

ROCKY FLATS STEWARDSHIP COUNCIL

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Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Karen Imbierowicz

Board of Directors Meeting – Agenda

Monday, September 14, 2009, 8:30 – 11:45 AM
Rocky Mountain Metropolitan Airport, Terminal Building
11755 Airport Way, Broomfield, Colorado

- 8:30 AM Convene/Agenda Review
- 8:35 AM Business Items (briefing memo attached)
1. Consent Agenda
 - o Approval of meeting minutes and checks
 2. Executive Director's Report
- 9:05 AM Public Comment
- 9:15 AM Host DOE Quarterly Meeting (briefing memo attached)
- o DOE will brief the Stewardship Council on site activities for the first quarter of 2009 (January – March).
 - o DOE has posted the report on their website and will provide a summary of its activities to the Stewardship Council.
 - o Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.).
- 10:00 AM Briefing by CDPHE and EPA on Role of Regulators (briefing memo attached)
- o CDPHE and EPA were the state and federal regulators during cleanup and continue regulatory oversight of Rocky Flats.
 - o They will brief on their respective roles and offer their perspectives on the state of the effectiveness of the cleanup remedies and ongoing management activities.
- 10:45 AM Board Review of Stewardship Council Activities for 2009 and Initial Review of 2010 Work Plan (briefing memo attached)
- o The 2009 Stewardship Council Work Plan provides that the Board shall review its work for the year. The review shall include an assessment of how

the organization can improve in the coming year, focusing on areas of weakness and opportunities for improvement.

- The review is a first step in the Board approving the 2010 Work Plan.
- The attached draft 2010 Work Plan is an update of the 2009 Plan.
- Formal approval of the 2010 Work Plan will take place at the November 2nd meeting.

11:10 AM FY 10 Budget – Initial Review (briefing memo attached)

- At this meeting the Board will review the draft FY 10 budget. Formal budget hearings will take place at the November 2nd meeting.

11:30 AM Public comment

11:40 AM Updates/Big Picture Review

1. Executive Director
2. Member Updates
3. Review Big Picture

Adjourn

Next Meetings: November 2, 2009
 February 1, 2010

Business Items

- June 1, 2009, draft board meeting minutes
- List of Stewardship Council checks

Monday, June 1, 2009, 8:30 – 11:30 AM
Rocky Mountain Metropolitan Airport (formerly Jefferson County Airport)
Terminal Building
11755 Airport Way, Broomfield, Colorado

Board members in attendance: Lorraine Anderson (Director, Arvada), Marc Williams (Alternate, Arvada), Carl Castillo (Alternate, Boulder), Meagan Davis (Alternate, Boulder County), Lori Cox (Director, Broomfield), David Allen (Alternate, Broomfield), Faye Griffin (Director, Jefferson County), Kate Newman (Alternate, Jefferson County), Sheri Paiz (Director, Northglenn), Shelley Stanley (Alternate, Northglenn), Matt Magley (Alternate, Superior), Bob Briggs (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Shirley Garcia (Director, Rocky Flats Cold War Museum), Roman Kohler (Director, Rocky Flats Homesteaders), Karen Imbierowicz (citizen).

Stewardship Council staff members and consultants in attendance: David Abelson (Executive Director), Rik Getty (Technical Program Manager), Barb Vander Wall (Seter & Vander Wall, P.C.), Erin Rogers (consultant).

Attendees: Laura Frank (ProPublica), Leroy Moore (Rocky Mountain Peace and Justice Center), Diane Chesbro (Golden City Council), Eric Barnes (Wagner, Burke & Barnes Independent Auditors), Vera Moritz (EPA), John Dalton (EPA), Carl Spreng (CDPHE), Scott Surovchak (DOE-LM), Rick DiSalvo (Stoller), Bob Darr (Stoller), Jeremiah McLaughlin (Stoller), John Boylan (Stoller), George Squibb (Stoller), Jody Nelson (Stoller), Jennifer Bohn (RFSC accountant).

Convene/Agenda Review

Chair Jeannette Hillery convened the meeting at 8:35 a.m. There were no changes to the agenda.

