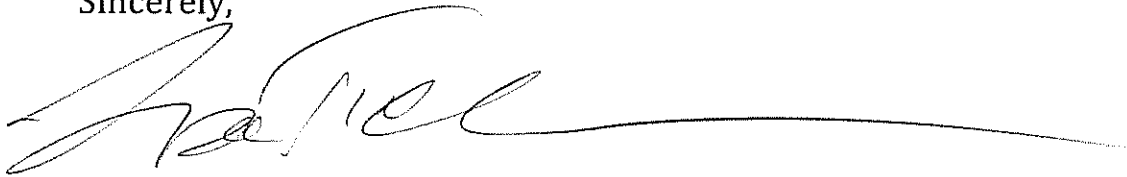
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I would appreciate notification of receipt of this request for inspection
the notification of the determination of whether an inspection is
warranted and will be performed, as well as the results of the
inspection.

Sincerely,

A handwritten signature in black ink, appearing to read "Liza Tucker", with a long horizontal flourish extending to the right.

Liza Tucker
Consumer Advocate
Consumer Watchdog