

Building 4024 Decontamination and Decommissioning Responsiveness Summary

The Department of Energy received a number of comments on its proposal to demolish Building 4024 as a non-time critical removal action, as documented in the Building 4024 Decontamination and Decommissioning Engineering Evaluation/Cost Analysis, released on January 26, 2007. The public comment period, which was originally scheduled to end on February 28, 2007, was extended upon request and closed April 9, 2007.

This responsiveness summary addresses the relevant comments received during this public comment period. Comments were received verbally during a public comment meeting held on February 21, as well as in writing during the public comment period. The following table identifies all relevant comments and the Department's response.

Table 1: DOE Response to Comments on Building 4024 Decommissioning and Decontamination EE/CA

Commenter	Comment	DOE Response
Regulatory Process-related		
D. Raskin	First, comply with CERCLA. And everything -- everything there -- should be cleaned up to EPA standards.	The Building 4024 removal action project is consistent with CERCLA and complies with all other applicable regulations.
S. Kuehl	The EE/CA proposes not to undertake the EPA site characterization that DOE had previously committed to permit. This is baffling, since the mid-1990s characterization by Rocketdyne was summarily dismissed by the EPA as technically flawed and the DOE agreed to have the EPA characterize the site correctly. The EE/CA however, now proposes closure of the 4024 area without the characterization by EPA which was agreed to.	In 1995, DOE and EPA signed a joint policy agreement that stated DOE would decommission its facilities under its CERCLA removal action authority, in this case decommissioning Building 4024 as a non-time critical removal action.
Mr. Luker	By cutting things up into smaller pieces you're sort of ignoring the larger problem. From my perspective, there are too many agencies with too many different agendas here. And everything should be controlled by one agency so that we can go to one central source for information. Since nobody is in charge because everybody's in charge, DOE doesn't talk to DTSC, doesn't talk to Health Services, it doesn't talk to the water board. At the last working group meeting, you know basically I got up and I told the DTSC that they should start talking to you so that you guys can coordinate your efforts. There is no coordination between the DOE and the DTSC, and somebody should be doing that.	The 1995 joint policy memorandum was written to encourage streamlined decision making. EPA has stated in an email to the SSFL work group, "EPA believes that DOE's "streamlined" approach to the Two EE/CAs is appropriate given the nature of the cleanup activities and the circumstances presented at Building 4024 and the RMHF" (EPA 2007).
C. Walsh	This is not the way people to go about things. And now you're going to -- When you're calling this streamlined, this is not acceptable. The EE/CA itself violates EPA guidance on EE/CA's; instead it is a "streamlined" version. The fact that Boeing, DOE and DTSC are working on different things and not working together also assures that the best possible solution will not be even looked for.	The non-time critical removal action process is a streamlined process for building removal and remediation of associated contaminated soil. It includes documenting the proposed removal action in the EE/CA, as well as providing a public comment period for interested community members to comment on the proposal.
E. Crawford	And so I would just say this -- this -- it's a streamlined EE/CA. You can't stream anything - - streamline anything. I'm sorry. Not in this community. Not on this site. Not on this project. Cross all the Ts, dot all the Is. I did download four copies of the EPA comment letter January 11 on this plan. And they do say you're streamlining. They do say you're not following CERCLA. They do say that your standards are not EPA-cleanup-compliant with residential use, which is what they have been on record for the past seven years as doing.	DOE followed the process that is provided in the 1995 joint policy memorandum to consult with EPA and it also provided a copy of the EE/CA to DTSC. Comments from the regulators have been incorporated into the EE/CA.
D. Hirsch Dr. T. Cochran M. Decker	We respectfully suggest DOE withdraw its EE/CA and commence cleanup of the full site consistent with the 1995 DOE-EPA Joint Policy and its obligations under the environmental laws and regulations of the nation.	

Commenter	Comment	DOE Response
D. Hirsch	One is [DOE is] not complying, as I will disclose in a moment; and secondly, under that joint policy, the entire site was supposed to be cleaned up consistent with EPA's criteria.	Environmental impacts were assessed in the Environmental Assessment.
See List #1 for names	<p>As a citizen living near the Boeing Santa Susana Field Laboratory site, I am deeply concerned at your agency's streamlined EE/CA for Building 4024, site of the SNAP reactor.</p> <p>To protect our health and environment we require that your agency produce a full CERCLA-compliant analysis and cleanup plan, as the EPA has stated you should execute. You only offer a "no cleanup" and lax cleanup option – we require a CERCLA-compliant option regardless of cost.</p> <p>Do an Enviro Impact report on SSFL.</p>	<p>DOE has used a residential exposure scenario to develop soil cleanup goals for carcinogenic risks using EPA's risk data. The cleanup will be fully protective of human health and the environment for any reasonably anticipated future land use.</p> <p><i>Note: Complete copies of CERCLA, the 1995 joint DOE/EPA policy memo on decommissioning DOE facilities, and other regulations and directives (i.e., the NCP and Executive Order 12580) can be found in the Building 4024 Administrative Record, and on the ETEC website.</i></p>
See List #2 for names	<p>I disagree with the Department of Energy's plan for Bldg. 4024 & the Radioactive Materials Handling Facility. Your agency breaks CERCLA laws; it "streamlines" its investigation, and uses very loose standards when calculating how much of your nuclear waste to leave behind. The entire ETEC site has been inadequately characterized and cleaned up.</p> <p>We demand a full EPA-compliant Site Characterization for the entire ETEC, and EPA residential standards to be used when calculating risk and cleanup measures. Your Agency is running the "Accelerated Cleanups Program" across the country, and your methods leave behind 99% of the nuclear waste at the SSFL and DOE's other sites. Instead, follow your 16-year promise to use EPA residential cleanup standards, follow all rules of CERCLA and ensure that the work you did ostensibly to protect us under "national security" does not end up causing us great harm, generations into the future.</p>	
D. Hirsch	DOE has ignored all of those EPA comments. In January, EPA issued a second letter dealing with this particular project, not with any of the prior projects. It says that this EE/CA -- E-E-C-A, which is a term of CERCLA -- violates EPA's guidance on how you're supposed to do these kind of cleanups. DOE has not done anything to fix that. It continues to violate it. It continues to issue what they call a streamlined EE/CA. Let me tell you what is meant by "streamlined."	

