

**Testimony to
The Assembly Committee on Environmental Safety and Toxic Materials**

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I wish to thank the Environmental Safety and toxic Materials Committee for inviting me to testify today. My name is Dr. Ronald Ziman. I am a physician-neurologist faculty member at UCLA and was formerly in private practice in the San Fernando Valley. I am a resident of Bell Canyon which is immediately adjacent to the SSFL. We are downwind, down stream and down hill from the SSFL. 90% of SSFL's watershed flows south toward Bell Creek which runs through our community. Bell Creek is the headwaters of the LA River. No community is more affected or has a larger stake in what happens at SSFL or how the cleanup will be conducted. I am the vice-president of Bell Canyon's Homeowners' Association and vice-chair of the SSFL CAG. The opinions I express here today are my own and not necessarily those of every member of the CAG or the Homeowners' Association.

Regarding the question of DTSC's receipt of payments from the SSFL's responsible parties (RP's), it is my understanding from conversations with Boeing, the DOE, NASA and DTSC that all payments are up-to-date.

With regards to the SSFL CAG, it is unfortunate that the authors from the Center for Race, Poverty and the Environment (CRPE) didn't fact check. No one contacted the CAG to avoid perpetuating false rumors. Their document, in part titled, "Building a New Vision for DTSC," states that DTSC has "disbanded the work group." As a matter of fact, the work group continues to meet and is next scheduled for 10/1/14, less than a week from now.

I am also concerned that Consumer Watchdog is cited as a source for some of the information in this report. Recently the California state senate investigated allegations made by Consumer Watchdog and found their allegations to be unsupported and without merit. Without going into detail, some other information presented as fact in the CRPE report is arguably inaccurate. This document perpetuates other false rumors such as the CAG is funded by Boeing, that the CAG is Astroturf and in the hands of the polluters and we are against cleaning up the SSFL. These and other rumors couldn't further from the truth.

What I am about to say is fully documented and I will be providing those documents to you today.

First, categorically, the CAG is a community led and driven process. It hasn't received a penny from DTSC, Boeing, NASA or DOE. We haven't requested any funding from any of the RP's. The CAG has been self-supported by its membership. My time and expenses to travel here today hasn't been underwritten by anyone or any entity other than myself. Everyone on the CAG is an un-reimbursed volunteer.

I would also like to make this committee aware of the unbiased and even-handed selection process for the CAG membership. The whole process was controlled and overseen by the U.S. Institute for Environmental Conflict Resolution, part of the congressionally established Udall Foundation. The goal was the selection of a diverse and effective CAG membership. Though DTSC obtained financial support from the RP's to cover Udall's expenses, it was not otherwise involved in the selection process. Invitations to create the selection panel were inclusive and sent to the community as well as the groups most vocally opposed to the CAG. Those groups declined to participate. The makeup of the selection panel ultimately consisted of 3 academicians, a Native American and an environmental justice advocate. All applications for CAG membership were widely distributed to the community by DTSC and went directly to the U.S. Institute for Environmental Conflict Resolution. They were then forwarded directly to the selection panel. Neither those in the community who were advocating the CAG nor DTSC were involved in this process.

The diverse makeup of the CAG and other facts are included in the documents that I am providing you. Once reviewed, I think you will agree that the goal of selecting a diverse group representing the broad community was successful.

The CAG membership has and continues to go through an educational process and is now also reaching out to educate the affected communities. Until the CAG, there was only one point of view expressed. The community remains mostly unaware of what is being proposed for the SSFL. Thus far these other communities and their organizations include Bell Canyon, the San Fernando based neighborhood councils, and the City of Calabasas. Further community outreach is planned.

The CAG has reached a consensus consistent with NASA's Inspector General. What has been billed as, "the most protective cleanup possible," in the opinion of NASA's Inspector General is, "An excessive and unnecessarily costly cleanup...NASA's cleanup plan commits the agency to a cleanup standard not based on health risk and...less costly cleanup alternatives exist." In these times of budget constraints, including that of DTSC, the commitment to an unnecessarily costly cleanup without documented additional public health benefit doesn't make sense to me.

The CAG's position is that the SSFL cleanup process be the same as throughout California and the Nation. It should be a risk-based cleanup to a suburban residential standard as was agreed originally in 2007 between the parties prior to the passage of SB990. SB990 has now been ruled unconstitutional. The 2010 Administrative Orders on Consent (AOC) mirror SB990. The past cannot be denied, but the cleanup should be

based on what is there now and use the best, most practical cleanup processes available today.

It is my opinion that the SSFL CAG has exceeded expectation in the first year of its existence. I believe there is always room for improvement, but the selection process for our CAG was unbiased, free of ideology or political influence and could serve as a model for other future CAG's.

Having said that, the document from the Center on Race, Poverty and the Environment, I believe, makes some good points related to the environmental justice community. DTSC should be allowed to do its job based on science, not emotion, ideology or political pressure. My concern with the suggested creation of another layer of oversight beyond the EPA and the legislature is its necessity. Is a "community driven oversight committee" really going to be able to eliminate conflict of interest? How will those individuals be chosen? What is their agenda? Is their motivation ideological, political, economic or otherwise? Will they really improve efficiency, reduce cost and protect the EJ community or could their motivation bring about opposite results? How is it determined, and by whom that another third party is indeed neutral? How do we assure accountability for these new oversight groups?

In my opinion perhaps the Federal Government's model of an independent Inspector General would be a more autonomous and unbiased oversight approach. This could avoid unintentionally creating and better addressing potential conflict of interest to ensure DTSC is doing the job it was created for and truly fulfilling its mission.

I wish to thank you once more for giving me the opportunity to testify before you today.