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COVER STORY

NEIGHBORHOOD THREAT

Runkle Canyon is poised to be Simi Valley's newest neighborhood. But did the city misinterpret the risk of radioactive material in the ground?

~ By MICHAEL COLLINS ~

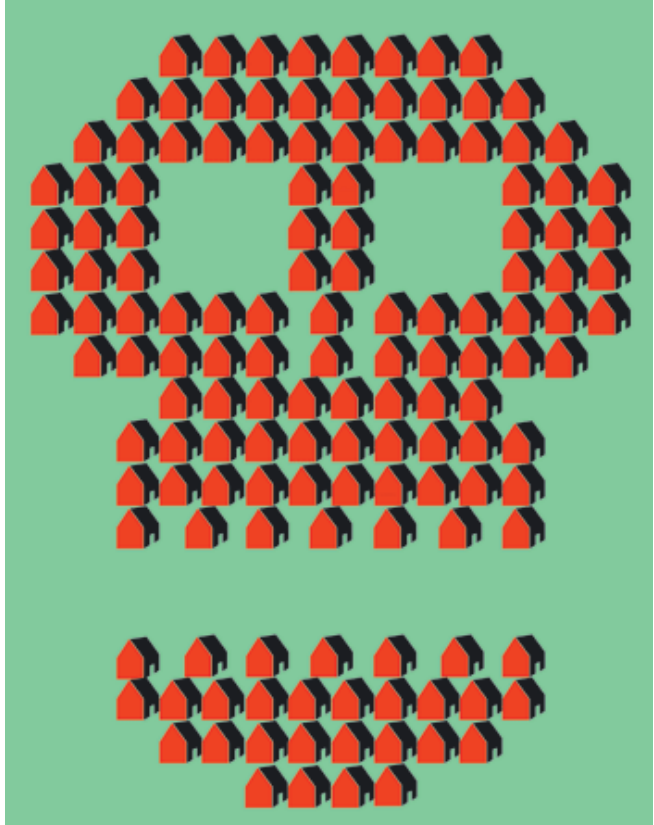


Illustration by Dana Collins

HOME

COVER STORY

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mulefat and willow scrub sway in the breeze. An old corral lies partially submerged in rainwater as a foreboding sky promises another deluge in the otherwise dry and dusty dale. Finally, quacking mallards alight from a vernal pool, breaking the silence in this picturesque ravine on the southern border of Simi Valley.

In 1904, the Runkle family moved into this canyon to grow grain and walnuts, run a blacksmith shop, and manage a mule train running between the San Fernando and Simi valleys, all the while raising six kids. The ranch eventually became popular as a location for film and television Westerns. By the mid-1980s, a sand and gravel operation finally closed, leaving the canyon to joggers, hikers, and local troupes of hang gliders.

This Southern California version of paradise is exactly what drew Peter Kiesecker and the euphemistically named GreenPark Runkle Canyon, LLC, his Seal Beach-based development firm, to Runkle Canyon in the late 1990s. It's a nice chunk of secluded green desert. And it's empty.

Perfect, he thought, for a new Simi Valley neighborhood.

Of the original 1,595-acre Runkle Canyon spread, 140 acres are now slated to become home to 461 residences – nearly three hundred homes, 25 single-family estates, and 138 apartments for seniors, 62 of which would be set aside for affordable housing. Wrapped into the middle of the plan, GreenPark has left open the option of also building a 230-acre, 18-hole golf course. It's the SoCal plan all over: a mix of residential options, a neighborhood park, and a plethora of outdoor pursuits. A move-in lifestyle. Runkle Canyon's website crowns that the development is eco-friendly, saying it "provides additional public recreational opportunities for the residents of Simi Valley."

But Runkle Ranch has a problem, and it's one that Kiesecker hopes he's put behind him. This would-be paradise lies only a mile from aerospace giant Boeing's heavily polluted Santa Susana Field Laboratory (SSFL), formerly known as Rocketdyne. During a battery of tests performed on Runkle property in 2003 as part of the required Environmental Impact Report, the toxic rocket fuel oxidizer perchlorate was found in groundwater/silt samples at approximately double the levels found in the groundwater under nearby Ahmanson Ranch, which is farther away from SSFL. Perchlorate findings were partly responsible for the sale of the Ahmanson property, which had also been slated for development, to become state park land. Critics maintain that this contamination must have come from the Boeing lab.