Business Items

The first item of business was for the Board to ratify three letters regarding the “Charlie Wolf Nuclear Compensation Act” (S.757; H.R. 1828). Following its unanimous endorsement of the Charlie Wolf Act at the last meeting, the Board directed staff to draft letters to the Chairman and Ranking Member of the three committees of jurisdiction, with copies to the Colorado Congressional delegation and key federal agencies. The letter was vetted with the Board and was sent to these recipients. Formal approval is needed at the meeting.

Lori Cox moved to approve the letters sent regarding the Charlie Wolf Act. The motion was seconded Lorraine Anderson. The motion passed 12-0.

The next business item was the consent agenda. Bob Briggs moved to approve the April Board meeting minutes. The motion was seconded Roman Kohler. The motion passed 12-0.

Karen Imbierowicz moved to approve the checks. The motion was seconded Lorraine Anderson. The motion passed 12-0.

Executive Director's Report

David Abelson noted Ray Reling has been appointed first alternate for the City of Northglenn. Also, David noted that Don Rohlf has resigned from the Rocky Flats Cold War Museum, so the Museum Board will designate someone to replace him on the Stewardship Council shortly.

David next touched on the topic of the Charlie Wolf Act. He has emailed Seth Kirshenberg, Director of the Energy Communities Alliance (ECA), asking that ECA and its individual members issue statements of support for this Act. However, apparently some of ECA's local government members are concerned about change in the presumption of exposure in the Act. David and Lorraine will continue to work with the ECA and provide information as needed. Senator Harry Reid has indicated an interest in getting this Act passed this year.

Within the DOE Office of Legacy Management (LM), the political appointee process has been delayed, as things are just starting to move through system. LM still has an interim Director, but one with experience and who knows the issues. If a new Director is chosen, David plans to travel to Washington, D.C. in the fall and meet with that person to explain the role and importance of the Stewardship Council.

David noted that there is currently no reason to expect anything other than full funding for the DOE-LM office. If this changes, David will update the Board.

The Council's annual Rocky Flats tour is scheduled for June 11, with a backup date of June 25. Please let Rik know if you are interested in attending. He said he would send an email later in the day with further information. Rik mentioned that the group will be able to see the new solar ponds treatment system as part of the tour.

Rik also reported that Rocky Flats is in the process of releasing water from all three terminal dam ponds. George Squibb will update in more detail later in the meeting. All water is being sampled prior to release, and no problems have been found.

Rik's next update addressed the proceedings of the Colorado Water Quality Control Commission (WQCC). The final step in the Commission's process will be a rulemaking hearing. Rocky Flats is just a small segment of what the Commission is looking at overall, which includes several water basins. One change that will affect Rocky Flats is the result of its petition for an ambient arsenic standard of 10 µg/L. If the petition is denied and the site must comply with the new standard of .02 µg/L, it will be difficult to meet. Arsenic is naturally occurring in the area. The new standard will affect drinking water and wastewater treatment for local governments as well.

David Abelson asked Rik if there was any update on the Commission assigning a new use classification at Rocky Flats. Rik said that the response provided to DOE allowed for a non-contact recreational classification within DOE lands, and a primary contact designation for the wildlife refuge.

Public Comment

Leroy Moore, Rocky Mountain Peace and Justice Center: In April, he met with the Assistant Secretary of Energy for Environmental Management, as well as community representatives from current nuclear weapons complex cleanup sites. He wanted to make the request that DOE stop referring to the cleanup of Rocky Flats as good model for other sites. His reasons for this request included the following: 1) inadequate attention was paid to the toxicity of plutonium; 2) the Rocky Flats cleanup as designed, either on purpose or by accident, failed to consider a lot of evidence that should have been considered. Leroy has written a paper entitled '*Plutonium and People Don't Mix*'. He will email it to David for distribution to the Board. He added that he appreciates that everyone here is continuing to pay attention to Rocky Flats issues.

