

Committee to Bridge the Gap  
Parents Against SSFL  
Physicians for Social Responsibility-Los Angeles  
Public Employees for Environmental Responsibility  
Rocketdyne Cleanup Coalition

August 21, 2023

Chair and Members  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013

Via email c/o [duong.trinh@waterboards.ca.gov](mailto:duong.trinh@waterboards.ca.gov)

*Re: Proposed Reissuance of Waste Discharge Requirements (WDR) and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0001309 for the Boeing Company/Santa Susana Field Laboratory*

Dear Chair Camacho and Regional Board Members:

A year and a half ago, when Board staff first proposed issuing to Boeing a new permit to allow discharges of pollution from this site, we wrote:

**The Santa Susana Field Laboratory (SSFL), the headwaters of the LA River, is one of the most contaminated sites in the country and arguably the most polluted place within the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). We write in opposition to the woefully inadequate and non-protective proposed pollution discharge permit for The Boeing Company and SSFL.**

After hearing troubling testimony on February 10, 2023, about the polluted site and the proposed permit, the Board decided to continue the matter for a week. However, on February 15, the Board canceled the followup meeting and indefinitely postponed consideration of the controversial proposed permit, saying “Upon further consideration, in light of the *significant public testimony* and Los Angeles Water Board’s *desire to fully consider that testimony*, the Los Angeles Water Board is postponing the public hearing for its continued deliberation on this matter to a future date.”<sup>1</sup> The Board said that until the Board reconvened on the matter, the expired 2015 permit would remain in force.

SSFL has operated nearly three and a half years on an expired permit, and now a hearing has been scheduled on a new revised tentative permit. The changes made to the proposed permit are largely marginal and cosmetic, and the fundamental problems remain.

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<sup>1</sup> LARWQCB, [Notice of Postponement of February 17, 2022 Public Hearing](#), Feb. 15, 2022, emphasis added..

Attached please find our January 18, 2022, comments and the exhibits thereto on the December 2021 proposed tentative permit, and our PowerPoint presentation from the February 2022 hearing, in part responding to staff responses to our comments. These are incorporated herewith by reference.

The problems we identified largely remain. We briefly summarize them here:

- Roughly 90% of the toxic chemicals detected at SSFL are exempted from enforceable limits in the proposed permit. And there are a large number of other hazardous materials that were used at the site or are decomposition products of materials that were used, which also are exempted from enforceable limits.
- Additionally, no monitoring is required for the great majority of toxic chemicals used at and/or found at the site.
- What limited monitoring is required is self-monitoring, i.e., by the party responsible for the pollution and thus of questionable reliability, given the conflict of interest and inherent bias.
- The monitoring requirements are often only once per year, using detection limits incapable of seeing contamination at the levels of concern, and allowing, with the exception of some metals, filtering, which would filter out precisely the contamination one is supposed to monitor for.
- To reduce its fines for violation of surface water pollution discharges, Boeing has, with Board approval, re-routed contaminated water from surface water outfalls to unlined ponds such as Silvernale, where the polluted water infiltrates into groundwater, further contaminating groundwater.
- Despite the great hazard that they entail, the proposed permit proposes no limits or monitoring for per- and polyfluoroalkyl (PFAS) contamination has become a major public health concern in California, the nation, and across the planet. These so-called “forever chemicals” which do not break down in the environment, meaning that many bio-accumulate in the environment — and in us.
- Similarly, the proposed permit is grossly deficient regarding PCBs. We note that PEER submitted a Public Records Act request to the Board on December 7, 2022, regarding key documents about PCBs, and the Board has still failed to produce the full set of records. We have attached in this submission additional detail about the PCB concerns.
- Outfalls 001 and 002 had unenforceable “benchmarks” instead of enforceable limits. Board staff now propose to include enforceable limits for those outfalls. But it then adds a provision that violations of limits (and fines) would be waived at Outfalls 001 and 002 if they were for contaminants that were also violated at Outfalls 011 or 018 during the same rain event. Thus, what the Board staff giveth with one hand it taketh away with the other.

In the wake of the Board's loss of public trust regarding Santa Susana due to the Board's actions last year, we urge the Board to dramatically strengthen this ineffective proposed permit.

Sincerely,

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Committee to Bridge the Gap

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Enclosures: as stated