

SAN FRANCISCO CAUGHT LYING ABOUT RADIOACTIVE CITY TO HELP CORRUPT POLITICIANS PROFITEER

Photo by Associated Press/Eric Risberg

San Francisco accepted Hunters Point shipyard land that may still be radioactive

EPA, state health regulators approved transfer in 2015 despite awareness of fraud allegations

By [Chris Roberts@cbloggy](#) Mar 13, 2018, 12:45pm PDT

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San Francisco officials accepted land for development at the former [Hunters Point](#) naval shipyard that may still be [contaminated with radioactive pollution](#), documents and interviews show.

The transfer occurred despite three layers of review from federal, state, and local environmental and public-health regulators.

All of those agencies were aware at that time of a widening falsification scandal that, one year later, halted all land transfers at the shipyard, an EPA Superfund site that's the location of the [biggest redevelopment project](#) in San Francisco since the 1906 earthquake.

Officials insist that neither the transfer nor the work done at the land—including repairs to the durable cover supposed to keep existing contamination in place—pose any risk to worker or public health.

But that declaration was first made in 2016, before a later review revealed that [Tetra Tech](#), a major contractor hired by the Navy to clean the shipyard and prepare it for development, may have faked nearly half of the \$250 million worth of work done throughout the shipyard, including the cleanup at the two parcels in question.

The Navy is responsible for determining if the land—a strip of mostly paved roadway in front of buildings that house artists' studios and a commercial kitchen used by food trucks—is still contaminated, and if it is, for cleaning it.

There's currently no timeline for when that may happen, a Navy spokesman said in an emailed statement.

Spokespeople for the Navy, EPA, and the city's Office of Community Investment and Infrastructure did not directly address questions as to how the city received potentially dirty land. For environmental watchdogs, the transfer reveals what they say are deep flaws in the process at the shipyard—the planned anchor of a new neighborhood that's supposed to have [12,000](#) badly needed housing units—that they say prioritize redevelopment over concerns for public health and safety.

Tetra Tech was able to present findings to the Navy showing the areas were clean. These claims were made based on data that a later review found to be obviously flawed—but also presented in a context

““Why did government agencies keep saying that everything was fi

where other Tetra Tech data was known to be questionable.

The Navy then presented those findings to the federal EPA, state [Department of Toxic Substances Control](#), and local Department of Public Health. No regulators raised concerns, according to a review of documents filed prior to the transfer. These documents show no mention of even the possibility of problems on these parcels, despite knowledge of the widening scandal with Tetra Tech's work.

Instead, while the land transfers were halted, the city's Office of Community and Investment and Infrastructure hired an engineering firm to make an argument to relax existing land-use restrictions in order to place more housing at the shipyard, documents show.

Watchdogs say this series of events raises serious questions about the effectiveness of federal and local oversight at the contentious project—oversight that may be even weaker in the future, with an understaffed Trump administration-era EPA—and whether that oversight ever amounted to more than a rubber stamp at best.

“As far as I can tell” that's what it was, said David Anton, an environmental lawyer representing several former Tetra Tech workers and contractors at the shipyard, whose whistleblower complaints broke the scandal open. “I have not seen them do anything on their own to confirm health and safety aspects at all.”

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Hunter's Point Naval Shipyard. Photo by [vhines200](#)

“Everyone should be alarmed, and outraged, that the apparent fraud was so widespread and included areas already transferred from the Superfund Site to the city,” said Bradley Angel, executive director of [Greenaction](#), an environmental nonprofit that's closely monitored the shipyard cleanup.

“We should be even further outraged that city, state, and federal government agencies said for years that they had verified the adequacy of the cleanup work at the Shipyard when we now know massive fraud took place,” he added. “Why did government agencies keep saying that everything was fine even after they knew that fraud had occurred?”

Four presidents and five mayors have come and gone since the redevelopment process began at the shipyard, a fist-shaped peninsula in the city's southeastern corner. From World War II until its closure in 1974, [Hunters Point Naval Shipyard](#) was a key Cold War-era military installation and an irreplaceable source of jobs for the surrounding neighborhood, which is heavily African-American.

Through the changing administrations and even into the widening alleged fraud scandal, local and federal elected officials and authorities have stayed on message. No land at the shipyard—where the Navy ran a nuclear warfare research lab and dumped radioactive material into landfills, the bay, and down storm drains—would be transferred unless it was guaranteed to be clean, they vowed.

