

**From:** Ashley Gjovik ashleygjovik@apple.com  
**Subject:** Fwd: SD01 EHS Request - 4/2 Notes  
**Date:** April 2, 2021 at 4:45 PM  
**To:** David Powers powers@apple.com



Met with EHS & ER today. Notes below. Last data they've reviewed on indoor air quality is from 2015. There's no ongoing monitoring. They are happy to share the 2021 results though — and are trying to get ahold of the 2019 report (appears the building owner/EPA never published it for some reason). Generally, Michael, the industrial hygienist, does not believe vapor intrusion should currently be an issue due to all the additional remediation done in 2014/2015.

Ashley M. Gjovik  
Apple Engineering Program Manager  
(408) 204-9976

Begin forwarded message:

**From:** Ashley Gjovik <ashleygjovik@apple.com>  
**Subject:** Re: SD01 EHS Request - 4/2 Notes  
**Date:** April 2, 2021 at 4:42:53 PM PDT  
**To:** Jenna Waibel <jwaibel@apple.com>, Michael Steiger <msteiger@apple.com>

Hello! Thanks for meeting today. My notes from our conversation are below. Let me know if I missed anything.

**Action Items:**

- Michael to get copy of 2019 Five Year Review and share, figure out why it wasn't posted publicly.
- Michael to share 2015 testing reports
- Michael to look into details why EPA website currently says human exposure is not under control
  - Link here: <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Healthenv&id=0901181#Risk>
- Michael to follow up on 8-10hr workday assumption in previous reports
- Michael to share results of current 2021 testing
- Michael to share info on new passive sample testing technology planned for 2021
- Ashley to share her personal article as FYI:
  - Link here: <https://sfbayview.com/2021/03/i-thought-i-was-dying-my-apartment-was-built-on-toxic-waste/>

Thank you again for your time and for trying to answer all my questions. I really appreciate it.

Ashley M. Gjovik  
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On Apr 2, 2021, at 3:48 PM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

Hello,

**Michael's Presentation Notes:**

- Michael manages voluntary/required vapor intrusion program & due diligence program for new sites; mitigation systems & programs
- Late 2014 / Early 2015 - vapor intrusion mitigation system installed (passive system) + sealed the floor. Sampling done by Northrup and found no unacceptable VI. (Summa, timing tbd - 8-10 of them maybe)
- When Apple looked at the site, considering leasing, made tenant improvements. Had to cut into floor — ensured piping and barrier not disrupted — so responsible party inspected Apple's work.
- Late Dec 2015 testing done — and results were acceptable. (Summa, timing tbd - 8-10 of them maybe)
- EPA and Apple confirmed no VI in 2015, so no historical issues to disclosed to anyone in the building — because assumed to not be an issue anymore.
- No indoor VI testing since 2015. 2021 will be first round. In 2021, doing more state of art testing. Passive samplers. Absorbent passive samplers over a week.
- Never heard EPA or landlord were doing more testing.
- Portfolio review not triggered by event/incident.
- Biz conduct says employees can speak freely about working conditions. Can raise concerns to authorities. No retaliation. Though preferred to raise concerns internally first because Apple can respond quicker than gov.
- If you notice weird chemical odors — do report to EHS ASAP.

A summary of my planned questions for today are below:

1. I see vapor intrusion issues were found inside SD01 in 2013. Was there any further remediation other than the installation of the passive barrier & ventilation system? Was the ventilation system ever made active, or is it still passive? Is there active monitoring too — or just a test bag?

is there active monitoring too — or just ad hoc?

Answered above

2. I see additional vapor intrusion testing was conducted in 2015 and it was determined the VI issues were mitigated. What type of testing was done (summa?)? What duration (24, 48 etc)? How many locations in the building? What were the results?

Will follow up with report

3. How often is VI testing done in the building? Has it been done since 2015? If so, where are the results?

Answered above

4. Where can I find the 2019 Five Year Report? I see it was completed Sept 2019 — but it does not appear to be posted on the EPA website. Can I request it from the EPA project manager?

Will send

5. Am I allowed to contact the EPA project manager?

Yes

6. I see there's a covenant with the government for the property — prohibiting residential use — does that mean employees should never pull all-nighters? It's been known to happen.

Occasional all-nighters are not a problem

7. I see cancer & exposure risk calculations were done considering a 8-10hr workday. Have these been re-done for a Hardware Engineering workday (often much longer)?

He'll follow up on assumption

Levels on site well below CA PAL screening levels — indoor air numbers.

8. Pg 32 of the 2014 FYR mentions there's excess cancer risk for occupants due to vapor intrusion, and also plumbing/steam pathways (like the lockeroom showers). Shouldn't employees be notified about this? Prop 65 at least?

No Prop 65 requirements per internal review.

9. Shouldn't employees be notified this is a remediation site? Ideally informed consent for working there. At the very least Right to Know should require some sort of disclosure?

Apple decided no legal requirement. Larger question for Apple on ethical/moral obligation.

10. Pg 28 of the 2014 FYR mentions the current land use covenant is not in compliance with modern California legislation and needs to be revised. Was it revised? I don't see a new one still. Does CA Civil Code § 1471 add any new requirements on the property not current reflected?

Question for legal

11. The land use covenant requires notice to be given to EPA if any damages to remediation systems — or any subsurface disturbance. How are employees supposed to follow this if there's no notice it's a remediation site?

Not employee's responsibility — would be EHS & Construction Mgmt. Austin is on-site and keeps an eye on it.

12. The EPA Superfund pages says the site does not current have "Human Exposure Under Control." Why is that? Are you worried about the employees?

