

Frank Vera III

Phone: 209-782-4541

www.GeorgeAFB.Info

August 13, 2014

BY EFAX TO: 571-256-3110@fax.hqda.pentagon.mil

SAF/AII
1000 Air Force Pentagon
Washington, DC 20330-1000

FOIA Request

Dear FOIA Officer:

Please process this request pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

I request a complete and unredacted copy, printout, or export of:

1. The **epidemiological survey(s)** for the former George Air Force Base, CA, "EPA Superfund ID: CA2570024453"
2. The **environmental survey(s)** for the former George Air Force Base, CA, "EPA Superfund ID: CA2570024453"
3. The **health survey(s)** for the former George Air Force Base, CA, "EPA Superfund ID: CA2570024453"
4. **Please forward this FOIA request to all MAJCOMs**
 - The George AFB / NARA SF115 request states that copies were retained at the Major Commands (MAJCOMs). *See page: 6*
5. An index of records responsive to this request that were RETIRED
6. An index of records responsive to this request that were DESTROYED
7. An index of records responsive to this request that were WITHHELD
8. This request is not meant to be exclusive of any other records that, although not specifically requested, have a reasonable relationship to the subject matter of this request.

In order to help you locate the request records I am including a copy of the George AFB / National Archives and Records Administration (NARA) Standard Form (SF) 115 Disposition Of Federal Records

request to destroy the “epidemiological, environmental, and health surveys” for the former George Air Force Base, CA, “EPA Superfund ID: CA2570024453.”

A copy of the complete report is at: <http://www.docs.georgeafb.info/air-force/af-nara-epidemiological-environmental-health-surveys-28oct1991.pdf>

Preservation of Records

Please ensure that, in accordance with the DC Circuit's ruling in *Chambers v. Dep't of the Interior*, 568 F.3d 998 (D.C. Cir. 2009), all records potentially responsive to this FOIA request are immediately preserved from destruction until the final resolution of this FOIA action. Destruction of potentially responsive records after the receipt of a FOIA request is considered "contumacious conduct" by the DC Circuit. See *id.* at 1004.

Definition of Record

The term “record” includes, but is not limited to: 1) all email communications to or from any individual within your agency; 2) memoranda; 3) inter-agency communications; 4) sound recordings; 5) tape recordings; 6) video or film recordings; 7) photographs; 8) notes; 9) notebooks; 10) indices; 11) jottings; 12) message slips; 13) letters or correspondence; 14) telexes; 15) telegrams; 16) facsimile transmissions; 17) statements; 18) policies; 19) manuals or binders; 20) books; 21) handbooks; 22) business records; 23) personnel records; 24) ledgers; 25) notices; 26) warnings; 27) affidavits; 28) declarations under penalty of perjury; 29) unsworn statements; 30) reports; 31) diaries; 32) calendars, regardless of whether they are handwritten, printed, typed, mechanically or electronically recorded or reproduced on any medium capable of conveying an image, such as paper, CDs, DVDs, or diskettes.

Record Search

When processing this request, please note that the D.C. Circuit has previously held that agencies have a duty to construe the subject material of FOIA requests liberally to ensure responsive records are not overlooked. See *Nation Magazine, Washington Bureau v. U.S. Customs Service*, 71 F.3d 885, 890 (D.C. Cir. 1995).

In line with the guidance issued by the Department of Justice (“DOJ”) on 9 September 2008 to all federal agencies with records subject to FOIA, agency records that are currently in the possession of a U.S. Government contractor for purposes of records management remain subject to FOIA. Please ensure that your search complies with this clarification on the effect of Section 9 of the OPEN Government Act of 2007 of the definition of a “record” for purposes of FOIA. In addition, the Air Force should not interpret this request to exclude correspondence sent to outside third parties. Please also consider this letter an affirmative rejection of any limitation of your search to Air Force originated records.

Redaction

In excising material, please “black out” rather than “white out” or “cut out.” Additionally, any reasonably segregable portion of a responsive record must be provided to me after redaction of any allegedly exempt material, as the law requires. 5 U.S.C. § 552(b).

“Public Interest Fee Waiver”

I request a waiver or reduction of the fees because this FOIA is in the public interest because furnishing the information is likely to contribute significantly to public understanding of the operations or activities of the Air Force Materiel Command, ANG, Defense Nuclear Agency, NORAD, Air Force, DOE, and/or DOD and I have NO commercial interest and the requested records.

I am researching the contamination of the soil and ground water, with radioactive isotopes, at the former George Air Force Base, CA, “EPA Superfund ID: CA2570024453.” The requested documents are necessary to determine the source of the contamination and if a Completed Exposure Pathway(s) (CEP) existed or exist at George AFB and the surrounding community. If a Completed Exposure Pathway(s) can be established the records will be used to petition the Agency for Toxic Substances and Disease Registry (ATSDR) for new Public Health Assessment for George AFB so our friends and families can get medical care and help bring closure to the families who lost their loved ones.

