



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 19, 2019

Robert D. Mullaney
Environmental Law and Justice Clinic
Golden Gate University School of Law
536 Mission Street
San Francisco, CA 94105-2968

David C. Anton
1717 Redwood Lane
Davis, CA 95616

SUBJECT: PETITION UNDER TITLE 10 OF THE CODE OF FEDERAL REGULATIONS
PART 2.206 SEEKING ENFORCEMENT ACTION AGAINST TETRA TECH EC,
INCORPORATED

Dear Mr. Mullaney and Mr. Anton:

This letter is in reference to your petition for Greenaction for Health and Environmental Justice, dated June 28, 2017, as supplemented on January 18, 2018, February 13, 2018, July 23, 2018, and June 21, 2019 (Agencywide Documents Access and Management System [ADAMS] Accession Nos. ML18178A067, ML18178A087, ML18212A267, ML18212A264, and ML19178A147, respectively). Your petition has been reviewed by the U.S. Nuclear Regulatory Commission (NRC) Office of Nuclear Material Safety and Safeguards pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.206 of the Commission's regulations. In your petition, you requested that the NRC revoke Materials License No. 29-31396-01, Docket Number 03938199, issued to Tetra Tech EC, Inc (TTEC), relating to fraudulent activities at the Hunters Point Naval Shipyard (HPNS).

Consistent with the Memorandum of Understanding between the NRC and Department Of Justice (DOJ) to facilitate the exchange of information between agencies (<https://www.nrc.gov/about-nrc/regulatory/enforcement/moudoj.pdf>), the NRC will defer its decision regarding your 2.206 Petition pending the outcome of the DOJ's ongoing civil complaint against TTEC. As a result, the NRC will hold your 2.206 petition in abeyance until the legal resolution of the DOJ civil complaint. At that time, the NRC staff will reassess your petition consistent with the 10 CFR 2.206 process as outlined in Management Directive 8.11.

Thank you for bringing these issues to the attention of the NRC. Consistent with guidance in SECY 08-0077, "Options for U.S. Nuclear Regulatory Commission Involvement with the Navy's Remediation of the Hunters Point Naval Shipyard Site In California," (ADAMS Accession No. ML080800110) and approved in the associated Staff Requirements Memorandum, dated June 26, 2008, (ADAMS Accession No. ML081780111), the NRC will continue to remain engaged and rely on the Comprehensive Environmental Response, Compensation, and Liability Act process and the Environmental Protection Agency's regulatory oversight of the ongoing Navy remediation of all radioactive material at HPNS site.

Sincerely,

/RA/

Michael Case, Director
Division of System Analysis
Office of Nuclear Regulatory Research

cc: Melissa Malstron, Hanson Bridgett LLP
Davina Pujari, Hanson Bridgett LLP
Preston Hopson, Tetra Tech EC, Inc.
David C. Anton, SBN 94852

SUBJECT: PETITION UNDER TITLE 10 OF THE CODE OF FEDERAL REGULATIONS
 PART 2.206 SEEKING ENFORCEMENT ACTION AGAINST TETRA TECH EC,
 INCORPORATED. **DATE December 19, 2019**

DISTRIBUTION:

RidsOcaaMailCenter Resource	DJones, OE	
RidsRgn1MailCenter Resource	RidsRgn2MailCenter Resource	RidsRgn3MailCenter Resource
RidsRgn4MailCenter Resource	RidsNrrMailCenter Resource	RidsEdoMailCenter Resource
PBuckberg, NRR		
RidsNrrDorLp2-2 Resource	RidsNrrDpr Resource	LBaer, OGC
RidsOgcMailCenter Resource	BPham, NMSS	RidsNrrDe Resource
PHolahan, NMSS Resource	RidsNrrLABClayton Resource	RidsOpaMailCenter Resource

ADAMS Accession No.: ML19309F257

***via e-mail**

OFFICE	DUWP	DUWP	OGC	DUWP	RI/AES
NAME	JSmith	SAchten	LBaer	SKoenick	BBickett
DATE	12/5/2019		09/16/2019	09/17/2019	09/17/2019
OFFICE	RI/OGC	RI/OI	OE	NMSS/MSTR	RES/DSA
NAME	BKlukan*	JTeator	DJones	PMichalak	MCase
DATE	09/16/2019	09/16/2019	09/19/2019	09/18/2019	09/15/2019
OFFICE	NMSS/DUWP	NMSS Tech Ed	NMSS/OD		
NAME	BPham for PHolahan	C.Goode	JLubinski		
DATE	12/05/2019	12/09/2019	12/18/2019		

OFFICIAL RECORD COPY