

February 5, 2008

State Water Resources Control Board  
Strategic Plan 2008/2007 Update.

*E-mail address: strategicplan@waterboards.ca.gov*

[Http://www.waterboards.ca.gov/strategicplan/January 17, 20082007update.html](http://www.waterboards.ca.gov/strategicplan/January%2017,%2020082007update.html).

Dear State Water Board Members,

After having read and reviewed the State Water Boards Strategic Plan Jan. 17, 2008-2007 update several items addressed and others not addressed came to mind. My comments and opinions stems from personal knowledge having attended the SSFL Hearings and Work Shops Since 1992, and having recently read the Superfund Request Sheet of 1994, SFUND Records CTR 2052012 documents.

Which address under;

Rockwell- SSFL I CAD 982399719  
(Burnpit) P.A. 10/89 NFA

Rockwell- SSFL II CAD 982399776  
(Landfill) P.A. 10/89 NFA

Rockwell SSFL CAD 093365435  
(Priv. owned) P.A. 11/87  
SI 9/89 NFA

Rockwell SSFL CA 1800090010  
(NASA) P.A. SI 9/89 Law  
SI 2 3/94 Law

SSFL Site P.A./SI 12/89 CAD 000629972  
(DOE) SI 2 3/94 LAW CA 3890090001

**decision from w/priory not on file**

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P.A. = Protection Agency  
S I = Site Inspection

The September 2003 EPA Site Inspection Report Energytechnology Engineering Center/Area IV , Simi Valley Hills California (AKA, SSFL Site).

EPA ID no. CA 3830090001 U.S. ACE Contract no. DACA 45-98 D0004, Delivery Order no. 25, Work Order no. 20074.025.161, was prepared by the U.S. EPA Region 9.

I was most interested in the wording;

3.0 Investigation effects, from1929-1998, and

4.0 Hazardous Ranking Systems Factors

4.1 Sources of contamination

4.2 Ground Water Path Ways

4.3 Surface Water Path Ways

4.4 Soil exposure

4.5 Air Path Ways

All of which are very informative to this up-date, quite an eye opener from this citizens stand point! I like thousands of others unsuspecting residents of Simi Valley , (who have raised our children at the foot hills of the Rockwell/Boeing Rocketdyne Missal Site since 1969-70) would have appreciated having been informed of the health hazard to our drinking and ground water prior to purchasing our first family home.

My concerns on; The State Water Resources Control Boards Draft Strategic Plan update January 17-25, 2008-2007 are as follows;

**First;** I'm outraged that the only method available to voice our concerns and comments is for the public to E-Mail, (we were told) "no other means of accepting comments would be allowed"! Yet, in the October 2007, and the December 30, 2007 Draft Strategic Plan Update it was stated that the SWRCB is committed to the public participation process. How can that be possible when not all residents in the State of California are hooked into e-mail, nor do they find it a viable means to correspond! What happened to "good old fashion" written comments?

\* My objections to only accepting e-mail is two fold, (1) It's been my experience that e-mails are limited as to how long, or how many words you are allowed . And, (2) I take exception/ find fault with having my freedom of speech infringed on. Why not just print out a form that pigeonholes the response you want. But, don't placate the public by restricting our method of commenting under the guiles of technology.

There is something final to a written signed document; letter or correspondence that once dated and signed retains its authenticity. A formal enforcement in my opinion is a written document, order, instructions not an electronic e-mail that is subject to human error, or changing of words when submitted.

**Second;** What ever is said at the work shop doesn't necessarily go into the public comment section. The public at large loses the input and knowledge of other responses made during the work shop. I personally gain a different understanding and knowledge from listening to the thoughts and comments of other participants. Which to me is a very important part of the public participation process.

\* A suggestion would be to put make recording of the work shops that can be accessed by the public.

**Third;** On p. 2 of the forward of the SWRCB's Update Strategic Plan January 17-25, 2008-2007 it states that," this update of the Water Boards Strategic Plan Update is intended to cover the year 2008-2012. I'm concerned that the Jan.17-25, 2008/2007 S.P.U-D doesn't mention the previous update. There are questions left unanswered regarding the previous water quality plan. In order to have a cohesive plan I am of the opinion we need the previous information of what transpired in the preceding year, at least an update where we fell short and where we met our objectives. I see no mention of or input in the January 17-25, 2008-2007 SWRCB update.