Based on the following, the requested records clearly meet all six of the requirements for a “Public Interest Fee Waiver” set forth in the DOD and DOJ Guide to the FOIA § Fees and Fee Waivers:

1) *The subject of the request.*

This FOIA requests is for *previously unreleased* records that may relate to the radioactive contamination at former George Air Force Base, CA, “EPA Superfund ID: CA2570024453”. The requested records are necessary to establish if a “Completed Exposure Pathways” for the radioactive contamination at George AFB existed and will answer the following questions:

- a) If and when did the Air Force (AF) have knowledge that a problem existed and did the AF employees withhold information from the Agency for Toxic Substances and Disease Registry (ATSDR) for its Health Assessment of George AFB?
- b) If required information was omitted/withheld from the CERCLA §120(h) Deed Restrictions.
- c) Did Air Force employees knowingly mislead the ATSDR, regulators, and the public?

2) *The informative value of the information to be disclosed.*

George Air Force Base had about 14 Installation Restoration Program (IRP) sites including RW-09 a radioactive disposal site located in the SEDA. The SEDA’s RW-09 is physically located about ¼ mile upstream of the Drinking Water Supply Wells for George AFB, Adelanto, CA, several homes, and the former Victor Valley Country Club. This provided a possible exposure pathway to tens of thousands of people through contaminated drinking water. The Air Force failed to notify the Agency for Toxic Substances and Disease Registry (ATSDR) of these potential exposure pathways for the Health Assessment of George AFB.

3) *The contribution to an understanding of the subject by the general public likely to result from the disclosure.*

- a) The release of the unredacted documents is necessary to establish the source, nature, extent, and establish the “Completed Exposure Pathway(s)” for the contamination at George AFB.
- b) The disclosure is the first step in requesting a new Health Assessment by the ATSDR.
- c) The contaminated drinking water at George AFB created a potential exposure to tens of thousands of civilians, and military personnel and their family members over the years.

- 4) *The significance of the contribution to public understanding.*
- a) The current belief is “On-site groundwater has never been used as a source for drinking water at George AFB and no supply wells are expected to be installed there in the foreseeable future. ...” This is a direct quote from the ATSDR’s 1 December 1998 report “Health Assessment for George AFB,” section “Evaluation of Groundwater Exposure Pathway”.
 - b) The AF knew that the ATSDR came to a flawed conclusion in their 1 December 1998 report “Health Assessment for George AFB”. This was because the ATSDR was not supplied with the information (by the AF) and/or did not fully understand of the nature and extent of the contamination, locations of the IRP sites, hydrology data (direction of the groundwater flow), and the locations of the water supply wells for George AFB, Adelanto, private homes, and the former Victor Valley Country Club. Because the AF did not correct the ATSDR during the Peer Review / Public Comments period or after the report was published in 1998.
 - c) The AF knew that the groundwater flows northeast under George AFB’s Southeast Disposal Area (SEDA) and RW-09, directly to the supply wells for George AFB, Adelanto, private homes, and the former Victor Valley Country Club.
 - d) A new Health Assessment is necessary before the AF and/or ATSDR will notify the U.S. Department of Veterans Affairs (VA) and former George AFB personnel of their possible exposure to potentially life threatening environmental contamination at George AFB.
- 5) *The existence and magnitude of a commercial interest.*
- a) I have NO commercial interest in the requested documents and the requested records will be posted, free of charge, on www.GeorgeAFB.Info. ...”
- 6) *The primary interest in disclosure.*
- a) Public interest is greater as there is NO commercial interest and the requested records will be posted, free of charge, on www.GeorgeAFB.Info.
- 7) *The ability of the requester to disseminate the information.*
- a) I have the ability to disseminate information on a wide scale, and intend to use information obtained through FOIA in original works.” While [GeorgeAFB.Info](http://www.GeorgeAFB.Info) is not a large website, in March 2014 it had 456,578 hits, 7,276 visitors, 391,468 page views, and visitors from 23 countries.
 - b) I have published dozens of records that I have received through FOIA(s). Over one hundred people have contacted me through [GeorgeAFB.Info](http://www.GeorgeAFB.Info) regarding health problems that these people, and their friends and family developed during and shortly after being stationed at George AFB. In some families, every child who was born at George AFB died before the age of twenty-four years, with some families experiencing the loss of up to four children. In other families, all but one of up to five family members, including adults, died at or shortly after leaving George AFB (See Self-Reported Health Problems on www.GeorgeAFB.Info). Some of these people were Adelanto School District employees who worked at the two schools that were allowed to remain open on the former George AFB, for 10 years after it closed.