Commenter	Comment	DOE Response
D. Hirsch	He [Thomas Johnson] mentioned a law called CERCLA -- that's Super Fund law -- and a 1995 joint policy that DOE had committed to clean up all of this site consistent with EPA's Super Fund criteria.	The 1995 joint policy memorandum was not written specifically for the ETEC site, but the DOE complex as a whole. Furthermore, it applies only to the decommissioning of surplus buildings structures and soil associated with these building footprints.

Commenter	Comment	DOE Response
Notification		
M. Perryman	<p>On your website you have posted that you put it in the Daily News. And if you PDFd it, you can actually get the Daily News article. It's actually not an article. It's an advertisement that was paid for.</p> <p>In addition to a public notice in the back in fine print in the Ventura County Star, I'd just like to note that both an advertisement and a public notice doesn't show up in any kind of national archive system -- just Proquest or any news archive system -- nor were -- Thank God that the elected officials and representatives were here today. Nor were they notified either.</p>	<p>Although DOE met all its legal requirements, in regards to the public notification process, we will strive to improve our public notification methods in the future.</p>
Mr. Luker	I would like to see more notice of these meetings.	
C. Mays	Send out the CERCLA -- in full to everybody. Put it in the newspaper.	
Ms. Rowe	<p>I know, because I am more or less a health advocate activist, that if you want to reach groups there are certain newspapers that you notify in. And The L.A. Times gets the greatest readership in this area.</p> <p>Also, like I said, when I got this letter disclosing that I'm in this prevailing winds area, if I'm getting that kind of letter about that, then if you've got a big enough problem with this building, you should be sending letters to the residents of Simi Valley and West Hills or anybody that's in that prevailing winds area to their homes so that they know about this meeting.</p>	<p>Closing of the comment period was extended from February 28 to April 9, 2007, to allow for additional time to allow the public to comment. During this extension, DOE also took the opportunity to interact with various congressional representatives and elected officials on this process.</p> <p>An additional mailer was sent out to approximately 4,500 people on the SSFL mailing list, as a reminder of this public comment period extension deadline and as an encouragement to provide comments.</p>
Mr. Gonzalez (on behalf of Senator Feinstein's office)	Our office was never made aware of that date.	<p>In addition to meeting the legal requirements of the public notification process and document availability in local libraries, the DOE made all the components of the Building 4024 Administrative Record file available on the ETEC website.</p>
Ms. Klea	And also I'd like to reprimand you people for not putting any notices in the papers in the San Fernando Valley. Not the Daily News and not the Los Angeles Times.	
E. Crawford	That was not public notification. Yeah. Okay. I mean, it violates the law and it's, you know, really disingenuous. I mean, just for the future, I'm just trying to tell you why we are so upset at that because it doesn't follow CERCLA law and it doesn't follow the precedent that has been long-standing in this community about proper mailing, proper notification about 30-day comment periods, about the availability of documents that you know impact the site.	

Commenter	Comment	DOE Response
D. Hirsch	<p>There's not a word on the post card about this document called the EE/CA, its availability or comment period expiring February 28. It invites you to come to a meeting.</p> <p>When you arrived, you're given a copy of the EE/CA. As you sit here, you have no time to read it. They claim that the meeting is to get your comments on a document you can't possibly have reviewed. They published -- The sole public notice was two fine-print ads in the newspaper. The first ad said If you want more information, go to a certain website. If you click on that website, you get emptiness. Doesn't work.</p> <p>So they've asked you to comment on something you haven't seen. They're now telling you you have seven days to get comments in on this document and that administrative record. They're telling you today. The handout that they gave out to you as you walked in said "How do I comment?" You can comment today on the EE/CA which they say they're handing out today -- and none of you can read it because you've been sitting here listening to them -- or you can send in comments within seven days.</p> <p>Now, that's not what the CERCLA law requires. They didn't notify, to the best of my knowledge, a single state legislator or federal legislator about the availability of the EE/CA or the comment period. They didn't notify a single reporter. They didn't send out a press release. They didn't make a phone call. There was a mailing list that has been generated of everybody that's concerned about this site. They did not send out a mailing saying, We have a document. We have 30 days. They didn't send out copies of the document. Instead, they sent out a misleading post card saying, Come to a public meeting, without mentioning there is a document, how to find it, or the comment period. So they're pretending that this is a session for you to comment on. And so my first request is that you comply with the law, that you renote this, that you mail out to your mailing list a notice that there is this document, that it is available now finally on the website --</p> <p>We had a notice issued on January 26 or January 27 that there was a 30-day comment period on the EE/CA and to go to the website to obtain it. It was not on the website at that time at all.</p>	<p><i>Please see DOE response on previous page.</i></p>

Commenter	Comment	DOE Response
Public Comment Period Duration		
Mr. Luker	This wasn't enough time to respond to this. You need to extend it by another 45 days I would say. We could get twice as many people if it had been extended like that.	The original public comment period satisfied the legal requirements for a 30-day comment period; however, due to multiple requests at the public comment meeting, in writing, and from congressional delegates, the public comment period was extended.
S. Boeker	I would greatly appreciate if you would at least provide -- It would be very nice if you could give us 60 days on this.	
B. Mills	Please extend the public comment period, as requested by the citizens.	
C. Mays	We need a 45 day extension.	
M. Perryman	<p>We've gone out -- gone ahead and printed out these postcards for everybody here at the meeting today that basically ask DOE to extend the public comment period and also we require agencies to produce a full circle [CERCLA-]compliant analysis and cleanup plan that -- I'm sorry -- Dan Hirsch was talking about earlier. So if you guys would like to fill these out, I have them. And we have a box right next to the door, and we'd be happy to give them to DOE.</p> <p>Therefore, this ETEC 4024 cleanup plan that, by the way, so needs a proper public comment period because it wasn't followed. It also needs to be expanded to allow the community's comments about what's going on in this facility as it is in our back yards and we don't have any other time to communicate it to you in a public forum.</p>	The original comment period began on January 26, 2007, and was scheduled to end on February 28, 2007. The end date was extended to April 9, 2007.
Ms. Garcia	Hi. I'm here on behalf of Senator Sheila Kuehl. My name is Hilda Garcia to ask you to extend the public comment period so that people can have enough time to voice their concerns. Thank you.	
Mr. Gonzalez (on behalf of Senator Feinstein's office)	Hi. I'm Guillermo Gonzalez from Senator Feinstein's office. And I think earlier it was referenced that the public comment period started on January 27. And I would also ask that the public comment period be extended. Thank you.	
C. Walsh	First off, the comment period must be extended 45 days. This has not been noticed and that is illegal. That cannot be allowed.	
Ms. Klea	We need a longer comment period.	

