Valdez Marine Terminal

Tank 16

Alleged Integrity Concerns
Preliminary Investigation

Report Requested by:
the Prince William Regional Citizens’ Advisory Council

Prepared by:
Harvey Consulting, LLC.

December 20, 2006
Revision No. 1

March 13, 2007
Revision No. 2
Executive Summary

Prince William Sound Regional Citizens Advisory Council (PWSRCAC) requested Harvey Consulting, LLC’s assistance to investigate the alleged tank integrity issues for Valdez Marine Terminal (VMT) Tank Number 16 (Tank 16). PWSRCAC received letters from Chuck Hamel in May, 2006, requesting the council investigate tank integrity issues on Tank 16, which along with other tanks were inspected and repaired in 2002. PWSRCAC requested Harvey Consulting review Alyeska Pipeline Service Company (APSC) records, agency records, and meet with concerned individuals to better understand the scope of the allegations and make a recommendation for further action by PWSRCAC. This report summarizes the work completed by Harvey Consulting, LLC in the course of completing a preliminary investigation on the alleged Tank 16 integrity concerns.

Concerns originally arose during the 2002 Tank 16 inspection and repair work when employees and inspectors noticed tank floor damage in the area of the sump that put the integrity of the tank floor in question. It was alleged that the floor buckling was so significant that the sump was removed. The floor was patched to cover the hole left after the sump was removed. Not only were there problems with the tank floor around the sump, but Tank 16’s floor had historically been patched in a number of places, and required more patching in 2002, contributing to the integrity concerns. Of particular concern was the potential for ground water and soil contamination from the crude oil stored in Tank 16.

There were a number of inconsistencies in the 2002 Tank 16 records. JPO confirmed Tank 16 floor leak allegation was reported to ADEC and JPO. Yet, ADEC shows no record of this allegation. Requests for additional documentation from ADEC and a meeting were denied. In May of 2006, PWSRCAC only requested APSC to provide records relating to Tank 16 welds, because PWSRCAC was not aware of concerns about tank floor deformation around the sump and potential for contamination. Requests for additional documentation from APSC and additional meetings were recommended by Harvey Consulting, LLC, but have not been requested by PWSRCAC to date. Requests made by Harvey Consulting, LLC for meetings with current and former ADEC staff to discuss the Tank 16 records were denied. However, Ms. Lewis (ADEC) did confirm:

There is an on-going ADEC investigation into this matter, and until we are informed that the investigation has been completed, we will decline further conversations concerning past technical evaluations and/or decisions made by ADEC.¹

¹ August 30, 2006 e-mail from Ms. Lewis (ADEC) to Ms. Harvey (PWSRCAC) copying this memo to ADEC Management and the ADEC Environmental Crimes Investigator Mr. Moses.
Potential for groundwater and soil contamination is a serious allegation. There is insufficient information provided by the concerned employees, agencies, or APSC to confirm or refute this allegation. It is recommended that PWSRCAC pursue additional information from the agencies and APSC to better understand this allegation. If the allegation is substantiated, soil remediation below Tank 16 may be required. However, it is important to note that there is a secondary containment liner made of catalytically blown asphalt under the entire Tank 16 area. If there was a leak through the Tank 16 floor, it should have been contained within the existing secondary containment area. It is unlikely that there would be a leak in both the tank floor and the secondary containment, and therefore the risk of wide-spread environmental contamination should be low.

Tank 16 is the only tank currently operating in the West Tank Farm of the VMT. The maximum tank capacity is 535,000 barrels of crude oil. Unlike the West Tank Farm tanks, which have been upgraded, Tank 16 has the existing 1976 tank floor and no cathodic protection. Additionally, the Tank has well over a 100 patches in the tank floor. It is recommended that PWSRCAC work with APSC to have the Tank 16 floor replaced and cathodic protection installed, if APSC plans to use Tank 16 long term. When the tank floor is upgraded, any soil contaminated found can be addressed at that time.

