

ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670

(303) 412-1200

Boulder, CO 80308-0670

www.rockyflatssc.org

Jefferson County ~ Boulder County ~ City and County of Broomfield ~ City of Arvada ~ City of Boulder
City of Golden ~ City of Northglenn ~ City of Thornton ~ City of Westminster ~ Town of Superior
League of Women Voters ~ Rocky Flats Cold War Museum ~ Rocky Flats Homesteaders
Kim Griffiths

Board of Directors Meeting – Agenda

Monday, April 4, 2022

8:30 – 10:45 AM

VIA WEBEX

Email info@rockyflatssc.org for WebEx details

Meeting Announcement: The Board of Directors will first convene as the Department of Energy (DOE)-designated Local Stakeholder Organization (LSO). At the conclusion of the LSO meeting, the Board will briefly adjourn and reconvene to review management of the Rocky Flats National Wildlife Refuge. That Refuge conversation will include a discussion of the joint DOE-U.S. Fish and Wildlife Service (USFWS) multipurpose facility. As a joint agency project, that facility both falls within the Stewardship Council's role as the LSO, and concerns matters not included in that designation. For this meeting, the multipurpose facility discussion will not be part of the LSO conversation; at future meetings, it might be included in LSO conversations.

- 8:30 AM Convene/Introductions/Agenda Review/Meeting Protocols
- 8:40 AM Public Comment: Comments are limited to the Consent Agenda and non-agenda items. See the "Special COVID-19 Announcement" for details.
- 8:50 AM Business Items (briefing memo attached)
1. Consent Agenda: Approve meeting minutes and checks
 2. Executive Director's Report
- 9:00 AM Briefing/Discussion of the Role of the Rocky Flats Stewardship Council (briefing memo attached)
- o With ongoing changes of board membership, David Abelson will provide a high-level overview of the Rocky Flats Stewardship Council

END OF LSO MEETING

START OF NON-LSO MEETING

- 9:30 AM USFWS briefing on the Rocky Flats National Wildlife Refuge (no briefing memo)
- USFWS will discuss its current planning process, provide an update on the multi-purpose facility that USFWS and DOE are jointly developing, and address elk management

Public Comment on USFWS Briefing: Comments are limited to two minutes and must focus on USFWS's briefing.

10:30 AM Board Roundtable – Big Picture/Additional Questions/Issue Identification

Adjourn

Upcoming Meetings:

June 6
September 12
October 31

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Special COVID-19 Announcement

Board of Directors Meeting

Monday, Monday April 4, 8:30 – 10:45 AM

Due to COVID-19 social distancing requirements, the Rocky Flats Stewardship Council Board of Directors will meet via WebEx, with an internet/phone link provided by separate notice. The meeting is open to the public. Following the direction of local governments and other public entities throughout Colorado, public engagement is being modified for this virtual meeting.

To ensure the meeting participants are able to hear the information being presented and the members of the Board of Directors are able to engage in conversation, the following meeting-specific protocols have been developed:

1. Public comments during the 8:40 am (approximate time) public comment period are limited to three minutes. Participants must sign up in advance by emailing a request to speak to info@rockyflatssc.org. Requests must be made no later than 5:00 pm (MDT), Thursday, March 31, 2022. Persons submitting requests after this deadline will not be allowed to speak during the public comment period.
2. Public comments on the USFWS presentation are limited to two minutes. Advance registration is not required.

Please direct any questions to dabelson@rockyflatssc.org

Business Items

- February 7, 2022, draft board meeting minutes
- List of Stewardship Council checks

ROCKY FLATS STEWARDSHIP COUNCIL

Monday, February 7, 2022

8:30 – 10:35 AM

Virtual Meeting via WebEx

Board members in attendance: Randy Moorman (Director, Arvada), Jacob Moyer (Alternate, Arvada), Claire Levy (Director, Boulder County), Tara Winer (Director, City of Boulder), Taylor Reiman (Alternate, City of Boulder), Marni Ratzel (Alternate, City of Boulder), Deven Shaff (Director, Broomfield), Jennifer Hoffman (Alternate, Broomfield), Bill Fisher (Director, Golden), Pat O’Connell (Alternate, Jefferson County), Ashley Witkovich (Director, Northglenn), Shelley Stanley (Alternate, Northglenn), Jan Kulmann (Director, Thornton), Martin Kimmes (Alternate, Thornton), Rich Seymour (Director, Westminster), Bruce Baker (Alternate, Westminster), Trea Nance (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Linda Porter (Alternate, League of Women Voters), Roman Kohler (Director, Rocky Flats Homesteaders), Murph Widdowfield (Director, Rocky Flats Cold War Museum), Kim Griffiths (Director/Citizen)

Stewardship Council staff members and consultants in attendance: David Abelson (Executive Director), Melissa Weakley (Technical Program Manager), Barb Vander Wall (Setzer & Vander Wall, P.C)

Attendees: Andy Keim (DOE-LM), Padraic Benson (DOE-LM), Nicole Lachance (RSI Entech), Dana Santi (RSI Entech), John Boylan (RSI Entech), George Squibb (RSI Entech), Harry Bolton (RSI Entech), Chris Stewart (RSI Entech), Karin McShea (RSI Entech), Jody Nelson (RSI Entech), John Homer (RSI Entech), Kirk Briscoe (RSI Entech), Ryan Wisniewski (RSI Entech), Faith Anderson (RSI Entech), David Lucas (USFWS), Lindsey Murl (CDPHE), Lindsey Archibald (CDPHE), Jesse Aviles (EPA), Cathy Shugarts (Westminster), Emily Hunt (Thornton), Laura Hubbard (Broomfield), Nancy Ford, Shirley Garcia, Lynn Segal, Jon Aguilar (Denver Post)

Convene/Agenda Review: Jan Kulmann convened the meeting at 8:30 am.

Public Comment

Lynn Segal: Lynn says she thinks FACA guidelines should be used to allow the public to be represented accurately with additional time and responses. She said her mother died after inhaling plutonium from Rocky Flats and she wants to make sure no one is allowed to go onsite. She pointed to recent high winds and the recent fire nearby as posing additional risks.

Joan Seeman: Joan signed up for public comment but did not participate in the meeting.

Elect Stewardship Council Officers for 2022: The Board voted to approve the following for 2022 officers:

- Jan Kulmann, Chair
- Deven Shaff, Vice Chair
- Jeannette Hillery, Secretary/Treasurer

Roman Kohler moved to approve the slate of officers. The motion was seconded by Kim Griffiths. The motion passed 13-0.

2022 Meeting Schedule and Notice Provisions: Each year, the Board adopts a resolution establishing the meeting dates for the year. The 2022 meeting dates are February 7, April 4, June 6, September 12, and October 31. The Board will continue to meet virtually through at least the April meeting.

Roman Kohler moved to approve the 2022 Meeting Schedule and Notice Provisions. The motion was seconded by Claire Levy. The motion passed 13-0.

Consent Agenda: The consent agenda included approval of the minutes from the September 13, 2021, and November 1, 2021, meetings, and checks written since the November 1, 2021, meeting. Roman Kohler noted that Murph Widdowfield is with the Rocky Flats Cold War Museum, correcting the draft minutes.

Roman Kohler moved to approve consent agenda. The motion was seconded by Claire Levy. The motion to accept the minutes and checks passed 13-0.

Executive Director's Report: David Abelson reported on new Board members from member governments

- Hon. Randy Moorman (Arvada, Director)
- Jacob Moyer (Arvada, Alternate)
- Hon. Tara Winer (City of Boulder, Director)
- Marni Ratzel (City of Boulder, Second Alternate)
- Jennifer Hoffman (Broomfield, Alternate)
- Hon. Ashley Witkovich (Northglenn, Director)
- Brett Henry (Thornton, Alternate)
- Hon. Bruce Baker (Westminster, First Alternate)

David continued by noting one year ago we had four new board members, including three new elected officials, and as we move further away from the end of cleanup there is an ongoing loss of institutional knowledge. In the coming months David wants to hear from the Board, to help ensure that members understand fundamentals of the Rocky Flats cleanup and ongoing management. He continued by noting that it is also important for the Board to reach out to Melissa Weakley and David as there are a lot of misinformation out there about the cleanup, ongoing management, including inaccurate information about the Stewardship Council.

David next raised the CERCLA Five-Year Review. That review is focused on determining whether the remedy remains protective and whether there is any new information that would require the agencies to revisit or otherwise change the remedy. A few of the member governments and community members submitted comments – their intent is that the agencies will consider the issues raised therein as part of the Five-Year Review.

David concluded by noting the 2021 audit has started. It will be presented at the June 6, 2022, meeting.

Wildfire at Rocky Flats: DOE-USFWS Discussion of How the Agencies Would Respond: DOE and USFWS were asked to provide an overview of planned agency responses to wildfires at Rocky Flats. David Lucas is the Project Leader for the Colorado Front Range National Wildlife Refuge Complex. He began by explain some basics about fires. He introduced the fire triangle of oxygen, heat and fuel, the three things

that are necessary for fire. He noted that fuel is most important when considering wildfires. He added that wildfires are also strongly impacted by weather and topography. He commented that the conditions of the Marshall Fire meant that there was no way to stop it and that the responders did an excellent job of protecting public health and safety through their evacuation efforts. He also noted the difference between urban/structural firefighters and wildland firefighters and how they need to work together in situations like the Marshall Fire.

