



October 1, 2013

**Comments by the Rocketdyne Cleanup Coalition
on the NASA Draft Environmental Impact Statement
for Cleanup of the Santa Susana Field Laboratory**

The Rocketdyne Cleanup Coalition hereby submits these comments on NASA's Draft Environmental Impact Statement (EIS) for Demolition and Cleanup Activities at the Santa Susana Field Laboratory (SSFL). The Rocketdyne Cleanup Coalition was established 34 years ago, a coalition of community members living near SSFL and concerned organizations. (At that time, Rocketdyne operated the site for NASA and the Department of Energy; some years ago Rocketdyne was purchased by Boeing.) We have been active ever since in trying to get the site cleaned up.

Through decades of gross violations of environmental rules, NASA badly contaminated its part of the Santa Susana Field Laboratory with very toxic materials, some of which have been transported off the property to neighboring areas. Studies have shown elevated cancer rates, both for people exposed on the site and for members of the public living nearby. After years of dragging its feet on cleanup, in 2010 NASA executed a binding cleanup agreement with the State of California, promising to clean up all the contamination to background.

NASA has now published a Draft Environmental Impact Statement on the cleanup. The EIS has created considerable consternation among the affected community, creating, frankly, the impression that that some NASA personnel are working to sabotage the agreement NASA signed and is pledged to carry out.

We want to be absolutely clear that NASA must live up to the AOC, every provision of it, with no effort at evasion or avoidance of obligations.

Among the concerns about the draft EIS that should be rectified:

The AOC requires all contamination to be removed, but the EIS considers leaving in place old rocket test stands, trying to call them historical. The problem is that that is where much of the contamination is located, in the soil beneath the stands. It is not possible to clean up the soil without getting those rusty structures out of the way. There is no discussion of how NASA could possibly clean up the contamination beneath the rocket test stands without getting them out of the way. Any such consideration should be removed from the EIS.

Similarly, the AOC already provides protections for recognized Native American artifacts. For example, if the Burro Flats cave paintings could be impacted at all by the cleanup, which seems hard

to believe, the AOC provides an exception to the cleanup to background requirement. But the EIS goes way beyond the AOC provisions and seems to raise the possibility of just declaring all of the contaminated soil throughout the 2850 acres of the site sacred and implies that then NASA might not comply with the AOC cleanup requirements all. This is unacceptable and would completely violate the agreement, which has an exception solely for artifacts, not some loose claim about the entire property where there are no such artifacts.

Additionally, the AOC already has provisions that would be triggered if the Fish and Wildlife Service were to issue a biological opinion requiring certain actions to protect endangered species. But the EIS seems to go far beyond what the AOC allows and appears to imply it would like to hide behind vague, generalized consideration of plants and other biological resources and not clean up contamination at the site even though there is no Fish and Wildlife requirement that would allow that under the AOC. This also would violate the agreement.

NASA concedes that the Council on Environmental Quality, the agency responsible for assuring other agencies comply with the National Environmental Policy Act, directed that the EIS should not include "alternatives" that would involve breaching the AOC. Yet NASA, in the Draft EIS, goes ahead and includes several alternatives that would in fact breach the AOC, and in the guise of "alternatives not analyzed" goes ahead and analyzes them, throwing in inflammatory and inaccurate claims about how much they would reduce truck trips, etc. If NASA cannot keep its word to the White House Council on Environmental Quality, and Senator Boxer, how can the community have faith it will keep its word about the cleanup it committed to in the AOC? All of those non-compliant alternatives and their misleading truck estimates should be removed from the text.

The most egregious part of the draft EIS is its complete imbalance. The site is contaminated with all sorts of toxic materials, in soil, groundwater, and surface water, and the structures remaining at the site. There is almost no discussion of the contamination in the EIS, no real discussion of the environmental impacts of leaving, for example, vast quantities of TCE and other contaminants in the groundwater, a beneficial resource, or of leaving PCBs, dioxins, perchlorate, etc. in the soil. There is no discussion of the scores of violations of pollution limits cited by the Water Board when rain carries NASA's pollution offsite. The "No Action" alternative is almost silent about the real environmental issue here--the huge amounts of contamination NASA has created and which it has an environmental, moral, and legal obligation to clean up.

There needs to be vast expansion of the discussion of the contamination itself, for example, the health effects of each of the pollutants that has been found at the site. Is it a carcinogen? Does it cause genetic damage? Does it lead to birth defects? Neurological damage? Immune system dysfunction? The great bulk of the EIS should be about the environmental impacts of the pollution damage NASA has done and the need to clean it up and how the No Action alternative would leave all that contamination continuing to damage the environment.

Each contaminant should be identified; its effects, environmental persistence, transport pathways, etc. fully described. How much of each is where? At what levels? There is no discussion of the UCLA School of Public Health studies finding that the contamination at the site resulted in excess cancers among the workers. There is no discussion of the study by the federal Agency for Toxic Substances and Disease Registry (ATSDR) finding elevated rates of cancers of the bladder, thyroid, aerodigestive tract, and blood and lymph systems in people living offsite and associated with proximity to the site. There is no discussion of the extensive other study for ATSDR by Professor Yoram Cohen and his UCLA team showing that pollution from the site migrated offsite and at levels in excess of EPA acceptable limits.