**Information Available For This Report**

Very few sources of written records were available for this report. In response to letters from Chuck Hamel requesting the council investigate tank integrity issues on Tank 16, PWSRCAC requested records from ADEC and JPO. ADEC and JPO provided physical copies of letters via U.S. Mail; however, these records essentially denied any Tank 16 welding concerns from the 2002 timeframe. In May, 2006, PWSRCAC requested an opportunity to review APSC Tank 16 records from the 2002 timeframe. In June, 2006, PWSRCAC was provided two opportunities to visit APSC’s Anchorage office to read and take notes from the Tank 16 files, but not photocopy the records. In September, 2006, APSC provided a copy of their July 3, 2006, report entitled 2002 Valdez Tank Project Review. In October, 2006 APSC provided some additional information to PWSRCAC President Stan Stephens.

Due to time constraints for the review of the APSC records, only a very cursory review of the Tank 16 records was possible. Attempts to set up additional meetings with APSC Engineering and ADEC to obtain additional engineering records were denied. A written request for additional agency records was prepared by Harvey Consulting, LLC for PWSRCAC in June, 2006, but was not sent (Attachment No.1).
Allegation In Detail

Employees working at the VMT during the 2002 Tank 16 inspection and repair work allege that Tank 16’s floor was buckled around the sump area. It was alleged that the floor buckling was so significant that the sump was removed. The floor was patched to cover the hole left after the sump was removed. It was also alleged that tank floor deformation around the sump may have caused a leak, and ground water and soil beneath the tank may have been contaminated with crude oil.

In late 2002, ADEC started an investigation into the allegations raised during the 2002 VMT Tank Inspection and Repair Program. On April 25, 2003, ADEC issued a findings document summarizing the results of their investigation. This report does not show any Tank 16 allegations or investigation. The lack of ADEC documentation on the Tank 16 concerns was puzzling because Mr. Harrison (JPO Employee Concerns Program Supervisor) confirmed JPO and ADEC had received a complaint about a potential Tank 16 floor leak due to the floor buckling around the sump which may have caused leaks into the water and soil beneath the tank.

Background

According to industry standard API No. 653 tanks are typically internally inspected at least once every decade, unless tank integrity history or risk indicate a different interval. The last Tank 16 internal inspection was completed in 1993. This inspection showed some degradation of the tank floor requiring 69 sections of the floor to be repaired. The annular plate did not require repair. Column reinforcement pads were installed below each roof support column. The entire tank bottom, shell, and columns were grit-blasted and a new coating of Devoe Bar-Rust 236 was applied to the tank floor and to a height of 3 feet on the shell.

In a letter to the JPO dated March 30, 1999, Alyeska committed to upgrade Tank 16 with cathodic protection during the next internal tank inspection:

If the West Tank Farm Tanks 15, 16, 17 and 18 are not removed from service, they will have CP systems installed at their next scheduled internal inspection.

However, a May 14, 2002, letter from APSC to ADEC and JPO rescinded the 1999 commitment to install the cathodic protection in Tank 16.

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3 April 25, 2003 letter from Bonnie Friedman (ADEC) to Robert Shoaf (APSC), Review of Employee Concerns, Inspection of Tanks 5, 55, and 93, Valdez Marine Terminal.
5 APSC Letter no. 99-14249

We believe Alyeska should be allowed to inspect, repair and return these tanks [referring to all West Tank Farm Tanks 15, 16, 17, and 18] without the additional requirement of installing cathodic protection. Subsequent inspection cycles would be based on the remaining floor thickness of the tank as it is returned to service and projected corrosion rates. Part of our rationale is that there is no regulatory basis to compel the prior commitment that these tanks are likely to be removed from service in the not too distant future because of declining crude oil production on the Alaska North Slope and the corresponding need for Alyeska to continue to drive unnecessary costs out of our business. At stake are several million dollars.”

