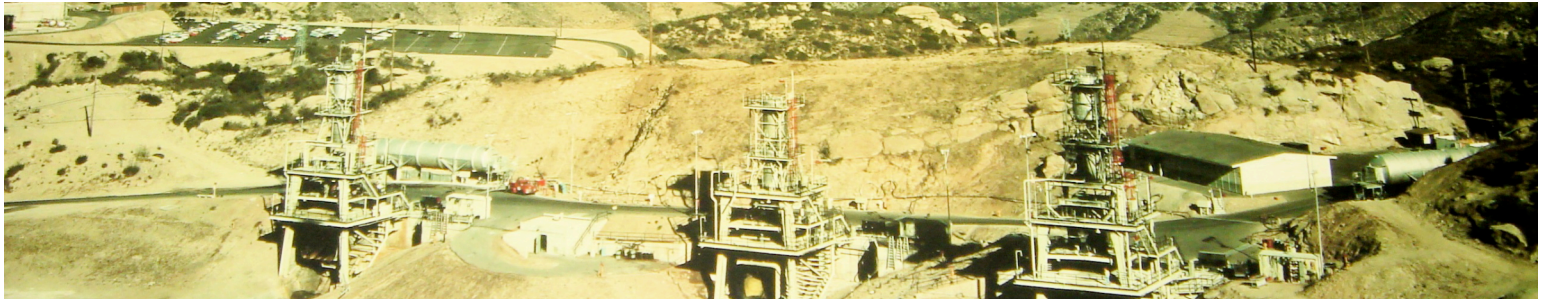


AEROSPACE CONTAMINATION MUSEUM OF EDUCATION

DTSC

10/1/2010

California Department of Toxic Substances Control (DTSC) 8800 Cal Center Drive, Sacramento, California 95826 (Via Electronic Mail)



ACME has provided the below comments for the Agreements in Principle (AIP) Sampling and Analysis Plan (SAP) Report of the Santa Susana Field Laboratory (SSFL)

Dear DTSC,

The following Comments are intended to go into the record for both the Department of Energy (DOE) and the National Aeronautics and Space Administration (NASA) AIP. The AIP document is very vague in some instances needs to have an addendum once the public comments are collected and implemented in the body. We must hold these Responsible Parties to the strict guidelines of Senate Bill 990 (SB 990), a California Law to which this process must be measured. Over 1700 acres of this Facility feed the L.A. River during rainfall, with a potential of bringing toxins into the San Fernando Valley and beyond. As the headwaters to the Los Angeles River and with the recent decision from EPA regarding the true navigability of this waterway, the SSFL needs to be attacked head on with remediation techniques.

A concern, that could be a potential loophole for a lesser cleanup is the "Endangered Species" clause. The AIP, as it is written, Cleaning Up to Background Concentrations yet "No contaminated soil to be left in place" is contradicting, rewind to October of 2008 a total of 1100 (Yes 1100, Perchlorate Containing Devices) Class C Explosives were found in the Northern Drainage Cleanup. They were found under an oak tree when it was removed. It was/is common practice, even in landfills today, to plant over trash. That is a potential scenario with the found explosives...They were buried and trees were planted over the waste. The protected species clause needs to be re-worded as maybe trees or plants older than the development of the Field Lab could be suspect. When the SSFL was built, the entire site was grazed to a moonscape, then built upon. So any of the plant species after 1947 could be suspect. Are we going to leave contaminated soil in place if the Santa Susana Tarplant is thriving in contaminated soil? This concern should be addressed. The AIPs as written do not solve these issues we are facing at every corner.

The Wind Provisions in the document (AIP) should be kept to lower than 15 miles per hour as ACME has observed first hand through the use of Time-Lapse Imagery that wind stronger than this can impact the surrounding communities. The Boeing Co. has now taken the idea of Time-Lapse Imagery and are using it in their recent cleanup activities in the Los Angeles Regional Water Quality Control Board (RWQCB) Interim Source Removal Action (ISRA) for the National Pollutant Discharge Elimination System (NPDES) permitted Outfall 008 and will share with the public the video imagery upon completion.

