

From: [Phil Rutherford](mailto:Phil.Rutherford@dtsc.ca.gov)
To: grant.cope@dtsc.ca.gov; "Becker, Steven@DTSC"; chinh.sheow@dtsc.ca.gov; "Mathias, Mindy@DTSC"
Subject: Settlement Agreement
Date: Tuesday, May 31, 2022 5:08:33 PM
Attachments: [RE REMINDER June 2 2022 SSFL Update Meeting 530pm - 730pm.msg](#)

Dear Mr. Cope and Mr. Becker,

Last Thursday, I sent the attached email request to Chinh Sheow, your Public Participation Specialist. Unfortunately, I did not receive a reply. Perhaps it fell through the cracks.

I am looking forward to this Thursday's virtual meeting on the Settlement Agreement. I would appreciate it if you could address the following questions during the presentation.

- Why are there different cleanup standards for radionuclides and chemicals? Does DTSC believe that radionuclides are more dangerous than chemicals and therefore the public requires greater protection?
- Why has Boeing agreed to cleanup radionuclides to background after it refused to sign up to the 2010 AOC and successfully sued the DTSC over SB 990?
- Even though the agreement's public relations rollout highlighted "radionuclide cleanup to background," this was not even mentioned in the 31-page main body of the agreement. Neither radionuclides nor background was mentioned. This was only discussed in Exhibit 5, Attachment 5, page 179 of the 796-page document. What is the reason for this?
- The residential garden RBSLs for radionuclides in the Settlement Agreement result in a hypothetical risk level of almost 1-in-100 for background levels of naturally occurring radionuclides in soil. Shouldn't DTSC be notifying the public of this alarming fact? This, of course, is a nonsensical consequence of the flawed implementation of the linear no-threshold theory of radiation risk at and below background levels and background variability.

DTSC has chosen to issue the subject Settlement Agreement as a "fait accompli," following 15 months of secret mediation with Boeing, thus bypassing DTSC's usual transparent public comment process. Nevertheless, please accept my comments on the proposed radiological cleanup to background at ... https://philrutherford.com/SSFL/DTSC-Boeing_Settlement_Agreement.pdf.

The Settlement Agreement is the most recent event, and likely not the last event, in a decades long battle about radiological cleanup standards and nuclear decommissioning at SSFL. See the following for more background (no pun intended ... well maybe) ...

https://www.philrutherford.com/SSFL/Nuclear_Decommissioning_in_California.pdf.

These are my personal comments and mine alone. The comments are restricted to radiological cleanup and do not address chemical cleanup. My comments do not represent the opinions of The Boeing Company.

Sincerely,

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