



December 7, 2017

Mr. Mark Malinowski  
SSFL CEQA Comments  
California Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826

Dear Mr. Malinowski:

The Rocketdyne Cleanup Coalition (RCC) is pleased to submit comments on the Department of Toxic Substances Control's (DTSC) Draft Program Environmental Impact Report (PEIR) for the cleanup of the Santa Susana Field Laboratory (SSFL).

RCC is a community-based alliance that was formed in 1989, when we first learned about the partial nuclear meltdown and other accidents at the lab that had been hidden from the public for years. We were concerned that continued nuclear work at Rocketdyne (now SSFL) would bring additional harm to our communities, so we worked to prevent the re-licensing of the hot lab. Together with other key people and organizations, we helped bring an end to nuclear activities at the site.

Many of us live right below the SSFL, so we turned our focus to making sure that all of SSFL's nuclear and chemical contamination was cleaned up. We learned about the toxins on the hill, the radionuclides strontium-90, cesium-137, and plutonium-239, the hazardous chemicals perchlorate, TCE, dioxins, heavy metals and more. We fought for health studies for the workers and the offsite population. Studies by the UCLA School of Public Health found significantly elevated cancer death rates among both the nuclear and rocket workers from exposures to these toxic materials. Another study by UCLA found that SSFL contamination led to offsite exposures to hazardous chemicals by the neighboring population at levels exceeding EPA levels of concern. A study performed for the federal Agency for Toxic Substances and Disease Registry found the incidence of key cancers were 60% higher in the offsite population near the site compared to further away.

We knew that the only way we could be sure our communities were safe was if the contamination at SSFL was fully cleaned up, and that has been the biggest challenge of all. We thought we had a victory in 2007, when the state legislature passed special legislation requiring SSFL be cleaned up pursuant to the State Superfund Act, and EPA recommended it for consideration as a federal Superfund site. (Because the State Superfund provided a better cleanup process, the state declined the dual listing.) Boeing sued to overturn the law, but we still felt hopeful because at the time DTSC was still acting as a strong ally for the community.

DTSC seemed to demonstrate its determination to protect our health and see the site fully cleaned up when in 2010 it signed Administrative Order on Consent (AOC) with the California Department of Toxic Substance Control (DTSC), which required a cleanup to background levels of contamination. We

were delighted that the AOCs called for the cleanup to be completed by 2017, because we knew that SSFL contamination was still causing harm. A cluster of retinoblastoma cases in young children had been identified downwind of SSFL, reminding us that the sooner the site was cleaned up the better. Boeing wouldn't sign the AOC agreements, but we were comforted by DTSC's statement that its normal procedures would require a comparable cleanup as it would defer to local zoning, which at SSFL allows for residential and agricultural uses.

In 2011, everything changed. Governor Brown became governor and DTSC's project manager for SSFL was reassigned. Our longtime public participation vehicle, the SSFL Interagency Work Group, was discontinued and DTSC rejected EPA's recommendation that it assume the coordinating role. DTSC approved instead a Community Advisory Group led by people with ties to the polluters (and was later funded by the Dept. of Energy) who began lobbying against the cleanup. Boeing prevailed in its lawsuit against the state, and later we found out why - DTSC had agreed to waive the right to dispute Boeing's facts without ever having seen them, two weeks before they were even filed. Many of these "facts" weren't true, but DTSC didn't dispute them and Judge Walter granted Boeing's motion for summary judgment stating that "Summary judgment is proper where, "the pleadings, the discovery and disclosure materials on file and affidavits show there is no genuine issue as to any material fact..."

DTSC not only stopped fighting for a cleanup that would protect the community, it started to undermine the cleanup. DTSC held a special meeting just to deny that SSFL contamination caused harm, inviting Dr. Thomas Mack, a man to speak who doesn't believe in environmental causes of cancer, to speak instead of the epidemiologists who had studied SSFL extensively. At that same meeting DTSC refused to say if there had been a meltdown at SSFL or not. DTSC held another meeting examining transportation routes where it tried to create opposition to the cleanup by proposing ridiculous options like steep Black Canyon or routes through parkland. Possibly most egregious, DTSC presented a large map at a meeting that indicating most of the nuclear contamination identified by U.S. EPA's extensive radiological survey of Area IV didn't pose a threat to health!