But they also found something even more disturbing: a radioactive substance called strontium-90 (Sr-90).

In December 1998, when GreenPark began its environmental investigation of the property, the developer hired Phoenix-based QST Environmental to do preliminary soil sampling of the canyon to see if the former Rocketdyne lab "had impacted on-site soils, based on surface run-off carrying radionuclides to the site." The results "indicated the presence of Strontium in all samples collected ... that exceeded the EPA average local background concentration." Indeed, the four soil samples contained up to 17 times the amount of the radionuclide that the EPA says is naturally occurring in the area. "Based on the analytical results of the soil samples, it would appear that there may have been some impact of radionuclides to the site from the Rocketdyne facility," the report said.

Yet GreenPark's subsequent environmental reports sailed past government agencies with no trouble at all. Despite the fact that, in the process of constructing the housing development, over three million cubic yards of



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soil will be graded and nearly a hundred tons of dust will be made airborne during construction of the homes.

Development critics now claim that the controversial developers of the already-approved project, and the city of Simi Valley, may have deliberately or inadvertently neglected to adequately address a potential radioactive dust-storm.

The professional

Peter Kiesecker is confident that his Environmental Impact Report (EIR) is accurate and that the development will proceed without a hitch. "When you do an EIR, it goes through the city, it goes through the county, it goes through the state and anyone can comment on an FEIR (Final EIR) at the public comment period," says Kiesecker. "You go through extensive public analysis."

Kiesecker, 43, is a soft-spoken, dark-haired, and bespectacled family man with a thin runner's build. He knows what it's like to go the long haul both at work and at play. A marathoner, the Newport Beach resident finished P.F. Chang's Rock 'n' Roll Marathon in Arizona last year in 263rd place in his division with a respectable time of just under four hours. Kiesecker and his wife Belinda, a former nursing home consultant, are active in civic affairs and are contributors to the Torrance Jaycees/Mervyn's Child Super Spree and the J.F. Shea Therapeutic Riding Center in San Juan Capistrano.

The GreenPark CEO and president joined the company in July 2001 after a successful stint as California president of Lennar Homes, where he had overseen eight development ventures, representing over 50 projects with revenues of \$1.2 billion. Previously, Kiesecker was the president and a founder of Greystone Homes, which grew from a startup company of three employees in 1991 to over 400 employees by 1996 in five divisions throughout California, Nevada and Arizona. A June 2001 *Real Estate Weekly* article waxed on about Kiesecker's winning ways with his current company, saying, "The company will continue to seek new investment opportunities nationwide, employing its unrivaled environmental cleanup expertise."

"To be real honest with you, GreenPark abandoned that strategy in 2002 and did not proceed with the environmentally impaired properties," says Kiesecker. "What was left for the company is what we call the 'green fields,' properties that don't have any environmental contamination, including Runkle Canyon."

Kiesecker also knows what it means to lose and to lose big. Last year, GreenPark ran into a buzz saw of opposition over its plan to build over 500 houses, a hotel, offices, and stores in the Contra Costa County town of Hercules, which would have required the removal of 3,000 ancient oaks in Franklin Canyon. Furious residents managed to get Measure M on the November 2004 ballot to prevent the development and require that the pristine land be protected as agricultural land.

A nasty campaign ensued, with pro-development forces sending out brochures with pigs pictured suggesting that passage of Measure M would mean the property would become a massive pig farm. Another pamphlet had a frightening image of a gas-masked person on it with the text "He's required to wear a special suit. We'll have to use umbrellas," suggesting that farmers would spray harmful pesticides.

The measure passed despite these tactics, but not before GreenPark Franklin Canyon, LLC, went bankrupt and filed for Chapter 11 protection on May 17, 2004. In July of that year, GreenPark sued Hercules for \$38 million and accused city officials of deliberately stalling on the project's EIR as part of an "illegal scheme" to force the company to stop its development plans and hand over the property. That lawsuit was tossed out on December 14.

Steve Kirby, a Hercules resident, third grade schoolteacher, and one of the prime proponents of the measure, says, "Though the developers spent almost \$300,000 to our \$28,000, no amount of slick and misleading flyers could sway the voters and GreenPark was sent packing. We still have to contend with their lawsuit saying the measure was an unconstitutional seizure of their property, but we will prevail."