Commenter	Comment	DOE Response
D. Hirsch	<p>And I'd ask you to actually mail out the document and announce a 45-day comment period from the time people get it. -- that you notify each legislative office of this matter as well, and that you notify the press. This otherwise is simply a sham. Two fine-print ads in the newspaper with links to websites that don't work and a public meeting where they tell you to comment on something that they handed a minute before you walked in.</p> <p>I hope that you will positively say, yes, we'll get an extension to the comment period so maybe documents may be available.</p>	<p><i>Please see DOE response on previous page.</i></p>
E. Crawford	<p>I don't know how it works, but the process that has been followed, the process that I understand that is legal by under CERCLA and that has been operating here is you notify the stakeholders that there is a plan, you tell them where they get the plan, and you let them know when the clock starts running. So I would have to say definitely on behalf of everybody here I would urge very strongly that DOE indeed institute a 45-day comment period so that indeed now that we know there's a document, now that we have it we can actually go home and in a reasonable amount of time absorb the information, make our comments in the way that we're used to making comments, in a way that is indeed consistent with established California and federal law.</p> <p>It's extraordinarily important and I can't urge you strongly enough to agree to a 45-day extension to hopefully rectify the problem.</p>	
Ms. Raskin	<p>And also having the seven-day comment period is crappy. I had no knowledge of it except for your little lovely card that I got. There was nothing in the newspapers. So it should be extended 45 days.</p>	
B. Miller (on behalf of Representative Gallegly's office)	<p>Like Senator Feinstein's office, to my knowledge we have not received any type of a notice for a comment period.</p> <p>So I guess I would ask on the record that it will -- it should be extended to allow the public to comment on this.</p>	

Commenter	Comment	DOE Response
Administrative Record		
D. Hirsch	You mentioned that the administrative record is available now finally on the website and you just showed us the page. But when I went on the website, it tells us you have to go to the reading room, the library to see the administrative records. I'm not even sure that your statement that it's now available on the website is true.	<p>As required by CERCLA, the official Building 4024 Administrative Record was made available on January 26, 2007, at three libraries in the area:</p> <ul style="list-style-type: none"> -the Simi Valley Library; -the Platt Branch Library; and -the Oviatt Library located at California State University-Northridge. <p>As an additional convenience to interested community members, the DOE ETEC website was subsequently updated to include the documents that comprise this administrative record.</p>

Commenter	Comment	DOE Response
Soil Cleanup Standards		
S. Kuehl	<p>The contaminant “levels of concern” are based on an erroneous prospective land use and are, therefore, approximately 100 times less than they should be. The site is zoned RA-5. This level of use is found at the boundaries of the site. DOE, however, is assuming a different land use, one that would allow radically higher concentrations of radionuclides to be left behind. This contravenes CERCLA guidance, which indicates that, in the event that multiple land uses may be feasible, DOE must adopt the land use assumption that would lead to the greatest level of cleanup. DOE has not complied.</p> <p>The “project objectives” are also approximately one hundred times too lax. CERCLA requires getting as close to a 10⁻⁶ risk as is feasible. The EE/CA, however, declares its objective to be anywhere in the range of risk, between 10⁻⁴ and 10⁻⁶. The issues set forth above, taken together, mean that DOE is contemplating leaving behind contaminants up to 10,000 times higher in concentration than CERCLA guidance and public health concerns would allow. This is completely unacceptable.</p> <p>The EE/CA proposes that the site be released for unrestricted residential use. I would strongly submit that, given both the inadequate characterization of the site and the extremely lax cleanup standards being employed, such a use would be a serious threat to public health.</p>	<p>Section 2 of the EE/CA identifies removal action objectives for the proposed D&D of Building 4024, and discusses criteria and cleanup objectives for soil. The stated cleanup objective for the removal action (relative to carcinogens) is “Lower the excess cumulative cancer risk to an individual from exposure to site radiological contaminants in soil to a nominal range of 10⁻⁴ to 10⁻⁶, using 10⁻⁶ as a point of departure.” Table 2-1 in the EE/CA has been re-titled to identify the radionuclide concentrations as cleanup goals for soil that equate to a 10⁻⁶ risk level for each radiological constituent of concern.</p> <p>The Department is committed to using the 10⁻⁶ risk level as a goal for the Building 4024 removal action. Soil sample analysis will be capable of achieving minimum detectable limits for all isotopes equivalent to the 10⁻⁶ risk level for the residential scenario. If the 10⁻⁶ goal is not reached, in accordance with CERCLA and the NCP, a risk management decision will be made by DOE under its lead agency authority based on the calculated health effects to future users of the two-acre 4024 site. CERCLA requires the protective risk range of 10⁻⁴ to 10⁻⁶ to be achieved for all CERCLA actions.</p>
L.Parks	<p>The EE/CA is basing its cleanup efforts on residential use standards; however, I would point out that current zoning includes RA-5 rural residential. Using a rural agricultural land use standard instead of suburban residential would be more appropriate because it is the actual zoning of a portion of the site. Additionally, the agricultural standard errs on the side of safety by reducing risk to the public, and is in line with EPA guidance that calls for using the prospective land use that leads to the lowest permissible remaining contamination, and relies on factors such as current zoning in determining prospective land use.</p> <p>The EE/CA proposes two alternatives to meet CERCLA requirements: the no action alternative, and the alternative for demolition and removal, based on lower cleanup standards. Another alternative should include higher cleanup standards (i.e., based on rural residential scenario and ending up as close as possible to the 1-in-a-million cancer risk standard rather than the 1-in-ten-thousand standard) with an opportunity for the public to comment.</p>	<p>EPA stated in its e-mail to the SSFL work group, “The EE/CAs describe the risk management decision process specified by CERCLA and the NCP. In that process, following a removal action, residual risks are evaluated. If the residual cancer risk estimates fall within the range of 10⁻⁶ to 10⁻⁴, risk management decisions about the protectiveness of the remedy and the need for additional cleanup are made by the</p>

