



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Edmund G. Brown Jr.
Governor

May 23, 2014

Mr. Allen Elliott
Santa Susana Program Manager
National Aeronautics and Space Administration
George C. Marshall Space Flight Center
Marshall Space Flight Center, Alabama 35812

DEPARTMENT OF TOXIC SUBSTANCES CONTROL'S COMMENTS ON THE COMPARATIVE ANALYSIS OF BACKGROUND VERSUS RISK-BASED CLEANUP SCENARIOS FOR THE SOILS AT SANTA SUSANA FIELD LABORATORY, VENTURA COUNTY, CALIFORNIA

Dear Mr. Elliott:

The Department of Toxic Substances Control (DTSC) writes to comment on the above-referenced white paper and to reiterate the importance of the National Aeronautics and Space Administration (NASA) continuing its commitment to comply with the 2010 Administrative Order on Consent (AOC) and applicable State laws and regulations at the Santa Susana Field Laboratory site (SSFL).

DTSC's initial review of the white paper, which recently appeared on NASA's webpage, identified statements that could confuse rather than inform the public. For example, the document makes conclusory statements regarding the scope and impacts of the cleanup effort at SSFL, without the benefit of the California Environmental Quality Act (CEQA) process, which requires the implementation of mitigation measures to reduce such effects. Some could go as far as to interpret the white paper as saying that the AOC's comprehensive investigation and cleanup approach could miss contamination hotspots, when in fact, that is not the case. The presentation of such material does not accomplish the paper's stated goal of accurately informing the public and is immaterial to NASA's commitments under the AOC.

As NASA knows, DTSC is in the process of preparing an Environmental Impact Report (EIR) associated with the agency's cleanup of the SSFL. Both NASA's Environmental Impact Statement and DTSC's EIR must be consistent with the AOC. As stated in the AOC, DTSC is precluded from approving any cleanup activities associated with the

Mr. Allen Elliott
May 23, 2014
Page 2

Quality Act. CEQA requires the adoption of feasible mitigation measures that can reduce significant adverse environmental impacts and allows for the adoption of such measures to alleviate even non-significant effects. Through the CEQA process, DTSC will work with NASA to first avoid the creation of such impacts and then to mitigate impacts that may remain.

DTSC appreciates the opportunity to comment on the above-referenced paper. If you have any questions regarding the comments, please contact me at (916) 255-3717 or via e-mail at Mark.Malinowski@dtsc.ca.gov.

Sincerely,



Mark Malinowski, Chief
North California Schools and Santa Susana Field Laboratory Branch
Department of Toxic Substances Control

cc: (via e-mail)

Mr. John Jones
Federal Project Director
DOE-EETEC
John.Johns@emcbc.doe.gov

Mr. Stewart Black
Deputy Director
Brownfields & Environmental Restoration Program
Department of Toxic Substances Control
Stewart.Black@dtsc.ca.gov

Mr. Ray Leclerc
Assistant Deputy Director
Brownfields & Environmental Restoration Program
Department of Toxic Substances Control
Ray.Leclerc@dtsc.ca.gov

Mr. Allen Elliott
May 23, 2014
Page 3

cc: (continued)

Ms. Nancy J. Bothwell
Senior Staff Counsel
Department of Toxic Substances Control
Nancy.Bothwell@dtsc.ca.gov

Mr. Richard Hume, Chief
Santa Susana Field Laboratory Team
Department of Toxic Substances Control
Richard.Hume@dtsc.ca.gov

Mr. Paul Carpenter
Senior Engineering Geologist
Department of Toxic Substances Control
Paul.Carpenter@dtsc.ca.gov