So when Kiesecker took his company full-steam ahead into Runkle Ranch, he'd been through this pressure cooker before. When he talks about the charges levied by activist doctors like Physicians for Social Responsibility, he seems to know his stuff.

"What we said is none of our studies found any pollutants above EPA standards," continues Kiesecker. "We've done over 70 different borings to test for radionuclides, volatile organic compounds, for perchlorates and everything, and none of the tests that we've found pose any action level above EPA standards."

When an EIR becomes final, there's a strict 30-day window for activists to file a lawsuit challenging the final EIR based on the information contained in it.

Nobody did. And it could be that simply no one at the City of Simi Valley knew what to look for.

Weird Science

When GreenPark subcontractor QST Environmental concluded the developer's preliminary soil sampling of Runkle Canyon in February 1999, it apparently had planned to do more work. "QST is currently preparing a scope of work to conduct the next phase of the investigation at Runkle Ranch," QST wrote at the conclusion of its report. But it was not to be.

GreenPark evidently didn't like something about QST's findings – possibly all this talk about strontium-90. The company then hired Costa Mesa-based Foster Wheeler Environmental Corporation to do additional soil sampling. From June 28 to July 2, 1999, the subcontractor tested for the radionuclides strontium-90, cesium-137, and tritium. Using an "approach developed collectively by the Environmental Protection Agency, the Nuclear Regulatory Commission, the Department of Defense, and the Department of Energy," Foster Wheeler collected 58 soil samples in a grid pattern.

Reservations have emerged about the accuracy of this and subsequent soil testing by GreenPark subcontractors, and their glowing interpretation by the developer. These concerns were seemingly not considered as the city of Simi Valley evaluated the Runkle development EIR, which was approved April 24, 2004, for the simple reason that nobody ever brought them up.

In its October 25, 1999 report, Foster Wheeler states that "the exposure

limit chosen was 15 mrem/year [millirems per year] above natural background, which is a value already proposed by the EPA ... 15 mrem/year is generally considered to be an acceptable end point, which is considered to be protective of human health by the USEPA.”

This “dose-based” number measured in millirem is not the way the EPA measures a radionuclide’s toxicity. The agency calculates the presumably safe levels of radionuclides by using “preliminary remediation goals,” or PRGs. The Foster Wheeler statement that the EPA proposed this is also apparently inaccurate.

“An EPA limit was never formally proposed and the informal suggestion was withdrawn due to, basically, Department of Energy and Nuclear Regulatory Commission pressure,” says Stuart Walker, an EPA official who specializes in Superfund radiation issues. “The PRG levels are kind of the generic concentrations for Superfund cleanup sites, although when you start talking about soil, we use a risk range for cancer of one-in-1,000,000 to one-in-10,000 as the risk limit range.”

In other words, the EPA calculates a fatal cancer risk for each substance so that it would cause no more than one death per every 10,000 people exposed to that radionuclide. But the ultimate goal is no more than one death per million people exposed.

The PRG for strontium-90, and its accompanying decay product, yttrium-90, is 0.231 picocuries per gram (pCi/g). This is a measure of how much the substance decays, shooting out ions that cause cancer.

Foster Wheeler’s 58 soil samples averaged 1.39 pCi/g, or six times the EPA’s preliminary remediation goal and nearly 27 times above the typical EPA background level for Sr-90 in the area. The hottest sampling spot, and the one closest to Rocketdyne’s Santa Susana Field Laboratory, measured 12.34 pCi/g, which is over 54 times the EPA’s PRG and 237 times the normal background for the radionuclide. Regardless, the GreenPark subcontractor gave a hearty thumbs-up to the results. “In perspective, the concentrations of strontium-90 ... were found to be insignificant,” concluded the Foster Wheeler report.

“That’s definitely within the risk range,” says Walker, “unless something weird is going on with the site that would kick it up but, like I said, those are conservative numbers.”

“[Foster Wheeler] found even higher rad levels in the second set of tests than the first and had to massage them through really flaky means, but the numbers don’t lie,” says longtime Rocketdyne critic Dan Hirsch of the Santa Cruz-based Committee to Bridge the Gap.

