



City Clerk Council and Public Services <clerk.cps@lacity.org>

File 18-0874 SSFL Cleanup

aweitzberg@att.net <aweitzberg@att.net>

Sun, Feb 10, 2019 at 5:49 PM

Reply-To: aweitzberg@att.net

To: Councilmember.Blumenfield@lacity.org

Cc: Clerk.CPS@lacity.org

Please add to file and forward to all councilmembers.

Dear Councilmember Blumenfield,

I was very disappointed to see that you were absent when the motion was approved on February 8, 2019 and that you did not vote against it. The Neighborhood Councils in your district and closest to SSFL favor a risk-based cleanup as opposed to the 2010 AOC cleanup levels of background or detect, independent of risk. The motion misstates the AOC requirements and ignores the detect and point-by-point requirements which actually would require removal of a large portion of the clean soil even in the areas where the background measurements were taken. Those requirements are not enforced anywhere else in the world.

It is more than ironic that the City of Los Angeles (LA) sued to force DOE to perform extensive sampling, evaluate impacts of cleanup alternatives, and publish an Environmental Impact Statement (EIS) and now chooses to ignore the results of the EIS. Has any Councilmember or staff read the EIS and is the proposed lawsuit based on any errors in the document? It should be noted that the 2010 AOCs were signed and the background or detect requirements were established before the site was fully characterized. Those requirements were arbitrarily established without any scientific or risk basis. On the other hand, the AOCs did require DOE to comply with CEQA and NEPA, which required DOE to evaluate all reasonable alternatives. LA is now objecting to what they forced DOE to do.

Before LA wastes any money on outside attorneys, it should direct the City Attorney to perform a brief review of previous Federal Court decisions in cases where State-Federal Agreements such as the 2010 AOCs were challenged by DOE. It will quickly become evident that any such suit by LA is doomed to failure, and can only be seen as a nuisance suit designed to impede and delay the cleanup, contrary to the interests of LA residents.

The Final EIS clearly shows that there would be significant negative impact to the environment and cultural resources from an AOC cleanup, with no health or risk benefits to an off-site resident or future on-site visitor. Additionally, there would be irreparable damage to Native American Cultural Resources as the entire site is identified as significant.

The LA City Council should immediately stop this farce and act in the interests of all of its citizens. The proposed lawsuit would serve no useful purpose and would be a waste of taxpayers' money. The council should obtain and evaluate additional information that is readily available before they vote to sue DOE or DTSC and waste significant funds in the process. Commonly held beliefs about the claimed risks from contamination at SSFL are not based on any credible data and evaluation. Decades of fear-mongering has led to widespread misconceptions and our political leaders should be better informed before they act.

Respectfully submitted,

s/Abraham Weitzberg, PhD

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