



Frequently Asked Questions

Santa Susana Field Lab (SSFL) Site Superfund Listing

Background:

On December 6 U.S. EPA wrote a letter to the Governor asking for the state's position on whether the U.S. EPA should place the SSFL site, a former rocket engine test and nuclear research facility in Ventura County, on the federal Superfund National Priorities List (NPL). In October, the Governor announced that Cal/EPA Secretary Linda Adams and Resources Secretary Mike Chrisman signed a Letter of Intent with The Boeing Company outlining requirements for cleanup and transfer of the site to the state.

Q: What's the current situation regarding clean up of the SSFL site?

A: The state's unprecedented momentum to reach resolution on the SSFL site raises serious questions about the timing of proceeding with the NPL listing process. In addition to working with stakeholders on a comprehensive agreement, we're making enormous progress on clean up efforts already underway by the Department of Toxic Substances Control (DTSC).

Q: When is the best time for EPA to decide on proceeding with the NPL listing process?

A: The time for EPA to decide on whether or not to proceed with NPL listing is six months from now. The state has taken aggressive action at the site, and is negotiating an historic agreement with SSFL owners and operators for a thorough clean-up of the site. The progress made through that initiative should be considered in evaluating the need for NPL listing.

Q: Why not have EPA proceed with the NPL listing process now?

A: Asking U.S. EPA to proceed now with its listing proposal embarks on a course for NPL listing, from which there may be no exit. Recent state actions create an unprecedented opportunity to achieve a comprehensive, protective and expedited cleanup of the SSFL site, with full liability and costs to be assumed by The Boeing Company (Boeing). In light of recent breakthroughs, we're asking U.S. EPA to take up consideration for NPL listing six months from now, in order that the state may negotiate a formal clean-up agreement and may fully evaluate possible impacts and ramifications of an NPL listing on achieving our goals.

Q: What actions has the state taken related to the SSFL site?

A: The state has made substantial progress toward a comprehensive investigation and cleanup of the SSFL site, including the following actions:

- In August 2007, the State entered into an enforceable agreement with Boeing, the U.S. Department of Energy (DOE), and the National Aeronautics and Space Administration (NASA) for the investigation and cleanup of the site, to have soils cleaned up and a groundwater treatment system in place by 2017.
- The Governor signed into law SB 990 (Kuehl, 2007) regarding the cleanup of this site.

FAQs: SSFL Site Superfund Listing ... continued page 2

- The California Resources Agency and the California Environmental Protection Agency (CalEPA) signed a Letter of Intent with Boeing in which Boeing agreed to clean up the property to protective standards and to transfer the property to the State for open space or parkland after it has been fully cleaned up (residential use would be prohibited).
- The State intends to negotiate a formal agreement with Boeing that is consistent with SB 990 and the Letter of Intent within the next six months.

Q: How long will it take to clean up the SSFL site? Does the NPL listing process change the timing?

A: The state has a Consent Order in place that requires soil cleanup of radiation and chemical contaminants by June 30, 2017; as well as construction of water cleanup remedies by June 30, 2017. Because NPL listing adds another layer of bureaucracy, there is a strong potential that the NPL listing process could add several years to the process.

Q: What clean-up standards would U.S. EPA use on the SSFL site?

A: It's uncertain what standards the U.S. EPA would ultimately use. However, U.S. EPA officials have indicated that in most cases Superfund sites are cleaned to the level of their intended use. In this case, Boeing has publicly committed to transferring the land to the state for use as park, recreational and other open space uses. If EPA followed protocol and settled on open space clean-up standards, then these would be far less protective than the residential clean-up standards the state is requiring.

Q: How would NPL listing interact with Kuehl's Senate Bill 990, signed by Governor Schwarzenegger in 2007?

A: It's unlikely that the U.S. EPA would clean up the SSFL site to SB 990's strict residential standards, leaving the state to enforce the tougher clean-up standards after U.S. EPA is finished. This would mean that DTSC could be forced to duplicate many of the same efforts to investigate and verify soil contaminant levels, and then set up an additional clean-up plan to meet the SB 990 standards. This is part of the reason why the State is asking USEPA to defer its decision on whether it should propose listing of the site.

Q: Why did the Governor announce that SB 990 needed clean-up language when he signed the bill?

A: The Governor signed SB 990 because he believes very strongly that the SSFL site should be cleaned up to standards that protect the residents in the vicinity of the site. Given the enormous complexity of this issue, at the time staff advised the Governor that there was a potential need to address the feasibility of the clean-up standards outlined in the law. However, after careful consideration, and additional discussions with experts and stakeholders, staff now believes that the clean-up standards outlined in the law are reachable.

FAQs: SSFL Site Superfund Listing ... continued page 3

Q: Can SB 990's standards be met?

A: Yes. While some radioactive isotopes are difficult to detect with existing technology, we believe that the standards and program specified in the law are feasible.

Q: Does the Governor still plan to pursue clean-up language to SB 990?

A: No. We believe that clean-up language is no longer needed. The Governor is relieving Senator Kuehl of her commitment to carry clean-up legislation.

Q: Will the U.S. EPA require NPL listing in order to provide assistance on SSFL site cleanup?

A: We would hope not. The state and U.S. EPA partner on many clean-up projects without official NPL listing. We do not want NPL listing to slow down the cleanup of the site.

Q: Does DTSC have the staff to handle the additional workload that would be caused by a clean up project of this magnitude?

A: Yes, but any additional staff needed would be paid for by Boeing.