



Santa Susana Mountain Park Association

Dedicated to the Preservation of the Simi Hills and Santa Susana Mountains

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October 12, 2018

To:

Laura Rainey

DTSC Senior Engineering Geologist and Project Manager

Site Mitigation and Restoration Program

5696 Corporate Avenue

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Laura.Rainey@dtsc.ca.gov

Regarding Draft Closure Plans (Plans) for the U. S. Department of Energy (DOE) Hazardous Waste Management Facility (HWMF) and the Radioactive Materials Handling Facility (RMHF), in Area IV of the Santa Susana Field Laboratory (SSFL)

Dear Ms. Rainey,

SSMPA submits this letter to express our concerns about the closure plans for the above referenced phase of the SSFL closure, which principally relate to removal of structures and treatment of certain other areas.

We are concerned that DTSC continues to pursue a path that would unnecessarily impact nearby communities that would bear the burden of excessive cleanup represented by the "background" standards outlined in the AOC's. The background standard has been shown to be impractical by the draft environmental impact statements issued by DOE and NASA. Neither agency is able to locate soil that is "clean" enough to be used as replacement soil in sufficient quantity to replace soil that will be removed. Even worse, the quantity of **inert** material to be removed, defined as waste under the AOC's, represents approximately 85 percent of the materials to be removed! There is no valid purpose to this portion of the cleanup!

A telling graphic produced by DOE as part of their DEIS is attached as **Exhibit 1**. Furthermore, NASA's DEIS showed a similarly outsized amount of inert soil would be removed due to AOC definitions of contamination. Note that the AOC option, for the DOE management area, entails 70,000 truckloads of soil removal, and Exhibit 1 does not include the truckloads that would be needed to replace removed soil. Each of the 70 truck graphics on Exhibit 1 in the AOC column is equivalent to 1000 trips, per the legend on the lower right.

Millions, if not billions, of dollars would be spend to remove these inert soils, which are not classified as hazardous under any conventional evaluation standard used in hazardous cleanups. Neither DTSC nor any other governmental agency responsible for the cleanup has been able to set forth any compelling explanation for the inclusion of inert materials in the cleanup, other than that it is required under the AOC's.*

DTSC indicates that these cleanup provisions are to be evaluated under RCRA. (See the August 2018 DTSC "Community Update"). RCRA is a set of federal laws that state agencies working under federal guidelines, such as DTSC, are supposed to follow. RCRA sets requirements that a state's cleanup should follow practices in accord with the laws below:

42 U.S.C. The Public Health and Welfare Chapter 83 - Solid Waste Disposal

"Section 6902 - Objectives and national policy

(a) Objectives

The objectives of this chapter are to promote the protection of health and the environment and to conserve valuable material and energy resources by--.....

(4) assuring that hazardous waste management practices are conducted in a manner which protects human health and the environment;(and)

(6) minimizing the generation of hazardous waste and the land disposal of hazardous waste by encouraging process substitution, materials recovery, properly conducted recycling and reuse, and treatment." (emphasis added)

DOE requested community input on possible cleanup alternatives. The AOC approach is stated to remove 933,000 cubic yards of soil and replace it with 700,000 cubic yards (of "what" is not stated, but gravel was suggested in another document), using 115,000 truck trips and 40 million gallons of water. See **Exhibit 2**, outlining alternatives. Again, the DOE is approximately half of the project area that is proposed to be cleaned up under the AOC's.

The AOC's were contracts created as a California court case brought by Boeing, the other responsible party on the SSFL site, challenged the legality of a "background" standard for cleanup that did not recognize commonly used hazardous waste standards, did not recognize end use of the lands, and required soil removal of what eventually was found to be 5 to 10 times larger than a cleanup of soil that is actually contaminated. The Court case found for Boeing. A copy of the Judgment is attached as **Exhibit 3. In a later case, California SB 990 was also found to be invalid; DTSC apparently required NASA and DOE to sign AOC's in anticipation that SB 990 would be invalidated, as that legislation created a unique "background cleanup" standard for the site.*

We directors of the Santa Susana Mountain Park Association are confounded by DTSC's staunch insistence to clean the DOE and NASA management areas to background levels that include substantial inert materials, according to DEIS disclosures, given that provisions in US environmental law, under which DTSC is supposed to operate, require policies that minimize cleanup impacts.

As DTSC well knows, SSFL has only one usable road for access to the site, Woolsey Canyon Road. Hundreds of thousands of trucks would be traveling on this narrow winding road and on about three other roads to gain freeway access to remove soil and replace it with "something" that meets "clean" standards under the AOCs. It is ridiculous to put that pollution impact on the community to remove **inert** materials in such quantities. Side effects of accidents, including some deaths, are likely to occur due to the volume of the materials being moved. And when the combined obligations of DOE, NASA and Boeing are considered, these mostly unnecessary transport events would continue at five minute intervals for about 20 years. The scope and burden of cleanup can and should be reduced to reasonable levels based on time-honored, conventionally accepted standards for hazardous waste.

Anticipated end use of the SSFL should be considered. The most likely use will be open space and wildlife corridor habitat. The area can be permanently damaged by excessive removal of soil, replacement with a non-native rock that is not conducive to wildlife and plants they live with, and by possible introduction of non-native invasive species.

Sincerely,

Teena A. Takata
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About **Santa Susana Mountain Park Association:**

Santa Susana Mountain Park Association is a 43 year-old non-profit organization based in Chatsworth, Los Angeles, California.

We represent approximately 700 members and concerned citizens, and we partner with many organizations to promote ecological and recreational quality in Southern California.

SSMPA's mission is to preserve and protect the Simi Hills, Santa Susana Mountains, and regional open space.

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