

Kamara Sams, Environmental Communications representative of the Boeing Company, submitted the following explanation of Boeing's lawsuit challenging the constitutionality of SB 990, the state law that sets standards for the cleanup at the Santa Susana Field Laboratory site:

Thanks for the opportunity to clarify the following items:

- Boeing was not asked to participate in the AIP (Agreement in Principle) discussions.
- The lawsuit was filed in November 2009. We filed the lawsuit to challenge the constitutionality of SB 990 because the law singles out the site to meet cleanup requirements that go far beyond what is required to protect citizens elsewhere in California under generally applicable state law. We are concerned that this law could cause unintended consequences that would destroy the biological, historical and cultural resources of Santa Susana. It could negatively affect local residents and traffic around the site.
- We continue to support a comprehensive negotiated settlement between all of the parties that accelerates the cleanup process. However, we have a number of concerns regarding the concepts set out in the U.S. Department of Energy (DOE) and NASA agreements and we have shared those with DTSC. Our concerns include:

The agreements do not appear to follow the normal processes applied under state and federal laws to evaluate and balance the impacts of the proposed cleanup with preserving the ecosystems and limiting impact on our neighbors.

The amount of the proposed excavation, if applied sitewide, would exceed 1.6 million cubic yards, which equates to 100,000 dump truck loads. That's enough dirt to fill the Rose Bowl four times. This would create traffic disruptions and negatively impact traffic safety within the local for the community for many years.

A cleanup of 1.6 million cubic yards of soil would require extensive trucking, generating nearly 250,000,000 pounds of carbon dioxide, and consuming more than 10,000,000 gallons of fuel. The excavation of this much soil could result in significant ecosystem damage not only to the former NASA and DOE operational areas but also to surrounding undeveloped areas.

- In the meantime, the Court has ordered mediation for Boeing and DTSC regarding our lawsuit, which has to be completed by Jan. 11, 2011.

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Environmental Communications

The Boeing Company