And here we are at the end of 2017 when the cleanup was supposed to be finished and it hasn't even begun. A new group of parents has met at Children's Hospital, just like the retinoblastoma mothers had, and even more rare pediatric cancers near SSFL have been identified. Wildfires are raging throughout Southern California with fierce Santa Ana winds, and we who live so close to SSFL again have to worry about contamination becoming airborne and more people being exposed.

Though given DTSC's actions in the past few years we weren't expecting an honest and thorough PEIR, DTSC's PEIR for SSFL is even worse than we could have imagined. Everything that we and so many others asked for in our scoping comments was ignored. The cleanup agreements are broken, negative impacts from the cleanup are hyped, and there is no analysis whatsoever of the health and ecological impact of the contamination that could remain on site.

Here are our recommendations:

- DTSC should revise its PEIR so that it is fully compliant with the AOC cleanup agreements. The AOC agreement clearly states, "Cleanup to Background Levels" does not include "leave in place" alternatives." Yet DTSC proposes exempting large amounts of contaminated soil from cleanup and instead relying on "natural attenuation." It is unacceptable to leave contamination on site for more than a century from the time it was created, constantly leaking, infiltrating the soil, water and potentially people in the community below.
- DTSC should also revise the PEIR so that the only biological and cultural exemptions are made are ones that, per the AOCs, have a Biological Opinion from the U.S. Fish and Wildlife Service stating that no other reasonable and prudent measures exist to achieve the desired cleanup.

There has not been such a Biological Opinion issued, and if there had been, mitigation measures are to be taken, not avoiding the cleanup altogether. The U.S. Fish and Wildlife Service did issue a Biological Opinion several years ago to EPA for its preparatory work for the cleanup, concluding mitigation measures could be done and that the cleanup was critical for protecting biological resources.

- DTSC should revise its PEIR to acknowledge the harm the SSFL contaminants have on human health, wildlife, and plants. Boeing's 2015 risk assessment reports showed high risks for both human health and ecological receptors. If DTSC is going to propose leaving contamination on site, then it needs to be very specific about how much and what the risks are from that amount of contamination that it is considering not cleaning up. DTSC told us on June 30, 2017 that the rest of the risk assessment reports would be completed before the PEIR was released, but the PEIR contains none of this information. DTSC says it will include that information in its decision document, but by then it will be too late, as it will have made its decisions based off on an EIR that grossly hypes negative impacts and conceals from the public how much it will cleanup and what the risks are from not doing so.

DTSC's opinion that there would be more negative impact to the environment by cleaning up SSFL's toxic mess than leaving it there to continue to damage the health of local residents, plants, and animals is preposterous. The environment would not be harmed by cleaning it up—it was damaged the moment it was so horribly contaminated by the polluters' reckless and irresponsible practices. The best hope for the natural resources onsite is to leave the land as close to its original state as possible (cleaning up to background levels of contamination), so that it may heal and restore itself without toxic chemicals and radionuclides present in the soil and groundwater. In order to protect the biological resources of SSFL, DTSC must complete a full clean up as specified in the AOC.

It is important for us to emphasize that the end use of the site is irrelevant to the cleanup. Boeing has said it will restrict its property for open space, but recreational cleanup standards will leave tremendous contamination on site that will continue to migrate and impact us. Others may visit or hike in the area once in a while, but we live near the site 24-7. The site has to be fully cleaned up to ensure that we and our neighbors are protected.

Rocketdyne Cleanup Coalitions asks DTSC to keep its commitment to clean up all of the contamination at SSFL by upholding the AOC to the letter and requiring Boeing to cleanup according to all allowable uses in Ventura County's General Plan and zoning. We will be the ones most impacted if DTSC allows toxic contamination to remain on site, and therefore urge DTSC to keep its promises and clean up all detectable contamination at SSFL.

Sincerely,

Dawn Kowalski  
Co-Founder, Rocketdyne Cleanup Coalition

CC: Matt Rodriguez, CalEPA Secretary