Commenter	Comment	DOE Response
J. Hofius	One goal of the cleanup is for the land to be reused. Does this include possible future residential use? Agricultural?	lead agency (DOE, in this case). The EE/CAs also describe the public involvement component of removal actions that is provided in the NCP." (EPA 2007)
C. Walsh	<p>EE/CA would permit cleanup levels up to 10,000 higher than CERCLA and public health considerations would normally allow. This is inappropriate for several reasons. The first of which is that by using suburban residential as the land use scenario, rather than rural residential (current zoning), cleanup levels 100 times more lax than appropriate. Current zoning is RA-5.</p> <p>[...] By segmenting the clean up, doing minimal documentation for each segment and no real look at the whole picture, it will be impossible to see the whole picture and the people below will pay the price. Is that fair, considering that using higher standards is certainly possible? Why not actually strive to do your best?</p>	<p>DOE has used a residential exposure scenario to develop soil cleanup goals for carcinogenic risks using EPA's risk data. The cleanup will be fully protective of human health and the environment for any reasonably anticipated future land use.</p> <p>It has been determined that the land will not be used for agricultural purposes. Final future land use decision will be made in consultation with local land use planning authorities.</p>
D. Hirsch; Dr. T. Cochran; M. Decker	<p>The actual numeric cleanup levels to be employed are nowhere to be found in the EE/CA. Instead, in violation of CERCLA and NEPA, the cleanup levels are to be specified after the close of the comment period on the EE/CA. The EE/CA merely states that the cleanup levels will be decided, at some unspecified time in the future, on the basis of a "risk management decision."</p> <p>Who will make that decision, and on what basis, is not disclosed. All that is clear is that it will occur at a time when the public has no input.</p>	<p>In its e-mail to the SSFL work group, EPA noted, "EPA's CERCLA guidance calls for the lead agency at a site to consider the reasonably anticipated future land use when setting cleanup levels and selecting a</p>

Commenter	Comment	DOE Response
D. Hirsch; Dr. T. Cochran; M. Decker	<p>The EE/CA would set cleanup levels as much as ten thousand times more lax than CERCLA guidelines and public health protections would normally permit. It does so by two proposals:</p> <p>a. The EE/CA uses the wrong land use assumption in setting the “contaminant levels of concern” for cleanup. The site is zoned RA-5 (rural agricultural-5 acre plots), and land use consistent with that designation occurs close to the site. When several potential land uses are feasible, CERCLA guidance requires the use of the reasonably foreseeable land use that would result in the greatest degree of cleanup, and current zoning is one of the factors that is to be used in determining prospective land use. However, despite saying it intends the land to be released for unrestricted use, DOE has chosen for calculating cleanup standards to assume the land is restricted to suburban residential use, which would allow contaminant levels two orders of magnitude higher than the rural residential land use assumption that should be employed.</p> <p>b. The EE/CA sets as its cleanup objectives risk levels anywhere in the 10⁻⁴ to 10⁻⁶ risk range, based on the land use assumption discussed above. However, CERCLA requires an objective of getting as close to 10⁻⁶ as feasible, falling back only the minimum necessary. By setting 10⁻⁴ as a de facto cleanup objective, DOE is permitting another factor of up to two orders of magnitude relaxation of standards. Risks as high as 10⁻² could thus result from these two problems combined. Furthermore, CERCLA requires the consideration of the CERCLA balancing criteria for any decision to fall back from 10⁻⁶, and the EE/CA instead permits 10⁻⁴ without any justification by the balancing criteria.</p>	<p>remedy (OSWER Directive No. 9355.7-04). Under the guidance, DOE, as the lead agency, is directed to consult with local land use officials and the public about anticipated future land uses at the facility footprints for Building 4024 and the RMHF and at the Site as a whole.”</p> <p>EPA further states, “EPA generally defines unrestricted land use to mean residential use. ... it is appropriate to use residential exposure as the baseline for unrestricted use.”</p> <p>EPA has also stated in the same e-mail, “To the best of our knowledge, EPA has never taken the position that subsistence farming is the appropriate exposure scenario for setting cleanup levels at the Site” (EPA 2007).</p> <p>DOE has addressed all EPA comments on the draft EE/CA, and as a result EPA stated that: “EPA believes that the cleanup of the facility footprints at</p>

Commenter	Comment	DOE Response
D. Hirsch	<p>The fundamental principle to EE/CA is that it's supposed to identify the proposed cleanup level, how much they're going to leave behind of the radioactivity so the public can comment on it. The actual EE/CA that they've given us here says, After the comment period expires a, quote, unquote, risk management decision will be made as to how much radioactivity to leave behind. Doesn't say who will make it. Doesn't say how or what criteria. It simply says that someone after you no longer have an opportunity to comment will decide how much radioactivity to leave behind. And as Phil has indicated in their presentation, their intention is to leave a hundred times as much as the table that he's shown you in that slide.</p> <p>It says that EPA has signed off on all these public comments. False. It said that EPA had to review the sampling analysis plan that's supposed to be done before the cleanup starts. Boeing, DOE, same thing changed that despite what EPA had demanded. So EPA now doesn't get to comment about the sampling before it's done in terms of the finding of the contamination, it only gets to comment about the post-cleanup final survey. EPA gets to at least comment on that one.</p> <p>And none of the protocols are in the EE/CA to even available to comment. But they're pretending you have input. So it's a fraud and people will be hurt, injured, die because their intention is to leave vast amounts of radioactivity behind and then put homes on top of it, which EPA has said is unsafe and yet it's been characterized now as if it's okay.</p>	Building 4024 and the RMHF, as proposed in the Two EE/CAs, will make those two specific parcels safe for unrestricted use" (EPA 2007).
E. Crawford	Ensure that DOE goes back to EPA protocols, uses full CERCLA guidance, and use EPA residential levels when calculating risk.	
S. Plotkin	Second, DOE reneged on its initial promise to use EPA standards for Superfund sites, i.e. one-in-a-million risk level, instead it concocted its own standard of one-in-ten-thousand risk level which makes for a greater health risk by a factor of 100X.	
Ms. Mason	<p>You're using the wrong cleanup standards and the wrong land use. I think we need to all be on the same page to have the right cleanup standards and the right land use if it's going to be released for unrestricted use because it's not -- that's not the standards you're going to.</p> <p>And I think you need to get as close as possible to the 10^{-6} if we're going to have people live up there.</p>	

