

**From:** [Robert Dodge](#)  
**To:** [Bennett, Steve](#); [Steve Bennett](#)  
**Subject:** Fwd: SSFL Community Meeting Invitation  
**Date:** Wednesday, August 19, 2015 8:41:16 PM

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Hi Steve, here is the announcement that came out today. We have extreme concern that the discussion of "risk assessment cleanup" will whitewash and minimize the public health dangers of the site and reduce their longstanding agreed cleanup agreements. In addition they are announcing their response to a "citizen group" petition to explain their planned activities.

I'll give you a call soon to discuss this further. Thanks again. Bob

----- Forwarded message -----

**From:** **Department of Toxic Substances Control** <[cbenato@dtsc.ca.gov](mailto:cbenato@dtsc.ca.gov)>  
**Date:** Wed, Aug 19, 2015 at 2:26 PM  
**Subject:** SSFL Community Meeting Invitation  
**To:** [robertfdodge@gmail.com](mailto:robertfdodge@gmail.com)



## SAVE THE DATE!

The Department of Toxic Substances Control invites you to attend a community meeting for the Santa Susana Field Laboratory (SSFL) on **Tuesday, September 8, 2015**.

The focus of the meeting will be on how risk assessment is done at cleanup sites and to answer questions from the community regarding risk assessments at SSFL. Additionally, the Agency for Toxic Substances and Disease Registry (ATSDR) has accepted a citizen's petition to perform health consultation and health education activities at SSFL and will present their planned activities at this meeting.

**JOIN US:** Tuesday, September 8, 2015  
**LOCATION:** Corporate Pointe, Auditorium  
8413 Fallbrook Ave, West Hills, CA 91304  
**TIME:** 6:00 PM - 8:00 PM

**For additional information contact:**

Marcia Rubin, Public Participation Specialist at (714) 484-5338  
or via e-mail at [marcia.rubin@dtsc.ca.gov](mailto:marcia.rubin@dtsc.ca.gov).

**For details on the SSFL cleanup project visit:**

[www.dtsc.ca.gov/SiteCleanup/Santa\\_Susana\\_Field\\_Lab/](http://www.dtsc.ca.gov/SiteCleanup/Santa_Susana_Field_Lab/).

Department of Toxic Substances Control

**[Forward this email](#)**



This email was sent to [robertfdodge@gmail.com](mailto:robertfdodge@gmail.com) by [cbenato@dtsc.ca.gov](mailto:cbenato@dtsc.ca.gov) |

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Department of Toxic Substances Control | PO Box 806 | Sacramento | CA | 95812-0806

**From:** [Robert Dodge](#)  
**To:** [Bennett, Steve](#); [Steve Bennett](#)  
**Subject:** SSFL threat draft  
**Date:** Wednesday, August 19, 2015 9:57:09 PM  
**Attachments:** [ATSDRBennettDraft.docx](#)

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Hi Steve, Once again thanks so much for your help on this issue. Here is the draft letter attached. I will forward the addressees emails later. Let me know what questions or additional thoughts you have.

Night - Bob

Dear ,

I write to urge you to personally intervene to reverse a recent ill-considered initial action by the Agency for Toxic Substances and Disease Registry. The matter is important to the people of Ventura County.

Since the 1940s, the federal government conducted nuclear and rocket testing activities at the Santa Susana Field Laboratory (SSFL) in our county. This work was conducted with considerable disregard for environmental considerations, resulting in widespread radioactive and chemical contamination. There were at least four reactor accidents, including a partial meltdown; radioactive fires; burning of toxic wastes in open-air pits; dumping of a million gallons of TCE onto the ground and into the ground water; and many other releases and spills.

Because of the inherent conflict-of-interest in having the federal government investigate its own environmental misconduct, and a long history of controversy involving federal health studies of facilities it contaminated, elected officials representing the people living near SSFL have long insisted that health studies be conducted independently of the federal government. For a quarter of a century, with one controversial exception, the federal government has agreed to keep at arms' length from such studies and support independent reviews instead.

Beginning in the early 1990s, the SSFL Epidemiological Oversight Panel was established to oversee independent studies, first of the workers and then, if an effect was found on them, of the offsite community. The Panel chose a team from the UCLA School of Public Health to perform the worker studies. The work was funded by the Department of Energy but DOE had no say in the selection of the researchers or the content of their research. When those UCLA studies showed significant increases in cancer death rates associated with radioactive and chemical exposures, the Panel conducted independent studies related to offsite potential risks.

Senators Boxer and Feinstein asked that ATSDR fund, but not be involved in, these independent offsite studies. Eventually, after some initial troubling actions by ATSDR in contradiction of that request, ATSDR agreed to fund additional independent studies, one by a team from UCLA led by Professor Yoram Cohen and a second study by Professor Hal Morgenstern of the University of Michigan. ATSDR had the right to review and comment on their draft reports.

Now, nearly a decade later, ATSDR has announced that it approved what it describes as a "citizens petition" that has come in and do certain evaluations related to SSFL. This would violate the quarter-century understanding that it would stay out of the matter, because of the inherent conflict of interest in the federal government investigating whether its activities at SSFL caused harm to the public and how much cleanup of its past contamination it should be required to undertake. A finding of harm would leave the federal government vulnerable to damage claims and a finding of need to do extensive cleanup would be expensive for it.

Furthermore, as of this date, ATSDR refuses to release the supposed citizens petition. Some have indicated they have reason to believe the petition was in fact put forward by people associated with efforts by some of the *responsible parties* to be relieved of their cleanup obligations. This would be inappropriate, to say the least.

ATSDR has indicated it will undertake three tasks, each of which is troubling.

The first is to opine as to whether the federal conduct at the site resulted in any risk to the public. Because of the conflict of interest mentioned above, this would not be proper. Furthermore the issue has already been studied extensively by independent entities and there is no need to start over again. This suggests ATSDR's real purpose may be to declare the site poses no risk and that the federal government should not have to live up to its obligations for a full cleanup.

Secondly, ATSDR says it will evaluate the "proposed cleanup options" for SSFL. This is deeply disturbing. DOE and NASA both signed Agreements on Consent (AOCs) with the state Department of Toxic Substances Control (DTSC) requiring cleanup to background. There is nothing "proposed" about it; it is a legally binding commitment. And there are no "cleanup options" (plural); the AOCs have but one cleanup requirement, background, and there is no option involved. The inclusion of this task suggests the real purpose of the petition, which ATSDR won't release, and breaking the longstanding understanding to stay out of the SSFL matter, is to recommend the federal government break the cleanup agreements and leave much of the contamination not cleaned up.

Third, ATSDR says it will review past studies. But ATSDR's contract for the independent studies performed by UCLA and the University of Michigan, I understand, said ATSDR could review and comment on them prior to their release. It is unseemly to now come back and undertake an evaluation of studies which ATSDR paid for and approved a decade ago. It creates the impression that ATSDR is being asked to erase results that are not favorable to the parties responsible for the contamination.

Ventura County has repeatedly endorsed the cleanup of all contamination at SSFL, i.e., cleanup to the most protective standard. The federal government signed agreements with the state to do precisely that. And there has been an understanding for decades that the federal government would stay out of studying the potential harm to public health it had created by failing to properly operate the hazardous activities at SSFL. The recent initial action by ATSDR to reverse that commitment and undertake a project to decide whether to recommend that the federal government break its cleanup commitments is unacceptable.

I ask you to act immediately to direct ATSDR to stand down, to not move forward with this untoward plan. The federal government contaminated this site in our county; it promised to keep out of health studies of the harm produced, so they could be done independently and without a conflict of interest; and it signed binding agreements to clean up all the contamination. ATSDR should not act to breach these solemn and important pledges. Please reverse course now.

Sincerely,

**From:** [Robert Dodge](#)  
**To:** [Bennett, Steve](#); [Steve Bennett](#)  
**Subject:** SSFL Letter to Dr. Levin  
**Date:** Wednesday, August 19, 2015 10:04:05 PM

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Hi Steve, Here is a possible letter that you could send to Bob Levin with copy of your other letter to ATSDR et al. Bob

Dear Dr. Levin,

Please find attached a letter I have sent to the Agency for Toxic Substances and Disease Registry, which has a somewhat troubled reputation.

I am deeply disturbed by their intervention, given the longstanding agreement that the federal government would stay out of efforts to assess the degree of harm their activities at SSFL caused. I am also concerned that this is part of an effort to break out of the obligations the federal government undertook to clean up all the detectible contamination at SSFL, cleanup requirements that the Board of Supervisors has repeatedly endorsed.

There are serious questions whether the "citizens petition" that ATSDR says they approved in March is legitimate or is in fact coming from people working in alignment with the parties responsible for the contamination in their efforts to get out of the cleanup requirements. I note that ATSDR to date has refused to release the petition, suggesting it might recognize there are questions about its legitimacy.

In any case, it is very important, in my view, given that controversy, that ATSDR not be able to say they are intervening here because of a request by the County or doing their work in collaboration with the County. I have indicated to them my request that they stand down. But if they don't, there should not be any basis for them to claim some kind of endorsement by or request from the County. What they are doing can hurt the County, and we should be no part of it.

**From:** [Steve Bennett](#)  
**To:** [Cantle, Cindy](#)  
**Subject:** Fwd: SSFL threat draft  
**Date:** Thursday, August 20, 2015 11:50:18 AM  
**Attachments:** [ATSDRBennettDraft.docx](#)

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----- Forwarded Message -----

**Subject:** SSFL threat draft

**Date:** Wed, 19 Aug 2015 21:57:05 -0700

**From:** Robert Dodge <[robertfdodge@gmail.com](mailto:robertfdodge@gmail.com)>

**To:** Steve Bennett <[steve.bennett@ventura.org](mailto:steve.bennett@ventura.org)>, Steve Bennett  
<[Stephenbennett@charter.net](mailto:Stephenbennett@charter.net)>

Hi Steve, Once again thanks so much for your help on this issue. Here is the draft letter attached. I will forward the addressees emails later. Let me know what questions or additional thoughts you have.

Nlght - Bob

**From:** [Steve Bennett](#)  
**To:** [Cantle, Cindy](#)  
**Subject:** Fwd: SSFL letter addressee's  
**Date:** Thursday, August 20, 2015 11:50:35 AM

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----- Forwarded Message -----

**Subject:** SSFL letter addressee's  
**Date:** Wed, 19 Aug 2015 22:14:59 -0700  
**From:** Robert Dodge <[robertfdodge@gmail.com](mailto:robertfdodge@gmail.com)>  
**To:** Steve Bennett <[steve.bennett@ventura.org](mailto:steve.bennett@ventura.org)>, Steve Bennett  
<[Stephenbennett@charter.net](mailto:Stephenbennett@charter.net)>

Hi Steve, here is a list of the people. I would address it to Frieden, Brysee and Burwell with cc's to each of the others including Levin. Let me know if and how I can help. Bob

**Director of CDC**

Tom Frieden, MD, MPH  
Director, Centers for Disease Control and Prevention (CDC),  
and Administrator, Agency for Toxic Substances and Disease Registry (ATSDR)  
CDC  
1600 Clifton Road  
Atlanta, GA 30329-4027 USA

Found 2 email addresses:

[Tomfrieden@cdc.gov](mailto:Tomfrieden@cdc.gov)  
[fdh@cdc.gov](mailto:fdh@cdc.gov)

**Director of ATSDR**

Pat Breyse, PhD  
Director, National Center for Environmental Health/Agency for Toxic Substances and Disease Registry (NCEH/ATSDR)  
4770 Buford Hwy, NE  
Atlanta, GA 30341-3717  
(770) 488-1544 - Fax

He is brand new, appointed December 2014. I can't find email for him (though he may still use his John Hopkins email [pbreyse@jhsphe.edu](mailto:pbreyse@jhsphe.edu))

Sylvia Mathews Burwell  
Secretary of Health and Human Services  
The U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

cc the following:

Senator Barbara Boxer  
Senator Diane Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
State Senator Fran Pavley

Assemblymember Jacqui Irwin

Emails:

Staff for Boxer

[bettina\\_poirier@epw.senate.gov](mailto:bettina_poirier@epw.senate.gov)

[sean\\_moore@boxer.senate.gov](mailto:sean_moore@boxer.senate.gov)

[laura\\_schiller@boxer.senate.gov](mailto:laura_schiller@boxer.senate.gov)

[Nicole\\_Kaneko@boxer.senate.gov](mailto:Nicole_Kaneko@boxer.senate.gov)

Staff for Feinstein

[Trevor\\_Daley@feinstein.senate.gov](mailto:Trevor_Daley@feinstein.senate.gov)

[Molly\\_O'Brien@feinstein.senate.gov](mailto:Molly_O'Brien@feinstein.senate.gov)

Staff for Brownley

[Cheri.Orgel@mail.house.gov](mailto:Cheri.Orgel@mail.house.gov)

[Sharon.Wagener@mail.house.gov](mailto:Sharon.Wagener@mail.house.gov)

Staff for Sherman

[scott.abrams@mail.house.gov](mailto:scott.abrams@mail.house.gov)

Staff for Pavely

[william.craven@sen.ca.gov](mailto:william.craven@sen.ca.gov)

[dusty.russell@sen.ca.gov](mailto:dusty.russell@sen.ca.gov)

Staff for Irwin

[Morgan.Culbertson@asm.ca.gov](mailto:Morgan.Culbertson@asm.ca.gov)

**Director of ATSDR Community Health Investigations:**

James (Jimmy) W. Stephens, Ph.D.

Acting, Director

ATSDR Division of Community Health Investigations

4770 Buford Hwy, NE (MS F59)

Atlanta, GA 30341-3717

(770) 488-1544 - Fax

His email is [jws9@cdc.gov](mailto:jws9@cdc.gov)

**Regional ATSDR Director (not sure if we decided to do this or not)**

Robert Knowles

Regional Director

ATSDR Region 9

75 Hawthorne St.

Suite 100, M/S:HHS-1

San Francisco, CA 94105

(415) 947-4323 - FAX

[KNOWLES.ROBERT@epa.gov](mailto:KNOWLES.ROBERT@epa.gov)

[rdk6@cdc.gov](mailto:rdk6@cdc.gov)

**From:** [Cantle, Cindy](#)  
**To:** [Steve Bennett](#); [Bennett, Steve](#)  
**Subject:** FW: Suprv. Bennett-Santa Susana Field Lab Ltrs  
**Date:** Friday, August 21, 2015 3:37:25 PM

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Hi Steve,

Just want to confirm that I talked with Bob Dodge, he sent me the announcement he had, and I forwarded it to Sharon on Brownley's staff. Hopefully, this is what she needed.

Cindy

**From:** Wagener, Sharon [mailto:[Sharon.Wagener@mail.house.gov](mailto:Sharon.Wagener@mail.house.gov)]

**Sent:** Friday, August 21, 2015 3:24 PM

**To:** Cantle, Cindy

**Subject:** Re: Suprv. Bennett-Santa Susana Field Lab Ltrs

Thank you!

**From:** Cantle, Cindy [mailto:[Cindy.Cantle@ventura.org](mailto:Cindy.Cantle@ventura.org)]

**Sent:** Friday, August 21, 2015 06:04 PM

**To:** Wagener, Sharon

**Subject:** RE: Suprv. Bennett-Santa Susana Field Lab Ltrs

Hi Sharon,

Thank you for calling and for emailing your contact information. Below is the announcement.

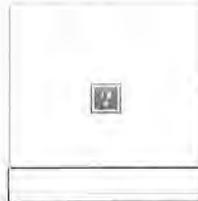
Cindy

From: **Department of Toxic Substances Control** <[cbenato@dtsc.ca.gov](mailto:cbenato@dtsc.ca.gov)>

Date: Wed, Aug 19, 2015 at 2:26 PM

Subject: SSFL Community Meeting Invitation

||



## SAVE THE DATE!

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**LOCATION:** Corporate Pointe, Auditorium  
8413 Fallbrook Ave, West Hills, CA 91304

**TIME:** 6:00 PM - 8:00 PM

**For additional information contact:**

Marcia Rubin, Public Participation Specialist at [\(714\) 484-5338](tel:7144845338)

or via e-mail at [marcia.rubin@dtsc.ca.gov](mailto:marcia.rubin@dtsc.ca.gov).

**For details on the SSFL cleanup project visit:**

[www.dtsc.ca.gov/SiteCleanup/Santa\\_Susana\\_Field\\_Lab/](http://www.dtsc.ca.gov/SiteCleanup/Santa_Susana_Field_Lab/).

Department of Toxic Substances Control

**From:** Wagener, Sharon [mailto:Sharon.Wagener@mail.house.gov]

**Sent:** Friday, August 21, 2015 12:23 PM

**To:** Cantle, Cindy

**Cc:** Orgel,Cheri

**Subject:** FW: Suprv. Bennett-Santa Susana Field Lab Ltrs

Cindy,

Hi, thanks for taking my call.

Per our conversation, here is my contact information.

Thanks, Sharon

Sharon M. Wagener

Office of Congresswoman Julia Brownley

1019 Longworth House Office Building

Washington, DC 20515

[Sharon.Wagener@mail.house.gov](mailto:Sharon.Wagener@mail.house.gov)

Phone: 202-225-5811

Fax: 202-225-1100

---

**From:** Orgel,Cheri

Begin forwarded message:

**From:** "Cantle, Cindy" <[Cindy.Cantle@ventura.org](mailto:Cindy.Cantle@ventura.org)>

**To:** "Orgel,Cheri" <[Cheri.Orgel@mail.house.gov](mailto:Cheri.Orgel@mail.house.gov)>

**Subject:** Suprv. Bennett-Santa Susana Field Lab Ltrs

Dear Cheri,

Attached please find copies of letters from Ventura County Supervisor Steve Bennett regarding the Santa Susana Field Laboratory. The Supervisor appreciates you sharing these with Congresswoman Brownley. Please don't hesitate to contact me if you have any questions or need additional information.

Kind regards,

Cindy

*Cindy Cantle*

*Chief of Staff*

*Supervisor Steve Bennett, First District*

*County of Ventura*

*800 S. Victoria, #1900*

*Ventura, CA 93009*

*(805) 654-2703*



Denise Duffield <dduffield@psr-la.org>

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## ATSDR at Santa Susana Field Lab Site

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Vianu, Libby <Vianu.Libby@epa.gov>  
To: "dduffield@psr-la.org" <dduffield@psr-la.org>

Fri, Aug 21, 2015 at 1:50 PM

Denise Duffield  
Associate Director  
Physicians for Social Responsibility  
Coordinator, SSFL Work Group

I have worked with the ATSDR Petition Coordinator and our Office of General Counsel to address your request for a copy of the Santa Susana Petition and ATSDR response letter.

I have attached redacted versions of these letters. If you want a document that has gone through the FOIA process you can make a request through the Freedom of Information Act (FOIA) Requester Service Center. You can find all the information for completing the request at this web site: <http://www.cdc.gov/od/foia/>.

In order to encourage people to petition and not be worried about repercussions, ATSDR tries to protect the identity of all individual petitioners. If you want further information about the petition process please contact the ATSDR Petition Coordinator, Sven Rodenbeck.

Sven E. Rodenbeck, Sc.D., P.E., BCEE

Rear Admiral (retired), USPHS

ATSDR/DCHI - Mailstop F59

1600 Clifton Road, NE

Atlanta, GA 30329-4027

(770) 488-3660

If you need any additional assistance, please feel free to contact me.

Libby Vianu  
Regional Representative  
ATSDR Region IX  
75 Hawthorne Street  
Suite 100, HHS-100  
San Francisco, CA 94105  
Office Phone (415) 947-4319

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**3 attachments**



**SSFL Petition June 2014 Redacted.pdf**

103K



**SSFL Refinement of Petition Nov 2014 Redacted.pdf**

31K



**SSFL Petition Decision Letter March 2015 Redacted.pdf**

109K

June 25, 2014

Mr. Sven Rodenbeck  
ATSDR  
Division of Community Health Investigations  
4770 Buford Highway, NE (MS-F59)  
Atlanta, GA 30341-3717  
Via email: svr1@cdc.gov

Dear Mr. Rodenbeck,

I am writing ATSDR to petition for a completion of a previous ATSDR health assessment for the Santa Susana Field Laboratory (SSFL) reported in 1999. I am writing on behalf of the SSFL Community Advisory Group (CAG) established a year ago by the California Department of Toxic Substances Control (DTSC). I am . . . . . and am quite familiar with many of the technical issues involved with cleaning up the SSFL site. I am attaching a brief summary of my work experience by way of Introduction. As will be explained later, the CAG is requesting that ATSDR conduct an expert panel review of previous studies related to SSFL health effects, so that the peer review can clarify and resolve public misconceptions about the current risk to their health from contamination at SSFL. I have just completed a review (attached) of all of the previous studies including, the ATSDR study. It formed the basis of my recommendation to the CAG to conduct a neutral public peer review to hopefully resolve the community differences.

After the extensive preliminary study and report, ATSDR later contracted with a UCLA team lead by Dr. Yoram Cohen to do a more thorough study which was reported out in 2006. Using essentially the same data, Dr. Cohen's conclusions were exactly the opposite to those of ATSDR. Although he acknowledged extreme conservatism in his assumptions, he provided no rationale for the difference in his conclusions. Boeing provided 50 pages of comments and Dr. Alan Warren also commented on the document, concluding that the use of extremely conservative assumptions throughout the study "*result not in a worst-case scenario but one that is highly improbable, if not impossible, and pertains to no single individual or group of individuals.*" Dr. Cohen never responded to the comments/questions and, unfortunately, his report has been used to fan the fears of residents of neighboring communities. Studies by Dr. Morgenstern have been similarly misused, although he concluded "*There is no direct evidence from this investigation, however, that these observed associations reflect the effects of environmental exposures originating at SSFL.*"

The idea for this peer review evolved from a recent public meeting held by the California Department of Toxic Substances Control (DTSC) on the same subject. Dr. Thomas Mack of the USC Keck School of

Medicine presented the results of his study of Cancer Registry data in the vicinity of SSFL together with a general tutorial on epidemiology. Afterwards, he was subject to ad hominem attacks, and DTSC was faulted for not having a presentation from Dr. Hal Morgenstern, who had performed similar studies in the past. Some community members believe Dr. Morgenstern reached conclusions different from Dr. Mack and his views should be heard. I was in the process of reviewing the past health-related studies and was under the impression that Drs. Mack and Morgenstern were in essential agreement. Conversations since with both have confirmed that this is indeed the case. Nevertheless, some community members believe that their health has been and continues to be placed at risk by SSFL, relying in part on the work of Dr. Morgenstern. From this, I conceived the idea of holding a public peer review of these health studies to resolve any misunderstandings.

The importance of the public perception of SSFL health effects cannot be overstated. Public acceptance is paramount in achieving an appropriate level of cleanup of the contamination that remains at SSFL. Everybody is in favor of a cleanup of SSFL; the only issue to be resolved is the determination of cleanup criteria that balance the purported benefits of the cleanup against its health and environmental consequences. One portion of the community favors a risk-based cleanup to Suburban Residential standards, using established procedures. Another portion of the community favors a soil cleanup 'to background or detect' using procedures that are unique to SSFL and never before been used at any cleanup in the US. The rationale for the latter is based on purported past and future health effects of SSFL contamination to offsite individuals. The cleanup debate has gone on for decades, and is very contentious with political overtones. One example of political interference with the SSFL cleanup occurred when SSFL was identified as meeting the criteria for listing as a superfund site, but this was declined by the then head of DTSC because a risk-based cleanup would not meet California's more stringent requirements. It is time to finally resolve the health issue so that the cleanup can proceed. A public peer review of past health-related studies would be one way to provide the public, the media and their elected officials with the collective expert views of the scientists and doctors who have studied the SSFL issues.

I have discussed the idea of a CAG-led peer review panel with DTSC, DOE, NASA, and Boeing. They were all supportive. In conversation with one of the prospective panel members, he suggested that the review would more acceptable to the public if it was conducted by an independent Federal Agency and ATSDR immediately came to mind. I have mentioned this to DOE and they would be supportive of having a review conducted by ATSDR.

Several approaches for conducting the review are under consideration. I expect that we would develop some fundamental questions to be discussed prior to establishing a consensus position and there would be limited presentations of information from prior reports. One issue to be resolved should be past health risk as documented in the epidemiological studies and pathway studies. Since site operations ceased over 20 years ago and the site has been fully characterized, a second issue should be a high-level relative assessment of off-site health risk estimated from the current levels of contamination. ATSDR should be given the data in sufficient time to make their own preliminary evaluation. A brief presentation of the current data and the ATADR conclusions could be made to the panel and the

audience. I do not envision much new analysis, because the old data and reports exist and the experts are familiar with the site and the reports. It should be made clear that the future use of the site is generally agreed to be open space or parkland, and that the health concerns being voiced are not for on-site residents but for those at varying distances from the site. Additionally, I believe that the public meeting should be structured as educational and informative and not to receive public input. Public concerns are well known, and recent public meetings have been subject to advocacy, acrimony, and venting, all of which detract from the intended benefit of the meeting.

