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April 30, 2008

Norm Riley
DTSC Project Director
Santa Susana Field Laboratory and
Related Sites

OPPOSE: Decision of NO FURTHER ACTION
Centex/Sterling Homes at Dayton Canyon

Dear Norm,

I appreciate our recent conversations about the issue of public participation and notice (with regard to the Centex Project comment deadline. It is my sincere hope, that you can see our position, as a community after so many years. I would like to clarify, if I may, the issue with regard to the local community and their lack of attendance at the recent Centex Project/Dayton Canyon meeting. In speaking to you, I do understand and appreciate that there were specific circumstances involved with the meeting because of a conflict with an already scheduled meeting on the same night, by Boeing to update the community on the progress by the Storm-water Expert Panel. As you are aware, the Stormwater Expert Panel was hired by Boeing to mitigate the ongoing water-quality problems following the recent fines paid (nearly half a million dollars) specifically due to violations of the Clean Water Act / Porter Cologne Act through storm-water monitoring outfalls 8 and 9. Outfall 8 is directly up-gradient from the Dayton Canyon proposed development. Regardless whether DTSC fulfilled its' obligation to notify the public, the fact that the meeting date was changed, and the fact that there were two meetings just a week apart, related to the SSFL and local contamination concerns would, and did severely reduce the number of people in attendance. Most people don't think about making a comment until they have been to the meeting that provides the headlines and "Readers Digest" version of the issues.

In the case of the West Hills Neighborhood Council as well as others in the community who attended the many meetings in 2005 and 2006 regarding this development, it is my concern that this issue is not on the fore-front of peoples' minds. This issue has not been discussed since 2006, and I certainly did not understand this to be the "final" meeting where the decision on whether grading would move forward, would be made. We attended many meetings where the date was changed, the location was changed on the day of the meeting, and we would arrive at the new location to find more than a dozen Boeing people in attendance, but not more than a handful from the community. I do not know whether the reason that NONE of the WHNC members (with the exception of Mr. Seybert who does not represent the board in this capacity) involved in the ad-hoc committee that met for more than a year and produced a detailed report of their concerns, did not attend. I would find it hard to believe, that after all that work and commitment to the issue, they all simply decided to stay home and not send in written comment on this very final decision. In order to be able to write, approve, and sign a letter motioned by the WHNC board giving their concerns on this project, they would need to be able to meet twice based on the nature and structure of the Neighborhood Council branch of local city government. This is the final decision that stands

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between the community and grading, so I think that at the very least, the ability for the local governmental body to act, and react to this issue should not be denied, which is what is happening here, due to these circumstances.

I have read the recently published "public participation" document published on the DTSC website March 26, 2008 and appreciate the intent and effort that has gone into the defining of this process as it applies to this project. The problem here, is that despite the intent, public participation falls short here, on this very final decision that will impact this community through potential re-exposure of the fugitive dust generated by the grading process that may be severely contaminated with carcinogenic and other toxic constituents.

In the presentation given on April 24, 2008, it is stated (page 6) that NPDES Monitoring of outfall 08 "verifies that perchlorate is not leaving Happy Valley in surface water. It follows with the statement, "Ongoing groundwater investigation and monitoring "verifies perchlorate plume location and movement in SSFL."

Under "Source of Perchlorate" is states, "what the data shows". This doesn't mean anything substantive for anyone to question or even understand the nature and extent of the issue here. I understand that we may not ever be able to know for sure, what the impact is of the decades of toxic releases to this community and others surrounding the SSFL. However, the DTSC as representing the State of California on this issue, has a duty to list the possible causes to this very staggering finding of multiple perchlorate hits at a property that is just about to be developed into a new community. "what the data shows" is like saying, "look it up yourself" to the community. There was a legitimate finding of many high perchlorate sampling results that was followed by the issuance of a "time-critical removal action" and now it is dismissed in the presentation with a single sentence. All because they sampled once, following the biggest rain event of the season, and found a non-detect. Instead of confirming this result, they never looked back again. Neither did DTSC, until now, with no further information, a request to move forward with a NO FURTHER ACTION decision. What happened to the investigative part of this process? It will be fine? Under what basis can we say this here?

