

PARENTS AGAINST SANTA SUSANA FIELD LAB

TOWN HALL SERIES

BROKEN PROMISES

WEDNESDAY, JULY 12 | 6:30 PM | ONLINE



Acknowledgements

Parents Against SSFL acknowledges the original inhabitants of the land that the Santa Susana Field Lab encompasses. The 2,850 acres of land that constitutes SSFL has been utilized by the Ventureño Chumash, the Tongva, and Fernandeno Tataviam Band of Mission Indians indigenous communities for time immemorial.

We acknowledge and honor the original inhabitants and seek meaningful partnership and inclusion in the stewardship and protection of their cultural resources and homelands.

Acknowledgements

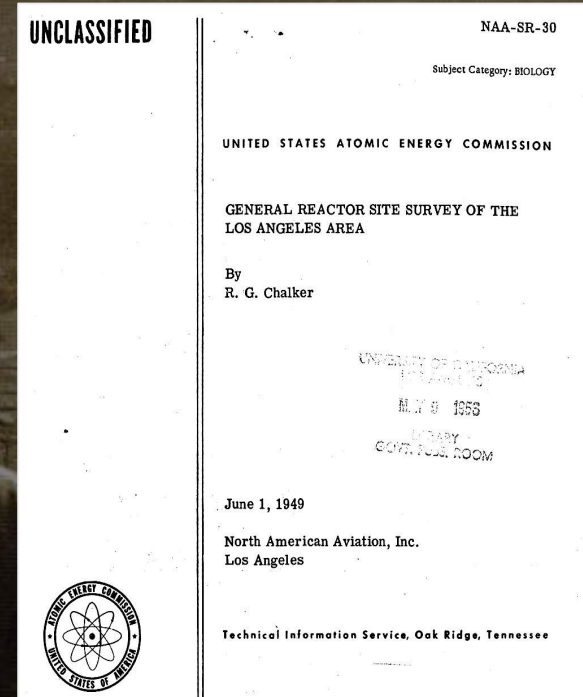
Parents Against SSFL wishes to acknowledge the expertise and dedication of **Dan Hirsch**, President of Committee to Bridge the Gap, and **Denise Duffield**, Associate Director of Physicians for Social Responsibility of Los Angeles.

We wouldn't be here without their tireless advocacy and leadership.

Santa Susana Field Laboratory

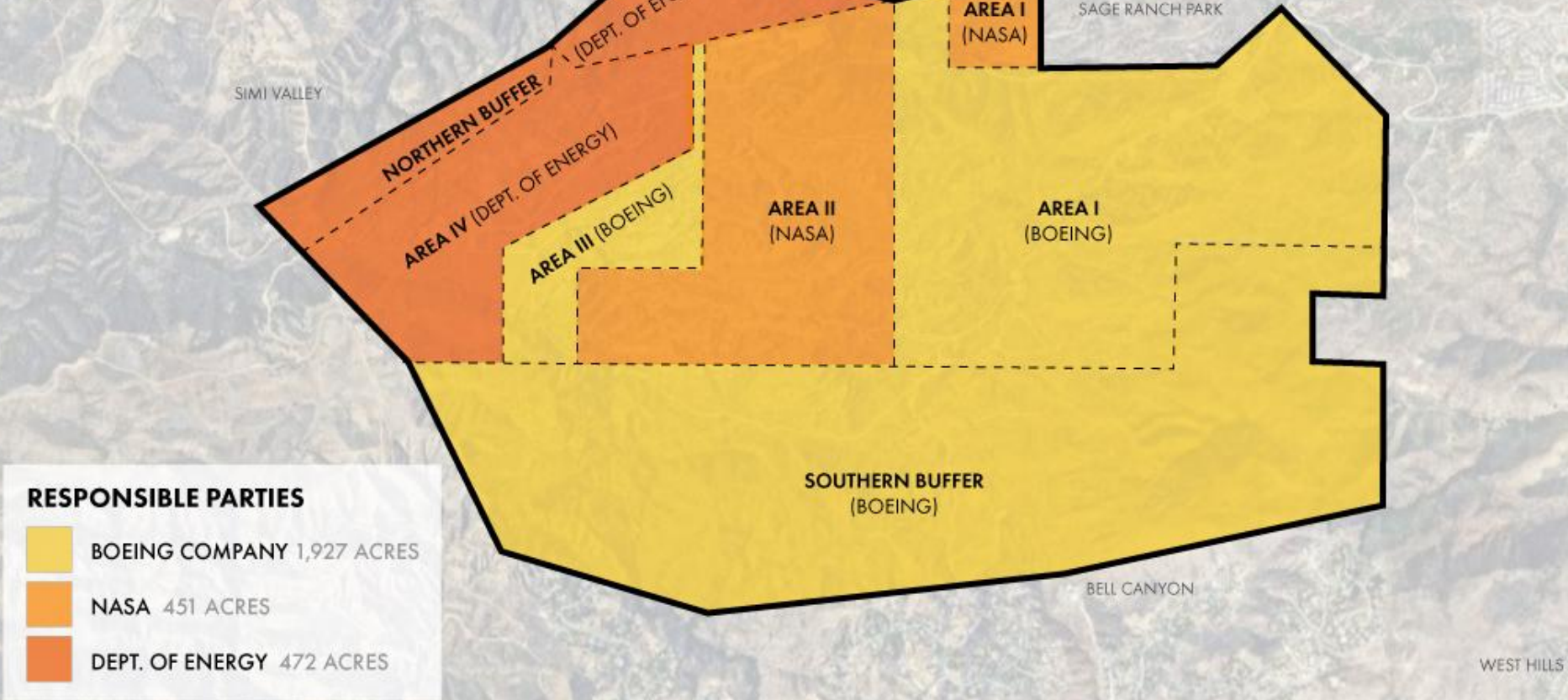
(Formerly known as Rocketdyne)

- Established late 1940s for rocket testing
- In 1949, Atomic Energy Commission looked for a remote nuclear testing lab for work too dangerous to do in populated areas
- SSFL area ranked 5th out of 6 for meteorological safety criteria
- Picked due to driving time to UCLA & USC