“San Francisco will not accept the transfer of any land until federal and state regulators are satisfied that the land is clean and safe, and our own Department of Public Health validates that decision,” wrote then-Mayor [Ed Lee](#) and Supervisor Malia Cohen in a September 2016 letter to then-EPA Administrator Gina McCarthy.

The shipyard is divided into alphanumeric parcels. Lee and Cohen sent the letter almost exactly one year after San Francisco accepted two parcels called UC-1 and UC-2, for “utility corridor.”

About seven acres in size total, the parcels are down the hill from the area where developer FivePoint has built and sold about 300 occupied housing units.

According to Navy documents, toxic threats there stemmed from storm and sewer lines, down which the Navy would routinely flush waste from tests. Potential contaminants included cesium, strontium, thorium, cobalt, plutonium, radium, and uranium.

Exposure to these radioactive elements [can lead to serious health complications](#), including cancer.

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In 2011, Tetra Tech claimed to have removed 876 cubic yards of soil contaminated with “low-level radioactive waste” that was later shipped off-site. The company then say they installed a “hard cap” consisting of soil and asphalt to keep in place other existing contaminants, [including potentially toxic vapors from the soil](#).

contractor, [Albion Partners](#), was hired to perform minor repair work at the sites, including pothole repair and some fixes to the “hard cap,” which was cracking in places and had been disturbed by “burrowing animals,” according to a work plan filed with regulators.

Based on these claims, in 2015, the Navy offered the land for transfer to the city. After the transfer, a local

Beginning in 2012 and through 2014, former workers and contractors made multiple allegations of fraud at the shipyard, [allegations made publicly in television news reports](#). Despite these allegations, the land transfer continued—and Tetra Tech kept winning contracts.

In 2014, the Navy awarded the company a pair of contracts “totaling \$7.5 million” for more shipyard work, according to [NBC Bay Area](#).

At that time, environmental regulators—including the EPA and state Department of Toxic Substances Control—were queried about the fraud allegations by NBC but declined to comment.

Last summer and fall, third-party contractors hired by the Navy to review Tetra Tech’s data found widespread evidence of possible “falsification and data manipulation” throughout the shipyard, according to a draft report for their findings, including at the two UC parcels. At one—UC-2—potential fraud was found with 75 percent of Tetra Tech’s work.

Construction of The Shipyard, 2014. Photo by [Tom Lappin](#)

“[L]ocations with potentially elevated radionuclide concentrations are likely still present” at both sites, according to the Navy’s data review.

In an emailed statement provided to Curbed SF, the Navy did not offer an explanation for the apparent breakdown in its process.

“The Navy will continue to work with City of San Francisco and regulatory agencies to validate any potentially falsified radiological data and take appropriate action, if necessary, to ensure the property is ready for redevelopment,” the statement said. “The investigation will gather new soil samples and building survey data to ensure parcels are ready for transfer, and or development by the City of San Francisco.”

The EPA would not say directly what risks may be posed by any potential contamination remaining on-site. Nor did it directly account for how potentially contaminated land evaded its oversight.

e Hunters Point Naval dry dock in
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unters Point Naval dry dock in 1945. Photo by
lated Press

In an e-mailed statement, Michele Huitric, a spokeswoman for the EPA, said that the agency “is still investigating the impacts of Tetra Tech EC Inc.’s failure to follow the cleanup work plan at Hunters Point Naval Shipyard,” but believes that the cleanup

poses no threat, despite the questionable work.

“Our focus is on ensuring both that no current workers or residents are exposed to hazardous materials and that future residents and workers are protected,” she added. “We believe that current procedures and protocols will protect current workers and residents, and we are working with the Navy and the state of California on plans to ensure that any radiological contamination that may remain on-site is cleaned up to the standards set in the cleanup decision documents.”

In an e-mailed statement, a spokesman for the city’s Office of Community Investment and Infrastructure, which is overseeing the shipyard project, steered responsibility towards the Navy.

“The city has not and will not accept property until it is determined to be suitable for its intended uses,” wrote Maximilian Barnes, an OCII project associate. That’s a small but significant pivot from the language used in 2016 by Lee, who declared the city would not accept land that wasn’t guaranteed “clean and safe.”

