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To: "Secretary"
Cc: "Mengers, Joshua (EMCBC)"; katherine.butler@dtsc.ca.gov; "Robertson, Candice"
Subject: Public Scoping Meetings for Supplemental EIS for ETEC
Date: Saturday, February 22, 2025 3:57:30 PM
Attachments: [image001.png](#)
[Preliminary Comments on Area IV SEIS.pdf](#)
[2024-12-29 SEIS Scoping Comments.pdf](#)

Dear Secretary Wright,

In December 2010, DOE and the California Department of Toxic Substances Control (DTSC) signed an "[Administrative Order on Consent \(2010 AOC\).](#)") The 2010 AOC is draconian in scope, dispenses with established DOE/NRC dose-based, or USEPA CERCLA Superfund risk-based, cleanup standards for soil cleanup. Instead, 2010 AOC that applies only to DOE's Energy Technology Engineering Center (ETEC) and proximate lands, mandates cleanup to background.

In November 2018, ETEC published the "[Final Environmental Impact Statement for Remediation of Area IV and the Northern Buffer Zone of the Santa Susana field Laboratory.](#)" Although still subject to the 2010 AOC's "cleanup-to-background requirements," the FEIS's preferred alternative was, quote, "*Conservation of Natural Resources, Open Space Scenario. DOE is identifying this as the preferred alternative because it would be consistent with the risk assessment approach typically used at other DOE sites, other California Department of Toxic Substances Control- (DTSC-) regulated sites, and U.S. Environmental Protection Agency (EPA) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) sites, which accounts for the specific future land use of the site.*"

On December 19, 2024, ETEC issued a "[Notice of Intent to Prepare a Supplemental Environmental Impact Statement for Remediation of Area IV and the Northern Buffer Zone of the Santa Susana Field Laboratory and Conduct Public Scoping Meetings.](#)" The SEIS proposed additional alternatives and solicited additional alternatives from the public.

On December 29, 2024, I submitted a proposal to adopt an alternative based on the recent [DOE Technical Standard, "Implementing Release and Clearance of Property Requirements," DOE-STD-1241-2023](#)). The DOE Release/Clearance Standards based on DOE-STD-1241-2023 are being implemented at all DOE sites nationwide. There is therefore no valid reason why remediation of the relatively minor contamination remaining at ETEC should be determined by the 2010 AOC, supported by California activists and a rogue California agency. ETEC should be remediated to established federal DOE Release/Clearance Standards.

My comments on the Supplemental EIS and proposed new alternative, "DOE Release/Clearance Standard" is attached and online at

https://philrutherford.com/SSFL/DOE_SEIS/Preliminary_Comments_on_Area_IV_SEIS.pdf.

Mr. Secretary, I urge you to revoke DOE's agreement to the misguided 2010 AOC and support the

proposed “DOE Release/Clearance Standard.”

Sincerely.

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