SANTA SUSANA FIELD LAB

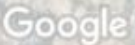
Responsible Parties



RESPONSIBLE PARTIES

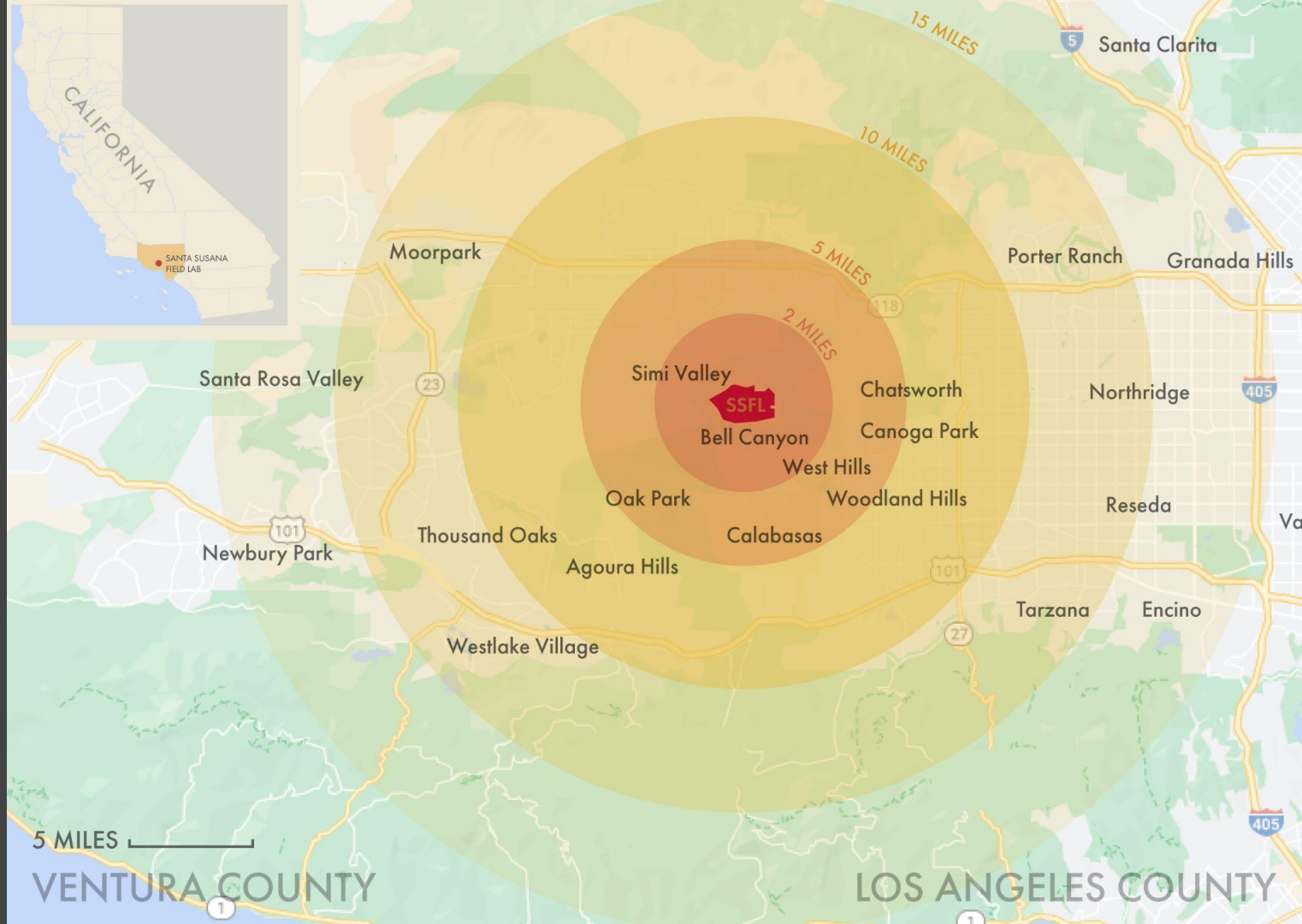
-  BOEING COMPANY 1,927 ACRES
-  NASA 451 ACRES
-  DEPT. OF ENERGY 472 ACRES

Map by Parents Against SSFL | 2023

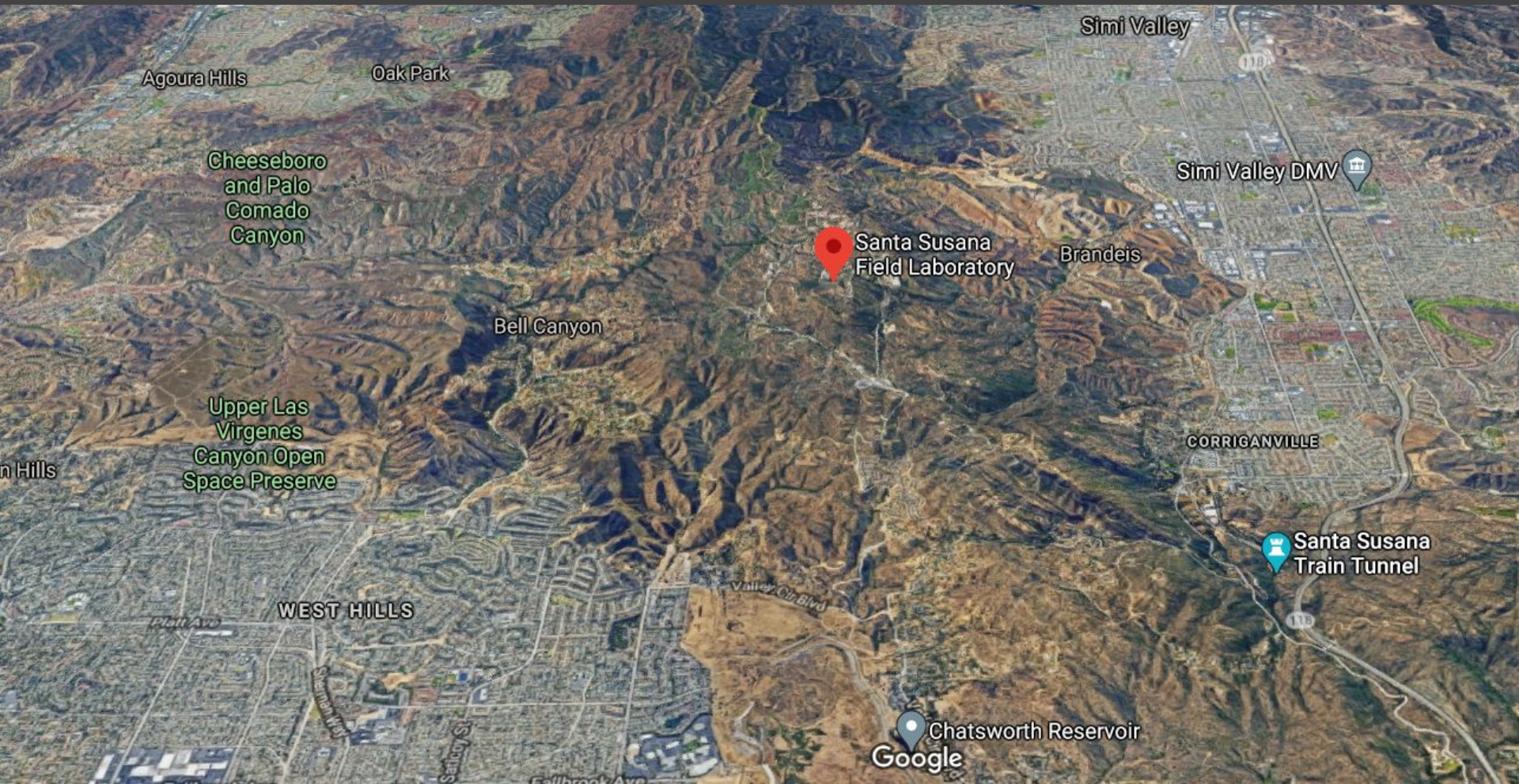


Location:

Over 700,000 people live within 10 miles of the SSFL



Location: Elevation Range: 2,245 - 1,175 feet



Location: Homes built near the SSFL



Rocket Engine Testing

Over 30,000 rocket engine tests conducted

800,000 gallons of toxic Trichloroethylene (TCE) was lost into soil

500,000 gallons of TCE remain in Chatsworth Aquifer



Open Air Burn Pits

Burned chemical and radioactive waste at two locations at SSFL

Huge plumes of contaminated smoke spread to local communities

Violated known environmental laws



Dangerous Waste Disposal Methods: Open Air Burn Pits



Dangerous Waste Disposal Methods: Explosion Kills Two Scientists

VC / SATURDAY, APRIL 6, 1996

B5

“...Prosecution has focused hard on apparent violations of environmental and work-safety laws, and also whether Rocketdyne defrauded the U.S. government of millions of dollars... by simply burning hazardous waste that the the firm was paid to dispose of properly.”



MANHATTEN / For The Times
Aerial view of the Rocketdyne test lab site in the Simi Hills, where chemical explosions killed two workers and injured one Tuesday morning.

2 Killed in Explosion at Rocketdyne

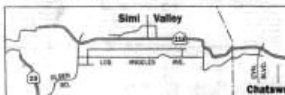
■ **Test site:** A third man is seriously hurt. The blast, set off during work with rocket fuel, starts 15-acre brush fire.

By CARLOS V. LOZANO and MYRON LEVIN
Times Staff Writers

SIMI VALLEY—Two men were killed and a third was seriously

Plant Blast

An explosion ripped through Rockwell's Santa Susana Field Laboratory on Tuesday.



injured in the accident. The Rocketdyne facility—which sprawls over an area so rugged that it has been used as a backdrop for Westerns—lies about 30 miles northwest of Downtown Los Angeles. It is perhaps best known as a rocket engine test site for the U.S. Air Force and the National Aeronautics and Space Administration, but nuclear research also has been done there.

Known as the Santa Susana Field Laboratory—or “Santa Sus,”

LOS ANGELES TIMES SF THURSDAY, JANUARY 11, 2002 B3

The Valley

Rocketdyne Official Denies Cover-Up Attempt

Court: The Santa Susana Field Lab manager testifies in his defense that the 1994 explosion that killed two scientists occurred during legitimate testing.

By JEAN GACCHIONE
Times Staff Writer

A rocket Rocketdyne manager in Monterey, Calif., testified in court Monday that the 1994 explosion that killed two scientists was not a cover-up attempt.

James E. Flanagan, one of the two Rocketdyne employees on trial in Riverside, testified in his

defense. He is charged with federal environmental crimes and could be sentenced to prison if convicted.

For three months, Flanagan, 41, has testified in the same open trial. He told jurors Wednesday that he had written seven pages to

Flanagan, the former director of Rocketdyne's Chemical, Ordnance, and Hazardous Waste Division, a job he held until 1994.

Flanagan said he had written seven pages to

‘Did you direct, approve or plan any kind of illegal storage?’

John D. Vanevich, defense attorney

wrote without a permit at the field laboratory on July 30, 1994, when an explosion occurred.

The last page showed employees on the site. Flanagan, who was not at the job when the explosion occurred.

Center alleged that Flanagan ordered the blast. Flanagan and Wilson have insisted the blast was part of legitimate scientific research.

“We’d say that.”

The witness portrayed Flanagan as a fairly nice and level-headed employee who is expected to do the conventional scientific work.

Flanagan will be given up to 10 days to prepare his testimony.

Defendant Worked on Secret Projects

Flanagan said he worked on secret projects at the laboratory on July 30, 1994, when an explosion occurred.

“No ‘Party Testing.’”

Flanagan said he worked on secret projects at the laboratory on July 30, 1994, when an explosion occurred.

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“No ‘Party Testing.’”

Flanagan said he worked on secret projects at the laboratory on July 30, 1994, when an explosion occurred.

two were using nitrocellulose, polymer and guaninate. The men were igniting and measuring the or “overpressure

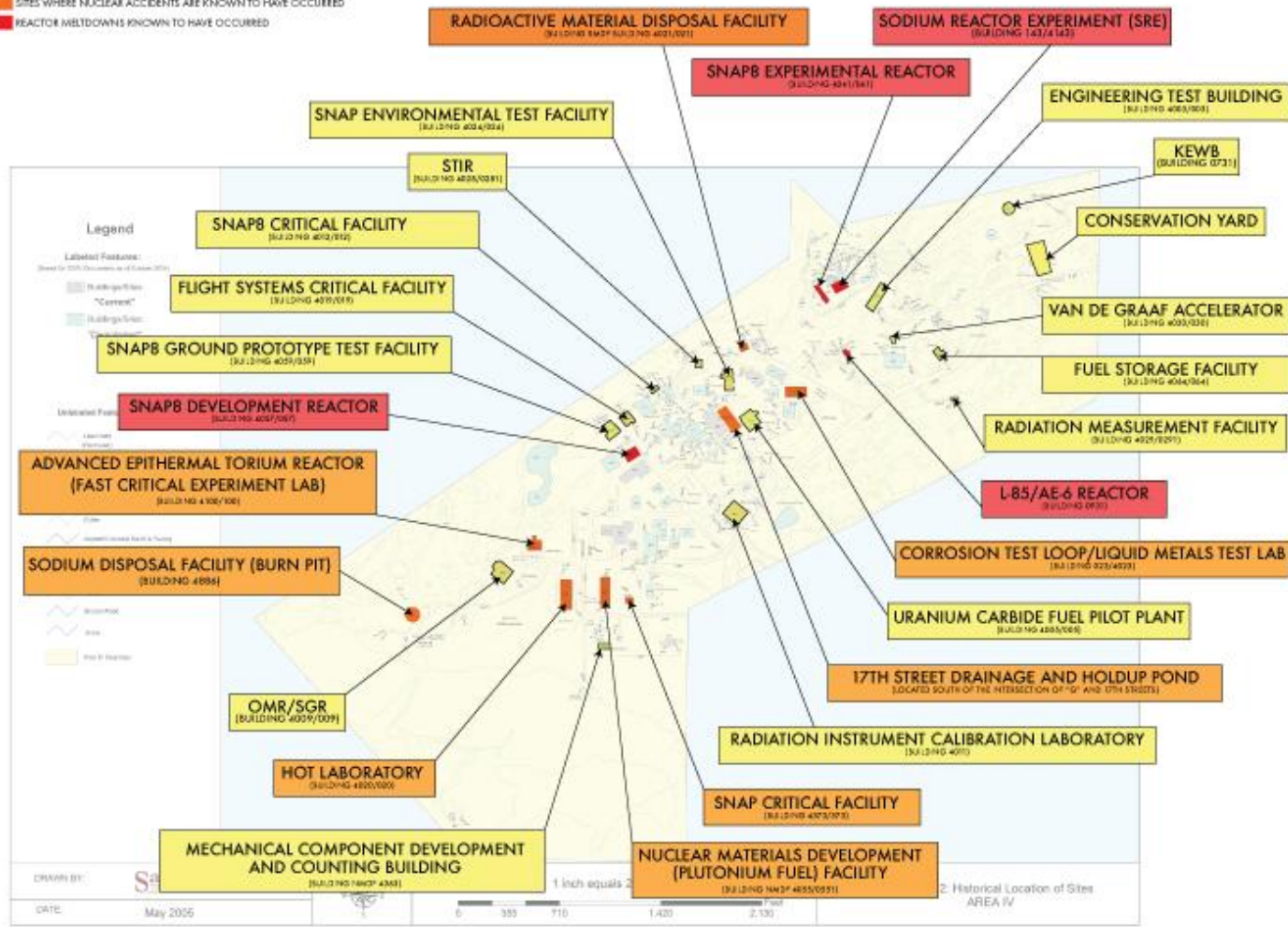
Rockwell and its Canoga Park-based Rocketdyne division for some time before July 13. That was the day about 20 agents from the FBI, NASA, EPA and U.S. departments of Defense, Energy, Air Force and Navy raided Rocket-

that Rocketdyne had. ■ Failed to separate work stations enough to prevent explosives at one station from being set off by material at another. ■ Failed to set up an education program with specific explosives-

necessary for such tests to yield valid data. Said the agency’s report: “The manner in which the tests were set up and performed appeared to be a disguise for destroying waste explosive materials.”

RADIOACTIVE ACTIVITY SANTA SUSANA FIELD LABORATORY | AREA IV

- SITES WHERE NUCLEAR ACTIVITIES WERE CARRIED OUT
- SITES WHERE NUCLEAR ACCIDENTS ARE KNOWN TO HAVE OCCURRED
- REACTOR MELTDOWNS KNOWN TO HAVE OCCURRED