Receive Stewardship Council 2008 Financial Audit

Eric Barnes of the auditing firm Wagner, Burke & Barnes, LLP presented the results of the annual audit of the organization. By law, the Stewardship Council does not need to conduct this audit, but the Board decided at beginning of its operations to monitor the fiscal health of the organization via an audit.

Mr. Barnes said that this audit was uncomplicated and that the Council's records are in good order. He added that David Abelson and Jennifer Bohn are doing a good job in documenting and tracking the expenditures. He walked the Board through various section of the audit report. Page 1 contains the report by the auditors. This report conveyed that the Council's financial statements present a fair position of Stewardship Council. This is known as a 'clean' opinion. Page 2 lists total assets as of 12-31-08. Page 5 is a statement of revenue and expenditures, showing the largest expense item as contract personnel. Page 7 compares expenses to budgeted amounts. Total expenditures were under budget by \$55,000, with the major differences being in the personnel and contractual line items. Page 12 shows that everything is insured, there is no risk, and that the Council operates in a conservative financial position. Mr. Barnes also noted that the Board has disposed of nearly all of its capital assets. Jennifer Bohn pointed out a typo, which Mr. Barnes will correct in the final draft. Lori Cox asked a question about terms on page 10, which refer to the Board's use of unrestricted and restricted funding. In this case, 'restricted' refers to the DOE grant and 'unrestricted' refers to local government contributions and carryover funds. She asked if the method for choosing one source or another for a particular expense is written anywhere. David Abelson said that it is not, but the closest description can be found in the Board's annual budget showing sources of revenue. David pointed out the budget vs. actual expenses on page 7. He explained that the Board controls actual expenditures, but padding certain line items is used as a way to avoid supplemental budget hearings if the Board decides to initiate new (un-budgeted) projects during the fiscal year. For 2009, there is a little less cushion built in. He also explained that Jennifer submits quarterly requests to draw on the Council's DOE grant based on upcoming expenses.

Roman Kohler moved to approve the 2008 Stewardship Council Audit, with the suggested correction. The motion was seconded Lorraine Anderson. The motion passed 12-0

Continue Discussing Interpretative Signs for Rocky Flats National Wildlife Refuge

The Board moved into a continued discussion of signs for Rocky Flats. This conversation was set up for the Board to identify categories of information and the types of messages it believes should be conveyed regarding the history of the site as a weapons facility, without suggesting specific language.

David noted that representatives from USFWS were not able to attend this meeting, but have passed along to him that they are concerned that the Stewardship Council will recommend too much information for the signs. He said they are also concerned about the roles of the Cold War Museum and the Stewardship Council. David said he explained to the agency that the missions of the two organizations are in line.

David suggested that the Stewardship Council put forth ideas for the types of information that should be provided to visitors, along with detailed explanations for why these messages should be included. He also recommends aiming for objective facts, rather than any value judgments. The Board will also likely recommend information be conveyed about ongoing management activities. David said he has communicated this type of goal on behalf of the Board to the USFWS, and that there still may be some level of discomfort within the agency.

Lorraine Anderson said she thinks David is on the right track with these parameters. She asked if the signs in question include those on the DOE lands. She said her preference would be to focus only on refuge lands. David Allen said he likes the idea of the Board providing this type of information, and added that the Board's 'talking point' papers cover a lot of this information. David Abelson said he agreed. Carl Castillo asked if the USFWS process would involve draft wording coming back to this group for comment. David Abelson said that the short answer is yes, since this is part of one of the agency's 'step-down' plans. He said the last similar action was put through a process of informal public involvement, and that he would expect them to reach out in a similar way on the sign issue. Carl then asked how Rep. McKinley's bill would play into this process. David said that the McKinley bill only addresses entrance signs, and language for these signs has already been adopted by USFWS. The signs being discussed now are additional interpretive signs to be posted at various points within the refuge. Ron Hellbusch said he thought if Steve Berendzen of USFWS were here, that he would support David's approach. He said USFWS is trying to get as much consistency as possible across the country on signage at similar new sites. Shirley Garcia said that the Cold War Museum has an education committee, which is working on an exhibit for next summer and are trying to combine various Rocky Flats timelines into historical facts and key points. She said they would love to have anyone join them. Jeannette Hillery asked Shirley to keep the Board in the loop so it can support the Museum when needed.