USFWS has master agreements each state, which lay out how they will manage fires on wildlands. In Colorado, the agency involved is the Division of Fire Control and Prevention (DFCP). Each year, USFWS also develops annual Operating Plans on the county level.

Early in the Marshall Fire, USFWS dispatched officers to observe the fire to see whether it may affect Rocky Flats. Notification was made early on to the public that Rocky Flats was not impacted by the fire. Fire engines were dispatched from the Rocky Mountain Arsenal, since they are not staged at Rocky Flats during the winter. David Lucas noted that this policy would be reviewed moving forward. In the afternoon, he declared the fire a threat to the Rocky Flats National Wildlife Refuge, which activated federal fighting activities to assist local agencies. USFWS was also in touch with DOE throughout the day.

David went on to note that wildfires are not uncommon at Rocky Flats, and that there is typically about one each year. How they are suppressed depends on conditions. Fire management begins with local first responders and builds up from there to the appropriate response necessary. The fuel type is primarily grasses, and this type of fire is affected greatly by winds and humidity. Because of this, generally Rocky Flats fires are of short duration. There is some additional fuel in the drainage areas, such as cottonwood trees.

After the Marshall Fire, there have been discussions around protecting the Candelas neighborhood south of Rocky Flats. Stemming from these discussions, USFWS will be reducing fuel onsite through mowing the southern boundary of the site twice a year instead of once a year. They are also working toward positioning a fire engine onsite, which will require electricity to heat the storage area. There will also be a town meeting and joint training operations with local officials. The Fire Management Plan calls for any fires along the Front Range to be suppressed as soon as possible.

David Lucas recommended that local governments work closely with their residents on evacuation plans and work on fire prevention as well.

Andy Keim, DOE's Site Manager for Rocky Flats, noted that DOE is not equipped to fight fires. They will report any fires to local officials and stay out of the way. Mountain View Fire District has responsibility for responding to any fires within the Central Operable Unit (COU), which is the portion of Rocky Flats still managed by DOE. The expected response time is about 20 minutes under normal conditions. DOE has a wildland fire management program to protect worker and public safety, and to focus on fire prevention. Various policies are in place onsite that address fire prevention during work onsite. DOE and its contractor also employ various fuel reduction strategies. Following any fire, DOE conducts assessments of potential impacts to any of the existing treatment and protection systems onsite. Impacts to water quality and ecology are also evaluated.

Andy noted that Rocky Flats does not present any special hazards related to fires. The remaining infrastructure (building slabs and basements) and subsurface soils with residual radiological

contamination are buried beneath at least three feet of clean soil. This soil acts as a physical barrier. There are also no flammable mineral deposits such as coal seams that would present a risk of underground ignition. Remaining surface contamination was considered as part of a wildfire scenario the during cleanup risk assessment and was found to pose negligible risk to the public or firefighters.

Claire Levy noted that it is important for the public to have confidence about the effects of potential fires. She added that residents surrounding the Marshall Fire were strongly interested in air monitoring following that fire. She asked if there would be air monitoring following any fire at Rocky Flats. She stated that while modeling shows one scenario, real data would be important to verify that the models were correct. Andy Keim replied there is nothing in existing plans that would call for provision of air monitoring following a fire onsite. He said that air monitoring was conducted during previous fires and did not show any movement of radioactive materials. Claire requested that this be looked at again.

Jeannette Hillery said that she has been asking for air monitoring for years and that it would serve to assure the public regardless of whether the agencies see a clear need for it. She asked whether the fire management plans mentioned in this discussion were available to the public and how often they are reviewed. Andy noted that the DOE fire plans are internal worker safety policies, so are not available publicly. DOE meets periodically with local fire districts, and they are currently working on a new MOU with Mountain View Fire District. David Lucas said that the USFWS Fire Management Plan is available online (as well as the overarching site Comprehensive Conservation Plan) and is updated annually (although minor annual updates might not be posted). He said he was not sure whether the annual operating plans with the state and county fire protection agencies were available online, but he could share copies.

Deven Shaff asked whether Mountain View Fire District only responded to fires in the COU or also in other areas onsite. David Lucas said that Coal Creek Fire Protection is responsible for Section 16 in the southwest corner, but the remainder is Mountain View. Deven asked given the speed of the spread of the Marshall Fire, there were plans to look at reducing the 20-minute response time. Andy Keim did not know if there was any way to reduce that time. David Lucas said that he did not believe that 20 minutes was an unreasonable timeframe for response. Deven also referred to Claire Levy's request about air monitoring and suggested it would make a good follow-up discussion and could also include CDPHE. David Lucas agreed that this was an important point and needed to be part of the discussion. David Abelson commented that the Executive Committee would consider how best to ensure that members of the Stewardship Council have the information they need to respond to questions from their constituents related to any future events.

Trea Nance asked what plans were in place regarding communication with local governments during fire events at Rocky Flats. David Lucas noted that the plans were adaptive, but there was not a robust communications arm in place and most communications were set up to take place through the Jefferson County's Sheriff's office consolidated dispatch system. He added that a communications group is currently looking into this question. He is also open to input from the local governments on this point. In terms of any radiological risks, David Lucas said it was the position of USFWS that they are not the subject matter experts and would defer to EPA, CDPHE and DOE to provide this type of information to the local governments or broader public. Randy Moorman echoed the previous comments about the importance of post-fire air monitoring and urged DOE to consider adding this as a component of fire response.

Kim Griffiths noted that Arvada is building a new fire station in Candelas. She asked whether this station might have an active role in firefighting on the Refuge. David Lucas said they will absolutely have a role. He said planning has changed due to the recent construction of nearly 700 homes in Candelas.

Trea Nance asked Andy Keim whether DOE had a communication plan in the event of a fire, or even a way for local governments to reach out to get information during a fire. Andy agreed that this is important information for the communities to have. Andy said he could share a summary of what actions they would take. He said information would be provided via the LM-DOE website and he would investigate whether there was a number to call for further information. He added that DOE would likely not be providing information in real-time. He will dig deeper into this question and get back to the Stewardship Council.

Host DOE Quarterly Meeting: DOE was on hand to brief regarding on the third quarter 2021 Report. The Rocky Flats Site remedy components include:

- Maintain two landfill covers
- Maintain three groundwater treatment systems
- Monitor surface water and groundwater
- Maintain physical controls
 - Signage
 - Access restriction
- Institutional controls
 - No occupied building construction
 - Excavation and soil-disturbance restrictions
 - No surface water consumption or agricultural use
 - No groundwater wells, except for monitoring
 - Protection of landfill covers and engineered remedy components

Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.).

Surface Water Monitoring – George Squibb

George began with a quick review of the monitoring requirements and map of locations and monitoring sites, noting the list of constituents which are monitored.

At the Original Landfill (OLF) Location GS59, routine surface water sampling in Woman Creek downstream of the OLF, showed mean concentrations for volatile organic compounds and mercury below applicable RFLMA water quality standards. The composite sample started on July 13, 2021, was collected from the field on January 4, 2022. George reported that the results came in after the report was written but were below standards.

At the Present Landfill Treatment System (PLFTS), concentrations for all analytes were below applicable RFLMA standards.

No RFLMA Point of Evaluation (POE) or Point of Compliance (POC) analyte concentrations were reportable during the third quarter of 2021.

Groundwater Monitoring – John Boylan

John first reviewed the RFLMA monitoring network, which includes:

- 10 Resource Conservation and Recovery Act (RCRA) wells (sampled quarterly to evaluate potential impacts from OLF and PLF)
- 9 Area of Concern (AOC) wells and one Surface Water Support location (sampled semiannually). These are located in drainages downstream of contaminant plumes and are evaluated for plumes discharging to surface water
- 27 Sentinel wells (sampled semiannually). These are downgradient of treatment systems, edges of plumes, and in drainages, and are used to look for plumes migrating to surface water and treatment system problems
- 42 evaluation wells (sampled biennially). These are located within plumes, near source areas, and interior of COU and are used to evaluate whether monitoring of an area or plume can cease
- 9 treatment system locations (seven are sampled semiannually, and two are quarterly)

During the third quarter, 10 RCRA wells sampled at the OLF and PLF. Results were generally consistent with previous data. Data will be evaluated as part of the 2021 annual report.

Several activities were undertaken to maintain the treatment systems onsite. Routine maintenance was performed at the Mound Site Plume Collection System (MSPCS), East Trenches Plume Treatment System (ETPTS), Solar Ponds Plume Treatment System (SPPTS), and Present Landfill Treatment System (PLFTS). Annual solar/battery power inspections were completed at MSPCS, ETPTS, and SPPTS.

ETPTS received additional maintenance:

- Installed additional insulation and heaters in battery boxes
- Replaced damaged solar panel
- Effluent line clogged with hard water scale in September
 - Full replacement was already scheduled for early 2022
 - Planned temporary replacement of clogged portion for October 2021 until larger job could be completed as scheduled
- Water treatment continued throughout these activities

There was also continued evaluation of groundwater conditions west of the existing SPPTS collection trench.

Shelley Stanley asked how the pipe at the ETPTS was removed and how much soil was removed. John said it was excavated under an emergency contact record in consultation with the regulators. He said it was very shallow. She also asked how many linear feet will be involved in the replacement of the pipe. John said it was probably about 40 feet. A different contact record is in place for the upcoming work.

Site Operations – Harry Bolton

Harry noted that quarterly sign inspections are a physical control under the RFLMA agreement. Signs were inspected on August 24 and all were found to be in good condition and legible.

