

On page 1, strike out lines 1 through 10, and on page 2, strike out lines 1 through 4, and insert the following:

SECTION 1. Article 5.5 (commencing with Section 25356.8) is added to Chapter 6.8 of the Health and Safety Code to read:

Article 5.5. Cleanup of Santa Susanna Field Laboratory

25356.8. (a) Notwithstanding subparagraph (1) of subdivision (b) of Section 25187 of the Health and Safety Code, the department may use any legal remedies available pursuant to Chapter 6.8 (commencing with Section 25300) or Chapter 6.5 (commencing with Section 25100) to compel any responsible party or parties to take or pay for appropriate removal or remedial action necessary to protect the public health and safety and the environment at the Santa Susanna Field Laboratory site in Ventura County.

(b) Any response action taken or approved at the Santa Susanna Field Laboratory site shall be conducted in accordance with the provisions of this chapter.

(c) Any response action taken or approved pursuant to this chapter for the Santa Susanna Field Laboratory site shall be based upon, and be no less stringent than, the provisions of Section 25356.1.5. In calculating the risk, the cumulative risk from radiological and chemical contaminants at the site shall be summed, and the land use assumption shall be either suburban residential or rural residential (agricultural), whichever produces the lower permissible residual concentration for each contaminant. In the case of radioactive contamination, the department shall use as its risk range point of departure the concentrations in the Preliminary Remediation Goals issued by the Superfund Office of the U.S. Environmental Protection Agency in effect as of January 1, 2007.

(d) Notwithstanding any other provision of law regarding transfers of land, no person or entity shall sell, lease, sublease, or otherwise transfer any land presently, or formerly occupied by the Santa Susanna Field Laboratory, except as provided in subdivision (e).

(e) As a condition for any sale, lease, sublease, or transfer of any land presently or formerly occupied by the Santa Susanna Field Laboratory, the Director of Toxic Substances Control or his or her designee shall certify that the land has undergone complete remediation pursuant to the most protective standards in subdivisions (a)-(c).

SEC. 2. The Legislature finds and declares that due to the unique circumstances regarding the former Santa Susanna Field Laboratory, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution. Those unique circumstances involve the history of accidents, including a partial meltdown of a nuclear reactor; widespread chemical and radioactive contamination; and the necessity of ensuring that the land has undergone thorough remediation of chemical and radioactive contamination for

the health, safety, and welfare of current occupants of nearby areas and any future occupants of the land.

On page 2, revise lines 5-12 as indicated below:

SEC. 2. The Legislature finds and declares that due to the *following* unique circumstances regarding the former Santa Susanna Field Laboratory, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution. ~~Those unique circumstances involve the necessity of ensuring that the land has undergone complete remediation of any chemical or radioactive contamination for the health, safety, and welfare of any future occupant or occupants of the land. :~~

*(a) Founded in late 1940's, the Santa Susana Field Laboratory (SSFL) was a facility dedicated to the development and testing of nuclear reactors, rockets, missiles and munitions. The location of SSFL was chosen for its remoteness in order to conduct work that was considered too dangerous to be performed in more densely populated areas. In subsequent years, however, Southern California's population mushroomed. Today, more than 150, 000 people live within 5 miles of the facility, and at least half a million people live within 10 miles.*

*(b) Throughout the years, approximately 10 nuclear reactors operated at SSFL, in addition to several "critical facilities" (low power reactors); a sodium burn pit in which sodium-coated radioactively contaminated objects were burned in an open pit; a plutonium fuel fabrication facility; a uranium carbide fuel fabrication facility; and a Hot Lab used for remotely cutting up irradiated nuclear fuel.*

*(c) The Hot Lab suffered a number of fires involving radioactive materials and at least four of the 10 nuclear reactors suffered accidents, including a partial meltdown.*

*(d) The reactors located on the grounds of SSFL were considered experimental, and therefore had no containment structures. Reactors and highly radioactive components were housed without the large concrete domes surrounding modern power reactors.*

*(e) The most famous accident occurred in July of 1959, when the Sodium Reactor Experiment (SRE) experienced a partial core meltdown releasing radioactive gasses and particles into the atmosphere over a period of weeks. Recent studies have concluded that this accident may have caused hundreds of cancers in the Los Angeles area.*

*(f) One of the disposal procedures at the site in the 1950's and 1960's would consist of workers disposing of barrels filled with highly toxic substances by shooting the barrels at a distance with shotguns so that they would explode and burn, releasing some of their contents in the form of gasses and particulates into the air. In the mid-1990's a similar practice involving the illegal disposal by open air burning led to the death of two workers at the facility.*

*(g) Additionally, large amounts of toxic chemicals were released to soil, air, groundwater and surface water. For example, the rocket test stands were routinely washed off with TCE, approximately half a million gallons of which were*

*allowed to percolate into the soil and groundwater. Significant contamination exists by perchlorate, heavy metals, PCBs, dioxins, volatile organic and semi-volatile organic compounds, in addition to radioactivity.*

*(h) In 1989, the Department of Energy (DOE) found widespread chemical and radioactive contamination at the site, and a cleanup program commenced. In 1995 the Environmental Protection Agency (EPA) and DOE announced that they had entered into a Joint Policy Agreement to assure that all DOE sites would be cleaned up to standards consistent with EPA's Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) standards, also known as Superfund. Those standards would have required a full characterization of the site and cleanup of the remaining contamination to standards deemed protective by EPA. In 2003, DOE declined to follow the 1995 Joint Policy and chose to instead rely on less protective cleanup standards. EPA declared that under the circumstances the site would not be safe for unrestricted release but only for day hikes with restrictions on picnicking; however DOE continues to insist upon unrestricted release despite the use of site-wide cleanup standards not in keeping with the 1995 Joint Policy and EPA CERCLA guidance.*