UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

APR 10 2014

Allen Elliott
National Aeronautics and Space Administration
MSFC AS01, Building 4494
Huntsville, Alabama 35812

Subject: Final Environmental Impact Statement for Proposed Demolition and Environmental Cleanup Activities at the Santa Susana Field Laboratory, Ventura and Los Angeles Counties, California. (CEQ# 20140070)

Dear Mr. Elliott:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement for Proposed Demolition and Environmental Cleanup Activities at the Santa Susana Field Laboratory in Ventura and Los Angeles Counties, California. Our comments are provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), our NEPA review authority under Section 309 of the Clean Air Act, and the provisions of the Federal Guidelines promulgated at 40 CFR 230 under Section 404(b)(1) of the Clean Water Act.

In our September 30, 2013 letter, EPA rated the Draft Environmental Impact Statement Environmental Concerns – Insufficient Information (EC-2). We continue to have concerns about impacts to air quality and environmental justice. Our recommendations regarding these and other matters are provided below.

Air Quality

In our comments on the DEIS we recommended that, "if NASA plans to use offsets to demonstrate compliance with General Conformity: the FEIS should commit to fully offset emissions (i.e. to zero) of any pollutants for which the projected emissions would exceed the de minimis thresholds." The FEIS and the General Conformity Analysis (Appendix I), however, continue to propose only offsetting emissions to the de minimis threshold (e.g. p. I-2). Offsetting emission to only the de minimis threshold is not consistent with 40 CFR 93.158(a)(2), which requires "the total of direct and indirect emissions from the action are fully offset within the same nonattainment or maintenance area ...so that there is no net increase in emissions of that pollutant." We recommend that NASA revise its General Conformity Determination, and solicit public input on the revised document, prior to finalizing the Record of Decision.

While the cumulative traffic impacts have been updated in the FEIS, as we recommended, the update mainly revises the number of trucks hauling contaminated soil. We note, however, that the FEIS also states, "... to better coordinate remediation activities, NASA, DOE and Boeing are developing a transportation plan" (p. K-1325). If the joint transportation plan has not been completed prior to finalizing the Record of Decision, the plan should be identified as a mitigation measure (in the Record of Decision) with a specific date or process step (e.g. prior to hauling contaminated soil) for completion.

In a September 26, 2013 comment letter, Ventura County Air Pollution Control District requested a screening health risk assessment in a discussion of the impacts of diesel trucks hauling debris, contaminated soil, and backfill, In response, NASA committed to dispersion modeling and preparation of a risk assessment, if appropriate (p. K-2336). Given that the cumulative estimate of daily contaminated soil hauling increased from 135 truck round trips in the DEIS (p. 4-161) to 314 in the FEIS (p. 4-168), we recommend that the dispersion modeling commitment be extended include all activities addressed in the joint NASA, DOE, and Boeing transportation plan. It should include cumulative dispersion modeling of priority pollutants and diesel particulates, with toxicity weighting and, if appropriate, cumulative risk assessment.

Environmental Justice

We remain concerned about environmental justice impacts near facilities receiving contaminated soil. We acknowledge that NASA's plan to use multiple disposal facilities will reduce the anticipated impacts near each facility (p. K-1325), however, NASA's purchase of offsets to reduce emissions elsewhere in an air district would not reduce the local effects of diesel engine emissions. In response to our recommendation to use 2010-compliant trucks, the FEIS states, "where possible, NASA's contractors will use on-road heavy duty diesel trucks that meet or exceed EPA's emissions standards for 2010" (p. K-1327). It explains that a limited number of these trucks may be available at the time cleanup activities are ongoing (p. K-1327). We recommend that NASA commit, in its Record of Decision, to clearly give preference to newer trucks and trucks retrofitted to meet newer emission standards (e.g. Tier III, Tier IV 2007 and Tier IV 2010) in its solicitations to contractors.

Wetlands

We acknowledge NASA's commitment to obtain a Clean Water Act Section 404 permit and Section 401 Water Quality Certification (BMP-5). We look forward to reviewing NASA's compensatory mitigation plan, as part of the Army Corps of Engineers' Section 404 permit.

Preservation of Cultural Resources

The FEIS states that decisions regarding abatement, encapsulation or other methods to minimize hazards at test stands will be part of the property transfer process (K-1337). We recommend that this commitment be reflected as a mitigation measure in the Record of

Decision that requires the transfer agreement to discuss necessary hazard control measures for cultural resources, unless the work has already been performed.

We appreciate the opportunity to review this FEIS. When the Record of Decision has been signed, please send one copy to the address above (mail code: ENF-4-2). If you have questions, please contact me at (415) 972-3521, or contact Tom Kelly, the lead NEPA reviewer for this project, at (415) 972-3856 or kelly.thomasp@epa.gov.

Sincerely,

Kathleen Martyn Goforth, Manager
Environmental Review Office

cc (via email): John Jones, Department of Energy
Ray Leclerc, Department of Toxic Substances Control
Cassandra Owens, Los Angeles Regional Water Quality Control Board
Mike Villegas, Ventura County Air Pollution Control District
Susan Nakamura, South Coast Air Quality Management District
Sam Cohen, Santa Ynez Band of Chumash Mission Indians