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**PARENTS AGAINST
SANTA SUSANA
FIELD LABORATORY**
VENTURA COUNTY | LOS ANGELES



January 22, 2025

Dr. Joshua Mengers
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Transmitted via email to william.ostrum@hq.doe.gov Joshua.Mengers@emcbc.doe.gov

RE: THE DEPARTMENT OF ENERGY (DOE)'S NOTICE OF INTENT (NOI) TO PREPARE A SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (SEIS) FOR REMEDIATION OF AREA IV AND THE NORTHERN BUFFER ZONE AT THE SANTA SUSANA FIELD LAB (SSFL)

REQUEST FOR DISCLOSURE OF DOCUMENTATION AND EXTENSION OF PUBLIC COMMENT PERIOD ONCE RELEASED

Dear Dr. Mengers and Mr. Ostrum:

Between Christmas and New Year's, DOE issued a [Federal Register](#) (FR) Notice regarding SSFL, a facility in the Los Angeles area that DOE and its predecessors had badly contaminated over decades by a partial nuclear meltdown and numerous other accidents and releases. The FR Notice announces DOE's intent to prepare a SEIS to put forward alternatives to the cleanup-to-background requirements DOE is legally bound to by the Administrative Order on Consent (AOC) it signed in 2010. Instead, it now appears DOE wishes to walk away from its obligations to clean up much of its contamination.

The FR Notice purportedly solicits public comments on the scope of the proposed SEIS to breach the cleanup agreement, but essentially none of the documents upon which the claims made in the FR Notice are based have been available, making a mockery of the purported request for public comment. Indeed, when one goes to the "[Documentation](#)" link on DOE's website for the SSFL SEIS, *NO documentation whatsoever is provided*, aside from the FR Notice itself.

We therefore request that the documents and analyses referred to in the FR Notice and upon which it is based be promptly released, and the comment period restarted from the time when DOE has complied with the elementary requirements of disclosure.

In the NOI that the DOE published in the FR on December 27, 2024, regarding its forthcoming SEIS for Remediation of Area IV and the Northern Buffer Zone at SSFL, DOE made the following assertions:

“The provisional LUT values developed to define background are not implementable. Backfill soils needed to restore the site are not available at the established cleanup standards. The provisional cleanup standards set for some contaminants are lower than laboratory detection capabilities. The pristine sites used to develop the provisional look-up-table values would not pass as clean” (pg. 105,557).

However, DOE did not provide *any* identification of any documents or analyses that supposedly form the basis for these claims, besides a reference to a brief DTSC “[fact sheet](#).” Indeed, all scientific evidence we have seen indicates the assertions are false or grossly misleading, apparently designed to provide cover for breaking solemn pledges for a full cleanup. To comment meaningfully on the FR notice, the public needs the documentation on which the assertions are purportedly based.

We therefore request that DOE promptly make available for public review the following records:

- (1). Any and all records analyzing whether the provisional LUT values developed to define background are implementable.
- (2). Any and all records indicating whether backfill soils needed to restore the site are available at the established cleanup standards, and why the fallback provisions in the AOC for backfill soil should be ignored.
- (3). Any and all records indicating whether the provisional cleanup standards set for some contaminants are lower than laboratory detection capabilities, and whether any assumed laboratory detection levels can in fact be tightened.
- (4). Any and all records indicating that the supposedly pristine sites used to develop the provisional look-up-table values would or would not pass as clean.

Furthermore, DOE also stated in its FR Notice that:

“DOE developed proposed ‘Updated’ LUT values that reduce the false positive decision error rate. The proposed Updated LUT Alternative would retain the other provisions of the AOC” (pg. 105, 557).

- (5). We request that DOE make these updated LUT values, and the basis for them, available for public review.

DOE also stated in the FR Notice that it was proposing an alternative of a “Multiple Lines of Evidence” (MLE) approach raised verbally by DTSC in a workshop and summarized in very minimal fashion in a short “fact sheet.” However, no detailed documentation or analysis supporting (or undercutting) those claims, or even spelling out the purported alternative, has been made public. No analysis is provided as to the degree of false *negatives* (i.e., how much soil that is contaminated would not get cleaned up) would occur under this approach. We request DOE make public the full documentation and analyses and the data upon which they are based. Making a highly questionable claim, with essentially no support given, while shielding from public review the basis for the claims as well as information that can undermine the claim, is not appropriate. One cannot comment meaningfully on the proposed SEIS scope when DOE hasn’t made public the necessary documents.

Our second request is that the scoping public comment period be restarted from the time DOE finally makes available the documentation and analyses upon which the unsupported claims in the FR notice are based. In the absence of the above records, it would be impossible for any member of the public to

assess the credibility of DOE's claims with any degree of confidence, and therefore submit an informed public comment.

The wildfires currently engulfing Los Angeles have also created a severe impact on the lives of many members of the public who have an interest in the SSFL site, including many who have had to evacuate. The fires thus compound the difficulties that they face in reviewing the NOI and preparing an informed comment within this relatively short timeline. This is also true for local governments who may wish to comment but whose full attention has been directed to dealing with the fire catastrophe. The fires, it need not be said, are a reminder of the risks involved if DOE goes forward with its plans to breach the cleanup agreement and instead leave much of its contamination not cleaned up, and thus available for widespread release in case of future fire.

We hereby request that DOE extend the scoping public comment period for another 60 days subsequent to the date of release of the documents described above and on which the FR Notice is based. Without access to the scientific evidence and arguments that purportedly provide the basis for DOE's efforts to breach its cleanup agreement in favor of other, less-protective alternatives, the opportunity to provide public comment on the proposed scope of the SEIS is meaningless.

We would appreciate a prompt response. A great deal of harm to the environment and the public will result should DOE proceed on this proposed course of breaking the cleanup commitments it solemnly made in 2010 and has since then energetically resisted fulfilling.

Sincerely,



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