At the OLF, monthly inspections were performed July 29, August 25, and September 29. Excess sediment was found along the East Perimeter Channel GeoRidges and the East Subsurface Drain outfall in July and August. A weather-related inspection was performed July 2. Excess sediment was found along the East

Perimeter Channel GeoRidges. Also, maintenance at the OLF was performed in July and August. The excess sediment found along the East Perimeter Channel GeoRidges, and the East Subsurface Drain outfall was moved to well vegetated areas with hand tools. Two rows of GeoRidges were also added to the East Perimeter Channel.

Settlement monuments at the PLF were surveyed on September 7. Vertical settling was within design limits. Areas of stabilization activities remain stable and in good condition. At the PLF, the quarterly inspection was performed on August 23 and an additional weather-related inspection was performed on July 2. The Present Landfill was found to be in good condition.

A quarterly inspection of Former Building Areas 371, 771, 881, and 991 was completed in combination with a weather-related inspection on July 6. No new erosion, subsidence, or anomalies were observed.

At the North Walnut Creek Slump, data continued to be collected from inclinometers and piezometers. Slump monitoring points were surveyed on July 1, August 2, and September 7. Vertical and lateral hillside movement were both approximately 0.70 feet on average. Total vertical movement since baseline (September 5, 2017) was approximately 4.5 feet.

Ecology – Karin McShea

Karin provided an update on several ecology activities at the site. These included:

- Preble’s mouse mitigation monitoring
- Wetland monitoring
- Revegetation monitoring
- Forb nursery monitoring
- Habitat enhancement planting survival counts
- Land management activities
- Photo point monitoring
- Spot herbicide applications
- Wetland/vegetation/weed mapping
- Prairie dog town surveys

Claire Levy noted that cheatgrass was extremely flammable and asked what plans were to control it at Rocky Flats. Karin noted that they do not have a large population of this type of grass onsite, but they do keep an eye on it. Shelley asked whether there were any plans for culling the elk herd. Karin said they will be discussing the carrying capacity of elk onsite with USFWS in the next couple of years.

Board Roundtable: Barb Vander Wall announced that all new Board members will be receiving Oaths of Office to sign.

Big Picture/Additional Questions/Issue Identification:

April 4, 2022

Potential Briefing Items

- Rocky Flats Stewardship Council Overview
- USFWS Refuge Discussion

June 6, 2022

Potential Business Items

- Accept 2021 Financial Audit

Potential Briefing Items

- DOE Quarterly Update

The meeting was adjourned at 10:35 am.

Respectfully submitted by Erin Rogers.

9:11 AM

03/14/22

Rocky Flats Stewardship Council
Check Detail 2021
 January 15 through March 14, 2022

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Check		01/26/2022		CASH-Wells Fargo-Opera...		-3.50
				Admin Services-Misc Servi...	-3.50	3.50
TOTAL					-3.50	3.50
Check	2130	02/03/2022	Century Link	CASH-Wells Fargo-Opera...		-30.85
				Telecommunications	-30.85	30.85
TOTAL					-30.85	30.85
Bill Pmt -Check	2131	02/03/2022	Crescent Strategies, LLC	CASH-Wells Fargo-Opera...		-8,658.33
Bill	1/31/22...	01/31/2022		Personnel - Contract	-8,525.00	8,525.00
				TRAVEL-Local	-18.72	18.72
				Postage	-17.99	17.99
				Telecommunications	-96.62	96.62
TOTAL					-8,658.33	8,658.33
Bill Pmt -Check	2132	02/03/2022	Jennifer A. Bohn	CASH-Wells Fargo-Opera...		-583.75
Bill	22-06	01/31/2022		Accounting Fees	-583.75	583.75
TOTAL					-583.75	583.75
Check	2133	03/08/2022	Century Link	CASH-Wells Fargo-Opera...		-30.89
				Telecommunications	-30.89	30.89
TOTAL					-30.89	30.89
Bill Pmt -Check	2134	03/08/2022	Crescent Strategies, LLC	CASH-Wells Fargo-Opera...		-8,658.33
Bill	2/28/22...	02/28/2022		Personnel - Contract	-8,525.00	8,525.00
				TRAVEL-Local	-18.72	18.72
				Postage	-17.99	17.99
				Telecommunications	-96.62	96.62
TOTAL					-8,658.33	8,658.33
Bill Pmt -Check	2135	03/08/2022	Jennifer A. Bohn	CASH-Wells Fargo-Opera...		-410.00
Bill	22-14	02/28/2022		Accounting Fees	-410.00	410.00
TOTAL					-410.00	410.00
Bill Pmt -Check	2136	03/08/2022	Seter & Vander Wall, P.C.	CASH-Wells Fargo-Opera...		-627.75
Bill	83216	01/31/2022		Attorney Fees	-627.75	627.75
TOTAL					-627.75	627.75

RFSC Overview

- Cover memo
- Stewardship Council IGA
- Stewardship Council Bylaws

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MEMORANDUM

TO: Board of Directors
FROM: David Abelson
SUBJECT: Overview of the Rocky Flats Stewardship Council
DATE: March 21, 2022

Background

The Rocky Flats Stewardship Council formed in February 2006 to provide ongoing local government and community engagement of the post-closure management of Rocky Flats. Cleanup significantly reduced the many risks, and there are ongoing management needs that remain vital to ensuring long-term protection of human health and the environment. Those management responsibilities lie with the Department of Energy (DOE), with regulatory oversight by Colorado Department of Public Health and Environment (CDPHE) and the Environmental Protection Agency (EPA).

Legal Foundation: Colorado Laws and Regulations; Governance

The Stewardship Council is a separate legal entity and an independent political subdivision created pursuant to the Colorado Constitution and statutes. The organization is established by an intergovernmental agreement (IGA), as amended, entered into by ten member governments. The IGA is the governing document which sets forth the organization's mission, purposes, powers and authority.

Governance

The Stewardship Council is governed by a Board of Directors made up of elected officials designated by each of the ten government parties to the IGA, and representatives from up to four community stakeholders.

Mission

The mission of the Stewardship Council is --

- a. To provide continuing local engagement on activities occurring at the Rocky Flats site regarding long-term stewardship of residual contamination and refuge management;
- b. To provide a forum to track issues related to former site employees, including but not limited to long-term health benefits and pension programs;
- c. To provide an ongoing mechanism to help maintain public knowledge of Rocky Flats and the ongoing needs and responsibilities regarding contaminant management and refuge management; and
- d. To provide an ongoing forum to engage on all other issues pertinent to Rocky Flats, as determined by the Stewardship Council Board of Directors.

Local Stakeholder Organization (LSO) for Rocky Flats

In late 2005, as the Stewardship Council was being formed, DOE designated the organization as the LSO for Rocky Flats. In authorizing the establishment of LSOs, Congress was seeking a means to formalize ongoing local government engagement following the completion of cleanup. As the LSO, the Stewardship Council receives grant funds from DOE.

Emphasis on Local Governments

The LSO legislation provides in part: “(b) Composition. – A local stakeholder organization ... shall be composed of such elected officials of local governments in the vicinity of the closure site concerned as the Secretary considers appropriate to carry out the responsibilities set forth....” With the active engagement of Senators Allard and Salazar and Representatives Udall and Beauprez, DOE agreed that four community organizations/individuals should also serve. Those non-governmental appointments are to be made by the member governments.

Stewardship Council Role

The Stewardship Council’s central purpose is to bring the parties together to learn about the cleanup and ongoing management of Rocky Flats, and to provide a forum to regularly engage DOE, CDPHE and EPA. By focusing the board membership on local governments (as provided in the LSO legislation), local elected officials are best prepared to respond to their constituents’ concerns, to address questions and concerns of their councils/commissions, and to respond as needed.

Not an Advisory Board

By design, the LSO is not a federal advisory board, so the Federal Advisory Committee Act (FACA) does not apply. Accordingly, the Stewardship Council does not issue recommendations but is charged with forwarding recommendations offered by local governments and others, at their request.

LSO vs Non-LSO Activities—In Simple Terms

As noted above, the Stewardship Council is organized under Colorado laws and regulations. As an independent organization, the Stewardship Council is allowed to engage any questions that fall under the IGA. However, as the LSO for Rocky Flats—and under the terms of our grant from DOE—only specific activities can be charged to the grant. Unless otherwise indicated on the meeting agenda, all Board meetings are LSO-focused.

LSO Activities: Anything related to (1) the historic use of Rocky Flats, (2) ongoing management of Rocky Flats, and (3) contamination from Rocky Flats, regardless of where it is found

Non-LSO Activities: United States Fish and Wildlife Service (USFWS) refuge management activities

A FEW KEY FACTS...

Rocky Flats Site Manager: DOE’s Office of Legacy Management (LM) manages Rocky Flats. Activities focus on the central part of the site, now called now called the Central Operable Unit (COU).

Rocky Flats National Wildlife Refuge: The Refuge is managed by USFWS, an agency in the Department of the Interior. The Refuge surrounds the COU.