We were considering a November to early December time frame for the public panel review at a local venue to be determined. A list of the proposed panel members is appended to this letter. I have contacted all but one of them and only two were hesitant to express interest. I expect that that they would be willing if ATSDR conducted or sponsored the event. If ATSDR agrees to this petition, I assume ATSDR would provide additional experts. Schedule conflicts would likely reduce the number of panel participants, but I think that we would have sufficient expertise to accomplish our objectives.

I will be happy to supply you with additional information as needed. The CAG and I feel that it is most important to publically address the health concerns as soon as possible.

Sincerely,

Potential Panel Members

James Justin Beaumont, PhD  
Professor Emeritus, Public Health Sciences, University of California Davis  
Davis, California  
jjbeaumont@ucdavis.edu

Yoram Cohen, PhD  
Professor, Chemical and Biological Engineering Department, UCLA  
Los Angeles, California  
yoram@ucla.edu

Faith G. Davis, PhD  
Professor and Director, Division of Epidemiology and Biostatistics,  
School of Public Health, University of Illinois,  
Chicago, Illinois  
fayed@uic.edu

CAPT Robert B. Knowles, M.S., REHS  
Regional Director, Agency for Toxic Substances & Disease Registry, Region 9  
San Francisco, California  
rknowles@cdc.gov

Thomas Mack, M.D., M.P.H.  
Professor of Preventive Medicine and Pathology, Keck School of Medicine  
University of Southern California  
Los Angeles, California  
tmack@usc.edu

Hal Morgenstern, Ph.D.  
Professor, Epidemiology and Environmental Health Sciences  
School of Public Health, Department of Epidemiology, University of Michigan  
Ann Arbor, Michigan  
halm@umich.edu

Michael Mumma  
International Epidemiology Institute  
Rockville, Maryland  
mike@iei.us

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Kiumarss Nasser, DVM, MPH, PhD  
Advances in Medicine  
Santa Barbara, California  
qnasser@cox.net

D. Alan Warren, M.P.H., Ph.D.  
Program Director, Environmental Health Science, University of South Carolina Beaufort  
Bluffton, South Carolina  
dwarren@uscb.edu

November 11, 2014

### Refinement of ATSDR Petition Request

The ultimate goal of the petition to ATSDR regarding the cleanup of SSFL is to obtain an opinion from ATSDR about the present risk posed by contaminants at SSFL to future on-site residents and off-site residents, and thus inform a decision about the appropriate level of cleanup needed to be protective of public health and safety. By way of background, the site remediation is covered to by two consent orders. The 2007 order required all groundwater and the soil in the Boeing, DOE, and NASA areas to be remediated to suburban residential risk-based criteria. A subsequent order in 2010 (AOC) required only DOE and NASA to remediate their soil to background or detection limits, independent of risk. The difference in perceived need for a risk-based vs. a background/detect cleanup is the source of misunderstanding and polarization within the surrounding communities.

Those favoring the cleanup to background or detect option base their opinions primarily on two epidemiological and pathway studies prepared with ATSDR funding, but not under ATSDR technical direction or approval. The conclusions of these documents are at variance with conclusions reached previously by ATSDR and by numerous other epidemiological studies. The 1999, ATSDR stated ***“Although chemicals and radionuclides were released from the site, the likelihood of those releases resulting in human exposure is limited by a number of factors, including; 1) the distance from the release sources to the offsite residential areas that results in rapid dispersion and degradation of oxidants and solvents in air; 2) the predominant wind patterns that normally blow away from the nearest residential areas; 3) other meteorological conditions at the site such as the atmospheric mixing height; and 4) drawdowns in ground water levels that reduce the rates of contaminant migration. Considering these factors, it is unlikely that residents living near the site are, or were exposed to SSFL-related chemicals and radionuclides at levels that would result in adverse human health effects. Changes in site operations, such as reduced frequency of rocket engine testing, discontinuation of trichloroethylene use, and shut down of nuclear operations make it unlikely that future exposures to the offsite community will occur”.***

It is now 15 years later and the site operations have ceased. I request that ATSDR revisit this conclusion and restate it appropriately based on ATSDR assessment of the current levels of contamination, and their pathways to human receptors.

Those favoring a risk-based cleanup are concerned about the potential health-hazards from an extreme cleanup that would require digging and hauling of about 2.5 million cubic yards of soil. The soil in our area contains spores of San Joachin Valley Fever, and pollution from the trucks poses its own health risks, together with the risk from traffic accidents. I request that ATSDR provide a ROM evaluation of the risks to surrounding populations and those on truck routes and at the disposal sites from postulated numbers of trucks for the proposed cleanup scenarios.

The 2010 AOCs prohibit any leave-in-place disposal options, whether or not this poses a lesser risk to anybody when compared with the other cleanup alternatives. I request that ATSDR suggest and discuss cleanup alternatives for consideration that may be protective of health while minimizing negative effects of the remediation.

To allay community fears of past SSFL operations, I request that ATSDR evaluate the information and conclusions presented in prior epidemiological and pathway studies and present an ATSDR evaluation of those documents to the community in a readily understandable fashion.

Finally, I request that ATSDR use its prestige and wide experience with public concerns about their health risks from contaminated sites, to provide the communities around SSFL with a perspective of the real SSFL risk in relation to other sites around the country. Too many people believe that SSFL is one of the most highly contaminated sites in the country. The agencies that are responsible for the cleanup know otherwise and will never provide the funding that would be required to implement a 2010 AOC cleanup. Political forces are trying to circumvent a NEPA evaluation of robust cleanup alternatives, and only a better informed public can change this.

I look forward to working with you to help you answer these questions.



March 10, 2015

Dear:

Thank you for your June 25 and November 11, 2014, letters to the Agency for Toxic Substances and Disease Registry (ATSDR) describing the Community Advisory Group (CAG) concerns about the Santa Susana Field Laboratory (SSFL), Ventura County, California. Your letters indicate that the SSFL CAG is requesting that ATSDR:

- Revisit its conclusions and restate them appropriately based on ATSDR assessment of the current levels of contamination, and their pathways to human receptors.
- Evaluate the risks, including Valley Fever, to surrounding populations and those on truck routes and at the disposal sites from postulated numbers of trucks for one of the proposed cleanup scenarios.
- Suggest and discuss cleanup alternatives for consideration that may be protective of health while minimizing negative effects of the remediation.
- Evaluate the information and conclusions presented in prior epidemiological and pathway studies and present an ATSDR evaluation of those documents to the community in a readily understandable fashion.
- Provide the communities around SSFL with a perspective of the real SSFL risk in relation to other sites around the country.

This letter is to inform you that ATSDR has accepted your petition and how we are initially planning to address the CAG's concerns about SSFL.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also known as Superfund), Congress provided ATSDR with the authority to conduct certain public health actions following a request from a community member. All requests are evaluated for relevance to ATSDR's mission, whether data are available for analysis, and public health priority. Actions taken on accepted petitions are designed to determine whether people have been, or are currently being, exposed to hazardous substances (primarily chemicals) released into the environment from a hazardous waste site or facility. ATSDR then evaluates whether the exposure is harmful, or potentially harmful, and whether the exposure should be stopped or reduced. These evaluations are based on the available environmental sampling data typically collected by the U.S. Environmental Protection Agency (EPA) or the local regulatory agencies.

While ATSDR's evaluations can assess whether or not an exposure increases the risk of disease or a medical condition, they are not able to determine the cause of a particular disease or medical condition experienced by an individual or a group of individuals in a community. Please note that ATSDR does not prioritize risk management/remediation options or review/evaluate environmental regulatory operational procedures of other organizations or agencies.

To assist the SSFL community in understanding the current SSFL-related public health concerns, ATSDR is planning to:

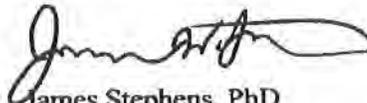
- Determine whether currently there are any completed pathways of human exposure to SSFL-related contaminants and what public health concerns may be associated with those exposures.
- Evaluate whether the proposed remedial options would be protective of human health.
- Provide the SSFL community with public friendly information and presentations of ATSDR's findings and the strengths and weaknesses of SSFL-related epidemiological studies.

Please be advised that ATSDR does not have the technical expertise to evaluate the potential Valley Fever health concerns associated with hauling large amounts of SSFL soil through local neighborhoods. So we will not be able to assist the SSFL community understand the risks associated with Valley Fever in the area.

In the near future, ATSDR will engage with the community near SSFL. This will include small group discussions and health education activities. We will coordinate our efforts with the SSFL CAG, other community groups, California Department of Public Health, California Department of Toxic Substances Control, the US Department of Energy, and the US National Aeronautics and Space Administration. Based upon the input received from these various stakeholders and our public health evaluation of the environmental investigations and data, ATSDR will provide its public health evaluations for public comment.

Thank you for forwarding your concerns to ATSDR. If you have any questions on ATSDR's future involvement at this site, please contact CAPT Robert Knowles, ATSDR Regional Director for Region 9. CAPT Knowles may be reached at (415) 947-4317 or via email at [Knowles.Robert@epa.gov](mailto:Knowles.Robert@epa.gov). If you have any questions on how your request was reviewed, please contact Dr. Sven Rodenbeck, ATSDR Petition Coordinator, at (770) 488-3660 or via email at [SRodenbeck@cdc.gov](mailto:SRodenbeck@cdc.gov).

Sincerely,



James Stephens, PhD  
Acting Director  
Division of Community Health Investigations  
Agency for Toxic Substances and Disease Registry

**From:** [Robert Dodge](#)  
**To:** [Bennett, Steve](#); [Steve Bennett](#)  
**Subject:** Fwd: ATSDR petition  
**Date:** Monday, August 24, 2015 7:42:06 AM  
**Attachments:** [SSFL Petition June 2014 Redacted.pdf](#)  
[SSFL Refinement of Petition Nov 2014 Redacted.pdf](#)  
[SSFLPetition Decision Letter March 2015 Redacted.pdf](#)

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Hi Steve, I am sending you this note from Dan Hirsch received late Friday. You will see Dan's notes and a response from ATSDR to PSR's request for copy of the "Citizens Petition" which in reality was not a petition but a request from the former employee of SSFL petitioning ATSDR to essentially undo their previous agreements and discredit their own funded independent studies. The attachments from ATSDR are redacted. Needless to say, this adds to this very troubling handling of the SSFL cleanup.

Please let me know if you have any questions. Bob

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**From:** **Daniel O Hirsch** <[dhirsch1@cruzio.com](mailto:dhirsch1@cruzio.com)>  
**Date:** Sun, Aug 23, 2015 at 12:11 PM  
**Subject:** ATSDR petition  
**To:** Robert Dodge <[robertfdodge@gmail.com](mailto:robertfdodge@gmail.com)>  
**Cc:** Denise Duffield <[dduffield@psr-la.org](mailto:dduffield@psr-la.org)>

Attached please find ATSDR's response to the request by Physicians for Social Responsibility to provide the "citizen's petition" they say they approved in March. You will see it is not a citizens petition (plural), but a letter from a single individual ("I request.") Yet they still refuse to release the individual's name, and to release its attachments. Nonetheless, the content of the letter makes clear it is from Abe Weitzberg, as we suspected. (It refers, for example, to the paper he wrote attacking the health studies that found potential harm from SSFL.) Weitzberg is a former official of SSFL, and subsequently spent much of his career working under contract for the Department of Energy, which is one of the principal Responsible Parties for the contamination at SSFL. His bio asserts that while at SSFL he managed the safety research program for the SNAP reactors; one of those, the SNAP 8ER, had a serious accident during this period, resulting in 80% of the fuel getting damaged. In recent years, Weitzberg has worked aggressively in concert with Boeing, another of the SSFL Responsible Parties, to try to relieve them of their obligations to clean up most of the contamination at the site. Thus it isn't a citizens' petition at all, but rather from a former employee of the Responsible Parties who is working closely with them to try to block the cleanup.

The letter says it is on behalf of the so-called Community Advisory Group, but in fact the CAG never approved the request, according to the CAG's minutes posted on its website. Even if they had formally approved it, the CAG is widely viewed as a Boeing front group,

initiated by and working with Boeing to undo cleanup requirements. See Inside Job report, at <http://www.consumerwatchdog.org/resources/InsideJob.pdf>

Most importantly is the actual content of Weitzberg's request that ATSDR granted. It is not a legitimate health petition which, under ATSDR's regulations, is supposed to identify concerns about potential health effects from a contaminated site, and ATSDR is supposed to come in if there is evidence of harm and investigate it. Instead, Weitzberg asks that ATSDR come in and disavow past studies that showed potential harm, including two that it paid for and approved (by UCLA and the University of Michigan), which Weitzberg misrepresents. He also asks that ATSDR assist in breaching the cleanup agreements signed by the federal government with the state government, agreements that the petition attacks. It is entirely inappropriate for ATSDR to come in to attack its own prior funded studies and to attack legally binding cleanup agreements, all at the request, not of community members concerned about their health but someone associate with the Responsible Parties who are trying to get out of their cleanup obligations. And ATSDR is doing so by breaking longstanding commitments to stay out of the SSFL matter because of their conflicts of interest and past controversial actions.

There should now be no doubt as to what ATSDR's agenda is in this endeavor, and why it is so reluctant to disclose the name of the petitioner. They acted on what they knew was an illegitimate petition and don't want to disclose that; but more importantly, they are coming in to erase the past studies and block the cleanup.

----- Forwarded message -----

From: "Vianu, Libby" <[Vianu.Libby@epa.gov](mailto:Vianu.Libby@epa.gov)>  
Date: Aug 21, 2015 1:50 PM  
Subject: ATSDR at Santa Susana Field Lab Site  
To: "[dduffield@psr-la.org](mailto:dduffield@psr-la.org)" <[dduffield@psr-la.org](mailto:dduffield@psr-la.org)>  
Cc:

Denise Duffield  
Associate Director  
Physicians for Social Responsibility  
Coordinator, SSFL Work Group

I have worked with the ATSDR Petition Coordinator and our Office of General Counsel to address your request for a copy of the Santa Susana Petition and ATSDR response letter.

I have attached redacted versions of these letters. If you want a document that has gone through the FOIA process you can make a request through the Freedom of Information Act (FOIA) Requester Service Center. You can find all the information for completing the request at this web site: <http://www.cdc.gov/od/foia/>.

In order to encourage people to petition and not be worried about repercussions, ATSDR tries

to protect the identity of all individual petitioners. If you want further information about the petition process please contact the ATSDR Petition Coordinator, Sven Rodenbeck.

Sven E. Rodenbeck, Sc.D., P.E., BCEE

Rear Admiral (retired), USPHS

ATSDR/DCHI - Mailstop F59

1600 Clifton Road, NE

Atlanta, GA 30329-4027

(770) 488-3660

If you need any additional assistance, please feel free to contact me.

Libby Vianu  
Regional Representative  
ATSDR Region IX  
75 Hawthorne Street  
Suite 100, HHS-100  
San Francisco, CA 94105  
Office Phone (415) 947-4319

**From:** [Bennett, Steve](#)  
**To:** [Cantle, Cindy](#)  
**Subject:** Fw: ATSDR petition  
**Date:** Monday, August 24, 2015 4:46:00 PM  
**Attachments:** [SSFL Petition June 2014 Redacted.pdf](#)  
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**To:** Bennett, Steve; Steve Bennett  
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Date: Aug 21, 2015 1:50 PM  
Subject: ATSDR at Santa Susana Field Lab Site  
To: "dduffield@psr-la.org" <dduffield@psr-la.org>  
Cc:

Denise Duffield  
Associate Director  
Physicians for Social Responsibility  
Coordinator, SSFL Work Group

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Sven E. Rodenbeck, Sc.D., P.E., BCEE  
Rear Admiral (retired), USPHS  
ATSDR/DCHI - Mailstop F59  
1600 Clifton Road, NE  
Atlanta, GA 30329-4027  
[\(770\) 488-3660](tel:(770)488-3660)

If you need any additional assistance, please feel free to contact me.

Libby Vianu  
Regional Representative  
ATSDR Region IX  
75 Hawthorne Street  
Suite 100, HHS-100  
San Francisco, CA 94105  
Office Phone [\(415\) 947-4319](tel:(415)947-4319)

June 25, 2014

Mr. Sven Rodenbeck  
ATSDR  
Division of Community Health Investigations  
4770 Buford Highway, NE (MS-F59)  
Atlanta, GA 30341-3717  
Via email: svr1@cdc.gov

Dear Mr. Rodenbeck,

I am writing ATSDR to petition for a completion of a previous ATSDR health assessment for the Santa Susana Field Laboratory (SSFL) reported in 1999. I am writing on behalf of the SSFL Community Advisory Group (CAG) established a year ago by the California Department of Toxic Substances Control (DTSC). I am familiar with many of the technical issues involved with cleaning up the SSFL site. I am attaching a brief summary of my work experience by way of introduction. As will be explained later, the CAG is requesting that ATSDR conduct an expert panel review of previous studies related to SSFL health effects, so that the peer review can clarify and resolve public misconceptions about the current risk to their health from contamination at SSFL. I have just completed a review (attached) of all of the previous studies including, the ATSDR study. It formed the basis of my recommendation to the CAG to conduct a neutral public peer review to hopefully resolve the community differences.

After the extensive preliminary study and report, ATSDR later contracted with a UCLA team lead by Dr. Yoram Cohen to do a more thorough study which was reported out in 2006. Using essentially the same data, Dr. Cohen's conclusions were exactly the opposite to those of ATSDR. Although he acknowledged extreme conservatism in his assumptions, he provided no rationale for the difference in his conclusions. Boeing provided 50 pages of comments and Dr. Alan Warren also commented on the document, concluding that the use of extremely conservative assumptions throughout the study "result not in a worst-case scenario but one that is highly improbable, if not impossible, and pertains to no single individual or group of individuals." Dr. Cohen never responded to the comments/questions and, unfortunately, his report has been used to fan the fears of residents of neighboring communities. Studies by Dr. Morgenstern have been similarly misused, although he concluded "There is no direct evidence from this investigation, however, that these observed associations reflect the effects of environmental exposures originating at SSFL."

The idea for this peer review evolved from a recent public meeting held by the California Department of Toxic Substances Control (DTSC) on the same subject. Dr. Thomas Mack of the USC Keck School of

Medicine presented the results of his study of Cancer Registry data in the vicinity of SSFL together with a general tutorial on epidemiology. Afterwards, he was subject to ad hominem attacks, and DTSC was faulted for not having a presentation from Dr. Hal Morgenstern, who had performed similar studies in the past. Some community members believe Dr. Morgenstern reached conclusions different from Dr. Mack and his views should be heard. I was in the process of reviewing the past health-related studies and was under the impression that Drs. Mack and Morgenstern were in essential agreement. Conversations since with both have confirmed that this is indeed the case. Nevertheless, some community members believe that their health has been and continues to be placed at risk by SSFL, relying in part on the work of Dr. Morgenstern. From this, I conceived the idea of holding a public peer review of these health studies to resolve any misunderstandings.

The importance of the public perception of SSFL health effects cannot be overstated. Public acceptance is paramount in achieving an appropriate level of cleanup of the contamination that remains at SSFL. Everybody is in favor of a cleanup of SSFL; the only issue to be resolved is the determination of cleanup criteria that balance the purported benefits of the cleanup against its health and environmental consequences. One portion of the community favors a risk-based cleanup to Suburban Residential standards, using established procedures. Another portion of the community favors a soil cleanup 'to background or detect' using procedures that are unique to SSFL and never before been used at any cleanup in the US. The rationale for the latter is based on purported past and future health effects of SSFL contamination to offsite individuals. The cleanup debate has gone on for decades, and is very contentious with political overtones. One example of political interference with the SSFL cleanup occurred when SSFL was identified as meeting the criteria for listing as a superfund site, but this was declined by the then head of DTSC because a risk-based cleanup would not meet California's more stringent requirements. It is time to finally resolve the health issue so that the cleanup can proceed. A public peer review of past health-related studies would be one way to provide the public, the media and their elected officials with the collective expert views of the scientists and doctors who have studied the SSFL issues.

I have discussed the idea of a CAG-led peer review panel with DTSC, DOE, NASA, and Boeing. They were all supportive. In conversation with one of the prospective panel members, he suggested that the review would more acceptable to the public if it was conducted by an Independent Federal Agency and ATSDR immediately came to mind. I have mentioned this to DOE and they would be supportive of having a review conducted by ATSDR.

Several approaches for conducting the review are under consideration. I expect that we would develop some fundamental questions to be discussed prior to establishing a consensus position and there would be limited presentations of information from prior reports. One issue to be resolved should be past health risk as documented in the epidemiological studies and pathway studies. Since site operations ceased over 20 years ago and the site has been fully characterized, a second issue should be a high-level relative assessment of off-site health risk estimated from the current levels of contamination. ATSDR should be given the data in sufficient time to make their own preliminary evaluation. A brief presentation of the current data and the ATADR conclusions could be made to the panel and the

audience. I do not envision much new analysis, because the old data and reports exist and the experts are familiar with the site and the reports. It should be made clear that the future use of the site is generally agreed to be open space or parkland, and that the health concerns being voiced are not for on-site residents but for those at varying distances from the site. Additionally, I believe that the public meeting should be structured as educational and informative and not to receive public input. Public concerns are well known, and recent public meetings have been subject to advocacy, acrimony, and venting, all of which detract from the intended benefit of the meeting.

We were considering a November to early December time frame for the public panel review at a local venue to be determined. A list of the proposed panel members is appended to this letter. I have contacted all but one of them and only two were hesitant to express interest. I expect that that they would be willing if ATSDR conducted or sponsored the event. If ATSDR agrees to this petition, I assume ATSDR would provide additional experts. Schedule conflicts would likely reduce the number of panel participants, but I think that we would have sufficient expertise to accomplish our objectives.

I will be happy to supply you with additional information as needed. The CAG and I feel that it is most important to publically address the health concerns as soon as possible.

Sincerely,

**Potential Panel Members**

James Justin Beaumont, PhD  
Professor Emeritus, Public Health Sciences, University of California Davis  
Davis, California  
jjbeaumont@ucdavis.edu

Yoram Cohen, PhD  
Professor, Chemical and Biological Engineering Department, UCLA  
Los Angeles, California  
yoram@ucla.edu

Faith G. Davis, PhD  
Professor and Director, Division of Epidemiology and Biostatistics,  
School of Public Health, University of Illinois,  
Chicago, Illinois  
fayed@uic.edu

CAPT Robert B. Knowles, M.S., REHS  
Regional Director, Agency for Toxic Substances & Disease Registry, Region 9  
San Francisco, California  
rknowles@cdc.gov

Thomas Mack, M.D., M.P.H.  
Professor of Preventive Medicine and Pathology, Keck School of Medicine  
University of Southern California  
Los Angeles, California  
tmack@usc.edu

Hal Morgenstern, Ph.D.  
Professor, Epidemiology and Environmental Health Sciences  
School of Public Health, Department of Epidemiology, University of Michigan  
Ann Arbor, Michigan  
halm@umich.edu

Michael Mumma  
International Epidemiology Institute  
Rockville, Maryland  
mike@iei.us

Kiumarss Nasser, DVM, MPH, PhD  
Advances in Medicine  
Santa Barbara, California  
qnasser@cox.net

D. Alan Warren, M.P.H., Ph.D.  
Program Director, Environmental Health Science, University of South Carolina Beaufort  
Bluffton, South Carolina  
dwarren@uscb.edu

November 11, 2014

### Refinement of ATSDR Petition Request

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I look forward to working with you to help you answer these questions.



March 10, 2015

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Thank you for your June 25 and November 11, 2014, letters to the Agency for Toxic Substances and Disease Registry (ATSDR) describing the Community Advisory Group (CAG) concerns about the Santa Susana Field Laboratory (SSFL), Ventura County, California. Your letters indicate that the SSFL CAG is requesting that ATSDR:

- Revisit its conclusions and restate them appropriately based on ATSDR assessment of the current levels of contamination, and their pathways to human receptors.
- Evaluate the risks, including Valley Fever, to surrounding populations and those on truck routes and at the disposal sites from postulated numbers of trucks for one of the proposed cleanup scenarios.
- Suggest and discuss cleanup alternatives for consideration that may be protective of health while minimizing negative effects of the remediation.
- Evaluate the information and conclusions presented in prior epidemiological and pathway studies and present an ATSDR evaluation of those documents to the community in a readily understandable fashion.
- Provide the communities around SSFL with a perspective of the real SSFL risk in relation to other sites around the country.

This letter is to inform you that ATSDR has accepted your petition and how we are initially planning to address the CAG's concerns about SSFL.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also known as Superfund), Congress provided ATSDR with the authority to conduct certain public health actions following a request from a community member. All requests are evaluated for relevance to ATSDR's mission, whether data are available for analysis, and public health priority. Actions taken on accepted petitions are designed to determine whether people have been, or are currently being, exposed to hazardous substances (primarily chemicals) released into the environment from a hazardous waste site or facility. ATSDR then evaluates whether the exposure is harmful, or potentially harmful, and whether the exposure should be stopped or reduced. These evaluations are based on the available environmental sampling data typically collected by the U.S. Environmental Protection Agency (EPA) or the local regulatory agencies.