To be clear, we are not advocating “risk assessment”; just the opposite. The whole purpose of the AOCs was to make the cleanup simple. The contaminants would be surveyed, assessed, and whatever was over background would be cleaned up. This draft EIS was supposed to be about how to do that, not whether to do it. Under NEPA, pollution of land or water is a major environmental impact, even if one declares the site uninhabitable or the water too polluted to utilize. And the end-use of SSFL is irrelevant; even if one could guarantee what it would be for the centuries the contamination would be there if not cleaned up. People live near the site, and no one talks of forcing them from their homes, declaring their communities uninhabitable and restricted to open space use. The people nearby have been impacted by the pollution, as evidenced by the increased cancer rates and studies showing offsite migration. They need to be protected. They need full cleanup. The EIS must thoroughly spell out the environmental damage NASA has done by all its pollution, and the significant negative impacts to the environment if NASA were to take “No Action” and breach its AOC commitments by not cleaning up the toxic mess it made.

All this needs to be rectified. An honest EIS would focus in detail on the environmental impacts of the contamination to be cleaned up. This EIS doesn't do that, but seems intent on burying the real reason for the action--the extraordinary environmental damage done by NASA in contaminating its site and the need to repair that damage.

Instead, NASA exaggerates the truck traffic that would be needed supposedly to remove the contamination for disposal at toxic waste disposal facilities. If one looks carefully at the numbers, it is really pretty insignificant--a few trucks per hour. The EIS is silent about how many trucks have been going in and out of the site for decades. How much truck traffic was there when the facility was fully operating? How many car trips for workers?

A careful review of the EIS shows a lot of exaggeration and double-counting about the trucks. For example, it counts both trucks taking contaminated soil or building debris, and adds to that trucks that might haul in clean fill. But there is no evidence NASA will need to bring in any fill, rather than simply regrade and use soil from the site, and NASA should commit to taking all possible steps to avoid needing any offsite soil. But if NASA needs any from offsite, the trucks going up to the site to haul away contaminated soil can haul up clean fill.

The purpose of an EIS in large measure is to identify mitigation measures. So, the EIS should focus on regrading and using on-site soil; but it doesn't. NASA should require the use of natural-gas or electric vehicles rather than diesel trucks to reduce air emissions and global warming. But it doesn't. The draft EIS should consider the use of rail, but it doesn't. There is no consideration of improving a fire road leaving the site and then taking by truck some of the shipments a different route, or taking the material that way to a rail spur. Again, the draft EIS doesn't do that. The EIS could identify additional routes once you get down Woolsey, but it didn't. And even for the three routes that were identified, NASA could require the trucks to be dispersed over those routes, so none gets more than a few trucks an hour. Again, the agency refuses to do that. NASA simply refuses to consider any mitigations to the trucks at all, saying it might add time or money. But that is not a reason to refuse to consider appropriate mitigations.

Similarly, the draft EIS fails to adequately consider mitigations for the soil cleanup. These are not pristine areas in the first place. The contamination occurred in the areas of heavy NASA activity, where the soil had already been scraped away, structures like test stands constructed, and huge amounts of pollutants just dumped in the soil. But once it is cleaned, it needs to be restored. There is virtually no discussion about restoration, replanting with native vegetation, etc., so that the land

NASA has damaged so badly is returned to its native state, how it was before it was injured so badly. Again, the EIS should detail those mitigation options and plans, and doesn't.

Instead of following NEPA and identifying the environmental impacts of the contamination and thus the need for the action and what the No Action alternative would result in if all that pollution is left unremediated, the EIS comes across as a piece of propaganda by some within NASA trying to blow up the agreement the agency signed. We note that on September 20 of this year, just a few days ago, NASA testified before the Science and Technology Committee of the U.S. House of Representatives. NASA Associate Administrator Richard Keegan stated, "The draft EIS is open for public comment until October 1 and we expect the final EIS in November and **NASA is committed to fulfilling our obligations under the AOC.** There is sufficient funding in our FY14 request to accomplish all the activities that are planned for FY14 leading to **fulfilling our commitments under the AOC.**" (emphasis added) Congresswoman Julia Brownley then followed up, confirming, "So, regardless then of what the IG may be recommending, **your commitment is still to the agreement with the AOC.**" (emphasis added) To which Associate Administrator Keegan reiterated, "**We are committed to the agreement under the AOC.**"

If the draft EIS is any indication, however, there seem to be some at work at lower levels of NASA trying to sabotage or undermine what the agency has committed to, to the Congress, to the State of California, and to our communities. This cannot be tolerated.

NASA is responsible for a huge amount of pollution at its property at SSFL. It solemnly signed a legally binding agreement to clean up all the contamination to background. It has reiterated its promises as recently as a few days ago to the U.S. Congress. We expect and demand and insist that NASA live up to its obligations under the AOC, completely and without any efforts to break those commitments.