Regulators: CDPHE and EPA

Regulatory Framework: The Rocky Flats Legacy Management Agreement (RFLMA) guides management of the site. The RFLMA and other documents can be found at:

https://lmpublicsearch.lm.doe.gov/SitePages/default.aspx?sitename=Rocky_Flats

Attachments:

1. IGA, as amended
2. Bylaws, as amended

**SECOND AMENDMENT
TO
INTERGOVERNMENTAL AGREEMENT
ESTABLISHING THE
ROCKY FLATS STEWARDSHIP COUNCIL**

This Second Amendment to Intergovernmental Agreement establishing the Rocky Flats Stewardship Council (“Second Amendment to IGA”) is made and entered into as of this 8th day of February, 2018, pursuant to Colo. Const. Art. XIV, Section 18(2), part 2 of article 1, title 29, C.R.S., by and among the following parties who have executed this IGA: BOULDER COUNTY, a body politic and corporate and political subdivision of the State of Colorado, JEFFERSON COUNTY, a body politic and corporate and political subdivision of the State of Colorado, the CITY OF ARVADA, a home-rule municipal corporation and political subdivision of the State of Colorado, the CITY OF BOULDER, a home-rule municipal corporation and political subdivision of the State of Colorado, the CITY AND COUNTY OF BROOMFIELD, a Colorado municipality and county, the CITY OF WESTMINSTER, a home-rule municipal corporation and political subdivision of the State of Colorado, the TOWN OF SUPERIOR, a municipal corporation, the CITY OF GOLDEN, a home rule municipal corporation and political subdivision of the State of Colorado, and the CITY OF NORTHGLENN, a home-rule municipal corporation and political subdivision of the State of Colorado, and the CITY OF THORNTON, a home-rule municipal corporation and political subdivision of the State of Colorado (singularly and/or collectively, “Party/Parties”).

RECITALS

WHEREAS, the Rocky Flats Stewardship Council (“Stewardship Council”) was established by intergovernmental agreement (“IGA”) effective February 13, 2006, as modified by First Amendment dated February 6, 2012 (collectively, the “IGA”), by and among Boulder County, Jefferson County, the City of Arvada, the City of Boulder, the City and County of Broomfield, the City of Westminster, the Town of Superior, the City of Golden, the City of Northglenn, and the City of Thornton, and was created to allow local governments to work together on issues related to the long-term protection of Rocky Flats; and

WHEREAS, the Stewardship Council is currently governed by a Board of Directors made up of public official representatives of ten Colorado local governments with borders which lie adjacent to or near the Rocky Flats site, including Boulder County, Jefferson County, the City of Arvada, the City of Boulder, the City and County of Broomfield, the City of Golden, the City of Northglenn, the City of Thornton, the City of Westminster, and the Town of Superior; and community stakeholder representatives including the League of Women Voters, the Rocky Flats Cold War Museum, and the Rocky Flats Homesteaders; and

WHEREAS, after more than ten years of operations, the Stewardship Council now desires to update and clarify its mission and purposes, to more accurately describe its role and replace technical references to current regulatory standards;

WHEREAS, the Stewardship Council, at a meeting held September 11, 2017, approved the proposed revisions to the IGA; and

WHEREAS, any modification to the IGA requires a written amendment, executed by all Parties to be valid and binding; and

WHEREAS, the Constitution and the laws of the State of Colorado permit and encourage local governmental entities to cooperate with each other to make the most efficient and effective use of their powers and responsibilities; and

WHEREAS, the execution of this Second Amendment to IGA by the existing Parties to the IGA implements Colo. Const. Art. XIV, Sec. 18(2), and part 2 of article 1, title 29, C.R.S., and is in the best interest of the Parties, the region and the people of the State of Colorado;

THEREFORE, the Parties to this Second Amendment to IGA hereby covenant and agree as follows:

COVENANTS AND AGREEMENTS

1. Definitions. The following term as provided under the heading “Definitions” in the IGA shall be amended as follows:

“Rocky Flats” means the entire former Rocky Flats nuclear weapons site, a federal facility currently under the jurisdiction of both the United States Department of Energy (DOE) and United States Department of the Interior (DOI), located primarily in Jefferson County, Colorado, inclusive of the entire Rocky Flats National Wildlife Refuge. (*See* map, shown as “Attachment 1.”)

2. Mission Statement. Paragraph 2 of the IGA, regarding the Stewardship Council’s Mission Statement, is hereby amended in its entirety to read as follows:

Mission Statement. The mission of the Stewardship Council is --

- a. To provide continuing local engagement on activities occurring at the Rocky Flats site regarding long-term stewardship of residual contamination and refuge management;
- b. To provide a forum to track issues related to former site employees, including but not limited to long-term health benefits and pension programs;
- c. To provide an ongoing mechanism to help maintain public knowledge of Rocky Flats and the ongoing needs and responsibilities regarding contaminant management and refuge management; and

- d. To provide an ongoing forum to engage on all other issues pertinent to Rocky Flats, as determined by the Stewardship Council Board of Directors.

3. Purposes. Paragraph 3 of the IGA, regarding the Stewardship Council's Purposes, is hereby amended in its entirety to read as follows:

Purposes. Specifically, the purposes of the Stewardship Council are:

- a. To provide a forum for elected officials and community members to discuss with federal, state, and local elected officials and agencies issues related to the long-term stewardship and management of the Rocky Flats site.
- b. To provide a forum for elected officials and community members to be briefed on the results of the operational and performance monitoring data of site operations.
- c. To provide a mechanism for keeping elected officials and community members informed of the results of the monitoring data.
- d. To provide a mechanism for educating elected officials and community members about the residual hazards and the continued need for a comprehensive site-wide stewardship program.
- e. To provide a forum for USFWS staff to work with elected officials and community members on issues related to the management of resources under that agency's jurisdiction.
- f. To serve as the designated LSO, pursuant to Section 3120 of the 2005 National Defense Authorization Act, Public Law 108-375.
- g. To serve as a participating agency under the National Environmental Policy Act (NEPA) for preparation of environmental impact assessments, to serve as a participating agency under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Section 120(f), and to assist the Parties as provided in the Rocky Flats Legacy Management Agreement.
- h. To provide a forum for all other issues pertinent to Rocky Flats.

4. Prior Provisions Effective. Except as specifically amended hereby, all the terms and provisions of the IGA shall remain in full force and effect.

5. Counterpart Execution. This Second Amendment to IGA may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Second Amendment to IGA effective as of the date first written above.

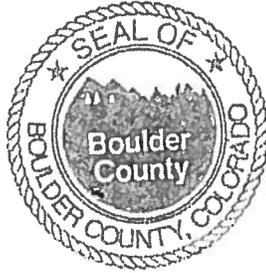
COUNTY OF BOULDER

Date: 12/19/17

Deb Gardner
By: Deb Gardner

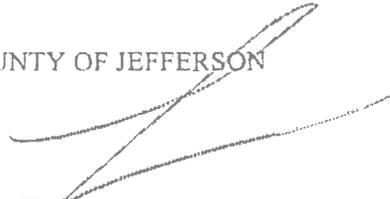
ATTEST:

Cecilia J. Lacey



COUNTY OF JEFFERSON

Date: 1-9-18


By: Libby Szabo, Chairman
Board of County Commissioners

ATTEST:





CITY OF ARVADA

Date: 12/18/17

[Handwritten signature]

By: Marc Williams, Mayor

ATTEST:

Austen R. Rush
City Clerk

APPROVED AS TO FORM:

Christopher K. Daly, City Attorney

By: *[Handwritten signature]*



CITY OF BOULDER

Date: 12.18.17

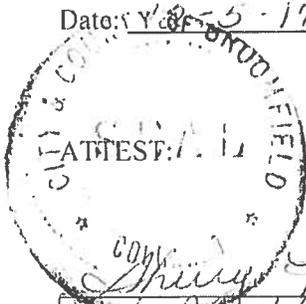

By: SUZANNE JONES, MAYOR

ATTEST:



CITY AND COUNTY OF BROOMFIELD

Date: 7-5-17

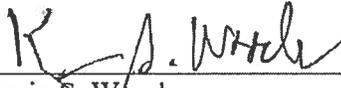


Shirley Kule
Deputy City & County Clerk

[Signature]
By: Randal E. Alvares

CITY OF THORNTON, COLORADO
a home-rule municipal corporation

Date: 12/7/17



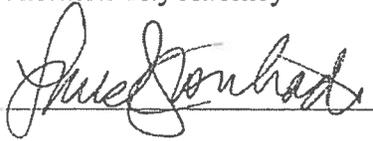
Kevin S. Woods
City Manager

ATTEST:



Kristen N. Rosenbaum, City Clerk

APPROVED AS TO FORM:
Luis A. Corchado
Thornton City Attorney

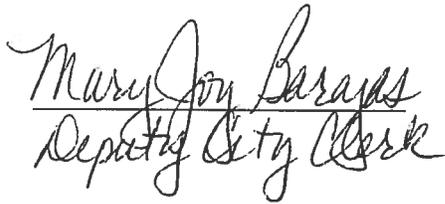


CITY OF WESTMINSTER

Date: 2/8/18


By: Herb Atchison, Mayor

ATTEST:

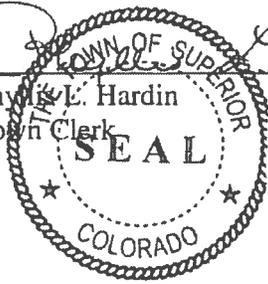

Deputy City Clerk

TOWN OF SUPERIOR

Date: January 8, 2018

Clint Folsom
By: Clint Folsom
Mayor

ATTEST:

Phyllis L. Hardin
Town Clerk
The seal is circular with a rope-like border. Inside the border, the words "TOWN OF SUPERIOR" are written in an arc at the top, and "COLORADO" is written in an arc at the bottom. In the center, the word "SEAL" is written in large, bold, capital letters. Two small stars are positioned on either side of the word "SEAL".