While ATSDR's evaluations can assess whether or not an exposure increases the risk of disease or a medical condition, they are not able to determine the cause of a particular disease or medical condition experienced by an individual or a group of individuals in a community. Please note that ATSDR does not prioritize risk management/remediation options or review/evaluate environmental regulatory operational procedures of other organizations or agencies.

To assist the SSFL community in understanding the current SSFL-related public health concerns, ATSDR is planning to:

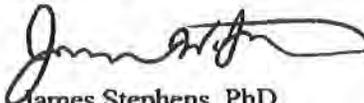
- Determine whether currently there are any completed pathways of human exposure to SSFL-related contaminants and what public health concerns may be associated with those exposures.
- Evaluate whether the proposed remedial options would be protective of human health.
- Provide the SSFL community with public friendly information and presentations of ATSDR's findings and the strengths and weaknesses of SSFL-related epidemiological studies.

Please be advised that ATSDR does not have the technical expertise to evaluate the potential Valley Fever health concerns associated with hauling large amounts of SSFL soil through local neighborhoods. So we will not be able to assist the SSFL community understand the risks associated with Valley Fever in the area.

In the near future, ATSDR will engage with the community near SSFL. This will include small group discussions and health education activities. We will coordinate our efforts with the SSFL CAG, other community groups, California Department of Public Health, California Department of Toxic Substances Control, the US Department of Energy, and the US National Aeronautics and Space Administration. Based upon the input received from these various stakeholders and our public health evaluation of the environmental investigations and data, ATSDR will provide its public health evaluations for public comment.

Thank you for forwarding your concerns to ATSDR. If you have any questions on ATSDR's future involvement at this site, please contact CAPT Robert Knowles, ATSDR Regional Director for Region 9. CAPT Knowles may be reached at (415) 947-4317 or via email at [Knowles.Robert@epa.gov](mailto:Knowles.Robert@epa.gov). If you have any questions on how your request was reviewed, please contact Dr. Sven Rodenbeck, ATSDR Petition Coordinator, at (770) 488-3660 or via email at [SRodenbeck@cdc.gov](mailto:SRodenbeck@cdc.gov).

Sincerely,



James Stephens, PhD  
Acting Director  
Division of Community Health Investigations  
Agency for Toxic Substances and Disease Registry

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**From:** "Alec Uzemeck" <[alecmu@aol.com](mailto:alecmu@aol.com)>  
**To:** "bonnie1 @dslextreme.com" <[bonnie1@dslextreme.com](mailto:bonnie1@dslextreme.com)>  
**Cc:** "Marcia Rubin" <[Marcia.Rubin@dtsc.ca.gov](mailto:Marcia.Rubin@dtsc.ca.gov)>, "Ronald Ziman" <[rbziman@gmail.com](mailto:rbziman@gmail.com)>, "Abe Weitzberg" <[aweitzberg@att.net](mailto:aweitzberg@att.net)>  
**Sent:** Monday, August 31, 2015 11:28:23 AM  
**Subject:** Re: Request

As I mentioned in several of our previous meetings, Abe Weitzberg communicated with the ATSDR on his own and developed their interest and commitment to do a SSFL health study, and although the CAG strongly supports Abe's independent actions, he deserves the credit for this arrangement. Under the DTSC CAG Handbook (Rules), each member may act independently but may not representing the CAG. No CAG vote was required or proposed but the CAG members loudly applaud his actions.

I mentioned Abe's actions in our meeting but it was not noted in the minutes. The CAG operates under Robert's Rules which state that meeting minutes do not have to record each and every discussion but must report on every action taken and the ATSDR was not an CAG action. I announced that DTSC would include the ATSDR in their upcoming meeting however it is Abe's initiative that brought the ARSDR to our community and to this meeting.

Elizabeth's resignation email contains her private information and if you want a copy, I suggest that you communicate with her since I will not release that email.

Alec Uzemeck  
[alecmu@aol.com](mailto:alecmu@aol.com)

On Aug 31, 2015, at 9:46 AM, bonnie1 [dslextreme.com](mailto:dslextreme.com) <[bonnie1@dslextreme.com](mailto:bonnie1@dslextreme.com)> wrote:

Alec, I am requesting a copy of the letter sent to ATSDR and their response.

A copy of the agenda and minutes where this was voted on and discussed by the CAG.

A copy of Elizabeth Harris resignation letter.



Denise Duffield &lt;dduffield@psr-la.org&gt;

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**ATSDR at Santa Susana Field Lab Site**

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Vianu, Libby <Vianu.Libby@epa.gov>  
To: "dduffield@psr-la.org" <dduffield@psr-la.org>

Fri, Aug 21, 2015 at 1:50 PM

Denise Duffield  
Associate Director  
Physicians for Social Responsibility  
Coordinator, SSFL Work Group

I have worked with the ATSDR Petition Coordinator and our Office of General Counsel to address your request for a copy of the Santa Susana Petition and ATSDR response letter.

I have attached redacted versions of these letters. If you want a document that has gone through the FOIA process you can make a request through the Freedom of Information Act (FOIA) Requester Service Center. You can find all the information for completing the request at this web site: <http://www.cdc.gov/od/foia/>.

In order to encourage people to petition and not be worried about repercussions, ATSDR tries to protect the identity of all individual petitioners. If you want further information about the petition process please contact the ATSDR Petition Coordinator, Sven Rodenbeck.

Sven E. Rodenbeck, Sc.D., P.E., BCEE

Rear Admiral (retired), USPHS

ATSDR/DCHI - Mailstop F59

1600 Clifton Road, NE

Atlanta, GA 30329-4027

(770) 488-3660

If you need any additional assistance, please feel free to contact me.

Libby Vianu  
Regional Representative  
ATSDR Region IX  
75 Hawthorne Street  
Suite 100, HHS-100  
San Francisco, CA 94105  
Office Phone (415) 947-4319

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**3 attachments**



**SSFL Petition June 2014 Redacted.pdf**

103K



**SSFL Refinement of Petition Nov 2014 Redacted.pdf**

31K



**SSFL Petition Decision Letter March 2015 Redacted.pdf**

109K

June 25, 2014

Mr. Sven Rodenbeck  
ATSDR  
Division of Community Health Investigations  
4770 Buford Highway, NE (MS-F59)  
Atlanta, GA 30341-3717  
Via email: svr1@cdc.gov

Dear Mr. Rodenbeck,

I am writing ATSDR to petition for a completion of a previous ATSDR health assessment for the Santa Susana Field Laboratory (SSFL) reported in 1999. I am writing on behalf of the SSFL Community Advisory Group (CAG) established a year ago by the California Department of Toxic Substances Control (DTSC). I am familiar with many of the technical issues involved with cleaning up the SSFL site. I am attaching a brief summary of my work experience by way of introduction. As will be explained later, the CAG is requesting that ATSDR conduct an expert panel review of previous studies related to SSFL health effects, so that the peer review can clarify and resolve public misconceptions about the current risk to their health from contamination at SSFL. I have just completed a review (attached) of all of the previous studies including, the ATSDR study. It formed the basis of my recommendation to the CAG to conduct a neutral public peer review to hopefully resolve the community differences.

After the extensive preliminary study and report, ATSDR later contracted with a UCLA team lead by Dr. Yoram Cohen to do a more thorough study which was reported out in 2006. Using essentially the same data, Dr. Cohen's conclusions were exactly the opposite to those of ATSDR. Although he acknowledged extreme conservatism in his assumptions, he provided no rationale for the difference in his conclusions. Boeing provided 50 pages of comments and Dr. Alan Warren also commented on the document, concluding that the use of extremely conservative assumptions throughout the study "*result not in a worst-case scenario but one that is highly improbable, if not impossible, and pertains to no single individual or group of individuals.*" Dr. Cohen never responded to the comments/questions and, unfortunately, his report has been used to fan the fears of residents of neighboring communities. Studies by Dr. Morgenstern have been similarly misused, although he concluded "*There is no direct evidence from this investigation, however, that these observed associations reflect the effects of environmental exposures originating at SSFL.*"

The idea for this peer review evolved from a recent public meeting held by the California Department of Toxic Substances Control (DTSC) on the same subject. Dr. Thomas Mack of the USC Keck School of

Medicine presented the results of his study of Cancer Registry data in the vicinity of SSFL together with a general tutorial on epidemiology. Afterwards, he was subject to ad hominem attacks, and DTSC was faulted for not having a presentation from Dr. Hal Morgenstern, who had performed similar studies in the past. Some community members believe Dr. Morgenstern reached conclusions different from Dr. Mack and his views should be heard. I was in the process of reviewing the past health-related studies and was under the impression that Drs. Mack and Morgenstern were in essential agreement. Conversations since with both have confirmed that this is indeed the case. Nevertheless, some community members believe that their health has been and continues to be placed at risk by SSFL, relying in part on the work of Dr. Morgenstern. From this, I conceived the idea of holding a public peer review of these health studies to resolve any misunderstandings.

The importance of the public perception of SSFL health effects cannot be overstated. Public acceptance is paramount in achieving an appropriate level of cleanup of the contamination that remains at SSFL. Everybody is in favor of a cleanup of SSFL; the only issue to be resolved is the determination of cleanup criteria that balance the purported benefits of the cleanup against its health and environmental consequences. One portion of the community favors a risk-based cleanup to Suburban Residential standards, using established procedures. Another portion of the community favors a soil cleanup 'to background or detect' using procedures that are unique to SSFL and never before been used at any cleanup in the US. The rationale for the latter is based on purported past and future health effects of SSFL contamination to offsite individuals. The cleanup debate has gone on for decades, and is very contentious with political overtones. One example of political interference with the SSFL cleanup occurred when SSFL was identified as meeting the criteria for listing as a superfund site, but this was declined by the then head of DTSC because a risk-based cleanup would not meet California's more stringent requirements. It is time to finally resolve the health issue so that the cleanup can proceed. A public peer review of past health-related studies would be one way to provide the public, the media and their elected officials with the collective expert views of the scientists and doctors who have studied the SSFL issues.

I have discussed the idea of a CAG-led peer review panel with DTSC, DOE, NASA, and Boeing. They were all supportive. In conversation with one of the prospective panel members, he suggested that the review would more acceptable to the public if it was conducted by an independent Federal Agency and ATSDR immediately came to mind. I have mentioned this to DOE and they would be supportive of having a review conducted by ATSDR.

Several approaches for conducting the review are under consideration. I expect that we would develop some fundamental questions to be discussed prior to establishing a consensus position and there would be limited presentations of information from prior reports. One issue to be resolved should be past health risk as documented in the epidemiological studies and pathway studies. Since site operations ceased over 20 years ago and the site has been fully characterized, a second issue should be a high-level relative assessment of off-site health risk estimated from the current levels of contamination. ATSDR should be given the data in sufficient time to make their own preliminary evaluation. A brief presentation of the current data and the ATADR conclusions could be made to the panel and the

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audience. I do not envision much new analysis, because the old data and reports exist and the experts are familiar with the site and the reports. It should be made clear that the future use of the site is generally agreed to be open space or parkland, and that the health concerns being voiced are not for on-site residents but for those at varying distances from the site. Additionally, I believe that the public meeting should be structured as educational and informative and not to receive public input. Public concerns are well known, and recent public meetings have been subject to advocacy, acrimony, and venting, all of which detract from the intended benefit of the meeting.

We were considering a November to early December time frame for the public panel review at a local venue to be determined. A list of the proposed panel members is appended to this letter. I have contacted all but one of them and only two were hesitant to express interest. I expect that that they would be willing if ATSDR conducted or sponsored the event. If ATSDR agrees to this petition, I assume ATSDR would provide additional experts. Schedule conflicts would likely reduce the number of panel participants, but I think that we would have sufficient expertise to accomplish our objectives.

I will be happy to supply you with additional information as needed. The CAG and I feel that it is most important to publically address the health concerns as soon as possible.

Sincerely,

Potential Panel Members

James Justin Beaumont, PhD  
Professor Emeritus, Public Health Sciences, University of California Davis  
Davis, California  
jjbeaumont@ucdavis.edu

Yoram Cohen, PhD  
Professor, Chemical and Biological Engineering Department, UCLA  
Los Angeles, California  
yoram@ucla.edu

Faith G. Davis, PhD  
Professor and Director, Division of Epidemiology and Biostatistics,  
School of Public Health, University of Illinois,  
Chicago, Illinois  
fayed@uic.edu

CAPT Robert B. Knowles, M.S., REHS  
Regional Director, Agency for Toxic Substances & Disease Registry, Region 9  
San Francisco, California  
rknowles@cdc.gov

Thomas Mack, M.D., M.P.H.  
Professor of Preventive Medicine and Pathology, Keck School of Medicine  
University of Southern California  
Los Angeles, California  
tmack@usc.edu

Hal Morgenstern, Ph.D.  
Professor, Epidemiology and Environmental Health Sciences  
School of Public Health, Department of Epidemiology, University of Michigan  
Ann Arbor, Michigan  
halm@umich.edu

Michael Mumma  
International Epidemiology Institute  
Rockville, Maryland  
mike@iei.us

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Kiumarss Nasser, DVM, MPH, PhD  
Advances in Medicine  
Santa Barbara, California  
qnasser@cox.net

D. Alan Warren, M.P.H., Ph.D.  
Program Director, Environmental Health Science, University of South Carolina Beaufort  
Bluffton, South Carolina  
dwarren@uscb.edu

November 11, 2014

### Refinement of ATSDR Petition Request

The ultimate goal of the petition to ATSDR regarding the cleanup of SSFL is to obtain an opinion from ATSDR about the present risk posed by contaminants at SSFL to future on-site residents and off-site residents, and thus inform a decision about the appropriate level of cleanup needed to be protective of public health and safety. By way of background, the site remediation is covered to by two consent orders. The 2007 order required all groundwater and the soil in the Boeing, DOE, and NASA areas to be remediated to suburban residential risk-based criteria. A subsequent order in 2010 (AOC) required only DOE and NASA to remediate their soil to background or detection limits, independent of risk. The difference in perceived need for a risk-based vs. a background/detect cleanup is the source of misunderstanding and polarization within the surrounding communities.

Those favoring the cleanup to background or detect option base their opinions primarily on two epidemiological and pathway studies prepared with ATSDR funding, but not under ATSDR technical direction or approval. The conclusions of these documents are at variance with conclusions reached previously by ATSDR and by numerous other epidemiological studies. The 1999, ATSDR stated ***“Although chemicals and radionuclides were released from the site, the likelihood of those releases resulting in human exposure is limited by a number of factors, including; 1) the distance from the release sources to the offsite residential areas that results in rapid dispersion and degradation of oxidants and solvents in air; 2) the predominant wind patterns that normally blow away from the nearest residential areas; 3) other meteorological conditions at the site such as the atmospheric mixing height; and 4) drawdowns in ground water levels that reduce the rates of contaminant migration. Considering these factors, it is unlikely that residents living near the site are, or were exposed to SSFL-related chemicals and radionuclides at levels that would result in adverse human health effects. Changes in site operations, such as reduced frequency of rocket engine testing, discontinuation of trichloroethylene use, and shut down of nuclear operations make it unlikely that future exposures to the offsite community will occur”.***

It is now 15 years later and the site operations have ceased. I request that ATSDR revisit this conclusion and restate it appropriately based on ATSDR assessment of the current levels of contamination, and their pathways to human receptors.

Those favoring a risk-based cleanup are concerned about the potential health-hazards from an extreme cleanup that would require digging and hauling of about 2.5 million cubic yards of soil. The soil in our area contains spores of San Joachim Valley Fever, and pollution from the trucks poses its own health risks, together with the risk from traffic accidents. I request that ATSDR provide a ROM evaluation of the risks to surrounding populations and those on truck routes and at the disposal sites from postulated numbers of trucks for the proposed cleanup scenarios.

The 2010 AOCs prohibit any leave-in-place disposal options, whether or not this poses a lesser risk to anybody when compared with the other cleanup alternatives. I request that ATSDR suggest and discuss cleanup alternatives for consideration that may be protective of health while minimizing negative effects of the remediation.

To allay community fears of past SSFL operations, I request that ATSDR evaluate the information and conclusions presented in prior epidemiological and pathway studies and present an ATSDR evaluation of those documents to the community in a readily understandable fashion.

Finally, I request that ATSDR use its prestige and wide experience with public concerns about their health risks from contaminated sites, to provide the communities around SSFL with a perspective of the real SSFL risk in relation to other sites around the country. Too many people believe that SSFL is one of the most highly contaminated sites in the country. The agencies that are responsible for the cleanup know otherwise and will never provide the funding that would be required to implement a 2010 AOC cleanup. Political forces are trying to circumvent a NEPA evaluation of robust cleanup alternatives, and only a better informed public can change this.

I look forward to working with you to help you answer these questions.



March 10, 2015

Dear :

Thank you for your June 25 and November 11, 2014, letters to the Agency for Toxic Substances and Disease Registry (ATSDR) describing the Community Advisory Group (CAG) concerns about the Santa Susana Field Laboratory (SSFL), Ventura County, California. Your letters indicate that the SSFL CAG is requesting that ATSDR:

- Revisit its conclusions and restate them appropriately based on ATSDR assessment of the current levels of contamination, and their pathways to human receptors.
- Evaluate the risks, including Valley Fever, to surrounding populations and those on truck routes and at the disposal sites from postulated numbers of trucks for one of the proposed cleanup scenarios.
- Suggest and discuss cleanup alternatives for consideration that may be protective of health while minimizing negative effects of the remediation.
- Evaluate the information and conclusions presented in prior epidemiological and pathway studies and present an ATSDR evaluation of those documents to the community in a readily understandable fashion.
- Provide the communities around SSFL with a perspective of the real SSFL risk in relation to other sites around the country.

This letter is to inform you that ATSDR has accepted your petition and how we are initially planning to address the CAG's concerns about SSFL.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also known as Superfund), Congress provided ATSDR with the authority to conduct certain public health actions following a request from a community member. All requests are evaluated for relevance to ATSDR's mission, whether data are available for analysis, and public health priority. Actions taken on accepted petitions are designed to determine whether people have been, or are currently being, exposed to hazardous substances (primarily chemicals) released into the environment from a hazardous waste site or facility. ATSDR then evaluates whether the exposure is harmful, or potentially harmful, and whether the exposure should be stopped or reduced. These evaluations are based on the available environmental sampling data typically collected by the U.S. Environmental Protection Agency (EPA) or the local regulatory agencies.

While ATSDR's evaluations can assess whether or not an exposure increases the risk of disease or a medical condition, they are not able to determine the cause of a particular disease or medical condition experienced by an individual or a group of individuals in a community. Please note that ATSDR does not prioritize risk management/remediation options or review/evaluate environmental regulatory operational procedures of other organizations or agencies.

To assist the SSFL community in understanding the current SSFL-related public health concerns, ATSDR is planning to:

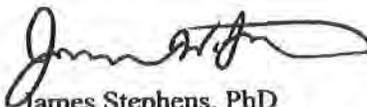
- Determine whether currently there are any completed pathways of human exposure to SSFL-related contaminants and what public health concerns may be associated with those exposures.
- Evaluate whether the proposed remedial options would be protective of human health.
- Provide the SSFL community with public friendly information and presentations of ATSDR's findings and the strengths and weaknesses of SSFL-related epidemiological studies.

Please be advised that ATSDR does not have the technical expertise to evaluate the potential Valley Fever health concerns associated with hauling large amounts of SSFL soil through local neighborhoods. So we will not be able to assist the SSFL community understand the risks associated with Valley Fever in the area.

In the near future, ATSDR will engage with the community near SSFL. This will include small group discussions and health education activities. We will coordinate our efforts with the SSFL CAG, other community groups, California Department of Public Health, California Department of Toxic Substances Control, the US Department of Energy, and the US National Aeronautics and Space Administration. Based upon the input received from these various stakeholders and our public health evaluation of the environmental investigations and data, ATSDR will provide its public health evaluations for public comment.

Thank you for forwarding your concerns to ATSDR. If you have any questions on ATSDR's future involvement at this site, please contact CAPT Robert Knowles, ATSDR Regional Director for Region 9. CAPT Knowles may be reached at (415) 947-4317 or via email at [Knowles.Robert@epa.gov](mailto:Knowles.Robert@epa.gov). If you have any questions on how your request was reviewed, please contact Dr. Sven Rodenbeck, ATSDR Petition Coordinator, at (770) 488-3660 or via email at [SRodenbeck@cdc.gov](mailto:SRodenbeck@cdc.gov).

Sincerely,



James Stephens, PhD  
Acting Director  
Division of Community Health Investigations  
Agency for Toxic Substances and Disease Registry

# Santa Susana Field Laboratory Epidemiological Oversight Panel

8 September 2015

Tom Frieden, MD, MPH  
Director, Centers for Disease Control and Prevention  
Administrator, Agency for Toxic Substances and Disease Registry  
1600 Clifton Road  
Atlanta, GA 30329-4027 USA

Pat Breyse, PhD  
Director, National Center for Environmental Health and  
Agency for Toxic Substances and Disease Registry  
4770 Buford Hwy, NE  
Atlanta, GA 30341-3717

Dear Dr. Frieden and Dr. Breyse:

We write to request your personal attention to a disturbing action by ATSDR and that you take prompt steps to reverse it.

ATSDR recently announced it had accepted what it describes as a "citizen's petition" to undertake certain activities related to the Santa Susana Field Laboratory (SSFL), a contaminated reactor and rocket testing facility in Southern California. The petition requests that ATSDR repudiate past studies that found evidence of potential health impacts from the site, including two paid for by ATSDR itself. And it asks ATSDR to recommend that the cleanup agreements entered into by the Department of Energy, NASA, and the California Department of Toxic Substances Control be breached. Those agreements require full cleanup, and the petitioner asks ATSDR's help in getting the requirements relaxed so that much of the contamination would not be required to be cleaned up at all.

You will no doubt recognize that this is quite unlike the petitioned activities ATSDR's rules contemplate, which are designed to respond to community concerns that there may be significant health risks and help reduce or eliminate them. And indeed, as others have, we understand, pointed out to you, the petitioner turns out to be not a community member concerned for his or her health but a former SSFL official who has been lobbying hard for the Responsible Parties to be relieved of most of their cleanup

obligations. This, of course, is not a legitimate basis for ATSDR action and we join others who have called for reconsideration.

The initial grant of the petition seems to have been conducted with a significant degree of ignorance of the history of health studies related to this site, which we wish to bring to your attention. Perhaps the current controversy could have been avoided had there been greater effort at researching that history before responding to the request. We are surprised, for example, that no effort was made to contact the SSFL Epidemiological Panel, or the UCLA and University of Michigan researchers who had performed the studies funded by ATSDR, or the community groups that have been involved for 25-35 years.

As you doubtless know, the history of studies conducted by the federal government of health impacts from its own activities has been a troubled one. Going back to the era of above-ground atmospheric nuclear testing, federal assertions that minimized potential health consequences have frequently been found to be of poor scientific quality. On the other hand, studies that identified risks were at times suppressed, or authors ordered not to present findings that conflicted with governmental assurances of safety. One need only think about the strontium-90 controversy during the fallout era, the Gofman/Tamplin matter at Livermore that led Congress to order the first NAS study on the Biological Effects of Ionizing Radiation, the Mancuso affair at Hanford, or the effort to suppress the Wilkinson findings about brain cancer at Rocky Flats. This history is well-known due to congressional hearings and the report of the Secretarial Panel on Energy-Related Epidemiologic Research Activities.

These problems were exacerbated by the long-secret nature of activities at the Department of Energy nuclear complex nationwide. In the late 1980s, when massive environmental problems at those facilities became public, DOE promised to reform itself. It would take itself out of the business of studying if its activities had caused harm, and it would open its facilities to outside review.

The Santa Susana Field Laboratory became an important test case of this new openness. State legislators and members of the Congressional delegation pushed very hard to assure that health studies were conducted independently of the federal government, because of the inherent conflict of interest and the troubled history summarized above. The SSFL Epidemiological Oversight Panel was established at their initiative to oversee such studies. It has included a number of distinguished epidemiologists, including the late Dr. Alice Stewart, author of the seminal Oxford Childhood Cancer Survey on in-utero radiation exposure and numerous other major advances in the field. The legislators also appointed several community representatives.

The legislators obtained from DOE approximately \$1.5 million for a worker study, to be overseen by the Panel, with DOE having no say about the choice of investigators or the content of their work. This was a remarkable new model for conducting epidemiologic studies, with the federal government funding but staying out of the research, which instead was conducted by outside researchers with strong measures to assure their independence.

Our Panel reviewed proposals and selected a team from the UCLA School of Public Health (Drs. Hal Morgenstern, Beate Ritz, and John Froines) to conduct the worker study. The commitment that had been made to the elected officials and the community was that if the worker study found evidence of health impacts, similarly independent studies would be conducted of the neighboring communities, if feasible.

The worker studies were released in two parts – in 1997, the study of the nuclear workers, and in 1999, a study of the rocket workers. Both found evidence that cancer death rates were related to workers' exposures.

