From: Craig Cooper
To: Nicole Moutoux
Subject: Fw: CARE and TASC
Date: 01/14/2009 02:17 PM
Attachments: January 7th.pdf
OpposeWHNC.pdf
Governor Schwarzenegger 1 1 2009.pdf
Governor011209.pdf
Re_ Town Hall on the Santa Susana Field Laboratory.rtf
Secretary Adams re NPL listing.pdf
ACME_WHNC.pdf
January 7th.pdf

Nicole - I spoke with Christina about TASC and CARE today (per my discussion with Luis yesterday). Here is the email that Christina sent me in response. I am trying to work out a deal with Luis that **EPA** facilitates the needs assessment meeting with the TASC consultant and there is no **official** community sponsor. EPA would invite ALL parties to the meeting with the TASC consultant and all parties questions would be respected. Christina has agreed to this idea and I think (hope) Chris would to. Hopefully Luis (and his HQ contact) will agree with this approach. Luis and David said that if my idea doesn't work out, then the TASC would go to West Hills.....to which I said "Hell no". :). Don't panic, I think this will work out....It will just take more hand-holding and work than originally planned. I will fill in you more about this tomorrow. CC

p.s. I don't think we should forward these letters to anyone at this point. But they do provide a good us RPMs a good "behind the scenes" view of community beliefs.

==========

Craig Cooper
Superfund Project Manager
U.S. EPA Region 9
(415) 947-4148 (ph)
(415) 947-3520 (fax)

----- Forwarded by Craig Cooper/R9/USEPA/US on 01/14/2009 02:09 PM -----

Christina Walsh
<cwalsh@cleanuprocketdyne.org>

01/14/2009 12:41 PM

To Craig Cooper/R9/USEPA/US@EPA
cc william bowling <williamprestonbowling@yahoo.com>
Subject CARE and TASC

Thank for the time. I appreciated our conversation and your effort to make this all work. I hope it can as well. I felt that you should at least be aware of the letters that have gone around and been presented at the last WHNC meeting. I agree that All community voices should be heard, but for reasons clearly outlined in the letters from our community to the WHNC, I think ACME can, and would be honored to represent the community and have voices from all in the community who want to be involved, but co-sponsorship with WHNC would be problematic because of the issues with WHNC.

With regard to the CARE grant process, how to we move forward and will

that be through you?

Thanks
Christina

January 7th.pdf

OpposeWHNC.pdf

Governor Schwarzenegger 1 1 2009.pdf

Governor011209.pdf

Re_ Town Hall on the Santa Susana Field Laboratory.rtf

Secretary Adams re NPL listing.pdf

ACME_WHNC.pdf January 7th.pdf

West Hills Neighborhood Council 1/07/2009
Mr. Edwin Dockus
Mr. Steve Lenske
Co-Chairs

Dear Board Members,

I am writing you to express my opposition regarding the agenda of the town hall meeting and the position paper created by your Santa Susana Mountains Area Committee.

The Department of Toxics Substances Control (DTSC), a government entity that protects our human health has said that they will not be involved in such a town hall meeting. Yet the Chairs of the town hall meeting have used their alleged involvement to involve other agencies under false pretenses. As per the agenda and the e-mails sent around by the chair, the town hall meeting will be put on with the polluters point of view. This is very disturbing as we need a neutral third party such as the DTSC or the EPA backed Santa Susana Field Laboratory Inter-Agency Workgroup.

I hereby resign from the Santa Susana Mountains Area Committee as they have not listened to my concerns and released a position paper to Linda Adams of the Environmental Protection Agency without my input, or any input from longtime community members who know the issues.

We have a law in place signed by the Governor (SB990) and any question of this law is bringing us back 30 years and will increase the risks of Aerospace Cancers.

William Preston Bowling - Founder/Director
ACME (Aerospace Cancer Museum of Education)
williamprestonbowling@yahoo.com 310.428.5085
http://www.ACMEla.org
23350 Lake Manor Drive
Chatsworth, California
91311

FX-6 Personal Privacy

[redacted]

January 1, 2009

Governor Arnold Schwarzenegger

300 South Spring Street, Suite 16701
Los Angeles, CA 90013

Dear Governor Schwarzenegger,

The purpose of my communication with you today is because I feel there is an urgent need to reach you about a decision that will be made by you on the Santa Susana Field Lab (SSFL) by January 15th, 2009. You must make a decision as to whether to list this site as a federal Superfund National Priorities List (NPL) site and communicate your decision to Wayne Nastri of Region IX of the federal Environmental Protection Agency (EPA) by that date.

Last year, two things occurred relative to this site at the same time. The SSFL community lead by a number of environmental activists had asked for many years to get this site listed as an EPA Superfund NPL site. So the EPA came to the SSFL and recharacterized the site. And in December of last year, the site qualified for a listing.

In the meantime, some of those same activists were working with State Senator Sheila Kuehl and Assembly woman Julia Brownley to get SB 990 passed.

You signed SB 990 into law in October 2007. But you did so with a caveat – Senator Kuehl must promise to author an amendment to SB 990.

At the same time, that you were signing a Letter of Intent (LOI) with Boeing to donate their portion of the SSFL (approximately 2400 acres of land) to the State as parkland. This LOI is nonbinding.

On January 1, 2008, SB 990 went into law. Since that time, because SB 990 was not amended, the State has been in negotiations with Boeing as to whether they will still donate the land to the State.

In early January 2008, CAL EPA Secretary Linda Adams began meeting with numerous environmental activists and some community members. And as a result, she sent out three letters:

One was sent to Senator Kuehl relieving her of her duty to amend SB 990.

The second was an LOI with primarily environmental group leaders – not individuals, stating that CAL EPA would continue to retain the lead over the site with the assistance of DTSC. Some of those environmental leaders are heads of their organizations and probably have never seen the site.

Secretary Adams requested an extension of 6 months to determine if the site should be listed as an EPA NPL site. Then in July 2008, she requested a second extension of the decision to list as a Superfund site

In the meantime, the Department of Energy (DOE) is under Court ordered EIS for AREA IV of the SSFL. Congress appropriated funding for "Background" studies to be done in a cooperative manner between the DOE and the EPA.

In September 2008, the EPA and the DOE were called to Washington, D.C. for federal facilities hearings under Senator Barbara Boxer's committee. Senator Boxer asked the DOE (Frank Marcinowski) if they would agree to clean up AREA IV to EPA standards – he said that they would.

