



**MICHAEL N. FEUER**  
CITY ATTORNEY

August 12, 2020

**Via E-Mail**

State Historical Resources Commission  
P.O. Box 942896  
Sacramento, CA 94296-0001  
calshpo@parks.ca.gov

**Re: National Register of Historic Places, New Nominations  
Burro Flats Cultural District [Traditional Cultural Property]  
Restricted, Ventura County  
Agenda Item No. IX, A.1 (August 14, 2020, Meeting)**

Dear Commissioners:

The purpose of this letter is to provide comments on behalf of the City of Los Angeles with respect to the nomination for the expansion of the boundaries of the Burra Flats Cultural District to include the entire Santa Susana Field Laboratory site (Nomination). The City urges that the Commission take no action on the Nomination without sufficient measures in place to ensure full compliance with the site remediation obligations contained in existing Administrative Orders on Consent for Remedial Action (AOC). The AOC requires full site cleanup of all detectible radioactive and chemical contamination to background levels -- a standard designed to safeguard the health, safety, and welfare of the community. The City opposes any action that would disrupt and threaten the orderly, timely and full clean-up of the site to this standard as promised to the community for more than a decade.

Moreover, the City urges that the Commission take no action on the Nomination without first determining the extent to which the radioactive and chemical contamination at the site has impacted the suitability of the nominated resource's listing on the National Register. This latter determination must be based on evidence obtained from experts qualified in matters pertaining to the impacted Native American Tribes.

The City acknowledges that the National Register is the official list of the Nation's cultural resources worthy of preservation, and its criteria for evaluating the significance of properties was designed to recognize the accomplishments of all peoples who have made a contribution to the Nation's heritage. The City fully supports the goal of the National Register, but before the Santa Susana Field Laboratory (SSFL) site is added to the National Register, the protection of public health requires concrete assurances that the site will be remediated in full compliance with the AOC's strict clean-up to background standard. Moreover, the Commission must also assess the impact of the contamination on the nominated resource.

SSFL is one of the most contaminated sites in the state, affected by major radioactive and chemical contamination resulting in a threat to public health that was kept hidden for decades. One of its nuclear reactors experienced a partial nuclear meltdown in 1959, causing releases of radioactivity into the air, and two other reactors experienced accidents with significant fuel damage. This, in addition to incineration of a wide array of radioactive and toxic chemical waste in open-air burn pits, dumping of trichloroethylene and perchlorate, and other contamination, from more than 50 years of operations, left the site polluted with radioactive and chemical contaminants.

The Department of Energy (DOE), National Aeronautics and Space Administration (NASA), and the Boeing Company are responsible for the cleanup of SSFL under the oversight and approval of the California Department of Toxic Substance Control (DTSC). DTSC has entered into an AOC with each of these entities that requires all of the detectible radioactive and chemical contamination at its SSFL operations be cleaned up to background levels similar to those before the site was contaminated. The City was a party in a lawsuit that helped bring about the issuance and adoption of the AOC, and has a significant interest in assuring full implementation of the AOC for its residents affected by the public health threats posed by SSFL.

The City is concerned that the DOE, NASA, and Boeing may seek to use the inclusion of SSFL as part of the Burro Flats Cultural District under the National Register as a means to avoid their respective obligations under the AOC to clean-up the contamination of the site to background levels. This is extremely important to the community, particularly the residents that live nearby whom would be most directly affected by non-compliance with the AOC.

The City urges the Commission to take no action on the Nomination of the SSFL as part of the Burro Flats Cultural District without first assessing the impact of the site contamination on the resource and without sufficient measures in place to ensure full compliance with the AOC, and ensure that all contamination is cleaned up to background levels as required by the AOC. The community, particularly those who reside in the area

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surrounding the site, is entitled to full compliance with the AOC and the commitment from the State of California that public health and safety concerns will be prioritized.

The City thanks the Commission for its due consideration of these concerns. If there are any questions, please feel free to contact me at 213-978-8209.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T. McWilliams', is positioned above the typed name.

Timothy McWilliams  
Assistant City Attorney

TM:lc