

National Aeronautics and Space Administration  
Headquarters  
Washington, DC 20546-0001



August 21, 2009

Reply to Attn of: Environmental Management Division

Mr. Maziar Movassaghi  
Acting Director  
Department of Toxic Substances Control  
1001 I Street  
Sacramento, CA 95912

Dear Mr. Maziar:

I am writing regarding release of the draft consent order for public review. As we have stated frequently, NASA eagerly seeks to move forward with the cleanup of SSFL. While we are glad you took steps to move the process forward, we would have appreciated closer coordination with DTSC prior to release of the notice and draft order. It appears that many of the comments added in the last version (Ver. 2.0) that we submitted to DTSC have been omitted. For example, some references to Boeing responsibilities remain. I am certain that these will get worked out in the process, but it would have been cleaner to resolve them up front.

You stated in your August 19, 2009 letter to Mr. Elliott that DTSC, DOE, and NASA will work in good faith to review public comments and perhaps modify the consent order. NASA fully supports this approach. Once again I want to make it clear that I do not see a situation where actual negotiations would include any party other than Respondents and the State of California represented by DTSC.

Additionally, we want to clarify the public review process. Previous discussion on public review outlined a process that included a second 30-day public review. Is a second public review still tentatively part of the process?

I know that Mr. Elliott has contacted Mr. Brausch of your staff to set up these discussions. I look forward to working with you and the rest of your staff in successfully cleaning up SSFL.

Sincerely,

A handwritten signature in black ink, appearing to read "James S. Leatherwood", written over a horizontal line.

James S. Leatherwood  
Director  
Environmental Management Division

cc: Department of Toxic Substances Control/Mr. Brausch