Nuclear Work in Area IV

10 Nuclear Reactors

1 Reactor meltdown

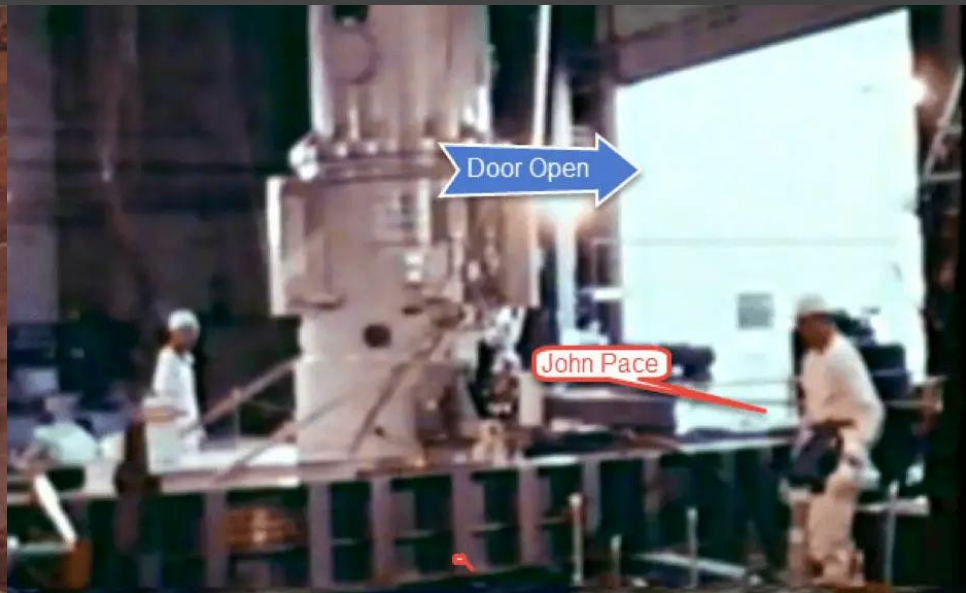
3 Reactor accidents

Plutonium and Uranium Fuel Facilities

Area IV had radioactive accidents, explosions, spills, leaks and fires

Open air burn pits

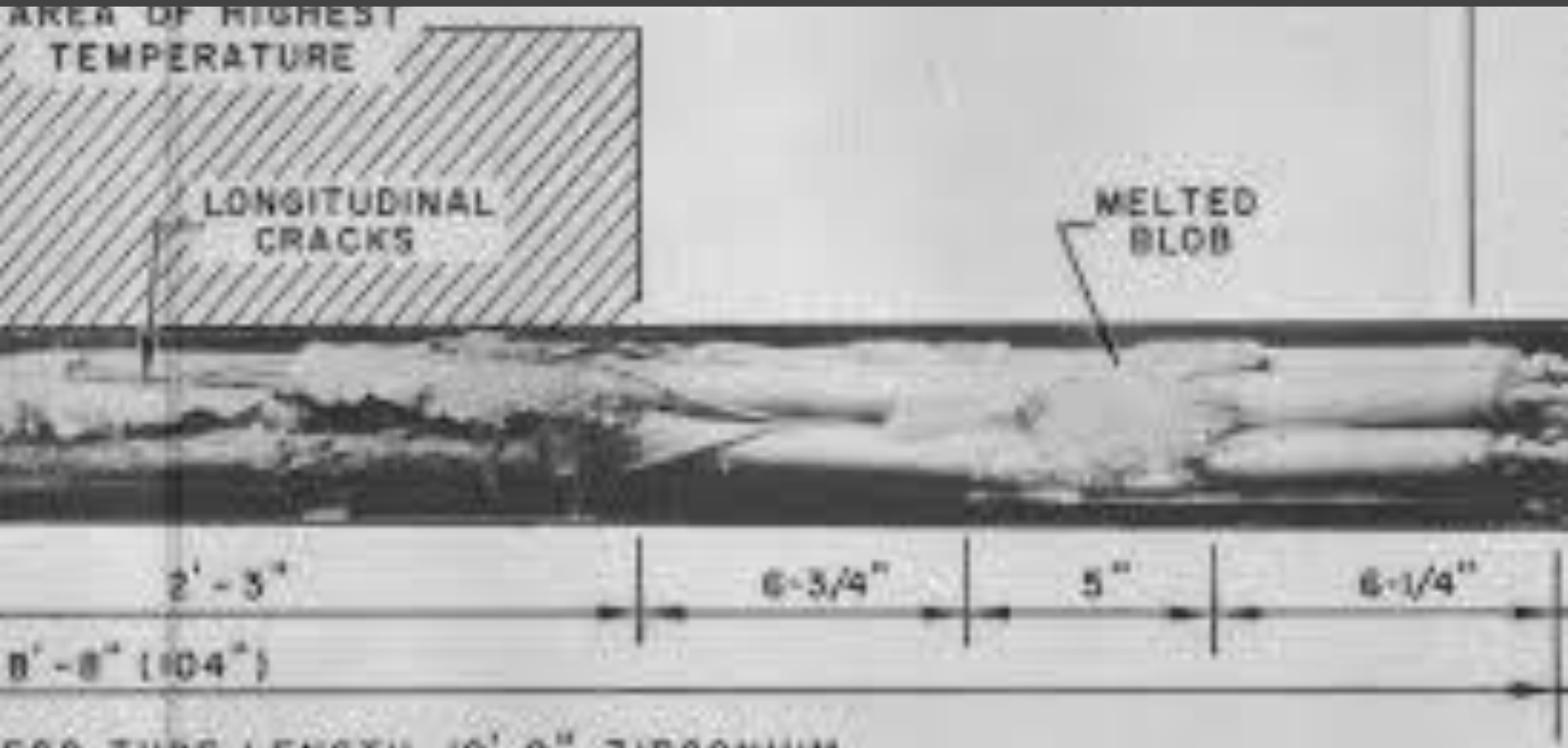
Sodium Reactor Experiment (SRE): 1959



“The Sodium Reactor Experiment (SRE) experienced extensive fuel damage during power run...thirteen of forty-three fuel elements in the SRE reactor core failed due to overheating...”

[David Lochbaum](#), former Director of the Nuclear Safety Project for the Union of Concerned Scientists

Sodium Reactor Experiment (SRE)



See full list of accidents at www.ParentsAgainstSSFL.com/accidents

2022 Settlement Agreement: Health Impacts

Want to learn more about the PEIR's impacts on human health...

especially women and children?

Save the Date!

Wednesday, Aug 2nd at 6:30pm

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TOWN HALL

WEDNESDAY, AUG 2 | 6:30 PM | ONLINE

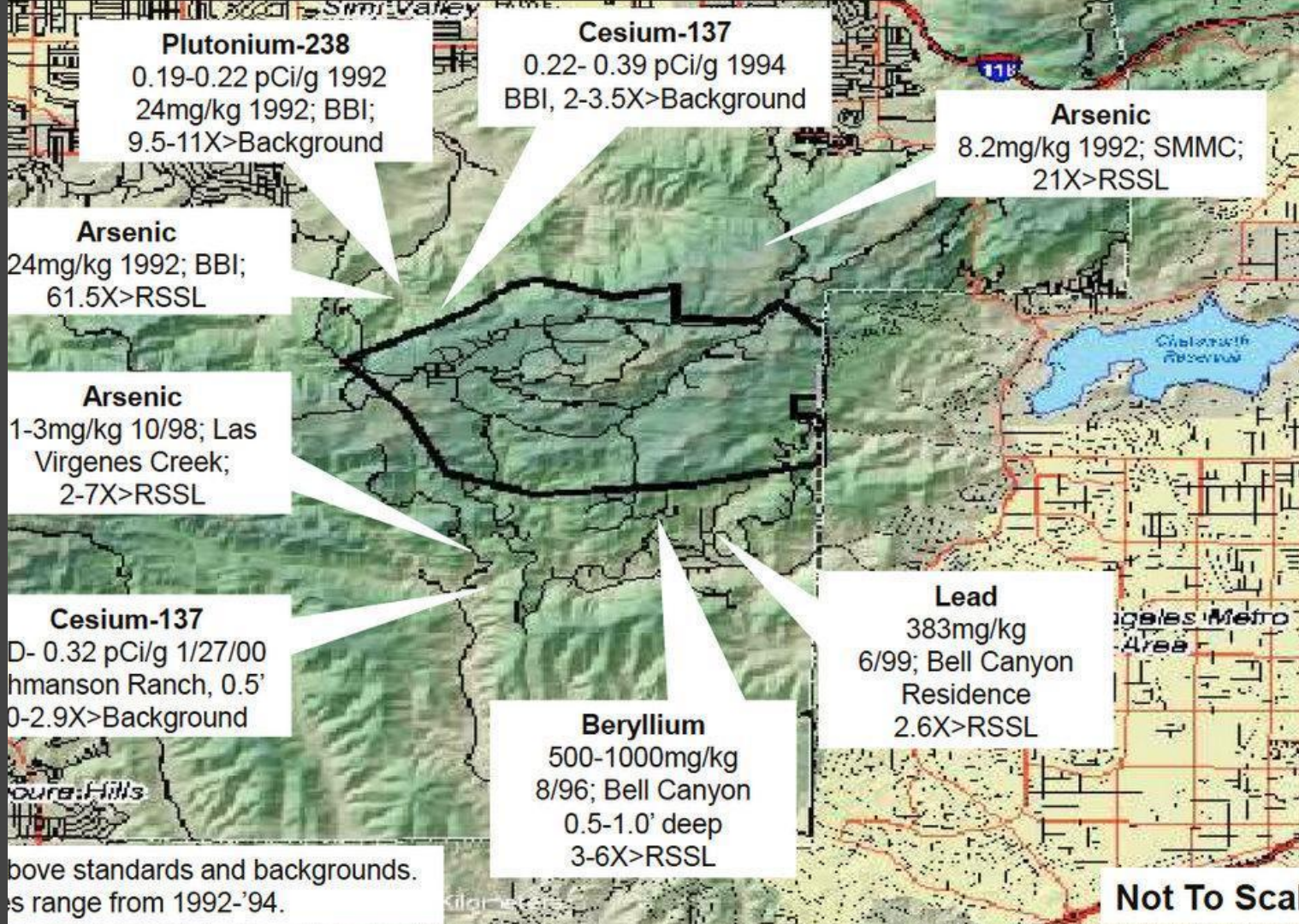
TOPIC: HEALTH IMPACTS

Dr. Robert Dodge
Physicians for Social
Responsibility- Los Angeles



Contaminants Migrate Offsite: Soil

Located offsite in numerous locations in soil



above standards and backgrounds. Concentrations range from 1992-'94.