Then Senator Boxer asked the EPA to clean up the rest of the site to EPA standards – and the EPA (Susan Bodine) stated that they were not the lead on the site. Senator Boxer asked – "who is"? and Ms. Bodine said "the State". And Senator Boxer asked if the EPA would help the State clean up the site – and Ms. Bodine said that they would.

http://epw.senate.gov/public/index.cfm?FuseAction=Hearings.Hearing&Hearing_ID=538d2b0b-802a-23ad-4dda-f56bd2003b72

Now in November 2008, the community has learned that the DOE wrote to the EPA Region IX and requested that the site be listed as a Superfund site. And at about the same time, NASA also requested an EPA listing.

The West Hills Neighborhood Council (WHNC) is an advisory body under the City of Los Angeles charter to the City Council. We have been involved as a body with the SSFL for some years. Members of the activist community speak before our Board each month on the SSFL. And we have a committee called the "Santa Susana Mountain Area Committee" that meets each month that addresses the public health and environmental aspects of the SSFL. Some agency leaders and Boeing employees have been to some of our meetings.

As a new Board member of the WHNC, one of my first acts was to get the WHNC Board members invited to the SSFL for a site tour with Boeing, NASA, and the

DOE. We consider these entities "stakeholders" in our community just as the community members are stakeholders.

About 8 Board members did have a site tour and presentation by Boeing, NASA, and the DOE in November 2008. We were given a formal presentation by those owners and operators.

Mr. Thomas Gallacher of Boeing will not speak of the costs to remediate this site to Boeing. He did indicate a desire for it to remain as "open space" and as a valuable wildlife corridor.

What is happening is that the law – SB 990 is in conflict with the EPA method of determining cleanup standards. Under the EPA, the whole site would be characterized, the future use would be determined, and the site would be cleaned up to the appropriate human health and environmental risk standards.

Under SB 990, the community is looking at the land as zoned "rural residential" and they want it cleaned up to a 100% agricultural use standard. In other words, all of the food that you consume is grown on your own property. Yet they still want the land donated as parkland.

It is my understanding that every agency leader, the owners, and the operators, as well as the government officials involved in this site – each interprets SB 990 differently. Therefore what was a tremendous victory for Senator Kuehl and Assembly woman Brownley in terms of environmental protection is turning into a nightmare to apply. The EPA does not see SB 990 as an ARAR – "Applicable or Relevant and Appropriate Requirements".

There should be three goals: to protect the public health, to protect the environment, and to protect the budget.

I believe that the full community is not adequately being assessed as to the complexities of the cleanup that they are asking for. What has been ordered recently in the "Northern Drainage" of this site has essentially stripped the land to bedrock. This means that endangered species could have been impacted, and certainly, a major area of cultural interest was cleaned up without an archaeologist present.

The costs in my opinion are staggering. One figure is that to remediate this whole site will be a billion dollars. Again, Boeing will not speak to their figures publicly.

However, based on estimates from the DOE and NASA, the costs to clean up the DOE and NASA portions – which would need to be appropriated by Congress - could be about $200 million to clean up to a residential standard, and about three times that - $600 million to clean up to the agricultural standard.

So what I am asking you is to listen to everyone – not just the activists.

Please take the time to consider the impacts of what requiring a clean up to the SB 990 level with a 100 % agricultural land use will have on the economy, on the land, and on the future use of the site.

I believe that if you require Boeing, NASA, and the DOE to clean up to SB 990 standards, that Boeing could then try to recover costs by selling the land as multimillion dollar home sites. I don't think that the site can be cleaned up to remove all of the toxic chemicals in the groundwater below or the radionuclides that are present – or at least not in our lifetimes. So I don't ever want this property to be sold for homes – it is imperative that you lock in an agreement of a donation of this land with Boeing while also having them agree to clean up the site to a residential standard that will protect the neighboring properties. The DTSC or the federal EPA can determine the standard that is necessary to clean up this site. But I believe that it is premature to require anything above a residential standard until the whole site is characterized. Health risks are based upon exposures – if no one ever lives there, the site itself would not require the higher standard of cleanup. What is in many ways more important is to determine what has been buried or has migrated offsite that presents a public health risk to the community. So please do not look at this site in isolation – more than 500,000 people are predicted to be impacted by this site.

SB 990 states that it was written to protect the public health and safety and the environment. If CEQA and NEPA standards are not implemented here to protect the environment, not only will we lose endangered species, but artifacts from the Chumash people and other prehistoric groups will be lost in the cleanup process.

Please lock in an agreement with Boeing to cleanup the site to a residential standard and donate it to the State or another entity as parkland with their assurances to continue to maintain the site for at least 30 years. And please set aside part of this property as a "Sacred site" for the Chumash people, and another part as a monument to the work done here to support NASA.

Thank you.

Christine L. Rowe

23350 Lake Manor Drive, Chatsworth, CA 91311

January 12, 2009

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

Cc: CalEPA Secretary Linda Adams; SSFL Project Director, DTSC Norman Riley

Re: NPL Listing of Santa Susana Field Laboratory
Position: Non-concurrence with stipulation to revisit

Dear Governor Schwarzenegger,

Cleanuprocketdyne.org and ACME the Aerospace Cancer Museum of Education has been deeply involved in the clean-up efforts and lack thereof, for eight years now. We have seen extraordinary changes in the State's commitment to the site, thereby its' ability to enact change in an otherwise stalled process through past appellant efforts at every turn.

Today is different. Today, we have law on our side. SB 990 passed overwhelmingly and with bi-partisan support. The City of Los Angeles, as well as the West Hills Neighborhood Council supported SB990 when it was ratified into law, as well as previous legislative efforts such as SB1444 also by Kuehl. We now have a mechanism, to get this right. Our confidence is with the State and the current leadership, who has been largely responsible for the Consent Order which has moved us into a long-needed, new and positive direction.

It is California's legacy, not EPAs and therefore ours to get right. This is not about blame, this is about responsibility. We cannot afford to allow another generation to go by, and say, "we tried, we did all we could." We now have a law, and a responsibility to that law, to get it right and see it through. We MUST see to the details of the best, most protective clean-up possible, and we have that in SB990, and the collaborative work we see ahead. We cannot just skip ahead to building a park with a monument because some don't have the attention-span or patience to bother. The only monument that I see as appropriate, needs to include the name of every person impacted, and their cancer or other illness, and we have now started that process in the "ACME Memorial Tile Project." The test-stands are contaminated with TCE from more than 200,000 rocket tests according to Rocketdyne's own brochure. We need proper characterization and clean-up of all pollutants of concern before any discussion of reducing the work to be done by putting a plaque on a test-stand. No one will be back again, there is no do-over, so we must think about the big-picture.

