

Frank Vera III

www.GeorgeAFB.Info

20 January 2012

BY FAX TO: 703-693-5728

Headquarters Air Force/IMIO (FOIA)
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Washington, DC 20330-1000
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FOIA Request

Dear FOIA Officer:

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

Per instructions at <http://www.foia.af.mil/main/welcome.asp>, I am filing this request with Headquarters Air Force/ICIO (FOIA) as I do not know the location of the records.

Please conduct a thorough search for and provide a copy of the following records:

1. **The complete report and supporting documents for “Burial of Radioactive Waste in the USAF”, USAF Radioisotope Committee, 15 March 1972, for the former George Air Force Base, CA** (See page 4, cover page of *Burial of Radioactive Waste in the USAF*)
2. **Any records about Radioactive Waste at the former George AFB that have ever been provided to the USAF Radioisotope Committee** , including but not limited to sensitive or classified information “Page 2, paragraph F - Burial of Radioactive Waste in the USAF” (See page 5)
3. **Any records about Radioactive Waste at the former George AFB identified in the Base Master Plan**, including but not limited to sensitive or classified information “Page 2, paragraph F and Table III a - Burial of Radioactive Waste in the USAF” (See pages 5 and 6)
4. **Any records about Radioactive Waste at the former George AFB that have ever been provided to Hq USAF/SGPAAP**, including but not limited to sensitive or classified information “Page 8, paragraph (G) - Burial of Radioactive Waste in the USAF” (See page 7)

Page 1 of 7

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.

Exempt Records

If you assert that any of the requested records are exempt from mandatory disclosure under FOIA, I request that you disclose them nevertheless, as such disclosure would serve the public interest of educating citizens regarding the operations and activities of the Air Force regarding this matter.

If you deny all or part of this request, please cite the specific exemptions you believe justify your refusal to release the information or permit the review and notify me of your appeal procedures available under the law.

In addition, I would like to draw your attention to president Obama’s 21 January 2009 Memorandum for the Heads of Executive Departments and Agencies, directing federal agencies to adopt a presumption in favor of disclosure and stating that government information should not be kept confidential “merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears.”

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). I reserve the right to appeal any decision to withhold information.

Preservation of Records

Please ensure that, in accordance with the DC Circuit's ruling in *Chambers v. Department 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.

Fee Waiver

I am requesting a public interest fee waiver. There can be no question that the disclosure of the requested information would contribute significantly to the public's understanding of the operations or activities of the government and is in the public interest. I have NO commercial interest in the requested documents as the requested records will be posted on www.GeorgeAFB.Info where they can be downloaded for free.

Record Format

I request that any documents or records produced in response to this request be provided in electronic (soft-copy) form wherever possible. Acceptable formats are .pdf, .doc, docx, .jpg, .gif, .tif. Please provide soft-copy records by email or on a CD if email is not feasible.

However, I do not agree to pay an additional fee to receive records on a CD, and in the instance that such a fee is required, I will accept a paper copy of responsive records.

I look forward to receiving the requested documents within twenty (20) business days.

If you wish to discuss this request, please do not hesitate to contact me at 209-984-5517.

Thank you for processing this FOIA.

Sincerely,

[REDACTED]

Frank Vera III

Physical address: [REDACTED]
[REDACTED]

FILE COPY

file 100
sub

10-6-7

Memo

BURIAL OF RADIOACTIVE WASTE IN THE USAF

2111 03 SP-100

15 March 1972

USAF RADIOISOTOPE COMMITTEE
WRIGHT-PATTERSON AFB, OHIO 45433

Victor C. Furtado
Victor C. Furtado
Major, USAF, BSG
Secretary

Lawrence T. Odland
Lawrence T. Odland
Colonel, USAF, MC
Chairman

SGAF

Frank Gallagher

safer to continue using contractor disposal facilities. During the 1960's the Committee, on several occasions, did approve one-time burial of special wastes. However, the Committee's current policy is to disapprove virtually all routine burial requests, since it is the consensus of the Committee that current national concern over the pollution of the environment dictates a conservative policy in the management of radioactive wastes.

E. In 1970 it became increasingly apparent that the records covering each disposal site were gradually being lost. In some cases, because of transfer of personnel and disposal of records, current Base Civil Engineering personnel were completely unaware of the existence of a burial site at their installation. In keeping with a continuing responsibility for radiological safety, it became imperative that the location and condition of existing burial sites be identified and recorded.