The primary mission of [GeorgeAFB.Info](http://www.GeorgeAFB.Info), which is the outreach to the hundreds, possibly thousands of people who were potentially injured by the toxic contamination that was at George AFB. The large number of page views, the hundreds of “Self-Reported Health Problems”; dozens of personal accounts

about miscarriages, stillbirths, birth defects, and childhood cancers at George AFB demonstrate the successful outreach of GeorgeAFB.Info.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not. **If I am denied a "Public Interest Fee Waiver," I will pay "under protest" and I expressly reserve my rights to appeal your decision.**

In closing, I would like to remind you of President Obama's "Presidential Memorandum For Heads of Executive Departments and Agencies."

"SUBJECT: Freedom of Information Act

The Government should not keep information confidential merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears. Nondisclosure should never be based on an effort to protect the personal interests of Government officials at the expense of those they are supposed to serve."

I look forward to receiving the complete and unredacted documents within twenty (20) business days. If you wish to discuss this request, please do not hesitate to contact me at [REDACTED].

Thank you for processing this FOIA request.

Sincerely,

[REDACTED]

Frank Vera III

Physical address: [REDACTED]

[REDACTED]

[REDACTED]

Date

11/00/91

FILES MAINTENANCE AND DISPOSITION PLAN

MSSQ/CLOSE

ITEM	TITLE	DESTRUCTION		DISPOSITION
		DATES		
355	MEDICAL BOARD PROCEEDINGS	1 YR	JAN 92 - JAN 94	T160-02 R03.00
356	LAB LEDGERS AND LOGS	2 YR	JAN 92 - JAN 95	T160-03 R02.00
357	SOBRIETY EXAM RESULTS	2 YR	JAN 92 - JAN 95	T160-04 R13.00
358	X-PAYS OF UNUSUAL INTEREST OR SELECTED FOR TEACHING PURPOSES	5 YR	JAN 92 - JAN 98	T160-04 R11.00
359	ROSTERS, RANDOM SELECTION RECORDS & RELATED INFORMATION	3 MO	UP TO MAR 93 ✓	T160-07 R01.00
360	AEROSPACE MEDICINE REPORTS	2 YR	JAN 92 - JAN 95	T161-01 R01.00
361	APPLICATION FOR AIRMAN MED CERTIFICATE, REPORT OF MED EXAM	2 YR	JAN 92 - JAN 95	T161-01 R04.00
362	MEDICAL RECOMMENDATION FOR FLYING/SPECIAL OPS - AF FORM 1042	5 YR	JAN 92 - JAN 98	T161-01 R05.00
363	EPIDEMIOLOGICAL, ENVIRONMENTAL, HEALTH SURVEYS - AT MAJCOMs	1 YR	JAN 92 - JAN 94	T161-05 R03.00
364	FACILITY MEDICAL INSPECTION REPORTS	1 YR	██████████ JAN 94	T161-05 R04.00
365	FOOD INSPECTION - AF FORM 1148 CLASSES 4 & 8	1 YR	JAN 92 - JAN 94	T161-06 R01.00
366	AF FORMS 2062 & 2063, DD FORMS 1608	1 YR	JAN 92 - JAN 94	T161-06 R05.00
367	FOOD INSPECTION DD FORMS 1740 STAMPS NOT DESTROYED/LOST/STOLEN	1 YR	JAN 92 - JAN 94	T161-06 R06.00
368	FOOD INSPECTION - FRESH DAIRY PRODUCTS	1 YR	JAN 92 - JAN 94	T161-06 R08.00
369	AF FORM 977, FOOD FACILITY SANITATION CHECKLIST - AT MED INSP SERVICE	1 YR	JAN 92 - JAN 94	T161-06 R11.00
370	REPORTS OF FOOD BORNE ILLNESS INVESTIGATIONS	1 YR	JAN 92 - JAN 94	T161-06 R14.00
371	ANIMAL BITES/QUARANTINE (AF FORM 1551) COPY AT ENVIRONMENTAL HEALTH	1 YR	██████████ JAN 94	T161-06 R16.00
372	DENTAL ATTENDANCE RECORDS	3 MO	UP TO MAR 93 ✓	T162-02 R02.00