It wasn't just one finding, it was many. You told me yourself, that the focus of the investigation was about that one, astronomically high finding of 62,000ppb. When considering the fact that explanations given to the community by Centex and by Boeing include dismissing the perchlorate issue because the one finding was so high, that it wasn't considered real or plausible. By focusing on the one high finding, it diminishes the fact that other findings, more within the range found at SSFL on a regular basis according to several reports published as part of the Interim Measure Perchlorate removal a year earlier.

This Interim Measure Plan included moving soils known to be contaminated with perchlorate to another area of the site (building 359) for in situ composting using bioremediation technology. In the public participation plan published by your office, it defines "interim measures" as a process to be used if "an immediate threat to human health and the environment is recognized." This is what happened in Happy Valley based on perchlorate findings in 2002. Now, directly down this same drainage, high findings of perchlorate was found on the Centex property and is still not adequately being acknowledged. During the many meetings held on the subject of Dayton Canyon,

the public asked for continued monitoring to insure public safety. Now, we have learned that no additional sampling was done beyond the initial “clean” finding by the developer’s contractor, “Allwest Remediation.” At the very minimum, we feel that the community expects this promise to be kept.

As you can see on the aforementioned list of perchlorate detects, there were many

Centex Property Perchlorate Findings:

Sample ID	Date	Result	Analyte	DLR	Location
CC10-1	09/27/2005	1300	Perchlorate	200.0 mg/Kg	Lower Creek
CC10-3	09/27/2005	0.180	Perchlorate	0.04 mg/Kg	Lower Creek
CB11-1	09/27/2005	0.082	Perchlorate	0.04 mg/Kg	Lower Creek
CB12-1	09/27/2005	720	Perchlorate	80.0 mg/Kg	Lower Creek
CB12-3	09/27/2005	0.054	Perchlorate	0.04 mg/Kg	Lower Creek
CC15-1	09/27/2005	1700	Perchlorate	400.0 mg/Kg	Lower Creek
CB16-1	09/27/2005	2110	Perchlorate	400.0 mg/Kg	Lower Creek
CB16-3	09/27/2005	0.042	Perchlorate	0.04 mg/Kg	Lower Creek
CB2-1	09/28/2005	0.800	Perchlorate	0.2 mg/Kg	Lower Creek
CC17-1	09/28/2005	525	Perchlorate	100.0 mg/Kg	Lower Creek
CB18-1	09/28/2005	575	Perchlorate	100.0 mg/Kg	Lower Creek
CC43-1	10/4/2005	151	Perchlorate	0.04 mg/Kg	Lower Creek
FA-2-E1	10/10/2005	54.6	Perchlorate	0.04 mg/Kg	Lower Creek
FA-2-F1	10/10/2005	69.9	Perchlorate	0.04 mg/Kg	Lower Creek
FA-3-D1	10/10/2005	37.3	Perchlorate	0.04 mg/Kg	Lower Creek
FA-3-E1	10/10/2005	26.1	Perchlorate	0.04 mg/Kg	Lower Creek
FA-3-H1	10/10/2005	61.8	Perchlorate	0.04 mg/Kg	Lower Creek
FA-4-B1	10/11/2005	61.8	Perchlorate	0.04 mg/Kg	Lower Creek
FA-4-C1	10/11/2005	54.2	Perchlorate	0.04 mg/Kg	Lower Creek
FA-4-D1	10/11/2005	105.6	Perchlorate	0.04 mg/Kg	Lower Creek
FA-4-E1	10/11/2005	55.8	Perchlorate	0.04 mg/Kg	Lower Creek
FA-4-H1	10/11/2005	55	Perchlorate	0.04 mg/Kg	Lower Creek
B4-1	09/23/2005	332	Perchlorate	0.04 mg/Kg	DC North
SCC2-3	10/4/2005	73	Perchlorate	0.04 mg/Kg	S. Creek Drainage

