



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
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Gavin Newsom
Governor

Sent Via Email

March 17, 2025

Mr. Phil Rutherford
email@philrutherford.com

RE: PUBLIC RECORDS ACT REQUEST; PRA#: PR8-031025-02 - "SANTA SUSANA FIELD LABORATORY – SB-990 & 2010 Administrative Orders on Consent (2010 AOCs)"

Dear Mr. Rutherford,

On March 7th, 2025, the Department of Toxic Substances Control (DTSC) received your California Public Records Act request via email in which you requested information regarding ongoing cleanup activity in the Santa Susana Field Laboratory as follows:

"This is a California Public Records Act request for information related to SB-990 and the 2010 Administrative Orders on Consent (2010 AOC) between DTSC, DOE and NASA.

Specifically, this PRA Request is for PDFs of all communications in DTSC's possession (including letters, emails, texts, telephone records, presentation charts, meeting minutes and any other exchange of information), that are not already in the public domain (on DTSC's website), between the following individuals ...

- Daniel Hirsch, President, Committee to Bridge the Gap
- Rick Brausch, one-time DTSC SSFL Project Director
- Norm Riley, one-time DTSC SSFL Project Director
- Maziar Movassaghi, one-time Acting Director of DTSC
- Linda Adams, one-time Secretary of CalEPA
- Shiela Kuehl, one-time State Senator

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... and concerning the following related subjects ...

- DTSC's and CalEPA's involvement in the drafting of the Hirsch-Kuehl SB-990 (2007)
- CalEPA's refusal to accept USEPA's recommendation to list SSFL on the NPL (2007-2008)
- Communications between CalEPA, DTSC, Boeing, Governor Schwarzenegger and Senator Kuehl regarding donation of SSFL to the State as open-space parkland and Senator Kuehl's reneged commitment to amend SB-990 (2007-2008)
- Negotiations between DTSC, Boeing, DOE, and NASA regarding incorporating requirements of SB-990 into the 2007 Consent Order for Corrective Action (2009)
- Removal of Norm Riley as DTSC SSFL Project Director (2009)
- Negotiations between DTSC, DOE and NASA during the drafting of the Hirsch-Brausch 2010 AOC (2009-2010)

... during the period 2007 through 2012.”

DTSC is now in the process of locating, gathering, and reviewing the requested records. Please be advised that some of the records that are responsive to your request may be exempt from disclosure under the California Public Records Act.

Potential reasons for records exemption are as follows:

- records covered by the deliberative process privilege (Gov. Code, §, 7922.000; *Times Mirror Co. v. Superior Court of Sacramento County* (1991) 52 Cal.3d 1325);
- records covered by the balancing test exemption (Gov. Code, § 7922.000); and
- personal or private information (Gov. Code, §§ 7927.700, 7927.705, 7928.300, and 7928.300).

DTSC anticipates responding to this request on or before March 31, 2025. If the responding documents are determined to be exempt from disclosure and are withheld from or produced redacted as part of a production, DTSC will identify the applicable exemptions that form the basis for the determination in a cover letter for the production.

Please contact me at anaeis.minasmasihi@dtsc.ca.gov if you wish to address any matter concerning your PRA request.

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Sincerely,

Anaeis Minas Masihi

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