He'll look into it. Link is here: <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Healthenv&id=0901181#Risk>

13. The EPA site says the site is not ready for re-use or re-development. Does that mean it's not ready to become residential — or even commercial and other industrial use is prohibited?

Probably just residential

14. Isn't it problematic to have an elevator shaft almost directly over the Eductor pit? Shafts are VI freeways. There are two bathrooms right over it as well — and plumbing is also often a freeway for VI.

Was sealed & did testing to confirm seal effective.

15. Did the two 2019 legal settlements relate to the TRW site/plume as well? Or only Signetics?

Not related to Stewart 1

16. Will you share the results of the current testing you have planned for SD01? And the future testing plans/strategy?

Yes, absolutely

17. Would you be willing to at least email or present at a staff meeting — to disclose the MSQ SCV management team (My boss: David Powers' org) on the history & current conditions of the property & building?

One other person expressed concern as well

Larger message may be possible, but need to talk to legal.

-Ashley

Ashley M. Gjovik  
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On Mar 31, 2021, at 2:46 PM, Ashley Gjovik <[ashleygjovik@apple.com](mailto:ashleygjovik@apple.com)> wrote:

Sounds great! Thanks, Michael!

Ashley M. Gjovik  
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On Mar 31, 2021, at 8:44 AM, Michael Steiger <[msteiger@apple.com](mailto:msteiger@apple.com)> wrote:

Hi Ashley,

I'm on vacation through Thursday this week. I'll look into this more on Friday when I get back. I can then send you the links / reports and we go over the information together on our call.

Michael

Michael T. Steiger, P.E. | Apple Environment, Health and Safety  
iPhone +1.650.544.3659 | [msteiger@apple.com](mailto:msteiger@apple.com)

On Mar 29, 2021, at 12:47 PM, Ashley Gjovik <[ashleygjovik@apple.com](mailto:ashleygjovik@apple.com)> wrote:

Hi Michael,

I've been mapping out the data from the government reports. Between the EPA & Water Boards reports I only see vapor intrusion testing results from 2003, 2004, & 2013.

The reports mentioned that testing was also done in 2015, but I don't see any results published for that. I know one of the managers in my team who has SubSlat vent SS-3 in his office said he's had someone come by to measure things at least once over the last few years.

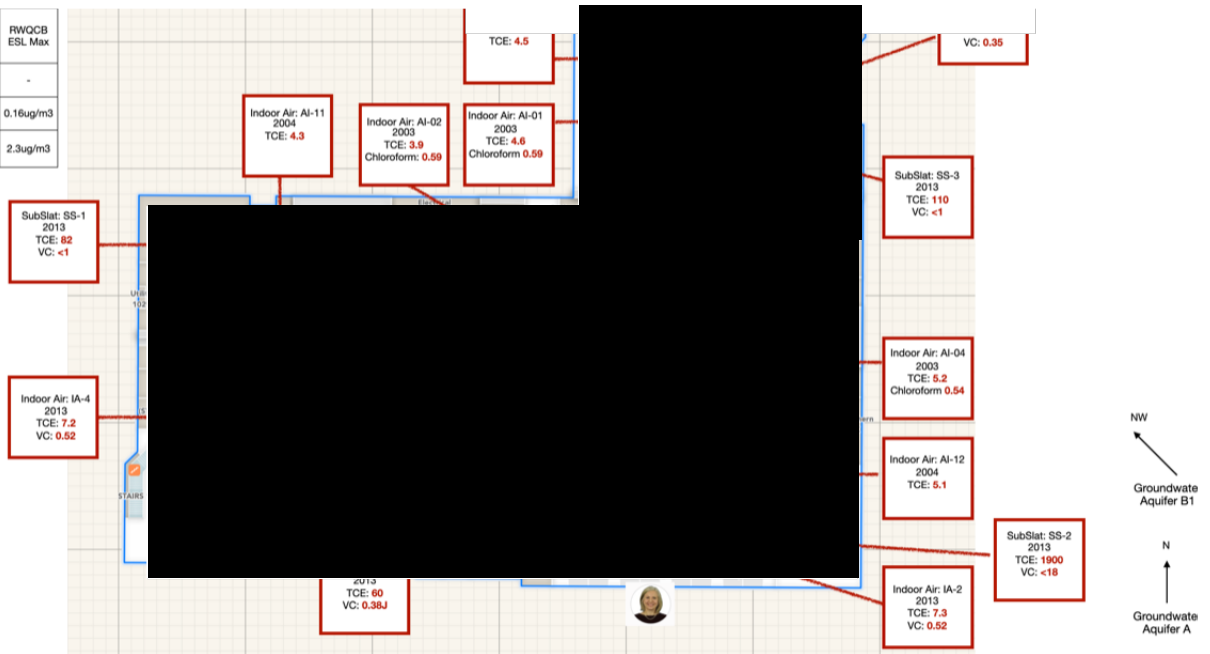
Are those results posted anywhere that I can review before we meet please? (2015 results, + anything else collected after that).

Thanks!

INDOOR  
AIR



Chemical	EPA Industrial Max	RWQCB ESL Max
TCE	3ug/m3	-
Vinyl Chloride	2.8ug/m3	0.16ug/m3
Chloroform	0.53ug/m3	2.3ug/m3



### SD01 EHS Request

Scheduled: Apr 2, 2021 at 4:00 PM to 4:30 PM, PDT

Location: Virtual Conference One-Time Room

Invitees: Jenna Waibel, Ashley Gjovik, Michael Steiger

— Recommended Options —

Join or start from Webex:

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