Source: http://www.envirosor.dtsc.ca.gov/public/community_involvement/9655683219/Centex-Homes_Tables_Perchlorate-Analytical-Results.pdf

These multiple findings are not adequately addressed or presented to the public. In the presentation, this information is followed by Radiological Characterization on page 7. No explanation is given for the findings, and they only looked once, and when they found nothing, they never looked again. This is about operations that included perchlorate work for many decades. The assumption that it will never happen again when we know that these chemicals ran freely off the site in the past, cannot be made. Previous operational practices of the operators and owners of the site is the reason for the more than half a million gallons of TCE in the groundwater below. It has already been determined that TCE has migrated off-site. The only question is how far, and because if the lateral and vertical extent of the plume, there are intermittent hits in wells on the eastern border of the site, which is where Centex/Dayton Canyon is also located. The full extent of the off-site migration of the plume is not fully

understood. We can therefore not make any statements of safety in this area. Not until proper study is completed, and based on the schedule of the RFI, this area has not even begun.

It is also because of the ongoing assumptions made over the previous decades that, "it's probably fine" that brings us to today where Superfund listing is being considered, and infact was recommended by the US EPA because of those operational activities. Some have said it will take thousands of years to recover, if it is even possible. Please do NOT put more people in harms way, not until you can be certain, based on the completion of the characterization and clean-up of the site, that it is safe to put people there. Happy Valley has not been completed. It has only undergone an interim measure removal action, based on an immediate threat.

At the most recent site-visit, we were told by Boeing (Paul Costa, to be specific) that they were proud to have accomplished a 98% compliance in the problem area outfalls. When asked which outfalls this referred to, he confirmed that outfall 8 and 9 were to two. A 98% compliance means 2% violation. This confirms that they continue to have water-quality problems in outfall 8, and the Stormwater Expert Panel was charged to find solutions to deal with this issue. As I mentioned to you in previous discussions, we are pleased to see this kind of effort being applied to mitigating this ongoing problem faced by the community that is already here. The fact that Boeing was mandated by the Water Board to hire an expert panel to deal with these issues after paying the fines of nearly half a million dollars for 79 violations.

The Stormwater Expert Panel, charged with mitigating the ongoing water quality issues at Outfall 8 (leading to Dayton Canyon) now has plans to install a very large ENTS (Engineered Natural Treatment System) in this area to remediate the continued water-quality problem using newer technologies and looking at long-range solutions. We are excited to see this kind of effort to protect the public, but it must be acknowledged when considering the same contaminants were found just downstream at the Centex property, that a decision of "NO FURTHER ACTION" would be premature if not allowed adequate time for these systems to be built and to demonstrate their effectiveness.

It is not possible for the state to conclude that there is no reason for concern that additional findings of perchlorate may occur in the future, when an expert panel has been formed to deal with the problem as it exists today.

Today I learned from CH2MHill and NASA that the "groups" have been adjusted to deal with release or land transfer of the buffer-zone areas, and have altered groups 1b, and 9 and added a group 10 to the south. This changes the schedule of characterization and may impact the completion of the ENTS in the Happy Valley area.

In trying to research and review documents for the purpose of these comments, I tried several times from other locations, to find them on the dtsc-ssfl.com website and found it to be under construction.

It is already known that plumes of TCE exist and have migrated off-site. The only question is how far. We know that the faults have not been adequately characterized as some of the maps used by DTSC in these documents, show the faults to end at the property line, while others show them to continue down the drainage, all the way to the Chatsworth Reservoir. We know that as a salt, perchlorate is a leading contaminant as it is so water-soluble. Based on the fact that groundwater treatment wells that were explained to be the reason that the contamination doesn't move off-site, have been turned off now for more than a year. It was confirmed by Boeing on our recent site-visit that they are having permitting problems with Ventura County but there doesn't seem to be any resolution in place to deal with the problem. Meanwhile, the aquifers below the site are being pumped, then not pumped and then pumping soon again. The long-range results of these alterations to the groundwater aquifers is not known and should be considered when making these decisions. As the Groundwater Investigation is still under review and new seeps and springs have been identified but have yet to be reviewed with a full sampling analysis plan, it is impossible to know for certain, that these contaminants such as the found perchlorate in so many different areas of the proposed development site will continue to impact the Dayton property. Until such investigation can be completed over the course of several rainy seasons, a NO FURTHER ACTION decision would be inappropriate.