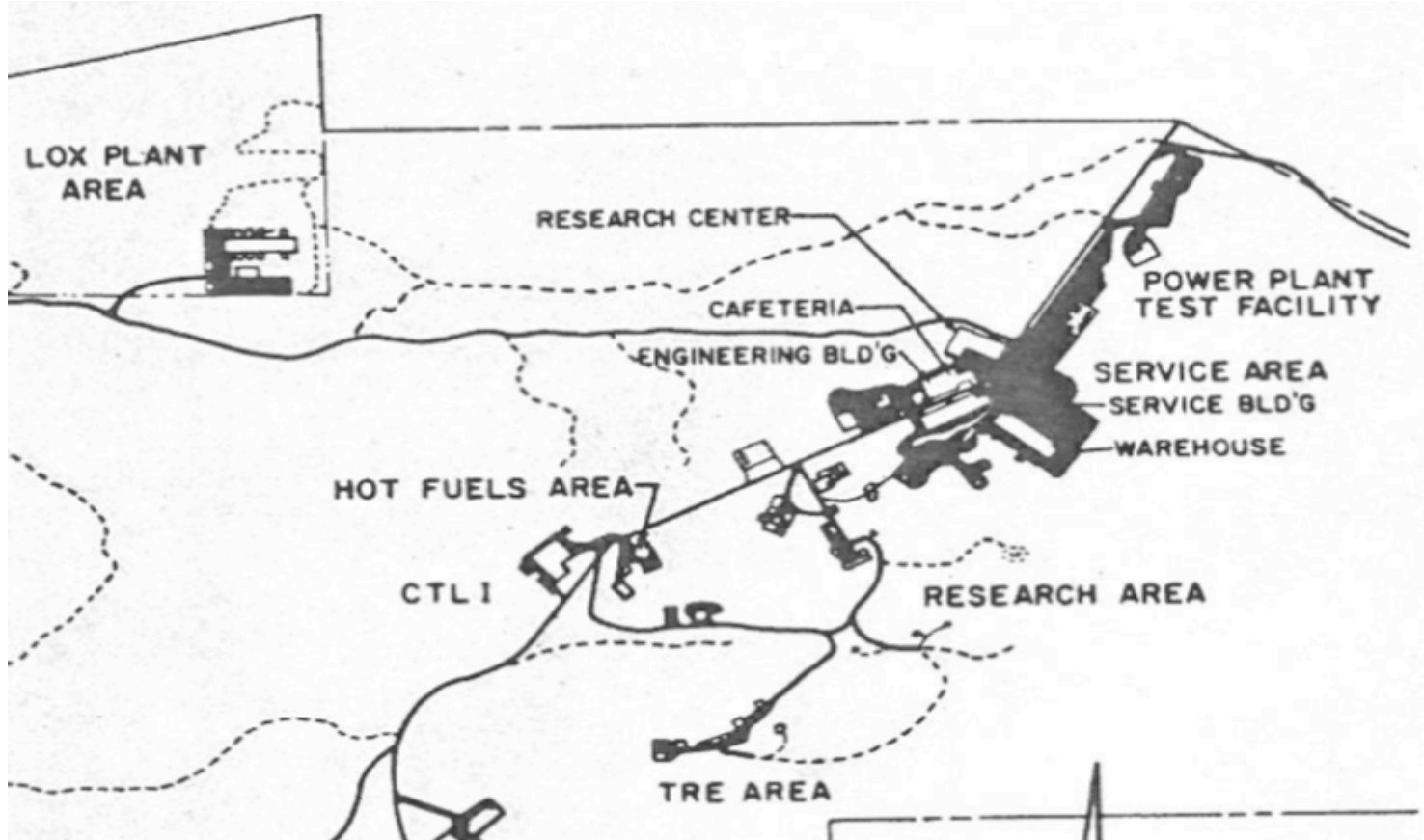
[http://www.acmela.org/images/DTSC to NASA Cesium 137 in Area II ELV of SSFL September 22 of 2010.pdf](http://www.acmela.org/images/DTSC%20to%20NASA%20Cesium%20137%20in%20Area%20II%20ELV%20of%20SSFL%20September%2022%20of%202010.pdf)

The above letter from DTSC to NASA describes the Low Level Radioactive Waste (LLRW) that was found on the NASA property in AREA II of the SSFL. This raises the question, is there/were Radiological Operations in other areas aside from AREA IV and is DOE responsible? NASA has facilities in AREA IV (Building 100 - Computerized Tomography CT Scanner) and was part of the Systems for Nuclear Auxiliary Power (SNAP) programs in the 1960's. Yet from former worker interviews the Cesium 137 found on NASA property as said in the above letter could have come from the Atomic International Equipment Lab that is what is now being referred to as the ELV (Expendable Launch Vehicle) area. The AIP has no business redefining how waste should be classified. The ISRA issue with the Cesium 137 shows us that we cannot have an agreement that designates waste as LLRW when any soils found on NASA property cannot be classified this way because NASA did not hold a nuclear license.

