

7-23-2019

## California Department of Public Health: Petition Request for action on Petition

Golden Gate University School of Law

Follow this and additional works at: <https://digitalcommons.law.ggu.edu/hpns>



Part of the [Environmental Law Commons](#)

---

### Recommended Citation

Golden Gate University School of Law, "California Department of Public Health: Petition Request for action on Petition" (2019). *Environmental Law and Justice Clinic - Hunters Point Naval Shipyard Documents*. 35. <https://digitalcommons.law.ggu.edu/hpns/35>

This Letter/Comment is brought to you for free and open access by the Centers & Programs at GGU Law Digital Commons. It has been accepted for inclusion in Environmental Law and Justice Clinic - Hunters Point Naval Shipyard Documents by an authorized administrator of GGU Law Digital Commons. For more information, please contact [jfischer@ggu.edu](mailto:jfischer@ggu.edu).

## Environmental Law and Justice Clinic

By Certified Mail and Email

July 23, 2019

Gonzalo Perez  
Environmental Program Manager II  
Department of Public Health  
Radiologic Health Branch  
1500 Capitol Avenue, 5thFloor, MS7610  
Sacramento, CA 95814-5006  
(gonzalo.perez@cdph.ca.gov)

Re: Greenaction's Petition to the Radiological Health Branch to Revoke Tetra Tech's Radiological Materials License No. 7909-01

Dear Mr. Perez:

On behalf of Greenaction for Health and Environmental Justice, I write to inquire if the California Department of Public Health's Radiological Health Branch ("CDPH") plans to respond to Greenaction's petition under 17 C.C.R. § 30205 to revoke Tetra Tech EC, Inc.'s ("Tetra Tech") California Radiological Materials License No. 7909-01. The Petition was submitted to you on July 26, 2018 via email. The original Petition and its 25 supporting exhibits are still available online.<sup>1</sup>

We have not received a reply from CDPH, nor are we aware of any action by CDPH on the Petition. Meanwhile, the true scope and impact of Tetra Tech's fraud, committed while operating under its Radiological Health Branch license, continues to be exposed.

It is not acceptable for CDPH to fail to respond to Greenaction's well-documented Petition, nor would it be acceptable for CDPH to fail to act on the Petition, which was filed to protect public health and the environment.

The full scope of Tetra Tech's fraud has not been revealed, and CDPH has a duty to investigate. A recent submission by Greenaction to the Nuclear Regulatory Commission provides an update on the expanding impact of the fraud, and new evidence of Tetra Tech's fraud that has come to light since the State Petition was filed

Mailing Address:  
536 Mission Street  
San Francisco, CA  
94105-2968

Offices:  
40 Jessie Street  
Suite 530  
San Francisco, CA  
tel: (415) 442-6647  
fax: (415) 896-2450  
www.ggu.edu/law/eljc

---

<sup>1</sup> [https://www.dropbox.com/sh/zh2pknpgvuucjp0/AAA-1xjCHxjVtQ\\_s8wvTpm9Za?dl=0](https://www.dropbox.com/sh/zh2pknpgvuucjp0/AAA-1xjCHxjVtQ_s8wvTpm9Za?dl=0)

in July, 2018. That Supplemental Filing No. 4 is available online along with all of Greenaction's filings to the NRC.<sup>2</sup>

Greenaction requests that CDPH respond to the Petition. If we do not receive a response from CDPH by July 31, 2019, we will assume CDPH does not intent to respond.

Any response by CDPH should be sent to Tyler Sullivan (tsullivan@ggu.edu) with a carbon copy to Greenaction (greenaction@greenaction.org) or by mail to the Environmental Law and Justice Clinic at Golden Gate University School of Law.

Thank you for your attention to this matter.

Sincerely,



M. Tyler Sullivan  
ENVIRONMENTAL LAW AND JUSTICE CLINIC  
Golden Gate University School of Law  
Counsel for Greenaction for Health and Environmental  
Justice

cc: By Email

Bradley Angel, Greenaction for Health and Environmental Justice  
(greenaction@greenaction.org)

David C. Anton (davidantonlaw@gmail.com)

John Fassell, Supervising, Health Physicist, Inspection Compliance and Enforcement  
Section, Radioactive Materials (john.fassell@cdph.ca.gov)

Ira Schneider, Supervising Health Physicist, Radioactive Materials Licensing Section  
(ira.schneider@cdph.ca.gov)

---

<sup>2</sup> [https://www.dropbox.com/sh/1gfn7ja0fc3c5l6/AAD7-9qzmbhhUTkGvpN4p\\_Xua?dl=0](https://www.dropbox.com/sh/1gfn7ja0fc3c5l6/AAD7-9qzmbhhUTkGvpN4p_Xua?dl=0)