This community has been concerned about this issue and the lack of coordination between the SSFL team and the local team has been a topic of discussion and concern since before you joined the project. Now we have you, Norm Riley leading the way, and believe me, we are grateful for that, but the importance of adequate communication between teams within DTSC involved in both onsite and offsite issues is crucial. I believe it fell short here, in part, due to extenuating circumstances, but they were not on the part of the community, and it is the community that will pay the price because the developer would like to move forward. No one has been waiting for the community to make a decision, we've been waiting to hear the results of what we thought was ongoing sampling during this time. Instead we learn that there was no confirmation sampling that was done beyond the developer's, "what luck, it's magically clean now" single sampling effort.

Additional issues that are not being adequately considered with regard to Dayton Canyon:

- Since no real effort beyond April of 2006 (post major rain event), has been made to determine the cause of the findings of Perchlorate (and there were several...more than 30 exceedances..we just picked the highest one to talk about and wave around...(and I've learned that lesson the hard way now)). I honestly expected to see more than disputing the original samples to demonstrate that it is safe...that's what we want, for it to be safe. I would hope to see current sampling information and repeated sampling for a period of time, spanning several rainy seasons before being able to make a determination that there is no potential endangerment.

No determination can be made that this level of perchlorate will not reoccur since the original occurrence was not adequately researched or explained.

Other mis-representative statements in the PEA:

- “The Rocketdyne/Boeing facility was used by the Department of Energy for nuclear testing in its Area IV facilities. This testing was conducted in the western most portions of the site, approximately 3.5 miles from the eastern border of the Sterling Site.”
 - Happy Valley is less than 1/2 a mile from the Centex Property and is not mentioned within the context of this statement about Area IV and therefore gives the misconception of distance = safety in this analysis. This statement mis-represents the proximity between the polluted area and the area of proposed development. Since the public has no access to this area, it is impossible for them to have a clear understanding of the proximity if it is not clearly given by DTSC when communicating to the public.

There is a perchlorate plume just above the Centex property that is documented in the RFI and other related reports on the SSFL. To fail to present this plume as a possible cause for the perchlorate findings just downstream, and still say DTSC doesn't know how it could have gotten there, is very disappointing.

In a recent presentation given by the owner/operators of the site, they presented reassuring information on the groundwater treatment system, but failed to mention that it was not operational and has not been operational for at least a year, and still has no resolve as to permit issues with Ventura County, necessary to make it operational. This leads the public and legislators to believe that more is being done to protect the public, than is actually happening at the site, and I feel that it is an important point to consider here, since we are being given reassurances that cannot be quantified, given the number of unanswered questions about the contamination findings at the Centex/Dayton property and the lack of re-sampling on any regular basis.

In the presentation given by DTSC to say that there were no high findings at SSFL is not only misleading, but also false.

- “RWQCB have ranged from non-detect to 35.1 µg/L”

This statement is misleading considering the other perchlorate findings that are far beyond the MCL and are not considered here as shown below:

Following are examples of high findings on the SSFL Happy Valley located just above the Centex property as well as those located at the Centex Property where a causal determination has not been adequately given in order to justify a projection that no similar releases will occur in the future. The groundwater migration pathway based on seeps and springs that have not been adequately studied or reported here.

