

FACT SHEET: US NAVY WEAPONS-DEVELOPMENT, TOXIC-WASTE SITE: "PASADENA GATEWAY," 3200 EAST FOOTHILL BOULEVARD, PASADENA, CALIFORNIA

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BACKGROUND

Pasadena City Council approved a project to build 550 apartments on an un-remediated US Navy toxic-waste site, used to develop and test missiles, torpedoes, and other classified weapons.¹ The site has not been cleaned up--only walled and paved over.² The slated project is 40% 2BR and 3BR apartments, designed to house hundreds of children and their families. Many units are reserved for moderate- and low-income families.³

FACTS

In Los Angeles County **570,000 residents** qualify for affordable housing but can't find any.⁴

Regulators said this housing site was an "**imminent and substantial**" danger.⁵ The city says current site cancer risks are up to 8,300 times higher⁶ than allowed.⁷

California Department of Toxic Substances Control admits that although the project health "impacts...remain significant, even after adopting mitigation measures" required by the city, the "overriding considerations" are that "project **benefits** [economic development] outweigh the **significant environmental effects**."⁸

The city is allowing many **site carcinogens to remain "in place,"** as they are below ground.⁹ It admits that site groundwater-contamination is "unknown";¹⁰ that many soil areas have never been sampled;¹¹ and that not all "sources" of site carcinogens, metals, dioxins, solvents, and propellants have been located.¹² The city is requiring **no groundwater or full soil-carcinogen testing** until after construction,¹³ though site toxins have already contaminated and closed two Pasadena drinking-water wells.¹⁴

The site has **never been tested for** (and no pre-construction tests are required for) the widespread neurotoxic, military-explosive carcinogens¹⁵ **RDX and TNT**.¹⁶ California has drinking-water regulations¹⁷ for RDX and TNT, and 60-70% of missiles and torpedoes (that were developed and tested at this site) **contained RDX and TNT**.¹⁸

The developer has promised to "**safely clean up**" the site and provide "affordable housing."¹⁹ The city says the project would preserve air quality and safety.²⁰

In 2011 the developer signed an agreement with the state. It gives the **developer liability protection** from site toxins, in exchange for doing only inexpensive removal of 11 suspected "hot spots" and no other cleanup before redevelopment. The agreement also says site **land-use restrictions** "may be necessary to insure full protection" of residents.²¹

State water-protection authorities say that "from our experience at other cleanup sites, the most thorough and best way to handle a site of this type, a **very dangerous one**, is for site cleanup work and supervision of work to be conducted by an **independent party**. It's **easier and cheaper to clean up the site now** rather than later, after construction."²²

When California Toxic Substances Control asked the developer for evidence that soil **carcinogens**, "left in place...will not be a **future threat**," the developer responded that providing such testing and evidence "is outside the...obligations of Pasadena Gateway."²³

The developer also said that site “remedial decisions can be made” by using studies that don’t meet required US EPA data-validation (anti-fraud) requirements.²⁴

However, the developer said “numerous site investigations,”²⁵ including in 2007 by the developer’s consultant,²⁶ show the site will be “**safe for occupancy**.”²⁷

The city and developer claim site safety,²⁸ based on studies that include 3 done by SAIC and Tetra Tech who **admitted repeated fraud** at other toxic-waste clean-ups.²⁹ SAIC had to pay \$566 million in fines; the government levied criminal fines against Tetra Tech,³⁰ now being sued for \$27 billion by homeowners who claim harm from its fraudulent clean-up of another US Navy toxic-waste site, in San Francisco.³¹ **Most site studies** used by the developer and city do not meet US EPA data-validation (anti-fraud) requirements.³²

NOTES

1. City of Pasadena, Sustainable Communities Environmental Assessment (SCEA), 4200 East Foothill, 2018, p. 85, https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/_/3200-E-Foothill-SCEA.pdf and Ca Dept of Toxic Substances Control, NIRF, https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=19970020
2. City of Pasadena, SCEA, pp. 8, 134, https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/_/3200-E-Foothill-SCEA.pdf
3. City of Pasadena, SCEA, pp. 1-2, 41, https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/_/3200-E-Foothill-SCEA.pdf
4. <https://la.curbed.com/2018/5/17/17362084/affordable-housing-shortage-los-angeles-units-needed>
5. Ca Dept of Toxic Substances Control, Kennedy/Jenks, Environmental Summary, p. 8, <https://www.envirostor.dtsc.ca.gov/public/deliverabledocuments/4649860978/Environmental%20Summary%20Report%20Jenks%20May%2022%202007%20.pdf>
6. City of Pasadena, SCEA Appendices, Appendix K, Removal Action Workplan, p. 11, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>
7. City of Pasadena, p. 41 of Appendix J, Remedial Investigation, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>
8. California Department of Toxic Substances and Control, CEQA Statement of Findings, p. 11, https://www.envirostor.dtsc.ca.gov/public/community_involvement/2907468497/Final%20DTSC%20CEQA%20Statement%20of%20Findings%20Pasadena%20NIRF.pdf
9. City of Pasadena, p. 8 of 20 of Response to DTSC Comments on Remedial Investigation (Appendix A) in Remedial Investigation, Appendix J to Environmental Assessment, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>
10. City of Pasadena, SCEA, Appendix K, Removal Action Workplan, p. 36, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>
11. City of Pasadena, SCEA, Appendix J, Remedial Investigation, p. 29, https://ww5.cityofpasadena.net/planning/wpcontent/uploads/site_s/56/2018/01/3200-E-Foothill-Appendices.pdf