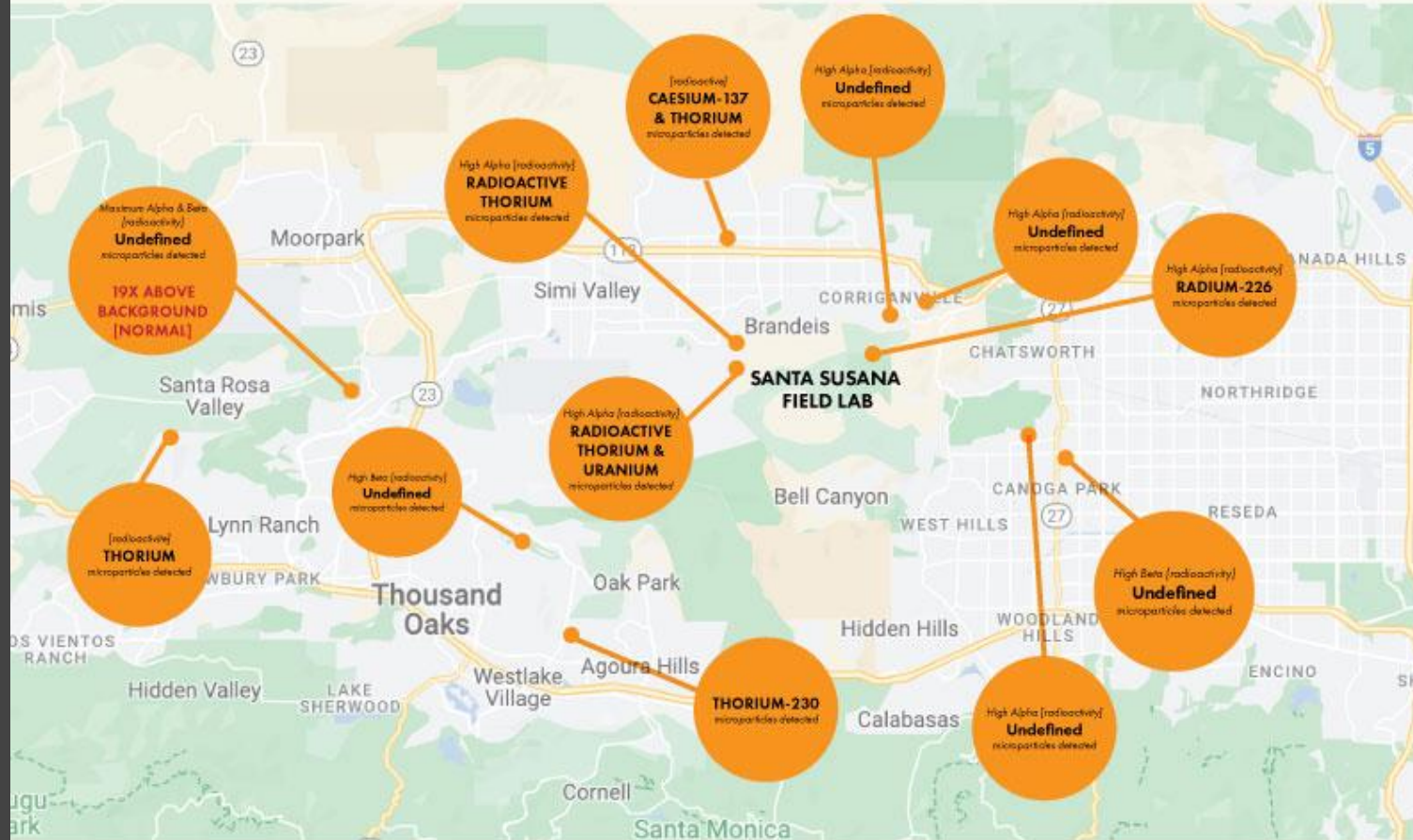
Not To Scale

APPROXIMATE LOCATIONS OF RADIOACTIVE SAMPLES

WOOLSEY FIRE SOIL STUDY 2018-2019

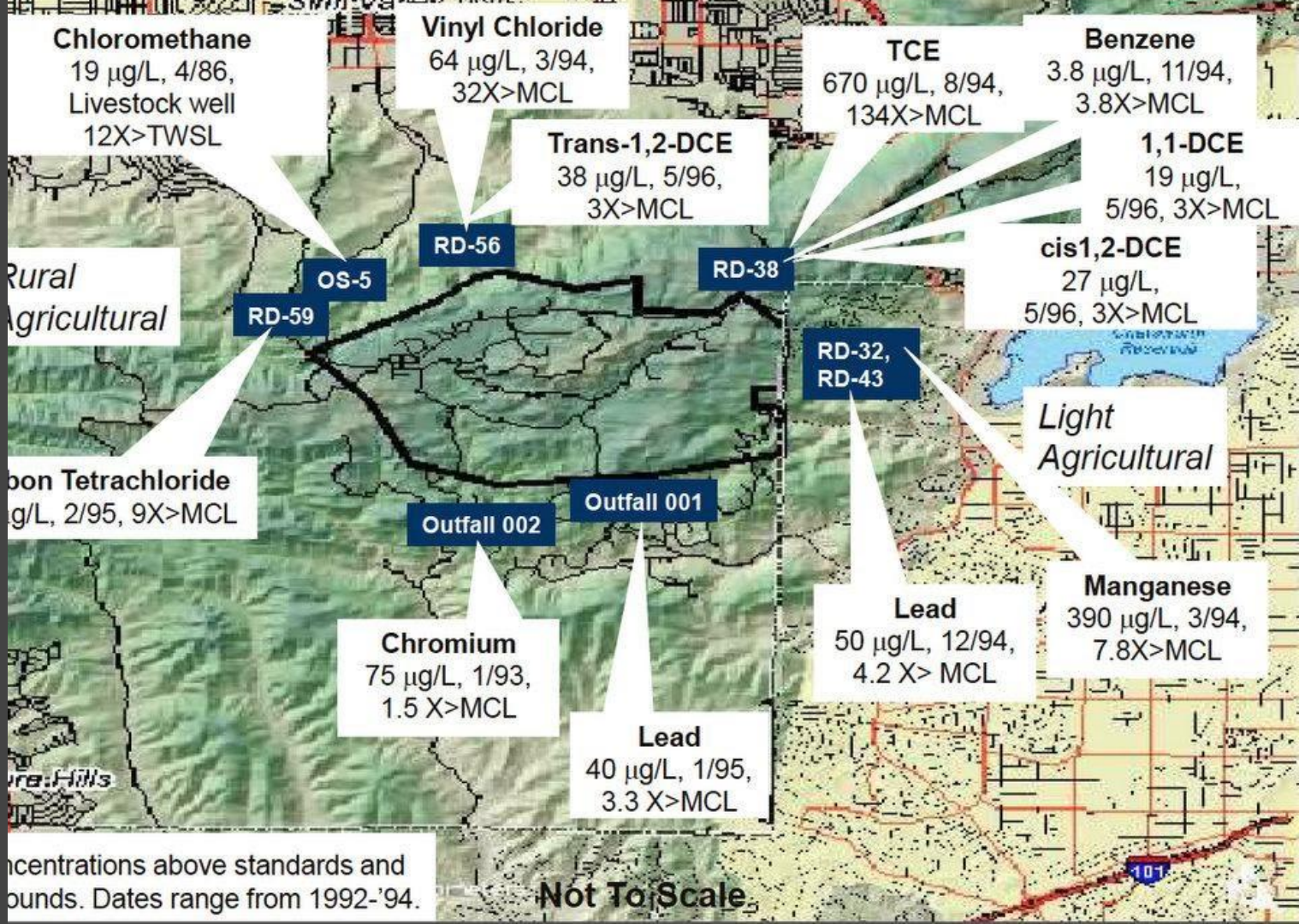
Contaminants Migrate Offsite: Soil

Independent study found radioactive contamination after the the Woolsey Fire



Contaminants Migrate Offsite: Water

Located offsite in numerous locations in offsite wells, seeps and springs



Concentrations above standards and bounds. Dates range from 1992-'94.

Not To Scale

Health Studies: Dr. Hal Morgenstern



SCHOOL OF PUBLIC HEALTH
DEPARTMENT OF EPIDEMIOLOGY
109 OBSERVATORY STREET
ANN ARBOR, MICHIGAN 48109-2029

OFFICE OF THE CHAIR
HAL MORGENSTERN, PH.D.
734-764-5435 FAX 734-764-3192
halm@umich.edu

April 15, 2007

Senator Joe Simitian, Chair
Committee on Environmental Quality
State Capitol
Sacramento, CA 95814

**Re: The Boeing Company Statement in Opposition to SB 990 (Kuehl)
April 2007**

Dear Senator Simitian:

It has recently come to my attention that the Boeing Company has submitted a statement to your Committee, regarding Senator Kuehl's bill dealing with the cleanup of the Santa Susana Field Laboratory in Ventura County.

Their statement contends, "In contrast to the accusations made against The Boeing Company that falsely claim increased cancer rates in the communities surrounding SSFL, a recent study conducted by the University of Michigan School of Public Health just concluded the opposite." Although the authors of the Boeing statement do not cite the source of that study, they then quote three brief passages from my final research report on *Cancer Incidence in the Community Surrounding the Rocketdyne Facility in Southern California*, which was submitted in March to the Eastern Research Group and the Agency for Toxic Substances and Disease Registry (ATSDR).

I would like to make it clear to your Committee that Boeing's claim made about the conclusion of our study is false. We did *not* conclude that there was no excess cancer in the communities surrounding SSFL. Furthermore, Boeing's quotes from our report were taken out of context, and they failed to report our specific findings that contradicted their claim.

In the main analyses of our study, we compared the incidence rate of specific cancers in adult residents living within 2 miles and 2-5 miles from SSFL with adult residents living more than 5 miles from SSFL in both Ventura and Los Angeles Counties. For the period 1988 through 1995, we found that the incidence rate was more than 60% greater among residents living within 2 miles of SSFL than among residents living more than 5 miles from SSFL for the following types of cancer: thyroid, upper aerodigestive tract (oral and nasal cavities, pharynx, larynx, and esophagus), bladder, and blood and lymph tissue (leukemias, lymphomas, and multiple myelomas).

For the period 1996 through 2002, we found that the incidence rate of thyroid cancer was more than 60% greater among residents living within 2 miles of SSFL than for residents living more than 5 miles from SSFL. The magnitude and consistency of the thyroid finding for both periods is especially provocative because of evidence from other studies linking thyroid cancer with environmental exposures originating at SSFL and found in the surrounding communities.

Professor Hal Morgenstern https://www.ssflworkgroup.org/files/LettertoSen.Simitian_041507.pdf

See full list of studies and reports: www.parentsagainstssfl.com/studies

Worker Health Studies



- An extensive, multi-year epidemiological study by the UCLA School of Public Health found significant increases in death rates among the most exposed workers from cancers of the lung, lymph, and blood systems.
- Another independent federally-funded study conducted by researchers at UCLA found that SSFL contamination migrates over EPA levels of concern.

<https://www.ssflworkgroup.org/files/UCLA-Rocketdyne-Radiation-Study-Sept-1997-release.pdf>

Yoram Cohen et al., *Potential for Offsite Exposures Associated with Santa Susana Field Laboratory*, 2006,

<https://www.ssflworkgroup.org/potential-for-offsite-exposures-associated-with-ssfl/>

See full list of studies and reports: www.parentsagainstssfl.com/studies

Local Pediatric Cancer



Local Pediatric Cancer



BROKEN PROMISES

Cleanup Agreements:
2007 - 2022

Melissa Bumstead
Parents Against SSFL



2007 Consent Agreement

Boeing & DTSC

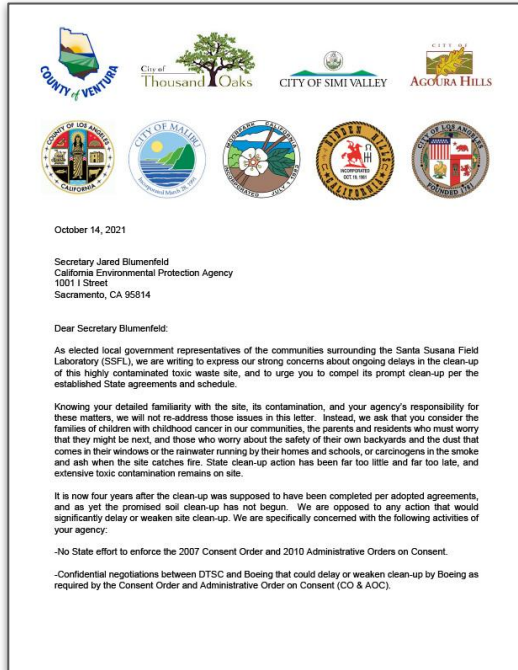
Residential with Garden

2022 Settlement Agreement

Boeing & DTSC

Redefined Residential with Garden

2007 Cleanup Agreements: Boeing & DTSC



2007 MAIN POINTS:

- Signed by Boeing, NASA, Department of Energy, and California's Department of Toxic Substances Control (DTSC).
- Would remediate the site to match Ventura County's "open space" zoning, which includes agricultural and rural residential land uses.
- Cleanup would be completed by 2017.
- A permanent groundwater remedy was to be in place at that time.
- 2015 Boeing promises a **“Suburban Residential”** cleanup to residents.
- 2017 Boeing breaks cleanup promise and says it will cleanup to the significantly less protective **“Recreational Cleanup.”**

*2007 & 2010 cleanup agreements
supported by local, state and
federal elected officials*

Learn more about the cleanup agreements: www.parentsagainstSSFL.com/cleanupagreements

CalEPA & DTSC Promise to Keep Agreements in Place



“Those are legally binding agreements. We will hold them to those agreements. And as I said, but I will say it again: our job is to regulate, not to negotiate.”

Former CalEPA Secretary Jared Blumenfeld, SSFL WorkGroup Meeting, 2020

CalEPA & DTSC Initiate Negotiations with Boeing



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Gavin Newsom
Governor

January 22, 2021

Mr. Michael Bower
Project Coordinator
The Boeing Company
Santa Susana Field Laboratory
5800 Woolsey Canyon Road
Canoga Park, California 91304-1148

OFFER TO ENTER INTO NON-BINDING, CONFIDENTIAL MEDIATION WITH
BOEING TO RESOLVE THE SANTA SUSANA FIELD LABORATORY FORMAL
DISPUTE DATED DECEMBER 6, 2019

CalEPA & DTSC Promise to Keep Agreements in Place

CalEPA/DTSC pledged that the negotiations were to hold Boeing responsible to the 2007 Order, not supersede It



Jared Blumenfeld
Secretary for
Environmental Protection

Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
8500 Cal Center Drive
Sacramento, California 95826-3200



Gov. Newsom
Governor

February 17, 2022

The Honorable James R. Bozajian
Mayor, City of Calabasas

The Honorable Stuart E. Siegel
Mayor, City of Hidden Hills

The Honorable Paul Grisanti
Mayor, City of Malibu

The Honorable Janice Parvin
Mayor, City of Moorpark

The Honorable Claudia Bill-de la R
Mayor, City of Thousand Oaks

Ms. Sheila Kuehl
Supervisor, Los Angeles County

Ms. Linda Parks
Supervisor, Ventura County

RESPONSE TO ELECTED LOCAL
COMMUNITIES SURROUNDING THE
LABORATORY REGARDING CLEANUP
LABORATORY

Dear Mayors, Supervisors and Councilmembers:

Thank you for your October 14, 2021 letter. We appreciate the importance of cleaning up contamination at the laboratory and holding responsible parties accountable for their cleanup commitments. The Department of Toxic Substances Control (DTSC) provides regulatory oversight of our efforts to protect people and the environment from hazardous waste. DTSC's cleanup obligations are critical interim soil cleanups that

commitment to advancing the cleanup at SSFL. We ensured that the debris removed by the U.S. Department of Energy (DOE) from Area IV was sent to an out-of-state facility licensed to receive low level radioactive waste as called for in DOE's 2010 Administrative

“DTSC is currently participating in non-binding mediation to hold Boeing accountable to the 2007 Consent Order and long-overdue cleanup.”