<u>ARAR Applicable or Relevant Appropriate Requirement</u>

cleanuprocketdyne.org and acmela.org are in affiliation with International Humanities Center, a nonprofit public charitable organization exempt from federal income tax under Section 501[c](3) of the Internal Revenue Code - EIN 33-0767921 Checks may be made payable to International Humanities Center/CURO/ACME. Environmental advocacy through the arts, for proper clean up to the most protective standards for the Santa Susana Field Laboratory and other legacy aerospace sites. ACMELA.ORG is made possible through a generous grant from the Annenberg Foundation, showing their ongoing dedication to environmental advocacy and awareness. www.annenbergfoundation.org

The fact that EPA is signaling its intent to file an ARAR waiver on SB990 should tell us that we cannot afford to have EPA in the lead here. There are requirements under NCP[1] that require public notice, public process and comments from the community and state. The very idea that EPA might file a waiver to SB990 on the basis of specificity is even further alarming. It is inappropriate for EPA to make such a claim where a law might not be ARAR on the basis of specificity. JPL or perhaps Rocketdyne Canoga, now owned by Pratt Whitney could potentially make a claim that SB990 is not ARAR to them because it was written for Santa Susana Field Laboratory, and they are not the SSFL. The law was written to mandate action on the part of the owner/operator, or "polluter," which EPA is neither. EPA' job is to carry out and apply the law. If they are saying they will have trouble doing so, I think we need to listen, and say, "thanks, but no thanks" to NPL listing and USEPA lead over the State.

SB990 was written and passed through legislation to mandate clean-up that was otherwise not occurring to the satisfaction of the constituents of California. It is the specific circumstances about SSFL that are unique, in being the only nuclear melt-down in California's history that inspired, and require specific law to apply. That is what the legislative process is for. It is not appropriate to now question this law, when our job is to carry out this law, in the best possible way. Time for opposition is long since past, like it or not, the law was signed in 2007. It is now 2009 and it's time to get to work.

Since California can only legislate on issues within the State, and all other nuclear melt-down sites are located outside of the state, they therefore can only execute legislation within its borders. To then, claim that the law is not ARAR for that very same reason is outrageous, especially to make such a claim, so early in the process of characterization. We cannot afford to hand leadership of this site in the face of this knowledge of the impending result of that action – to do less than the law in the State of California.

Section 121(d) of CERCLA[2] where "Superfund will invoke an ARAR waiver (front-end decision) they must provide notice of this intent. This process under § 300.500-515 and § 300.430. This will clearly add to the time for the clean-up by perhaps a decade or more. It is also clear under EPA guidance that "shorter remediation timeframe reduce potential for human exposure and environmental receptors. Within the State process, we have an aggressive and attainable timeline in place in the Consent Order as signed by all parties in 2007. That process with SB990 implementation is on the desks of each of the parties today, and it is their responsibility to re-state their commitment to clean-up as they did when originally signing this binding document in 2007. "Clean up standards may take longer when EPA invokes ARAR waiver.."[3]

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[1] NCP National Oil and Hazardous Substances Pollution Contingency Plan, 1990: requires compliance with ARARs during remedial actions and removal actions to the extent practicable.

[2] CERCLA Comprehensive Environmental Response Compensation Liability Act of 1980 require that remedial actions "attain" or "waive" all federal ARARs or more stringent State Environmental ARARs

[3] CERCLA USEPA Guidance on ARAR.

We need to remember the behavior that got us here. We have several studies that all show increased cancers around the site, so instead of trying to trump those scientific efforts with new ones to erase the facts, let's put that energy into the best possible clean-up with our eyes open.

It wasn't because of a few beads left in the creek by the Chumash, that caused the ISEO to be issued on the Northern Drainage (Outfall 9). The headwaters to this creek is a drain pipe from the IEL and B1 areas of the SSFL and it was lead, asbestos, PAHs that were the problem, and the problem continued for decades. Let's not hide behind archeological issues when it was 1100 rocket igniters that were buried under an oak tree in a creek bed…in the park next door. It is **these** behaviors, that has left a legacy of a toxic mountain, and a mountain of issues. It wasn't a lone-"disposal operator" from the fifties, it was a mindset. We cannot afford to go back to that mindset today.

As far as SB990 implementation, there are really very few radionuclides where we have a problem with detection limits vs. the true PRG and for those, we need to deal with it, with our eyes open and agree to methods and technology and that involve compromise. But we cannot compromise on the law. We can work to these solutions and find fair background for comparison. We need to be careful that we don't just bull-doze the process or the site, in an effort of a "quick exit" or "quick park."

Finally, with SB990 the clean-up guidance is under chapter 6.8 of the H&S code, wherein there is no appeal process, we therefore, should not continue to stagnate under appellant efforts such as those [Boeing] efforts that took us to the State Water Resources Control Board due to violations of the Clean Water Act in recent years. The attention and effort will therefore remain with the proper remedy efforts emphasizing science and technology, instead of litigious efforts to avoid compliance. We have been defending SB990 for a year now. We feel it is time for us all to roll up our sleeves and get to work and see what can be accomplished.

Thank you for the opportunity to provide our perspective in this important decision.
With sincere thanks for your time and consideration,

Christina Walsh
Cleanuprocketdyne.org, founder/director
ACME Aerospace Cancer Museum of Education
A project of the International Humanities Center
and made possible by the Annenberg Foundation
http://www.cleanuprocketdyne.org
http://www.acmela.org
http://www.ihcenter.org
http://www.annenbergfoundation.org

January 7th, 2009

RE: SB990, SSMAC and Town Hall Meeting

Dear West Hills Neighborhood Council:

We address ourselves to you directly regarding the cleanup of the Santa Susana Field Lab, SB990 and the proposed Town Hall meeting before this Council, and to outline some specific steps that the WNHC can take to ensure the full information and protection of its residents and their environment and health.

We bring our comments directly to you, the Council, rather than the Santa Susana Mountain Area Committee (SSMAC) formed by this Council to deal with SSFL issues, because we all find it impossible to work with the SSMAC as it advocates negotiation and reinterpretation of legal and scientific process -- the established law, SB990, which guarantees the highest possible level of nuclear cleanup at the site.

All levels of government -- federal, state, and city-- as well as all established environmental advocacy groups have stated in writing their unequivocal support for this critical and effective law; it is impossible to understand how any interested group --other than the landowners or polluters -- to advocate or allow discussion of anything but the implementation of this law.

The SSMAC advocates arrival at a cleanup standard that is "acceptable to all" -- including the landowner and polluter. SB990 guarantees the highest possible cleanup standard -- with no sway towards what the landowners and polluters would like.

Through the WHNC and its SSMAC, it seems as though established law is being targeted for reform rather than support; we cannot understand why, and why the WHNC does not instead put its support behind this law and the established Interagency Work Group on the SSFL, which is the mandated agency to handle the SSFL cleanup and its issues.

This last issue brings us to the Town Hall planned by several members of this Board; we fellow members of the SMMAC just learned that (a) no public voices will be allowed on the speaker list -- nor those of the government regulators -- only the polluter and landowners. This very expensive event -- at taxpayer expense, from an empty City treasury --will do nothing more than provide a venue for the polluters to once again spin their misinformation on an unsuspecting public, as they've done for decades before.