12. City of Pasadena, SCEA, Appendix J, Remedial Investigation, pp.28-29, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf> and Kennedy/Jenks, Environmental Summary, pp. 27-38, [https:// www.e nvirostor.dtsc.ca.gov/public/deliverable_documents/4649860978/Environmental%20Summary%20Report%20Jenks%20May%2022%202007%20.pdf](https://www.e nvirostor.dtsc.ca.gov/public/deliverable_documents/4649860978/Environmental%20Summary%20Report%20Jenks%20May%2022%202007%20.pdf) and City of Pasadena, SCEA, Appendix K, Removal Action Workplan, p. 31, [https://ww5.c ityofpasadena.net/planning/wp-content/uploa ds/site s/56/2018/01/3200-E-Foothill-Appe ndices.pdf](https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf)
13. City of Pasadena, SCEA, p. 125, <https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/3200-E-Foothill-SCEA.pdf>
14. City of Pasadena, Pasadena Water and Power Report on City's Water Quality, p. 4 of 14, <https://ww5.cityofpasadena.net/water-and-power/wp-content/uploads/sites/54/2017/08/City-of-Pasadena-Public-Health-Goals-Report-2013.pdf> and California Regional Water Quality Control Board, Update on Perchlorate Groundwater Pollution, p. 2, https://www.waterboards.ca.gov/losangeles/waterissues/programs/remediation/perchlorate/030428_perchlorateupdate.pdf
15. RDX and TNT are widespread: US EPA, Technical Fact Sheet – Hexahydro-1,3,5-trinitro-1,3,5-triazine (RDX), 2014, p. 1, https://www.epa.gov/sites/production/files/2014-03/documents/ffrrofactsheet_contaminant_rdx_january2014_final.pdf and they are carcinogenic and neurotoxic: US EPA, Toxicological Review of Hexahydro-1,3,5-trinitro-1,3,5-triazine (RDX), 2018, p. xxv, https://cfpub.epa.gov/ncea/iris/iris_documents/documents/toxreviews/0313tr.pdf and US EPA, Technical Fact Sheet – Hexahydro-1,3,5-trinitro-1,3,5-triazine (RDX), 2014, p. 3, https://www.epa.gov/sites/production/files/2014-03/documents/ffreofa.ctsheet_contaminant_rdx_january2014_final.pdf and Abadin, Smith Ingerman, et al, Toxicological Profile for RDX, 2012, Atlanta, Agency for Toxic Substances and Disease Registry, 2012, <https://www.ncbi.nlm.nih.gov/books/NBK154146/> and Agency for Toxic Substances and Disease Registry, 2,4,6-Trinitrotoluene (TNT), 2011, <https://www.atsdr.cdc.gov/substances/toxsubstance.asp?toxid=125> and Paquet et al, Analysis of the key intermediates of RDX (hexahydro-1,3,5-trinitro-1,3,5-triazine) in groundwater: Occurrence, stability and preservation, Journal of Environmental Monitoring, 2011, <https://pubs.rsc.org/en/content/articlelanding/2011/em/c1em10329f/unauth#divAbstract>. California Waterboards, NDMA and Other Nitrosamines, https://www.waterboards.ca.gov/drinking_water/ater/certlic/drinkingwater/NDMA.html and Lijinsky, N-Nitrosamines as Environmental Carcinogens, ACS Symposium Series, Vol. 101, N-Nitrosamines, pp 165-173, <https://pubs.acs.org/doi/abs/10.1021/bk-1979-0101.ch010?src=recsysProPublica>, The Bomb That Went Off Twice,
16. City of Pasadena, Sustainable Communities Environmental Assessment (SCEA), 4200 East Foothill, 2018, pp. 12-14, <https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/3200-E-Foothill-SCEA.pdf>
17. California Drinking Water Standards, <http://www.gswater.com/download/California-Drinking-Water-Standards-rev-21218.pdf>
18. The MK 32,42,43, 44 torpedoes, made at the site (City of Pasadena, SCEA, Appendix K, Removal Action Workplan, p. 4, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>), used HBX explosives (Torpedoes of the United States of America, 2019, http://www.navweaps.com/Weapons/WTUS_Post_WWII.php) whose main components are RDX and TNT (Headquarters, US Army Materiel Command, Engineering Design Handbook, Explosives Series, 1971, pp. 156-62, <https://apps.dtic.mil/dtic/tr/fulltext/u2/764340.pdf>). The SUBROCs torpedoes (made at the site) use either HBX or nuclear explosives ((US Bureau of Naval Personnel, Introduction to Sonar, Navy Training Course, p. 13, [https://books.google.com/books?id=3EpxDwAAQBAJ&pg=PA13&lpg=PA13&dq=polaris+anti-submarine+rocket+HBX&source=bl&ots=6i-XbyhM_f&sig=ACfU3U3PR5CIEYkIQYWz0y-L-brc4h02KQ&hl=en&sa=X&ved=2ahUKEWjk0Yfb0_rgAhX4BjQIH YDbAUwQ6AEwFXoECAMQAQ#v=o\]nepage&q=polaris%20anti-submarine%20rocket%20HBX,\&f=false](https://books.google.com/books?id=3EpxDwAAQBAJ&pg=PA13&lpg=PA13&dq=polaris+anti-submarine+rocket+HBX&source=bl&ots=6i-XbyhM_f&sig=ACfU3U3PR5CIEYkIQYWz0y-L-brc4h02KQ&hl=en&sa=X&ved=2ahUKEWjk0Yfb0_rgAhX4BjQIH YDbAUwQ6AEwFXoECAMQAQ#v=o]nepage&q=polaris%20anti-submarine%20rocket%20HBX,\&f=false)).

