

**From:** [Phil Rutherford](#)  
**To:** ["Higginson, E. Paige@DTSC"; "Minas Masihi, Anaeis@DTSC"](#)  
**Cc:** ["Miller, Elena@DTSC"; "Knight, Daniel@DTSC"](#)  
**Subject:** RE: PR8-031025-02  
**Date:** Monday, March 31, 2025 11:14:48 PM

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Hi Paige,

Anaeis asked me to provide ...

- specific time periods?  
I provided specific years and time periods for each subject in the second bullet list.
- specific subjects/programs?  
I provided the second bullet list of subjects/activities/occurrences/programs.
- specific personnel?  
I provided the specific personnel whose inter-communication I am requesting, in the first bullet list.
- file format?  
I requested PDFs, but would also accept, texts, audio recordings, Word docs, PowerPoint charts, Excel spreadsheets, etc.

In short, although the scope of my request is admittedly broad, it is very specific in terms of those parameters specified by Anaeis.

Perhaps the reasons I am making my request will help you identify my material of interest. The reasons that I am making this PRA request are as follows.

- It has long been apparent that Dan Hirsch has had an inappropriate influence on decisions made by DTSC regarding remediation at SSFL.
- During the past 35 years, Hirsch has had a huge influence on both federal and California legislators. He has ghost written letters from federal senators (Boxer and Feinstein) to DOE and NASA. He has ghost written all the numerous legislative bills in Sacramento in the 2000s that specifically targeted SSFL, and nuclear decommissioning and waste disposal in general. Subsequent legislator pressure on federal RPs and California regulatory agencies has been transparent.
- Senator Kuehl's SB-990 is a prime example, in which Hirsch attempted to transfer authority for regulation of radioactive materials from the NRC agreement state agency, CDPH Radiologic Health Branch to DTSC.
- Hirsch and Linda Adams conspired to undermine Boeing's offer to donate SSFL to the

State as open-space parkland. Hirsch and Adams also opposed USEPA's recommendation to list SSFL as a Superfund Site. Hirsch, CalEPA, and DTSC preferred to await the anticipated 2010 AOC whose cleanup-to-background mandate would be far more restrictive than the USEPA's Superfund risk assessment cleanup process. DTSC is beginning to recognize the problems associated with implementing the 2010 AOC.

- During 2009, Norm Riley, then DTSC SSFL Project Director, Boeing, DOE and NASA, negotiated the inclusion of the requirements of SB-990 into the 2007 Consent Order, incorporating USEPA risk assessment guidance. In August 2009, Riley was forced out of his position by Hirsch and Rick Brausch. Brausch subsequently replaced Norm Riley as DTSC SSFL Project Director, and completely rewrote the draft amended 2007 Consent Order with the assistance and direction of Hirsch. Ultimately, the re-drafted amended 2007 consent order became the 2010 AOC in December 2010, eliminating all reference to USEPA risk assessment.
- I am requesting unpublished communications between the parties to confirm Hirsch's direct and indirect influence on DTSC. During the Boeing/DTSC Settlement Agreement negotiations, DTSC published the following press release on its website. <https://dtsc.ca.gov/2021/02/12/dtsc-statement-on-ssfl-mediation/>. In it, DTSC referred Hirsch's "Committee to Bridge the Gap" and the "Natural Resources Defense Council" as its "partners." Hirsch never misses a chance to publicly criticize, demean and accuse DTSC of breaking its word. Why DTSC would call Hirsch a "partner" is beyond me. I can only suppose that DTSC was attempting to appease Hirsch in some mistaken belief that they could make him a friend. That will never happen.

More background may be found in Sections 11.0, 12.0, 13.0, 15.0, and 17.0 of [https://philrutherford.com/SSFL/Nuclear\\_Decommissioning\\_at\\_SSFL.pdf](https://philrutherford.com/SSFL/Nuclear_Decommissioning_at_SSFL.pdf)

Please give me a call if you have any further questions.

Sincerely,

Phil

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**From:** Minas Masihi, Anaeis@DTSC <Anaeis.MinasMasihi@dtsc.ca.gov>

**Sent:** Monday, March 31, 2025 4:46 PM

**To:** email@philrutherford.com

**Cc:** Miller, Elena@DTSC <Elena.Miller@dtsc.ca.gov>; Higginson, E. Paige@DTSC <Paige.Higginson@dtsc.ca.gov>; Knight, Daniel@DTSC <Daniel.Knight@dtsc.ca.gov>

**Subject:** PR8-031025-02

Good afternoon,

I hope this email finds you well.

Attached please find DTSC's correspondence regarding your Public Records Act request.

Thank you.

Anaeis Minas Masihi (She/Her)  
Senior Legal Analyst  
Office of Legal Counsel  
Department of Toxic Substances Control  
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Chatsworth, CA 91311