

SANTA MONICA, CA –After regulators failed to meet a 24 hour deadline set by public interest groups to stop Boeing from demolishing and disposing of radioactive waste at facilities not licensed to accept radioactive waste and at recycling plants, Consumer Watchdog and Strumwasser & Woocher LLP are filing suit against the Department of Toxic Substances Control (DTSC) and the Department of Public Health (DPH) to force their hand.

Radioactive debris from the Santa Susana Field Laboratory in Simi Valley has already been disposed in municipal landfills, hazardous waste landfills like Buttonwillow in Kern County, and at metal, concrete, and asphalt recycling shops. Physicians for Social Responsibility-Los Angeles, Committee to Bridge the Gap, and the Southern California Federation of Scientists also joined the suit.

The complaint being filed alleges the continuing violation of the California Environmental Quality Act (CEQA) by Respondents because they have entirely failed to perform any of the required environmental review for the demolition of structures at Area IV of the Santa Susana Field Lab site prior to authorizing their demolition and disposal.

“Respondents have approved, without environmental review, the demolition and disposal of structures that are, by Boeing’s own measurements, radiologically contaminated,” the complaint says. “Worse, Respondents are expressly approving Boeing’s disposal of this radiologically contaminated waste offsite to toxic waste facilities that are neither licensed, nor designed, to accept radiologic material. Many tons of these materials have even been sent to recycling facilities so that these radiologically active materials enter the commercial metal supply.”

Consumers may be buying products or working in buildings tainted with the contamination. “It is paramount that the public be protected from toxic, and in this instance radioactive, harm,” said Consumer Watchdog Liza Tucker. “If the state won't live up to its mission, we must force it to do so. People shouldn't be wearing radioactive belt buckles or working in radioactive office buildings.”

Only licensed facilities with barriers to prevent any material from escaping for 500 years can accept low-level radioactive waste in California, which has no such facility. Hazardous waste facilities are not deep enough to safely contain radioactive waste.

The DTSC already approved the disposal of debris from six structures at the site. A nuclear reactor structure has also been demolished, but it is unclear if the debris has already been shipped off site. And the radioactively-contaminated plutonium fuel fabrication building structure awaits a decision. Four more radioactive structures also await decisions on disposal. Exposure to radioactive waste can cause cancer and genetic mutations.

“Plutonium 239 is by far the most dangerous radioisotope and one of the most toxic substances known,” according to Dr. Robert Dodge, Board Member of Physicians for

Social Responsibility-Los Angeles. "Once it circulates and deposits throughout the body, it exposes the blood, kidneys, liver and spleen to its cancer-causing alpha particle emissions."

Yesterday, Consumer Watchdog revealed that regulators at the troubled DTSC and at DPH have been quietly allowing Boeing to demolish all of its radioactively-contaminated structures at the Santa Susana Field Laboratory (SSFL) site in Simi Valley and dispose of the debris at sites that are not licensed to receive low-level radioactive waste.

The US EPA has estimated that a person exposed to the levels of radiation that regulators and Boeing are using as radioactive release criteria could deliver a dose up to 45 millirem per year. That is equivalent to 22 additional chest X-rays a year and almost twice EPA's limits for public exposure from an operating nuclear plant, but it is what DTSC, DPH, and Boeing have used to approve sending radioactive materials offsite, Tucker said.

A report delivered to state regulators yesterday asking them to cease and desist shows:

- Boeing's own data analyzed in the report indicate structures already demolished were radioactively contaminated.
- In April this year, at the DTSC's request, Boeing amended its procedures for building demolition to include radiological facilities and allow them for disposal in unlicensed sites. It gave the public no notice or opportunity to comment.
- The DTSC performed no environmental review of the demolition and disposal plans in direct violation of the California Environmental Quality Act.

Read the report by Daniel Hirsch, President of Committee to Bridge the Gap here: <http://www.committeetobridgethegap.org/SSFLDemolitionAndDisposalStudy.pdf>

Recycling companies Gillibrand of Simi Valley, *Kimco of Sun Valley*, and Standard Industries of Ventura have received material from the SSFL nuclear site. Debris has also been shipped for disposal to the Buttonwillow hazardous waste landfill operated by Clean Harbors Inc. in Kern County, and to *municipal or industrial waste landfills Azusa Land Reclamation, Lancaster Landfill and Hauling*, and McKittrick Waste Landfill, according to Boeing's data. None of these facilities are licensed to accept radioactive waste.

See radioactive waste disposal map here: <http://www.consumerwatchdog.org/resources/nuclearwastemap.pdf>