We hereby oppose the Town Hall in entirety and ask that the Neighborhood Council cancel the plans; we hereby ask that the Neighborhood Council write a letter of unequivocal support for SB990; and we ask that the Neighborhood Council focus all

its efforts on participating in the Interagency Work Group meetings, learn from all the regulators who actually work together rather than in conflict, as has been characterized here before. We reference the City of Los Angeles Resolution of 2007: "The City of Los Angeles hereby SUPPORT(s) SB990...to certify that the SSFL land has undergone remediation pursuant to the most protective standards available."

Thank you,

Elizabeth Crawford
RocketdyneWatch.Org

Christina Walsh
cleanuprocketdyne.org/ACME

William Bowling
ACME/Aerospace Cancer Museum of Education

Dawn Kowalski
Marie Mason
Santa Susana Knolls Homeowners Association

Holly Huff
Rocketdyne Cleanup Coalition (RCC)

Bonnie Klea
Author of Special Exposure
Petition 093 for the Sick and Deceased
Santa Susana Workers
Under the U.S. Department of Labor
Energy Employees Occupational Illness
Compensation Program Act

Cc: Los Angeles City Council, Dennis Zine, Greig Smith, Eric Garcetti, Norman Riley, DTSC; Zev Yaroslavsky, Mike Antonovich, Assembly Member Julia Brownley, Senator Fran Pavley, Ventura County Supervisor, Linda Parks,

23350 Lake Manor Drive, Chatsworth, CA 91311

January 7, 2009

West Hills Neighborhood Council
Mr. Edwin Dockus
Mr. Steve Lenske
Co-Chairs

Dear Mr. Dockus, Mr Lenske, and board members:

I am a thirty year resident of West Hills and was also the previous president of the West Hills Property Owners Association which preceded the WHNC. I have attended every meeting held by the SSMAC committee and have eight years of research experience, up-close on the SSFL issues and have even co-written a book on the subject. Our research includes the analysis of thousands of documents and tens of thousands of photographs, half of which were taken personally. Our work at ACME, the Aerospace Cancer Museum of Education and cleanuprocketdyne.org, has received positive results and glowing feedback from DTSC, U.S. EPA, the LARWQCB, CDPH, members of the California State Senate and Assembly, NASA, DOE, and even the Stormwater Expert Panel hired by Boeing for water quality issues. My long time involvement and participation in the clean-up and characterization process includes several actual clean-up actions such as the ISEO issued by DTSC and a CAO by the Waterboard which were both issued based on our discoveries. Despite and my attendance at every SSMAC meeting, ALL of my written comments of concerns regarding this position paper, as well as the town hall meeting concept have been totally ignored without even the courtesy of a response. That is not appropriate "committee process" nor is it appropriate considering my experience related to the site.

Additionally, it was NOT the wish of the people attending the SSMAC committee or anyone else, to write a position paper, yet it is portrayed as such here. This was a self-appointed document by Dr. Wiseman who obtusely excludes the views of the involved community in favor of the polluter. It is completely inappropriate. It is also inappropriate for West Hills Neighborhood Council to challenge the law, and I must therefore formally withdraw my participation from this committee and strenuously oppose the "Position Paper" and proposed Town Hall Meeting, as both are intended to circumvent existing law and reduce the level of clean-up accomplished. Based on the mission statement and by-laws of this council, Article III which SSMAC committee actions are inconsistent with, so I must further protest that the continued efforts of the SSMAC committee to create a venue to question the law is beyond the scope and even contradictory to the WHNC mission as stated therein.

Mr. Daniel Hirsch points out, "Compliance with SB990 is not an option. SB990 is the law. Laws are not optional, they are mandatory," He further states, "... Describing 990 as merely an option, and entertaining options that involve violation of 990, merely feeds the fantasy on the part of Boeing and DOE that perhaps they can get out from under complying with the state law. That would be an unfortunate development. They must comply, and any dangling of the potential to evade compliance can only drag out the cleanup."

cleanuprocketdyne.org and acmela.org are in affiliation with International Humanities Center, a nonprofit public charitable organization exempt from federal income tax under Section 501[c](3) of the Internal Revenue Code - EIN 33-0767921 Checks may be made payable to International Humanities Center/CURO/ACME. Environmental advocacy through the arts, for proper clean up to the most protective standards for the Santa Susana Field Laboratory and other legacy aerospace sites. ACMELA.ORG is made possible through a generous grant from the Annenberg Foundation, showing their ongoing dedication to environmental advocacy and awareness. www.annenbergfoundation.org

DTSC's Norm Riley has also made it clear that if Boeing/DOE/NASA fail to live up to their agreement in a cooperative manner, that he will make sure that they do so under his authority as designated by SB990 and the State, and will issue the new order, for SB990 implementation unilaterally as an "enforcement order" if needed."

The Town Hall Meeting, as proposed by WHNC is inappropriate, irrelevant, and counter productive to accurate public dissemination. The SSFL Workgroup exists for this purpose with oversight by DTSC and EPA.

By Dr. Wiseman insisting on promoting this "position paper" and maintaining that there is some sort of disagreement between the parties (whether Boeing likes this agreement or not), he betrays a lack of understanding of the issue, or worse, is possibly trying to torpedo the process, which has been carefully worked out but more importantly, withstood the legislative process. It is not the purview of this body to question the state legislature on a bill that was supported by the City, largely due to the pressure from constituents in West Hills and other neighboring communities.

Dr. Wiseman's intentions are far less important than the results of his actions. What he is doing amounts to an attempted hijacking and derailing of the long-time efforts of community members/groups to clean up SSFL. This is extremely divisive. I urge the Council to reject them and become active participants in the SSFL Workgroup.

The very notion that the West Hills Neighborhood Council is now making an effort to circumvent those voices in favor of those of the polluter in the Town Hall Meeting concept, again to create a new process instead of participating in the existing process, further demonstrates a lack in cooperation, making any collaboration under these terms, impossible. However, we do collaborate as a community, as is demonstrated by this group letter signed by a list of community organizations that understand the big picture. We urge the West Hills Neighborhood Council to follow community lead, and participate in the existing process instead of trying to derail it. I respectfully urge this council to designate participants to attend the workgroup meetings each quarter, the next of which will be held February 26th.

No one will be back to fix this again, so what we do now, the decisions we make today, will have lasting impacts on generations to come, and there will be no "do-over." Please take this issue seriously and consider engaging instead of sabotaging the process. Thank you.