After the release of the worker studies, the Panel recommended that the feasibility of community studies be examined. Members of the California Legislature and Senators Feinstein and Boxer and other members of the Congressional delegation requested that DOE free up remaining funds from the original grant to have the Panel now proceed on this second phase. DOE declined. So the legislators asked HHS to provide the Panel with the funding needed for the community part of the research. After a series of increasingly frustrated interventions by the Congressional delegation with HHS, and a meeting with their staffs, ATSDR finally agreed to send a team to the area to examine the feasibility of a community study. That preliminary feasibility evaluation concluded more comprehensive research was possible, and ATSDR eventually agreed to fund an independent contractor, who in turn would select and manage independent researchers to do that work. Teams from UCLA and the University of Michigan were selected by the contractor and over several years did research which was eventually released in 2006.

In parallel, the California legislators obtained an appropriation from the State Legislature for the Epidemiological Oversight Panel to continue its work by addressing the offsite exposure potential. The Panel contracted with a series of independent researchers who issued their reports during the same time period. The ATSDR-funded independent studies and those done for the Oversight Panel identified an array of evidence of potential offsite risks from site activities.

The point of this historical narrative is that there has been, since the early 1990s, an important principle at work regarding SSFL health studies – that they would be conducted independently of the federal government because of the troubled history of studies of DOE facilities and the inherent conflict of interest in having the federal government study whether people were hurt by its own activities.

The petition in question here would have ATSDR breach that quarter-century understanding. Furthermore, the petition quite inappropriately asks ATSDR to repudiate carefully conducted research paid for by ATSDR a decade ago and which ATSDR reviewed at the time. The request also asks ATSDR to urge the breaking of cleanup agreements entered into by other agencies and cleanup requirements issued by the site's regulator, far outside ATSDR's scope of proper involvement. And lastly, the request isn't a genuine request from community members concerned about their health, but comes from an individual associated with the Responsible Parties active in efforts to relieve them of their cleanup obligations. These simply are inappropriate roles for ATSDR.

We respectfully urge you to reverse the decision.

Sincerely,

Steve Wing, Co-Chair  
SSFL Epidemiological Oversight Panel  
and Associate Professor of  
Epidemiology  
School of Public Health  
University of North Carolina  
Chapel Hill, NC 27599-7400  
[steve\\_wing@unc.edu](mailto:steve_wing@unc.edu)

Daniel Hirsch, Co-Chair  
SSFL Epidemiological Oversight Panel  
and Lecturer  
College Ten  
University of California  
Santa Cruz, CA 95064  
[dohirsch@ucsc.edu](mailto:dohirsch@ucsc.edu)

cc: Senator Barbara Boxer  
Senator Dianne Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
State Senator Fran Pavley  
Assemblymember Jacqui Irwin  
DTSC Director Barbara Lee  
James W. Stephens, PhD, ATSDR  
Robert Knowles, ATSDR



# ROCKETDYNE CLEANUP COALITION

Since 1989

September 8, 2015

Sylvia Mathews Burwell  
Secretary of Health and Human Services  
The U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Tom Frieden, MD, MPH  
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Dear Secretary Burwell and Directors Frieden and Breyse:

We are writing to express our outrage over and demand the reversal of ATSDR's decision to approve a request from a former SSFL official, who has been representing himself as a regular community member, which asked ATSDR to repudiate past health studies related to the Santa Susana Field Laboratory (SSFL) and urge breach of its existing cleanup agreements. ATSDR is supposed to respond to genuine community petitions concerned about potential toxic exposures and act to assure the public is protected – not to refute previous health findings and cleanup agreements that are already in place, at the request of an ally of the polluter. We urge you to intervene immediately to prevent ATSDR from harming our community.

The Rocketdyne Cleanup Coalition (RCC) is a group of local residents that was founded in 1989 to ensure that all the SSFL contamination was cleaned up, so that our neighborhoods would be fully protected. We fought for years for independent health studies and for a full cleanup, and we will not allow our efforts to be destroyed by ATSDR, whether it is through negligence, complicity, or willful collusion with the polluters.

Knowing that neither Boeing nor the federal government could be trusted to do accurate, unbiased health studies related to SSFL, we pushed for the SSFL Epidemiological Oversight

Panel to be established in the 1990s to oversee independent studies of SSFL workers. A team from UCLA School of Public Health was selected, which found increased cancer death rates for workers associated with SSFL contaminants. We then fought, with the support of Senators Feinstein and Boxer and others, for independent offsite studies that would be funded but not performed by ATSDR or other federal agencies. A team from UCLA found that SSFL contamination had migrated offsite in levels above EPA standards and a team from the University of Michigan found increased cancer rates associated with proximity to SSFL. The studies reinforced the longstanding community concerns.

A quick review of the site's history reveals why it is capable of causing such harm. It was the site of 10 nuclear reactors, one of which had a partial meltdown and at least three others had accidents, plus a hot lab for processing irradiated fuel from across the country. Tens of thousands of rocket engine tests took place, which also polluted the soil, air, groundwater and surface water. Open-air burning of toxic materials, radioactive fires, and other sloppy handling of materials occurred at the site - *for decades*. Toxic radionuclides and chemicals have migrated offsite into nearby Sage Ranch, Runkle Canyon, Dayton Canyon, the Brandeis-Bardin property, and tributaries to the Los Angeles River, which has its headwaters at SSFL. A 2012 EPA radiological survey found over 500 hundred soil samples that were over background for dangerous radionuclides, as much as a thousand times so.

Finally, after years of stops and starts, in 2010, both NASA and DOE entered into Administrative Orders on Consent (AOCs) with the California Department of Toxic Substances Control (DTSC) to clean up their portions of the property to background levels of contamination. This meant that they would cleanup all the contamination that they could detect. These agreements had tremendous community support, with over 3,700 comments submitted in favor and only a handful opposed.

The Boeing Company refused to sign the agreements and has been instead lobbying for a very weak cleanup that would leave the great majority of the contamination on site. Its lobbying efforts include working with former employees and others allied with the Responsible Parties who have repurposed themselves as community members opposed to the cleanup. It is one of these individuals who submitted the petition to ATSDR asking it to refute previous health studies and help block the cleanup agreements. It was highly inappropriate for ATSDR to have accepted such a petition.

### **An Inaccurate, Misleading, and Inappropriate ATSDR Petition**

ATSDR states that it has received a "citizen's petition" to assess health impacts related to SSFL, yet refuses to identify the petitioner, presumably because it knows it isn't legitimate and hopes that fact can remain secret if the name remains secret. But in fact the petition is now known to be from Abe Weitzberg, a former SSFL official who subsequently long worked as a contractor for DOE, one of the main SSFL Responsible Parties. Not only did Weitzberg work at SSFL, he claims to have managed the safety research program for the SNAP reactors. One of the SNAP reactors, the SNAP 8 ER, had an accident during this period due to poor safety practices that resulted in 80% of its fuel being damaged. He has

multiple interests in denying SSFL health impacts and the need for cleanup. He has also published a paper attacking previous health studies (referred to in his petition) and has harassed the authors of previous health studies.

Weitzberg states in his June 2014 letter to ATSDR that he was submitting his request to ATSDR on behalf of the SSFL Community Advisory Group (CAG), and ATSDR in turn wrote that it was accepting the petition from the CAG. But this turns out to be false. In an August 31, 2015 email, CAG co-chair Alec Uzemeck states, "Abe Weitzberg communicated with the ATSDR on his own and developed their interest and commitment to do a SSFL health study." Uzemeck also states that under the CAG rules, "each member may act independently but may not representing [sic] the CAG...the ATSDR was not a CAG action." Thus Weitzberg misrepresented himself to ATSDR as he was not acting on the CAG's behalf, and ATSDR should now dismiss the petition it initially accepted on false pretenses.

Furthermore, even had the CAG authorized the petition, it is important for ATSDR to know that it is largely a creation of and dominated by people with ties to Boeing, owner of most of SSFL. Boeing had long pushed for a CAG that could serve as its community mouthpiece and replace the SSFL Work Group that had served the community for over twenty-five years. The CAG formation was opposed by hundreds of community members (see <http://www.petitions.moveon.org/sign/bring-back-the-santa>). As predicted, the CAG, which includes a number of former staff of the parties responsible for the SSFL pollution, now openly oppose the cleanup agreements that the Department of Toxic Substances Control itself signed. Boeing's role in the formation of and domination of the CAG is well documented (see <http://www.consumerwatchdog.org/resources/InsideJob.pdf>.)

Weitzberg's petition misrepresents previous health studies, highlighting a presentation made by Dr. Thomas Mack, another controversial figure. Mack, who has never done an epidemiological study of SSFL, is the industry go-to guy for denying health impacts related to toxic sites. For example, he has claimed there is only one place in the entire country where environmental pollution has been shown to cause health problems, and that a person is more likely to get cancer from a car stereo than a controversial oil drilling site, while having failed to disclose his work on behalf of one of the oil companies that had been sued over that site. Weitzberg cherry-picks quotes from other studies in order to paint a picture that SSFL has never hurt anyone.

This tactic of misrepresenting health studies is taken right out of Boeing's playbook. In 2007, University of Michigan epidemiologist Hal Morgenstern responded to Boeing's mischaracterization of his study in a letter to Senator Joe Simitian, stating:

"I would like to make it clear to your Committee that Boeing's claim made about the conclusion of our study is false. We did not conclude that there was no excess cancer in the communities surrounding SSFL. Furthermore, Boeing's quotes from our report were taken out of context, and they failed to report our specific findings that contradicted their claim.

In the main analyses of our study, we compared the incidence rate of specific cancers in adult residents living within 2 miles and 2-5 miles from SSFL with adult residents living

more than 5 miles from SSFL in both Ventura and Los Angeles Counties. For the period 1988 through 1995, we found that the incidence rate was more than 60% greater among residents living within 2 miles of SSFL than among residents living more than 5 miles from SSFL for the following types of cancer: thyroid, upper aerodigestive tract (oral and nasal cavities, pharynx, larynx, and esophagus), bladder, and blood and lymph tissue (leukemias, lymphomas, and multiple myelomas).

For the period 1996 through 2002, we found that the incidence rate of thyroid cancer was more than 60% greater among residents living within 2 miles of SSFL than for residents living more than 5 miles from SSFL. The magnitude and consistency of the thyroid finding for both periods is especially provocative because of evidence from other studies linking thyroid cancer with environmental exposures originating at SSFL and found in the surrounding communities.”

Weitzberg is aware that any initiative by the CAG or responsible parties will lack credibility with the community. His petition states, “I have discussed the idea of a CAG-led peer review panel with DTSC, DOE, NASA, and Boeing. They were all supportive. In conversation with one of the prospective panel members, he suggested that the review would more acceptable to the public if it was conducted by an independent federal agency and ATSDR immediately came to mind. I have mentioned this to DOE and they would be supportive of having a review conducted by ATSDR.” Weitzberg is also aware that an ATSDR review would be controversial; hence he requests that ATSDR’s meeting not allow public comment.

Weitzberg’s petition mischaracterizes the community as being divided between those favoring a risk-based cleanup and those favoring a cleanup to background. He neglects to inform ATSDR that NASA and DOE cleanup agreements to clean up to background are not considerations yet to be made – they are already signed and in place. He also does not reveal that in 2010, DTSC stated that Boeing would be required to cleanup to the most protective standard for which it is zoned – agricultural. Weitzberg advocates for what he calls a suburban residential standard, but fails to mention that Boeing version of “suburban residential” is in fact so weak it is hundreds or thousands of times more lax than the EPA suburban residential standard and would allow most of the contamination to never be cleaned up.

Later, in his November 2014 letter “refining” his request to ATSDR, Weitzberg complains that the AOCs prohibit leave-in-place disposal options, tipping his hand about what he and Boeing truly want. Leaving contamination on site would save Boeing a lot of money. But the community would pay with our health. This is outrageous and unacceptable and ATSDR should have no part of it.

### **ATSDR’s Response to Weitzberg Petition**

ATSDR’s acceptance of Weitzberg’s petition is disgraceful. If his resume didn’t raise concerns in the agency, his request should have. But ATSDR clearly understood what it was being asked to do, refute earlier findings by independent researchers funded by ATSDR itself. ATSDR also understands Weitzberg wants it to “suggest and discuss

cleanup alternatives for consideration that may be protective of health while minimizing negative effects of the remediation." In other words, advocate for a weaker cleanup. Finally, ATSDR says it understands that Weitzberg wants it to "provide the communities around SSFL with a perspective of the real SSFL risk in relation to other sites around the country." In other words, tell the community not to worry, SSFL isn't so bad.

After restating Weitzberg's wish list, ATSDR states that the petition has been accepted. It says that while it doesn't review remediation plans for other agencies, it will in fact "evaluate whether the proposed remedial options would be protective of human health." But there are no "proposed" remedial "options," and the cleanup agreements are not "proposed". DOE and NASA have signed agreements to cleanup to background and per longstanding DTSC policy the Boeing Company is to clean up to comparable levels.

ATSDR is supposed to act in the interest of public health, not in the interest of polluters and government agencies that are influenced by them. We know ATSDR has a troubled history with health assessments and protecting communities. A 2009 report by the Congressional Subcommittee on Investigations and Oversight entitled "The Agency for Toxic Substances and Disease Registry (ATSDR): Problems in the Past, Potential in the Future?" found that ATSDR's practice is to "deny, delay, minimize, trivialize or ignore legitimate concerns and health considerations of local communities and well respected scientists and medical professionals." (See [http://www.theinvestigativefund.org/files/managed/ATSDR Staff Report 03 10 09.pdf](http://www.theinvestigativefund.org/files/managed/ATSDR%20Staff%20Report%2003%2010%2009.pdf).)

At the March 2009 hearing, the subcommittee chairman Congressman Brad Miller, said that ATSDR had a tendency to "please industries and government agencies" and referred to ATSDR's reports as "jackleg assessments saying 'not to worry.'" We urge ATSDR to not continue this health-harming behavior by intervening in our community.

ATSDR's interference in SSFL will not help us. It will only hurt. SSFL contamination must be cleaned up so that current and future generations are protected. We have already experienced decades of denials and delays. We have health studies; we have a cleanup agreement. The petition was illegitimate and ATSDR's grant of it was illegitimate. The petition was a patent attempt by someone with ties to the Responsible Parties to help them avoid their cleanup obligations. ATSDR should reverse its decision to accept the petition, and should stay out of our community.

Sincerely,

Holly Huff  
Rocketdyne Cleanup Coalition  
Founding Member  
Involved in SSFL cleanup for 26 years

Marie Mason  
Rocketdyne Cleanup Coalition  
Founding Member  
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William Preston Bowling  
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Involved in SSFL cleanup for 13 years

Reverend John Southwick  
Radiation Rangers  
Involved in SSFL Cleanup for 9 years

Davis Gortner  
Teens Against Toxins  
Involved in SSFL cleanup for 6 years

Isaac Levy  
Community member,  
Involved in SSFL cleanup for 2 years

CC: Senator Barbara Boxer  
Senator Dianne Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
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Bonnie Klea  
Former SSFL worker and worker advocate  
Involved in SSFL cleanup for 20 years

Marge Brown  
Community member  
Involved in SSFL cleanup for 9 years

Cindi Gortner  
Community member  
Involved in SSFL cleanup for 6 years

De Anna Goldberg  
Community Member  
Involved in SSFL for over 5 years

RL Miller, Chair, California Democratic  
Party's environmental caucus  
Involved in SSFL cleanup for 2 years

Assemblymember Jacqui Irwin  
DTSC Director Barbara Lee  
James W. Stephens, Ph.D.  
Robert Knowles

*The physician and health advocate voice for a world free from nuclear threats  
and a safe, healthy environment for all communities.*



Physicians for Social Responsibility  
Los Angeles

September 8, 2015

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Dear Secretary Burwell and Directors Frieden and Breyse:

Physicians for Social Responsibility-Los Angeles (PSR-LA) has been involved in efforts to clean up the nuclear and chemical contamination at the Santa Susana Field Laboratory (SSFL) for over 30 years. We write today to express deep alarm over the Agency for Toxic Substances and Disease Registry's (ATSDR's) recent action to insert itself into the SSFL site in a deeply inappropriate fashion that can have negative consequences for public health, and to urge you to personally intervene to reverse the decision.

ATSDR claims to have acted in response to what it describes as a "citizen's petition," a petition that asked ATSDR to repudiate past studies paid for by ATSDR and to press for abrogating the legally binding cleanup agreements entered into by the Department of Energy (DOE), NASA, and the California Department of Toxic Substances Control (DTSC). These are illegitimate purposes for ATSDR, and the petition itself appears illegitimate. It is not from community members concerned about their health but is in fact from a former official of SSFL who has been working in close alignment with the Responsible Parties to push for them being freed of most of their cleanup obligations. It was not authorized by, as claimed in the petition and the ATSDR granting it, the group named therein. The petition mischaracterizes previous health studies, claims that SSFL poses no health risks, states that the cleanup agreements are unnecessary and should be breached, and asks ATSDR to make the same claims.

ATSDR's acceptance of such a petition would be in violation of its own regulations and mission and highly inappropriate. It would further violate a 25-year understanding with the area's elected officials that health studies of whether federal activities at SSFL harmed people must be conducted by researchers who are independent of the federal government, because of the obvious conflict of interest involved. We ask that ATSDR's decision to now insert itself in the SSFL cleanup be reconsidered.

### **SSFL Background**

SSFL is a former nuclear reactor and rocket testing facility located in the hills between the San Fernando and Simi valleys in Southern California. One of its nuclear reactors experienced a partial nuclear meltdown in 1959, and two other reactors experienced accidents with significant amounts of fuel damage as well. Over 30,000 rocket engine tests took place at SSFL, with numerous toxic spills and releases occurring over the facility's more than fifty years of operation. These activities left the site highly polluted with radioactive and chemical contaminants. Contaminants of concern include radionuclides such as cesium-137, strontium-90, and plutonium-239 and chemicals trichloroethylene, perchlorate, heavy metals, dioxins, PCBs, and more. Contamination migrates from the site and has been found in numerous offsite locations. The parties responsible for cleaning up SSFL are DOE, NASA, and the Boeing Company.

Given concerns about conflict of interest were the federal government involved in assessing whether or not its own environmental misdeeds caused harm, community members and their elected officials long insisted that health studies be conducted by researchers independent of the federal government. In the early 1990s, the SSFL Epidemiological Oversight Panel was established by legislators to oversee independent studies of the workers. One of the two original co-chairs of the Panel was Dr. David Michaels, then of CUNY, now Director of OSHA; he co-authored, PSR's study of the conflict-of-interest problems with federal studies of DOE nuclear sites, *Dead Reckoning*. Dr. Michaels was followed as co-chair by Dr. H. Jack Geiger, a founder and past President of PSR, a member of the Institute of Medicine and the National Academy of Sciences, and also a *Dead Reckoning* co-author.

The Epidemiological Oversight Panel chose a team from the UCLA School of Public Health to perform the SSFL worker studies (Drs. Morgenstern, Ritz, and Froines). The study was funded by DOE, but DOE had no say in the selection of the researchers or the content of their research. These studies showed significantly increases in death rates from key cancers were associated with the workers' radioactive and chemical exposures.

The Oversight Panel then formally recommended the commencement of the next phase: evaluation of the feasibility of performing community health studies. The understanding had always been to perform the worker study first, and if harm from site activities were demonstrated for them, to then attempt to study potential impacts on the offsite population, with the same insistence on independence.

The state legislators and members of the California Congressional delegation then pushed DOE to fund the Panel to commence the offsite studies. DOE declined, and so the electeds then pressed HHS to provide the funding for independent studies of potential health impacts on the nearby communities. After a meeting with staff of Senator Feinstein and then-Congressman Gallegly in August 1999, ATSDR agreed to send a team to the area to "determine if a community health study is feasible,"

according to the legislators' press release at the time.<sup>1</sup> That preliminary evaluation concluded such studies were feasible, and ATSDR subsequently agreed to fund an independent contractor, Eastern Research Group, to select and oversee independent researchers to perform the studies. This was in keeping with the longstanding agreement all such studies must be performed independently of the federal government.

Eastern Research Group selected two teams to perform two different studies. One consisted of researchers from UCLA, UC Merced, and elsewhere; the principal investigator was Professor Yoram Cohen. The second was a team from the University of Michigan led by Professor Hal Morgenstern, who had by now relocated from UCLA.

These studies, and others by the independent Epidemiological Oversight Panel, found significant evidence of potential offsite harm.

In 2010, legally binding cleanup agreements were entered into by NASA and DOE with DTSC that required all of the detectible radioactive and chemical contamination at their SSFL operations to be cleaned up (i.e., cleanup to background). The Boeing Company refused to sign the agreements. However, DTSC in 2010 declared that under its longstanding cleanup requirements for all sites in the state, cleanup is based on current zoning and County General Plan land use designations, which for SSFL would require cleanup to the most protective standards, equivalent also to a cleanup to background. Boeing and its surrogates, including the petitioner, have been aggressively pushing for the AOCs and other cleanup obligations to be breached.

### **Validity of ATSDR SSFL Petition and Violation of ATSDR Regulations**

Given our long history of efforts to secure independent health studies and to ensure that SSFL contamination is cleaned up, PSR-LA was shocked to learn a few weeks ago that ATSDR had approved, in March, a "citizen's petition" to do "new work" on SSFL, including reviewing former studies and weighing in on whether the "proposed cleanup options will protect human health." [Please see the attached letters to ATSDR and ATSDR response. They were expurgated by ATSDR.] This decision is disturbing for many reasons and violates ATSDR's regulations and mission.

1. ATSDR's refusal to release the full petition or the identity of the petitioner suggests ATSDR recognizes that the petition is illegitimate.

ATSDR regulations for the petitioned health risk assessment process (42 CFR Part 90.12), state that "any records, reports, or information obtained from any person under this section shall be available to the public" unless there are issues of trade secrets.

Yet when we asked ATSDR for a copy of the petition and ATSDR's response, we were told we would have to submit a FOIA request. When we protested, we were given a redacted copy and told that ATSDR refused to identify the identity of the petitioner or provide the attachments. This failure to be transparent created an impression that ATSDR was aware that the petition was illegitimate and was trying to hide the fact.

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<sup>1</sup> ATSDR created some considerable anger on the part of the legislators by its subsequent characterization of their request as asking ATSDR itself to perform health studies, rather than determine feasibility and then fund independent studies. In the end, ATSDR backed down and the studies were performed independently.

This was a futile attempt. Upon review, it was clear that Abe Weitzberg submitted the petition. Written in the first person, the petitioner refers to authoring a report reviewing and supposedly refuting the health studies from SSFL, a paper that was written and indeed publicized by Weitzberg. His identity as the requester has been subsequently confirmed by the DTSC-approved, Boeing-supported Community Advisory Group (CAG) on whose behalf he claimed to have submitted the petition. ATSDR's efforts to keep this secret are troubling for a public agency.

2. The petition is not, as ATSDR characterizes it, a "citizen's petition" but rather from someone with ties to the Responsible Parties.

Rather than being a community member concerned about potential health impacts from SSFL, which is what ATSDR is supposed to respond to, Weitzberg is in fact a former official of SSFL who thereafter spent many years working under contract for the Department of Energy, one of the SSFL Responsible Parties.

This is in direct contradiction of ATSDR's mission, which is supposed to be to respond to genuine community concerns that there might be a health impact that needs to be redressed, not to be a pawn of Responsible Parties and their allies who claim there is no significant health risk and want cleanup obligations eliminated.

Weitzberg's curriculum vitae (attached to his request to ATSDR but which ATSDR refused to make public even though Weitzberg has submitted it in other public proceedings) asserts he was the manager of the safety research program for SNAP reactors at SSFL (then called Atomics International), including work on the SNAP8 reactors. One of the SNAP8 reactors, the SNAP8ER, was operated unsafely for many months during this period, resulting in 80% of the fuel being damaged, one of the most serious reactor accidents at SSFL. Weitzberg has recently dedicated himself to aggressively helping Boeing push to evade cleaning up most of the contamination at SSFL, efforts that include denying SSFL health impacts and harassing authors of past SSFL studies funded by ATSDR.

3. Weitzberg and ATSDR falsely claimed the petition was submitted on behalf of the SSFL CAG, but they did not in fact authorize it.

Weitzberg asserted in his petition that he was submitting it on behalf of a group called the SSFL CAG. ATSDR, in granting the petition, asserts it was responding to a petition from the CAG that had requested ATSDR take the proposed actions. However, ATSDR, in deciding to accept the supposed CAG petition, apparently undertook no due diligence to confirm that the request was indeed on behalf of and authorized by that group. A simple check on the group's website of minutes for the periods around Weitzberg's original letter and his supplement would have shown ATSDR that Weitzberg did not in fact have the CAG's authorization to submit the petition.

Indeed, CAG member Alec Uzemeck (himself a former official of the company that ran the site) recently confirmed in writing not only that the petition was submitted by Weitzberg, but that Weitzberg was not, in fact, acting on behalf of the CAG when he sent the petition and that the CAG had not approved any such request being made to ATSDR on its behalf. (See attached email dated August 31, 2015). Weitzberg acted alone, falsely claiming to be representing a group. *ATSDR's grant of a petition it claimed was from this group is null and void, as the group in fact did not authorize it.*

(Any effort to get a *post hoc* authorization from the CAG now, half a year after ATSDR granted the petition based on a false representation, would be patently untenable. The grant of the petition was illegitimate.)