A Tank 16 internal inspection was due in year 2003; however, it was accelerated to year 2002 in response to concerns from the JPO and the State Fire Marshall. The agencies requested APSC to clean Tank 16 to remove sediment, which had accumulated in the bottom of the tank because it may be plugging the fire foam system located near the bottom of the tank. The agencies also recommended installation of a cathodic protection system. APSC determined it was economical to accelerate the 2003 internal tank inspection to 2002, because Tank 16 was already taken out of service for sediment removal. APSC did not agree to install a new cathodic protection system as part of the 2002 work.

By year 2002, all of the VMT East Tank Farm tanks had new tank floors and a cathodic protection system installed. In 2002, Tank 16 still had the original 1976 tank floor installed with no cathodic protection.

During the summer of 2002, Tank 16 was cleaned, inspected, repaired, and returned to service.

Today, Tank 16 still has the original 1976 tank floor with no cathodic protection.

**Chronology of Events**

This section provides a brief chronology of events associated with the inspection and repair work completed on Tank 16 and subsequent investigation into employee(s) allegations.

**March 14, 2002**

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*May 14, 2002 Letter from Rod Hanson (APSC) to Bonnie Friedman (ADEC) and John Kerrigan (JPO) and Jerry Brossia (JPO), Crude Tank Inspections – West Tank Farm, Valdez Marine Terminal*
A letter from APSC notified ADEC that Tank 16 would be taken out of service in April, 2002, for cleaning and would remain out of service for the rest of Year 2002.7

**May 14, 2002**
A letter from APSC notified ADEC that Tank 16 would be cleaned and inspected in 2002.8 The plan was to remove sediment and inspect the tank bottom. Based on the Tank 16 floor inspection results, APSC would either return it to service with an appropriate inspection schedule, or repair the tank and place it in “warm” standby.

**June 7, 2002**
Mr. Hisey (APSC CEO) and Mr. Wight (APSC) meet with Mr. Brossia (JPO) and Mr. Kerrigan (JPO) to discuss APSC’s proposal for delaying Tank 16’s cleaning and inspection.

**June 20, 2002**
JPO letter sent to APSC stating Tank 16’s cleaning and inspection could not be delayed. JPO’s letter also reiterated the value of cathodic protection:

> After careful consideration of impacts on sludge build-up over the fire foam system and the effectiveness of cathodic protection, we still believe this tank should be cleaned and repaired this year. The West Tank Farm is a critical asset during loading conditions to maintain North Slope production and TAPS throughput.

**Summer and Fall 2002**
Tank 16 was cleaned, inspected, repaired. It is not clear exactly when Tank 16 was returned to service, but it appears that it was sometime during the Fall of 2002. The return to service date would need to be verified with the operator, APSC.

**October 1, 2002**
Mr. Harrison (JPO) and Ms. Friedman (ADEC) met with a concerned employee. The employee was working at the VMT and alleged that there might be a leak in Tank 16’s floor. In a 2006 interview Mr. Harrison said the employee brought groundwater samples to the October 1, 2006, meeting. The employee claimed the water sample had been obtained from the Tank 16 repair job in the location where the sump had been removed. The employee alleged groundwater running under Tank 16 caused the floor to buckle in the area around the sump. It was alleged there was dark soil under the tank when the sump was removed to repair

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7 March 14, 2002 Letter from Rod Hanson (APSC) to ADEC’s Fairbanks Office, Valdez Marine Terminal – Tank Cleaning Notification, Letter No. 02-18308.
8 May 14, 2002 Letter from Rod Hanson (APSC) to Bonnie Friedman (ADEC) and John Kerrigan (JPO) and Jerry Brossia (JPO), Crude Tank Inspections – West Tank Farm, Valdez Marine Terminal
the floor. According to Mr. Harrison, Mr. Moore (APSC) also obtained and tested samples from the Tank 16 sump area, reporting no contamination. Mr. Harrison said he had not handled the sample or testing; this was all handled by ADEC and he never actually saw the test results, but was told that the tests were negative for contamination by Ms. Friedman. Attempts to interview ADEC staff about this meeting, or water samples, were denied.