19. ARMBRUSTER, GOLDSMITH, & DELVAC for Pasadena Gateway, Re: 3200 East Foothill Boulevard, https://ww5.cityofpasadena.net/commissions/wp-content/uploads/sites/28/2018/05/2018-05-09-Planning-Commission-Item-3B_3200-E.-Foothill-Blvd.-Planned-Development-Attachment-G.pdf
20. City of Pasadena, SCEA, p. 139, <https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/3200-E-Foothill-SCEA.pdf>
21. Ca Dept of Toxic Substances Control, Agreement Not to Sue, p. 2 and Exhibit E, Revised Scope of Work, https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/53409407 and https://www.envirostor.dtsc.ca.gov/public/deliverable_documents/8377835929/Final%20PPA%20Pasadena%20Gateway%20PPA.pdf
22. Anthony Zampielo, the current Watermaster for the Raymond Water Basin and the San Gabriel Water Basin (both of which include Pasadena), gave this warning in explicit statements on 2-21-19 ([Shrader-Frechette email, 2-25-19](#))/.
23. City of Pasadena, Sustainable Communities Environmental Assessment (SCEA), Appendix J (Remedial Investigation, Appendix A, Response to DTSC Comments, p. 8 of 20), <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>
24. City of Pasadena, SCEA, Appendix J (Remedial Investigation), Appendix A, Response to DTSC Comments, p. 4 of 20, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>
25. City of Pasadena, SCEA, pp. 10-11, <https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/3200-E-Foothill-SCEA.pdf>
26. City of Pasadena, SCEA, Appendix J, Remedial Investigation, p. 21, <https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/3200-E-Foothill-Appendices.pdf>
27. City of Pasadena, SCEA, Appendix J, Remedial Investigation, pp. 38-39, <https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/3200-E-Foothill-Appendices.pdf>
28. City of Pasadena, SCEA, pp. 10-11, <https://ww5.cityofpasadena.net/planning/wp-sites/56/2018/01/3200-E-Foothill-SCEA.pdf>
29. http://articles.latimes.com/1991-08-27/news/mn-1546_1_fraud-fine and http://articles.latimes.com/1990-11-14/local/me-4177_1_la-jolla and <http://www.thefrontpageonline.com/op-ed/a-closer-look-at-parties-involved-in-reaching-the-oilfield-decisions> and <https://freepress.org/article/and-so-fracking-cover-begins>
30. Project on Government Oversight, <https://www.contractormisconduct.org/contractors/47/saic> and <https://www.contractormisconduct.org/search?q=tetra+tech> and Engineering News Record, <https://www.enr.com/articles/46260-us-joins-suits-citing-tetra-tech-fraud-in-navy-site-cleanup>
31. <https://www.sfchronicle.com/science/article/Toxic-soil-went-from-SF-s-Hunters-Point-to-12854269.php> and <https://sf.curbed.com/2018/7/25/17614574/hunters-point-homeowners-law-suit-develo-per-contamination-toxic-cleanup> and <https://www.bizjournals.com/sanfrancisco/news/2018/05/02/bayview-lawsuit-hunters-point-tetra-tech-ttk.html>
32. City of Pasadena, SCEA, Appendix J, Remedial Investigation, pp. 43-44, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>. CA Dept of Toxic Substances Control, says “EPA data validation is required to verify that historical and current site data is usable and can be relied upon to be an accurate representation of chemical concentrations in soil and soil gas at the site” (City of Pasadena,

SCEA, Appendix J, Remedial Investigation, p. 43, <https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2018/01/3200-E-Foothill-Appendices.pdf>.

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