Barnes noted that the EPA and Navy declared the land safe to be used as a road, parking area, and storage, he noted, adding “[t]he issue of the questionable data was raised after transfer.” In response to further questions regarding the process, Barnes advised Curbed SF to “kindly direct your questions” to the EPA and Navy.

For environmental watchdogs, regulatory oversight at the shipyard is an exercise in doublespeak, evasion, and—ultimately—concerted negligence.

“They [the city] say they will not accept land that is not clean, but then say they have land they now suspect is not clean,” said David Anton, the environmental attorney representing the whistleblowers. “They should have the Navy take it back until it is clean.”

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“And what happens if they can never get it clean?” he asked. “That’s possible.”

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iluvnyc

With all the radiation coming ashore from Fukushima, I wouldn't be too worried about the bit that might be coming up out of the ground!

Posted on **Mar 14, 2018** | 2:56 PM

DrAhimsa

As the founding chair of the Radiological subcommittee of the Hunters Point Shipyard Restoration Advisory Board I have argued vehemently against residential development on the radiation contaminated Hunters Point Shipyard. Thank you for your information repository. It should include the San Francisco Chronicle article that appeared on April Fools Day 2004 that documents Nancy Pelosi strong armed Rep John Murtha, D-Penn ranking democrat on the House Military Appropriations Committee to convince the Navy to sign the shipyard conveyance agreement over the Navy's concerns about the safety of the radiation contaminated property. This is documented in the nationally distributed and circulated article I wrote in 2009 titled Singing in the Rain: Shipyard Enriches SF's Most Powerful Families http://news.newamericamedia.org/news/view_article.html?article_id=df6d6934de76bd863faae6f466300970. Also note I personally attended the Planning Commission Hearing and opposed the transfer of the

radiation contaminated parcels that are sited in your article and documented the extent of residual contamination in an article published in the SF Bayview Newspaper <http://sfbayview.com/2015/05/is-the-shipyard-safe-dr-sumchai-wites-epa-opposing-transfer-of-more-hunters-point-shipyard-land-to-san-francisco-and-lennar-as-nbc-questions-radiation-testing/#.VVVm0uqx3oM.mailto>. I have an extensive archive of both digital and hard copy documents including most of the major clean up documents published by the US Navy surrounding the parcel transfers. You are welcome to include them in your repository and I am available to speak with you.

Posted on **Mar 19, 2018** | 9:34 AM

DrAhimsa

If SF Curb would like to direct itself to the most serious injustice being perpetrated by the City and County of San Francisco that jeopardizes the health, safety and wellbeing of current and future residents at the Federal Superfund site, you should investigate the role the Department of Public Health has played for decades in promulgating fraud, political corruption and conspiracy as proven in emails obtained under the FOA. I have personally called for the termination of Amy Brownell, PE – soil mitigation engineer for DPH who a civil grand jury report identified as being compensated by Lennar Urban and it's shell company Five Point. Brownell spoke at the Planning Commission hearing on the transfer of the radiation contaminated parcels sited in your article and never mentioned the fact that the Tetra Tech internal investigation concluded 2,500 fraudulent soil samples had been collected in the region. Please note the following urls:<https://www.sfgate.com/bayarea/article/San-Francisco-Developer-sed-over-Hunters-Point-2569601.php> and m.sfweekly.com/sanfrancisco/chairman-willie-willie-browns-not-so-secret-connection-to-the-Hunters-Point-Project and <http://sfbayview.com/2011/06/sf-public-health-department-ethics-under-investigation-hearing-june-23> and http://civilgrandjury.sfgov.org/2010_2011?Hunters_Point_Shipyard.pdf and <http://sfbayview.com/2011/03/emails-show-regulators-conspiring-with-lennar-to-cover-up-shipyard-development-danger> and my most recent article in which I document the Navy's plans to transfer the toxic methane gas emitting radiation contaminated Parcel E2 landfill in 2019 for residential development in a shipyard south multi use district created in 2010..possibly under the direction of Supervisor London Breed and Malia Cohen. <http://sfbayview.com/2018/01/showdown-radiological-daa-fraud-at-hunters-point-shipyard-2018>.

Posted on **Mar 19, 2018** | 9:57 AM

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