Jeannette directed the Board to page two of a memo in the Board packet that listed framing topics for this discussion. She asked the Board if these topics were enough or if they needed to be expanded.

Lorraine said that the list covered the major topics that the Board should be considering for signs, and that the Museum may be able to fill in some of the gaps. Karen Imbierowicz asked if

bullet #1 addressing the ‘History of Cleanup’ should also mention the history of Rocky Flats in general. David noted that the Board must determine how broad the scope should be, and added that staff could present options of different approaches to the Board for its consideration. Carl Castillo asked about whether to explain the reasons the remediation that was completed. David Abelson acknowledged that this was not exactly spelled out, but he would play around with wording and ideas. He also pointed to three eras at the site; production, cleanup, and from this point forward. Scott Surovchak said that the history is not quite as clear-cut as that. He pointed to quite a bit of overlap in activities (i.e. various ongoing cleanup activities since the 1950’s). Lorraine said this is reason the Board needs to distinguish between the industrial area and the rest of site. She said the Stewardship Council is funded to talk about issues related to the existence of Rocky Flats, such as why there was a buffer zone, and if there was contamination. David Abelson clarified that he was not trying to get into anything about the history of the site beyond the DOE mission. The Board will break the site history into categories, and then deal any overlapping issues.

Briefing on Site Monitoring Program

As a follow-up to the April 2009 cleanup briefing, this briefing was scheduled to explore the site monitoring program in greater detail. The conversation was set up to focus on the need for ongoing monitoring, what is being monitored and what is not, the frequency of monitoring, and other related issues.

Scott Surovchak began by strongly recommending that anyone interested in Rocky Flats attend the June site tour. He then began his presentation on ‘Why We Are Here’, a broad overview of DOE’s current monitoring and maintenance responsibilities at Rocky Flats. These activities include:

- Physical controls (signs are inspected quarterly)
- Institutional controls (annual inspection of Central Operating Unit to ensure effectiveness of IC’s and verify that the required state of Colorado environmental covenant remains on file)
- Surface water and groundwater (Rocky Flats Legacy Management Agreement (RFLMA) Table 2: Water monitoring locations and sampling criteria)
- Landfills (RFLMA Table 3: Present and original landfill inspection and maintenance requirements)
- Residual subsurface contamination (monitor for significant erosion annually, and after major precipitation events)
- Groundwater treatment systems (untreated influent and treated effluent; impacts to surface water downstream of effluent discharge point in accordance with table 2 and flowchart decision rules) – to treat 3 significant groundwater plumes onsite. This will be a long term job, especially with regard to organic contaminants.
- Ecological sampling required by RFLMA is complete
- Operational (boundary wells, pre-discharge pond sampling, adverse biological conditions)
- Others:
 1. Threatened and endangered species

2. Revegetation
3. Best management practices (road and fence maintenance, prairie maintenance (wildfire), weed management)
4. Wetland mitigation

The following were included in the presentation:

- RFLMA figure 1, shows monitoring points (about 100)
- RFLMA table 2 example, water monitoring locations and sampling criteria (frequency, analytes, types of analysis, etc.)
- RFLMA table 3. PLF, OLF Inspection and Maintenance Requirements, includes exit strategy.

Ron Hellbusch asked if this presentation would be posted online. Scott said it would be. David Abelson referred back to Leroy Moore's comments earlier in the meeting which implied that the cleanup was unsafe and noted how this presentation pointed out the ongoing monitoring and communication of remaining contamination, and also the collaboration with the regulators and the community. Lorraine Anderson said she wished Leroy would have stayed for this presentation and that the Peace and Justice Center opposed cleanup from beginning and is now disparaging what was done. She added that Scott did great job of outlining why the cleanup was done well, and that DOE's Assistant Secretary for EM needs to hear that this group does not agree with RMPJC.