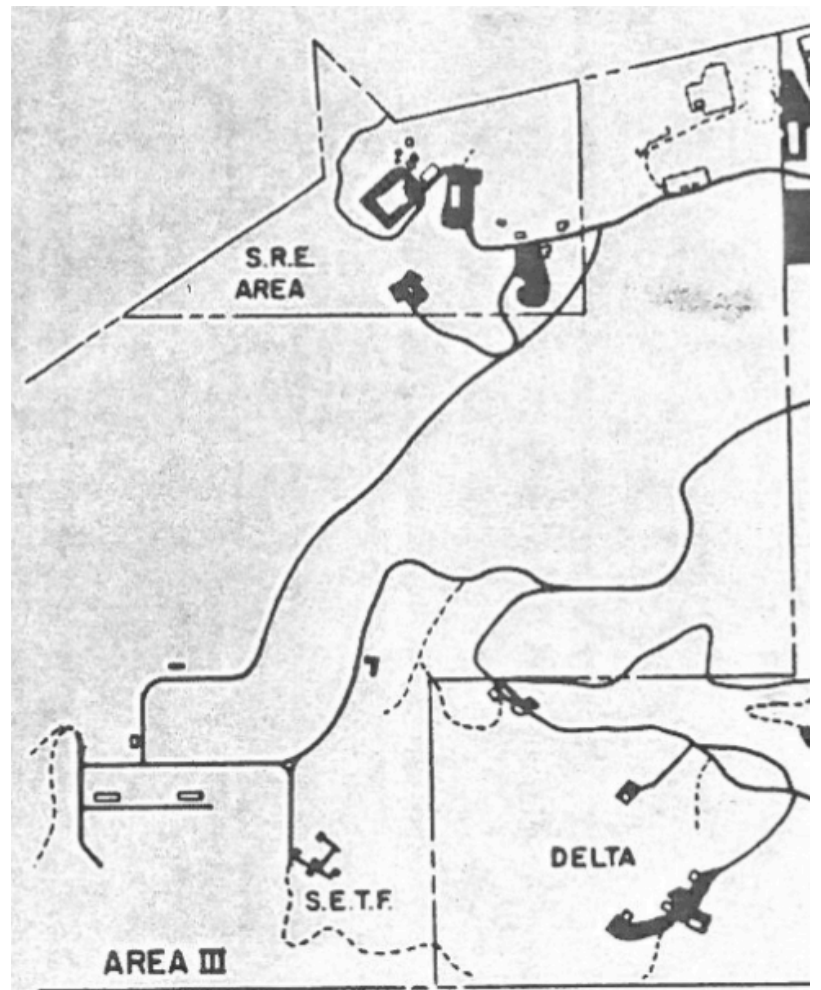
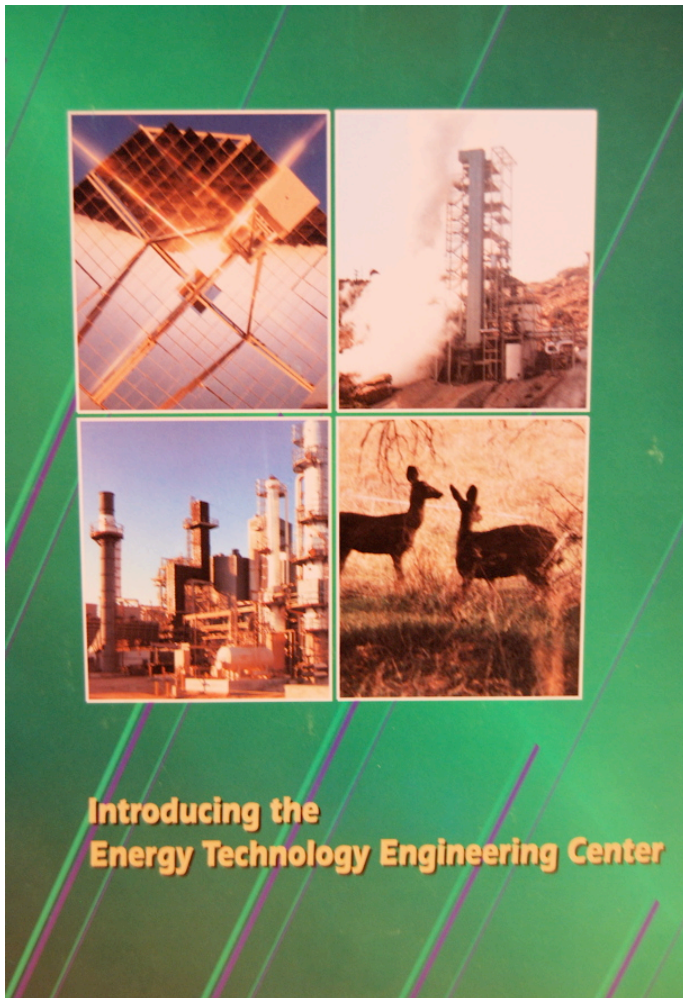
What about other nuclear contamination in the Boeing Owned Property, should DOE be liable? According to the below document there was a shower in AREA I that men from the Sodium Reactor Experiment cleanup would be forced to use in the decontamination process.