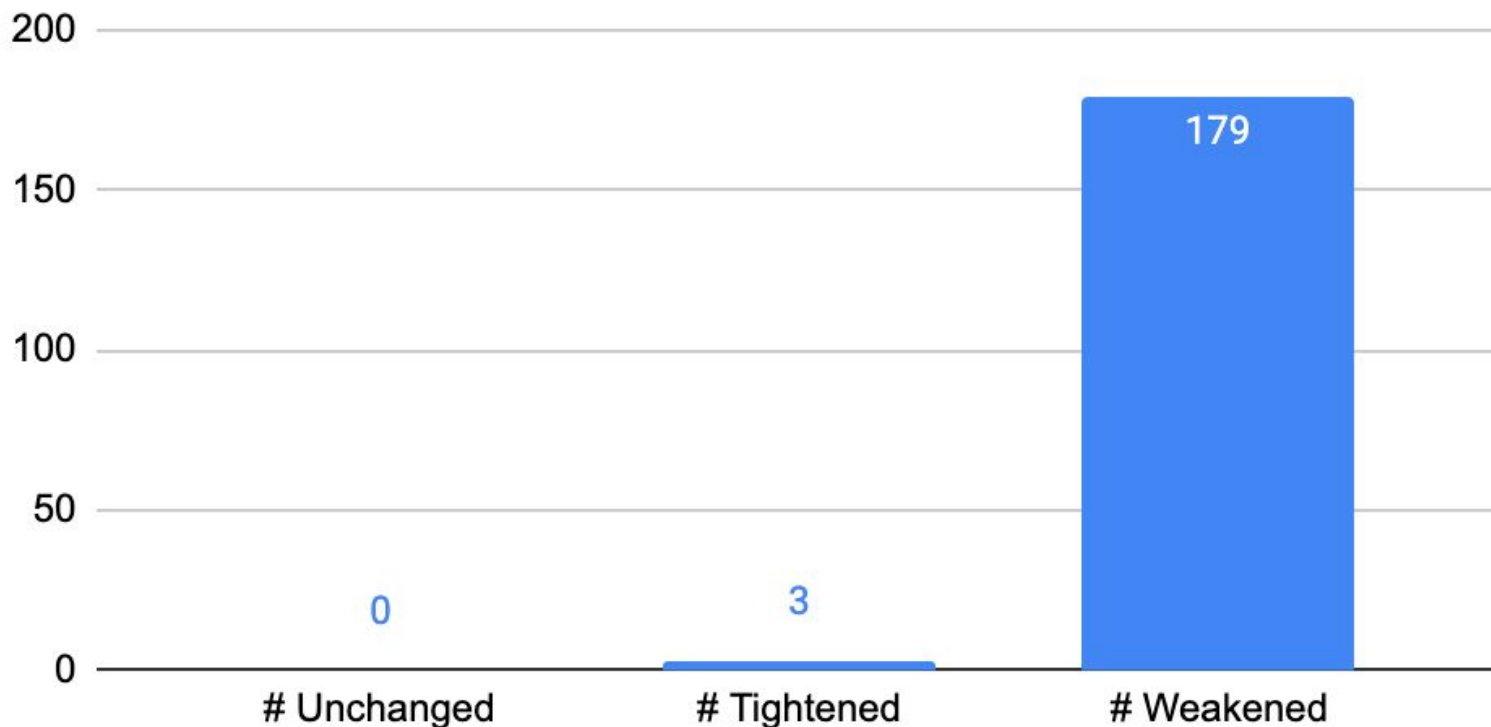
2022 Settlement Agreement Supersedes 2007 Cleanup Agreement

Does the Settlement Agreement replace the 2007 Consent Order? If not, how do they relate?

Some sections of the 2007 Consent Order are superseded by the Settlement Agreement to expedite the regulatory process while maintaining stringent cleanup standards. For example, Boeing's obligations under Section 3.2 of the 2007 Consent Order regarding Cleanup Schedule are replaced by the schedule presented as Exhibit 6 to the Settlement Agreement. A chart addressing the applicability of requirements of the 2007 Consent Order to the Settlement agreement is attached as Exhibit 22 to the Settlement Agreement.

2022 Settlement Agreement: Risk Based Screening Levels

Number of Chemicals Whose Cleanup Levels (RBSL w/ 100x multiplier) in 2022 CalEPA-Boeing Agreement Have Been Weakened vs. Tightened Compared to 2007 Consent Order



2022 Settlement Agreement: 5x and 100x multiplier

Factors By Which Boeing Santa Susana "Suburban Residential Garden" Cleanup Standards for PCBs and Dioxins Have Been Weakened in May 9, 2022 CalEPA-Boeing Agreement Compared to Requirements from 2007 Consent Order

Suburban Residential Garden PCB Risk-Based Screening Levels (RBSLs) and Cleanup Standard Comparison

Polychlorinated Biphenyls (PCBs)	RBSL Pursuant to 2007 Consent Order ^a (mg/kg)	2022 CalEPA-Boeing Agreement RBSL ^b (mg/kg)	Factor By Which RBSL Has Been Weakened	Factor by Which Cleanup Standard Has Been Weakened in Non-Biological Areas (5x Multiplier) ^c	Factor by Which Cleanup Standard Has Been Weakened in Biological Areas (100x Multiplier) ^d
Aroclor 1016	0.0138	0.247	18	89	1,790
Aroclor 1242	0.000486	0.00993	20	102	2,043
Aroclor 1248	0.000486	0.00971	20	100	1,998
Aroclor 1254	0.000488	0.0101	21	103	2,070
Aroclor 1260	0.000489	0.0109	22	111	2,229
Aroclor 5460	0.000486	0.00993	20	102	2,043
PCB TEQ	0.0000000075	0.000000158	21	105	2,107

Suburban Residential Garden Dioxins Risk-Based Screening Levels (RBSLs) and Cleanup Standard Comparison

PCDDs (Dioxins)	RBSL Pursuant to 2007 Consent Order ^a (mg/kg)	2022 CalEPA-Boeing Agreement RBSL ^b (mg/kg)	Factor By Which RBSL Has Been Weakened	Factor by Which Cleanup Standard Has Been Weakened in Non-Biological Areas (5x Multiplier) ^c	Factor by Which Cleanup Standard Has Been Weakened in Biological Areas (100x Multiplier) ^d
2,3,7,8-TCDD TEQ	0.00000000751	0.000000161	21	107	2,144

^a SRAM Final Revision 2 Addendum, 2014, Human Health Table, pdf pp. 1071-1073

^b SSFL DTSC-Boeing Settlement Agreement, May 9, 2022, Attachment 3 Exhibit 5, pdf pp. 132-136

^c See 2022 SSFL DTSC-Boeing Agreement, pdf pp. 192, 194-196

^d See 2022 SSFL DTSC-Boeing Agreement, pdf p. 200, Exhibit 11

Note: As the table indicates, for the great majority of the contaminants, the RBSLs and cleanup standards have been weakened in the new Agreement. All factors identified in columns D, E, and F greater than 1 indicate that the new Agreement values are less stringent than the previous ones. For a few chemicals, there has been a lightening, represented by numbers that are less than 1 (e.g. 0.9).

2022 Settlement Agreement

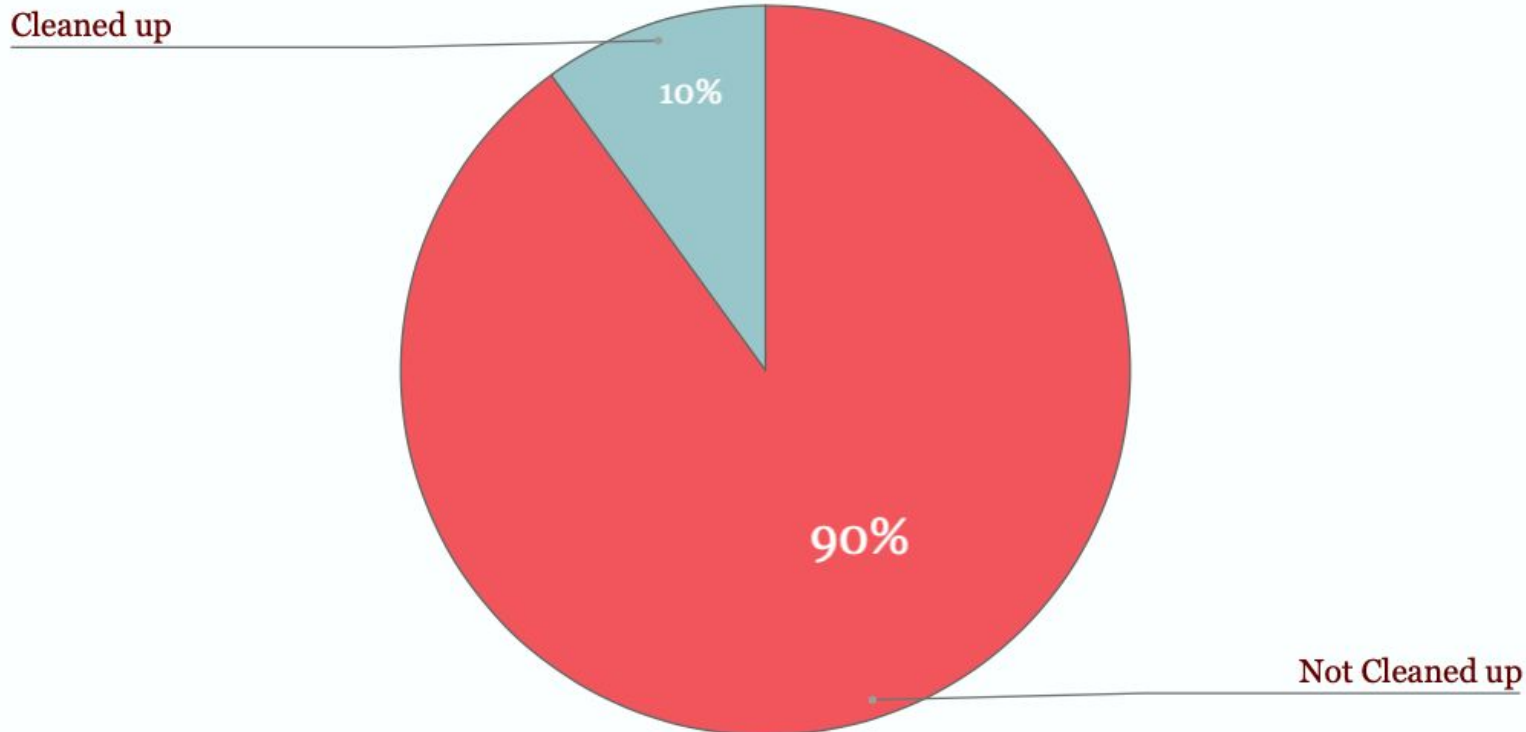
Limits total amount of soil to be remediated, regardless of how much contamination is found

WHEREAS, Boeing's position is that a soil remedy involving excavation and disposal of approximately 150,000 cubic yards of soil would be protective of human health and safety and the environment and would meet legal requirements in light of the reasonably foreseeable future land use of the Site as open space. DTSC has estimated that a soil remedy for the Boeing Areas of Responsibility to a residential with 100% garden standard could involve excavation and disposal of approximately 440,000 cubic yards of soil, which is approximately the soil volume for a residential with 100% garden cleanup as estimated in the Draft Program Environmental Impact Report, including all exhibits and appendices ("Draft PEIR") published in 2017 for the SSFL remediation. For purposes of resolving the Parties' dispute and accelerating the remedial activities at the SSFL, Boeing has agreed as part of this settlement that it will not contest a soil remedy decision by DTSC that is consistent with the processes, methodologies and schedule under this Agreement and the Exhibits, and is among the scenarios and within the range of estimates presented in the summary table on page iii of Appendix K to the Draft PEIR.

