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NRC Petition: Supplemental Filing 4 Exhibit 4 - McLaughlin Declaration

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10 GREENACTION FOR HEALTH
11 AND ENVIRONMENTAL JUSTICE

12 **UNITED STATES NUCLEAR REGULATORY COMMISSION**
13 **Before the Executive Director for Operations**

16 **GREENACTION FOR HEALTH AND**
17 **ENVIRONMENTAL JUSTICE,**
18 **Petitioner,**
19 **v.**
20 **TETRA TECH EC, Inc.,**
21 **Licensee.**

) **DECLARATION OF KEVIN**
) **MCLAUGHLIN IN SUPPORT OF**
) **SUPPLEMENTAL FILING NO. 4**
)
) **10 C.F.R. § 2.206 PETITION TO**
) **REVOKE MATERIALS LICENSE**
) **NO. 29-31396-01**

22)
23)
24)
25)
26)
27)
28)

1 I, Kevin McLaughlin, declare:

2 1. In total, I have thirty-six years of experience working in the nuclear industry. I
3 became a Senior Radiation Control Technician ("RCT"), sometimes called a Health Physicist
4 ("HP"), in 1985, after working for three years as a decontamination technician and Junior Health
5 Physicist.

6 2. I have extensive training in the nuclear industry including advanced nuclear
7 physics, radiation biology and health effects, radiation instrumentation theory, radionuclide
8 analysis, and qualification as an Emergency Plan Health Physics Leader. My recent certifications
9 include NUF Exam (passed 2010), DOE Core Card (passed 2010), Transportation Worker
10 Identification Card (certified 2010), 29 CFR 1910.120 - 40 hour HAZWOPER (certified 2010),
11 Canberra Inspector 1,000 (certified 2011), DOT/NRC 79-19 Hazardous Waste Shipper (certified
12 2011), 29 C.F.R. §1926 Standards 30 Hour Course (certified 2013), 29 C.F.R. § 1926.510 OSHA
13 (certified 2013), and PRIMAVERA P6v8.3 (certified 2013). I am also ANSI 3.1 certified.
14

15 3. I have extensive experience working in the field of radiological health. My
16 experience includes working in coordinating and planning radiological health safety activities at
17 various sites in various capacities, including as a Lead Health and Safety Technician, Radiation
18 Protection Supervisor, Count Room Technician, Radiation Protection/Control Technician, and
19 Alara (As Low as Reasonably Achievable) Technician.
20

21 4. In June of 2010, I was hired by Aerotek Environmental, a staffing firm, to work for
22 Shaw Environmental & Infrastructure ("Shaw") on its radiation remediation projects at Hunter's
23 Point Naval Shipyard ("HPNS"). Shaw personnel supervised me at all times I worked at HPNS.
24 While I was there Shaw initially paid me directly as an independent contractor until February
25 2011, when it hired me as a full-time employee.
26
27
28

1 5. My title while working at HPNS for Aerotek and Shaw was Senior Radiological
2 Control Technician, and my duties included, among other things, providing oversight of junio
3 HPs, ensuring the radiological safety of work at radiologically impacted sites,
4 sampling/packing/shipping soil samples, conducting response checks for instruments, and
5 overseeing releases of areas deemed to have been successfully remediated.

6 6. Upon arriving at HPNS in June, 2010, I was assigned to Shaw's remediation
7 project at Parcel E-2 I was subsequently assigned to work on Parcel D-1 starting in December of
8 2010. (After December 2010, I also worked periodically at Parcel E-2 on weekends when asked to
9 work overtime.)
10

11 7. As a Senior Radiological Control Tech for Shaw working at Parcel D-1, I was
12 physically present on Parcel D-1 almost every weekday from December 2010 through August
13 2012, when Shaw assigned me to a short-term work at different locations in Virginia and Arizona.

14 8. The remediation work at Parcel D-1 related to radiologically impacted sewer lines.
15 The work plan included excavating the sewers and associated soil and then testing them for
16 radiological contamination. The excavated soil was brought (usually by truck) from the excavation
17 site to a designated Radiological Survey Yard ("RSY"). The soil scanned after it had been spread
18 over the RSY to a depth of less than 6 inches.
19

20 9. The soil excavated by Shaw at Parcel D-1 was scanned at RSY #2, which was a
21 Tetra Tech RSY. Although Shaw operated its own RSYs at HPNS, Shaw and Tetra Tech agreed
22 that the Parcel D-1 soil would be tested at Tetra Tech's RSY #2. My understanding was that this
23 arrangement was made because Shaw's RSY pads were too far away. It may also have been to
24 avoid mixing soil from D-1 with that being tested at Shaw's RSY pads.
25

26 10. Soil was taken by truck from Shaw's D-1 work site to RSY #2. Shaw personnel did
27 not participate in the scanning at RSY #2. The Shaw truck driver was the only Shaw employee
28

1 who interacted with Tetra Tech during these RSY #2 operations. I could see various Tetra Tech
2 people working on screening soil at RSY #2, but I can only remember one of them, a woman
3 named Jane Taylor, who I distinctly remember because she was the wife of Tetra Tech's
4 Construction Manager, Dennis McWade.

5 11. In addition to relying on Tetra Tech personnel to screen soil from the Parcel D-1
6 sewer projects at RSY #2, Shaw relied on Tetra Tech's laboratory, located onsite at HPNS, for
7 laboratory analysis of all its samples from all of its radiation projects at HPNS.

8 12. No one from any state or federal agencies, including the NRC, Navy, and EPA, has
9 ever spoken to me about any of the matters discussed herein.

10 13. I declare under penalty of perjury that the foregoing is true.

11 Executed on April 2nd, 2019 in NOEL, MISSOURI.

12 
13 Kevin McLaughlin

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