**November 19, 2002**
Due to the number of employee concerns on the 2002 tank inspection and repair work, JPO requested APSC to provide a list of unsatisfactory conditions on all tanks repaired during 2002. On November 19, 2002, APSC provided JPO a list of unsatisfactory conditions documented by the inspectors; there were no Tank 16 inspection issues listed.9

**December 20, 2002**
A letter from APSC to ADEC confirms that sediment was removed from Tank 16 and the tank floor bottom was inspected, repaired, and returned to service.10

**January 21, 2003**
An internal APSC memorandum from Ms. Lee (APSC) to Mr. Stokes (APSC) summarized the 2002 inspection findings for Tank 16. The report states that 80 floor plate patches were installed on 49 of the original floor plates. There are 260 original tank floor plates; 49 plate repairs out of 260 is approximately 19% of the total tank floor. The report confirms the entire sump was replaced due to deformation of some of the plates.

**April 9, 2003**
A letter from APSC to ADEC shows that the state hired a consultant to look at Tank 16’s inspection data.11 The letter states:

> The Alyeska Tank Steward has had discussions with the State’s Tank Program consultant regarding information on the Tank 16 data summary report.

**May 2006 (various dates)**
Concerns raised by Chuck Hamel and Glen Plumlee on Tank 16 integrity.

**May 23, 2006**
PWSRCAC submitted a public records request to ADEC requiring all the tank inspection and repair records on Tank 16 since 2000.

**June 19, 2006**
ADEC replied to PWSRCAC’s May 23, 2006, public record request stating:

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9 APSC Letter no. 02-19302
10 APSC Letter No. 03-19430
11 April 9, 2003 letter from Mr. Hoffman (APSC) to Ms. Friedman (APSC), Revised Tank 16 Data Summary Report.
Please note that concerns with Tank 16 were not raised to ADEC during our 2002/2003 investigation.

July 3, 2006
In response to concerns raised by Mr. Hamel on Tank 16, APSC reviewed the Tank 16 records for APSC President, Mr. Hostler. APSC’s July 3, 2006, report to Mr. Hostler concludes:

Tank 16 was removed from service for internal inspection in the fall of 2002. Floor plate patches were installed and sump repairs were made and the tank returned to service near the end of the year. There was no door sheet cut for Tank 16 and therefore no cutting or welding of the tank shell was performed. Tank 16 was returned to service in later 2002 and has since remained in service.

Thorough review of the inspection records and PassPort Work Order documentation did not reveal any welding issues identified with the 2002 Tank 16 work.

There are no work process irregularities identified or eluded to in the Tank 16 documentation.

There were no integrity issues discovered during review of the 2002 Tank 16 repair documentation.

Alleged integrity issues identified in recent correspondence included:

1. Faulty welding in the lowest rings of TK-16 (5/9/06 letter)
   There was no door sheet cut in Tank 16 and subsequently, no welding on the tank shell course (rings).

2. Which APSC engineer accepted welds in TK-16
   Welds accepted by inspection, there appeared to be no need to address any specific welding issues to engineering.

August 2006 (various dates)
Ms. Harvey (Harvey Consulting, LLC) interviewed Mr. Harrison (JPO).

Ms. Harvey interviewed employee(s) that worked on VMT 2002 tank inspection and repair work; who confirmed the Tank 16 floor around the sump was buckled and that employee(s) reported concerns of potential groundwater and soil contamination to JPO and ADEC.

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Confidentiality was requested due to fears of retaliation for speaking about what happened on Tank 16 in 2002.

Harvey Consulting, LLC made a request to meet Bonnie Friedman (previous ADEC employee), Sam Sangsudam (ADEC) and Becky Lewis (ADEC). Requests for meetings were denied.

August 30, 2006

On August 30, 2006, Ms. Lewis wrote to Ms. Harvey, copying this memo to ADEC Management and the ADEC Environmental Crimes investigator Mr. Moses:

“This email is in response to your request this afternoon that Sam Saengsudham and I meet with you on Friday, September 1, 2006 to discuss PWS RCAC’s investigation into the Chuck Hamel allegations made in May of 2006 concerning several tanks at the Valdez Marine Terminal (VMT). We have decided not to meet with you at this time. There is an on-going ADEC investigation into this matter, and until we are informed that the investigation has been completed, we will decline further conversations concerning past technical evaluations and/or decisions made by ADEC.