CITY OF GOLDEN

Date: Dec. 14, 2017

Maryone N. Sloan
By: Maryone N. Sloan, Mayor

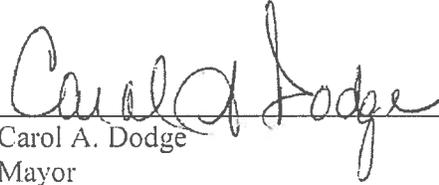
ATTEST:

Susan M. Brook



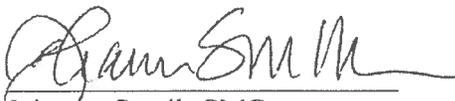
CITY OF NORTHGLENN

Date: January 8, 2018

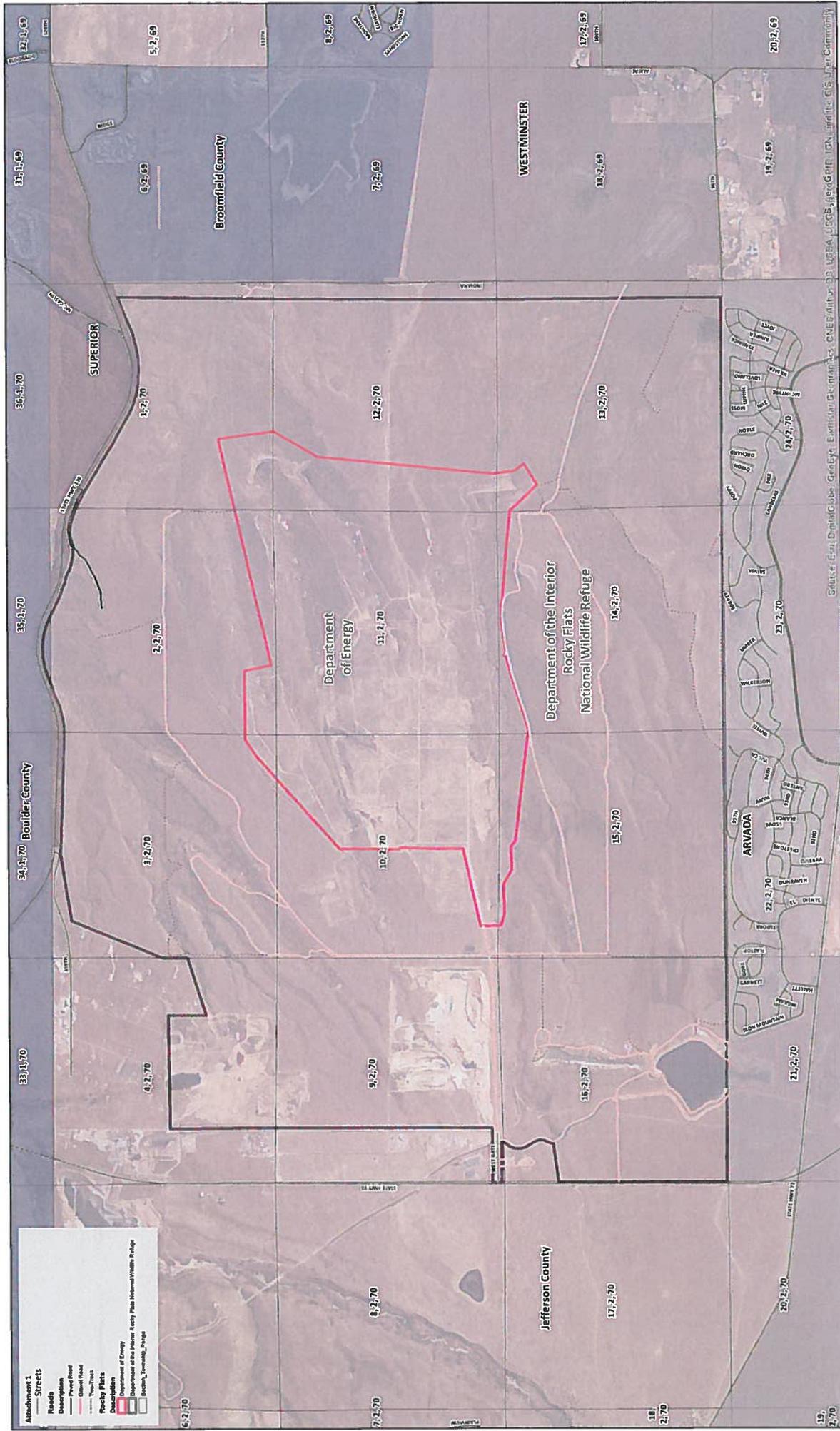


Carol A. Dodge
Mayor

ATTEST:



Johanna Small, CMC
City Clerk



Attachment 1

- Streets
- Roads
- Boundaries
- Permit Footprint
- Ground Road
- Yield-Point
- Rocky Flats
- Department of Energy
- Department of the Interior Rocky Flats National Wildlife Refuge
- Section, Township, Range

Scale: 1:10000

0 0.25 0.5 1 1.5 2 Miles

Jefferson County Planning & Zoning
100 Jefferson County Parkway
Golden, CO 80419
303.271.8700

Shelburne Geographic System
Datum: NAD83
Created: Oct 24, 2017

JEFFERSON
COUNTY

ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670
Boulder, CO 80308-0670
www.rockyflatssc.org

(303) 412-1200
(303) 600-7773 (f)

Jefferson County ~ Boulder County ~ City and County of Broomfield ~ City of Arvada ~ City of Boulder
City of Golden ~ City of Northglenn ~ City of Thornton ~ City of Westminster ~ Town of Superior
League of Women Voters ~ Rocky Flats Cold War Museum ~ Rocky Flats Homesteaders
Kim Griffiths

BYLAWS OF THE BOARD OF DIRECTORS OF THE ROCKY FLATS STEWARDSHIP COUNCIL

*Approved March 6, 2006
Amended November 5, 2007
Amended February 5, 2018*

PREAMBLE

The object of the Rocky Flats Stewardship Council (the “Stewardship Council”) shall be to carry out its purposes as described in and pursuant to the Intergovernmental Agreement establishing the Rocky Flats Stewardship Council (the “IGA”) and amendments thereto.

ARTICLE I.

Offices

Principal Office. The principal office of the Stewardship Council shall be located within the boundaries of any Party to the IGA and amendments thereto, as designated by the Board of Directors. The Stewardship Council may have other offices and places of business at such places within the State of Colorado as shall be determined by the Board.

ARTICLE II.

Board of Directors

A. **Number, Qualifications and Term of Office.** The business and affairs of the Stewardship Council shall be managed by a Board of Directors not to exceed fourteen (14) members, not including non-voting members. When used herein, the term "Director" shall include that Director's alternate director, as provided in the IGA, unless the context requires otherwise. Each Director shall be appointed pursuant to the provisions of the IGA for a term of one year, from February 1 to the succeeding last day of January; provided, however, that the initial Directors shall be appointed as of the effective date of the IGA and serve until the last day of January, 2007. There shall be no limitation on the number of terms to which a Director may be appointed.

B. **Performance of Duties.** A Director shall perform his/her duties as a Director, including his/her duties as a member of any committee of the Board upon which he/she may serve, in good faith, in a manner he/she believes to be in the best interests of the Stewardship Council. An alternate Director shall serve in the absence of the Director for which he/she is an alternate.

C. **Vacancies.** Any Director may resign at any time by giving written notice to the chair of the Board of Directors. Such resignation shall take effect at the time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. In the case where the Director is an elected official, a Director's office shall be deemed to be vacant upon the failure of any Director to be re-elected to public office

of the Director's designating Party. A vacancy will occur if a Director dies during his or her term of office. Any vacancy occurring on the Board of Directors shall be filled as provided in the IGA.

D. Expenses. By resolution of the Board of Directors, any Director may be paid his/her direct expenses, if any, of attendance at meetings or other Stewardship Council business.

E. Conflict of Interest. No Director (including alternate Directors who are elected public officials) may enter into an employment relationship with the Stewardship Council (1) while serving on the Board or (2) for twelve months thereafter. An alternate Director who is not an elected official may not enter into an employment relationship with the Stewardship Council (1) while serving on the Board or (2) for twelve months thereafter.

F. Non-Voting Members of the Board. At its discretion, the Board may appoint ex-officio members to the Board from federal and state agencies, including the U.S. Department of Energy, the Environmental Protection Agency, the Colorado Department of Public Health and Environment, and/or the U.S. Fish and Wildlife Service. Ex-officio members shall not be a Party to the IGA but shall have the ability to designate a non-voting representative to the Board of Directors. At its discretion, the Board may also appoint former elected officials who previously served on the Stewardship Council Board of Directors. These non-voting member appointments shall be reviewed annually, and may be renewed for additional one-year terms by an affirmative vote of the Board.

G. Removal of Directors. Any Director may be removed from the Board by a vote of the Board of Directors with or without cause whenever in its judgment the best interests of the Stewardship Council will be served by such removal. A Director who is absent for three

consecutive regular meetings of the Board of Directors and whose absence is deemed unexcused by the Board of Directors shall automatically be removed from the office of Director.

ARTICLE III.

Officers of the Board

A. General. The Chair, Vice Chair, and Secretary/Treasurer shall be elected annually by the Board of Directors. The terms shall commence at the first meeting of the Board held on or after February 1 of each year. There shall be no limitation on the number of terms for which a person may serve as an officer, except as provided in Article III.G. herein.

