



The U.S. Department of Energy (DOE) released its draft Environmental Impact Statement (EIS), pursuant to the National Environmental Policy Act (NEPA), for the remediation of Area IV and the Northern Buffer Zone of the Santa Susana Field Laboratory. The purpose of an EIS is to identify and describe the purpose and need for a proposed action, explain and rigorously evaluate the reasonable alternatives for accomplishing the action, and present the environmental impacts of the alternatives to provide decision makers and the public with a clear basis for choice among the alternatives. The DOE's draft EIS analyzes the potential environmental impacts of alternatives for demolition of its remaining structures, and the cleanup of residual chemical and radiological contamination resulting from historical operations. These activities will be conducted on property currently owned by Boeing.

In 2007, the DOE, Boeing and NASA entered into a comprehensive Consent Order for Corrective Action (2007 Consent Order) with the California Department of Toxic Substances Control (DTSC) that requires a site-wide investigation and protective cleanup of soil and groundwater. In 2010, the DOE entered into an Administrative Order on Consent (AOC) with the DTSC that imposed additional requirements applicable to the DOE's cleanup. The 2010 AOC explicitly acknowledges the DOE's obligation to comply with NEPA.

In the draft EIS, the DOE presented three cleanup alternatives and a "no action" scenario. The draft EIS concluded that the AOC cleanup would result in greater environmental harm, long-term truck traffic and other impacts to the community than the other alternatives — with no appreciable benefit to human health. The other two proposed cleanup alternatives would be protective of all future recreational users, shorten the cleanup schedule, reduce impacts to adjacent communities, and provide greater protection of Santa Susana's unique resource values.

We are in the process of doing a comprehensive review of the EIS document. In response to questions from the community regarding Boeing's position on the draft EIS, we have prepared the following *preliminary* analysis:

The DOE is fulfilling its legal responsibility under NEPA by including an assessment of cleanup alternatives in the draft EIS.

- NEPA requires federal agencies to prepare an EIS to evaluate all environmental impacts of a proposed action and various alternatives. In this case, the proposed action is the demolition of DOE-owned structures, and the cleanup of soil in accordance with the 2010 AOC and groundwater in accordance with the 2007 Consent Order in Area IV and the Northern Buffer Zone of the Santa Susana site.
- NEPA requires a statement of the purpose and need for the proposed action against which cleanup alternatives are measured. The DOE appropriately identifies that the purpose and need of the Santa Susana proposed action is to protect human health and the environment.
- NEPA requires consideration of cleanup alternatives and a full evaluation of the impacts associated with each of those alternatives.
- The DOE is authorized and encouraged under NEPA to choose an alternative which accomplishes its purpose and need with the fewest environmental impacts, regardless of whether that requires a modification pursuant to Section 8.0 of the 2010 AOC or not.

It is appropriate under NEPA to include health risk analysis information in the draft EIS. This is important information for all stakeholders to carefully consider.

The DOE appropriately acknowledges that Boeing, as the property owner, plans to permanently preserve the land as open space.

- The draft EIS correctly recognizes that Boeing will restrict its land so future users will never be able to live on the property and there will never be agricultural uses of the land (including no gardens).
- We commend the DOE for acknowledging the need for a responsible cleanup that fully protects people, wildlife, habitat and cultural resources, which is consistent with the approach we are taking on the rest of the Boeing-owned property.



The DOE's approach to evaluating impacts on biological resources in the draft EIS is appropriate.

- We support the DOE's fundamental position: Consideration of impacts on biological resources requires all cleanup alternatives, including the AOC cleanup, to abide by limits placed on soil excavation to protect threatened and endangered species.
- NEPA requires the DOE to analyze all impacts on biological resources — not only those under the federal Endangered Species Act and California Endangered Species Act — and consider the impacts of all cleanup alternatives on all biological resources.
- We support the DOE's inclusion of areas subject to the AOC exemption, which is intended to protect valuable biological and cultural resources, in all the cleanup alternatives.
- The DOE explains the practical impact of the AOC cleanup compared to alternatives that are also protective. For example, the DOE doesn't expect it will be able to find suitable backfill that will sustain native species in restoration efforts.
- The impacts from the AOC cleanup are predicted to be permanent. The draft EIS states: "it is unlikely that restoration and revegetation would result in habitat functionally equivalent to preexisting native vegetation."

The draft EIS appropriately includes analysis of truck trips, traffic impacts and backfill availability. The lack of eligible soil to backfill for the AOC cleanup is a serious issue that could result in permanent detrimental impacts.

The draft EIS appropriately acknowledges the importance of consultation with Native American stakeholders regarding demolition and cleanup.

- The Santa Ynez Band of the Chumash Indians designated Santa Susana as an Indian sacred site. This designation was pursuant to Executive Order 13007, which requires federal agencies that manage land to "(1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites."
- The Santa Susana site is also under consideration as a "Traditional Cultural Property," which means it would be eligible for inclusion in the National Register of Historic Places.
- We encourage the DOE to carefully take into consideration the cultural resources of the property and ways to mitigate potential impacts to these resources in the consultation process.

We appreciate that DOE has prepared the draft EIS "in a manner intended to provide a bridge" to the CEQA process.

- The DOE's proposed activities are also subject to analysis under the California Environmental Quality Act (CEQA) and ultimately, the DTSC will need to approve the DOE's soil remediation plan.
- By taking into consideration some of the differences between NEPA and CEQA in the draft EIS, the hope is that the DOE final EIS and DTSC program Environmental Impact Report (EIR) will be consistent.
- Both the EIS and EIR serve to inform the DTSC and public of the alternatives and the associated environmental impacts.

The DOE's conclusions regarding its soil cleanup alternatives are similar to those identified in the NASA Inspector General's report.

- The NASA Inspector General's report concludes that the AOC cleanup is likely to have significant adverse environmental impacts on Santa Susana resources and the community for little or no benefit to human health.
- The NASA Inspector General report can be found at <http://bit.ly/NASAOig>.