Sincerely,

Christina Walsh
Cleanuprocketdyne.org, Founder/Director
ACME Aerospace Cancer Museum of Education, Co-founder

Cc: Los Angeles City Council, Greig Smith, Dennis Zine, Bill Rosendahl, Eric Garcetti, County Board of Supervisors, Zev Yaraslovsky, Ventura County Board of Supervisors, Linda Parks, Louise Rishoff, District Director for Assembly Member Julia Brownley

From: Christina Walsh <cwalsh@cleanuprocketdyne.org>
Date: December 25, 2008 6:57:48 AM PST
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Cc: "Elizabeth Zlotnik" FX-6 Personal Privacy
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FX-6 Personal Privacy, <williamprestonbowling@yahoo.com>, "Christine Rowe"
FX-6 Personal Privacy >, "Norm Riley" <nriley@dtsc.ca.gov>
Subject: Re: Town Hall on the Santa Susana Field Laboratory

As we know, many living in SSFL's shadow know nothing of its existence, much less its history or current crises ... so why not make a major push toward public awareness? However, I am disturbed - saddened - that Ms. Rowe would expend this much energy - which could be quite productive - moving in a completely counterproductive direction.

My understanding of this Town Hall meeting, without the benefit of any community members on the panel, is that it runs the risk of further misleading the public. By denying community veterans to this issue a voice, and instead giving the floor to the polluters, it would seem that Ms. Rowe is clearly doing her community a disservice by denying the public access to a balanced panel - which would only enable individuals to make informed opinions on their own behalf. However, by giving the polluters the voice, and the grand stage upon which to massage the fears of those who simply WANT TO BELIEVE in things like Santa Claus and Boeing's/DOE/NASA's commitment to ethics, Ms. Rowe is simultaneously silencing the voices of those who have worked arduously - for many years - with a dedication to right action on behalf of all of us. Our community members, to whom Ms. Rowe is apparently denying a seat on the panel, have battled dishonesty and a lack of transparency by

the polluters at every turn. They've worked tirelessly, for no pay, over the course of several years ... and it occurs to me that without THEIR EFFORTS and voices, Ms. Rowe would lack the platform she is currently standing on while conducting her counterproductive efforts. It is difficult to believe that Ms. Rowe would put forth such passion and such assertive effort while simultaneously doing her community a disservice, as well as disrespecting the courage and sacrifice of those who have done so much, and who would provide a balanced perspective to this endeavor.

History is a great teacher and indicates character. By looking at the history of SSFL and today's situation, along with the deeds of the polluters both historically and recently, we can't help but see the vast contradiction between past deeds, present deflection, and the mission statement on their web site proclaiming commitments to environmental and public health and safety. Regarding DOE, we know they've drug their feet, and with the recent attempt between DOE and NASA to ditch SB990 before Administrative change, the need for community members' voices to be present at any meeting where the polluter is given the floor is clearly called for. Ms. Rowe seems to be extending an invitation to the polluters to continue to mislead the public, thereby only adding to the problem of blissful ignorance and misinformation.

With this much effort put forth, wouldn't it seem productive to educate the public about the workgroup meetings, which consist of a group of people representing every perspective, and addressing all the relevant issues while giving voice to the public's concerns, as well? With all of this effort and passion, it seems Ms. Rowe would be pushing to bring people together ... helping to strengthen the long established collective group of veterans to this issue who have already achieved a great deal. I see the attempt to provide the polluters with a forum while simultaneously denying our community members a true presence as a direct slap in the face to all of their hard work - without which Ms. Rowe herself would lack her soap box. I agree that this IS A VERY spin-sensitive topic... it should be handled responsibly and fairly, and

removing the community from the panel is not an intelligent way to go about it. I also agree that Boeing and the polluters are experts at deflection... this is why so many years after the fact, there is controversy where there should be clean land, healthy residents, and ethically considered former workers.

Merry Christmas ...!!!!

D'Lanie Blaze
TheAeroSpace.org
IGNITE YOUR INTELLECT : CONNECT!

http://www.TheAeroSpace.org
blog: http://www.myspace.com/TheAeroSpace

Links of Interest : SSFL

http://www.ACMELA.org
http://www.RocketdyneArchives.com
http://www.CleanUpRocketdyne.org

On Dec 23, 2008, at 11:03 PM, lavonne klea wrote:
I am shocked at what Ms. Rowe is trying to do. This is an insult to all the residents who have cancers and workers who are suffering. I have been keeping a tally for the last 15 years of cancers in my neighborhood. We have three community cancer studies since 1978 and show high rates of bladder cancer in all three studies. Our workers are suffering high rates of lung and bladder cancers also--childhood leukemia in the 70's, high brain cancer rates, high rates of learning disabilities from the 70's and now eye cancers of babies on the route of transport. This is an embarrassment to the West Hills Neighborhood Council and Chris Rowe. Is she trying to tell US that we didn't have nuclear and chemical fallout? I tried to alert the Council 15 years ago

to the situation and was ignored. Bonnie Klea FX-6 Personal Privacy
----- Original Message ----- From: "Elizabeth Zlotnik"
FX-6 Personal Privacy
To: <cwalsh@cleanuprocketdyne.org>; FX-6 Personal Privacy
[redacted] <louise.rishoff@asm.ca.gov>;
<senator.pavley@sen.ca.gov>; FX-6 Personal Privacy
<damon.wing@ventura.org>; <dwisemanmd@yahoo.com>;
<CBGHirsch@aol.com>; FX-6 Personal Privacy
[redacted]
<Charlene.Rothstein@westhillsnc.org>;
<councilman.smith@lacity.org>; <councilman.zine@lacity.org>;
<phyllis.winger@lacity.org>; <stephanie.romero@lacity.org>;
<cowens@waterboards.ca.gov>; <dhung@waterboards.ca.gov>;
FX-6 Personal Privacy
Cc: <williamprestonbowling@yahoo.com>
Sent: Tuesday, December 23, 2008 4:23 PM
Subject: Re: Fwd: Town Hall on the Santa Susana Field Laboratory

Dear Everyone - I must cast my vote also that this Town Hall meeting seems to be heading into troublesome areas.

Ms. Rowe, we do not need to create (at taxpayer expense) a venue to allow Boeing, the landowner, NASA the landowner, and DOE the polluter - it's a functional term, not perjorative- a place can give their 'points of view' of the nuclear and chemical contamination there, the state of public health, SB990 or, frankly, anything.
We who've fought this for more than a year or two have seen and heard plenty of opportunities for Boeing and the polluters to have their say -- in court, in the press, in public meetings, and behind closed doors.

What I was told at the SMMAC meeting last week was quite different from what you described here to Mr. Riley; and Mr. Riley properly referred you to the SSFL Workgroup, which fills the functions the Town Hall now seems to be focusing on.