An officer shall hold office until he/she is no longer qualified to serve or his/her successor is chosen, until his/her death, or until he/she shall resign. All officers of the Stewardship Council shall be Directors of the Stewardship Council; provided, however, that an alternate Director shall not assume any office held by the Director for whom the alternate Director is substituting.

B. General Duties. All officers and agents of the Stewardship Council, as between him or her and the Stewardship Council, shall have such authority and shall perform such duties as may be provided in these Bylaws or as may be determined by resolution of the Board of Directors not inconsistent with these Bylaws.

C. Vacancies. When a vacancy in one of the Board offices occurs due to any of the reasons listed in paragraph III.A., it shall be filled by a resolution of the Board of Directors at the following meeting of the Board at which a quorum is present.

D. Chair of the Board. The Chair of the Board shall preside as chair at meetings of the Board of Directors. He/she shall, in addition, execute resolutions and documents, represent the Board and Stewardship Council at public functions and perform such other duties as the Board may prescribe.

E. Vice-Chair. The Vice-Chair shall fulfill the responsibilities of the Chair when the Chair is unavailable to do so.

F. Secretary/Treasurer. The Secretary/Treasurer shall perform both the duties of a secretary and of a treasurer, as follows:

- The Secretary/Treasurer shall keep or cause to be kept, in books provided for that purpose, the minutes of the meetings of the Board. The Secretary/Treasurer may have one or more assistant secretaries, which need not be Directors and which shall be appointed by the Board.

- The Secretary/Treasurer shall have oversight of Stewardship Council funds and assets. He/she shall review accounts of receipts, disbursements and deposits of all Stewardship Council monies and other valuable effects in the name and to the credit of the Stewardship Council and report to the Board of Directors upon request. The Secretary/Treasurer or his/her designee shall provide a detailed quarterly financial statement to the Board. The financial statement shall include all revenue, revenue sources, expenditures and balances, and include quarterly and year-to-date figures.

G. Delegation of Duties. Except for the Chair, whenever an officer is unable to perform the duties of his/her office for any reason, the Board may delegate the powers and duties of an officer to any other officers or to any qualified Director or Directors.

ARTICLE IV.

Stewardship Council Staff

At its discretion, the Board may hire an Executive Director who shall serve at the pleasure of and report directly to the Board of Directors of the Stewardship Council, and who shall be responsible for implementing the Board's policies, and for the overall management of all activities of the Stewardship Council.

ARTICLE V.

Meetings of the Board

A. Place of Meetings. The regular or special meetings of the Board of Directors or any committee designated by the Board shall be held at the principal office of the Stewardship Council or at any other place within or without the boundaries of the Parties that the Board of Directors, any such committee, or Stewardship Council staff, as the case may be, may designate from time to time.

B. Regular Meetings. The Board of Directors shall meet quarterly, or as otherwise determined by a quorum of the Board of Directors, for the purpose of transacting such business as may come before the Board.

C. Special Meetings. Special meetings of the Board of Directors may be called by any three members of the Board of Directors, and held at any time.

D. Notice of Meetings. Notice of the regular or special meetings of the Board of Directors or any committee designated for such notice by the Board shall be as follows:

(1) **Regular Meetings.** The time, date and place of regular meetings shall be set by the Board and notice thereof shall be provided (a) to the city/county/town clerk of all Stewardship Council Parties for posting in a public place, with at least seven (7) days

advance notice of the meeting time, place and date, (b) to the Directors and alternate Directors, with at least seven (7) days advance notice of the meeting time, place and date, and (c) to those members of the public who so request.

(2) Special Meetings. Written notice of each special meeting of the Board of Directors setting forth the time and the place of the meeting shall be given as follows: (a) by telefax or electronic mail to each Director not less than 72 hours prior to the time fixed for the meeting; provided, however, that in the instance of any Director who in writing requests that such notice not be given by telefax or electronic mail, the notice shall be by hand delivery to an address within the boundaries of the Parties designated in writing; (b) to the clerk of each Stewardship Council Party for posting in a public place, not less than 72 hours prior to the time fixed for the meeting; and (c) to those members of the public who so request.

(3) Emergency Special Meetings. When necessary, an emergency special meeting may be called with notice given in the same manner as provided for special meetings, except that notice may be given not less than 24 hours prior to the time fixed for the meeting, in accordance with the Colorado Open Meetings Act.

Unless notice is required herein to be given by telefax or delivery, all notices of meetings may be given either by sending a copy of the notice through the United States mail, or by telegram, telex, telefax or electronic transmission (unless a Director requests in writing that such notice not be given by electronic mail), any charges prepaid, to the work or home address of each Director and alternate Director and to the designated addresses of Stewardship Council participants, and the

public who so request appearing on the books of the Stewardship Council. If mailed, such notice shall be deemed to be delivered 72 hours after deposit in the United States mail so addressed, weekends and holidays excluded. If notice be given by telegram, telex, telefax or electronic mail, such notice shall be deemed to be delivered when the telegram, telex, telefax or electronic mail is transmitted.

The general nature of the business proposed to be transacted at, or the purpose of, any meeting of the Board of Directors shall be specified in the notices of such meeting where possible. The Board of Directors' ability to act on matters brought before it at a special meeting is restricted to those items specified in the notice.

E. Voting.

1. Quorum. At meetings of the Board of Directors, eleven (11) of the appointed Directors (or their alternate if a Director is not present) shall be necessary to constitute a quorum for the transaction of business. If a quorum is present, an affirmative vote of at least eleven (11) Directors shall be required to be the act of the Board of Directors

2. Consent Agenda. Within a meeting agenda, Stewardship Council staff may place on the consent agenda any one or more items which staff believes do not give rise to discussion by the Board, and which may be acted upon by singular action and vote of the Board. Any Director may pull from the consent agenda any one or more items which shall then be separately and individually discussed and voted on by the Board.

F. Conduct of Meetings. The Board may adopt such rules of procedure as it deems proper. To the extent any rules adopted by the Board do not specify how an item of business of the Board is to be conducted, Roberts' Rules of Order shall apply.

ARTICLE VI.

Open Records and Open Meetings

A. All accounts and records of the Stewardship Council and its committees shall be open to the public as provided for in the Colorado Open Records Act and any other applicable laws, at all reasonable times under reasonable regulation, except where a specific determination is made by the Stewardship Council that there is a legitimate public purpose achieved by withholding a document concerning legal, personnel, or private proprietary information.

B. All meetings of the Board of Directors of the Stewardship Council and any of its committees are open to the public as provided for in the Colorado Open Meetings Act. Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation or other formal action occurs or at which a quorum of the Board is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public as provided herein. In accordance with Colorado statutes, executive sessions may be held upon the affirmative vote of two-thirds of the quorum present, for the sole purpose of considering any of the following matters: the purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest; conferences with legal counsel for the Stewardship Council for the purpose of receiving legal advice on specific legal questions; matters required to be kept confidential by federal or state law or rules and regulations; specialized details of security arrangements or investigations; determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; personnel matters; or consideration of any documents protected by the mandatory nondisclosure provisions of the "Open Records Act". No adoption of

any proposed policy, position, resolution, rule, regulation, or formal action shall occur at any executive session, except for the approval of executive session minutes, as allowable by law.

C. Minutes or similar record shall be kept of all meetings of the Board of Directors of the Stewardship Council.

ARTICLE VII.

Committees

A. **Stewardship Council Committees.** The Stewardship Council is interested in working with the public and will seek the input of the local community and other interested parties. As necessary, and to the extent practicable, the Stewardship Council will seek the input of the local community and other interested parties by establishing *ad hoc* committees and task forces, and by holding public meetings, workshops, special meetings, or other forums of public involvement, from time to time as may be deemed appropriate by the Board. By resolution or motion of the Board, the Stewardship Council may establish such working committees from time to time as it deems appropriate. These committees shall be open to all persons interested in participating with the Stewardship Council. Each committee shall have a chair appointed by the Board of Directors. Committees may consider issues consistent with the Stewardship Council's purposes and make recommendations for actions to the Board of Directors. Any such recommendations, together with any minority reports, shall be made to the Board of Directors. The Board may consider and comment on committee recommendations and formulate its own recommendations for official action by the Board. Any minority report(s) from a committee shall be transmitted simultaneously with such recommendations. The Board of Directors may take such

actions as it deems appropriate, notwithstanding recommendations or lack thereof or the fact of pending deliberations of committees and of the Stewardship Council.

B. Board Committees. The Board may have committees on finance, personnel and such other matters as the Board deems proper for the administration of the Stewardship Council.

ARTICLE VIII.

Fiscal Year

Fiscal Year. The fiscal year of the Stewardship Council shall be January 1 to December 31. Said fiscal year may be changed from time to time by motion or by formal resolution of the Board of Directors in its discretion.

ARTICLE IX.

Amendments

A. General. The Board of Directors may amend, supplement or repeal these Bylaws or adopt new Bylaws, and all such changes shall affect and be binding upon the Stewardship Council. Any amendment, supplement or repeal of these Bylaws or adoption of new Bylaws shall require consideration at two meetings of the Board.

B. Notice of Consideration. Specific notice of each meeting at which consideration of proposed amendment to, supplementation of or repeal of these Bylaws or adoption of new Bylaws shall be given in the same manner as notice of special meetings is to be given pursuant to III.D.(2) hereof.