Host DOE Annual Meeting

DOE next briefed the Stewardship Council on site activities for calendar year 2008. Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.). DOE has posted the Annual Report on its website.

Surface Water Monitoring and Operations

George Squibb with Stoller began by discussing surface water monitoring and operations. Pond operations saw no discharges, due to lack of precipitation. More recently, levels reached as high as 57% in Pond B5, as well as high levels in other ponds, leading to a current round of discharges. These will probably be finished by June 6, and will involve 3-12 million gallons. The site is collecting several composite samples for each pond, and also at Indiana Street.

The site is also in the process of completing a dam breach project, in order to reduce long term maintenance and to remove the dams from regulatory requirements. Breaching of Dams A-1, A-2, B-1, B-2, B-3, and B-4 was completed in March 2009. The next dams to be breached will be in 2012 and 2018. This gives the site time to collect additional water quality data and see how the system is working at Pond A1.

Hydrologic data for CY 2008 showed total precipitation of 9.4 inches, which was 76% of the average. Flow rates were very low (none to 12% of average).

As reported in previous quarterly updates, water quality at all Points of Evaluation, except GS10, was below applicable standards. Reportable values for total uranium at GS10 continue to be observed and are probably caused by groundwater contributions of naturally-occurring uranium to South Walnut Creek.

Monitoring at the original (OLF) included surface water quality results during CY 2008 that triggered monthly sampling for selenium per the RFLMA. Selenium was not detected in three consecutive monthly samples; therefore, monthly sampling was discontinued.

Monitoring at the present (PLF) landfill included surface water quality results that triggered monthly sampling for selenium, silver, and vinyl chloride. No analytes were detected in three consecutive monthly samples; therefore, monthly sampling was discontinued.

Groundwater Monitoring and Operations

John Boylan spoke next about groundwater monitoring and operations. All Area of Concern (AOC), Sentinel, and Resource Conservation and Recovery Act (RCRA) wells were monitored. Treatment system locations were monitored. The results are included and evaluated in the 2008 Annual Report. All groundwater treatment systems continue to remove contaminants from the groundwater.

The Mound Site Plume Treatment System (MSPTS) treated approximately 358,000 gallons. This continues a trend observed since 2005, wherein volume treated is significantly greater than that treated before 2005. Contaminant concentrations in system influent continue to reflect presence of Oil Burn Pit (OBP) #2-impacted groundwater. This indicates that the diversion installed in 2005 to route OBP #2 water to the MSPTS continues to be effective. Effluent water quality is generally consistent with that of previous years.

The East Trenches Plume Treatment System (ETPTS) treated approximately 629,000 gallons. This continues the trend observed since 2006, wherein volume treated is significantly lower than that treated before 2006. Contaminant concentrations in the system influent and effluent water quality are generally consistent with previous years. Slight increases in effluent concentrations of some contaminants (e.g., PCB, TCE), and media clogging, will lead to media replacement maintenance activity in 2009.

The Solar Ponds Plume Treatment System (SPPTS) treated approximately 280,000 gallons, which is generally consistent with previous years, but does reflect a slight increase and is the highest volume treated since 2003. This reflects additional influent from Phase I upgrades, which were completed in October. Contaminant concentrations in system influent were generally consistent with previous years until Phase I was completed. Following Phase I, concentrations of nitrate went up 2 to 3 times, and uranium went up less. Effluent water quality was acceptable prior to Phase I, then additional flow and contaminant load challenged the media. Phases II and III will improve treatment and inform Phase IV.

John reported that of all statistically significant (at the 95 percent level of confidence) trends identified in statistical trending evaluations for the 2008 Annual Report, 54 are decreasing and

44 are increasing. See the 2008 Annual Report text, tables, figures, and Appendix B for well- and chemical-specific details.

Additional samples were collected at and around the SPPTS. There was also additional characterization of waters collected in the ITSS. The site continues to assess the effects of the Phase I upgrades and is not satisfied with the results to date. Results of Phase I upgrades included:

- Flow volume increased
- Concentrations of nitrate and uranium increased
- Media challenged
- Concentrations of nitrate and uranium in system effluent increased

The net effect is that, although concentrations in system effluent increased, concentrations of nitrate and uranium in water at the Discharge Gallery (DG) have decreased.