[http://www.acmela.org/images/The Words of a Deceased SSFL Worker.pdf](http://www.acmela.org/images/The%20Words%20of%20a%20Deceased%20SSFL%20Worker.pdf)

The Below photo illustrates the Power Plant Test Facility in the Boeing Owned AREA I otherwise known as the AI Tower and the Hot Fuels Area of Components Test Lab I (CTL I) where in the Resource Conservation and Recovery Act Investigations discovered Tritium. How will that be dealt with?



Other examples that should be added into the DOE portion of the AIP is the Bowl in the Boeing Owned AREA I of the SSFL. Below you see the brochure for the DOE Operated Energy Technology Engineering Center (ETEC) and the photo in the top right is AREA I and this is documented in reports drafted by SAIC. The below photo to the right illustrates that the Nuclear AREA IV was once AREA III now owned by Boeing, This should be investigated further.



DTSC was involved in the Environmental Protection Agency (EPA) preliminary Scope of Work (SOW) that was subsequently released to the public in December of 2008. As part of the EPA study team and to save money for the State of California, DTSC was to share split samples collected and screen them for their Chemical Background Study. What was done is/was contrary to anything discussed in public meetings. This was quite some time ago and now we are still having issues, many of which are addressed in my yet to be responded to letter to Rick Brausch (DTSC) on September 7th, 2010...

[http://www.acmela.org/images/ACME to DTSC Budget Contractor Background SSFL September 7 of 2010.pdf](http://www.acmela.org/images/ACME%20to%20DTSC%20Budget%20Contractor%20Background%20SSFL%20September%207%20of%202010.pdf)

The below link is the ACME Comments on the Chemical Background Study and these comments should be included as comments to the AIP as well.

[http://www.acmela.org/images/ACME to DTSC Comments on the Chemical Background Study September 29 of 2010.pdf](http://www.acmela.org/images/ACME%20to%20DTSC%20Comments%20on%20the%20Chemical%20Background%20Study%20September%2029%20of%202010.pdf)

After reading the September 7 and 29th, 2010 letters from ACME one needs to realize that the fact remains, not having a contractor in place, moving forward depends on the State's budget approval. Maybe there is a way that NASA and DOE can sign on for financial responsibility, to get a contract moving forward. I think it's very important that we focus on the key decisions that have been made in these historic agreements without surrendering to cleanup loopholes. We need to find a way to work together so we get the best most defensible background study for both radiological constituents and chemical contaminants. It is in the best interest of the surrounding communities to find a way to do just that. With "Agreements in Principle" reached within the DOE and NASA that read...The end state of the site (SSFL Area II, LOX and AREA IV) after cleanup will be background...yet we have not agreed on "Background" for the chemicals NASA or DOE left behind from their operations at the SSFL. Is The Boeing Co. responsible for the DOE Chemicals and not the Radiological Contamination that the Obama Stimulus monies are to detect? The Boeing Co., the majority landowner/operator are not part of the recent agreements by NASA and DOE. Yet the above illustrations prove that the Boeing land IS Radiologically impacted is a major concern.

In closing I would like to mention the Confirmation protocol says the the SSFL Southern Buffer Zone (SBZ) is a potential source for backfill soils, how can this be when the SBZ has not even been characterized in the RCRA RFI process. We must remember this is the area upstream from the AREA I Burn Pit where in November of 2008 the DTSC found Radium, a radionuclide that poses a health risk, this one needs to be thought out a little more and reconsidered.

Thank you for taking the time to review and consider my comments for the AIP, If there are any questions please call...310-428-5085

Sincerely,

William Preston Bowling - ACME

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P.O. Box 1636, Topanga Canyon, California 90290

cc: Tom Gallecher & Kamara Sams - The Boeing Co., Stephanie Jennings & Bill Backous - DOE, Merrilee Fellows & Allen Elliott - NASA, Cal EPA Secretary Linda Adams, Maziar Movassaghi, Mark Malinowaski, Susan Callery, Rick Brausch & Doug Sheeks - DTSC, Billie Greer for Governor Arnold Schwarzenegger, Assemblymember Audra Strickland, Jarrod De Gonia for Assemblymember Cameron Smyth, Louise Rischhoff for Assemblymember Julia Brownley, Rebekah Rodriguez-Lynn for Senator Fran Pavley, Phyllis Winger for Los Angeles County Supervisor Greig Smith, Los Angeles County Supervisor Dennis Zine, Ventura County Supervisors Linda Parks and Peter Foy, Shelly Backlar - Friends of the Los Angeles River, Millie Jones for Los Angeles County Supervisor Michael Antonovich.