

WHEN IT COMES TO BOEING'S SANTA SUSANA FIELD LAB, THE MORE DISCLOSURE THE BETTER

by Ventura County Supervisor Linda Parks, August 2009

One of the most contaminated sites in Ventura County, the Santa Susana Field Lab, could receive a simple over-the-counter permit to excavate, stockpile, and haul away soils contaminated with dioxins, radionuclides, mercury, and other hazardous waste. Treating the State-mandated clean-up effort at the SSFL (aka Rocketdyne) with the same type of grading permit one would get to dig a backyard swimming pool does not take into account the special circumstances associated with grading contaminated soil.

There are two types of grading permits, "ministerial" and "discretionary." For projects that grade less than 10,000 cubic yards of dirt, like this first of many contaminated soil removal projects at SSFL, the ministerial permit would apply. The ministerial permit excludes the public from the review process and prohibits the county from using special discretion or judgment as to how the project should be carried out.

The power of a city or county to issue a permit comes from the duty of government to protect the public's health and safety. If the County is forced to move forward and issue the over-the-counter ministerial permit instead of the more thorough discretionary permit, I am not convinced the project will adequately protect the public.

If the County issues an over-the-counter permit next week for the first soil removal project at SSFL involving over one hundred truck loads of contaminated dirt, will a discretionary permit be required later on as more of the SSFL site is cleaned up and potentially thousands of truck loads of dirt and debris are removed? If so, at what point will the County draw the line between a ministerial permit and a discretionary permit?

I believe the time to evaluate the potential impacts, get public and regulatory agency input, and establish safeguards should be before the first truck load of contaminated soil rolls off the site. That is why this Tuesday I'm bringing before the Board of Supervisors a motion to require all grading permits at the SSFL to be discretionary permits instead of ministerial permits.

If this first permit request is made discretionary, it will allow the public to ask why the screening for contaminants does not include plutonium when the EPA has found plutonium a contaminant associated with SSFL's nuclear operations. A discretionary process could get public input to see if there could be better coordination of truck transport away from neighborhoods and schools. Having the permit be discretionary would also allow the County to consider a requirement for an independent expert to screen the contaminants, instead of the current proposal to have the polluter responsible for screening. These are just a few of the issues that can be considered if we make the permit discretionary.

Some may be concerned that having a discretionary review of Boeing's grading permit takes longer and will delay the clean-up effort. Yet the burning of napalm, dioxins and other industrial military waste was done at SSFL over the course of decades, and the nuclear accident was dozens of years ago. The Department of Toxic Substances Control estimates it will take until 2017 to clean it all up. Isn't it more important to do it right and require an integrated, transparent process incorporating the public, than it is to rush in and grade contaminated soil and possibly make irreversible mistakes?