Phase 2 will involve performing uranium treatment in the first cell, which will save on the cost of low-level radioactive waste disposal. For Phase 3, the site is looking at inert plastic media (testing in Cell A), and corn stover, a reactive organic media (testing in cell B). Bob Darr asked how often these types of media would need to be replaced. John said that the corn stover would be replaced about every 5-6 years, and that since plastic is nonreactive, it should not have to be changed out, perhaps only backwashed.

David Abelson asked if there was a timeline for an exit strategy or closeout at the Mound or East Trenches sites. John said they had done some modeling, but they are probably looking at hundreds of years yet. He added that new technologies will also be considered. He said the Solar Ponds should be quicker, as they are closer to the uranium standard. David asked if there is there a way of transferring this kind of technical data throughout DOE cleanup sites. Scott Surovchak said that is done regularly. David Allen asked about the statistical trending showing that 44 are increasing, and asked if this was any cause for concern. John said that more are decreasing than increasing, and that since no source is being added, we should see more decreasing.

Annual Site (COU) Inspection

Rick DiSalvo discussed that annual site (COU) inspection. Each year, the site conducts this inspection that includes visual observation for precursors of significant erosion; evaluating proximity of any significant erosion to subsurface features. They also inspect the effectiveness of institutional controls (ICs) by looking for any evidence of violation of ICs and determining whether required signs are in place. They also confirm that the state of Colorado environmental covenant is in the Administrative Record and on file with Jefferson County. The staff also looks for evidence of any adverse biological conditions. The inspection is performed by walking over the whole surface of the COU, including areas where people rarely travel onsite.

The results of the annual inspection showed no significant erosion, only minor holes, small animal evidence, and depressions identified. These were in very limited aerial extent and were

filled in. Debris and trash was collected or flagged for pick up. No adverse biological conditions observed. There was also no evidence of IC violations. All signs were in place.

Water Quality Control Commission

Rick next provided an update on the water quality control commission (WQCC) rulemaking process. Rocky Flats submitted a petition to adopt the statewide basic uranium standard. The WQCC recognized that changed conditions warranted revision.

The Water Quality Control Division (WQCD) said that a mistake was made in promulgating the statewide uranium standard in 2005. The range should be from 16.8 to 30 µg/L (“hyphenated standard”). Many analytes have the hyphenated standard. The statewide uranium standard will be clarified. The higher number applies as the end-of-pipe limit for discharge permits. The lower number is a health-based goal value derived using WQCC methodology (10-6 incremental lifetime cancer risk / 2 liters drunk per day over a lifetime).

WQCC revised the site-specific uranium standard to the 16.8 µg/L (approximately 11.5 pCi/L) health-based standard. A higher ambient-based standard may be addressed in the future, based on data and regulatory considerations, including practicality/feasibility. Gross alpha and gross beta standards were removed; specific radionuclides (uranium, plutonium, and americium) are being monitored.

The Commission also decided to retain Rocky Flats’ expiring temporary modifications (six volatile organic compounds, nitrate/nitrite) and their expiration date (December 31, 2009). The site did not request an extension of the TM’s.

At the June 2009 Rulemaking hearing for the Triennial review of the South Platte River Basin, potential Rocky Flats issues include:

- Rocky Flats TMs expire on December 31, 2009
- The SPPTS upgrade should reduce nitrate loading to North Walnut Creek, but it may not meet 10 µg/L by December 31, 2009
- New statewide basic standard for arsenic (0.02–10 µg/L) below site-specific standard (50 µg/L)

The Water Quality Control Division (WQCD) is offering a few key proposed revisions. The first is a revision of the site-specific arsenic standard from 50 µg/L to the new statewide basic water supply standard of 0.02 to 10 µg/L. Rocky Flats’ post-closure arsenic results have generally been below 10 µg/L. The site has reviewed post-closure monitoring data with WQCD staff and found that the new arsenic standard is in attainment based upon the data presented.