Commenter	Comment	DOE Response
Ms. Rowe	<p>And again, as Liz said we need to see the EPA levels as our basis, not these other numbers that are misconstrued.</p> <p>And I feel like each bit of soil that we are taking off-site we're releasing contaminants into the air.</p>	<p><i>Please see DOE response on previous page.</i></p>
D. Hirsch	<p>The first thing that Phil Rutherford told you is they're going to get rid of all the radioactivity. All the contamination is going to be removed. But then he shows you a chart showing how much radioactivity they're going to leave behind. He told you that the Environmental Protection Agency has signed off on this. False. EPA in December of 2003 issued a detailed letter which they continue to stand by saying that this site will not be safe at least for unrestricted use, which is their plan to make it residential; that they have not adequately characterized the site; that the only safe use would be limited day hikes with restrictions on picnicking; and that they have not followed the EPA requirements for cleanup; and that they are not using safe and protective cleanup standards. None of it has been revoked by EPA. They told us just in the last days they stand by that letter.</p>	
D. Hirsch	<p>First of all, he said that that is the EPA's 10^{-6} risk goal. It's false. EPA has said over and over and over again that these numbers -- the numbers you need for Americium-241, Cobalt-60, and so on -- has to be based on the land use that is feasible for this property and that would reduce the greatest exposure. This land is zoned RA-5, Rural Agricultural 5 --11 small ranchettes where you can have goats and gardens and orchards, which is in fact the use for a number of people around the site at present. It is the current zoning.</p>	

Commenter	Comment	DOE Response
D. Hirsch	<p>Under EPA guidance, you have to use that current zoning if that produces the most restrictive doses, the most restrictive cleanup. What Phil didn't tell you is that these numbers here are not based on current zoning, not based on RA-5, but are based on suburban residential and that these numbers are a hundred times higher from many of those radionuclides than what EPA would permit.</p> <p>Instead of being a 10^{-6} risk, as he says up here, most of those numbers are in fact 10^{-4}, a hundred times higher risk already as a point of departure. That means that the column to the right, which is what Phil is really going to end up at, is a hundred times higher than what he claims is the EPA goal, which is already a hundred times higher than what the EPA goal really is, that the actual cleanup that they are contemplating is 10,000 times more radioactivity than the EPA would normally permit. But they're not going to let you comment about it, first of all. Second of all, they're not going to tell you the truth about it. And third, the actual decision is to be made, quote, unquote -- see if I can find the quote -- "After the comment period is all over, quote, a risk management decision will be made." The purpose of CERCLA is to have the public involved in this management decision. The purpose is to be able to have you have a say in how much radioactivity is left behind. So despite the claim that they finally complied with CERCLA, the EPA guidance, they continue to ignore EPA's past comments and they continue to evade EPA's guidance both on public participation -- the straw to have you comment on something you haven't seen, but the substance as well.</p>	<p><i>Please see DOE response on previous page.</i></p>
D. Hirsch	<p>But he says that EPA says that's fine, that you can do it anywhere in the risk range and that's false. The EPA CERCLA guidance is clear. And they say they're going to try to comply with it for once. They aren't. The EPA guidance is clear. If you can't meet 10^{-6} risk, a one in a million risk, you can fall back somewhat if you can show you really can't meet it. But you can only fall back to the absolute minimum necessary. And you demonstrate it by balancing a nine balancing criteria on the CERCLA. And to do that balancing, there has to be public participation. And you have to get as close to the 10^{-6} as you can. But Phil described it, "We can do anything we want to between 10^{-6} and 10^{-4}," which means when he told you that no longer is it 15 millirem, they're intending to do the same they thing they always planned to do -- leave these huge quantities of radioactivity behind.</p>	

Commenter	Comment	DOE Response
B. McLain	Yeah. There was one other comment I have is -- is -- is there anyway of including radon background from the building in these tables?	Radon is not included in Table 2-1 of the EE/CA, as it is not a contaminant of concern in soil once the building has been demolished. The parent radionuclides of radon (e.g., uranium and thorium) are in Table 2-1 and will be sampled and analyzed. Airborne radon concentrations are only relevant for indoor environments within unventilated buildings.
E. Crawford	I would like to say -- again, duplicate what Dan said about the sort of shell game that was played with the numbers in terms of residential versus rural versus industrial. That's exactly what it is. It is a numbers shell game. I would like to see DOE use only residential EPA standards as the only measurement here because that's the only bank of numbers that we can trust.	DOE is using residential cleanup standards.

