



P.O. Box 931057
Los Angeles, California 90093-1057

March 28, 2017

Ms. Stephanie Jennings
NEPA Document Manager, SSFL Area IV EIS
U.S. Department of Energy
4100 Guardian Street, Suite 160
Simi Valley, CA 93063

Re: Draft Environmental Impact Statement for Remediation of Area IV and the Northern
Buffer Zone of the Santa Susana Field Laboratory

Dear Ms. Jennings:

Los Angeles Audubon Society has been a voice for birds and conservation in Los Angeles for 107 years. Our mission is to promote the study and protection of birds, other wildlife, and their habitats. We have over 3,500 members and supporters, most of whom live in Los Angeles. Our founding principles include a commitment to fostering “a proper conservation of our native birds, other animals, wild flowers, trees, shrubs, soil and water.” It is in this context that we offer comments on the proposed plans for remediation of the significant contamination at Area IV and the Northern Buffer Zone of the Santa Susana Field Laboratory.

As is established in the Draft Environmental Impact Statement (DEIS), the Santa Susana Field Laboratory is the site of both radioactive and chemical contamination as a result of a long history of industrial and governmental use. State and federal agencies, including the Department of Energy (DOE), committed in 2010 to a cleanup of the site to background levels of contamination. Astoundingly, all options included in the DEIS would breach that agreement and not achieve the standard to which the DOE committed. Instead, the options considered would leave up to 39%, 91%, or 99% of the contamination in place at the site.

Los Angeles Audubon Society has previously stated its opposition to an approach that does not clean up this contaminated site as agreed upon:

Los Angeles Audubon opposes this approach and endorses cleanup to the standards agreed upon in 2010. It would be unacceptable to leave radioactive and chemical contamination on a site that might be used for birding and other recreation. We recognize that a cleanup to background standards would itself result in environmental impacts, but once completed, the site can be actively restored and even without active

restoration the site would continue to function as a crucial linkage for wildlife. Santa Susana Field Laboratory presents an extraordinary circumstance; the contamination at the site is an environmental disaster that must be remedied before moving forward with any other use (Los Angeles Audubon Society Board of Directors, September 25, 2016).

We have reviewed the elements of the DEIS and find that it is conceptually flawed in several ways.

First, the only biological impacts (to non-human species) that the DEIS evaluates are those that would result from the remediation actions themselves. The DEIS does not provide an assessment of the impacts on wildlife of the contamination that would be left on site.

Second, the DEIS does not make use of ecological Risk-Based Screening Levels (RBSLs) that establish harm from contaminants to species other than humans. Ecological RBSLs are an essential part of a complete analysis. Ecological RBSLs have been calculated for the site, as defined in the Standardized Risk Assessment Methodology approved by the Department of Toxic Substances Control (DTSC), but they have not been used in the DEIS. We note that the cleanup standards now proposed by the DOE would allow many of the contaminants at SSFL to remain at levels that are far higher than the established ecological RBSLs. Specifically, the DOE proposes to leave contaminants in place at SSFL at levels hundreds or thousands of times higher than deemed an acceptable risk for wildlife.

Third, the exposure pathways used for the assessment do not include indirect exposures, e.g., from consuming food from a backyard garden (p. S-31, footnote 22). As a result, the proposed allowable contamination levels are not those established for the specified land use (suburban residential) but are several orders of magnitude higher. It is disingenuous for the DEIS to purport to clean to suburban residential standards and then arbitrarily ignore a key pathway of exposure in suburban residential settings, resulting in leaving behind concentrations of contaminants thousands of times higher than the default Environmental Protection Agency (EPA) and DTSC suburban residential standards.

Fourth, under EPA guidance, exposure calculations should not be based on an approach that averages the amount of a contaminant over an area unless the way that receptors will be exposed is truly random. The EPA has indicated that residential scenarios, among others, are unlikely to be random. Yet, the DEIS averages exposure estimates at large spatial blocks (100 acres) even though neither people nor wildlife would use these areas in random spatial patterns. The implication is that the average exposure can be made to look smaller if a small, concentrated location of contamination is averaged in with large surrounding areas that have lower contamination. But what if a future trail or wildlife observation area were to be located by the concentrated contamination site? Then exposures would be much higher than predicted by the improper approach used in the DEIS.

Fifth, the DEIS does not consider the off-site impacts on people or other species of the contamination that would remain under various scenarios. As is evident from the history of water quality violations from runoff originating on the project site, contaminants are moved off site through normal hydrogeomorphological and biological processes. Movement of these

contaminants over time would likely result in impacts to sensitive receptors off site and these impacts should be evaluated in the DEIS.

Los Angeles Audubon Society recognizes that implementing the full cleanup that was promised by the DOE would have temporary impacts on the environment, but shares the view expressed by the U.S. Fish and Wildlife Service in its previous Section 7 consultation regarding this site that those impacts are acceptable in the interest of properly remediating the land. The potential impacts of a full remediation to background levels are the consequence of past industrial actions and not a new impact to be avoided. If anything, the impacts of the cleanup on biological resources should be mitigated by the polluters through additional compensatory mitigation above and beyond the restoration of the site following the cleanup.

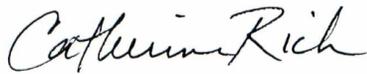
Finally, we object to the DOE calling the project alternative that would leave the most contamination on the site the “Conservation of Natural Resources” alternative. To the contrary, this framing hides that the landowners have been working assiduously to cultivate members of the conservation community to carry their message for them, promising a natural open space if they are allowed to avoid their cleanup responsibilities. As a conservation organization, we reject the notion that this alternative conserves natural resources, especially given that the DEIS does not even use the ecological RBSLs, which would certainly not allow leaving up to 99% of the contamination on the site.

We urge that the DEIS be revised so that all options considered are fully consistent with the legally binding cleanup agreement entered into in 2010, which is not the case in the current document.

Sincerely,



Travis Longcore, Ph.D.
Conservation Chair



Catherine Rich, J.D., M.A.
Conservation Co-Chair



Margot Griswold, Ph.D.
President