



*Matthew Rodriguez*  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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*Edmund G. Brown Jr.*  
Governor

April 3, 2013

The Honorable Robert O. Huber  
Major of City of Simi Valley  
2929 Tapo Canyon Road  
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### DEPARTMENT OF TOXIC SUBSTANCES CONTROL'S RESPONSE TO CITY OF SIMI VALLEY'S LETTER ON SANTA SUSANA FIELD LABORATORY

Dear Mayor Huber:

I would like to thank you and the Simi Valley City Council on behalf of Director Deborah Raphael for your March 4, 2013, letter regarding the cleanup of the Santa Susana Field Laboratory (SSFL). I appreciate your acknowledgement of the Department of Toxic Substances Control's (DTSC) role and commitment to the SSFL cleanup.

Let me assure you that DTSC continues to work and ensure that the health and safety of communities surrounding SSFL are protected. To date we have not found evidence of off-site contamination from SSFL that would pose a risk to human health or the environment. We will continue our efforts to get investigation and cleanup activities completed as quickly and effectively as possible.

Your letter identified several important issues, and I would like to take this opportunity to share DTSC's view on them.

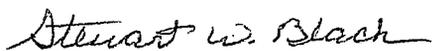
1. The United States Environmental Protection Agency (US EPA) completed their investigation activities in December 2012. Although they have reduced their level of effort on the SSFL project, they will continue to advise DTSC as needed. The Administrative Order on Consent (AOC) with the Department of Energy (DOE) identifies that increased US EPA activities will again be necessary when radionuclide cleanup activities begin. DTSC anticipates that DOE will need to re-engage with US EPA in 2015 for the radiological cleanup activities.
2. The National Aeronautics and Space Administration's (NASA) Office of the Inspector General (OIG) report is an internal document to NASA management in which the OIG reviewed NASA's cleanup commitment at SSFL. The report reviews the cost effectiveness and practicality of the AOC that NASA management signed and spells out NASA's role in the cleanup of SSFL. The report does not make any

requirements of NASA management nor does it impact NASA's cleanup obligations at SSFL. NASA is legally bound to honor the AOC and to cleanup the site as the responsible party.

3. While the United States District Court's ruling enjoined enforcement of Senate Bill 990, the court's decision does not impact the 2010 AOCs that DTSC negotiated with DOE and NASA. DTSC is responsible for the interpretation and implementation of the AOCs and DTSC expects DOE and NASA to continue to implement actions in compliance with the agreements.
4. The applicability and validity of Senate Bill 990 does not affect Boeing's obligations to clean up chemical and radiological contamination on those portions of the site for which it is responsible. Boeing is legally required to clean up the contamination to a level that will protect the environment and health and safety of your community. DTSC will continue to require Boeing to fulfill that obligation.
5. Transfer of the NASA property by the U.S. General Services Administration before the completion of cleanup activities at the site would trigger the "early transfer" provisions in the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). Any proposed transfer of this nature would require the Governor of California, DTSC, and responsible state agencies to make a determination that the property is suitable for transfer and that there are adequate assurances that any response action will not be compromised or delayed.

Thank you for your interest in supporting the SSFL cleanup. DTSC will continue to review and oversee the SSFL investigation and cleanup activities in a manner that effectively protects the local communities and environment. If you have questions regarding the content of this letter, please contact me at (916) 324-3148 or via e-mail at [stewart.black@dtsc.ca.gov](mailto:stewart.black@dtsc.ca.gov).

Sincerely,



Stewart W. Black, P.G.  
Deputy Director  
Brownfields and Environmental Restoration Program

cc: See next page.

The Honorable Robert O. Huber  
April 3, 2013  
Page 3 of 6

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The Honorable Robert O. Huber  
April 3, 2013  
Page 4 of 6

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The Honorable Robert O. Huber  
April 3, 2013  
Page 5 of 6

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The Honorable Robert O. Huber  
April 3, 2013  
Page 6 of 6

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