On, p.3, of draft, #2, l. 9, the statement under; Over Arching Framework, "that takes systems interaction into account", what does that mean? And, how does this measure effected compliance of, The Clean Water Act under Federal or State Statues and adopted Regulations?

On p. 6, #1, of Environmental Priorities, Priority I, Protection and Restore Surface Water, L. 7-8, "under Clear Water Act, The Water Board are required to identify water bodies that do not, "meet water quality standards and bring them into compliance". And, same page L. 14, it continues; "Compliance may be achieved by, and it list three means to obtain compliance".

Where on p. 7 #2, L. 1-3 it lists, Long Range Approach is to managing the problem. It states, "every violation "should be" met with meaningful response from the State Water Board, and "all significant violations "should be" addressed by" formal enforcement action".

\*A suggestion would be to change "should be" to "**shall be**" adding authority to deter deliberate violations. I would prefer adoptions of stronger language leaving less chance for supposition or whim.

Line 4, same page states; with the Water Boards regulatory frame work, "Enforcement Action"/ and alludes to helping to protect public health and the environment/. Whereas,1.5.1 under; Priority, Objection, take appropriate "Enforcement Action" and innovative approaches as needed to protect, and restore "All Surface Water" p. 11, #6, L. 1-2 of draft 1/17,25/08-07.

I would hope that formal enforcement and formal action are a result of a signed and dated written document, not an electronic e-mail submitted. The frame work for compliance shouldn't be just another word used to fill the pages of yet another SWRCB Draft Strategic Plan Update!

\* Therefore, if I understand your meaning correctly SWRCB is requiring “**all**” communities and cities thought out the State of California to comply, or are you just requiring areas within SWRCB’s jurisdiction? My comment or, question if you would stems from personal knowledge of a significant violation of the NFIP, Title 42 Health and Safety.

An example would be;

A noncompliance Cause of Action was filed in December of 1991, **Doose v. State Water Resources**. Sighting the noncompliance of the City of Simi Valley to administer and enforce the National Flood Insurance Program (NFIP), under the authority of Title 42 CFR , Ch. 1, sec. 59-73 flood plain management. The Doose v. SWR has been blocked from a court of law for “**sixteen years**” now. The city virtually deleted areas that were in the flood plain for their own personal gain, and in doing so caused differential settling to occur to the footing of my home. The importance of including this case law as part of my comments is relevant to compliance, and speaks volumes to following up, taking enforcement action when violations are reported in written form!

The incident and law suite were sweep under the carpet causing insurmountable hardship for me and my family.

Under; p.7 ,#2, L. 1-3 of the SWRCB,SP 2008/2007 Update, it states and I quote,“ and, “**all significant violations should be addressed by formal enforcement action”.**

So, how will this be different? What safe guards do the citizens of Southern California have against “criminal noncompliance”??? To date this violation has never been resolved by FEMA or State Water Resources Agency. Not a very good tract record for the SWRCB, the SWR agency, or the State of California who would have the public believe that the public’s best interest is of the utmost concern.

What assurances do we, the public have that SWRCB will take action even when Laws have been adopted? The criminal act of noncompliance was reported in 1988 to the SWRCB who took no action. I sincerely hope that the “**Innovative Approach**” that was referred to on p. 11,#6, L. 1-2 of the draft 1/17/2008-2007 wasn’t denying the existence of the criminal noncompliance when SWRCB stated; “**that violations in Ventura County weren’t in there jurisdiction**”!

Having had sixteen years of personal knowledge of side stepping responsibility when the SWRCB drops the ball. I must strongly disagree with your forgone conclusion statement 1.5.1 under Priority, Objections, take appropriate “enforcement Action” and “innovative approaches” as needed to protect , and restore “all surface water”.

Whereas, P. 12, # 1, L. 4 Draft update 1-25-08/07, I strongly disagree with your statement under; Long range approach to managing the problem. P. 13, #1, L. 1 “when noncompliance is reported, Federal and State Statues, and Regulations are sited showing a deliberate, violation of falsifying of documents , an on going conspiracy to cover up for crimes committed against the publics health”, **than yes!** It is proper under the Law to single out the responsible parties!!

Simply stated to continue to cover up for persons who have committed a crime makes you, the SWRCB an accessory to the crime just as if you committed it yourselves!