SSFL Result:	Sample ID:	Date of sample:	Analyte:
1,055 ug/kg	MJD85	10/03/02	Perchlorate

48,736 ug/kg	MJD86	10/03/02	Perchlorate
34,651ug/kg	MJD87	10/03/02	Perchlorate
130,669 ug/kg	MJD88	10/03/02	Perchlorate
CENTEX Result:	Sample ID:	Date of sample:	Analyte:
720,000 ug/kg	CB12-1	9/27/05	Perchlorate
525,000 ug/kg	CC17-1	9/28/05	Perchlorate
575,000 ug/kg	DB18-1	9/28/05	Perchlorate
151,000 ug/kg	CC43	10/4/05	Perchlorate
54,600 ug/kg	FA-2-E1	10/10/05	Perchlorate
69,900 ug/kg	FA-2-F1	10/10/05	Perchlorate
37,300 ug/kg	FA-3-D1	10/10/05	Perchlorate
26,100 ug/kg	FA-3-E1	10/10/05	Perchlorate
61,800 ug/kg	FA-4-B1	10/11/05	Perchlorate
54,200 ug/kg	FA-4-C1	10/11/05	Perchlorate
105,600 ug/kg	FA-4-D1	10/11/05	Perchlorate
55,800 ug/kg	FA-4-E1	10/11/05	Perchlorate
332,000 ug/kg	BF-109	9/23/05	Perchlorate

There were additional high findings of perchlorate in this document, including four very high results ranging up to 2,100,000 ug/kg.

The results shown at the Centex site are well within the range of findings documented in the interim measures sampling of Happy Valley as indicated above.

Happy Valley SSFL sampling results: 48,736ppb

INORGANIC ANALYTES						
Client: Montgomery Watson			Laboratory ID: 021007-06			
Client Sample ID: MJ086			Percent Solids: 95.1			
Date Sampled: 10/03/02						
Date Sample Received: 10/04/02						
Matrix: Concrete						
Target Analyte	Result	Units	Method Reporting Limit	Date Prep'd	Date Analyzed	
Perchlorate	48736	ug/Kg+	3200	10/10/02	10/16/02	
+ Dry weight basis.						

Sample analytical results shown here to demonstrate accuracy of these cited facts.

1. http://www.dtsc-ssfl.com/files/lib_interim_meas/hap_val_perchlorate/work_plans/90_SSFL_REP_IM-dWP.pdf on page 19 they discuss building 376 and change the scale used for discussion from ug/kg to mg/kg to bury the much higher findings here. I realize it is still accurate, but for most reading this...without seeing the zeros to indicate the 1000-fold difference, it would be missed by most.

2. http://www.dtsc-ssfl.com/files/lib_interim_meas/hap_val_perchlorate/work_plans/92_SSFL_REP_IM-dWP_Maps1.pdf

go to page 8 and look in the lower left corner of the map for the high findings but maybe it's better that we use all the findings over 1000 since there are so many. That way it isn't just a single 1 or 2 findings. 10,000ug/l and 71,300 ug/kg but many many more that are over 1000ug/kg and I think it's enough to show that the argument that they "never found anything that high at SSFL" is shown to be a false here.

Centex claimed in those meetings that they had filed a police report for “eco-terrorism” and claiming the findings were planted in all 30+ cases, despite the fact that no such activity was seen by anyone. In doing the math, to get to the staggering results that were found, it would require a very large amount of perchlorate in a very short period of time between the time of the newspaper article that discussed the issue, and the sampling time which was only a matter of a few days. In addition, there was no police report. Despite repeated requests from the community to see the details of this report, it was never provided, and the fact that Centex did not attend the meeting, made it impossible for the community to get answers to those still unanswered questions. If they cannot provide a police report, we must assume that no police report was filed.