For the record, SB990 is settled law, and I have strong concerns that your desire to host discussions of its 'interpretation' is borderline dangerous. It implies that there's 'wiggle room' on the parameters of the bill - which is what Boeing and the polluters would love.

I understand very deeply your desire to get general information out to the public, but this is such a heavily 'spin sensitive' subject, it is critical that it be done in a believable, factual and public-protective (not industry) manner. Perhaps you could ask the Workgroup to hold a special public session and provide history and analysis, and address your other concerns.

To this point, only the Workgroup has protected us and forced beneficial change, whether or not you all like the 'tone' of the meetings.

Nuclear meltdowns (partial or otherwise) are not a polite topic, nor are nearly a dozen retinablastomas within five miles. Neither are the crimes that have been committed up there, nor the ceaseless efforts by Boeing and the polluter DOE to reduce their responsibilities and liabilities, spending millions on legions of lawyers. So when this stuff gets hashed out at the Workgroup - often the first time that these problems are revealed -- well, it's not supposed to be polite. It is supposed to achieve action, and the Workgroup has been the only thing standing between us and oblivion for nearly 30 years..

A Town Hall meeting without expert guidance is all too easily misdirected (by experts of misdirection - Boeing and the polluters) --, and the impact of getting information out to the public with industry-spin is too dangerous to be allowed to contemplate.

Thank you,

Elizabeth Crawford
RocketdyneWatch.org

From: Christina Walsh
To: [redacted] ; Mary Weisbrock ; [redacted]; Alex Wasserman ; alec u ; [redacted] ; Elizabeth Zlotnik; [redacted] ; Barbara Johnson ; lavonne klea ; Louise Rishoff ; senator.pavley@sen.ca.gov ; cindy mays [redacted]; Damon Wing ; Daniel Wiseman ; Dan Hirsch ; Dawn Kowalski ; Holly Huff ; Bob Brostoff ; Charlene.Rothstein@westhillsnc.org ; councilman.smith@lacity.org ; councilman.zine@lacity.org ; phyllis.winger@lacity.org ; stephanie.romero@lacity.org ; Cassandra Owens ; dhung@waterboards.ca.gov ; [redacted]
Cc: william bowling
Sent: Tue Dec 23 14:18:06 2008
Subject: Fwd: Town Hall on the Santa Susana Field Laboratory

"from Boeing's, NASA's, and the DOE's point of view"?? This Town Hall Meeting effort is an inappropriate use of city funds when an existing body that is balanced with community voices is already in place - the SSFL Interagency Workgroup. Why would West Hills make a point to exclude the voice of the community? It makes no sense, but a specific point is made below, that no community members would be on the panel. It has been the strong voice of this community along with regulatory process that has made SB990 possible. SB990 is already law, and we therefore must question why West Hills Neighborhood

Council would engage in a self-provoked debate for lesser protective clean-up, less than we've already achieved as a matter of law. That is not the purpose of the West Hills Neighborhood Council to tear down existing law that was fought long and hard by its own citizens to protect the surrounding communities, and future generations. The West Hills Neighborhood Council is not qualified to make such determinations, specifically since they have not even attended the workgroup meetings more than a few times and has provided no input on a technical or policy basis, in this multi-decade long process.

Is it not the purpose of this city sponsored organization to work for the betterment and protection of its citizens? and not to protect the polluter/discharger we have in Boeing, DOE and NASA and their collaborative work on the hill above. The SSFL is not located in West Hills, so why is the West Hills Neighborhood Council working to protect the polluter, and not the people?

Additional points:
-Jerry Hensley now works for the contractor hired by Boeing, so it is inappropriate for him to speak on behalf of the state or the polluter in this context.
-It is inappropriate to try to "allay fears of cancer" when there is no basis to do so. We don't have the full picture of characterization and certainly won't know by March, so again, this goal is consistent with the company goal to prove there is no harm, but in no way helps to protect the citizens from such harm since "looking the other way" rarely works. We need to look with our eyes open, not with pre-determined need to find nothing, when we know better. and we DO KNOW BETTER.

We vehemently oppose this effort to railroad the process, and push the "company point of view", which is in direct conflict with the community efforts to get the best clean-up possible, as demonstrated by state law SB990. We applaud the DTSC's firm stance on the importance of supporting the existing process through participation in the SSFL Interagency Workgroup and public education through that process and

hope that West Hills Neighborhood Council will begin to engage in the existing process for the protection of its citizens and the surrounding environment.
We have seen giant steps forward in progress, and we know that collaborative clean-up to the highest standards is possible, but to get there we need to remain firm.

Christina Walsh
cleanuprocketdyne.org founder/director
ACME Aerospace Cancer Museum of Education co-founder
23350 Lake Manor Drive, Chatsworth, CA 91311
ph: 8189225123 museum: 8187126903

Begin forwarded message:

From: "Norm Riley"
<NRiley@dtsc.ca.gov<mailto:NRiley@dtsc.ca.gov>>
Date: December 23, 2008 11:02:14 AM PST
To:
<cwalsh@cleanuprocketdyne.org<mailto:cwalsh@cleanuprocketdyne.org>>
Subject: Fwd: Re: Town Hall on the Santa Susana Field Laboratory

Norm Riley 12/9/2008 9:17 AM >>>
Ms. Rowe,

DTSC will not be attending this meeting. As I have explained to West Hills Neighborhood Council members and others on several occasions, DTSC does not have the time, money, or other resources required to participate in ancillary activities. An organized forum for public

participation, namely the "SSFL Community Workgroup," already exists and meets on a quarterly basis to serve the interests outlined in your note. DTSC is a member of the Workgroup and a regular participant in the meetings of that organization. All of the topics included on your agenda and many others are discussed at the meetings of this long-established working group. DTSC encourages all persons interested in learning more about the SSFL to attend these meetings and to visit the websites developed by DTSC and others. If you have any questions about the aforementioned Workgroup meetings or about DTSC's web pages, please contact Ms. Susan Callery at her office number: (818) 717-6567. Thank you for you invitation and good luck with your town hall event.

Norman E. Riley
SSFL Project Director

FX-6 Personal Privacy >> 12/8/2008 10:38 PM >>>
Dear Mr. Riley, Ms. Moutoux, Ms. Fellows, Mr. Johnson, Ms. Owens, Mr.Hung,
Mr. Dempsey, and Ms. Jameson,

As you know, I am planning a "Town Hall on the Santa Susana Field Laboratory". The locked date is March 14th, 2009 from 10:00 AM to 5:00 PM. The location
is Canoga Park High. The auditorium seats 750 people.
My Co Chair is Joanne Yvanek- Garb. It will be sponsored by the West Hills
Neighborhood Council with support from Council member Zine and "DONE" - the
Department of Neighborhood Empowerment.

A mission statement will be developed ASAP. You will have prepared questions. There will be no community members on the stage (in my plan).