We note that even had the petition been approved and authorized by the CAG, it would still be inappropriate to ATSDR's mission. The SSFL CAG is a group that openly lobbies for the abrogation of the SSFL cleanup agreements and is widely viewed as a Boeing front group. (See <http://www.consumerwatchdog.org/resources/InsideJob.pdf>.)

Thus the petition that ATSDR received is not a true citizens' petition from community members concerned about health risks from the site, but is from a single former official of and contractor to the Responsible Parties whose stated goal is to block the required cleanup. ATSDR's (futile) attempt to protect his identity suggests the agency may be aware of this breach and the controversy it would be sure to engender. Furthermore, it now turns out that ATSDR approved a petition that it claimed came from an organization that in fact had not authorized it. No patina of legitimacy remains to ATSDR's action, and the decision should be revoked.

#### 4. The petition violates ATSDR regulations for the content of such petitions.

ATSDR's regulations (42 CFR Part 90.4) state that a petition is to include "A statement providing information that individuals have been exposed to a hazardous substance and that the probable source is a release, or sufficient information to allow the Administrator to make such a finding."

Yet Weitzberg's petition does just the opposite, alleging there have been no significant exposures or releases and providing no information to allow ATSDR to make such a finding. Instead, Weitzberg asks that ATSDR disavow past studies that showed potential harm, including two that ATSDR paid for and reviewed at the time. His petition is precisely the opposite of that required by ATSDR's regulations and its mission. Petitions are supposed to come from community members or state or local officials alleging harm from releases at the site, identifying information to support that concern, and asking ATSDR to come in to help protect the public from the contaminants. They are not supposed to come from people with ties to the Responsible Parties, alleging no risk and asking that ATSDR come in to help those parties get out of cleanup obligations.

ATSDR regulations (42 CFR Part 90.5), state that ATSDR will base its decision upon factors that include "(1) Whether individuals have been exposed to a hazardous substance, for which the probable source of such exposure is a release; (2) The location, concentration, and toxicity of the hazardous substances; (3) The potential for further human exposure; (4) The recommendations of other governmental agencies; and (5) The ATSDR resources available and other ATSDR priorities, such as its responsibilities to conduct other health assessments and health effects studies."

Yet ATSDR has already funded independent studies that confirm SSFL contamination and potential risk of exposure. Being asked to repudiate these past studies, as requested by the polluter-allied petition, is wholly inappropriate.

Additionally, ATSDR did not consult with the primary local elected officials involved in the SSFL issue prior to accepting the petition, nor with any of the longstanding community groups involved concerned about risks from the site, nor with the independent Epidemiological Oversight Panel. This blind rush to accept a petition that is the antithesis of what ATSDR is generally supposed to consider

is unseemly. And while we are not in a position to evaluate ATSDR resources, we question the wisdom of spending taxpayer money to review such an extensively studied site - especially at the request of an individual whose stated goal is to refute those studies and help the responsible parties evade cleanup.

**SSFL cleanup agreements established by other agencies are outside the limits of ATSDR expertise and jurisdiction**

At the core of Weitzberg's petition is a plea that ATSDR insert itself into and press for the abrogation of the legally binding cleanup agreements executed by DOE, NASA, and DTSC. He goes on to misrepresent the SSFL cleanup, stating that some in the community prefer risk-based and others a cleanup to background, as if there were not already in place legally binding agreements to clean up to background.

It is far outside ATSDR's purview or authority to involve itself in advocating against the existing, legally binding SSFL cleanup agreements signed by DOE, NASA and DTSC. This is not a valid petition request and decidedly not the purpose of an ATSDR health assessment.

ATSDR has neither the expertise nor regulatory authority to make an assessment of the SSFL cleanup agreements. In its response to Weitzberg's petition, ATSDR states, "Please note that ATSDR does not prioritize risk management/remediation options or review/evaluate environmental regulatory operational procedures of other organizations or agencies." Yet, astonishingly, shortly thereafter it agrees to do precisely that, agreeing to evaluate "the proposed remedial options." proposed remedial options would be protective of human health."

This statement is problematic and belies ATSDR's credibility. There are no proposed remedial "options", in the plural; there is only one, which is to clean up all the contamination that can be detected (i.e., to background) as required by legally binding cleanup agreements between DOE, NASA, and DTSC, the regulator of the cleanup. And this is not "proposed." The binding agreements were executed in 2010. Coming in now to attack other agencies' cleanup rules and agreements is far outside ATSDR's expertise and jurisdiction and deeply inappropriate.

[Community comments were overwhelmingly (98%) in support of these agreements. This is undoubtedly why Weitzberg's petition directs ATSDR "not to receive public input" at the meeting he asked the agency to participate in.]

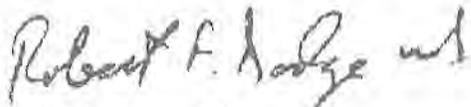
As indicated earlier, DTSC also stated in 2010 that under its longstanding requirements, based on County zoning and land use designations, Boeing would have to clean up to essentially the same standards. The Boeing Company has employed every trick in the book to try to get out of its cleanup obligations, including spreading misinformation similar to what Weitzberg's petition espouses.

What Weitzberg's petition asks for is for ATSDR to urge the breaching of these binding agreements entered into by other agencies and the requirements established by the site's regulatory bodies, and to replace them with far less protective cleanup standards that would allow the great majority of the contamination to not be cleaned up. But ATSDR is supposed to stay out of these cleanup orders and regulations that are the purview of other agencies. And most assuredly, ATSDR is not supposed to be an agent of polluters attempting to evade cleanup requirements established by their regulators.

ATSDR is supposed to “prevent harmful exposures and diseases related to toxic substances.” But, if ATSDR allows itself to become an agent of the Responsible Parties at SSFL and their surrogates in their effort to breach the cleanup obligations, it will instead increase risk to nearby communities who will continue to be exposed to SSFL contamination that is not cleaned up.

We urge you to personally act to have ATSDR reverse course. Given the concerns outlined above, we believe any resulting ASTDR study would lack credibility and could only serve to harm – not help – communities living near SSFL.

Sincerely,



Robert Dodge, MD  
Board Member, PSR-LA



Denise Duffield  
PSR-LA Associate Director and  
PSR-LA Program Director for SSFL Cleanup

cc:

Senator Barbara Boxer  
Senator Dianne Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
State Senator Fran Pavley  
Assemblymember Jacqui Irwin  
DTC Director Barbara Lee  
James W. Stephens, Ph.D.  
Robert Knowles

Attachments:

ATSDR SSFL Petition and Decision Letter  
Alec Uzemeck email re Weitzberg ATSDR petition

September 8, 2015

Tom Frieden, MD, MPH  
Director, Centers for Disease Control and Prevention  
Administrator, Agency for Toxic Substances and Disease Registry  
1600 Clifton Road  
Atlanta, GA 30329-4027 USA

Pat Breysse, PhD  
Director, National Center for Environmental Health and  
Agency for Toxic Substances and Disease Registry  
4770 Buford Hwy, NE  
Atlanta, GA 30341-3717

Dear Drs. Frieden and Breysse:

We are co-authors of studies, funded by ATSDR, on potential offsite health impacts from radioactive and chemical materials at the Santa Susana Field Laboratory (SSFL), near Los Angeles. We write to express concern about a decision ATSDR made based on a petition it received and urge that the decision be reconsidered.

Elected officials representing the SSFL area have long worked to avoid the potential conflicts of interest were the federal government to be involved in evaluating whether government activities at SSFL harmed public health. For that reason, for a quarter of a century, there has been an understanding that federal agencies would refrain from involvement in such SSFL studies other than to provide funding and instead they would be performed by independent entities.

California legislators established an independent SSFL Epidemiological Oversight Panel in the 1990s. The Oversight Panel selected a team from the UCLA School of Public Health to conduct a study of the site workers. The Department of Energy provided funds for but had no say in the selection of the researchers or the conduct of their work. One of us (Hal Morgenstern) was the principal investigator for that study.

The study of the nuclear workers found that being exposed to external forms of radiation at SSFL was associated with increased risk of dying from cancers of the blood and lymph system, from lung cancer, and from all cancers combined. Internal radiation exposures were linked with deaths from cancers of the blood and lymph system and the upper aerodigestive tract (oral cavity, pharynx, esophagus and stomach). For the rocket workers, significant increases in death rates from cancers of the lung, blood and lymph system, and bladder and kidney were associated with the estimated relative exposures.

After the worker study results were released, the SSFL Epidemiological Oversight Panel recommended independent follow-up studies of the nearby community. Elected officials requested federal funding for these independent studies, and after performing an initial

evaluation as to whether such studies were feasible, ATSDR contracted with the Eastern Research Group (ERG) to select research teams to carry out the work, independent of ATSDR.

ERG selected a team at the University of Michigan (led by Morgenstern, who had relocated from UCLA) to analyze cancer incidence data in the community, to see if incidence rates for cancers associated with the types of contaminants at SSFL increased with proximity to the site. ERG selected a second team, based at UCLA's Center for Environmental Risk Reduction, of which one of us (Yoram Cohen) was the principal investigator, and another of us (Adrienne Katner, now at the Louisiana State University Health Sciences Center), a co-investigator. That study examined decades of environmental monitoring data and performed air dispersion modeling and batch sorption experiments to evaluate potential migration of radioactive and toxic materials offsite and potential levels of exposure.

The studies were comprehensive, multi-year efforts. Under the terms of our contracts, although funded by ATSDR, our work was to be independent of it. By contract, however, drafts of our reports were to be provided to ATSDR for review and comment prior to publication or dissemination.

Dr. Morgenstern's team at the University of Michigan found that the incidence rate was more than 60% greater among residents living within 2 miles of SSFL than among residents living more than 5 miles from SSFL for the following types of cancer: thyroid, upper aerodigestive tract, bladder, and blood and lymph tissue (leukemias, lymphomas, and multiple myelomas). The investigators made clear that while the increased cancer incidence the closer one lived to SSFL was suggestive of a connection and consistent with findings from the worker studies, the study was not direct evidence that environmental exposures originating at SSFL increased cancer incidence in the nearby communities. Nonetheless, findings from this epidemiologic study must be considered together with results from the UCLA environmental study (below), which documented offsite exposures concentrations that were likely to be higher within two miles of the site than further away.

Dr. Cohen's team at UCLA identified evidence of offsite contamination for an array of radioactive and chemically toxic substances from SSFL, including but not limited to cesium-137, TCE and its association degradation products, hydrazine-byproducts, perchlorate, chromium, vinyl chloride, beryllium, chloromethane, carbon tetrachloride, and PCBs. The study concluded that there was a potential for chronic public exposures through air inhalation, well water and crop ingestion. Estimates of doses based on default occupational and residential exposure assumptions, and maximum offsite contaminant concentrations, exceeded acceptable lifetime daily doses (ALADDs) by substantial margins.

The reports, pursuant to our contract, were provided to ATSDR in draft for review and comment. The study findings were presented in public meetings. The reports were released in final form in 2006 and 2007.

#### The Current Petition to ATSDR

In June of last year, ATSDR received a letter from an individual, which questioned results of past studies, including ours, and criticized the cleanup agreements entered into by DOE, NASA,

and DTSC in 2010 as supposedly requiring too much protection of public health. Representations made in the petition about our research and positions were misleading and disingenuous.

The June letter asked ATSDR to attend a panel discussion with two of us (which we had not agreed to attend) that the writer wished to convene to discuss the various health studies. In addition, the petitioner specifically requested that the proposed “public meeting” be structured so as not to receive public input.

In November, the request was “refined” with additional criticism of the legally binding cleanup agreements, asking ATSDR to urge that the cleanup agreements be set aside and lesser, alternative requirements adopted that would allow much of the site contamination to remain in place. The petition also asked ATSDR to re-review the prior studies. Additionally, it asked that ATSDR revisit its conclusion from its 1999 preliminary evaluation. (This last request is puzzling, to say the least, as the requester says he supports the conclusion, as he characterizes it, and no subsequent evidence with which he agrees is presented to challenge it.)

In March, ATSDR apparently granted the petition, without contacting us, nor, we understand, the SSFL Epidemiological Oversight Panel or any of the longstanding community groups that have been concerned about contamination at the site and worked for its full cleanup.

We have been informed that Physicians for Social Responsibility-Los Angeles (PSR-LA) requested that ATSDR provide a copy of the petition, and that ATSDR refused to reveal the identity of the requestor or make available the attachments to the petition. This is perplexing for a public agency. Nonetheless, PSR-LA has obtained elsewhere and provided to us an email from the “SSFL Community Advisory Group” (CAG) on whose behalf the individual said he was submitting the petition, which both identifies the individual and disavows the claim that he was authorized to submit it on their behalf.

ATSDR has described the request it granted as a “citizen’s petition” for a community health assessment. PSR-LA, however, says the petitioner is not a community member concerned about potential contamination risks but rather a former SSFL official and longtime DOE contractor who has been working in concert with some of the Responsible Parties in efforts to have the cleanup agreements overturned and cleanup obligations markedly relaxed. His petition, which is to ask ATSDR to repudiate past studies showing potential harm and weigh in against existing cleanup agreements that require full remediation, appears questionable at best, given ATSDR’s mission.

We must also inform you that if indeed the petitioner is the individual in question, he has in the last several years harassed each of us, at times quite aggressively. ATSDR’s role should be to protect researchers who undertake work for it from such harassment, not facilitate it.

We are concerned about what seems to be a potential conflict with the agreements by which we undertook our research funded by ATSDR. As indicated above, those contracts were written expressly to guarantee our independence. This was done in order to avoid the appearance of government conflicts of interest and to win public trust. ATSDR was given the right to review and comment on our draft reports before their issuance, a period which has long since passed. Undertaking now the action requested by this individual could cast a shadow over ATSDR’s

credibility and potentially have a chilling effect on other scientists asked to perform future work funded by ATSDR.

In summary, we believe acceptance of this petition would be at odds with ATSDR's mission "to prevent exposure and adverse human health effects and diminished quality of life associated with exposures to hazardous substances from waste sites unplanned releases, and other sources of pollution present in the environment." This petitioner does not hide his true intention very well, which is to discredit past research and relax current cleanup agreements. In addition, the petitioner's conflicts of interest appear questionable. We respectfully urge ATSDR to reverse its decision.

Sincerely,

Hal Morgenstern, PhD  
University of Michigan  
halm@umich.edu

Yoram Cohen, PhD  
University of California, Los Angeles  
yoram@ucla.edu

Adrienne Katner, PhD  
Louisiana State University  
akatnl@lsuhsc.edu

cc: Senator Barbara Boxer  
Senator Dianne Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
State Senator Fran Pavley  
Assemblymember Jacqui Irwin  
DTSC Director Barbara Lee  
James W. Stephens, PhD, ATSDR  
Robert Knowles, ATSDR

*The physician and health advocate voice for a world free from nuclear threats  
and a safe, healthy environment for all communities.*



Physicians for Social Responsibility  
Los Angeles

September 8, 2015

Sylvia Mathews Burwell  
Secretary of Health and Human Services  
The U.S. Department of Health and Human Services  
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Tom Frieden, MD, MPH  
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Pat Breyse, PhD  
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Dear Secretary Burwell and Directors Frieden and Breyse:

Physicians for Social Responsibility-Los Angeles (PSR-LA) has been involved in efforts to clean up the nuclear and chemical contamination at the Santa Susana Field Laboratory (SSFL) for over 30 years. We write today to express deep alarm over the Agency for Toxic Substances and Disease Registry's (ATSDR's) recent action to insert itself into the SSFL site in a deeply inappropriate fashion that can have negative consequences for public health, and to urge you to personally intervene to reverse the decision.

ATSDR claims to have acted in response to what it describes as a "citizen's petition," a petition that asked ATSDR to repudiate past studies paid for by ATSDR and to press for abrogating the legally binding cleanup agreements entered into by the Department of Energy (DOE), NASA, and the California Department of Toxic Substances Control (DTSC). These are illegitimate purposes for ATSDR, and the petition itself appears illegitimate. It is not from community members concerned about their health but is in fact from a former official of SSFL who has been working in close alignment with the Responsible Parties to push for them being freed of most of their cleanup obligations. It was not authorized by, as claimed in the petition and the ATSDR granting it, the group named therein. The petition mischaracterizes previous health studies, claims that SSFL poses no health risks, states that the cleanup agreements are unnecessary and should be breached, and asks ATSDR to make the same claims.

ATSDR's acceptance of such a petition would be in violation of its own regulations and mission and highly inappropriate. It would further violate a 25-year understanding with the area's elected officials that health studies of whether federal activities at SSFL harmed people must be conducted by researchers who are independent of the federal government, because of the obvious conflict of interest involved. We ask that ATSDR's decision to now insert itself in the SSFL cleanup be reconsidered.

### **SSFL Background**

SSFL is a former nuclear reactor and rocket testing facility located in the hills between the San Fernando and Simi valleys in Southern California. One of its nuclear reactors experienced a partial nuclear meltdown in 1959, and two other reactors experienced accidents with significant amounts of fuel damage as well. Over 30,000 rocket engine tests took place at SSFL, with numerous toxic spills and releases occurring over the facility's more than fifty years of operation. These activities left the site highly polluted with radioactive and chemical contaminants. Contaminants of concern include radionuclides such as cesium-137, strontium-90, and plutonium-239 and chemicals trichloroethylene, perchlorate, heavy metals, dioxins, PCBs, and more. Contamination migrates from the site and has been found in numerous offsite locations. The parties responsible for cleaning up SSFL are DOE, NASA, and the Boeing Company.

Given concerns about conflict of interest were the federal government involved in assessing whether or not its own environmental misdeeds caused harm, community members and their elected officials long insisted that health studies be conducted by researchers independent of the federal government. In the early 1990s, the SSFL Epidemiological Oversight Panel was established by legislators to oversee independent studies of the workers. One of the two original co-chairs of the Panel was Dr. David Michaels, then of CUNY, now Director of OSHA; he co-authored, PSR's study of the conflict-of-interest problems with federal studies of DOE nuclear sites, *Dead Reckoning*. Dr. Michaels was followed as co-chair by Dr. H. Jack Geiger, a founder and past President of PSR, a member of the Institute of Medicine and the National Academy of Sciences, and also a *Dead Reckoning* co-author.

The Epidemiological Oversight Panel chose a team from the UCLA School of Public Health to perform the SSFL worker studies (Drs. Morgenstern, Ritz, and Froines). The study was funded by DOE, but DOE had no say in the selection of the researchers or the content of their research. These studies showed significantly increases in death rates from key cancers were associated with the workers' radioactive and chemical exposures.

The Oversight Panel then formally recommended the commencement of the next phase: evaluation of the feasibility of performing community health studies. The understanding had always been to perform the worker study first, and if harm from site activities were demonstrated for them, to then attempt to study potential impacts on the offsite population, with the same insistence on independence.

The state legislators and members of the California Congressional delegation then pushed DOE to fund the Panel to commence the offsite studies, DOE declined, and so the electeds then pressed HHS to provide the funding for independent studies of potential health impacts on the nearby communities. After a meeting with staff of Senator Feinstein and then-Congressman Gallegly in August 1999, ATSDR agreed to send a team to the area to "determine if a community health study is feasible,"

according to the legislators' press release at the time.<sup>1</sup> That preliminary evaluation concluded such studies were feasible, and ATSDR subsequently agreed to fund an independent contractor, Eastern Research Group, to select and oversee independent researchers to perform the studies. This was in keeping with the longstanding agreement all such studies must be performed independently of the federal government.

Eastern Research Group selected two teams to perform two different studies. One consisted of researchers from UCLA, UC Merced, and elsewhere; the principal investigator was Professor Yoram Cohen. The second was a team from the University of Michigan led by Professor Hal Morgenstern, who had by now relocated from UCLA.

These studies, and others by the independent Epidemiological Oversight Panel, found significant evidence of potential offsite harm.

In 2010, legally binding cleanup agreements were entered into by NASA and DOE with DTSC that required all of the detectible radioactive and chemical contamination at their SSFL operations to be cleaned up (i.e., cleanup to background). The Boeing Company refused to sign the agreements. However, DTSC in 2010 declared that under its longstanding cleanup requirements for all sites in the state, cleanup is based on current zoning and County General Plan land use designations, which for SSFL would require cleanup to the most protective standards, equivalent also to a cleanup to background. Boeing and its surrogates, including the petitioner, have been aggressively pushing for the AOCs and other cleanup obligations to be breached.

### **Validity of ATSDR SSFL Petition and Violation of ATSDR Regulations**

Given our long history of efforts to secure independent health studies and to ensure that SSFL contamination is cleaned up, PSR-LA was shocked to learn a few weeks ago that ATSDR had approved, in March, a "citizen's petition" to do "new work" on SSFL, including reviewing former studies and weighing in on whether the "proposed cleanup options will protect human health." [Please see the attached letters to ATSDR and ATSDR response. They were expurgated by ATSDR.] This decision is disturbing for many reasons and violates ATSDR's regulations and mission.

1. ATSDR's refusal to release the full petition or the identity of the petitioner suggests ATSDR recognizes that the petition is illegitimate.

ATSDR regulations for the petitioned health risk assessment process (42 CFR Part 90.12), state that "any records, reports, or information obtained from any person under this section shall be available to the public" unless there are issues of trade secrets.

Yet when we asked ATSDR for a copy of the petition and ATSDR's response, we were told we would have to submit a FOIA request. When we protested, we were given a redacted copy and told that ATSDR refused to identify the identity of the petitioner or provide the attachments. This failure to be transparent created an impression that ATSDR was aware that the petition was illegitimate and was trying to hide the fact.

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<sup>1</sup> ATSDR created some considerable anger on the part of the legislators by its subsequent characterization of their request as asking ATSDR itself to perform health studies, rather than determine feasibility and then fund independent studies. In the end, ATSDR backed down and the studies were performed independently.

This was a futile attempt. Upon review, it was clear that Abe Weitzberg submitted the petition. Written in the first person, the petitioner refers to authoring a report reviewing and supposedly refuting the health studies from SSFL, a paper that was written and indeed publicized by Weitzberg. His identity as the requester has been subsequently confirmed by the DTSC-approved, Boeing-supported Community Advisory Group (CAG) on whose behalf he claimed to have submitted the petition. ATSDR's efforts to keep this secret are troubling for a public agency.

2. The petition is not, as ATSDR characterizes it, a "citizen's petition" but rather from someone with ties to the Responsible Parties.

Rather than being a community member concerned about potential health impacts from SSFL, which is what ATSDR is supposed to respond to, Weitzberg is in fact a former official of SSFL who thereafter spent many years working under contract for the Department of Energy, one of the SSFL Responsible Parties.

This is in direct contradiction of ATSDR's mission, which is supposed to be to respond to genuine community concerns that there might be a health impact that needs to be redressed, not to be a pawn of Responsible Parties and their allies who claim there is no significant health risk and want cleanup obligations eliminated.

Weitzberg's curriculum vitae (attached to his request to ATSDR but which ATSDR refused to make public even though Weitzberg has submitted it in other public proceedings) asserts he was the manager of the safety research program for SNAP reactors at SSFL (then called Atomics International), including work on the SNAP8 reactors. One of the SNAP8 reactors, the SNAP8ER, was operated unsafely for many months during this period, resulting in 80% of the fuel being damaged, one of the most serious reactor accidents at SSFL. Weitzberg has recently dedicated himself to aggressively helping Boeing push to evade cleaning up most of the contamination at SSFL, efforts that include denying SSFL health impacts and harassing authors of past SSFL studies funded by ATSDR.

3. Weitzberg and ATSDR falsely claimed the petition was submitted on behalf of the SSFL CAG, but they did not in fact authorize it.

Weitzberg asserted in his petition that he was submitting it on behalf of a group called the SSFL CAG. ATSDR, in granting the petition, asserts it was responding to a petition from the CAG that had requested ATSDR take the proposed actions. However, ATSDR, in deciding to accept the supposed CAG petition, apparently undertook no due diligence to confirm that the request was indeed on behalf of and authorized by that group. A simple check on the group's website of minutes for the periods around Weitzberg's original letter and his supplement would have shown ATSDR that Weitzberg did not in fact have the CAG's authorization to submit the petition.

Indeed, CAG member Alec Uzemeck (himself a former official of the company that ran the site) recently confirmed in writing not only that the petition was submitted by Weitzberg, but that Weitzberg was not, in fact, acting on behalf of the CAG when he sent the petition and that the CAG had not approved any such request being made to ATSDR on its behalf. (See attached email dated August 31, 2015). Weitzberg acted alone, falsely claiming to be representing a group. *ATSDR's grant of a petition it claimed was from this group is null and void, as the group in fact did not authorize it.*

(Any effort to get a *post hoc* authorization from the CAG now, half a year after ATSDR granted the petition based on a false representation, would be patently untenable. The grant of the petition was illegitimate.)

We note that even had the petition been approved and authorized by the CAG, it would still be inappropriate to ATSDR's mission. The SSFL CAG is a group that openly lobbies for the abrogation of the SSFL cleanup agreements and is widely viewed as a Boeing front group. (See <http://www.consumerwatchdog.org/resources/InsideJob.pdf>.)