Commenter	Comment	DOE Response
Waste Management		
D. Hirsch; Dr. T. Cochran; M. Decker	The EE/CA proposes to ship radioactively contaminated wastes from the cleanup to the Kettleman Hills landfill, a site neither licensed nor designed for radioactive wastes. No environmental analysis is presented as to the environmental impacts of such an action.	As noted in Section 3 of the EE/CA, all waste generated from the removal action will be characterized and segregated by waste type (i.e., decommissioned material, low-level waste, or mixed waste). All waste will be sent to a federally-owned or commercial disposal site appropriate for each specific waste type. No waste will be sent to municipal landfills.
S. Kuehl	The EE/CA, in a chillingly casual aside, with no analysis of the potential environmental impacts involved, proposes shipping radioactively contaminated wastes from the cleanup to the Kettleman Hills landfill, a site neither designed for, nor licensed for, radioactive wastes. This is also unacceptable from an environmental and public health standpoint.	
B. Mills	Very little has been said about long-term disposal. What happens to the off-site waste? How is it disposed of? Where are the sites, and how have they been chosen? How can future citizens be assured that the waste will be isolated from all life forms as long as it is hazardous?	Debris from the demolition of Building 4024 that meets federal and state release limits (i.e. decommissioned material) will be sent to a Class I hazardous waste disposal facility in full compliance with California Executive Order D-62-02. Material that exceeds federal and state release limits for decommissioned materials (i.e. low-level radioactive waste) will be sent to a licensed low-level radioactive waste facility.
C. Walsh	Proposing to ship radioactively contaminated waste to Kettleman Hills is not appropriate and also shows a total disregard for what happens next. Shipping radioactively contaminated waste to a facility that is not designed or intended to handle such waste puts undue burden on yet another community because of the short-sighted financial goals of the DOE and Boeing and the community will not accept this sort of irresponsible behavior on the part of the military industrial complex up on the hill they call the SSFL.	
C. Rowe	Also, we're talking about now sending this stuff, the breakdown of this building to Nevada. Nevada doesn't want our contaminants. So we need to address that issue. We can't all of a sudden dismantling and saying, Okay, now it's dismantled. Where are we going to send it now? because that's one of the major problems with anything nuclear these days.	
M. Gabler	What is the risk of injury caused by excavating and trucking the materials to Kettleman City (e.g., industrial and traffic accidents), versus the risk of abandoning the subgrade structures in-place? With the trivial levels of radioactivity in the vaults, I bet there is a significantly larger risk to human life from removing and transporting the vaults than from backfill, cap, and walking away.	Cleanup guidelines for surface contamination for building structures are specified in DOE Order 5400.5 Chapter IV which is available in the Administrative Record. Additional material on waste disposal can be found on the ETEC website, at: http://apps.em.doe.gov/etec/Cleanup/Waste-management.html Leaving the building in place does not achieve the removal action objectives.

Commenter	Comment	DOE Response
J. Hofius	<p>Will radioactively contaminated materials be stored at/in Kettleman hills? Why is Kettleman hills considered suitable for storage?</p> <p>Will the excavated earth be sealed during transport? Is this excavated earth also going to Kettleman Hills?</p>	<p>All waste shipments will be containerized according to U.S. Department of Transportation requirements, and will be transported using established commercial truck routes.</p>
D. Hirsch	<p>They intend to release the contaminated – radioactively contaminated material, send it not to a licensed radioactive waste disposal site but to an unlicensed facility neither licensed for radioactive material nor designed for them. They will say in the document they're going to call everything in the building and all of the soil that is beneath the top cleanup level, the one that is the least protective -- anything between that and background they're going to call something that is decommissioned material which means radioactively contaminated but which they're going to evade the law that that stuff has to go to a licensed facility. It appears likely that it will be sent to a place called Buttonwillow which is a place where there is a long history of environmental justice in the central valley. They may send it elsewhere.</p> <p>You probably remember that they got into a lot of trouble because they were sending some of this to local landfills -- the Sunshine Canyon, Bradley, and Calabasas. Without disclosing it, without telling you the implications they are now saying they're going to distribute most of the radioactive waste where there is no assessment of the environmental impact. Just silent about that. One other matter, they do put in a table -- It's a false table based on the wrong scenario. They misrepresented it, but they do put in a table of what they're going to be looking for in terms of their initial sweep for the dirt in contaminated soil. But they don't even put any cleanup standards for the building. You're asked to comment on cleanup of buildings and they don't even put into the document what the standard is for cleaning up the building.</p>	<p>Trucks leaving SSFL toward Class I hazardous waste facilities and low-level radioactive waste facilities do not travel through Box Canyon.</p> <p>The Class I hazardous waste route is typically: -down Woolsey Canyon to Valley Circle; then -down Plummer or Roscoe; then -north on Topanga Canyon; -east on HWY 118; and -north on HWY 405; -north on HWY 5.</p> <p>The low-level radioactive waste facility route is typically: -down Woolsey Canyon to Valley Circle; then -down Plummer to Topanga Canyon; -north on Topanga Canyon; East on HWY 118; and -north on HWY 405; -north on HWY 5;</p>
Ms. Klea	<p>Okay. Now, there have been studies done that the route of transport for this stuff has a high cancer rate. Can you tell us which route will be used?</p>	<p>-north on HWY 14; -east on HWY 58;</p>
C. Rowe	<p>It is hard for me to comprehend the amount of radiation that could possibly be in the blocks of cement that would be shipped from this site. Until we know what that level is, and the potential hazards to the community, I do not believe that the building should be dismantled.</p>	<p>-north on HWY 15; -north on HWY 127; -east on HWY 178; -east on HWY 372</p>

Commenter	Comment	DOE Response
Mr. Luker	I live in Box Canyon. The routes for transport are literally right past my house. Will there be some notice given when these transports are going to be rolling past my home?	<p>-north on HWY 160; -east on HWY 95 to Mercury, Nevada.</p> <p>There is a project-specific Health and Safety Plan which includes policies, procedures and controls that comply with the Department of Energy regulation, 10 CFR 835 "Occupational Radiation Protection." http://www.hss.energy.gov/Enforce/rands/10cfr835.pdf</p>
E. Crawford	It's by declassifying stuff from high level to medium or medium to low and calling it something that it's not and then disposing of it in the Calabasas landfill. There SNAP reactor buildings going to the Calabasas landfill. No kidding. That's what they're saying.	<p>No 4024 building debris will be sent to the Calabasas Landfill. The independent sampling report of the Calabasas landfill concluded, "The radioactivity data collected for the Calabasas Landfill indicate no evidence of radioactive waste disposal from the Rocketdyne facility." More information on this can be found on the ETEC website at: http://apps.em.doe.gov/etec/Cleanup/Waste-Management.html; or</p> <p>http://apps.em.doe.gov/etec/Cleanup/Documents/WasteManagement/Calabasas_Final_Report2.pdf</p>