October 30, 2006

On October 30, 2006, Mr. Jones (APSC Vice President) sent PWSRCAC additional information provided by the APSC engineering team on Tanks 55, and 16 in response to PWSRCAC’s preliminary findings. The Tank 16 response confirms that Tank 16’s floor, especially the area around the sump was damaged by water build-up underneath the tank; however, APSC maintains this damage was repaired and there was no resulting environmental impact. APSC provided the following information:

Question 3a: We understand your question to be how TK-16’s buckled floor and raised sump was corrected.

Response: The floor plate on TK-16 was not buckled. Over the course of the tank’s service life, rainwater seeped between the top of the ring wall and the annular plate. This water intrusion had over time resulted in water build-up between the floor and the secondary containment liner. When the tank was emptied and the sump was pumped dry, the resulting hydrostatic pressure of the water beneath the sump caused the empty sump to float thus distorting the surrounding floor plate.

The water beneath the floor was removed and routed to the industrial wastewater sewer. Distorted floor plate sections at the top edge of the sump and a concentric circle of the outer edge of the sump bottom were removed. Gravel beneath the sump edge was removed and the sump was returned to its original position. The sump floor was repaired and the sump was slurried in place.

October 30, 2006 e-mail from Greg Jones (APSC) to Stan Stephens (PWSRCAC), Responses to PWSRCAC’s Questions.
The cause of the condition was due to ground water hydrostatic pressure. The ground water was removed and floor and sump repositioned into their proper location.

**Question 3b:** We understand your question to be what happened to a sample of the substance below TK-16 floor that was sent to ADEC.

**Response:** We have no knowledge of a sample of the gravel or the ground water from beneath the TK-16 sump being collected and sent to ADEC.

**Findings**

The record on Tank 16 is confusing and inconsistent. Mr. Harris (JPO) and other confidential sources confirm that Tank 16 issues were raised to JPO and ADEC in 2002. ADEC hired a consultant to review the Tank 16 work in early 2003. Yet, in 2006 ADEC reports to PWSRCAC that it did not investigate Tank 16 concerns, but later denies an interview because the 2002 Tank 16 repair work is under investigation by the ADEC criminal investigator (Mr. Parrish).

APSC acknowledges tank floor distortion in the sump area, but maintains it was repaired with no environmental damage. APSC attributes the distortion to rainwater accumulation below the tank. However, there is no indication what steps were taken to prevent future water accumulation under Tank 16 (e.g. sealing around the tank ring wall). Additional water accumulation under the tank will contribute to tank floor corrosion, especially since this tank is not equipped with cathodic protection.

It is recommended that PWSRCAC pursue Tank 16 oversight. There are a number of inconsistencies in the records, and this potential for groundwater contamination is a serious allegation. Tank 16 is the only tank currently operating in the West Tank Farm of the VMT. Unlike the West Tank Farm tanks which have been upgraded, Tank 16 has the existing 1976 tank floor and no cathodic protection, as well as over 100 patches in the tank floor.
Attachment No.1

[PWSRCAC Letterhead]

June 30, 2006

Kurt Fredricksson
Commissioner
Alaska Department of Environmental Conservation
410 Willoughby Ave., Ste. 303
Post Office Box 111800
Juneau, AK 99811-1800

RE: Clarification of issues related to PWSRCAC public records request of May 24, 2006

Dear Mr. Fredricksson:

On June 19, 2006, the Alaska Department of Environmental Conservation (ADEC) responded to a request for publicly available records for the Valdez Marine Terminal (VMT) Tanks 5, 16, 55, and 93 submitted by Prince William Sound Regional Citizens’ Advisory Council (PWSRCAC) on May 24, 2006.

