

**From:** Ashley Gjovik ashleygjovik@apple.com  
**Subject:** Fwd: EHS Follow up  
**Date:** July 8, 2021 at 4:14 PM  
**To:** David Powers powers@apple.com

AG

FYI- the latest

Ashley M. Gjovik

🍏 Engineering Program Manager

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Begin forwarded message:

**From:** Ashley Gjovik <ashleygjovik@apple.com>

**Subject:** Re: EHS Follow up

**Date:** July 8, 2021 at 4:13:44 PM PDT

**To:** Jenna Waibel <jwaibel@apple.com>, Michael Steiger <msteiger@apple.com>, Antone Jain <antone@apple.com>

Hi! Thanks for meeting yesterday. My notes are below — please let me know if I've missed anything.

Good luck on your next adventure, Michael!

And congrats on your promotion / re-org, Antone! I didn't realize Apple hired an external manager, Robert Thomas, two months ago to lead "Global Environmental Compliance!" Does that mean the vapor intrusion due diligence is now formally under Real Estate & Development instead of EH&S? Scott's not doing it anymore?

I remember having a phone call with Elizabeth Schmidt in mid-September 2020 about my chemical exposure at my apartment and the building uphill that Apple previously leased for industrial use (it had a groundwater plume flowing in direction of my apartments). She had said she led a Real Estate & Development team — I didn't realize she also had EH&S under her as well. Or was that a recent re-org too?

Thanks!

Notes:

- Antone is taking over the SD01/TRW Microwave "three-step process"
  - *"In May we performed step one of a three step process. We did the floor pathway survey, checking for cracks and gaps that can build over time due to natural floor movement. Based on that, we developed a floor sealing plan. Right now, we are in step two scheduling the floor crack sealing work by a contractor (expected within a month according to verbal from the construction management team). Once the floor sealing is complete, we will schedule step three the indoor air testing at a TBD date. When that is done, we will provide you the data."*
- The "pathway survey" this year was the first time the SD01 floor has been surveyed for potential VI issues since 2015
- Unknown at this point if cracks are deep enough that air could be coming through from beneath however Antone was "unconcerned by what he saw" and he and Michael think the passive sub-slab vents should be adequately routing the soil vapor outside the building (not up/inside, aka intrusion).
- During the floodway survey they did not look under the carpet — so the area around my desk (a hot spot) was not surveyed for cracks or other issues
- When the indoor air is eventually tested at some unknown point it will be with passive samplers with HVAC on & running as normal, and employees inside working as normal. I expressed concerns that HVAC brings in outdoor air and will dilute the air inside — and employees working inside can cause their own chemicals releases which can can disturb / comprise the results. I also mentioned if the results come back high, then EH&S can then say it was the employees causing the chemicals (like they did in 2015 with the unconfirmed "construction" chemicals). Michael and Antone say their testing plan is "protocol" and "over and beyond"
- I questioned the current approach and was total its "protocol" and "best practices" and upon asking to review the protocol documents to better understand them I was told there were none internally and I can search online the general terms. I mentioned guidance I've received from the CA Dept of Public Health Env Investigations unit around vapor intrusion investigations/testing and Michael told me that agency doesn't have expertise on vapor intrusion (despite them being seem as experts on vapor intrusion impacting public health & communities).
- Contractor is sealing floor and sealing potential other cracks and conduit locations that are could allow for vapor intrusion.
- EH&S refuses to test the indoor air before they seal the vapor intrusion pathways, saying the 2015 results show the mitigation was working. I asked if the change of building circumstances (i.e. cracks, holes) don't then need an evaluation to see if there was VI and then confirm the new fixes actually fix it — they said no.
- I asked if the Federal EPA has been informed of the cracks and Michael and Antone said no, because their work on the building is "voluntary"
- Antone & Michael kept saying this is routine maintenance but said this year is also the first time this routine maintenance process is being kicked off for Apple buildings on chemical clean-up sites with risks of vapor intrusion.
- I asked if the indoor air testing would be in the lock downs — and if it would be at/near my desk, and I was told they were requesting access to lockdowns to do the testing inside, including my lockdown, Sim City
- I asked if they could also do a 48hr Summa canister with a T015 panel on a weekend with no employees inside & HVAC off near my desk before sealing the floor — to have an uncompromised test — and they said no

- I asked if Apple has done this floor-sealing work in other buildings with employees currently working in them and I was told "they have done it for two or three buildings." I said I was concerned they were misrepresenting the "routine-ness" of this work this year & I asked which buildings they did the "routine floor sealing" in previously and Jenna told me "they won't discuss buildings I'm not in," "won't answer that question," and "that level of detail is not appropriate for this call."
- Antone/Michael/Jenna will not answer any of my additional questions, or provide additional questions, or provide any guidance around risk & exposure other than "they feel it is safe."
- I brought up my request for remote work as a solution for me to avoid potential industrial chemical exposure at Stewart 1 and the other Apple buildings on chemical release sites.

-Ashley

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On May 17, 2021, at 1:56 PM, Ashley Gjovik <[ashleygjovik@apple.com](mailto:ashleygjovik@apple.com)> wrote:

Thanks for meeting today! Feel better Michael.

Here's my notes from our discussion. Let me know if I missed anything.

I have access to all publicly available information about the site per the gov websites. The report Michael previously shared should include all details for both May & Dec 2015 testing. Unless VI testing is done in the future, no additional data will be shared. If VI testing is done in SD01 in the future, the results will be shared with me. There is no timeframe for testing for vapor intrusion in Stewart 1. EHS might not test for vapor intrusion in Stewart 1 this year, or near future — they are looking over the building evaluation report and then will make a decision at an unspecified time whether they do VI testing or not.

Michael said that as an expert, he and EHS have reviewed the data for SD01 and feel there is no Vapor Intrusion occurring there and they've done what's necessary to ensure the safety of the building for the people working there. (He said this all really quickly, so trying my best to summarize).

As for the EthylBenzene & Toluene, Michael said those are not attributable to vapor intrusion in SD01 because they are not contaminants of concern. And that there was no evidence they exceeded OSHA PEL limits in the building. If I have any non-VI chemical questions, can arrange for a workplace evaluation by Austin.

Michael said would never turn HVAC off and if it someone said they did during wildfires, that must be a miscommunication.

Questions about land use restrictions are questions for the EPA.

Any additional questions I have about the specifics of soil/groundwater chemicals & vapor intrusion at the site, including my pending questions from April, will not be answered by EHS, since EHS has determined they feel confident there is no vapor intrusion in the building based on the historical tests and documents.

Jenna said I have a right to share concerns and talk to anyone about my concerns about the building. She said Apple would never restrict my right to speak about work place safety concerns. She said Apple would appreciate if I try to keep information accurate and also route people to EHS with questions, but not a requirement.

-Ashley

### **EHS Follow up**

Scheduled: May 17, 2021 at 1:30 PM to 2:00 PM, PDT

Location: Virtual Conference One-Time Room

Invitees: Jenna Waibel, Ashley Gjovik, Michael Steiger

Ashley M. Gjovik

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