The idea of this event is to educate the community. It is to tell them the history of the SSFL site from Boeing's, NASA's, and the DOE's point of view.

It is to address the issues such as the order to create the EIS for AREA IV.
It will address SB 990 - from the authors viewpoints - Senator Kuehl and Assemblywoman Brownley.

It will address the future use of the site - Boeing's and NASA's plans.

It will address the different interpretations of SB 990 by the various owners, operators, and agency leaders.

It will address the levels of cleanup in language that the community can understand. And it will address the costs - residential cleanup, agricultural
(100% of food), and parkland.

Can I plan on you all being at this important event for our community?

I am trying very hard to find someone neutral that could address health risk
- a PHD health physicist. That may be hard to find. I would also hope that
Gregg Dempsey and even Jerry Hensley may be able to weigh in even though Jerry
has left CDPH. Jerry has a lot of knowledge in his brain that we do not want
to waste.

My goal is to allay the fears of some community members that believe that
all of their cancers and illnesses are caused by this site. I hope to get in contact with the UCLA Department of Public Health and/ or Dr. Morgenstern to
see if they would be willing to address these issues.

Please let me know that you will support this event.

Once I have assurances that the agencies and Boeing are on board, we will be
able to send out official invitations.

Thank you.

Chris Rowe
FX-6 Personal Privacy [redacted](after 11:00 AM please)
**********Make your life easier with all your friends, email, and favorite sites in one place. Try it now.
(http://www.aol.com/?optin=new-dp&icid=aolcom40vanity&ncid=emlcntaolcom00000010)

6 January 2009

Linda Adams
Secretary
California Environmental Protection Agency
1001 "I" Street
Sacramento, CA 95812-0806

Dear Secretary Adams:

As the time comes up for the State to reply to the inquiry by the U.S. Environmental Protection Agency (USEPA) whether California concurs or non-concurs with recommending listing the Santa Susana Field Laboratory (SSFL) on the National Priority List (NPL), i.e., making it a federal Superfund site, we wanted to write to you to give our views on the matter. In addition, since we are approaching the one-year anniversary of the Letter of Intent between you and community groups about SSFL, we thought it would be helpful to take stock of where we are now. Lastly, we wanted to make sure you knew how the DTSC decision about Dayton Canyon/Centex Homes had been received in the community.

Background

A bit of historical background to the listing matter may be in order.

For decades, the U.S. Department of Energy (DOE) and its predecessor agency, the Atomic Energy Commission (AEC), operated an archipelago of nuclear facilities across the nation. A culture of secrecy and indifference to the nation's environmental laws left a legacy of massive contamination of radioactive and chemically toxic materials at and leaking from these sites.

In the latter 1980s, the veil of secrecy was involuntarily lifted by a series of troubling revelations about environmental problems at the DOE nuclear sites. A new DOE Secretary, Admiral James Watkins, followed in the early 1990s by Hazel O'Leary, committed the Department to enter a new era of openness and compliance with all federal and state environmental requirements. They pledged to reverse the "DOE culture."

As part of this effort, in 1995, DOE and USEPA entered into a Joint Policy on Decommissioning DOE Facilities Under CERCLA, in which it was pledged that all DOE nuclear facilities, be they on the NPL or not, would be cleaned up consistent with USEPA's CERCLA guidance. However, when George W. Bush became President, this commitment was breached in the SSFL case, although the Policy remained nominally in force.

In 2003 DOE published an Environmental Assessment –not an Environmental Impact Statement--in which it rejected cleaning the site up to CERCLA standards and chose instead a 15 millirem/year cleanup standard, using a suburban residential land use scenario. This standard was outside the acceptable risk range (the cancer risk from 15 mrem/yr is about 5×10^{-4}, using the official risk conversions) even for the suburban scenario, and about a one in a hundred (!) risk when using the rural residential/agricultural land use scenario. Because the site is zoned RA-5 (residential agriculture), and the surrounding land is used agriculturally, normal USEPA CERCLA guidance should require the rural residential scenario be used. Thus, DOE's cleanup standard for SSFLwas grossly more lax than what should have been followed had DOE lived up to the Joint Policy and followed CERCLA. It would have involved leaving in place soil contaminated with radioactivity at levels at least hundreds of times higher than would have been the case had DOE diligently complied with the Joint Policy. USEPA claimed it was powerless to take action over DOE's breach of the DOE-USEPA Joint Policy, a position with which we disagreed; USEPA said if the site were on the NPL it would have sign-off authority on the cleanup, but otherwise couldn't force DOE to live up to its commitments.

The community undertook three parallel tracks to try to remedy this situation involving DOE's breach of cleanup promises: (1) The Committee to Bridge the Gap, along with the City of Los Angeles and the Natural Resources Defense Council, brought a lawsuit against DOE in U.S. District Court, challenging the Environmental Assessment. (2) USEPA's prior decision not to recommend listing the site was challenged, as it had looked at contamination at only one of the four Areas at SSFL and only addressed radioactivity, not chemically hazardous pollutants. And (3), reinvigorated efforts were pursued to pass state legislation that would require cleanup to the strictest of the USEPA standards.

To be candid, given the power of the forces arrayed against the community and the long, troubled history of these forces pushing safety considerations to the side, we thought we would be very lucky if even one of these three approaches led to fruition. Never did we anticipate that we would be victorious in all three. Yet that is what happened.

U.S. District Court Judge Conti ruled against DOE and ordered a full Environmental Impact Statement be prepared. The Legislature passed, and the Governor signed (with a few complications that were cleared up a few months later with your leadership) SB990. And USEPA, considering this time the full SSFL site and chemicals as well as radioactivity, recommended NPL listing and requested that the Governor inform USEPA whether he concurred or non-concurred with such an action.

<u>The Pending NPL Concurrence/Non-Concurrence Decision</u>

On its face, having SSFL placed on the federal Superfund list would seem like a positive step. But as has often been the case with SSFL, all is not as it seems.

The clearest indication that listing might not be in the interests of the community affected by the site's contamination is the extraordinary set of actions undertaken in the last couple of months by DOE and NASA (which owns part of SSFL and has responsibility for some of the chemical pollution). DOE and NASA, two of the three Responsible Parties (Boeing being the third) for the contamination, requested that the outgoing Bush Administration list SSFL and do so immediately, before leaving office. This would entail breaching commitments USEPA had made to the Governor that he had until mid-January to decide whether to concur with such listing; other commitments USEPA had made that no listing recommendation would occur until spring; USEPA's normal process that listing recommendations are only published twice a year, with the next one being months after President-elect Obama takes office; and USEPA's historical practice that it does not list without a Governor's concurrence.