Background
The request for records was made as a follow-up on complaints received by PWSRCAC about the 2002 VMT Tank Inspection and Repair Program. It has been alleged that tank welds may not have been properly repaired or inspected before returning these tanks to hydrocarbon service. This matter was the subject of one or more whistleblower complaints to your office and the Joint Pipeline Office in 2002. This issue has been raised again, through another whistleblower complaint in 2006.

Your June 19, 2006 response to our request for information included both photocopies and digital versions of documents (on CD). Thank you for responding to our request.

Request for Additional Information
PWSRCAC has reviewed the hard copy and digital records provided. The documentation provided by ADEC raises a number of questions and concerns. This letter requests ADEC response to each concern, question, and information request outlined below. We request your response within ten (10) ten days of receipt of this letter, in accordance with the Freedom of Information Act (FOIA).

Most of our comments below are related to a table titled “Documents Withheld from the PWSRCAC Public Records Request concerning inspections and weld information for Valdez Marine Terminal Tanks
5, 16, 55, and 93” included with your July 19, 2006 letter. The table lists 30 documents withheld by ADEC using a “deliberative process” claim.

1. **Document was provided to APSC, but withheld from PWSRCAC.** Your June 19, 2006 letter listed one of the documents withheld as an April 21, 2002 letter from B. Friedman (ADEC) to APSC on the subject of “DRAFT Letter--Review of Employee Concerns for TKS 5, 55, 93.” Your letter cites “deliberative process” as the basis for not providing a copy of this document to PWSRCAC.

   a. Was this April 21, 2002 document a summary of employee/whistleblower concerns compiled by B. Friedman on Tanks 5, 55 and 93? If so, why was this agency investigation into a whistleblower complaint shared with APSC in draft form on April 21, 2002?

   b. Why was this document not handled confidentially under the employee concerns program or under the whistleblower protection guidelines?

   c. If this document was provided to APSC on April 21, 2002, how can ADEC justify withholding this document from PWSRCAC as deliberative process? Please explain, or provide a copy of the document.

   d. Is the date on this document correct? The April 21, 2002 date appears inconsistent with all the other document dates which are later in the year. The other whistleblower interview notes are dated June and September 2002. Are there multiple complaints? Or is this a typographic error in the table? Please clarify.

2. **Inadequate documentation of whistleblower concerns.** There are a number of documents listed in the June 19, 2006 table related to whistleblower complaint(s). These documents are undated, evidently un-authored, and have no subject matter listed. While PWSRCAC recognizes the importance of protecting whistleblower identity, it is not clear why you did not identify the date or author, or provide the subject, for some documents. We were particularly concerned that the name of the state or federal investigator that authored each whistleblower report was missing. Dates of agency meetings and names of agency personnel who have authored reports are a matter of public record. The date, author, and subject information should not disclose the whistleblower identity and should thus be provided. Please provide this information or explain why it should be withheld.

   a. The table lists an undated memo from W. Harrison/JPO Employee Concerns Program (ECP) Specialist documenting allegations on Tank 55; however, there is no date provided for this document. Please provide this date.

   b. The table lists a June 29, 2002 e-mail, with a document description that says “S. Saengsudham/ADEC notes on email” where the author’s and recipient’s names are both withheld on the basis that this would identify a confidential source. We assume this would
have been a whistleblower complaint filed with the agency. Please provide the name of the agency representative that is listed as the recipient on the e-mail. Although the author would be protected under whistleblower protection, the agency personnel handling/receiving the complaints is a matter of public record. Please provide this information.

c. The table lists a June 30, 2002 e-mail where the author and recipient are both withheld due to deliberative process, not to protect a confidential source. Please provide the author and recipient names on this e-mail, as all e-mails contain this information.

d. The table lists an undated e-mail where the author and recipient are both withheld due to deliberative process, and not to protect a confidential source. Please provide the author and recipient names on this e-mail, as all e-mails contain this information.

e. Please verify if there were four separate complaints: (1) April 21, 2002; (2) June 29, 2002; (3) September 20, 2002; and (4) one other undated complaint.

f. Please verify who was assigned the lead role for the ADEC to investigate the whistleblower(s) complaints. Who was assigned the lead investigator role for the JPO?

g. We assume that the state and federal agencies keep detailed, well documented records on all whistleblower complaints. We did not see any formal agency reports issued in your list to document meetings with whistleblowers or other aspects of investigations. Since we assume that the agency would keep very precise records on such important matters, please also provide this the date, name, and subject matter for all reports and investigations produced by the agency on whistleblower allegations for the 2002 VMT Tanks Inspection and Repair Program. This data appears to be missing from your original response.

