

From: Ashley Gjovik ashleygjovik@apple.com
Subject: Re: SD01 EHS Request - 4/2 Notes
Date: April 14, 2021 at 4:13 PM
To: [REDACTED]@apple.com



Yeahhhh.... Helen told me to file a workers comp claim and I'm like, thanks but I think it's 18 months too late? Dave probably should have done that when I "told my manager" it happened anyways? IDK... at the very least I want to use this as an example of why they should test at least annually.

I'll def let you know if I hear back from him. I'm feeling very uneasy about the history of the site, the limited testing in 2015, and how they apparently haven't monitored it at all since.

And yup, apparently the universe decided I get to be a SME on toxic waste exposure. 🤔🤔

Thanks again [REDACTED] Appreciate you.

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

On Apr 14, 2021, at 8:21 AM, [REDACTED]@apple.com wrote:

On Apr 13, 2021, at 8:08 AM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

Thank you! I appreciate it.

Things got a little more complicated with dealing with the Dave gag order thing. I asked them to just tell him what the policy is, but now ER is "investigating." They wanted to know if there's any first-hand witnesses and I'm like, no, I have no team or job description. This should get interesting.

Any how, EHS & ER said I would never be restricted on speaking about workplace conditions or safety concerns, and I talked to Dan on Friday and he said do whatever ER says.

I am bringing up that near-fainting spell I had in your office (and then at my desk after) in Sept 2019 with everyone too. The only other time I had fainting like that was in my VOC-y apartment. It actually screwed up the diagnoses because I was like, everything started after I moved into that apartment, except this one time at work in Sept the year before...

Yea, that definitely seems to be more than just a coincidence.

I'm asking EHS to do their 2021 testing at my desk, and near your office too if possible.

Yea, definitely interested to see the results of the 2021 testing and glad I am right on top of what could be a hot-spot.

Apparently these types of chemicals effect women more than men.
(<https://www.ashleygjovik.com/health.html>) Due to our body fat, weight, and how sensitive our hormones are. I also pointed out we're only 10% women in our office and I think I was the only woman spending a good amount of time at her desk in the SE end of Sim City. I also challenged their OSHA calculations for chemical exposure, because apparently they're calculated for men. We'll see what happens.

I love how you cite your own website now for references to these things! :-)

I don't love this has now become a often used new skill set of mine...

-Ashley

Ashley M. Gjovik
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On Apr 12, 2021, at 6:15 AM, [REDACTED] <[REDACTED]@apple.com> wrote:

I found a thread where HVAC was discussed and forwarded it to you.

Thanks for keeping me in the loop.

[REDACTED]

On Apr 11, 2021, at 12:31 PM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

My mail search is failing me - but do you remember the last time with the wildfire smoke and folks were complaining about burning eyes & throats etc? They had turned off HVAC and we assumed it just trapped smoke air inside. It took forever for EHS to look into it. I'm looking for that email chain & can't find it.

See #8

iPhone. iTypos. iApologize.

On Apr 11, 2021, at 11:28 AM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

—

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Begin forwarded message:

From: Ashley Gjovik <ashleygjovik@apple.com>
Subject: Re: SD01 EHS Request - 4/2 Notes
Date: April 11, 2021 at 11:28:18 AM PDT
To: Michael Steiger <msteiger@apple.com>
Cc: Jenna Waibel <jwaibel@apple.com>

A few initial follow up questions.

— — —

1) First, the 2015 report says the seal for SubSlat vent 7 was “compromised” so SubSlat vent 2 was used instead (pg 5). Both of those vents are very close to my desk. What does compromised mean? Could vapors be leaking out of it?

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— — —

2) The same paragraph says SS-11 could not be located. What kind of monitoring is usually done to ensure those Sub Slab vents actually stay sealed? If you can't find it, how do you know it's ok?

— — —

3) I saw that in 2015 they found Ethylbenzene in exceedance of EPA industrial limits in the indoor air near my desk, but that Ethylbenzene is not a COC. Was there any talk of making it a COC? Will it be one of the chemicals you test for this year — and if not, can it be? Did anyone confirm those levels actually went down after the Dec testing? The last data point we have shows Ethylbenzene

present on site above EPA industrial limits in our workspace.

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4) I also see what looks like exceeding levels of Tolunene in the lab reports next to my desk but didn't see it mentioned in the reports — can you provide insight? Also same questions as Ethylebenzne above.

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5) any idea why the 2019 FYR didn't mentioned the above industrial limits of Tolulene or Ethylebenzne in the indoor air?

