



**Open Letter to Energy Secretary Wright & DTSC Director Butler
DOE and DTSC Should Agree to Terminate the 2010 AOC**

[https://philrutherford.com/SSFL/2010_AOC/2026-04-06 Open Letter to Wright and Butler.pdf](https://philrutherford.com/SSFL/2010_AOC/2026-04-06_Open_Letter_to_Wright_and_Butler.pdf)

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On April 6, 2026, I sent a letter to DTSC Director Katherine Butler and Energy Secretary Chris Wright, requesting that DTSC and DOE agree to terminate the 2010 DOE/DTSC Administrative Order on Consent. Included on distribution were CalEPA Secretary Yana Garcia and numerous other DTSC and DOE management personnel. As of April 30, 2026, this letter has gone unanswered, as is typical of many other letters addressed to DTSC and DOE management in the recent past, related to SSFL regulatory and technical issues. Common decency and professional courtesy would require responses, but I guess those values are in short supply at DTSC (and DOE).

Recently, DTSC initiated a STREAM platform in which DTSC committed to answer SSFL related questions from the public. A limiting characteristic of STREAM is that only questions (sentences ending with a question mark) would be answered. Comments, statements of fact, opinions, suggestions, requests, arguments, etc. “are taken under advisement (?)” but not responded to. STREAM is not a debating platform and apparently does not function in the same way as the conventional DTSC/community communications process,

- DTSC requests comments from the public on major cleanup documents,
- The public sends comments to DTSC,
- DTSC responds to comments by issuing RTCs.

The April 6, 2026, letter requesting the termination of the 2010 AOC contains no question marks, which therefore requires that it be summarized in terms of questions.

1. Why did Director Butler and DTSC management not reply?
2. Why does Director Butler and DTSC management believe it is professional behavior to ignore valid technical communications regarding SSFL?
3. Will the DTSC and DOE agree to terminate the 2010 AOC and replace it with more conventional remedies in line with the rest of the U.S.?
4. If not, why not?



5. Has Director Butler or other DTSC management communicated with ETEC Project Director Josh Mengers, Energy Secretary Wright and/or EM Assistant Secretary Tim Walsh?
6. If not, why not?
7. If yes, what were the topics and what was the conclusion of those talks?
8. What is DTSC's response to Executive Order 14300?
9. Does DTSC anticipate EO 14300 affecting DOE's activities in Area IV of SSFL?
10. Does DTSC agree that GAO-25-107565 clearly states that ETEC is the only DOE site subject to a "cleanup-to-background" mandate?
11. Why does DTSC believe that the 2010 AOC is necessary to ensure a protective cleanup of DOE and NASA areas of responsibility?
12. Why would conventional NRC dose-based or EPA CERCLA risk-based goals and procedures, used elsewhere in California and the U.S., be unacceptable for SSFL?
13. Why was the DTSC law department unable to provide any written communications documenting the drafting of 2010 AOCs between August 2009 and December 2010, in response to California Public Records Act Request PR8-031025-02?
14. What was Dan Hirsch's input to the 2010 AOCs?
15. What was Acting DTSC Director Maziar Movassaghi's input to the 2010 AOCs?
16. What was DTSC SSFL Project Director Rick Brauch's input to the 2010 AOCs?
17. What was CalEPA Secretary Linda Adams' input to the 2010 AOCs?
18. Are the 2010 AOCs a violation of NEPA and CEQA in that they were forced on DOE and NASA before DOE's EIS, NASA's EIS and DTSC's PEIR?
19. Can I expect a reply to my April 6, 2026, from Director Butler?
20. If not, why not?