

# CALIFORNIA RADIOACTIVE MATERIALS MANAGEMENT FORUM

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May 3, 2007

Members of the California State Senate  
State Capitol  
Sacramento, CA 95814

**Subject: SB 990 (Kuehl) – Oppose**

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The California Radioactive Materials Management Forum (Cal Rad) is in strong opposition to SB 990 (Kuehl), "Hazardous waste: Santa Susana Field Laboratory," which is pending on the Senate Floor. The bill would set unnecessarily costly and inefficient precedents for cleanup and decommissioning of facilities where radioactive materials have been used.

Cal Rad Forum is an association of organizations that use radioactive materials. Our members include universities, utilities with nuclear power plants, industries including radiopharmaceutical and biotech companies, medical centers, and professional associations. We support consistent and effective, science-based regulation of the use of radioactive materials, management and cleanup of facilities where radioactive materials are — or have been — used, and management of radioactive wastes. We do not believe the provisions of SB 990 reflect good science or consistent and efficient regulation.

The California radiation control program is located in the Department of Health Services in the Health and Human Services Agency pursuant to agreement with the U.S. Nuclear Regulatory Commission (NRC) by which California is designated an "Agreement State" under the federal Atomic Energy Act. SB 990 would place supervision of the cleanup of the Santa Susana Field Laboratory, including cleanup of radioactive contamination, under the Department of Toxic Substances Control (DTSC) in Cal EPA. This is not where the State's expertise or authority in radiation health and safety protection lies, and the jurisdictional issue invites compromise of California's Agreement State status with the U.S. Nuclear Regulatory Commission. Furthermore, the DTSC would likely incur considerable costs in acquiring redundant radiological expertise.

Cal Rad believes that the NRC's dose-based standards, not EPA's CERCLA-type standards, are the appropriate and scientifically based standards to use for cleanup and decommissioning of facilities where radioactive materials have been used. In this regard, SB 990 would add another inconsistent and costly precedent to State law.

Cal Rad believes the changes proposed by SB 990 are unnecessary and unwise. We respectfully request a "no" vote when the bill comes up for vote on the Senate Floor.

Sincerely,

Alan Pasternak  
Technical Director