June 5, 2014

Governor Jerry Brown
c/o State Capitol, Suite 1173
Sacramento, CA 95814
Fax: (916) 558-3160

Dear Governor Brown,

We write you today to deliver our new report, *Inside Job*, which documents how Boeing and its hired guns captured the Department of Toxic Substances Control and reversed course on the full cleanup of a partial nuclear meltdown site in greater Los Angeles, the Santa Susana Field Lab, in just a few short years. More than half a century after a partial nuclear meltdown, nuclear fires, and spilling of half a million gallons of the toxic solvent TCE, among other contaminants, this site has still not been cleaned up.

You may not be aware of the issues we raise in this report. We provide you this information to inform you and ask you to take this report into serious consideration to fix the dysfunctional leadership at the DTSC. We also ask that you put a full cleanup at the lab back on track.

The case of the Santa Susana Field Lab is not isolated, but emblematic of the dysfunctional relations between DTSC regulators and the major companies that it regulates.

Our first report on this subject, *Golden Wasteland*, documented case after case where the DTSC simply is not doing its job. Now that Director Debbie Raphael has resigned, we hope the evidence presented in these reports will guide you in your choice of a new leader for DTSC. After consulting with a number of groups who view this appointment as a critical step in reforming this important agency, we believe that the best way to change the culture of the DTSC is to appoint a new Director from outside the California EPA who will put the protection of the public from toxic harm first. That includes replacing all existing Deputy Directors and the Division Chiefs that serve beneath this new hire.

In the view of groups have battled with this agency, the new DTSC Director should:

- Come from outside the DTSC and CalEPA
- Be a strong advocate for environmental justice
- Not be swayed by industry pressure
- Be an experienced administrator
- Be willing to houseclean DTSC from top to bottom
- Come in with a plan on how to reform the DTSC
- Be committed to enforcement of environmental laws
- Be committed to expanding the ranks of investigators
• Be committed to tough, clearly enforceable permits
• Be willing to deny or revoke permits for serial toxic polluters
• Be committed to ensuring that companies take financial responsibility for their pollution

In order to restore public confidence in the DTSC, we recommend an open and transparent selection process for the new director. One approach would be to create a credible committee of advocates, experts, and members of affected communities, headed up by a well-respected environmental advocate (Penny Newman, for example) that could vet candidates in a national search.

Those under consideration should be asked to publicly articulate a specific plan for how they will fix the DTSC as part of the hiring process.

For too long, the DTSC has not been responsible, accountable, or transparent. For this reason, we urge you not to leave the DTSC in limbo. That will only give industry and its highly paid hired guns plenty of room to push for as weak a regulator as possible. Public health does not have to come at the expense of corporate wealth. And the person ultimately chosen as DTSC Director must have a plan to fix both the culture and the regulatory process at this deeply troubled agency.

Sincerely Yours,

[Liza Tucker]

CC:
Senator Ricardo Lara
Senator Kevin De Leon
Senator Fran Pavley
Senator Jerry Hill
Senator Hannah-Beth Jackson
Senator Jim Beall
Mr. Gary Winuk, FPPC