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## California Department of Public Health Petition Exhibit 2 - Declaration of Steven J Castleman

Golden Gate University School of Law

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## DECLARATION OF STEVEN J. CASTLEMAN

1. My name is Steven J. Castleman. I am an attorney licensed to practice law in the State of California. Together with my co-counsel, David Anton, I represent Greenaction for Health and Environmental Justice in this action and a Petition seeking to revoke the federal Materials License of Tetra Tech, EC, Inc. (“Tetra Tech”), License number 29-31396-01, issued by Nuclear Regulatory Commission (“NRC”). The Petition is pending before the Executive Director for Operations of the NRC. That Petition (Exhibit 1 to this action), supported by statements under penalty of perjury, demonstrates Tetra Tech engaged in widespread fraud, including reporting fraudulent sampling and scanning data, which has compromised the remediation of radioactive contamination at the Hunters Point Naval Shipyard in San Francisco, California (“Shipyard”).
2. The U.S. Navy hired contractors to review the data reported by Tetra Tech in an attempt to ascertain which, if any, of those data are reliable. One or more of those contractors wrote the reports entitled *Draft Radiological Data Evaluation Findings Report for Parcels B and G Soil*, dated September 2017, which is attached to the Supplemental Filing as Exhibit 1 and *Draft Radiological Data Evaluation Findings Report for Parcels C and E Soil*, dated December 2017, which is attached to the Supplemental Filing as Exhibit 1. It supplements the evidence of fraud and was not known at the time of the filing of the Petition.
3. On January 12, 2018, I had a telephone conversation with Dr. Kathryn A. Higley, a Professor and Head of the School of Nuclear Science and Engineering in the College of

Engineering at Oregon State University. She has been hired by the U.S. Navy to act as a Community Technical Liaison for the radiation cleanup at the Shipyard.

4. During our phone conversation, Dr. Higley told me that the Navy has concluded, after data reviews including the one represented by Exhibit 1, that virtually all of the data reported by Tetra Tech is suspect. Later in our conversation she qualified what she said, saying a substantial but undefined proportion of Tetra Tech's data was "to a large extent useless." She also informed me that substantial re-sampling and re-scanning will be required to determine the full impact of Tetra Tech's fraud on the cleanup and the planning process for that project is currently under way.
5. On January 31, 2018, I attended a Community Open House meeting hosted by the Navy concerning the Hunters Point Shipyard radiological cleanup. Prior to the meeting I had a conversation with Derek Robinson, of the Navy's Base Realignment and Closure Program Management Office West ("BRAC PMO West"). He is the person in charge of the cleanup of the shipyard on behalf of the Navy. During our conversation, Mr. Robinson confirmed what Dr. Higley told me; the Navy had lost confidence in the Tetra Tech data. Mr. Robinson also said that the Navy was going to treat all Tetra Tech's data as unreliable and resample all locations where Tetra Tech did radiological work.
6. I declare under penalty of perjury that the foregoing is true and correct.



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Steven J. Castleman  
Attorney at Law

June 26, 2018

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Date