In addition, the argument that perchlorate found on the plant leaf surfaces is mis-used because you would find dust particulate matter on the plant surfaces and those particulates would come from the surrounding soils. Given the findings of perchlorate, it is reasonable to assume that some perchlorate would adhere itself to sediment particulates and those would be found on leaf surfaces from local winds

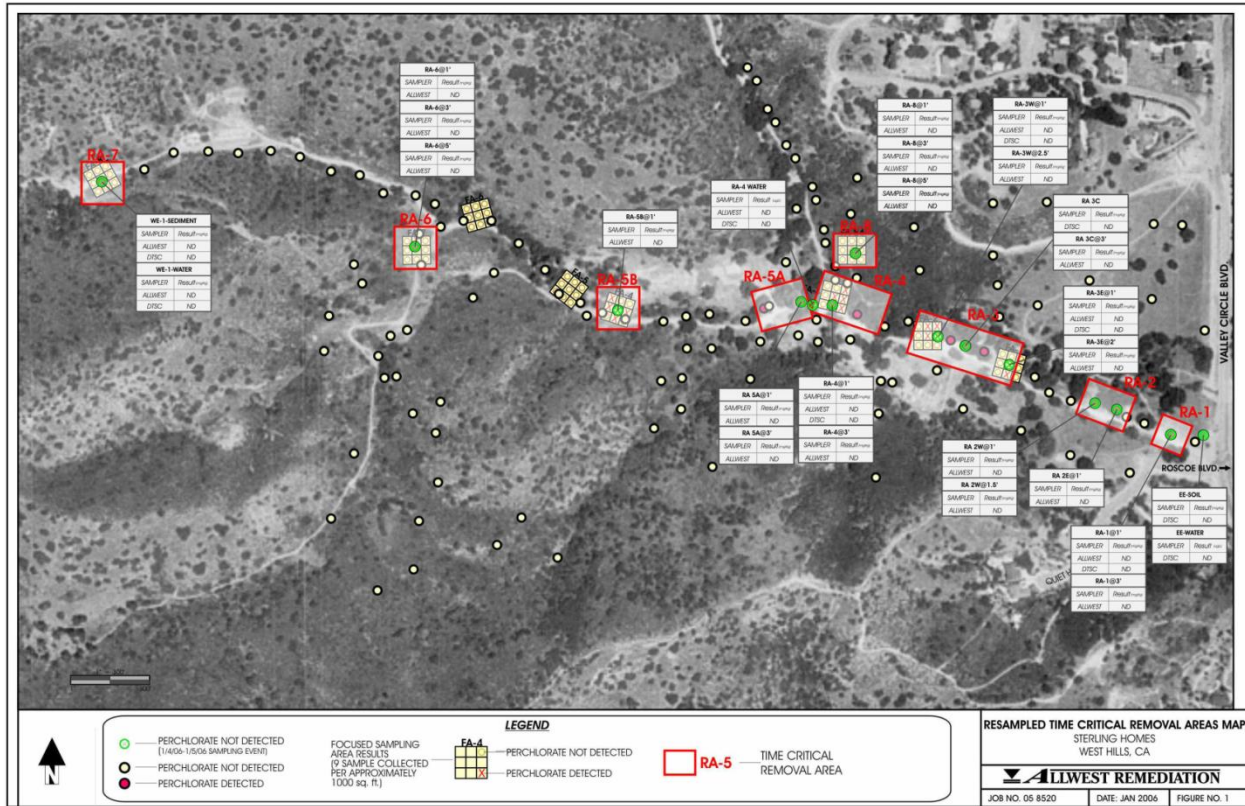
- The findings were at the junction of the two canyons, one of which leads directly from outfall 8 where they’ve had water quality violations in the past and they even paid fines to the waterboard for those violations.
- The seeps map as presented in the RFI does not adequately identify the seeps in this area. I would hope to see sampling results of the recent efforts in this area, and have them compared to the original sampling data done for Dayton Canyon. This will atleast provide an additional level of review to provide answers to the contamination found. This is also an area where a major fault that comes off the site, continues through the Centex property and all the way to the Chatsworth Reservoir according to documents provided in the RFI. This may act as an additional migration pathway for contaminants they may have perchlorated down into the fractured bedrock. A major rain-event like the one that happened just prior to April 2006 sampling of the area, may flush those contaminants downstream. IN the case of perchlorate, as a leading contaminant, highly water soluble, a salt, would likely behave this way. This does NOT suggest in any way, that it is not likely to happen again based on the decades of operational use of perchlorate at the site. Especially considering that no adequate explanation for the first series of 30+ findings of perchlorate, has been given, and an interim measure clean-up was necessary for the area where unexploded ordinances were found.