2022 Settlement Agreement: Best Case Scenario

Percentage of Chemically Contaminated Boeing Soil That Would NOT be Cleaned Up Under the DTSC-Boeing Deal

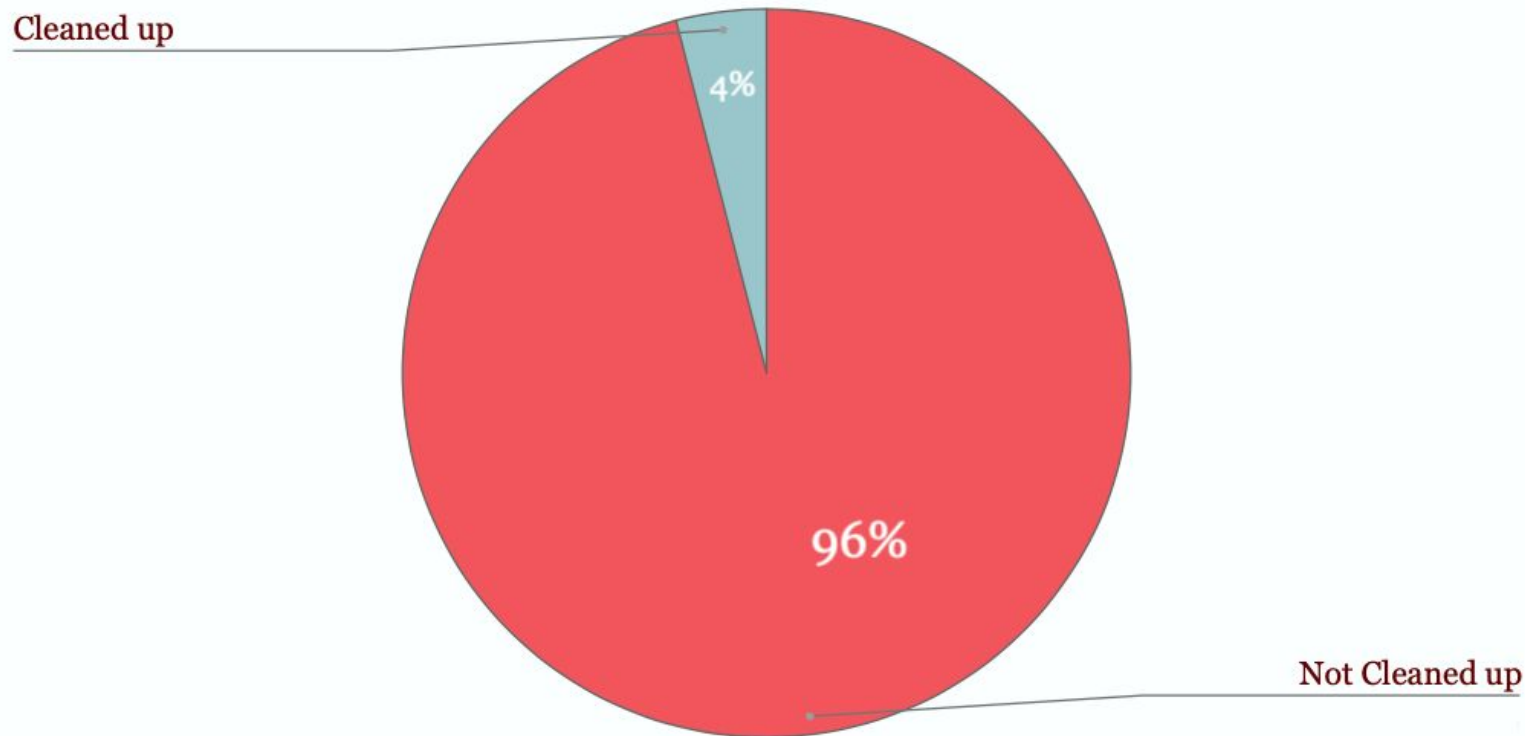
(Best Case Scenario, DTSC upper limit on soil cleanup)



2022 Settlement Agreement: Boeing's Preference

Percentage of Chemically Contaminated Boeing Soil That Would NOT be Cleaned Up Under the DTSC-Boeing Deal

(Boeing Preferred Scenario, in Agreement)

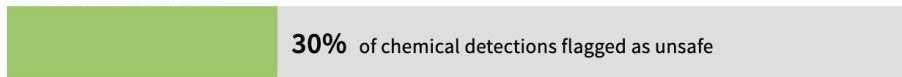


Reuters Investigative Report Confirms Settlement Agreement Analysis

How the cleanup requirements could change

Boeing agreed in 2007 to clean up enough pollution to make it safe for people to live and garden on the former Santa Susana Field lab property. Following a settlement with Boeing in May, the state is now considering different cleanup levels, all of which would leave behind more contamination, according to a Reuters analysis. Boeing's preferred approach would make the land safe for recreation. State officials say they still favor a stricter cleanup that would make the land safe for homeowners and gardening; however they are calculating safety thresholds differently, so even that option would clean up less pollution overall than Boeing agreed to earlier.

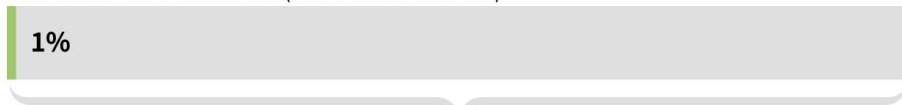
PREVIOUS AGREEMENT



2022 HOME AND GARDEN STANDARD (PREFERRED BY CALIFORNIA)



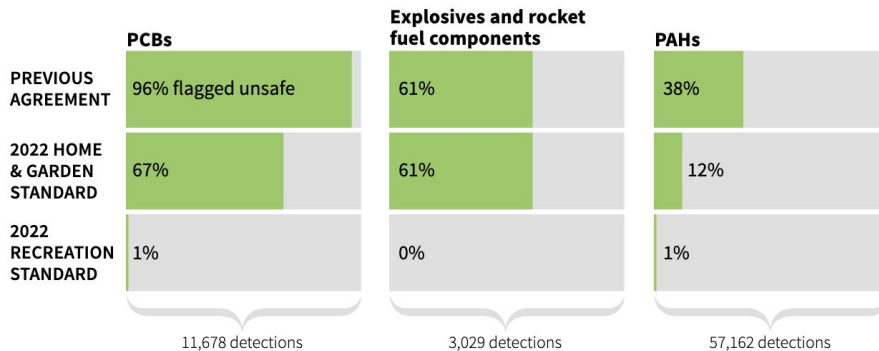
2022 RECREATION STANDARD (PREFERRED BY BOEING)



160,914 CHEMICAL DETECTIONS

The impact on three types of contaminants

Boeing detected 78 different contaminants on the site, including some that pose health risks and some that have migrated to the surrounding area.



Polychlorinated biphenyls are a group of manmade carcinogens banned for over 40 years. In addition to cancer, they have been linked to reproductive and immune problems in people and wildlife.

This group includes TNT, a believed carcinogen, and the rocket-fuel component perchlorate, which has been known to disrupt thyroid function. Perchlorate was heavily used at SSFL and has been found in groundwater nearby.

Polycyclic aromatic hydrocarbons (PAHs) are a byproduct of burning coal, oil and gas. Several chemicals in this group are carcinogens and can cause blood and liver disorders at high exposure.

Sources: Reuters analysis, California Department of Toxic Substances Control, Environmental Protection Agency, Centers for Disease Control

Read Full Article: [How Boeing created a nature preserve that may also preserve pollution](#)

2010 Agreement on Consent (AOC)

NASA & Department of Energy
Boeing

Background

2023 Programmatic Environmental Impact Report (PEIR)

NASA & Department of Energy
Boeing

Redefined & Exempted

2010 Cleanup Agreements: NASA, DOE & DTSC

Congress of the United States
Washington, D.C. 20515

October 14, 2021

The Honorable Jared Blumenfeld
Secretary
California Environmental Protection Agency
1001 I Street
Sacramento, CA 95812-2815

Dear Secretary Blumenfeld:

As we work to secure additional federal resources, we write to request an update regarding the status of the clean-up of the Santa Susana Field Laboratory (SSFL) site and to express our concerns about delays in the required clean-up.

As you know, clean-up of the SSFL site is of critical importance to the residents of Los Angeles and Ventura Counties who live near the site. It is imperative that the clean-up eliminate the potential significant health and safety risks for people who will continue to live nearby and those who will be using the site in future years.

At the federal level, we are absolutely committed to ensuring that the two federal responsible parties, the National Aeronautics and Space Administration (NASA) and the U.S. Department of Energy (DOE), uphold their commitments to the State of California and to our constituents to clean-up toxic chemical and radiological contamination at the SSFL site.

The 2007 Consent Order and 2020 Administrative Orders on Consent govern clean-up of the site and tasked the Department of Toxic Substances Control (DTSC) with responsibility for overseeing the clean-up. These Orders required that soil cleanup be completed by 2017, however the agreed upon soil remediation at the site has yet to begin. We are deeply concerned about the lengthy delays in the clean-up of SSFL, and we understand there have been reports that DTSC may be considering additional changes to the Standardized Risk Assessment Methodology, which may result in additional delays to the clean-up of soil contamination at SSFL.

We strongly support the existing cleanup agreements between the state and the three responsible parties. These agreements should be vigorously enforced and proceed with all appropriate urgency. We stand ready to take action at the federal level to ensure NASA and DOE are ready to proceed with the necessary clean-up pursuant to the 2007 Consent Order and 2010 Administrative Order on Consent, and we would appreciate an update on the status of the SSFL clean-up and the actions CalEPA and DTSC are taking to move forward with full site clean-up in an expeditious manner and to enforce those critical agreements.

Sincerely,



JULIA BROWNLEY
Member of Congress



BRAD SHERMAN
Member of Congress



ALEX PADILLA
U.S. Senator



JULIUS CORREA
Member of Congress



GRACE F. NAPOLITANO
Member of Congress

cc: The Honorable Gavin Newsom, Governor, State of California

2010 MAIN POINTS:

- Signed by NASA, Department of Energy, and Department of Toxic Substances Control (DTSC)
- Soil cleanup to be completed by Fall 2017 and a permanent groundwater remedy to be in place.
- Cleanup to **“background,”** that is, to remove all man-made contamination.
- All low-level radioactive debris and soil must be sent to low-radioactive licensed facilities and not local dumps.
- Exemptions to protect endangered wildlife and cultural artifacts

*2007 & 2010 cleanup agreements
supported by local, state and
federal elected officials*

Learn more about the cleanup agreements: www.parentsagainstssfl.com/cleanupagreements

Exemptions: Cultural and Biological

The 2010 “AOC” cleanup agreements included two clauses; biological and cultural exemptions. These were narrowly defined to prevent harm to endangered plants and animals and to protect cultural artifacts during the cleanup if there were no safe mitigation measures available.



PEIR: Biological Exemptions

AOC narrowly limits biological exemptions to where there has been a U.S. Fish and Wildlife Service Biological Opinion

FWS must determine if a background cleanup would violate two specific provisions of the Endangered Species Act (ESA)

“Clean up contaminants to local background concentrations. Possible exceptions (where unavoidable by other means): ...Impacts to species or habitat protected under the Endangered Species Act may be considered as possible exceptions from the cleanup standard specified herein only to extent that the federal Fish and Wildlife Service, in response to a request by DOE for consultation, issues a Biological Opinion with a determination that implementation of the cleanup action would violate Section 7(a)(2) or Section 9 of the ESA, and no reasonable and prudent measures or reasonable and prudent alternatives exist that would allow for the use of the specified cleanup standard in that portion of the site.”