Commenter	Comment	DOE Response
Proposed Alternative		
C. Walsh	In order [to] be able to properly comment on the demolition of a radioactively contaminated vault showing contamination penetrating the 9 foot thick walls, those clean up details should be provided, but instead, are being hidden until the comment period is over when we no longer have an opportunity to affect the outcome.	Boeing and its contractor have extensive experience in decommissioning, decontaminating, and demolishing radiological buildings. A similar demolition project was successfully completed at ETEC in 2004 for the removal of Building 4059 and was presented to the public during one of DOE's regular public meetings. Similar procedures will be used for the demolition of Building 4024. The CERCLA non-time critical removal action process requires DOE to identify removal action objectives and to evaluate various alternatives. The No Action alternative is a mandatory alternative that must be analyzed for all CERCLA-compliant actions. The other alternative is demolition and off-site disposal. No other alternatives would meet the identified removal action objectives. Furthermore, future land use scenarios and soil cleanup goals do not change from alternative to alternative. Any on-site or off-site soil used as backfill will be sampled to verify its cleanliness, prior to its use. The activated concrete in the test cells will be removed in a carefully planned manner that contains dust generated during the process. A series of engineering and administrative measures will be utilized to mitigate fugitive emissions of dust. The work within the test cells will be performed under negative ventilation by using HEPA ventilation systems with sufficient flow rates to maintain a negative pressure within the cells. Airlocks will be
Ms. Klea	Anyway, I have a series of questions. I'd like to know how would you be cutting up the concrete so it's of size to move when there is no hot lab to protect the process? The hot lab is gone and the hot lab was used in the past to cut up concrete so it could fit on a truck and be taken out. Now, how are you going to -- how are you going to make these pieces down to a size that's -- that you can transport and protect -- protect the air, protect the workers and protect the community?	
D. Hirsch	<p>But one other comment: Phil told you that there were only two alternatives possible. And what he said was our way or no way. Clean it up the way they're proposing, which is to very lax standards -- huge risk -- or not clean it up at all. Pretty remarkable that those are the only two choices.</p> <p>Those aren't the only two choices. The real choices are to clean it up consistent with CERCLA, to clean it up consistent with the current zoning, to clean it up to as close to 10⁻⁶ as is humanly possible. So he's told you, We want to leave a ton of stuff behind and your choice is to let us leave the ton of radioactive stuff behind or let us leave all of it behind.</p> <p>Those aren't the two choices and that violates CERCLA also. It makes a mockery of attempting to comply with public participation. It misrepresents that EPA has signed off. It misrepresents that the public has had meaningful comments. It says, for example, that we will after the comment period is over figure out how we're going to measure for these radioactive materials, but the public will be frozen out of that as well.</p>	
D. Hirsch Dr. T. Cochran M. Decker	"A hard look at alternatives" is at the heart of environmental analysis. However, the EE/CA proposes only two alternatives – the seriously inadequate cleanup standards and methods put forward, and doing nothing. No other alternatives – e.g., the EPA site survey, cleanup standards based on rural residential land use, cleanup objectives that aim as close to 10 ⁻⁶ as feasible, disposal of all radioactively contaminated wastes in a licensed radioactive waste disposal facility– are considered.	

Commenter	Comment	DOE Response
Mr. Parks:	You're talking about cutting up Building 24, taking it down, and putting it in -- Well, you couldn't get big pieces of cement in that vault -- in that middle vault. I mean, it's a small door. And you talk about putting three -- taking down three stories, and putting it and taking it inside and cutting it up in that little aluminum vault. That's impossible. You know, this is a pretty large facility with lots of cement and lots of aluminum. So I don't know how you could do that. You might be able to get that in the substructure above, but you're not going to take down that aluminum. It's impossible. Thank you.	used for access and egress to prevent dust from escaping the cell area. In addition to the ventilation systems, source capture techniques such as HEPA vacuums will be used to collect dust produced during concrete removal. Buffer areas will be established to monitor personnel and equipment to ensure contamination is not spread outside of the cells. Local air sampling within the cells will be performed on a continuous basis to measure concentrations in the air. A continuous air monitoring system will be used to provide direct readings of airborne concentrations and alarm if warning levels are approached. If warning levels are reached, then work will be stopped and the cause will be determined and corrected. Surface disturbing work within the test cells will be performed only when the cell is sealed and the roll up doors are closed on the ground level to prevent drafts. The combination of engineering and administrative controls, as well as utilizing the existing barriers will prevent the release of dust during the concrete removal phase of the project.
Mr. Luker	Building 4024, there was a question asked, How are you going to cut it up? How are you going to get it out of there? You're reasonably succinct about that. But how do you take the foundation out from under a building without removing the building itself? At some point you're going to put some kind of structure around this with, say, sprinklers or something to keep the dust down?	
Ms. Klea	Okay. Just stay there. Where are they going to get the backfill from to fill in this site? So you're just going to take it from the same area to backfill it, surrounding the reactor? But you have to saw it. Right? You have to saw it to make smaller pieces? So there would be a potential release of dust?	
J. Hofius	How will the workers performing the decontamination be informed and protected from exposure?	
C. Rowe	As I stated during the public comment period at that meeting, about 15 years ago I received a letter from a governmental agency stating that my home in West Hills was in the "prevailing winds" area of the Santa Susanna facility. I believe that a similar letter needs to go out to the homes in West Hills, Chatsworth, and Simi Valley, etc, that would be affected by an remediation of the soils at this site. ...I believe that more studies of the health implications of the cleanup of this site need to be done before any more buildings are moved.	
Mr. Luker	One of the big questions in my mind is, Which is safer: Hauling this crap away to Nevada or just leaving it where it is? And maybe you stabilize the building and you turn it into a monument to the atomic -- the atomic industry. Maybe you take these tests and you turn them into monuments to rocket testing and the moon program. You know, there's some really amazing stuff that's been done there.	Additionally, EPA stated in an e-mail to the SSFL work group that, "EPA believes that the cleanup of the facility footprints at Building 4024 and the RMHF, as proposed in the Two EE/CAs, will make those two specific parcels safe for unrestricted use" (EPA 2007).