C. **Vote Necessary.** Amendment to, supplementation of or repeal of these Bylaws or adoption of new Bylaws shall require approval by eleven (11) Directors of the Board at the second meeting at which the amendment, supplement, repeal or adoption is considered.

ARTICLE X.

Annual Review

On an annual basis, any one or all of the parties to the IGA may request Stewardship Council to submit an annual report which shall generally address Stewardship Council's operations for the previous year; Stewardship Council's proposed plans for the upcoming year; a summary of Stewardship Council's financial status, including revenue projections and operating costs; and any changes or proposed changes in Stewardship Council's policies. Upon request, the Executive Director shall present an oral presentation of the annual report at a designated board or council meeting of the requesting party.

ARTICLE XI.

Miscellaneous

A. **Invalid Provision.** The invalidity or non-enforceability of any particular provision of these Bylaws shall not affect the other provisions herein, and these Bylaws shall be construed in all respects as if such invalid or unenforceable provision was omitted.

B. **Governing Law.** These Bylaws shall be governed by and construed in accordance with the constitution and laws of the State of Colorado and the IGA, as amended from time to time. To the extent there are inconsistencies between the IGA and any amendments thereto and these Bylaws and any amendments thereto, the IGA and amendments thereto shall control.

C. **Debt.** The incurrence of any revenue-based or other non-general obligation debt shall be subject to the prior approval of the governing body of each Party.

D. **Members' Terms.** Members' terms shall be limited to two years at which time such Members must reapply for membership to the Stewardship Council, except as stated herein. In preparation for staggering terms, starting at the February 2018 meeting, two of the Member terms shall be for two years, and the remaining Member terms being for one year. Thereafter, commencing February 2019, all Member terms shall be for two years.

E. **Selection Process for Members.** At least two months prior to the expiration of the Members' terms, the Stewardship Council shall publish a Notice advertising the Stewardship Council's solicitation of Member Applications. In addition to any other means selected by the Stewardship Council, notice shall be provided by a one-time publication in a newspaper of general circulation, and posted on the Stewardship Council website. Any entity or person who desires to become a Member of the Rocky Flats Stewardship Council shall submit a Membership Application on the form provided by the Stewardship Council. The Executive Director shall forward all completed Membership Applications to the Board for review. The Director representatives for the Permanent and Rotating Parties shall interview representatives of the prospective Members, at a public meeting as determined by the Board. Following completion of the interviews, at a Stewardship Council Board meeting the Director representatives for the Permanent and Rotating Parties shall nominate and vote to appoint up to four (4) Members from the Membership Applications. The procedures for voting shall be pursuant to a process identified by the Board in advance.

Appendix

- Acronym List

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

Acronym or Term	Means	Definition
Alpha radiation		A type of radiation that is not very penetrating and can be blocked by materials such as human skin or paper or one inch of air. Alpha radiation presents its greatest risk when it is inhaled or ingested. Plutonium, the radioactive material of greatest concern at Rocky Flats, produces this type of radiation.
Am	americium	A man-made radioactive element that is a byproduct of plutonium (Pu) production. Am emits gamma radiation, which can penetrate many types of protective shielding. During the production era at Rocky Flats, Am was chemically separated from Pu to reduce personnel exposures.
AME	Actinide Migration Evaluation	An exhaustive, years-long study by independent researchers who studied how actinides such as plutonium, americium, and uranium move through the soil and water at Rocky Flats.
AMP	Adaptive Management Plan	Additional water quality sampling and analysis that DOE is conducting, beyond the normal environmental assessments, to inform decisions regarding future breaches of remaining dams.
AOC well	Area of Concern well	A particular type of groundwater well.
B	boron	An inorganic compound that has been found in some surface water and groundwater samples at Rocky Flats.
Be	beryllium	A very strong and lightweight metal that was used at Rocky Flats in the manufacture of nuclear weapons. Exposure to beryllium is now known to cause respiratory disease in those persons sensitive to it.
Beta radiation		A type of radiation that is more penetrating than alpha (but less penetrating than gamma). Beta particles can be stopped after traveling through 10 feet of air or a thin layer of glass or metal. Some forms of uranium emit beta radiation.
BMP	Best Management Practices	A term used to describe actions taken by DOE that are not required by regulation but warrant action.
BZ	Buffer Zone	The portion of the Rocky Flats site that was added during production to provide a "buffer" between the neighboring communities and the industrial portion of Rocky Flats. The buffer zone covered approximately 6,100 acres. Most of the buffer zone lands now make up the Rocky Flats National Wildlife Refuge.
CAD/ROD	Corrective Action Decision/Record of Decision	The complete final plan for cleanup and closure for Rocky Flats. The Federal/State laws that governed the cleanup at Rocky Flats required a document of this sort.
CCP	Comprehensive Conservation Plan	The refuge plan adopted by the U.S. Fish and Wildlife Service in 2007.
CDPHE	Colorado Department of Public Health and Environment	The state agency that regulates Rocky Flats.

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

Acronym or Term	Means	Definition
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act	Federal legislation that governs the Rocky Flats cleanup. Also known as the Superfund Act.
cfs	cubic feet per second	A volumetric measure of water flow.
COC	Contaminant of Concern	A hazardous or radioactive substance that is present at Rocky Flats.
COU	Central Operable Unit	A CERCLA term used to describe the DOE-retained lands (about 1,300 acres) at Rocky Flats. The COU overlays the former Industrial Area (where manufacturing activities took place) and contains all engineered elements of the remedy (two landfills and four groundwater treatment systems) and areas of residual subsurface contamination.
CR	Contact Record	A regulatory procedure where CDPHE reviews a proposed action by DOE and either approves the proposal as is or requires changes to the proposal before approval. CRs apply to a wide range of activities performed by DOE. After approval, the CR is posted on the DOE-Legacy Management (LM) website and the public is notified via email.
Cr	chromium	Potentially toxic metal used at Rocky Flats.
CRA	Comprehensive Risk Assessment	A series of analyses that assess human health risks and risks to the environment (flora and fauna).
D&D	decontamination and decommissioning	The process of cleaning up and tearing down buildings and other structures.
DG	Discharge Gallery	The location where the treated effluent of the Solar Ponds Plume Treatment System (defined below) empties into North Walnut Creek.
DOE	U.S. Department of Energy	The federal agency that manages portions of Rocky Flats. The site office is the Office of Legacy Management (LM).
EA	Environmental Assessment	A study required by NEPA (defined below) when a federal agency proposes an action that could impact the environment. The agency is responsible for conducting the analysis to determine what, if any, impacts to the environment might occur due to a proposed action.
EIS	Environmental Impact Statement	An evaluation that is undertaken by a government agency when it is determined, via the EA, that a proposed action by the agency may have significant impacts to the environment.
EPA	U.S. Environmental Protection Agency	The federal agency that regulates Rocky Flats activities.
EEOICPA	Energy Employees Occupational Illness Compensation Program Act	An act passed by Congress in 2000 to compensate sick nuclear weapons workers and certain survivors.

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

Acronym or Term	Means	Definition
ETPTS	East Trenches Plume Treatment System	The treatment system near the location of the East Waste Disposal Trenches. This system treats groundwater emanating from the trenches that is contaminated with organic solvents, as well as groundwater routed from the Mound Plume Site Collection System. Treated effluent flows into South Walnut Creek.
FC	functional channel	Man-made stream channels constructed during cleanup to help direct water flow.
FACA	Federal Advisory Committee Act	The federal law that regulates federal advisory boards. The law requires balanced membership and open meetings with published Federal Register meeting dates.
Gamma Radiation		The most penetrating type of radiation at Rocky Flats. Thick, dense shielding is necessary to protect against gamma rays. Americium (Am) is a strong gamma emitter.
GAO	Government Accountability Office	Congressional investigative office that reports to Congress.
g	gram	A metric unit of mass.
gpm	gallons per minute	A volumetric measure of water flow.
GWIS	Groundwater Intercept System	A below-ground system that directs contaminated groundwater toward the Solar Ponds Plume and East Trenches Plume Treatment Systems.
IA	Industrial Area	The central core of Rocky Flats where all manufacturing activities took place. The IA covered 385 of Rocky Flats's 6,500 acres.
IC	Institutional Control	Administrative and legal controls employed to protect the integrity of the remedies in place and minimize the potential for human exposure to residual contamination.
IGA	intergovernmental agreement	A cooperative agreement between local governments that establishes the framework of the Stewardship Council.
IHSS	Individual Hazardous Substance Site	A name given during cleanup to a discrete area of known or suspected contamination. There were formerly over two hundred IHSSs at Rocky Flats.
ITPH	interceptor trench pump house	The location where contaminated groundwater collected by the interceptor trench is pumped to either the Solar Ponds Plume Treatment System or the East Trenches Plume Treatment System.
L	liter	Metric measure of volume (slightly larger than a quart).
LANL	Los Alamos National Laboratory	One of the US government's premier research institutions located near Santa Fe, NM. LANL is continuing to conduct highly specialized water analysis for Rocky Flats. Using sophisticated techniques, LANL is able to determine the percentages of both naturally occurring and man-made uranium, which helps to inform water quality decisions.
LHSU	lower hydrostratigraphic unit	Hydrogeological term for deep unweathered bedrock that is hydraulically isolated from the upper hydrostratigraphic unit (see UHSU). Data show that site COCs have not contaminated the LHSU.