Decades of operation make it reasonable that this water-soluble material might have soaked into the bedrock and periodically be flushed out by these “design storm” events being discussed with the extraordinary amount of water flowing from the site during these events. It is a reasonable explanation for the original findings, and in no way demonstrates a likelihood that it will not repeat itself.

- A decision of “No further Action” will result in the grading of the area, potentially releasing huge amounts of dust (potentially contaminated dust) to be inhaled by the already existing community... and we are already here! I realize that I say that a lot, but we are already here and most of us came to learn of these hazards many years after already living in the area.

- Six days between presentation and deadline for comment, does not lend for serious comment of substantive value, which is, I think, the purpose of public-process.
- On the recent soil-disturbance question that I sent to Boeing and DOE last week, we were pleased to receive a prompt response from Thomas Johnson of DOE. He told us that they are cutting down the vegetation in order to do another look for the missing enriched uranium slug that was dropped by helicopter in the area, and NEVER recovered (since the 60s) as part of the data-gap analysis for the EIS. Thomas confirmed that NO ambient air monitoring was done during this process of cutting down vegetation in a large area in Area IV (ETEC), so again, we are told, "it's probably fine" without facts, and left to hope for the best. I think it is an important example of why the right people involved need to be kept in the loop between regulators, and the owner/operator of the site as well as these off-site development projects that have such a huge impact on the surrounding communities and how they might incur harm once again, from the past practices of the Hill.

The map shown below, that was included in the presentation, is not legible using zooming tools or through printing of the document. This is the kind of information that is very frustrating to the public as we can't comment on what we can't see. Neither can the State. If you don't sample to confirm a clean result provided by the developer, you cannot make a statement that it is clean. You don't know. You can't know.



As I've said before, we can't always draw a straight line from point-source to contamination off-site, because there is so much unknown or buried (either in the ground or in the mountains of reports). There is a reason some of the best experts are being asked to answer some of these questions. If nothing else, this should tell us all, that there is much to know, that we do not necessarily understand, but that is not to say it didn't happen, just that it is complicated. It is not possible to have adequate input from the surrounding and already existing public, in a six day time-span from meeting – to – comment deadline.

With regard to the radiological survey, I have the following concerns:

- In appropriate background values have been used in this analysis, including known contaminated sites such as the SSFL, Brandeis Bardin, and Lawrence Livermore National Laboratory.
- In accurate representation of the figures was done in previous reports where transposed numbers and other anomalies existed. This leaves a much lower confidence that every figure in this analysis is accurate.

- Step out sampling was inadequate because there were so many areas that were deemed inaccessible that will only be reviewed once grading commences. At that point, it is far too late in the process to do anything but regret the decision made here today. Will you be comfortable with that?
- There was not an adequate review of all related isotopes to the operations at the Field Lab, and with the new work to recover a lost uranium slug, it is particularly important to consider the issue of dust inhalation when it may contain such hazardous materials.

Please perform additional sampling and investigation to determine the actual cause and likelihood of repeated perchlorate findings based the complete characterization of the area above Dayton Canyon, as a point-source site of known perchlorate work and storage as required by the RCRA Facility Investigation and EIR process.

A supplemental EIR for the Dayton Canyon property based on the newly received data in the past year (since the active meetings of this project occurred in 2005/2006) such as the Historical aerial photographs that show visual soil disturbance in the Happy Valley Area, is needed before any decision on further action can be made.

Thank you in advance for your thorough consideration of all of these issues and those of others in the surrounding communities. The mistakes of our past is how we got here. Let's not make any more decisions that will put new generations potentially into harms way.

Sincerely,

Christina Walsh
Executive Director
Cleanuprocketdyne.org
In collaboration with
ACMELA.ORG Aerospace Cancer Museum of Education