Commenter	Comment	DOE Response
B. Maher	<p>Our concern as people living in the surrounding communities is that we have very strong winds. It is a fact that nuclear radiation is spread through the wind.</p> <p>I heard about the plans of the removal of building 4024. The sawing of the huge concrete blocks that are contaminated, and moving those parts of a building that has been said that it is so complex and big it should never be moved, I believe that the plans of demolition and removal of building 4024 should not be carried through. Also, I felt at the February 21st meeting that you people representing Boeing and Doe were more interested in YOUR best interest's instead of the communities.</p> <p>What would be the point in moving around and stirring up RADIATION? And why would it be moved anyway? The land is not safe to build on. It would be better to leave building 4024 intact, as is. We already have enough radiation living close to the former rocketdyne facility. And now you people want to stir up more. It can not be allowed. Forgive me for being so blunt, but those plans SHOULD in every way be RECONSIDERED! There are thousands of lives at stake here. Please listen to the voices of Reason. Thank you very much for your time!!</p>	<p><i>Please see DOE response on previous page.</i></p>

Commenter	Comment	DOE Response
Miscellaneous Comments		
Ms. Klea	Okay. Do you know the risk of cancer during the demolition for the workers and for the surrounding community?	All radiological health and safety protocols will be followed to ensure proper safety for demolition workers, as well as the surrounding community. There will be no additional cancers incurred by workers or the community as a result of the demolition of 4024.
D. Hirsch Dr T. Cochran M. Decker	The EE/CA proposes cleanup of the 4024 without any such independent characterization prior to cleanup (i.e., no credible method of determining where the radioactive contamination is that needs being cleaned up). The protocols for the post-remediation sampling are also excluded from the public for input.	Building 4024 has been sufficiently characterized to determine what portions of the building are contaminated. Furthermore the demolition contractor will perform additional characterization surveys prior to initiation of the removal action.
S. Boeker	And how -- how many -- What's your grid pattern in this and the surrounding areas, surrounding Building 4024?	
A. Salkin	And who is watching over this survey basically?	
M. Perryman	I'd also like to know -- maybe Phil, with your radiation experience at the field lab, what's the cost of human lives in the cleanup of this project? I know, in past presentations, it's brought up what the cost is to human life in the process of D & D.	As noted in Section 3 of the EE/CA, all waste generated from the removal action will be characterized and segregated by waste type (i.e., decommissioned material, low-level waste, or mixed waste). Protocols, sampling density, and grid patterns for the final status survey will follow the guidance of the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM), developed by the EPA, Nuclear Regulatory Commission, DOE, and Department of Defense. The Sampling and Analysis Plan will be reviewed by the EPA. DOE will request ORISE to conduct verification surveys to confirm DOE's final status survey. All health and safety protocols will be followed to ensure proper safety for demolition workers. The total additional radiation induced cancers to future users of 4024 site will be zero.

Commenter	Comment	DOE Response
A. Salkin	<p>You know, when you're going to cut up these materials, what is going to measure what is actually being put into the air? That's one of my questions that I'd like to ask.</p> <p>What is -- How is it going to be measured? What's being put into the air? And has it been measured in the past to my knowledge? How is it going to be measured going forward?</p>	<p>Work place air monitoring and environmental air monitoring has been conducted for prior radiological decommissioning projects. Similar monitoring will be performed for this project. Monitoring is designed to quantify potential airborne contamination and to ensure that appropriate respiratory protection is used by the workers.</p> <p>The activated concrete in the test cells will be removed in a carefully planned manner that contains dust generated during the process. A series of engineering and administrative measures will be utilized to mitigate fugitive emissions of dust. The work within the test cells will be performed under negative ventilation by using HEPA ventilation systems with sufficient flow rates to maintain a negative pressure within the cells. Airlocks will be used for access and egress to prevent dust from escaping the cell area. In addition to the ventilation systems, source capture techniques such as HEPA vacuums will be used to collect dust produced during concrete removal. Buffer areas will be established to monitor personnel and equipment to ensure contamination is not spread outside of the cells. Local air sampling within the cells will be performed on a continuous basis to measure concentrations in the air. A continuous air monitoring system will be used to provide direct readings of airborne concentrations and alarm if warning levels are approached. If warning levels are reached, then work will be stopped and the cause will be determined and corrected. Surface disturbing work within the test cells will be performed only when the cell is sealed and the roll up doors are closed on the ground level to prevent drafts. The combination of engineering and administrative controls as well as utilizing the existing barriers will prevent the release of dust during the concrete removal phase of the project.</p>
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Commenter	Comment	DOE Response
A. Salkin	Now, in this analysis in areas it has a scope of proposal action session, it says two radiological constituents of concern are known to be present in Building 4024 -- Cobalt-60 and Europium-152. No other radiological constituents are expected to exist. With all of the SNAP reactors, with all of the accidents that have taken place with the work that has been done there, how could none of these other contaminants be expected to exist?	Based on prior characterization of the building, only these two constituents are expected; however, all radiological contaminants of concern identified in Table 2-1 of the EE/CA will be included in the post remedial sampling plan.

List #1:

Sue Boecker, Mendy Gauthier, Christine L. Rowe, Lori Tucker, Eton Zlotnih, Wayne A. Hosek, Nancy Mills, Joy Sanders, Marie Mason, Mary Ann Seltzer, Forence Raskin, Carmi Zlotnih, Maria Zacorski, Sullivan Mays, Kyle Mays, Beth Perrin, Julie Katske, Darren Cortec, William Meyer, Linda West, Asher Zlotnih, Betty J. Reo, Dorri Raskin, Judy Greenfield, Vincent E. Woodward, Jeff Mays, Elizabeth Crawford, Holly Huff, Caleb Zlotnih, R. Schwartzman, Sarah Woodard, Barbara Johnson, Mary Jane Lange, Carol McMahon, Evelyn Parker.

List #2:

Sunny Johnson, Shawn Peterson, Rand Plewak, Marsha Neuos, Gina Sando, Patti Nicolella, George Levin, Zoe Hay, Carmi Zlotnih, Benar Geer [2], Will Robinette, Elizabeth Crawford, Joline Towers, William Bowling, Ben Cellanoff, Willa Robinette, Nelson Takayama, Marlen Everingham, Evelyn Parker, Robert Nuenaye, Sarbgih Mukreyei, Zanwil Sperder, Jordan Michaelson, Deborah Kifsalint, Marlene Everingham, Gabrielle Mitterbach, Michael Shorre.