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6) Apparently the HVAC couldn't be turned off in Section 3 during the Dec 2015 testing so indoor/outdoor air was circulating. Was there any testing done after that with the HVAC always off? Or was the May 2015 testing the last indoor air testing done in that section under ideal VI testing conditions?

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7) Per your 2015 report and the 2019 report it sounds like PCE, TCE, and Chloroform levels are either remaining stable or even increasing under the buildings. Considering that, would it be possible to request annual VI testing in the TRW Microwave site?

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— — —

8) Page 12 of this report says that 2015 tenant improvements didn't actually have much impact on the VI control system in the building. You mentioned that after the improvements in 2014-2015, now things are under control. Did something happen after this report was published to get them under control?

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— — —

8) The report says these results are "worst case" with HVAC off — but with the frequent wild fires the last few years, we've had periods of weeks, even months with HVAC off. Did we consider that? (Pg11)

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— — —

9) I've recently begun learning a lot more about how these types of chemicals tend to have a far worse impact on women then men (due to our increased body fat, lower weight, and also how sensitive our hormones are). Do you happen to know if the OSHA and EPA industrial max levels have started to consider female subjects? Or are these numbers mostly expected male bodies?

— — —

10) for the 2015 testing, they based their calculations on the weather at Moffett Air Field in MA

10) for the 2015 testing, they based their calculations on the weather at Morrett Air Field in Mt View. Any reason they wouldn't use Sunnyvale weather & pressure?

— — —

11) per the FYR plan it looks like cDCE (as well as TCE) as found in the soil under the building above remediation criteria. Was there further clean up on it?

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<PastedGraphic-11.png>

— — —

12) page 16 of the 2019 FYR says the remedy for our building is no longer in operation — can you explain what this means please?

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— — —

13)

I made a map of where I had the really bad fainting spell in September of 2019. I brought this up again with our Sr Director, who remembered me telling him about it when it happened. This screwed up my diagnosis of what happened last year because the only time I had ever had severe fainting spells like I did in my hazardous waste apartment (with suspected VI) — was that time in September at SD01. It first started in Mike Ertell's office (marked) and then continued for a couple hours at my desk (marked).

You can see these are almost the exact locations of SS-7, SS-2, IA-7, AI-12, and IA-2

These slab slats have up to 2100 ug/m3 of TCE, 290ug/m3 of PCE, & 6.6-26 of Chloroform.

The indoor air there has had up to 7.3 ug/me TCE, 12ug/m3 of ethylbenzene, 1100 of toluene, and 0.53 of vinyl chloride.

Not sure if anyone else has ever had incidents like that but probably worth noting our organization is only 10% women — so if women are the canaries in the coal mine due to our hormones & fat....

For the 2021 testing would you be willing to please test IA-7, IA2, &/or AI-12 again please? (Essentially my does and Mike Ertell's office) And SS-2 & SS-7 if you're doing sub slats again too.

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Thank you

—

Ashley M. Gjovik
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On Apr 9, 2021, at 7:52 PM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

Thank you, Michael! I sincerely appreciate your transparency with all this. Looking forward to reading through these.

—

Ashley M. Gjovik
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On Apr 9, 2021, at 1:57 PM, Michael Steiger <msteiger@apple.com> wrote:

Hi Ashley — follow up on action items:

- Michael to get copy of 2019 Five Year Review and share, figure out why it wasn't posted publicly.

<https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.scs&id=0900265&doc=Y&colid=38417®ion=09&type=SC>

- Michael to share 2015 testing reports

<https://apple.box.com/s/zwgzinh541g647ft24m26xn3v7q7vujq>

- 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>

It appears EPA doesn't have the current information listed.

- Michael to follow up on 8-10hr workday assumption in previous reports

8 hours is the standard, agency-approved exposure factor to use for exposure time (ET) for commercial / industrial scenario risk assessments.

- Michael to share results of current 2021 testing

Next step is a floor penetration survey. No testing has been done yet, but results will be provided when completed.

- Michael to share info on new passive sample testing technology planned for 2021

<https://beacon-usa.com/services/passive-samplers-indoor-ambient-air/>

Thanks,

Michael

Michael T. Steiger, P.E. | 🍏 Environment, Health and Safety
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On Apr 2, 2021, at 4:42 PM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

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. Gjøvik

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On Apr 2, 2021, at 3:48 PM, Ashley Gjøvik <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 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 lockerroom 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 to 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> 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> 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. | 🍏 Environment, Health and Safety
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On Mar 29, 2021, at 12:47 PM, Ashley Gjovik <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!

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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 —

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

—
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