Thus the petition that ATSDR received is not a true citizens' petition from community members concerned about health risks from the site, but is from a single former official of and contractor to the Responsible Parties whose stated goal is to block the required cleanup. ATSDR's (futile) attempt to protect his identity suggests the agency may be aware of this breach and the controversy it would be sure to engender. Furthermore, it now turns out that ATSDR approved a petition that it claimed came from an organization that in fact had not authorized it. No patina of legitimacy remains to ATSDR's action, and the decision should be revoked.

#### 4. The petition violates ATSDR regulations for the content of such petitions.

ATSDR's regulations (42 CFR Part 90.4) state that a petition is to include "A statement providing information that individuals have been exposed to a hazardous substance and that the probable source is a release, or sufficient information to allow the Administrator to make such a finding."

Yet Weitzberg's petition does just the opposite, alleging there have been no significant exposures or releases and providing no information to allow ATSDR to make such a finding. Instead, Weitzberg asks that ATSDR disavow past studies that showed potential harm, including two that ATSDR paid for and reviewed at the time. His petition is precisely the opposite of that required by ATSDR's regulations and its mission. Petitions are supposed to come from community members or state or local officials alleging harm from releases at the site, identifying information to support that concern, and asking ATSDR to come in to help protect the public from the contaminants. They are not supposed to come from people with ties to the Responsible Parties, alleging no risk and asking that ATSDR come in to help those parties get out of cleanup obligations.

ATSDR regulations (42 CFR Part 90.5), state that ATSDR will base its decision upon factors that include "(1) Whether individuals have been exposed to a hazardous substance, for which the probable source of such exposure is a release; (2) The location, concentration, and toxicity of the hazardous substances; (3) The potential for further human exposure; (4) The recommendations of other governmental agencies; and (5) The ATSDR resources available and other ATSDR priorities, such as its responsibilities to conduct other health assessments and health effects studies."

Yet ATSDR has already funded independent studies that confirm SSFL contamination and potential risk of exposure. Being asked to repudiate these past studies, as requested by the polluter-allied petition, is wholly inappropriate.

Additionally, ATSDR did not consult with the primary local elected officials involved in the SSFL issue prior to accepting the petition, nor with any of the longstanding community groups involved concerned about risks from the site, nor with the independent Epidemiological Oversight Panel. This blind rush to accept a petition that is the antithesis of what ATSDR is generally supposed to consider

is unseemly. And while we are not in a position to evaluate ATSDR resources, we question the wisdom of spending taxpayer money to review such an extensively studied site - especially at the request of an individual whose stated goal is to refute those studies and help the responsible parties evade cleanup.

**SSFL cleanup agreements established by other agencies are outside the limits of ATSDR expertise and jurisdiction**

At the core of Weitzberg's petition is a plea that ATSDR insert itself into and press for the abrogation of the legally binding cleanup agreements executed by DOE, NASA, and DTSC. He goes on to misrepresent the SSFL cleanup, stating that some in the community prefer risk-based and others a cleanup to background, as if there were not already in place legally binding agreements to clean up to background.

It is far outside ATSDR's purview or authority to involve itself in advocating against the existing, legally binding SSFL cleanup agreements signed by DOE, NASA and DTSC. This is not a valid petition request and decidedly not the purpose of an ATSDR health assessment.

ATSDR has neither the expertise nor regulatory authority to make an assessment of the SSFL cleanup agreements. In its response to Weitzberg's petition, ATSDR states, "Please note that ATSDR does not prioritize risk management/remediation options or review/evaluate environmental regulatory operational procedures of other organizations or agencies." Yet, astonishingly, shortly thereafter it agrees to do precisely that, agreeing to evaluate "the proposed remedial options." proposed remedial options would be protective of human health."

This statement is problematic and belies ATSDR's credibility. There are no proposed remedial "options", in the plural; there is only one, which is to clean up all the contamination that can be detected (i.e., to background) as required by legally binding cleanup agreements between DOE, NASA, and DTSC, the regulator of the cleanup. And this is not "proposed." The binding agreements were executed in 2010. Coming in now to attack other agencies' cleanup rules and agreements is far outside ATSDR's expertise and jurisdiction and deeply inappropriate.

[Community comments were overwhelmingly (98%) in support of these agreements. This is undoubtedly why Weitzberg's petition directs ATSDR "not to receive public input" at the meeting he asked the agency to participate in.]

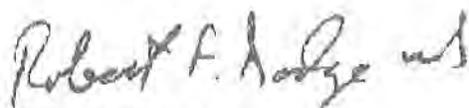
As indicated earlier, DTSC also stated in 2010 that under its longstanding requirements, based on County zoning and land use designations, Boeing would have to clean up to essentially the same standards. The Boeing Company has employed every trick in the book to try to get out of its cleanup obligations, including spreading misinformation similar to what Weitzberg's petition espouses.

What Weitzberg's petition asks for is for ATSDR to urge the breaching of these binding agreements entered into by other agencies and the requirements established by the site's regulatory bodies, and to replace them with far less protective cleanup standards that would allow the great majority of the contamination to not be cleaned up. But ATSDR is supposed to stay out of these cleanup orders and regulations that are the purview of other agencies. And most assuredly, ATSDR is not supposed to be an agent of polluters attempting to evade cleanup requirements established by their regulators.

ATSDR is supposed to “prevent harmful exposures and diseases related to toxic substances.” But, if ATSDR allows itself to become an agent of the Responsible Parties at SSFL and their surrogates in their effort to breach the cleanup obligations, it will instead increase risk to nearby communities who will continue to be exposed to SSFL contamination that is not cleaned up.

We urge you to personally act to have ATSDR reverse course. Given the concerns outlined above, we believe any resulting ASTDR study would lack credibility and could only serve to harm – not help – communities living near SSFL.

Sincerely,



Robert Dodge, MD  
Board Member, PSR-LA



Denise Duffield  
PSR-LA Associate Director and  
PSR-LA Program Director for SSFL Cleanup

cc:

Senator Barbara Boxer  
Senator Dianne Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
State Senator Fran Pavley  
Assemblymember Jacqui Irwin  
DTC Director Barbara Lee  
James W. Stephens, Ph.D.  
Robert Knowles

Attachments:

ATSDR SSFL Petition and Decision Letter  
Alec Uzemeck email re Weitzberg ATSDR petition



# ROCKETDYNE CLEANUP COALITION

Since 1989

September 8, 2015

Sylvia Mathews Burwell  
Secretary of Health and Human Services  
The U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Tom Frieden, MD, MPH  
Director, Centers for Disease Control and Prevention  
Administrator, Agency for Toxic Substances and Disease Registry  
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Pat Breyse, PhD  
Director, National Center for Environmental Health and  
Agency for Toxic Substances and Disease Registry  
4770 Buford Hwy, NE  
Atlanta, GA 30341-3717

Dear Secretary Burwell and Directors Frieden and Breyse:

We are writing to express our outrage over and demand the reversal of ATSDR's decision to approve a request from a former SSFL official, who has been representing himself as a regular community member, which asked ATSDR to repudiate past health studies related to the Santa Susana Field Laboratory (SSFL) and urge breach of its existing cleanup agreements. ATSDR is supposed to respond to genuine community petitions concerned about potential toxic exposures and act to assure the public is protected – not to refute previous health findings and cleanup agreements that are already in place, at the request of an ally of the polluter. We urge you to intervene immediately to prevent ATSDR from harming our community.

The Rocketdyne Cleanup Coalition (RCC) is a group of local residents that was founded in 1989 to ensure that all the SSFL contamination was cleaned up, so that our neighborhoods would be fully protected. We fought for years for independent health studies and for a full cleanup, and we will not allow our efforts to be destroyed by ATSDR, whether it is through negligence, complicity, or willful collusion with the polluters.

Knowing that neither Boeing nor the federal government could be trusted to do accurate, unbiased health studies related to SSFL, we pushed for the SSFL Epidemiological Oversight

Panel to be established in the 1990s to oversee independent studies of SSFL workers. A team from UCLA School of Public Health was selected, which found increased cancer death rates for workers associated with SSFL contaminants. We then fought, with the support of Senators Feinstein and Boxer and others, for independent offsite studies that would be funded but not performed by ATSDR or other federal agencies. A team from UCLA found that SSFL contamination had migrated offsite in levels above EPA standards and a team from the University of Michigan found increased cancer rates associated with proximity to SSFL. The studies reinforced the longstanding community concerns.

A quick review of the site's history reveals why it is capable of causing such harm. It was the site of 10 nuclear reactors, one of which had a partial meltdown and at least three others had accidents, plus a hot lab for processing irradiated fuel from across the country. Tens of thousands of rocket engine tests took place, which also polluted the soil, air, groundwater and surface water. Open-air burning of toxic materials, radioactive fires, and other sloppy handling of materials occurred at the site - *for decades*. Toxic radionuclides and chemicals have migrated offsite into nearby Sage Ranch, Runkle Canyon, Dayton Canyon, the Brandeis-Bardin property, and tributaries to the Los Angeles River, which has its headwaters at SSFL. A 2012 EPA radiological survey found over 500 hundred soil samples that were over background for dangerous radionuclides, as much as a thousand times so.

Finally, after years of stops and starts, in 2010, both NASA and DOE entered into Administrative Orders on Consent (AOCs) with the California Department of Toxic Substances Control (DTSC) to clean up their portions of the property to background levels of contamination. This meant that they would cleanup all the contamination that they could detect. These agreements had tremendous community support, with over 3,700 comments submitted in favor and only a handful opposed.

The Boeing Company refused to sign the agreements and has been instead lobbying for a very weak cleanup that would leave the great majority of the contamination on site. Its lobbying efforts include working with former employees and others allied with the Responsible Parties who have repurposed themselves as community members opposed to the cleanup. It is one of these individuals who submitted the petition to ATSDR asking it to refute previous health studies and help block the cleanup agreements. It was highly inappropriate for ATSDR to have accepted such a petition.

### **An Inaccurate, Misleading, and Inappropriate ATSDR Petition**

ATSDR states that it has received a "citizen's petition" to assess health impacts related to SSFL, yet refuses to identify the petitioner, presumably because it knows it isn't legitimate and hopes that fact can remain secret if the name remains secret. But in fact the petition is now known to be from Abe Weitzberg, a former SSFL official who subsequently long worked as a contractor for DOE, one of the main SSFL Responsible Parties. Not only did Weitzberg work at SSFL, he claims to have managed the safety research program for the SNAP reactors. One of the SNAP reactors, the SNAP 8 ER, had an accident during this period due to poor safety practices that resulted in 80% of its fuel being damaged. He has

multiple interests in denying SSFL health impacts and the need for cleanup. He has also published a paper attacking previous health studies (referred to in his petition) and has harassed the authors of previous health studies.

Weitzberg states in his June 2014 letter to ATSDR that he was submitting his request to ATSDR on behalf of the SSFL Community Advisory Group (CAG), and ATSDR in turn wrote that it was accepting the petition from the CAG. But this turns out to be false. In an August 31, 2015 email, CAG co-chair Alec Uzemeck states, "Abe Weitzberg communicated with the ATSDR on his own and developed their interest and commitment to do a SSFL health study." Uzemeck also states that under the CAG rules, "each member may act independently but may not representing [sic] the CAG...the ATSDR was not a CAG action." Thus Weitzberg misrepresented himself to ATSDR as he was not acting on the CAG's behalf, and ATSDR should now dismiss the petition it initially accepted on false pretenses.

Furthermore, even had the CAG authorized the petition, it is important for ATSDR to know that it is largely a creation of and dominated by people with ties to Boeing, owner of most of SSFL. Boeing had long pushed for a CAG that could serve as its community mouthpiece and replace the SSFL Work Group that had served the community for over twenty-five years. The CAG formation was opposed by hundreds of community members (see <http://www.petitions.moveon.org/sign/bring-back-the-santa>). As predicted, the CAG, which includes a number of former staff of the parties responsible for the SSFL pollution, now openly oppose the cleanup agreements that the Department of Toxic Substances Control itself signed. Boeing's role in the formation of and domination of the CAG is well documented (see <http://www.consumerwatchdog.org/resources/InsideJob.pdf>.)

Weitzberg's petition misrepresents previous health studies, highlighting a presentation made by Dr. Thomas Mack, another controversial figure. Mack, who has never done an epidemiological study of SSFL, is the industry go-to guy for denying health impacts related to toxic sites. For example, he has claimed there is only one place in the entire country where environmental pollution has been shown to cause health problems, and that a person is more likely to get cancer from a car stereo than a controversial oil drilling site, while having failed to disclose his work on behalf of one of the oil companies that had been sued over that site. Weitzberg cherry-picks quotes from other studies in order to paint a picture that SSFL has never hurt anyone.

This tactic of misrepresenting health studies is taken right out of Boeing's playbook. In 2007, University of Michigan epidemiologist Hal Morgenstern responded to Boeing's mischaracterization of his study in a letter to Senator Joe Simitian, stating:

"I would like to make it clear to your Committee that Boeing's claim made about the conclusion of our study is false. We did not conclude that there was no excess cancer in the communities surrounding SSFL. Furthermore, Boeing's quotes from our report were taken out of context, and they failed to report our specific findings that contradicted their claim.

In the main analyses of our study, we compared the incidence rate of specific cancers in adult residents living within 2 miles and 2-5 miles from SSFL with adult residents living

more than 5 miles from SSFL in both Ventura and Los Angeles Counties. For the period 1988 through 1995, we found that the incidence rate was more than 60% greater among residents living within 2 miles of SSFL than among residents living more than 5 miles from SSFL for the following types of cancer: thyroid, upper aerodigestive tract (oral and nasal cavities, pharynx, larynx, and esophagus), bladder, and blood and lymph tissue (leukemias, lymphomas, and multiple myelomas).

For the period 1996 through 2002, we found that the incidence rate of thyroid cancer was more than 60% greater among residents living within 2 miles of SSFL than for residents living more than 5 miles from SSFL. The magnitude and consistency of the thyroid finding for both periods is especially provocative because of evidence from other studies linking thyroid cancer with environmental exposures originating at SSFL and found in the surrounding communities.”

Weitzberg is aware that any initiative by the CAG or responsible parties will lack credibility with the community. His petition states, “I have discussed the idea of a CAG-led peer review panel with DTSC, DOE, NASA, and Boeing. They were all supportive. In conversation with one of the prospective panel members, he suggested that the review would more acceptable to the public if it was conducted by an independent federal agency and ATSDR immediately came to mind. I have mentioned this to DOE and they would be supportive of having a review conducted by ATSDR.” Weitzberg is also aware that an ATSDR review would be controversial; hence he requests that ATSDR’s meeting not allow public comment.

Weitzberg’s petition mischaracterizes the community as being divided between those favoring a risk-based cleanup and those favoring a cleanup to background. He neglects to inform ATSDR that NASA and DOE cleanup agreements to clean up to background are not considerations yet to be made – they are already signed and in place. He also does not reveal that in 2010, DTSC stated that Boeing would be required to cleanup to the most protective standard for which it is zoned – agricultural. Weitzberg advocates for what he calls a suburban residential standard, but fails to mention that Boeing version of “suburban residential” is in fact so weak it is hundreds or thousands of times more lax than the EPA suburban residential standard and would allow most of the contamination to never be cleaned up.

Later, in his November 2014 letter “refining” his request to ATSDR, Weitzberg complains that the AOCs prohibit leave-in-place disposal options, tipping his hand about what he and Boeing truly want. Leaving contamination on site would save Boeing a lot of money. But the community would pay with our health. This is outrageous and unacceptable and ATSDR should have no part of it.

### **ATSDR’s Response to Weitzberg Petition**

ATSDR’s acceptance of Weitzberg’s petition is disgraceful. If his resume didn’t raise concerns in the agency, his request should have. But ATSDR clearly understood what it was being asked to do, refute earlier findings by independent researchers funded by ATSDR itself. ATSDR also understands Weitzberg wants it to “suggest and discuss

cleanup alternatives for consideration that may be protective of health while minimizing negative effects of the remediation." In other words, advocate for a weaker cleanup. Finally, ATSDR says it understands that Weitzberg wants it to "provide the communities around SSFL with a perspective of the real SSFL risk in relation to other sites around the country." In other words, tell the community not to worry, SSFL isn't so bad.

After restating Weitzberg's wish list, ATSDR states that the petition has been accepted. It says that while it doesn't review remediation plans for other agencies, it will in fact "evaluate whether the proposed remedial options would be protective of human health." But there are no "proposed" remedial "options," and the cleanup agreements are not "proposed". DOE and NASA have signed agreements to cleanup to background and per longstanding DTSC policy the Boeing Company is to clean up to comparable levels.

ATSDR is supposed to act in the interest of public health, not in the interest of polluters and government agencies that are influenced by them. We know ATSDR has a troubled history with health assessments and protecting communities. A 2009 report by the Congressional Subcommittee on Investigations and Oversight entitled "The Agency for Toxic Substances and Disease Registry (ATSDR): Problems in the Past, Potential in the Future?" found that ATSDR's practice is to "deny, delay, minimize, trivialize or ignore legitimate concerns and health considerations of local communities and well respected scientists and medical professionals." (See [http://www.theinvestigativefund.org/files/managed/ATSDR Staff Report 03 10 09.pdf](http://www.theinvestigativefund.org/files/managed/ATSDR%20Staff%20Report%2003%2010%2009.pdf).)

At the March 2009 hearing, the subcommittee chairman Congressman Brad Miller, said that ATSDR had a tendency to "please industries and government agencies" and referred to ATSDR's reports as "jackleg assessments saying 'not to worry.'" We urge ATSDR to not continue this health-harming behavior by intervening in our community.

ATSDR's interference in SSFL will not help us. It will only hurt. SSFL contamination must be cleaned up so that current and future generations are protected. We have already experienced decades of denials and delays. We have health studies; we have a cleanup agreement. The petition was illegitimate and ATSDR's grant of it was illegitimate. The petition was a patent attempt by someone with ties to the Responsible Parties to help them avoid their cleanup obligations. ATSDR should reverse its decision to accept the petition, and should stay out of our community.

Sincerely,

Holly Huff  
Rocketdyne Cleanup Coalition  
Founding Member  
Involved in SSFL cleanup for 26 years

Marie Mason  
Rocketdyne Cleanup Coalition  
Founding Member  
Involved in SSFL cleanup for 26 years

Jeanne Londe  
Rocketdyne Cleanup Coalition  
Founding Member  
Involved in SSFL cleanup for 26 years

Dorri Raskin  
Rocketdyne Cleanup Coalition  
Founding Member  
Involved in SSFL cleanup for 26 years

William Preston Bowling  
Founder, Aerospace  
Contamination Museum of Education  
Involved in SSFL cleanup for 13 years

Reverend John Southwick  
Radiation Rangers  
Involved in SSFL Cleanup for 9 years

Davis Gortner  
Teens Against Toxins  
Involved in SSFL cleanup for 6 years

Isaac Levy  
Community member,  
Involved in SSFL cleanup for 2 years

Barbara Johnson  
Rocketdyne Cleanup Coalition  
Founding Member  
Involved in SSFL cleanup for 26 years

Dawn Kowalski  
Rocketdyne Cleanup Coalition  
Founding Member  
Involved in SSFL cleanup for 26 years

George and Eleanor Rembaum  
Rocketdyne Cleanup Coalition  
Founding Members  
Involved in SSFL cleanup for 26 years

Bonnie Klea  
Former SSFL worker and worker advocate  
Involved in SSFL cleanup for 20 years

Marge Brown  
Community member  
Involved in SSFL cleanup for 9 years

Cindi Gortner  
Community member  
Involved in SSFL cleanup for 6 years

De Anna Goldberg  
Community Member  
Involved in SSFL for over 5 years

RL Miller, Chair, California Democratic  
Party's environmental caucus  
Involved in SSFL cleanup for 2 years

CC: Senator Barbara Boxer  
Senator Dianne Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
State Senator Fran Pavley

Assemblymember Jacqui Irwin  
DTSC Director Barbara Lee  
James W. Stephens, Ph.D.  
Robert Knowles

# Santa Susana Field Laboratory Epidemiological Oversight Panel

8 September 2015

Tom Frieden, MD, MPH  
Director, Centers for Disease Control and Prevention  
Administrator, Agency for Toxic Substances and Disease Registry  
1600 Clifton Road  
Atlanta, GA 30329-4027 USA

Pat Breyse, PhD  
Director, National Center for Environmental Health and  
Agency for Toxic Substances and Disease Registry  
4770 Buford Hwy, NE  
Atlanta, GA 30341-3717

Dear Dr. Frieden and Dr. Breyse:

We write to request your personal attention to a disturbing action by ATSDR and that you take prompt steps to reverse it.

ATSDR recently announced it had accepted what it describes as a "citizen's petition" to undertake certain activities related to the Santa Susana Field Laboratory (SSFL), a contaminated reactor and rocket testing facility in Southern California. The petition requests that ATSDR repudiate past studies that found evidence of potential health impacts from the site, including two paid for by ATSDR itself. And it asks ATSDR to recommend that the cleanup agreements entered into by the Department of Energy, NASA, and the California Department of Toxic Substances Control be breached. Those agreements require full cleanup, and the petitioner asks ATSDR's help in getting the requirements relaxed so that much of the contamination would not be required to be cleaned up at all.

You will no doubt recognize that this is quite unlike the petitioned activities ATSDR's rules contemplate, which are designed to respond to community concerns that there may be significant health risks and help reduce or eliminate them. And indeed, as others have, we understand, pointed out to you, the petitioner turns out to be not a community member concerned for his or her health but a former SSFL official who has been lobbying hard for the Responsible Parties to be relieved of most of their cleanup

obligations. This, of course, is not a legitimate basis for ATSDR action and we join others who have called for reconsideration.

The initial grant of the petition seems to have been conducted with a significant degree of ignorance of the history of health studies related to this site, which we wish to bring to your attention. Perhaps the current controversy could have been avoided had there been greater effort at researching that history before responding to the request. We are surprised, for example, that no effort was made to contact the SSFL Epidemiological Panel, or the UCLA and University of Michigan researchers who had performed the studies funded by ATSDR, or the community groups that have been involved for 25-35 years.

As you doubtless know, the history of studies conducted by the federal government of health impacts from its own activities has been a troubled one. Going back to the era of above-ground atmospheric nuclear testing, federal assertions that minimized potential health consequences have frequently been found to be of poor scientific quality. On the other hand, studies that identified risks were at times suppressed, or authors ordered not to present findings that conflicted with governmental assurances of safety. One need only think about the strontium-90 controversy during the fallout era, the Gofman/Tamplin matter at Livermore that led Congress to order the first NAS study on the Biological Effects of Ionizing Radiation, the Mancuso affair at Hanford, or the effort to suppress the Wilkinson findings about brain cancer at Rocky Flats. This history is well-known due to congressional hearings and the report of the Secretarial Panel on Energy-Related Epidemiologic Research Activities.

These problems were exacerbated by the long-secret nature of activities at the Department of Energy nuclear complex nationwide. In the late 1980s, when massive environmental problems at those facilities became public, DOE promised to reform itself. It would take itself out of the business of studying if its activities had caused harm, and it would open its facilities to outside review.

The Santa Susana Field Laboratory became an important test case of this new openness. State legislators and members of the Congressional delegation pushed very hard to assure that health studies were conducted independently of the federal government, because of the inherent conflict of interest and the troubled history summarized above. The SSFL Epidemiological Oversight Panel was established at their initiative to oversee such studies. It has included a number of distinguished epidemiologists, including the late Dr. Alice Stewart, author of the seminal Oxford Childhood Cancer Survey on in-utero radiation exposure and numerous other major advances in the field. The legislators also appointed several community representatives.

The legislators obtained from DOE approximately \$1.5 million for a worker study, to be overseen by the Panel, with DOE having no say about the choice of investigators or the content of their work. This was a remarkable new model for conducting epidemiologic studies, with the federal government funding but staying out of the research, which instead was conducted by outside researchers with strong measures to assure their independence.

Our Panel reviewed proposals and selected a team from the UCLA School of Public Health (Drs. Hal Morgenstern, Beate Ritz, and John Froines) to conduct the worker study. The commitment that had been made to the elected officials and the community was that if the worker study found evidence of health impacts, similarly independent studies would be conducted of the neighboring communities, if feasible.

The worker studies were released in two parts – in 1997, the study of the nuclear workers, and in 1999, a study of the rocket workers. Both found evidence that cancer death rates were related to workers' exposures.

After the release of the worker studies, the Panel recommended that the feasibility of community studies be examined. Members of the California Legislature and Senators Feinstein and Boxer and other members of the Congressional delegation requested that DOE free up remaining funds from the original grant to have the Panel now proceed on this second phase. DOE declined. So the legislators asked HHS to provide the Panel with the funding needed for the community part of the research. After a series of increasingly frustrated interventions by the Congressional delegation with HHS, and a meeting with their staffs, ATSDR finally agreed to send a team to the area to examine the feasibility of a community study. That preliminary feasibility evaluation concluded more comprehensive research was possible, and ATSDR eventually agreed to fund an independent contractor, who in turn would select and manage independent researchers to do that work. Teams from UCLA and the University of Michigan were selected by the contractor and over several years did research which was eventually released in 2006.

