



October 17, 2023

My name is Melissa Bumstead, I am the mom who started Parents Against Santa Susana Field Lab. My teenage daughter is a two-time cancer survivor. We've buried several of her friends. The contamination at the SSFL is well documented to cause cancer and other illnesses. According to Boeing's own 2015 RFI report, 96 out of 100 people would get cancer if they lived on certain portions of the site.¹ That's horrifying, compared to the EPA's acceptable cancer risk of one in one million. The site is harming people; the DTSC has derailed a health protective cleanup; the time for the Board to act is now.

In August 2022, the Ventura County Board of Supervisors approved a motion to consider legal action to enforce the remediation of the SSFL to background levels if the responsible parties "adopted a program for cleanup at a lesser level."² That happened in June this year with the Department of Toxic Substances Control's Programmatic Environmental Impact Report (PEIR). The DTSC has claimed the PEIR is not a decision document and therefore the Board should not begin litigation, despite the fact that the PEIR makes it abundantly clear that the DTSC has adopted a lesser cleanup that breaks promises for a "background" or even "residential with garden" cleanup.

One of the ways the PEIR makes the cleanup dramatically weaker is the Settlement Agreement and I'll be brief on the science behind the changes. The Settlement Agreement has changed the formula for how much of each contaminant is cleaned up. If this wasn't bad enough, the DTSC allowed gratuitous multipliers that change the cleanup standards to be

¹ <https://parentsagainstssfl.com/studies>

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<https://www.vcstar.com/story/news/local/communities/simi-valley/2022/08/09/ventura-county-simi-valley-lo-s-angeles-weighs-legal-action-santa-susana-field-lab-cleanup-epa/10224903002/>

hundreds and in some cases, thousands of times weaker. Through careful, line-by-line analysis, it has been shown that the Settlement Agreement will weakened the cleanup so that 90% of Boeing's toxic property will not be remediated. This is not a perfunctory statement. Review by Committee to Bridge the Gap,³ a watchdog group, and a year-long analysis by Reuters News,⁴ both prove this statement true. The Settlement Agreement's drastic weakening of the cleanup standards is a critical piece of the PEIR.

The second way that the PEIR weakens the cleanup is more straightforward in that it limits how much soil can be remediated. According to recent statements by the DTSC, the "PEIR assumes maximum estimate soil volumes."⁵

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Purpose of the PEIR

- EIR required under California Environmental Quality Act
- Assumes maximum estimated soil volumes for conservative analysis
- Program EIR evaluates potential impacts from the overall cleanup project and proposes 64 mitigation measures
- Final PEIR is not a decision document and does not approve final cleanup levels



Coastal Live Oak



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In the PEIR's Table 2.6-1, only 203 acres will be remediated according to the PEIR, or approximately 37% of the site.⁶ The PEIR has set a maximum for the cleanup; it restricts the

³ <https://parentsagainstssfl.com/cleanupagreements/#Settlement>

⁴ <https://www.reuters.com/investigates/special-report/usa-pollution-conservation-easements/>

⁵ [DTSC Presentation to the Board of Environmental Safety 2023 PDF page 32](#)

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https://www.envirostor.dtsc.ca.gov/getfile?filename=/public/deliverable_documents/5178303360/00_SSFL%20Final%20PEIR.pdf pdf p. 162

cleanup to 203 acres, although the PEIR says in the Response to Comments that the final cleanup could actually result in even less removal of soil and a smaller project footprint.⁷ The

Area	DOE Areas (acres)	NASA Areas (acres)	Boeing Areas (acres)	Total (acres)
Total Cleanup Acreage ^a	230	226	85	541
Potential Biological Exception Areas within Cleanup Areas ^b	134*	136	49	319
Cultural Resources Within Cleanup Acreage ^c	12	4	3	19
Total Potential Exceptions Areas	146	140	52	338

DTSC won't do more if the Board hesitates to litigate; they will likely do even less. DTSC has lied to elected officials and the community by claiming this isn't a final decision document, contradicting their own statements. The PEIR is nowhere near a background cleanup. This is an alarming weakening for the cleanup of one of California's most toxic places.

The Settlement Agreement has changed the cleanup values, and added multipliers, so that 90% of Boeing's property will remain contaminated. The PEIR assumes the maximum estimated soil volumes, and states that 338 acres will stay contaminated, permanently, with long-lasting chemicals, toxic metals, and radioactive material. The contamination left behind will harm generations of Ventura County residents.

The PEIR cleanup was not designed to protect people, it only protects Boeing, NASA and the Department of Energy. The Santa Susana Field Lab is harming people in Ventura County; the DTSC has derailed a health protective cleanup; and the time for the Board to act is now.

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https://www.envirostor.dtsc.ca.gov/getfile?filename=/public%2Fdeliverable_documents%2F5178303360%2F00_SSFL%20Final%20PEIR.pdf PDF page 290