PAGE NO. 21

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse)		LEAVE BLANK (NARA use only)	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIRA) WASHINGTON, DC 20408		JOB NUMBER NT-AFL-92-12	DATE RECEIVED 10-28-91
1 FROM (Agency or establishment) DEPARTMENT OF THE AIR FORCE		NOTIFICATION TO AGENCY	
2 MAJOR SUBDIVISION Directorate of Information Management		In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
3 MINOR SUBDIVISION Policy Division, SAF/AAIA			
4 NAME OF PERSON WITH WHOM TO CONFER Mr. R. P. Dwyer	5. TELEPHONE 703-614-3494	DATE FOR ARCHIVIST OF THE UNITED STATES 1/28/92 James W. Sycamore	
6 AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 35 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies. <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE 27 SEP 1991	SIGNATURE OF AGENCY REPRESENTATIVE Grace T Rowe	TITLE GRACE T. ROWE Chief, Records Mgmt Policy Branch Directorate of Information Mgmt	

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	<p>ONE-TIME AUTHORIZATION FOR EARLY DISPOSAL OF SHORT TERM TEMPORARY RECORDS DUE TO CLOSURE OF GEORGE AIR FORCE BASE, CALIFORNIA</p> <p>Request NARA approval allowing George AFB to destroy their temporary records listed in attachment 1, as requested by NARA per attachment 2. George AFB, scheduled to close in October 1992, will transfer temporary records not eligible for destruction to the Los Angeles (Laguna Niguel) Federal Records Center vice San Francisco Federal Records Center mentioned in attachment 2.</p> <p>Pen and ink changes on attachment 1 reflect the following: Records crossed out entirely means that NARA approved their destruction in prior base closure actions. Records with disposition dates partially crossed out or changed means that NARA approved the destruction of these and earlier years records and now we need approval of the later years records. Also, records disposition dates often cover future 1992 records. For example, Item 14 in attachment 1 shows 2 year medical logistics letters scheduled for destruction in January 1995; which means these are 1992 records.</p>		

115-108

NSN 7540-00-634-4064
PREVIOUS EDITION NOT USABLESTANDARD FORM 115 (REV 3-91)
Prescribed by NARA
25 FEB 1992

Copies sent to NCF 2/14/92 J

11/09/91

FILES MAINTENANCE AND DISPOSITION PLAN

OFFICE:
MS&O/CLOSE

UNIT:
GEORGE AFB, CA

GOVERNING DIRECTIVE(S):

CHIEF OF OFFICE : COY T. DICIMAN.

PREPARED BY:

DATE PREPARED: 06/09/91

APPROVED BY:

*** NOT APPROVED ***

DATE APPROVED: / /

ITEM	TITLE	DESTRUCTION DATES	DISPOSITION
1	REGS, MANUALS, SUPPLEMENTS, STAFF W/O MAJCOM/AF-WIDE APPLICABILITY	7 YR JAN 92 - JAN 2000 99	T 5-01 R03.00
2	FORMS AND CORRESPONDENCE FOR PRINTING	1 YR JAN 92 - JAN 94	T 6-01 R06.00
3	REQUISITIONS AND CORRESPONDENCE FOR DUPLICATING OR MICROGRAPHICS	3 MO UP TO MAR 93	T 6-01 R08.00
4	PUBLIC PRINTER SERVICES & OTHER PRINTING SOURCES/ACCT RECORDS	3 YR JAN 92 - JAN 96	T 6-01 R12.00
5	REPROGRAPHICS PRODUCTION	3 MO UP TO MAR 93	T 6-01 R13.00
6	PRINTING/DUPLICATING/MICROGRAPHIC/ COPYING REPORTS	1 YR [REDACTED] - OCT 93	T 6-01 R15.00
7	COPIER CASE FILE (LEASED/RENTED COPIER)	1 YR JAN 92 - JAN 94	T 6-01 R17.00
8	COPIER CASE FILE (OWNED COPIER)	1 YR OCT 92 - OCT 94	T 6-01 R18.00
9	ACCOUNTABLE FORMS/DISTRIBUTION STATUS	2 YR [REDACTED] - JAN 95	T 7-01 R03.00
10	ACCOUNTABLE FORMS ACCOUNTABILITY - SIGNED RECEIPTS/DESTR CERTIFICATES	2 YR JAN 92 - JAN 95	T 7-01 R05.00
11	ACCOUNTABLE FORMS ACCOUNTABILITY CUSTOMER'S COPIES	2 YR [REDACTED] - JAN 95	T 7-01 R06.01
12	PUBLICATIONS BULLETINS AT ISSUING ACTIVITIES & PDOs	1 YR [REDACTED] - JAN 94	T 7-01 R06.00
13	CONSOLIDATED BASE PERSONNEL OFFICE LETTERS (CBPOLs)	1 YR JAN 92 ⁹³ - JAN 94	T 8-01 R13.00
14	AF MEDICAL LOGISTICS LETTERS (AFMLL) COPIES	2 YR [REDACTED] - JAN 95	T 8-01 R15.00

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ATCH 1