In parallel, the California legislators obtained an appropriation from the State Legislature for the Epidemiological Oversight Panel to continue its work by addressing the offsite exposure potential. The Panel contracted with a series of independent researchers who issued their reports during the same time period. The ATSDR-funded independent studies and those done for the Oversight Panel identified an array of evidence of potential offsite risks from site activities.

The point of this historical narrative is that there has been, since the early 1990s, an important principle at work regarding SSFL health studies – that they would be conducted independently of the federal government because of the troubled history of studies of DOE facilities and the inherent conflict of interest in having the federal government study whether people were hurt by its own activities.

The petition in question here would have ATSDR breach that quarter-century understanding. Furthermore, the petition quite inappropriately asks ATSDR to repudiate carefully conducted research paid for by ATSDR a decade ago and which ATSDR reviewed at the time. The request also asks ATSDR to urge the breaking of cleanup agreements entered into by other agencies and cleanup requirements issued by the site's regulator, far outside ATSDR's scope of proper involvement. And lastly, the request isn't a genuine request from community members concerned about their health, but comes from an individual associated with the Responsible Parties active in efforts to relieve them of their cleanup obligations. These simply are inappropriate roles for ATSDR.

We respectfully urge you to reverse the decision.

Sincerely,

Steve Wing, Co-Chair  
SSFL Epidemiological Oversight Panel  
and Associate Professor of  
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cc: Senator Barbara Boxer  
Senator Dianne Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
State Senator Fran Pavley  
Assemblymember Jacqui Irwin  
DTSC Director Barbara Lee  
James W. Stephens, PhD, ATSDR  
Robert Knowles, ATSDR

September 8, 2015

Tom Frieden, MD, MPH  
Director, Centers for Disease Control and Prevention  
Administrator, Agency for Toxic Substances and Disease Registry  
1600 Clifton Road  
Atlanta, GA 30329-4027 USA

Pat Breysse, PhD  
Director, National Center for Environmental Health and  
Agency for Toxic Substances and Disease Registry  
4770 Buford Hwy, NE  
Atlanta, GA 30341-3717

Dear Drs. Frieden and Breysse:

We are co-authors of studies, funded by ATSDR, on potential offsite health impacts from radioactive and chemical materials at the Santa Susana Field Laboratory (SSFL), near Los Angeles. We write to express concern about a decision ATSDR made based on a petition it received and urge that the decision be reconsidered.

Elected officials representing the SSFL area have long worked to avoid the potential conflicts of interest were the federal government to be involved in evaluating whether government activities at SSFL harmed public health. For that reason, for a quarter of a century, there has been an understanding that federal agencies would refrain from involvement in such SSFL studies other than to provide funding and instead they would be performed by independent entities.

California legislators established an independent SSFL Epidemiological Oversight Panel in the 1990s. The Oversight Panel selected a team from the UCLA School of Public Health to conduct a study of the site workers. The Department of Energy provided funds for but had no say in the selection of the researchers or the conduct of their work. One of us (Hal Morgenstern) was the principal investigator for that study.

The study of the nuclear workers found that being exposed to external forms of radiation at SSFL was associated with increased risk of dying from cancers of the blood and lymph system, from lung cancer, and from all cancers combined. Internal radiation exposures were linked with deaths from cancers of the blood and lymph system and the upper aerodigestive tract (oral cavity, pharynx, esophagus and stomach). For the rocket workers, significant increases in death rates from cancers of the lung, blood and lymph system, and bladder and kidney were associated with the estimated relative exposures.

After the worker study results were released, the SSFL Epidemiological Oversight Panel recommended independent follow-up studies of the nearby community. Elected officials requested federal funding for these independent studies, and after performing an initial

evaluation as to whether such studies were feasible, ATSDR contracted with the Eastern Research Group (ERG) to select research teams to carry out the work, independent of ATSDR.

ERG selected a team at the University of Michigan (led by Morgenstern, who had relocated from UCLA) to analyze cancer incidence data in the community, to see if incidence rates for cancers associated with the types of contaminants at SSFL increased with proximity to the site. ERG selected a second team, based at UCLA's Center for Environmental Risk Reduction, of which one of us (Yoram Cohen) was the principal investigator, and another of us (Adrienne Katner, now at the Louisiana State University Health Sciences Center), a co-investigator. That study examined decades of environmental monitoring data and performed air dispersion modeling and batch sorption experiments to evaluate potential migration of radioactive and toxic materials offsite and potential levels of exposure.

The studies were comprehensive, multi-year efforts. Under the terms of our contracts, although funded by ATSDR, our work was to be independent of it. By contract, however, drafts of our reports were to be provided to ATSDR for review and comment prior to publication or dissemination.

Dr. Morgenstern's team at the University of Michigan found that the incidence rate was more than 60% greater among residents living within 2 miles of SSFL than among residents living more than 5 miles from SSFL for the following types of cancer: thyroid, upper aerodigestive tract, bladder, and blood and lymph tissue (leukemias, lymphomas, and multiple myelomas). The investigators made clear that while the increased cancer incidence the closer one lived to SSFL was suggestive of a connection and consistent with findings from the worker studies, the study was not direct evidence that environmental exposures originating at SSFL increased cancer incidence in the nearby communities. Nonetheless, findings from this epidemiologic study must be considered together with results from the UCLA environmental study (below), which documented offsite exposures concentrations that were likely to be higher within two miles of the site than further away.

Dr. Cohen's team at UCLA identified evidence of offsite contamination for an array of radioactive and chemically toxic substances from SSFL, including but not limited to cesium-137, TCE and its association degradation products, hydrazine-byproducts, perchlorate, chromium, vinyl chloride, beryllium, chloromethane, carbon tetrachloride, and PCBs. The study concluded that there was a potential for chronic public exposures through air inhalation, well water and crop ingestion. Estimates of doses based on default occupational and residential exposure assumptions, and maximum offsite contaminant concentrations, exceeded acceptable lifetime daily doses (ALADDs) by substantial margins.

The reports, pursuant to our contract, were provided to ATSDR in draft for review and comment. The study findings were presented in public meetings. The reports were released in final form in 2006 and 2007.

#### The Current Petition to ATSDR

In June of last year, ATSDR received a letter from an individual, which questioned results of past studies, including ours, and criticized the cleanup agreements entered into by DOE, NASA,

and DTSC in 2010 as supposedly requiring too much protection of public health. Representations made in the petition about our research and positions were misleading and disingenuous.

The June letter asked ATSDR to attend a panel discussion with two of us (which we had not agreed to attend) that the writer wished to convene to discuss the various health studies. In addition, the petitioner specifically requested that the proposed “public meeting” be structured so as not to receive public input.

In November, the request was “refined” with additional criticism of the legally binding cleanup agreements, asking ATSDR to urge that the cleanup agreements be set aside and lesser, alternative requirements adopted that would allow much of the site contamination to remain in place. The petition also asked ATSDR to re-review the prior studies. Additionally, it asked that ATSDR revisit its conclusion from its 1999 preliminary evaluation. (This last request is puzzling, to say the least, as the requester says he supports the conclusion, as he characterizes it, and no subsequent evidence with which he agrees is presented to challenge it.)

In March, ATSDR apparently granted the petition, without contacting us, nor, we understand, the SSFL Epidemiological Oversight Panel or any of the longstanding community groups that have been concerned about contamination at the site and worked for its full cleanup.

We have been informed that Physicians for Social Responsibility-Los Angeles (PSR-LA) requested that ATSDR provide a copy of the petition, and that ATSDR refused to reveal the identity of the requestor or make available the attachments to the petition. This is perplexing for a public agency. Nonetheless, PSR-LA has obtained elsewhere and provided to us an email from the “SSFL Community Advisory Group” (CAG) on whose behalf the individual said he was submitting the petition, which both identifies the individual and disavows the claim that he was authorized to submit it on their behalf.

ATSDR has described the request it granted as a “citizen’s petition” for a community health assessment. PSR-LA, however, says the petitioner is not a community member concerned about potential contamination risks but rather a former SSFL official and longtime DOE contractor who has been working in concert with some of the Responsible Parties in efforts to have the cleanup agreements overturned and cleanup obligations markedly relaxed. His petition, which is to ask ATSDR to repudiate past studies showing potential harm and weigh in against existing cleanup agreements that require full remediation, appears questionable at best, given ATSDR’s mission.

We must also inform you that if indeed the petitioner is the individual in question, he has in the last several years harassed each of us, at times quite aggressively. ATSDR’s role should be to protect researchers who undertake work for it from such harassment, not facilitate it.

We are concerned about what seems to be a potential conflict with the agreements by which we undertook our research funded by ATSDR. As indicated above, those contracts were written expressly to guarantee our independence. This was done in order to avoid the appearance of government conflicts of interest and to win public trust. ATSDR was given the right to review and comment on our draft reports before their issuance, a period which has long since passed. Undertaking now the action requested by this individual could cast a shadow over ATSDR’s

credibility and potentially have a chilling effect on other scientists asked to perform future work funded by ATSDR.

In summary, we believe acceptance of this petition would be at odds with ATSDR's mission "to prevent exposure and adverse human health effects and diminished quality of life associated with exposures to hazardous substances from waste sites unplanned releases, and other sources of pollution present in the environment." This petitioner does not hide his true intention very well, which is to discredit past research and relax current cleanup agreements. In addition, the petitioner's conflicts of interest appear questionable. We respectfully urge ATSDR to reverse its decision.

Sincerely,

Hal Morgenstern, PhD  
University of Michigan  
halm@umich.edu

Yoram Cohen, PhD  
University of California, Los Angeles  
yoram@ucla.edu

Adrienne Katner, PhD  
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akatn1@lsuhsc.edu

cc: Senator Barbara Boxer  
Senator Dianne Feinstein  
Congresswoman Julia Brownley  
Congressman Brad Sherman  
State Senator Fran Pavley  
Assemblymember Jacqui Irwin  
DTSC Director Barbara Lee  
James W. Stephens, PhD, ATSDR  
Robert Knowles, ATSDR



Agency for Toxic Substances  
and Disease Registry  
Atlanta, GA 30333

September 25, 2015

RECEIVED

OCT 02 2015

Mr. Steve Bennett  
Supervisor, First District  
Board of Supervisors  
County of Ventura  
Government Center,  
Hall of Administration  
800 South Victoria Avenue  
Ventura, CA 93009

Dear Mr. Bennett:

Thank you for your letters to Secretary Sylvia Burwell and Dr. Thomas Frieden, regarding the Agency for Toxic Substances and Disease Registry's (ATSDR) planned activities at the Santa Susana Field Laboratory (SSFL). Secretary Burwell and Dr. Frieden have asked me to respond on their behalf. As you are aware, a local resident and member of the SSFL Community Advisory Group (CAG) submitted a petition to ATSDR to evaluate the health risks associated with the SSFL site. ATSDR reviewed the petition through our standard process and accepted the petition for evaluation. ATSDR reviewed the petition and in response proposed the following three activities to address the concerns raised in the petition:

1. Determine whether currently there are any completed pathways of human exposure to SSFL-related contaminants and what public health concerns may be associated with those exposures.
2. Evaluate whether the proposed remedial options would be protective of human health.
3. Provide the SSFL community with public friendly information and presentations of ATSDR's findings and the strengths and weaknesses of SSFL-related epidemiological studies.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also known as Superfund), Congress provided ATSDR with the authority to conduct certain public health actions following a request from a community member. All requests are evaluated for their relevance to ATSDR's mission, availability of data and information for an evaluation, and whether an evaluation will provide a meaningful response to the question.

Page 2 – Mr. Steve Bennett

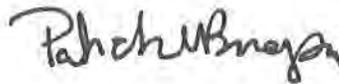
ATSDR's evaluations are designed to determine whether people have been, or are currently being, exposed to hazardous substances (primarily chemicals) released into the environment from a hazardous waste site or facility. We then evaluate whether the exposure is harmful (or potentially harmful) and whether the exposure should be stopped or reduced. These assessments are based on the available environmental sampling data typically collected by the U.S. Environmental Protection Agency (EPA) or state and local regulatory agencies. Please note that ATSDR does not prioritize risk management/remediation options or evaluate the environmental regulatory operational procedures of other organizations or agencies.

We are concerned that there is a misunderstanding of what these proposed activities will accomplish. We believe the findings of these activities will have no implications for the proposed plan for cleaning up the SSFL site and believe the clean-up should move forward.

ATSDR has not initiated any of these proposed activities, and additional information is being gathered to ensure any action will be appropriate and effective. ATSDR will finalize and implement action plans after it has gathered the necessary information. Accordingly, we plan to meet with you, the members of the Board of Supervisors, and other community stakeholders to review our plans to date and to determine whether they are in conflict with state, county, and local efforts.

I have asked Libby Vianu, ATSDR Regional Representative to work with you to schedule this meeting. Please reach out to her with any additional questions. Ms. Vianu may be reached at (415) 947-4318 or via email at [LVianu@cdc.gov](mailto:LVianu@cdc.gov).

Sincerely,



Patrick N. Breysse, Ph.D., CIH  
Director, National Center for Environmental Health  
and Agency for Toxic Substances and Disease Registry  
Centers for Disease Control and Prevention

## Superfund Report - 09/28/2015

### **ATSDR Pushes Back On Community Criticism Of DOE Cleanup Site's Review**

Posted: September 25, 2015

A federal agency that examines health impacts at Superfund sites is refuting allegations from community groups near an Energy Department (DOE) cleanup site in California that the agency's new review of health impacts at the site oversteps its authority, saying its evaluation of current exposures will not impact the existing cleanup plans.

Community groups around DOE's Santa Susana Field Laboratory (SSFL), a former nuclear reactor and rocket-testing facility in Southern California, have sounded alarm bells in recent weeks over the Agency for Toxic Substances & Disease Registry's (ATSDR) decision to grant a citizen's petition several months ago over health impacts and cleanup at SSFL.

The petition -- contained in a June 25, 2014, letter and a Nov. 11, 2014, refinement request -- asks ATSDR to set up a peer review panel to review previous independent studies done on SSFL's health effects, to provide an opinion about the current risks posed by contamination at the site to residents, which in turn would "inform a decision about the appropriate level of cleanup needed to be protective of public health and safety," the letters say.

The petitioner questions the findings of independent epidemiological and pathway studies conducted using ATSDR funding, and urges that the 2010 cleanup agreements, which call for cleanup to background levels, be rescinded and replaced with less stringent cleanup requirements. The petitioner cites concerns about potential health hazards from digging and hauling soil from the site.

ATSDR, which was created by the Superfund law, accepted the petition in a March 10 letter. ATSDR conducts health assessments in some communities surrounding Superfund sites. Regulations governing ATSDR say that a petition for ATSDR to conduct a health assessment must include "A statement providing information that individuals have been exposed to a hazardous substance and that the probable source is a release, or sufficient information to allow the Administrator to make such a finding," but community groups say that the petition lacks this.

An ATSDR spokeswoman in a response to *Inside EPA* though says it weighed the petition against the availability of information to conduct an evaluation and whether that review will meaningfully respond to the question.

But several community groups in Southern California as well as researchers involved in the past independent studies are challenging ATSDR's acceptance of the petition. They contend the agency is inappropriately inserting itself into existing cleanup agreements between the California Department of Toxic Substances Control (DTSC), DOE and the National Aeronautics & Space Administration (NASA) and is aiming to rescind studies that took many years to complete, and which ATSDR already reviewed. Multi-year, independent studies funded by federal agencies found increased cancer deaths among nuclear workers exposed to radiation at SSFL and higher incident rates of certain cancers among residents living within 2 miles of SSFL.

The groups dispute the petition and its acceptance on several levels -- including questioning the petitioner's allegiance given what they say is his status as a former SSFL employee, as well as saying it is outside ATSDR's mission and regulations to grant it. "The petition mischaracterizes previous health studies, claims that SSFL poses no health risks, states that the cleanup agreements are unnecessary and should be breached, and asks ATSDR to make the same claims," Physicians for Social Responsibility-Los Angeles (PSR-LA) writes in a Sept. 8 letter to the heads of the Department of Health and Human Services, Centers for Disease Control and Prevention and ATSDR.

At the heart of the petition "is a plea that ATSDR insert itself into and press for the abrogation of the legally binding cleanup agreements executed by DOE, NASA, and DTSC," PSR-LA says. The petitioner "goes on to misrepresent

the SSFL cleanup, stating that some in the community prefer risk-based and others a cleanup to background, as if there were not already in place legally binding agreements to clean up to background," PSR-LA says.

"It is far outside ATSDR's purview or authority to involve itself in advocating against the existing, legally binding SSFL cleanup agreements signed by DOE, NASA and DTSC," it says. This is "decidedly not the purpose of an ATSDR health assessment." *Relevant documents are available on InsideEPA.com. (Doc. ID: 185164)*

**In its March 10 acceptance letter of the petition, ATSDR says** it does not prioritize remediation options or review regulatory operational procedures of other agencies. At the same time, it says at SSFL it will "[e]valuate whether the proposed remedial options would be protective of human health" -- a statement that community groups say contradicts its previous statement that it would not review remediation options.

The March 10 letter also says ATSDR will determine if there currently "are any completed pathways of human exposure to SSFL-related contaminants and what public health concerns may be associated with those exposures," and provide the nearby community "with public friendly information and presentations of ATSDR's findings and the strengths and weaknesses of SSFL-related epidemiological studies."

The ATSDR spokeswoman refutes the groups' characterization of what the agency plans to do, indicating it is much narrower than their allegations. The agency "has not agreed to and does not plan to reevaluate health studies already conducted at [SSFL]." She recited the same three items ATSDR says it will undertake in the March 10 letter.

Further, she says, ATSDR is concerned about "a misunderstanding of what these proposed activities will accomplish." She notes that the agency's evaluation will be only of current exposures to people near the site, not hazards posed from past exposures or to those within the site boundary.

"Therefore, the findings of this evaluation will have no implications for the proposed plan for cleaning up the SSFL site; this clean up should move forward," she says. Specifically, the agency will examine if there are current exposures to contaminants migrating off-site, such as sediments in drainage areas or windblown dust. "We will identify if those exposures could pose a risk to health, and if so, will identify additional steps that can be taken to protect health," she says.

She says the agency will give technical support to DTSC as it oversees the cleanup, noting that ATSDR will look to ensure that human health risks, such as to dust generated during the cleanup, are minimized. She concedes that the agency lacks authority to decide remedial options, but can offer its opinion "as to whether the options being considered would protect the health of the community . . ."

While ATSDR will not be "reanalyzing" the independent epidemiological studies done at the site, it does plan to bring together a forum to allow the authors of the studies to discuss their findings with community members, the spokeswoman says. She says this responds to community member concerns that they did not receive clear information on the findings.

Superfund Report - 09/28/2015 , Vol. 29, No. 20

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**From:** [robertfdodge@gmail.com](mailto:robertfdodge@gmail.com)  
**To:** [Bennett, Steve](#); [Steve Bennett](#)  
**Subject:** SSFL  
**Date:** Thursday, September 24, 2015 6:22:57 PM

---

Hi Steve, turns out Brownley's office was lied to. ATSDR intends to move forward with the petition and reinvestigation of SSFL.

Very disturbing.

Bob

Sent from my iPhone

**From:** [Robert Dodge](#)  
**To:** [Bennett, Steve](#); [Steve Bennett](#)  
**Subject:** Santa Susana clean up  
**Date:** Sunday, September 27, 2015 9:25:00 PM

---

Dear Steve,

Thanks so much for writing ASTDR about SSFL.

A. I have a couple of questions:

1. Have you gotten any reply?
2. Apparently the ATSDR Director is coming out here on October 8 and 9 and will meet with County officials and with electeds and/or staff of electeds representing areas around SSFL. Have you been invited to either meeting?

If the answer to the first question is no, might it be worth an email to the CDC Director to whom you wrote previously (Tom Frieden, [Tomfrieden@cdc.gov](mailto:Tomfrieden@cdc.gov)), with a cc to the ATSDR Director (Pat Breysse, [pjb7@cdc.gov](mailto:pjb7@cdc.gov)), indicating that you wrote several weeks ago, asking ATSDR to reconsider its decision to grant a petition regarding SSFL, that you have not had a response, attach a second copy of the letter, and request a reply?

If you have not been invited to either or both meetings, perhaps you could add to the email a note that you understand Dr. Breysse is to be in the area the following week and you would like to meet to express your concerns in person. And if you are in either meeting, it would be very helpful if you could take a lead in urging ATSDR to back off.

B. Senator Pavley's staff indicated that they had not received a copy of your August 20 ltr to CDC. Could you check with your staff to see if they sent out the letter to those on the cc list, and if not, could they send it now? Attached are the email addresses.

It would also be good to send a copy to LA Supervisor Kuehl and LA City Councilmember Englander, if possible, as they may be able to join in in expressing concern. Attached are the email addresses for their relevant staff are:

What would be great would be if there could be a joint position from a number of electeds asking ATSDR to reverse course, in advance of the ATSDR Director's visit here.

C. The key issue is how to coordinate things so that the ATSDR Director's meeting with the County has a clear expression from the County asking ATSDR to not insert itself into the SSFL matter. Robert Levin didn't get a copy of your original letter, so may not know the concerns. I am sending you and Linda jointly an email to see if the two of you can work together a way that the County asks ATSDR to reconsider its grant of the petition and does not insert itself into the SSFL matter.

Thanks so much for your help on this important Ventura County public health matter.

Bob

---

Email addresses for Electeds who should have received copies of your August letter to CDC and if they didn't, it would be good to send out to now:

Staff for Boxer

[bettina\\_poirier@epw.senate.gov](mailto:bettina_poirier@epw.senate.gov)

[Nicole\\_Kaneko@boxer.senate.gov](mailto:Nicole_Kaneko@boxer.senate.gov)

[Nicolas\\_Rodriguez@boxer.senate.gov](mailto:Nicolas_Rodriguez@boxer.senate.gov)

Staff for Feinstein

[Trevor\\_Daley@feinstein.senate.gov](mailto:Trevor_Daley@feinstein.senate.gov)

[Molly\\_O'Brien@feinstein.senate.gov](mailto:Molly_O'Brien@feinstein.senate.gov)

Staff for Brownley

[Cheri.Orgel@mail.house.gov](mailto:Cheri.Orgel@mail.house.gov)

[Sharon.Wagener@mail.house.gov](mailto:Sharon.Wagener@mail.house.gov)

Staff for Sherman

[scott.abrams@mail.house.gov](mailto:scott.abrams@mail.house.gov)

[john.alford@mail.house.gov](mailto:john.alford@mail.house.gov)

Staff for Pavely

[william.craven@sen.ca.gov](mailto:william.craven@sen.ca.gov)

[dusty.russell@sen.ca.gov](mailto:dusty.russell@sen.ca.gov)

Staff for Irwin

[Morgan.Culbertson@asm.ca.gov](mailto:Morgan.Culbertson@asm.ca.gov)

Plus two who weren't on the original cc list but would be good to have them get a copy now:

Los Angeles City Councilmember Mitch Englander

[nicole.bernson@lacity.org](mailto:nicole.bernson@lacity.org)

[councilmember.english@lacity.org](mailto:councilmember.english@lacity.org)

Los Angeles County Supervisor Sheila Kuehl

[SNissman@bos.lacounty.gov](mailto:SNissman@bos.lacounty.gov)

[TLippman@bos.lacounty.gov](mailto:TLippman@bos.lacounty.gov)

[kyoung@bos.lacounty.gov](mailto:kyoung@bos.lacounty.gov)

**From:** [Robert Dodge](#)  
**To:** [Parks, Linda](#); [Bennett, Steve](#); [Steve Bennett](#)  
**Subject:** SSFL followup  
**Date:** Sunday, September 27, 2015 9:46:05 PM

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Hi Linda and Steve, I also wanted to make you aware that I will send a similar letter to this evenings to you and Sheila Kuehl, Julia Brownley and Robert Levin in hopes that together you might generate a joint letter to ATSDR and DTSC.

Thanks again

Bob

Dear ,

I write to urge you to personally intervene to reverse a recent ill-considered initial action by the Agency for Toxic Substances and Disease Registry. The matter is important to the people of Ventura County.

Since the 1940s, the federal government conducted nuclear and rocket testing activities at the Santa Susana Field Laboratory (SSFL) in our county. This work was conducted with considerable disregard for environmental considerations, resulting in widespread radioactive and chemical contamination. There were at least four reactor accidents, including a partial meltdown; radioactive fires; burning of toxic wastes in open-air pits; dumping of a million gallons of TCE onto the ground and into the ground water; and many other releases and spills.

Because of the inherent conflict-of-interest in having the federal government investigate its own environmental misconduct, and a long history of controversy involving federal health studies of facilities it contaminated, elected officials representing the people living near SSFL have long insisted that health studies be conducted independently of the federal government. For a quarter of a century, with one controversial exception, the federal government has agreed to keep at arms' length from such studies and support independent reviews instead.