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

Acronym or Term	Means	Definition
LM	Legacy Management	DOE office responsible for overseeing activities at closed sites.
LMPIP	Legacy Management Public Involvement Plan	A plan that follows DOE and EPA guidance on public participation and outlines the methods of public involvement and communication used to inform the public of site conditions and activities. It was previously known as the Post-Closure Public Involvement Plan (PCPIP).
O&M/OM&M	Operations, monitoring, and maintenance	Term that describes ongoing activities at Rocky Flats.
MOU	Memorandum of Understanding	The formal agreement between EPA and CDPHE specifying that CDPHE is the lead post-closure regulatory agency with EPA providing assistance when needed.
MSPCS	Mound Site Plume Collection System	The system that collects groundwater and routes it to the ETPTS for treatment.
MSPTS	Mound Site Plume Treatment System	The remediation system formerly in place (reconfigured in 2016) to treat groundwater contaminated with organic solvents emanating from the Mound Site (a portion of Rocky Flats where waste barrels were buried).
NEPA	National Environmental Policy Act	Federal legislation that requires the federal government to perform analyses of environmental consequences of major projects or activities.
nitrates		Contaminant of concern originating from Solar Ponds wastes. Nitrates have been detected in the North Walnut Creek drainage. Nitrates are very soluble in water and move readily through the aquatic environment.
Np	neptunium	A man-made radioactive isotope that is a by-product of nuclear reactors and plutonium production.
NPL	National Priorities List	A list of Superfund sites. The refuge lands were de-listed from the NPL, while the DOE-retained lands are still on the NPL because of residual groundwater contamination and associated remediation activities.
NWCS	North Walnut Creek Slump	Slumping observed on the hillside east of the Solar Ponds Plume Treatment System.
OLF	Original Landfill	Hillside dumping area of about 20 acres that was used from 1951 to 1968. The OLF underwent remediation with the addition of a soil cap and groundwater monitoring locations.
OU	Operable Unit	A distinct area within a cleanup site. These areas may address geographic areas, specific problems, or medium (e.g., groundwater, soil) where a specific action is required.
PCE	perchloroethylene (a.k.a. tetrachloroethylene)	A volatile organic solvent used in past operations at Rocky Flats.
pCi/g	picocuries per gram	A unit of radioactivity in soil.
pCi/L	picocuries per liter	A unit of radioactivity in water. CDPHE's regulatory limit for Pu and Am in surface water at Rocky Flats is 0.15 pCi/L. This standard is 100 times stricter than the EPA's drinking water standard.

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

Acronym or Term	Means	Definition
PLF	Present Landfill	Landfill constructed in 1968 to replace the OLF. During site remediation, the PLF was closed under RCRA regulations with an extensive cap and monitoring system.
PMJM	Preble's Meadow Jumping Mouse	A species of mouse found along the Front Range that is on the endangered species list. There are several areas in the Refuge and COU that provide adequate habitat for the mouse, usually found in drainages. Any operations that are planned in potential mouse habitat are strictly controlled.
POC	Point of Compliance (surface water)	A surface water monitoring location at Rocky Flats where contaminant concentrations must be in compliance with federal and state standards for hazardous constituents. Violations of water quality standards at the points of compliance could result in DOE receiving financial penalties.
POE	Point of Evaluation (surface water)	A surface water monitoring location at Rocky Flats where water quality is monitored. There are no financial penalties associated with water quality exceedances at these locations, but DOE may be required to develop a plan of action to improve the water quality.
POU	Peripheral Operable Unit	A CERCLA term used to describe the 4,800-acre area surrounding the Central Operable Unit.
Pu	plutonium	A metallic substance that was fabricated to form the core, or "trigger", of a nuclear weapon. Formation of these triggers was the primary production mission of the Rocky Flats site. There are different forms of plutonium, called isotopes. Each isotope is known by a different number, such as plutonium 239 (Pu-239) and plutonium 241 (Pu-241). Pu-239 is the primary radioactive COC at Rocky Flats.
RCRA	Resource Conservation and Recovery Act	Federal law regulating hazardous waste. In Colorado, EPA delegates to CDPHE the authority to regulate hazardous wastes.
RFCA	Rocky Flats Cleanup Agreement	The regulatory agreement that governed cleanup activities. DOE, EPA, and CDPHE were signatories.
RFCAB	Rocky Flats Citizen Advisory Board	The group formed as part of DOE's site-specific advisory board network. The RFCAB provided community feedback to DOE on a wide variety of Rocky Flats issues from 1993 through regulatory closure in 2006.
RFCLOG	Rocky Flats Coalition of Local Governments	The predecessor organization of the Rocky Flats Stewardship Council.
RFETS	Rocky Flats Environmental Technology Site	The moniker for Rocky Flats during cleanup years.
RFLMA	Rocky Flats Legacy Management Agreement	The post-cleanup regulatory agreement between DOE, CDPHE, and EPA that governs site activities. The CDPHE has the lead regulatory role, with support from EPA as required.
RFNWR	Rocky Flats National Wildlife Refuge	The 4,000 acres of Rocky Flats where unrestricted use is allowed. This land is now a wildlife refuge.

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

Acronym or Term	Means	Definition
RFSOG	Rocky Flats Site Operations Guide	The nuts-and-bolt guide for post-closure site activities performed by DOE and its contractors.
RSAL	Radionuclide Soil Action Level	Concentration of radionuclide in soil above which remedial action should be considered so that people are not exposure to radiation doses above permitted levels.
SEP	Solar Evaporation Ponds	An area of Rocky Flats used in the 1950s to hold excess wastewater generated during manufacturing operations. Wastewater that could not be treated in the onsite treatment plant was sent to open-air holding ponds where solar energy was utilized to evaporate and concentrate the waste. The original SEPs were unlined, and substantial quantities of uranium and nitrates made their way into groundwater. As a result, the Solar Ponds Plume Treatment System was constructed to treat contaminated groundwater before it emerged as surface water in North Walnut Creek.
SID	South Interceptor Ditch	A water feature designed to intercept runoff from the southern portion of the COU. The SID flows from west to east into Pond C-2. Woman Creek water does not enter Pond C-2, but is diverted around Pond C-2 through the Woman Creek Diversion Canal.
SPPTS	Solar Ponds Plume Treatment System	Engineered system designed to treat groundwater contaminated with uranium and nitrates. The nitrates originate from the former solar evaporation ponds, which had high levels of nitric acid. The uranium is primarily naturally occurring. Effluent from the SPPTS flows into North Walnut Creek.
SVOCs	semi-volatile organic compounds	Organic compounds that are not as volatile as solvent-related VOCs. SVOCs are found in many environmental media at Rocky Flats. They are found in materials like oil, coal, asphalt, and tar.
TCE	trichloroethylene	A volatile organic compound used as a solvent in past site operations. TCE is also a degradation product of PCE.
U	uranium	Naturally occurring radioactive element. There were two primary isotopes of U used during production activities. The first was enriched U, which contained a very high percentage (>90%) of U-235 and was used in nuclear weapons. The second isotope was U-238, also known as depleted uranium. U-238 has low levels of radioactivity.
ug/L or µg/L	micrograms per liter	A unit of contaminant concentration in water.
UHSU	upper hydrostratigraphic unit	A hydrogeological term describing the surficial materials and weathered bedrock found at Rocky Flats. The UHSU is hydraulically isolated from the lower hydrostratigraphic unit (see LHSU). Groundwater in some UHSU areas of Rocky Flats is contaminated with site-related COCs, while groundwater in other UHSU areas is not impacted. All groundwater in the UHSU emerges to surface water before it leaves Rocky Flats.

Rocky Flats Acronym List
 Prepared for the Rocky Flats Stewardship Council
 Rev. 02/20

Acronym or Term	Means	Definition
USFWS	United States Fish & Wildlife Service	The agency within the US Department of the Interior that is responsible for maintaining the nation-wide system of wildlife refuges, among other duties. The regional office is responsible for the RFNWR.
UUUE	unlimited use and unrestricted exposure	A regulatory term used to describe residual risk remaining after a site has been remediated. In 2007, the Peripheral Operable Unit (POU) was found to be suitable for unlimited use and unrestricted exposure (based on risk calculations). EPA removed the POU (now largely the Rocky Flats National Wildlife Refuge) from the EPA's National Priorities List of CERCLA or "Superfund" sites.
VOC	volatile organic compound	These compounds include cleaning solvents that were used in the manufacturing operations at Rocky Flats. The VOCs used at Rocky Flats include carbon tetrachloride (often called carbon tet), trichloroethene (TCE), perchloroethylene (PCE), and methylene chloride.
WALPOC	Walnut Creek Point of Compliance	The surface water Point of Compliance on Walnut Creek, at the COU boundary.
WCRA (or "the Authority")	Woman Creek Reservoir Authority	The group composed the cities of Westminster, Northglenn, and Thornton. These cities use Standley Lake as part of their drinking water supply network. Surface water from Rocky Flats formerly flowed through Woman Creek to Standley Lake, but the Woman Creek Reservoir was constructed to sever that connection. The Authority has an operations agreement with DOE to manage the Woman Creek Reservoir.
WOMPOC	Woman Creek Point of Compliance	The surface water Point of Compliance on Woman Creek, at the COU boundary.
WQCC	Water Quality Control Commission	State board within CDPHE tasked with overseeing water quality issues throughout the state. DOE has petitioned the WQCC several times in the last few years regarding water quality issues.
WRW	Wildlife Refuge Worker	User scenario on which exposure risks are calculated.
ZVI	zero valent iron	A type of fine iron particles formerly used to treat VOCs in the ETPTS and MSPTS.