Biological Exemptions

In order to have biological exemptions as part of the cleanup, a Biological Opinion from the U.S. Fish and Wildlife Service (USFWS) was required.

This opinion would need to be included in the Draft Programmatic Environmental Impact Report (PEIR) by its publication in 2017 so the public could comment, according to California's Environmental Quality Act (CEQA).

The 2017 Draft PEIR did not include a biological opinion from the USFWS.

Therefore, there can only be biological mitigation measures, not exemptions according to the 2010 AOC Cleanup agreements.

2022 Settlement Agreement: Ecological Risk Based Screening Levels

Want to learn more about the PEIR's impacts on wildlife?

Save the Date!

Wednesday, July 19th at 6:30pm

PARENTS AGAINST SANTA SUSANA FIELD LAB

TOWN HALL

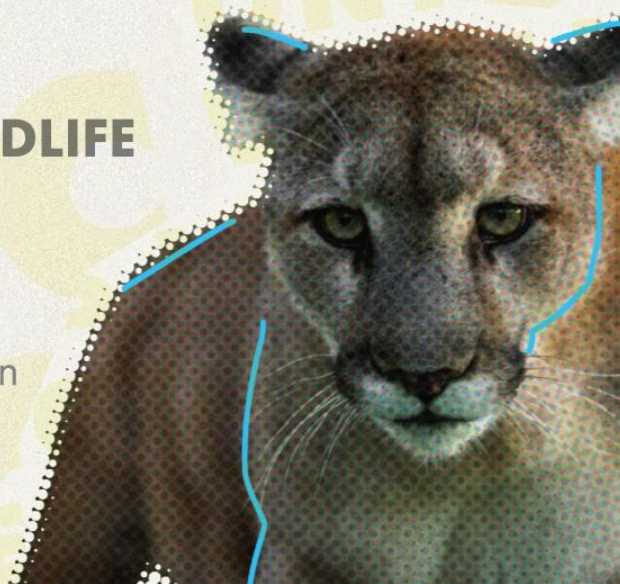
WEDNESDAY, JULY 19 | 6:30 PM | ONLINE

TOPIC: HARM TO WILDLIFE

Tevin Schmitt,

Watershed Scientist

Wishtoyo Chumash Foundation



BROKEN PROMISES

Programmatic Environmental
Impact Report (PEIR)

Dan Hirsch

President, Committee to Bridge the Gap and
retired Director for UCSC's Program for Nuclear
and Environmental Policy



PEIR Similarly Breaks the 2010 AOCs with DOE & NASA

The AOCs require cleanup to background – i.e., returning the site to the condition it was in before it was contaminated: “The end state of the site after cleanup will be background (i.e., at the completion of the cleanup, no contaminants will remain in the soil above local background levels).”

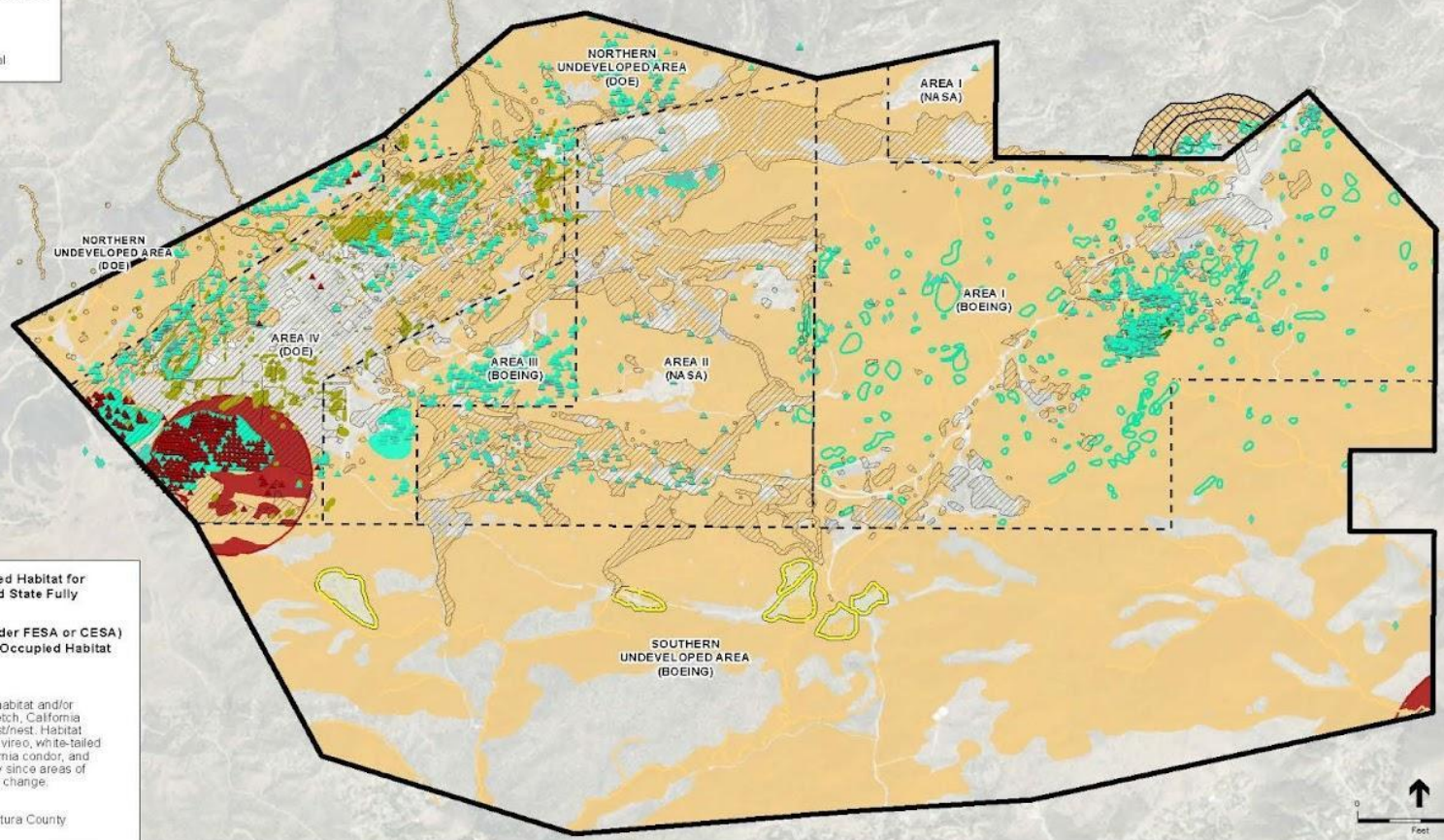
But the PEIR Improperly Gives Vast Exceptions to Cleanup




The AOCs narrowly limit biological exemptions to situations where there has been a US Fish & Wildlife Service Biological Opinion for cleanup to background that finds cleaning up specific areas to background would violate two specific provisions of the Endangered Species Act.

AOC: “Clean up contaminants to local background concentrations. Possible exceptions (where unavoidable by other means): ...Impacts to species or habitat protected under the Endangered Species Act may be considered as **possible exceptions from the cleanup standard specified herein only to extent that the federal Fish and Wildlife Service, in response to a request by DOE for consultation, issues a Biological Opinion with a determination that implementation of the cleanup action would violate Section 7(a)(2) or Section 9 of the ESA**, and no reasonable and prudent measures or reasonable and prudent alternatives exist that would allow for the use of the specified cleanup standard in that portion of the site.”

There has been no such Biological Opinion making such findings, thus no such exemptions are allowed under the AOCs. Yet the PEIR proposes exempting from cleanup all areas in yellow, green, or red in this extraordinary new map in the Final PEIR, representing almost the entire site.

-  SSFL Property Boundary
-  SSFL Administrative Area
-  Lead Shot and Clay Pigeon Cleanup Activities
-  Proposed Soil Remediation Areas
-  Potential Soil Borrow Area
-  DOE Area IV Radioactive Soil Removal



-  Class I: Critical Habitat or Occupied Habitat for Federally/State Listed Species and State Fully Protected Species **
-  Class II: Non-Listed (not listed under FESA or CESA) Special-Status Plant Species and Occupied Habitat
-  Class III: Sensitive Habitats and Jurisdictional Resources **

* Class I habitat only includes Critical habitat and/or occupied habitat for Braunton's milk-vech, California red-legged frog, and golden eagle roost/nest. Habitat occupied by mountain lion, least Bell's vireo, white-tailed kite, American peregrine falcon, California condor, and ringtail are not mapped in this category since areas of occupied habitat for these species can change.

** Sensitive Habitats include CDPW sensitive natural communities and Ventura County locally rare communities.



SOURCE: Gold Copy 2012, DOE 2012, Boeing/MWH 2016, NASA/Leidos 2016, USFWS 2016, ESA 2022

Santa Susana Field Laboratory.120804

Source: [Revised Draft PEIR](#) pdf p. 1135

Figure 6-2
Potential AOC Biological Exception Areas
[revised]

The PEIR states that the map represents
"preliminary **estimates of where
exceptions for significant cultural and
biological resources *would* be applied."**

([Revised Draft PEIR](#) p. 6-18 emphasis added)

PEIR estimates 338 of 541 contaminated acres would be thus exempted
 (~62% of DOE and NASA contaminated acres would not be cleaned up to background)

TABLE 2.6-1
SUMMARY OF POTENTIAL EXCEPTIONS ASSESSED IN DRAFT PEIR

Area	DOE Areas (acres)	NASA Areas (acres)	Boeing Areas (acres)	Total (acres)
Total Cleanup Acreage ^a	230	226	85	541
Potential Biological Exception Areas within Cleanup Areas ^b	134*	136	49	319
Cultural Resources Within Cleanup Acreage ^c	12	4	3	19
Total Potential Exceptions Areas	146	140	52	338

AOCs also prohibit “leave in place” remedies

Yet the PEIR proposes “Monitored Natural Attenuation”--leaving the contamination in place.

And the PEIR also proposes the option of bypassing cleanup at some locations and instead improperly relying on land use restrictions.

PEIR Also Eliminates from Consideration the Alternative of Cleanup to Background for the Boeing Portion

