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cleanuprocketdyne.org



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Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

Project Director for SSFL Clean-up
Norman Riley to remain in charge
Consent Order for Clean-up Action to
SB990 standards
Santa Susana Field Laboratory

Dear Governor Schwarzenegger,

We come to you now, expressing deep concern over the recent decisions made for the Santa Susana Field Laboratory Clean-up:

Removal of Norman Riley as Project Director
The Consent Order as recently shared with the community, which does not
include all the responsible parties

We fail to see how the removal of Norman Riley, the Project Director, will benefit the community, which has fought long and hard to get a law passed, thanks to former Senator Sheila Kuehl, Assembly Member Brownley and their legislative perseverance. We thank them for these efforts, but the law was passed to protect the people below. Now we have law, and we have leadership, and it does not make sense to remove the leadership to which the progress toward clean-up has finally occurred. We have waited decades, where every time it rained, potential contaminants flowed downhill putting people in harms way. Enough is enough.

It was through the leadership of Norman Riley that progress has finally begun after decades of ineffective, stagnant disputes on the part of the State and DTSC and the responsible parties. He was the one who listened and created an atmosphere where the Responsible Parties (Boeing, NASA and DOE) began to communicate more openly. He alone was uniquely qualified to lead this difficult clean-up, and was presented to us, the community after many meetings with your executive staff, Rick Brausch and Jim Marxen, as well as the political leadership, State Senator Kuehl and Assembly Member Julia Brownley. After two years of remarkable progress, to a now tangible goal of clean-up by 2017, he was removed without any input from that same community. The trust that has been built up in this community is new and very fragile. We cannot afford to have the hopes dashed again by shaky decision-making by a new Acting Director, or by having a “policy person” leading this highly complex and technical task.

This is a diverse community, where our crossing opinions make this a very difficult community to deal with, and have a mountain of issues that we disagree on. But we know this: We know right from wrong, and we know we need clean up, and we have waited through decades of inaction, and now we have a path, and a method to do so, but we need it done right, and in a way that is protective of the community who has waited so long for a safer environment.

We are done casting stones, and realize now that we need the “best of the best” on this most complex clean-up project with complicated history that includes a series of nuclear accidents and burning operations, and rocket testing that has left a “witch’s brew” of toxins remaining in the soil, water, and fauna. We need Norman Riley back. How will we ever be able to keep the top-quality people we need in order to accurately characterize and clean-up the site, when anyone who stands up for us, is thrown out?

Working on this massively complex project is considered a “death-sentence with a full open-bar” as stated by one of the bloggers don’t like us very much. The point is this: The message of “Career Killer” is not the message that will provide for consistent high-level leadership. We need Norm Riley and we need him to have the ability to do what he does so well, make a decision and do his job of managing the project, the very difficult and diverse affected communities along with the diverse opinions of what is needed in this time of financial crisis affecting all of us. We won’t always agree with his decisions or yours, but we trust him, and that his decisions are made with careful consideration of all the issues, and that it is done fairly and honestly.

We trust Norman Riley.

With your “Furlough Fridays” in place, we have already lost many key staff members because of financial pressures, and cannot afford to now lose the leadership that has given us a clear-path to clean-up by 2017. Who will manage the project when your Administration is over? At that time, we will lose Secretary Adams, Maziar Movassaghi, as well as the newly appointed project head, Rick Brausch who is also the Legislative Director appointee. Who will then lead this process?

The “executive level” has been in these negotiations from the start, so we do not buy-in to the idea that removing the project manager will, in any way strengthen the negotiation position for the State. It simply shows a lack in foresight and understanding of the skills needed for the job. You were clear on the skills needed when Norm Riley was chosen initially, so what is the problem now?

SB990 is law thanks to you. Now it is time to implement that law, not dissect it. We don’t need an order to enforce a law. That is what the law is for. Therefore, the new Consent Order should simply implement that change in requirement to the existing Consent Order, for example, adding step-out sampling to non-detect in order to best determine risk assessment and remedy selection.

The law was supposed to be passed for us, the people below. We fought for this law as the contaminants affect us, and our health. Now it is said that the site is being cleaned up to the “political standard” which leaves us, the people below, without a solution that is protective for us. Your administration passed this law. That should be your legacy, not to leave it for the next generation, or administration to worry about. Haven’t we done enough of that? There should be

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one order, and it should include all the responsible parties. We have no time to argue about percentage of responsibility now. **Boeing runs and controls the entire site**, all of which, is owned by Boeing, except for Area II, which is operated and controlled by Boeing, but owned by NASA, and the ETEC portion in Area IV is the responsibility of Department of Energy, but also operated and owned by Boeing. **Boeing must be part of the Consent Order.**

This is the time for characterization, according to the existing Consent Order, which was written by Norman Riley. This has brought us to a place where we now have much of the RFI Reporting data available for review by the public. The work needed to update these reports for SB990, is simply to step-out to non-detect or the PRG, so that complete delineation of contaminants can be known and analyzed for the remedy selection process. SB990 requires clean-up to the most protective standard, which is, in the real world, “background” or non-detect, when it comes to chemicals that are not found in nature.

The responsible parties shared use of landfills on the site, both documented and undocumented, which displays a perfect example of decades past, where at the recent County Hearing in Ventura, when asked questions about Outfall 9, which was half of the order related to the Urgency Ordinance being proposed, the Boeing representative, Thomas Gallacher stated that they did not own that area and therefore could not answer questions on behalf of NASA who was not in attendance at the hearing, thereby stagnating the ability for the board to fully understand the intent and ramifications behind the decision that was put before them. This is the same finger pointing that has led to the recent apparent breakdown in negotiations of the new Consent Order.

RFI process is well on the way, with most of the reports available for review. While not complete in our eyes, it is the first and much needed step to finally getting the answers to our questions. We still need to step-out to non-detect using proper technology so that risk assessment can be determined based SB990 standards of background or non-detect. Now, is NOT the time to remove outfalls for compliance monitoring of stormwater. Compliance Outfalls have been pared down through legal efforts on the part of Boeing, who represents ALL the responsible parties when it comes to stormwater. This also clearly demonstrates the fact that they DO indeed need to be included in the Consent Order. They need to demonstrate “clean” stormwater runoff for a minimum of five years free of violation prior to any such consideration.

Regarding the “tolling language” in the Consent Order/Decree that is said to be a sticking point with Boeing. They NEED to be in the agreement, so we believe that we should be provided an argument from each side (Boeing, DTSC, CalEPA, CBG) as to what the effect will be on the enforceability of this Order and SB990

We need support for getting the background study done right and with the community in mind so that the community can trust it.

We need Site-wide soil management that considers rad screening for all areas, and stockpiling and segregation and transportation and disposal all need to be carefully considered on a site-wide basis, so that it is protective for our communities as well as those near the disposal sites.

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We want to see the actual Consent Order as most recently negotiated by the parties, version 2.0, not some middle version that no one stands behind. We feel that the only way this will really work is if one order includes all the responsible parties. We hereby request a meeting with your management to hear the reasons why these decisions were made without consideration of the community, and ask that this issue be given top priority.

We know from your past leadership that you will do the right thing and ensure proper clean-up with the re-instating of Mr. Riley and dry the ink on your legacy as the Green Governor. Thank you for your consideration.

Sincerely,

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