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California Environmental Protection Agency Disappointed with Court's Ruling on Boeing v. Department of Toxic Substances Control

SACRAMENTO, Calif. -- Today, Secretary for Environmental Protection Linda Adams released the following statement in regards to a federal court ruling in the Boeing v. DTSC case regarding the cleanup of the Santa Susana Field Laboratory released yesterday:

"We're disappointed in the federal court's decision to preempt California's SB 990 law and allow Boeing to clean up the SSFL site to a less health protective standard than California law requires. The community deserves better. SB 990 imposed the most stringent, health protective standards on the responsible parties to ensure that the contaminated site is cleaned up to the highest environmental standards to fully protect public health and the environment."

"Despite the ruling, we'll continue to work with the federal Department of Energy, and the National Aeronautics and Space Administration (NASA) to clean up their portions of the site to the highest standards and will continue to press Boeing to reach resolution with the State on performing a cleanup that meets California's stringent standards that will protect the health and well-being of thousands of residents in the surrounding communities."

"In the meantime, we plan to appeal the judge's decision and compel Boeing to clean up the site to the highest environmental standards for the benefit of the entire community."

SSFL is a former rocket engine test and nuclear research facility on more than 2,800 acres along the border of Los Angeles and Ventura counties. The Boeing Company, NASA and DOE operated facilities on portions of the property from 1949-2006, and are responsible for the cleanup overseen by DTSC. DOE once operated several nuclear reactors, associated nuclear fuel facilities and laboratories on what is known as "Area IV" of the SSFL facility. NASA conducted liquid-fuel rocket engine testing on its portion of the facility (Area II and part of Area I).

The state has been in negotiations with all three responsible parties for several years. In November 2009, Boeing sued DTSC over the enforceability of SB 990, legislation that was passed by the legislature and signed into law in 2007. Boeing has continued to investigate contamination at the property under an earlier agreement that is not to the stringent environmental standard called for in state law.

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