Beginning in the early 1990s, the SSFL Epidemiological Oversight Panel was established to oversee independent studies, first of the workers and then, if an effect was found on them, of the offsite community. The Panel chose a team from the UCLA School of Public Health to perform the worker studies. The work was funded by the Department of Energy but DOE had no say in the selection of the researchers or the content of their research. When those UCLA studies showed significant increases in cancer death rates associated with radioactive and chemical exposures, the Panel conducted independent studies related to offsite potential risks.

Senators Boxer and Feinstein asked that ATSDR fund, but not be involved in, these independent offsite studies. Eventually, after some initial troubling actions by ATSDR in contradiction of that request, ATSDR agreed to fund additional independent studies, one by a team from UCLA led by Professor Yoram Cohen and a second study by Professor Hal Morgenstern of the University of Michigan. ATSDR had the right to review and comment on their draft reports.

Now, nearly a decade later, ATSDR has announced that it approved what it describes as a "citizens petition" that has come in and do certain evaluations related to SSFL. This would violate the quarter-century understanding that it would stay out of the matter, because of the inherent conflict of interest in the federal government investigating whether its activities at SSFL caused harm to the public and how much cleanup of its past contamination it should be required to undertake. A finding of harm would leave the federal government vulnerable to damage claims and a finding of need to do extensive cleanup would be expensive for it.

Furthermore, as of this date, ATSDR refuses to release the supposed citizens petition. Some have indicated they have reason to believe the petition was in fact put forward by people associated with efforts by some of the *responsible parties* to be relieved of their cleanup obligations. This would be inappropriate, to say the least.

ATSDR has indicated it will undertake three tasks, each of which is troubling.

The first is to opine as to whether the federal conduct at the site resulted in any risk to the public. Because of the conflict of interest mentioned above, this would not be proper. Furthermore the issue has already been studied extensively by independent entities and there is no need to start over again. This suggests ATSDR's real purpose may be to declare the site poses no risk and that the federal government should not have to live up to its obligations for a full cleanup.

Secondly, ATSDR says it will evaluate the "proposed cleanup options" for SSFL. This is deeply disturbing. DOE and NASA both signed Agreements on Consent (AOCs) with the state Department of Toxic Substances Control (DTSC) requiring cleanup to background. There is nothing "proposed" about it; it is a legally binding commitment. And there are no "cleanup options" (plural); the AOCs have but one cleanup requirement, background, and there is no option involved. The inclusion of this task suggests the real purpose of the petition, which ATSDR won't release, and breaking the longstanding understanding to stay out of the SSFL matter, is to recommend the federal government break the cleanup agreements and leave much of the contamination not cleaned up.

Third, ATSDR says it will review past studies. But ATSDR's contract for the independent studies performed by UCLA and the University of Michigan, I understand, said ATSDR could review and comment on them prior to their release. It is unseemly to now come back and undertake an evaluation of studies which ATSDR paid for and approved a decade ago. It creates the impression that ATSDR is being asked to erase results that are not favorable to the parties responsible for the contamination.

Ventura County has repeatedly endorsed the cleanup of all contamination at SSFL, i.e., cleanup to the most protective standard. The federal government signed agreements with the state to do precisely that. And there has been an understanding for decades that the federal government would stay out of studying the potential harm to public health it had created by failing to properly operate the hazardous activities at SSFL. The recent initial action by ATSDR to reverse that commitment and undertake a project to decide whether to recommend that the federal government break its cleanup commitments is unacceptable.

I ask you to act immediately to direct ATSDR to stand down, to not move forward with this untoward plan. The federal government contaminated this site in our county; it promised to keep out of health studies of the harm produced, so they could be done independently and without a conflict of interest; and it signed binding agreements to clean up all the contamination. ATSDR should not act to breach these solemn and important pledges. Please reverse course now.

Sincerely,

**From:** [Robert Dodge](#)  
**To:** [Parks, Linda](#); [Bennett, Steve](#); [Steve Bennett](#)  
**Subject:** Fwd: Steve & Linda  
**Date:** Sunday, September 27, 2015 9:35:14 PM  
**Attachments:** [LtrToATSDR9-8-2015.pdf](#)  
[ATSDR-SSFL ltr\\_09082015.pdf](#)  
[RCC letter to ATSDR 9-8-15.pdf](#)  
[PSR-LA letter to ATSDR re SSFL.pdf](#)  
[Alec Uzemeck email re Weitzberg ATSDR petition.pdf](#)  
[ATSDR SSFL Petition and Decsion Letter.pdf](#)

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Dear Linda and Steve,

You know of the concern generated by the approval by the Agency for Toxic Substances and Disease Registry (ATSDR) of a petition by a former SSFL official and current Department of Energy contractor. The petition asked ATSDR to in essence repudiate past studies (previously paid for and approved by ATSDR) that showed potential health impacts from SSFL and to push for the abrogation of the SSFL cleanup agreements.

This would be contrary to a 25-year understanding between the electeds representing the area and the federal government that the latter would stay out of health studies of whether its environmental misdeeds at SSFL had caused harm, because of the obvious conflicts of interest. ATSDR insertion of itself into that matter, and into the cleanup commitments, is thus very disturbing.

I have attached letters to ATSDR, urging them to reconsider, from Professors Morgenstern, Cohen, and Katner, who had performed the independent offsite studies that ATSDR paid for; from the SSFL Epidemiological Oversight Panel, established by local legislators to oversee independent studies; by Physicians for Social Responsibility-LA; and by the Rocketdyne Cleanup Coalition.

I understand that the ATSDR Director is coming here October 8 and 9 and will meet with County officials. I hope you will be in that meeting and able to urge ATSDR to reconsider and not insert itself in the SSFL matter.

Could the two of you work together to arrange a position urging ATSDR reverse course, that the County could communicate to ATSDR in the upcoming meeting? I am concerned that absent that, ATSDR will meet with County staff, and walk away claiming they got not opposition and perhaps even the impression of an offer of cooperation, and thus legitimize them coming in and taking actions that would be detrimental to the County's longstanding support for the cleanup agreements.

It is time to move forward with the site cleanup to prevent further offsite migration of these radioisotopes and chemical toxins that continue to endanger the surrounding residents.

Please feel free to contact me about any of this.

Sincerely,

Bob Dodge

**From:** [Cantle, Cindy](#)  
**To:** [Steve Bennett](#); [Bennett, Steve](#)  
**Subject:** FW: Suprv. Bennett - Santa Susana Field Lab Ltrs  
**Date:** Monday, September 28, 2015 3:34:33 PM

---

From Pavley's staff:

**From:** Craven, William [<mailto:William.Craven@SEN.CA.GOV>]  
**Sent:** Friday, August 21, 2015 11:35 AM  
**To:** Cantle, Cindy  
**Subject:** RE: Suprv. Bennett - Santa Susana Field Lab Ltrs  
Thanks for sending. Agree completely. Bill

---

**From:** Cantle, Cindy [<mailto:Cindy.Cantle@ventura.org>]  
**Sent:** Friday, August 21, 2015 11:20 AM  
**To:** Craven, William  
**Subject:** Suprv. Bennett - Santa Susana Field Lab Ltrs

Dear William,

Attached please find copies of letters from Ventura County Supervisor Steve Bennett regarding the Santa Susana Field Laboratory. The Supervisor appreciates you sharing these with Senator Pavley. Please don't hesitate to contact me if you have any questions or need additional information.

Kind regards,

Cindy

*Cindy Cantle*

*Chief of Staff*

*Supervisor Steve Bennett, First District*

*County of Ventura*

*800 S. Victoria, #1900*

*Ventura, CA 93009*

*(805) 654-2703*

**From:** [Robert Dodge](#)  
**To:** [Parks, Linda](#); [Bennett, Steve](#); [jason.barnes@mail.house.gov](mailto:jason.barnes@mail.house.gov); [William.Craven@sen.ca.gov](mailto:William.Craven@sen.ca.gov); [Elizabeth.Fenton@sen.ca.gov](mailto:Elizabeth.Fenton@sen.ca.gov); [dusty.russell@sen.ca.gov](mailto:dusty.russell@sen.ca.gov); [kyoung@bos.lacounty.gov](mailto:kyoung@bos.lacounty.gov); [tippman@bos.lacounty.gov](mailto:tippman@bos.lacounty.gov); [Levin, Robert](#)  
**Subject:** Fwd: notes re draft to Levin  
**Date:** Monday, September 28, 2015 8:41:47 PM  
**Attachments:** [LtrToATSDR9-8-2015.pdf](#)  
[ATSDR-SSFL\\_ltr\\_09082015.pdf](#)  
[RCC letter to ATSDR 9-8-15.pdf](#)  
[PSR-LA letter to ATSDR re SSFL.pdf](#)  
[Alec Uzameck email re Weitzberg ATSDR petition.pdf](#)  
[ATSDR SSFL Petition and Decision Letter.pdf](#)

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Hello Supervisor Parks, Supervisor Bennett, Rep. Brownley, Senator Pavely, Supervisor Kuehl, Dr Levin, I am writing to you collectively to enlist your help and support in the ongoing Santa Susana Field Lab cleanup efforts.

You know of the concern generated by the approval by the Agency for Toxic Substances and Disease Registry (ATSDR) of a petition by a former SSFL official and current Department of Energy contractor. The petition asked ATSDR to in essence repudiate past studies (previously paid for and approved by ATSDR) that showed potential health impacts from SSFL and to push for the abrogation of the SSFL cleanup agreements.

This would be contrary to a 25-year understanding between the elected officials representing the area and the federal government that the latter would stay out of health studies of whether its environmental misdeeds at SSFL had caused harm, because of the obvious conflicts of interest. ATSDR insertion of itself into that matter, and into the cleanup commitments, is thus very disturbing.

I have attached letters to ATSDR, urging them to reconsider, from Professors Morgenstern, Cohen, and Katner, who had performed the independent offsite studies that ATSDR paid for; from the SSFL Epidemiological Oversight Panel, established by local legislators to oversee independent studies; by Physicians for Social Responsibility-LA; and by the Rocketdyne Cleanup Coalition.

I understand that the ATSDR Director is coming here October 8 and 9 and will meet with elected officials and their staffs. I hope you or staff will be in that meeting and able to urge ATSDR to reconsider and not insert itself in the SSFL matter.

I am hoping you work together to arrange a joint statement from yourselves, and hopefully get other colleagues to sign on, urging ATSDR reverse course, that could be presented to ATSDR in the upcoming meeting? I am concerned that absent that, ATSDR will meet, and walk away claiming they got no opposition, and thus legitimize them coming in and taking actions that would be detrimental to your longstanding support for the cleanup agreements.

I am happy to address any questions or concerns that you might have.

Sincerely,

Robert Dodge, M.D.



Agency for Toxic Substances  
and Disease Registry  
Atlanta, GA 30333

September 25, 2015

RECEIVED

OCT 02 2015

Mr. Steve Bennett  
Supervisor, First District  
Board of Supervisors  
County of Ventura  
Government Center,  
Hall of Administration  
800 South Victoria Avenue  
Ventura, CA 93009

Dear Mr. Bennett:

Thank you for your letters to Secretary Sylvia Burwell and Dr. Thomas Frieden, regarding the Agency for Toxic Substances and Disease Registry's (ATSDR) planned activities at the Santa Susana Field Laboratory (SSFL). Secretary Burwell and Dr. Frieden have asked me to respond on their behalf. As you are aware, a local resident and member of the SSFL Community Advisory Group (CAG) submitted a petition to ATSDR to evaluate the health risks associated with the SSFL site. ATSDR reviewed the petition through our standard process and accepted the petition for evaluation. ATSDR reviewed the petition and in response proposed the following three activities to address the concerns raised in the petition:

1. Determine whether currently there are any completed pathways of human exposure to SSFL-related contaminants and what public health concerns may be associated with those exposures.
2. Evaluate whether the proposed remedial options would be protective of human health.
3. Provide the SSFL community with public friendly information and presentations of ATSDR's findings and the strengths and weaknesses of SSFL-related epidemiological studies.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also known as Superfund), Congress provided ATSDR with the authority to conduct certain public health actions following a request from a community member. All requests are evaluated for their relevance to ATSDR's mission, availability of data and information for an evaluation, and whether an evaluation will provide a meaningful response to the question.

Page 2 – Mr. Steve Bennett

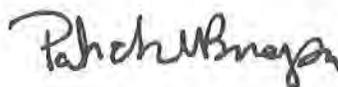
ATSDR's evaluations are designed to determine whether people have been, or are currently being, exposed to hazardous substances (primarily chemicals) released into the environment from a hazardous waste site or facility. We then evaluate whether the exposure is harmful (or potentially harmful) and whether the exposure should be stopped or reduced. These assessments are based on the available environmental sampling data typically collected by the U.S. Environmental Protection Agency (EPA) or state and local regulatory agencies. Please note that ATSDR does not prioritize risk management/remediation options or evaluate the environmental regulatory operational procedures of other organizations or agencies.

We are concerned that there is a misunderstanding of what these proposed activities will accomplish. We believe the findings of these activities will have no implications for the proposed plan for cleaning up the SSFL site and believe the clean-up should move forward.

ATSDR has not initiated any of these proposed activities, and additional information is being gathered to ensure any action will be appropriate and effective. ATSDR will finalize and implement action plans after it has gathered the necessary information. Accordingly, we plan to meet with you, the members of the Board of Supervisors, and other community stakeholders to review our plans to date and to determine whether they are in conflict with state, county, and local efforts.

I have asked Libby Vianu, ATSDR Regional Representative to work with you to schedule this meeting. Please reach out to her with any additional questions. Ms. Vianu may be reached at (415) 947-4318 or via email at [LVianu@cdc.gov](mailto:LVianu@cdc.gov).

Sincerely,



Patrick N. Breysse, Ph.D., CIH  
Director, National Center for Environmental Health  
and Agency for Toxic Substances and Disease Registry  
Centers for Disease Control and Prevention

**From:** [Robert Dodge](#)  
**To:** [Parks, Linda](#); [Steve Bennett](#); [Bennett, Steve](#)  
**Cc:** [Wing, Damon](#); [Cantle, Cindy](#)  
**Subject:** SSFL Cleanup - Board of Supervisors Vote  
**Date:** Tuesday, October 06, 2015 1:36:10 PM

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Linda, Steve, Damon and Cindy. I want to express my gratitude and appreciation to each of you for your help and leadership on this important Ventura County Public Health issue. We will continue from our end to get our state and federal representatives to follow suit and your lead is very important! I was on a call with the head of ADSTR with all of the scientific investigators on my way back to the office and I think he was taken aback by the credibility and organization of our effort. We will have to see where it goes from here.

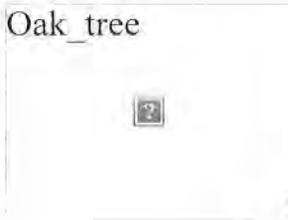
Thanks again.

Bob Dodge

**From:** [Marie Mason](#)  
**To:** [Bennett, Steve](#); [Parks, Linda](#); [Long, Kathy](#); [Zaragoza, John](#)  
**Subject:** ATSDR Letter  
**Date:** Tuesday, October 06, 2015 3:39:02 PM

---

Oak\_tree



Susana Knolls Homeowners Association  
1409 Kuehner Dr. #5  
Simi Valley, CA 93063

Ventura County Board of Supervisors

October 6, 2015

Dear Supervisors

Thank you for your support today regarding your letter to ATSDR. Our community appreciates your continued involvement with the SSFL site cleanup issue.

Best regards,

Marie Mason

Vice President, Susana Knolls Homeowners Association

**From:**  
**To:** [Bennett, Steve](#)  
**Subject:** Thank you  
**Date:** Tuesday, October 06, 2015 1:45:38 PM

---

Thank you for your letter, and for your clear educated guidance to the Board. I am saddened that Supervisor Foy never seems to understand our concerns, again he voted against us.  
But I am so grateful for the other Supervisors who listen to reason and voted to approve your and Supervisor Parks wonderful letter of recommendation to ATSDR.  
Again thank you

## Palmer, Brian

---

**From:** Abe Weitzberg <aweitzberg@att.net>  
**Sent:** Friday, October 16, 2015 11:45 AM  
**To:** ClerkoftheBoard, ClerkoftheBoard  
**Subject:** SSFL Cleanup  
**Attachments:** VCReporter 10-15-15.pdf

Please distribute to the Board for their future consideration as an agenda item and add to the correspondence agenda.

Supervisors:

I am continuing the exchange I started regarding the ATSDR petition because it is just a precursor for the very heated discussions that will occur in a few months after DTSC and DOE issue their draft environmental documents and the actual SSFL cleanup decisions come into focus. There are two conflicting concerns. One is the environmental impact of the cleanup, and preliminary information indicates that it will be substantial. The second is the reduction in on-site and off-site health risk that would accrue from the cleanup. Also, within the surrounding communities, there are two widely differing views of the appropriate levels of cleanup. One is to remove only those contaminants that pose a risk, while the other is to clean up 450 contaminants of concern to background or detect levels, whether or not they pose a risk. The second approach has never been used anywhere in the world and was devised solely for SSFL because of the claimed off-site health effects. That is why the ATSDR review of health effects is so important.

From the content of the letters from Supervisors Parks and Bennett regarding the SSFL agenda items of October 6 and 13, it seems that you are getting only one side of the discussion, and that the information is far from complete. My views on the source of the ATSDR furor is contained in the attached letter that was published in the Ventura County Reporter on October 15, 2015. If you have time, please check the references upon which I rely for my information.

I will try to give you some additional perspective on some of the information contained in the Supervisor's letters. You state "500,000 gallons of TCE and perchlorate" yet the TCE is tied up in the fractured bedrock which is not included in the debate about the level of soil cleanup. The perchlorate was not used extensively at SSFL and it has been largely cleaned up. You say "highly polluted with radioactive and chemical contaminants" but there are only 12 small areas that have radiological contamination above suburban residential levels. The word "radioactive" is only used to scare people, even though the site is primarily a chemically contaminated industrial site no different from many others within the state.

You talk about the 2010 legally binding agreements, but neglect the fact that they include compliance with all State and Federal laws, which include environmental laws. If a developer had a contract to dig and haul a couple of million cubic yards of soil, with hundreds of thousands of trucks travelling through neighboring communities, I expect that you would make sure that the benefits of the project outweighed the environmental consequences.

You also state that cleanup should be based on "current zoning and County General Plan land use designations, which for SSFL would require cleanup to the most protective standards, equivalent to a cleanup to background." Without going into how this policy was made, I would like to point out that the natural arsenic level in the SSFL soil is 10,000 times greater than the EPA agricultural soil screening level, thus rendering SSFL unfit for any agriculture or residential backyard gardens. It makes no sense to use agriculture as the basis for advocating a background cleanup per the 2010 AOCs. In fact, if the supervisors want to be part of the solution rather than part of the problem, changing the SSFL zoning to open space would be constructive, since there is general agreement that the end use for the site should be parkland.

Finally, in discussing the surface water runoff from SSFL, you describe SSFL contaminants as "lead, copper, dioxin, mercury, cobalt, thallium, arsenic, zinc, cadmium, PCBs, VOCs, perchlorate, Cesium-137, Strontium-90, thorium, and tritium." Of these, lead, dioxin, arsenic, cesium-137, strontium-90, thorium, and tritium all occur in background areas and come from the geologic formation, 50 year old nuclear weapons testing throughout the world, forest fires, and

natural atmospheric deposition. As I stated before, the Water Board requirements for these contaminants are determined by protecting biota, not people.

Since it appears that you are getting your information primarily from the antinuclear activist who has made his living for decades from exploiting people's fears over SSFL health effects, I suggest you become better informed on the issues before the cleanup decisions are made. In that way you will be able to better serve all of your constituents in achieving a prompt, protective cleanup.

Thank you,  
Abraham Weitzberg, Ph.D.

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## SSFL -- Decades of Manipulation

A recent letter campaign to local papers<sup>1,2,3</sup> has forced me to speak up. They contained patently false information about me and the Agency for Toxic Substances and Disease Registry (ATSDR) regarding a petition I had submitted regarding the Santa Susana Field Laboratory (SSFL) cleanup. Simply stated, I alone wrote the petition after receiving authorization from the SSFLCAG (Community Advisory Group), and with no guidance or input from either the Responsible Parties or the regulatory agencies. My only connection to SSFL was prior employment with Atomics International from 1962 to 1965, over 50 years ago. I am a local resident who is concerned about achieving a protective cleanup of SSFL that does not do more harm than good.

The coordination for the attacks became clear when a flyer<sup>4</sup> was distributed at a DTSC public meeting on September 8, 2015 by the Rocketdyne Cleanup Coalition (RCC) and the SSFLWorkgroup. The authors are all associated with those groups and their letters contained the same misinformation. After the leader of those groups, Dan Hirsch, made similar attacks during the meeting, the obvious question was "why?"

The likely reason for those groups trying to prevent an updated study by ATSDR can be found by reviewing their prior interaction with ATSDR. In 1999, ATSDR published a draft report of its SSFL study, entitled "Draft Preliminary Site Evaluation."<sup>5</sup> The report is comprehensive, well documented, and specifically addresses the concerns of the community. The executive summary should be read by anybody who wants to understand the current controversy. The ATSDR study was the result of a petition request to conduct a public health assessment. Since the RCC was active at the time it would be very surprising if they did not support the petition. As part of the study ATSDR conducted three public availability sessions to collect information from the community about their health and environmental concerns. The study concluded "In this preliminary evaluation of available data and information, *ATSDR has not identified an apparent public health hazard to the surrounding communities because people have not been, and are currently not being exposed to chemicals and radionuclides from the site at levels that are likely to result in adverse health effects.*"

According to both references 3 and 4, community members and some elected officials were able to create the SSFL Advisory Panel<sup>6</sup> to oversee so-called **unbiased and independent** studies. It is sufficient to note that the panel was run by Dan Hirsch and the studies and researchers were selected by Dan Hirsch, who himself was certainly not unbiased. The community members and their elected officials can readily be identified in photos on the RCC website, and they are the same people and organizations who are now attacking me, my petition and ATSDR.

These "independent" studies included epidemiological studies of workers and a small population in the vicinity of SSFL. They are irrelevant to the cleanup because the operational activities at the site have ceased and the only future workers will be those doing cleanup. Additionally, Dr. Morgenstern concluded his off-site study with the words "There is no direct evidence from this investigation, however, that these observed associations reflect the effects of environmental exposures originating at SSFL." The pathway study by Yoram Cohen was acknowledged to be extremely conservative, and many questions were asked of Professor Cohen but none were answered. However, it also is irrelevant to the cleanup because the pathways from site operations no longer exist.

I first learned about the ATSDR study in 2014 when I was authorized by the CAG to summarize all previous health and pathway studies related to SSFL. My report containing links to all of the original study documents can be found on the CAG website at <http://ssflcag.net/>. There are numerous other health studies that provide conclusions that differ from those of Drs. Morgenstern and Cohen. In fact, the only studies that suggest a link between SSFL and off-site communities are those directed by Dan Hirsch. After studying all of the reports and seeing the differences, as can be seen in my petition<sup>8</sup>, I attempted to create a panel discussion where all of the authors would come together in public and reach consensus. In discussion with Dr. Cohen, the idea of petitioning ATSDR was born. It did not arise from some collusion between me and the responsible parties.

It should be apparent that the only reason ATSDR is being attacked is that some people are afraid that a truly unbiased study will not support the narrative of Dan Hirsch. I ask: "Is it not time to consider the views of all segments of the affected communities in making cleanup decisions?"

<sup>1</sup>[http://www.toacorn.com/news/2015-09-03/Letters/Field\\_lab\\_cleanup\\_should\\_continue.html](http://www.toacorn.com/news/2015-09-03/Letters/Field_lab_cleanup_should_continue.html)

<sup>2</sup>[http://www.simivalleyacorn.com/news/2015-09-4/Editorials/Feds\\_are\\_trying\\_to\\_break\\_promise.html](http://www.simivalleyacorn.com/news/2015-09-4/Editorials/Feds_are_trying_to_break_promise.html)

<sup>3</sup>[http://www.vcstar.com/opinion/columnists/dr-robert-dodge-the-shell-game-at-the-santa-susana-field-laboratory\\_76071344](http://www.vcstar.com/opinion/columnists/dr-robert-dodge-the-shell-game-at-the-santa-susana-field-laboratory_76071344)

<sup>4</sup> <http://ssflcag.net/resources/WG6.jpg>

<sup>5</sup><http://www.atsdr.cdc.gov/hac/pha/pha.asp?docid=78&pg=0>

<sup>6</sup><http://ssflpanel.org/>

<sup>7</sup>[http://ssflcag.net/resources/Cancer\\_Studies/Studies%20of%20Health%20Effects%20Possibly%20Related%20to%20the%20Operation%20of%20the%20Santa%20Susana%20Field%20Laboratory%20\(SSFL\)%20V1\\_1.pdf](http://ssflcag.net/resources/Cancer_Studies/Studies%20of%20Health%20Effects%20Possibly%20Related%20to%20the%20Operation%20of%20the%20Santa%20Susana%20Field%20Laboratory%20(SSFL)%20V1_1.pdf)

<sup>8</sup> <http://ssflcag.net/resources/ATSDR%20petition%20and%20response0001.pdf>