This weird science made its way into the now-approved EIR. “This assessment found that radiation levels were within normal background levels,” it reads. “Tritium and strontium-90 were not detected in any of the soil and groundwater samples at levels above normal background levels or at levels considered to pose a health risk.

“It is troubling that a project would be approved based on the assertion that no soil samples found strontium-90 ... at any level deemed to be a health concern, when virtually all of the several dozen samples exceeded background and EPA’s preliminary remediation goals for radioactive contamination,” says Hirsch.

The Leukemia Connection

“Increased strontium-90 contamination could only be related to nuclear fission of uranium, therefore, it’s most likely related to the Santa Susana nuclear reactor facilities,” says Dr. Robert Dodge, a Ventura-based family doctor who is also the president of the county’s chapter of the public health organization Physicians for Social Responsibility (PSR). “I think this should be an issue of concern not only to individuals in the vicinity of the proposed development, but also to anyone downwind of any construction proposal.”

Founded in 1961, PSR gained notoriety by documenting the presence of Sr-90 in children’s teeth across the U.S. This finding helped lead to the Limited Nuclear Test Ban treaty signed by President John F. Kennedy, which ended above-ground nuclear testing by the U.S. and the former Soviet Union. At the signing, Kennedy acknowledged radiation’s connection to cancer, and to leukemia in particular.

Dr. Dodge knows plenty about leukemia – his son David was diagnosed with childhood leukemia at the age of six. “He was a kid playing T-ball and he was having unusual bone aches and pains,” says Dr. Dodge. “For several nights before the diagnosis was made, he was up sitting in my lap all night crying because he was in pain.”

Initially, Dr. Dodge and his wife Joan, a school counselor, thought it was some sort of infection, and then maybe juvenile arthritis. They went to Childrens Hospital in L.A. for an examination and soon found out that David had leukemia. The reason his bones hurt was that they were impacted – full of tumor cells.

After years of utterly exhausting chemotherapy and radiation therapy, David Dodge was declared cancer-free just before his 11th birthday. Leukemia is just one of the ailments induced by strontium-90 – though it is important to note here that David’s case was not necessarily linked to Sr-90 or to Rocketdyne in any way. But Sr-90 is one of the principal elements of nuclear fallout, and children downwind of the 1986 Chernobyl meltdown disaster experienced a radical increase of Sr-90 in their teeth.

“Strontium-90 is considered to be the most hazardous bone-seeking element created in the fission of uranium or plutonium because of its long half-life of 28 years and because it resembles calcium so closely,” wrote Dr. Ernest Sternglass in 2003. Sternglass is the Professor Emeritus of Radiological Physics at the University of Pittsburgh Medical School, and has written numerous articles on low-level radiation. In 1963, he was invited to testify before the congressional Joint Committee on Atomic Energy, explaining how the exponential increase in strontium-90 in baby teeth caused by atomic bomb-test fallout was associated with increased childhood leukemia.

Radioactivity has been detected in astronomical amounts on the Santa Susana Field Laboratory, fueling concerns that it might be migrating onto the Runkle Canyon property. One of SSFL’s experimental reactors suffered a partial meltdown in 1959 with a third of the core melting and radioactive gases being vented into the atmosphere. Two other reactors suffered damage in 1964 and 1969. In 1989, the Department of Energy found widespread radioactive and chemical contamination at the site, and a cleanup program commenced which ultimately will cost approximately a quarter of a billion dollars. <

Sailing Through

City planners acknowledge that there may be a few problems with the EIR's assessment of potential radioactive contamination at the site but toss it off as simply a matter of grammar. "You know, that sentence could have been written a little bit better, I'll have to say that," says Lauren Funaiolo, senior environmental planner for the city of Simi Valley. "It could have been broken up into two [sentences] and it would have been a little bit clearer. The strontium-90 was above normal background levels, however, that study did find that it did not pose a significant health risk."

"It's a very thorough EIR," says city planning director Peter Lyons. "We had many, many public meetings. The project received a lot of input. Some of the major concerns of this project were traffic and visibility from the valley floor. The issue of strontium-90 was not something that people were concerned with."

Ignorantly or deliberately, the city of Simi Valley's subcontractor charged with evaluating the EIR, Agoura Hills-based Impact Sciences, didn't include the comprehensive data supplied by QST or Foster Wheeler in the EIR, though Foster Wheeler's dismissive conclusion about Runkle's high Sr-90 soil readings was included but not attributed. "The Miller Brooks study of 2003 was truly the report that we used, and Impact Sciences used, to do the EIR," says Lyon.