On p. 16, #3, L.2 , I would concur with the statement: “that /our/State is struggling to meet its goals as defined in the California Water Plan.

\* And, I too am overly concerned, and skeptical of the States ability to manage our Water Supply/ while maintaining a commitment of environment stewardship”. And I would add to that statement the “**Publics Health**” due to the importance of our ground and drinking water that have been contaminated for the last 40 years by the Rocketdyne/Boeing Rocketdyne Missal site.

### **Support Documentation;**

While doing my research in preparing to respond to the SWRCB,SP2008/2007 Update I came across documents that support the claim of water contamination by the Rocketdyne Missal Site. One such document was the previously mentioned Summary Review of Preliminary Assessment /Site Inspection of Rockwell International Santa Susan Field Laboratory , dated July 19, 1989, EPA ID# CADO93365435, CA1800090010, CA3890090001

Under **2. Site Description**, P. 4, #3, L.4-5 it states; “A TCE reclamation system was established around 1960, but was reported unreliable” (1).

Same page #6, it states and I quote; “In addition to the surface impoundments, there are at least 17 known areas where material were stored or treated. Many of these areas lacked the proper containment facilities to prevent a release of contaminants to the environment in the event of improper storage or “**Spill’s**”.

\* The evedince since 1989 gives proof that several unclear spills did occur, that contaminated our water supply.

Under **3.1 HRS Summary**, P. 13, #2, L.1,it states; “Although VOC contamination has been documented beneath the facility”( referring to SSFL) it goes to say “existing off-site data does not show that the contamination has migrated off-site”.

\*The existence of migration has been confirmed since the July 19, 1989 document was prepared!,

Same page, # 4, L. 1-6, it states; “In the 1970’s, there was an accidental spill of radioactively-contaminated water from a tank in the Radioactive Material Disposal facility (RMDF) area. L. 7,”finding this contamination, the soil in the area was excavated and the joints and fractures in the Chatsworth Formation were sealed with asphalt. However, there is still a high probability that radioactive contaminants have been released to the groundwater beneath this area. This potential observed release has not been fully investigated”.

Under **3.3 Waste Type and Quantity**, P.14,#3, L. 8-10 it states; “The report estimated that approximately 870 tons of wastes have been deposited in these impounds in the last 25 year. Many of the impoundment were unlined. The concrete lining in other ponds was

not adequately maintained and inspection reports showed that most of them contained cracks. No leachate recovery system were installed at the impoundments (2)".

Same page #6, L. 2, it states; "drums containing sodium, potassium, sodium-potassium, zirconium hydride, and lithium awaiting treatment at the Sodium Burn Facility ".

P. 15, # 1, L.1-6 "Eighty-nine drums containing such material as oil, alcohols, sodium and sodium reaction products, grease, phosphoric acid and asbestos were removed in the early 1980's from an unregulated temporary drum storage area referred to as the Old Landfill in Area IV (7)." L.6, "Aerial photographs showed that hundreds of drums were stoyed there in 1960's and 1970's with no containment structures".

P. 16,#1, L 1-7, it states; " Sometime in the earliey 1960's **radioactively-contaminated water** containing strontium-90 and yttrium-90 was released to soil in and beneath a sanitary sewer leachfield for the RMDF. /the jointa and fractures in the Chatsworth Formation were sealed with asphalt, but there is still a high probability that contamination reached the ground water in this area".

\* Data and facts presented since 1989 substantiate that ground and drinking water contamination has occurred.

The relevance of these facts presented are monumental to the State Water Resources maintaining, and enforcing the States Ground and Drinking Water is free from toxic chimerical as prescribed under the Clean Water Act! How can the SWRCB continue to allow massive development in the smaller communities when water supply can't and hasn't been monitored to meet the Health Standards for Drinking Water?

Its no enough to talk about what steps are being made to meet our water expansion, we need to "assure" that what water we do have is safe guarded , free from toxic chemicals. In my opinion if that means saying NO to development in areas where major drinking water problems exist, then so be it! The SWRCB has dropped the ball big time, now I would like to see somestrong enforcement action taken as stated in the States WBQC documents!

Sincerely,

Ginn Doose  
c/o P.O.Box 2310  
Clearlake, Ca.  
95422

cc; State Water Resources Control Board