3. **Documents withheld with inadequate justification.** For 27 of the 30 documents listed as being withheld under deliberative process, we are unable to verify the “deliberative process” claim based on the information provided in the table. Many of the documents being withheld are undated, un-authored, and untitled. ADEC has provided insufficient information to describe the role the documents played in the deliberative process. In other cases only vague descriptions of the documents are given such as “handwritten notes” or “e-mail,” thus providing insufficient basis for withholding these documents.

   a. Please provide these documents; or alternatively,

   b. Please provide dates, authors, and subject matter to complete this table with a detailed explanation supporting the basis for withholding the document under the deliberative process claim.
4. **Digital records provided appear incomplete or unreliable.** Many of the photographs provided in digital copy do not include a date, tank number, or location to aide us in identifying the tank or tank component. It is not possible for PWSRCAC to incorporate them in our review of weld-related concerns associated with the tanks in question.

In addition, the digital records provided included tank inspection reports in Excel format. We did not find some of the complete, signed inspection reports in the data you provided. The reports on the CD are incomplete and unapproved. Our staff and consultants reviewed similar records at APSC’s offices; however, they were not granted permission by APSC to make copies. We had hoped to obtain them from the agency. We know from reviewing APSC records that complete, signed copies of these reports are available. Please provide the final signed version of these weld inspection records, or explain why the agency did not think it was necessary to obtain final welding reports when investigating these whistleblower allegations.

Finally, the July 16, 2006 list references a zip disk (undated) which cannot be read because of “No Zip Drive at JPO or ADEC,” and two other disks are “not readable.” It is not clear to PWSRCAC why important whistleblower investigation records would be kept in a computer format that is inaccessible to agency staff. These records are less than 4 years old. The technology should be readily available for reviewing these records. Again there is no data, no author and no recipient listed for these records. Did anyone at the agency ever review this data back in 2002? Was it submitted by a whistleblower? Or was this data developed as part of the agency’s investigation?

   a. Please provide copies of all photos with labels, including date, tank number, and location on tank.

   b. Please indicate who took the photographs provided.

   c. How were these photographs used in your investigation and what conclusions did you draw from them? Is there a document that provided an analysis of these photos? We did not find one in the records you sent. Please provide that report.

   d. Please provide complete, signed copies of the inspection reports from the CD.

      a. Please provide PWSRCAC with access to the zip disk. We will be happy to arrange access to the necessary technology to access the information contained on it.

5. **Apparent blacking-out of notations.** In some of the documents provided as hard copy, including a memorandum from Alyeska to ADEC on October 14, 2002 and Procedure Quality Review documents, it appears that notes have been blacked out. PWSRCAC requests explanation for this measure, if, in fact, it is possible to confirm that the black markings are covering text on the
original document. If it is intended that these markings are referenced in the list of withheld documents, please provide more detailed information to this effect.

6. **Incomplete copy of October 14, 2002 memo.** ADEC files sent in response to our FOIA request include an October 14, 2002 memo (with an October 16, 2002 cover letter) from APSC to ADEC, addressing ADEC questions posed on October 11, 2002. It appears we were provided an incomplete copy of this important memo. Our copy includes the response to ADEC’s questions up to “3f--What was the inspection methodology used with respect to laminations?” and no responses to the last three bullet points in the original ADEC letter of October 11, 2002. Please provide the complete copy of this response.

Thank you for very much for your assistance in this matter.

Sincerely,

John S. Devens, PhD
Executive Director

cc: Becky Lewis, ADEC/JPO
    Gary Mendivil, ADEC
    Donna Schantz
    Tom Kuckertz