Miller Brooks took six soil samples in the area that the Runkle Canyon residences are to be built and sent them to Casper, Wyoming-based Energy Laboratories. That lab tested the samples employing techniques that only had detection sensitivity of 2.0 to 10 pCi/g, or nine to 43 times too insensitive to even ascertain the EPA's preliminary remediation goal for Sr-90. Nonetheless, readings of 2.1 and 2.2 pCi/g were detected, nearly ten times over the EPA goal. Regardless, Miller Brooks calculated the danger from the readings as "0.77 in a million," using mysterious computations not attributed to any EPA method.

This finding is particularly disturbing because the potential is high, say scientists, for offsite transport of strontium-90 in impacted dust. Airborne Sr-90 could be in particles so tiny that several thousand of them could fit on the period at the end of this sentence.

The draft EIR (DEIR), which makes up a large section of the Final EIR, seems unclear as to just how seriously to take this dust. "No fugitive dust control for the 25 percent of the development area actively being graded is being assumed," reads the document, before later stating, "Therefore, operational-related air quality impact would remain significant and unavoidable, even with the implementation of all feasible mitigation." Still, no mitigation was required.

During the day, the average winds blow eight miles per hour from the northwest to the southeast over the Santa Susana hills and into the western part of the San Fernando Valley. At night, and during Santa Ana winds, the wind direction and speed changes and could carry this dust into Simi Valley. "While much of the airborne dust ... would settle on or near the area being graded, smaller particles would remain in the atmosphere, increasing particulate levels within and adjacent to the graded area," the EIR states.

"So we did consider it an impact deserving enough and significant enough to require mitigation such as the dust mitigation plan with water," says Lyons. "In the analyzing of the project, maybe there were some statements there that it wasn't significant. In the end, in the Final EIR, we determined that it was significant and that it had to be mitigated."

A conservative estimate of the amount of dust made airborne, not

including the golf course construction, is around one hundred tons of particulate matter launched into the air.

The fallout of this dust is just something that the Simi and San Fernando valleys will apparently have to live with. Contesting the convoluted, confusing, and counter-factual Runkle Canyon EIR is a mute point – the public and environmental activists alike have no legal recourse. “There is a very short window of opportunity to file a CEQA (California Environmental Quality Act) lawsuit,” says Dr. Joe Lyou of the California Environmental Rights Alliance, a public interest organization. “If the time to file has passed, you’re screwed.”

Despite this grim observation, there is always the chance that various governmental agencies in Ventura County, including the City of Simi Valley itself, could hold up the development by delaying grading and building permits. Or the residents of Simi Valley could put a measure to a vote to prohibit the scheme, much like what was done last year in Hercules. “We started a grassroots, community effort to inform our residents and get them to realize that even without a lot of money we could win the election because we had the vote,” says former GreenPark opponent Kirby. “The developers, no matter how much they spent on the campaign to fight the initiative, did not even have one vote in our community.”

Strontium is Forever

Strontium-90 doesn’t just go away. Dr. Dodge is committed to spreading the news about Runkle Ranch development because, in the event that Sr-90 does get airborne from the construction, he doesn’t want any other child to endure the nightmare that has afflicted his son, David. Three months before his 18th birthday, David looked rather pale. “I told him to come down to the office and do a count and he had no white cells – it was back,” recounts Dr. Dodge.

“He was applying for college but we put everything on hold,” continues Dr. Dodge. After another three and a half years of chemo, the only recourse was a bone marrow transplant. Ventura residents responded and 833 people volunteered to be tested. Eventually, the City of Hope hospital found a match, and David has now just passed the six month mark after the procedure.

“It’s like planting the most delicate rose bush after you’ve cut off the roots and then trying to get it to grow,” the proud father continues.

He turns serious as he considers the Runkle Canyon development. “When it’s your child, there’s no such thing as an acceptable risk,” he says. “One in a million is our lower level of risk. I can say as both a parent and as a physician, that it is not acceptable. There is no such thing as acceptable losses.

“If these are the known numbers and they are going ahead like they don’t exist, that is appalling. They need to take a step back and say ‘wait a second, put the brakes on, let’s re-look at this.’” ★

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