

MOTION BY SUPERVISORS SHEILA KUEHL
AND KATHRYN BARGER

May 3, 2022

Santa Susana Field Lab Clean Up

The communities surrounding the Santa Susana Field Lab, joined by their elected governmental representatives, have spent years advocating for a full cleanup of the highly contaminated toxic chemical and radioactive waste site located at the former Santa Susana Field Lab. Los Angeles County, Ventura County, the Cities of Los Angeles, Thousand Oaks, Simi Valley, Agoura Hills, Hidden Hills, Moorpark, Malibu, and many others have expressed profound concern multiple times about ongoing delays and endless attempts to weaken the cleanup standards at the site. Legally binding cleanup agreements, including the 2007 Consent Order and 2010 Administrative Orders on Consent, require soil cleanup to be completed by 2017. Yet a full five years after the cleanup was scheduled to have been completed, the required soil cleanup hasn't even begun. As a result, all three responsible parties, Boeing, the Department of Energy and the National Aeronautics and Space Agency, must be recognized as being in violation of one or both agreements.

We are concerned that the State has not enforced the 2007 and 2010

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agreements. We are equally concerned about the many industry efforts, including efforts to make changes to the Standardized Risk Assessment Methodology, designed to allow further delay and weaken cleanup standards. This cleanup is long overdue -- children and families in the surrounding communities, according to their testimony on more than one occasion, have been suffering from higher rates of cancer and other health impacts for far too long. We cannot afford to delay any longer or wait for the standards to be weakened for the industry's benefit and at our communities' continued expense.

We trust that the long-delayed Program Environmental Impact Report, with an anticipated release now in the summer of 2022, will reaffirm cleanup to background levels, consistent with prior commitments and agreements, while simultaneously protecting critical wildlife habitat and ensuring that neighborhoods are not negatively affected by removal and transportation of toxic materials. Should that not be the case, however, action may need to be taken to assure that the existing cleanup agreements are carried out.

We have not wavered in our expressed positions as noted in the April 5, 2017 letter to Department of Energy responding to their draft Environmental Impact Statement, in our December 6, 2017 letter to Department of Toxic Substances Control, a letter to National Aeronautics and Space Administration on January 2, 2020, and in our most recent, October 14, 2021 letter to Department of Toxic Substances Control urging that there be no further delays in releasing the Program Environmental Impact Report and proceeding with the necessary cleanup.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Direct the Chief Executive Officer to add a policy to the State and Federal Legislative Agendas to support legislation to assure a full "cleanup to background" of the contaminated areas at and surrounding the Santa Susana Field Lab, as outlined in the 2007 Consent Order between Boeing, Department of Energy, National Aeronautics and Space Administration and Department of Toxic Substances Control, and the 2010 Administrative Orders on Consent agreement between Department of Toxic Substances Control, Department of Energy, and National Aeronautics and Space Administration. This cleanup to background should be completed expeditiously while protecting habitat for critical species and significantly limiting risk and impacts to the surrounding communities, including options to limit or eliminate trucking of material and to establish alternative transportation for hauling, including by train; and
2. Direct County Counsel to work with the Los Angeles City Attorney and Ventura County Counsel and other affected jurisdictions, and non-governmental organizations supporting the 2007 and 2010 cleanup agreements, to explore legal action as necessary to ensure that the 2007 and 2010 agreements by all parties are carried out and to report back in 60 days in writing.