F. Accordingly, a Hq USAF survey letter (Radioactive Waste Disposal, Hq USAF SCN 71-28, 19 Feb 71) was sent to all major commands. (Reference Appendix C.) It directed that all existing burial sites should be identified in the Base Master Plan (Tab C-1), and that certain details concerning construction and utilization of the site be forwarded to the USAF Radioisotope Committee, which would subsequently make recommendations on the maintenance of the sites. This report will summarize the survey returns, and make recommendations where appropriate.

II The Survey (Hq USAF SCN 71-28)

A. The original survey letter went to all Major Commands. Most commands forwarded the letter to their individual bases, with appropriate instructions. The individual base replies varied greatly in the details of submission. As a result, a large follow-up effort was required. In the case of several bases (see Section IV), the action was not completed when this report was prepared. This section will provide a brief summary of the responses. A more detailed report of the positive responses will be found in Section IV.

B. Replies were received from 136 USAF installations. Of these, 46 were classed as "positive." A positive reply is one which indicates that either radioactive waste burial did in fact occur, or that a burial site exists or existed. In the latter cases, it may not be possible to determine if the burial sites were ever used.

TABLE IIIa - Summary of Positive Responses

<u>Installation</u>	<u>Type Site</u>	<u>Precise Location</u>	<u>Sign(s)</u>	<u>Fenced</u>	<u>Master Plan (Tab-C)</u>	<u>Brief Recommendation</u>
Altus AFB	5-gallon Cans	Yes	Yes	Yes	Yes	Disinter
Andrews AFB	Concrete Containers	No	No	Yes	Yes	Disinter
Barksdale AFB	AEC Facility	Yes	Yes	Yes	Yes	Maintain
Bergstrom AFB	3 Iron Pipes	Yes	No	No	Yes	Disinter
Carswell AFB	3 Iron Pipes	Yes	No	Yes	No	Disinter
Columbus AFB	Slit Trench	No	No	No	Yes	Post sign
Craig AFB	Concrete Pipe	Yes	No	Yes	Yes	Disinter
Davis-Monthan AFB	4 Cast Iron Pipes	Yes	No	Yes	Yes	Disinter
Eglin AFB	6 Sites	No	No	No	Yes	None
Ellsworth AFB	AEC Facility	Yes	?	Yes	Yes	Maintain
Elmendorf AFB	55-gallon Drums	Yes	Yes	Yes	Yes	Disinter
England AFB	Unspecified	No	Yes	Yes	No	Maintain
Fairchild AFB	AEC Facility	?	No	Yes	Yes	Maintain; post signs.
George AFB	Unspecified	No	Yes	No	Yes	Maintain
Hamilton AFB	Steel Pipe	No	No	No	Yes	Disinter
Holloman AFB	Unspecified	Yes	No	Yes	Yes	Maintain

these facilities around 1961-62. Radioactive waste disposal had tapered off as the introduction of sealed pit weapons eliminated the waste-generating maintenance activities. The Committee requested water samples from all liquid waste tanks. To date, all samples have been essentially negative. However, because of the inclement winter weather, many samples have not yet been collected.

G. In several instances, the existence of radioactive waste burial sites involves either classified or sensitive information. All material in this report is unclassified. A separate classified letter will be prepared for Hq USAF/SGPAAP, to report the nature of these sites and this Committee's recommendations.

IV Positive Replies

This section will include a brief summary of each positive reply. While much supporting material has been omitted, the pertinent points will be covered. An even more limited summary is presented in tabular form at the end of this section (Tables IIIa, IIIb and IIIc). Recommendations are listed in order of priority (i. e., if recommendation No. 1 is disapproved, consider No. 2 as an alternative).

Altus AFB

A 100' x 100' fenced site, at the eastern edge of the base. Six markers indicate separate burial sites. A civilian employee remembers burial of 5-gallon cans at depth of about 10 feet. Signs exist, but are badly deteriorated.

Recommendations:

1. Disinter buried cans, dispose as per T.O. 00-110N-2; remove fence.
2. Replace warning signs and schedule regular site inspections.

Andrews AFB

A 25' x 30' fenced site, at southern end of base. Civilian employees recall burial of 5 or 6 concrete containers containing radioactive tubes and dials, at a minimum depth of two feet. Exact burial sites not marked, nor are warning signs posted.

TRANSMISSION VERIFICATION REPORT

TIME : 01/20/2012 19:29
NAME :
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SER. # :

DATE, TIME	01/20 19:27
FAX NO./NAME	17036935728
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