The midnight request to the outgoing Bush Administration was extraordinary. When was the last time one heard of Responsible Parties *begging* to be placed on the Superfund list? Normally, they vigorously resist such listing. And what could possibly be so urgent as to lead these Responsible Parties to demand *immediate* listing, within weeks, violating numerous pledges and standard processes by USEPA so the listing could be consummated before the Bush Administration departed Washington?

The answer is found in the DOE and NASA letters to USEPA themselves. In those letters, these agencies make clear that currently they are subject to various state and federal laws and regulatory bodies and assert that if USEPA were to enter the picture and declare the facility a Superfund site, it would reduce DOE and NASA's compliance burden. In other words, they believed that NPL listing would eliminate or at least defer having to comply with California state law and obey California regulatory authority exercised by CAL-EPA.

That this was an end-run on the state is made clear by the fact that neither the DOE nor the NASA letter was cc'd to the state. Despite asking USEPA to take action to frustrate state authority over the cleanup, DOE and NASA did not even have the courtesy to send copies to the state. It appears that DOE and NASA believe that NPL listing would at minimum delay any compliance requirement regarding SB990 until Superfund processes were completed – which could be decades. [It should be noted that the very fact DOE and NASA felt they needed NPL listing to even defer compliance with SB990 suggests they recognize they are in fact otherwise bound by it and that legal claims to the contrary are flimsy at best.] It of course makes no sense to have two cleanups, one under federal Superfund, followed by a second one under SB990; this would just waste resources and further drag out the cleanup process.

That DOE and NASA took this backdoor step to try to frustrate compliance with SB990 is made all the more troubling by the commitment DOE Deputy Assistant Secretary Frank Marcinowski made just a few weeks earlier in a hearing of the U.S. Senate Committee on Environment and Public Works, promising that DOE would rigorously comply with all state and federal laws. A few weeks later DOE broke that promise and tried to bypass SB990.

The central problem in NPL listing comes down to two messages USEPA has sent regarding how it would treat state law and state regulatory bodies if SSFL were to be added to the NPL. USEPA has stated that it would not treat SB990 as an "ARAR"—an Applicable and Relevant or Appropriate Requirement—because it applies only to SSFL, not to other sites. The best USEPA will commit to as of this date is that it would "consider" SB990 in the NPL process, but will not promise to follow it. Secondly, USEPA has said the State would lose significant authority it currently has over cleanup of chemically hazardous materials at SSFL. At times, USEPA has even indicated it would, if the site listed, use an "open space" land use scenario, rather than either the rural residential scenario required by SB990 or even the suburban residential DOE had claimed to use in its earlier Environmental Assessment. Because assumed land use drives exposure and cleanup levels, such an action by USEPA could result in no further cleanup of the site whatsoever.

We do not know if these positions would remain those of USEPA after the upcoming change in Administrations in Washington. We do know that USEPA has been notably unhelpful in its dealing with the State over SSFL during the current federal Administration.

So the decision facing the State is whether to concur with NPL listing that could, by USEPA's own statements, result in the use of cleanup standards potentially far less protective than those required under state law, coupled with loss of significant state authority over the cleanup and. It is hard to see, under those circumstances, why the State should concur.

Our Recommendation Regarding Whether the State Should Concur with NPL Listing

Given the considerations identified above, we would support the State non-concurring with NPL listing at this time.

This is not an entirely easy decision, as there are some factors that cannot be readily foreseen at present that could potentially change such a calculation. For example, an Obama Administration could be—and we hope will be—far more cooperative than the soon-to-depart Bush Administration. A new USEPA might be willing to commit to an NPL listing that mandates following SB990 and does not take away existing state authority. New DOE and NASA leadership may stop their agencies' past resistance to SB990 and start cooperating with the state.

And, at the same time, Governor Schwarzenegger has only two years left in office. Your presence as CAL-EPA Secretary has been, frankly, absolutely critical to renewed community confidence in the State's commitment to cleaning up SSFL. What will happen to us when you are gone?

And, while we trust that Senators Boxer and Feinstein and Congressmen Waxman and Gallegly will succeed in getting the new Obama Administration to have DOE live up to its commitment to the Senate Environment and Public Works Committee to rigorously comply with all state laws, including SB990, there remains the possibility that there will be continued resistance to SB990, including possible litigation. And while we are confident SB990 would withstand any such challenge, the unpredictable can occur. Therefore, keeping ones options open should circumstances change in the future would be worthwhile.

Therefore, we would recommend as follows:

1. The State non-concur with NPL listing at this time.

2. The State reserve the right to revisit the issue should circumstances change in the future.

3. That you and key representatives of the community begin a discussion as to how to provide assurance of continuity of the State's commitment and approach to SSFL cleanup in the long term.

We must be candid in saying that, while we far prefer at present State control of the cleanup to prospective control by EPA, DOE and/or NASA, we have not been entirely happy with all State actions taken recently. As we are sure you are aware, the recent decision about Dayton Canyon/Centex Homes caused considerable consternation in the community. The only reasons there wasn't a big outcry from the community in the news media was DTSC's strategy of emailing out its decision late on a Friday – not the step taken when an agency is proud of a decision -- and the massive fires that occurred immediately thereafter, drowning out all other media coverage. But that doesn't mean people were happy with what happened. To the contrary.

Much more importantly, there remain some anxiety in the community about what the Dayton matter portends for fundamental decisions about cleanup of SSFL itself. We are much pleased with the improved *process* for public input initiated in the last year or so by DTSC, but what matters most is *outcome*—the actual cleanup decisions. We hope you and we can engage in some discussion as to how to assure that the cleanup decisions themselves end up as ones protective of the community.

SB990 needs to be vigorously defended from attack; but beyond that, it needs to be vigorously carried out, in a way that results in actual cleanup that is truly protective of the community.

We are more grateful than we can say for your personal involvement, which has been the primary factor in providing hope to a community that has long had its hopes smashed. We look forward more than we can possibly say to finally have SSFL cleaned up and the community protected.

Sincerely,

Christina Walsh
CleanupRocketdyne.org

Daniel Hirsch
Committee to Bridge the Gap

Marta Dina Arguello
Physicians for Social Responsibility-LA

Sheldon C. Plotkin, Ph.D., P.D.
S. Calif. Federation of Scientists

Marie Mason
Susana Knolls Homeowners Association

Holly Huff
Rocketdyne Cleanup Coalition

William Preston Bowling
ACME Aerospace Cancer Museum of Education

Elizabeth Crawford
RocketdyneWatch.org

Bonnie Klea
Author of Special Exposure Cohort
Petition 093 for the Sick and Deceased
Santa Susana Workers
Under the U.S. Department of Labor
Energy Employees Occupational Illness
Compensation Program Act

Alec Uzemeck
Neighborhood Preservation Council
of West Hills

D'Lanie Blaze
The-Aero-Space.org