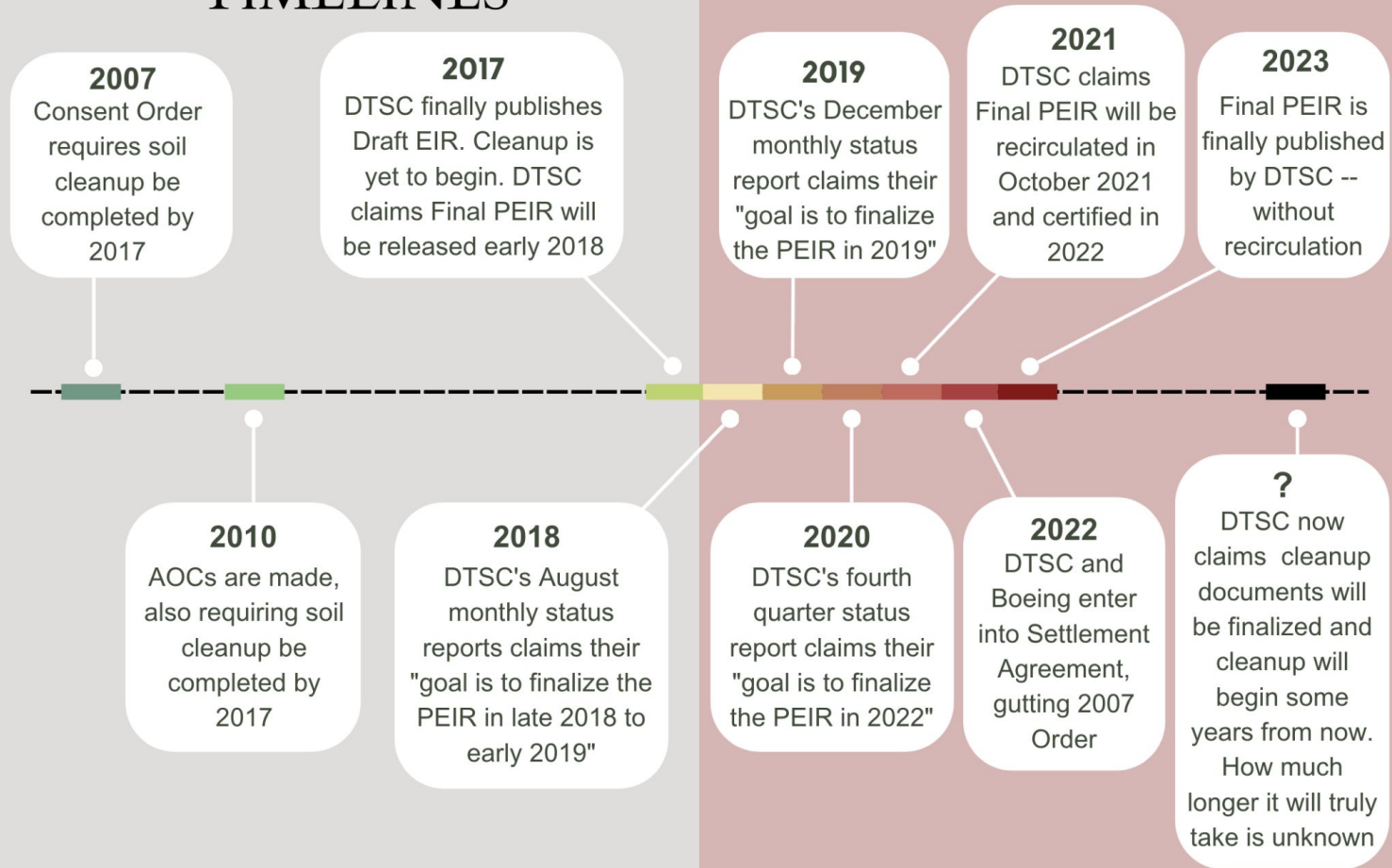
Despite DTSC assertions that there would be cleanup to background for the radioactivity for the Boeing part of SSFL, the actual agreement and PEIR allow much more than background to be left without cleanup.

And the PEIR eliminates from consideration the alternative of cleanup to background for Boeing chemical contamination, allowing instead greatly higher levels of pollution.

PEIR Also Violates Longstanding Commitments to Clean Up the Site to Standards Safe for All Uses Allowed by Ventura County Zoning and General Plan

Despite these promises, DTSC's PEIR rules out from consideration any alternative of Boeing cleanup to rural residential/agricultural standards, despite the fact that the land and surrounding areas are zoned to allow it, and there is such use. DTSC has previously written that such a standard would be required and is equivalent to background.

SSFL BROKEN TIMELINES



Summary

DTSC asserts the PEIR requires a “full” cleanup of SSFL. That is false.

The 2007 and 2010 agreements require such a cleanup, but the Final PEIR breaches those commitments regarding *all* 3 Responsible Parties, and allows large amounts of contamination to remain not cleaned up, putting people at perpetual risk.

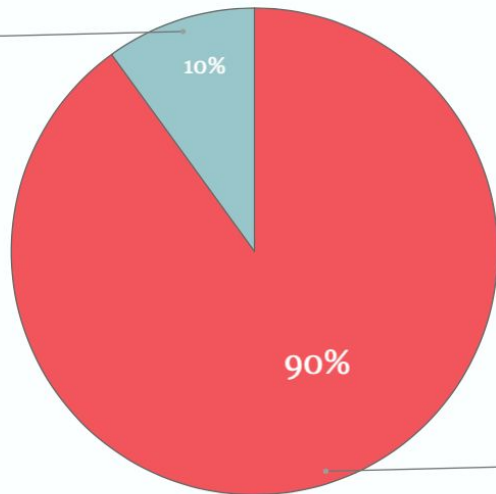
DTSC says the final cleanup decisions haven’t been made, and even if they stay on schedule (which has never happened), they are years away.

But the assertion that they have made no decisions now is misleading. The PEIR sets a *ceiling* – the cleanup can be no better than the weak levels in the deals they cut. It can – and likely will– still be made even worse, resulting in even less contamination cleaned up.

Percentage of Chemically Contaminated Boeing Soil That Would NOT be Cleaned Up Under the DTSC-Boeing Deal

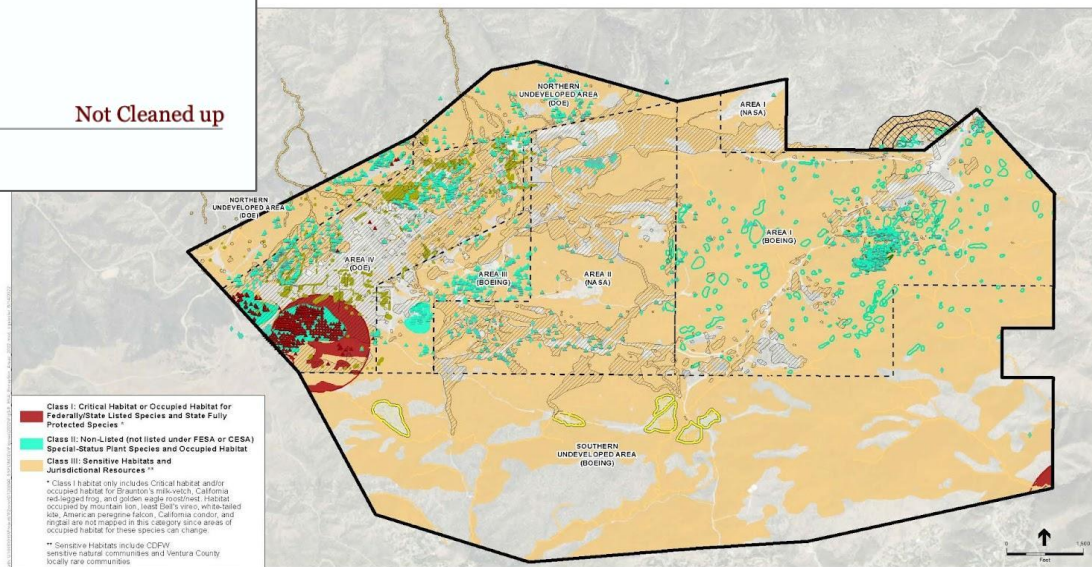
(Best Case Scenario, DTSC upper limit on soil cleanup)

Cleaned up



Not Cleaned up

PEIR Estimated Areas to be Exempted from Cleanup



DTSC Broke Its Repeated Commitments and Breached the Cleanup Agreements

Unless the reckless actions by DTSC are overturned, the public will be at perpetual risk from the extraordinarily dangerous contamination that is not going to be cleaned up.

BROKEN PROMISES

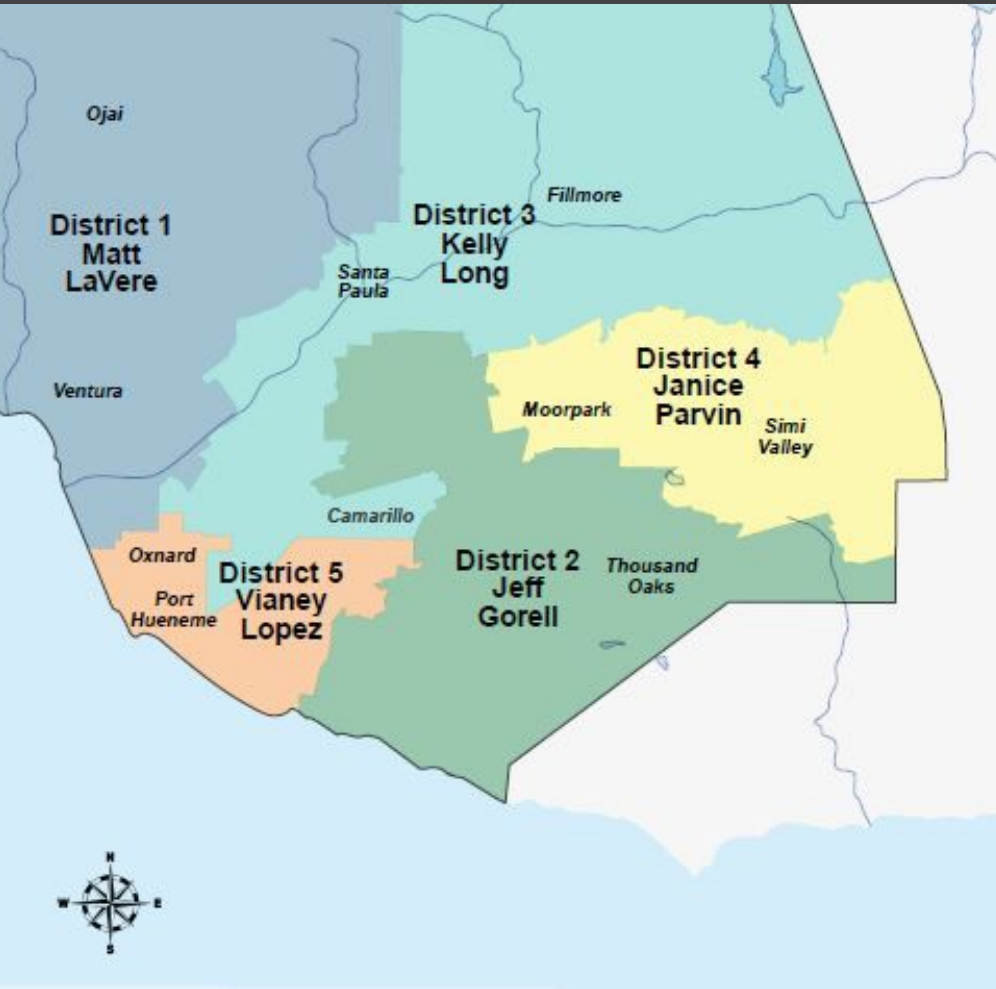
Next Steps

Lawrence Yee

Former Chair, Los Angeles Regional Water Quality
Control Board



Next Steps: Board of Supervisors



VENTURA COUNTY

Supervisor Matt Levere
Matt.LaVere@ventura.org

Supervisor Vianey Lopez
Vianey.Lopez@ventura.org

Supervisor Kelly Long
kelly.long@ventura.org

Supervisor Janice Parvin
Supervisor.Parvin@ventura.org

Supervisor Jeff Gorell
supervisorgorell@ventura.org

LOS ANGELES COUNTY

Supervisor Lindsey Horvath
thirddistrict@bos.lacounty.gov

Potential Message for elected officials:

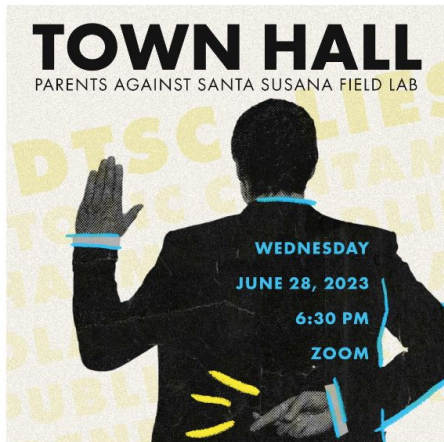
“I am concerned about the Department of Toxic Substances Control’s recent SSFL Environmental Impact Report and how it will result in the leaving of over 90% of the soil contamination on site. I support the full clean up of the Santa Susana Field Lab as outlined in the 2010 and 2007 cleanup agreements.”

Next Steps: Stay in touch

[View this email in your browser](#)



**PARENTS AGAINST
SANTA SUSANA
FIELD LABORATORY**
VENTURA COUNTY | LOS ANGELES



Presentation by our Expert Panel, followed by Q&A

We'll be discussing how DTSC's new report (Programmatic Environmental Impact Report or PEIR) will leave most of the contamination at the SSFL, permanently. This will harm people, wildlife, water, and the environment. The PEIR also breaks promises to the community and elected officials for a complete cleanup.

Learn how we have to fight back.

Register

Email us:

santasusanacampaign@gmail.com

Join our mailing list:

www.parentsagainstssfl.com/newsletter