WQCD is also proposing change recreational class from non-contact to contact (segment 4a) and potential contact (segments 4b and 5). Their rationale is based on a misunderstanding of public use (such as potential swimming) of Rocky Flats. Rocky Flats has submitted a response to WQCC regarding post-closure public access restrictions and is discussing this issue with WQCD.

Ecological Monitoring

Jody Nelson provided the annual update on ecological monitoring. Project support for ecological issues was provided for OLF West Channel Project, 2008 Roads Projects, Dam Breach Project, Annual Dam Mowing and Riprap Spraying Project, Solar Ponds Sump Installation and Phase II/III Project, and trash removal (large tank) in the Central OU.

Ecological monitoring included OLF and PLF vegetation surveys, monthly weed surveys in the mitigation wetlands, revegetation monitoring, weed monitoring/mapping, Preble's mouse mitigation monitoring, and wetland mitigation monitoring. Jody mentioned that the site uses a varied approach to weed control including management controls (i.e. using weed-free materials), mowing, and spraying.

The ecology department also maintains permanent photopoint comparison photos. One thing they keep an eye on is prairie dogs, as they want to make sure to keep them off certain treatment areas.

Site Operations

Jeremiah McLaughlin concluded the DOE report with a review of site operations.

At the OLF, 12 monthly inspections were performed in 2008. Fourth quarter inspections were completed on October 29, November 25, and December 29, 2008. Work was also completed on the Seep #7 Drain Extension and Berm Regrade Project in September. A West Perimeter Channel Regrade Project was completed in November. At the PLF, 4 quarterly inspections were completed in 2008, including the fourth quarter inspection on November 25. The settlement monument surveys were completed on June 21.

Jeremiah also answered a question about security patrols, noting they were stopped last fall because there were no incidents.

Public Comment

There was none.

Updates/Big Picture Review

September 14, 2009

Potential Business Items

- Initial review 2010 budget

Potential Briefing Items

- Host LM quarterly public meeting
- Annual review of RFSC activities
- Begin discussing 2010 Work Plan
- Continue discussing interpretive signs for Rocky Flats
- Role of regulators – update on lessons learned under RFLMA

November 2, 2009

Potential Business Items

- Budget hearing for 2010 budget

Potential Briefing Items

- Host LM quarterly public meeting
- Approve 2010 work plan
- Update on Cold War Museum

The meeting was adjourned at 11:30 a.m.

Respectfully submitted by Erin Rogers.

7:29 PM
08/23/09

Rocky Flats Stewardship Council Check Detail May 15 through August 23, 2009

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Check		5/28/2009		CASH-Wells Fargo-Operating		-2.00
				Admin Services-Misc Services	-2.00	2.00
TOTAL					-2.00	2.00
Check		6/25/2009		CASH-Wells Fargo-Operating		-2.00
				Admin Services-Misc Services	-2.00	2.00
TOTAL					-2.00	2.00
Check		7/27/2009		CASH-Wells Fargo-Operating		-2.00
				Admin Services-Misc Services	-2.00	2.00
TOTAL					-2.00	2.00
Check	1358	5/31/2009	Wagner, Burke & Barnes...	CASH-Wells Fargo-Operating		-4,743.68
				Annual Audit	-4,743.68	4,743.68
TOTAL					-4,743.68	4,743.68
Check	1359	5/31/2009	The Hartford	CASH-Wells Fargo-Operating		-500.00
				Insurance	-500.00	500.00
TOTAL					-500.00	500.00
Bill Pmt...	1360	5/31/2009	Erin Rogers	CASH-Wells Fargo-Operating		-500.00
Bill	5/29/...	4/30/2009		Personnel - Contract	-500.00	500.00
TOTAL					-500.00	500.00
Bill Pmt...	1361	5/31/2009	Jennifer A. Bohn	CASH-Wells Fargo-Operating		-110.50
Bill	09-42	5/30/2009		Accounting Fees	-110.50	110.50
TOTAL					-110.50	110.50
Check	1362	6/1/2009	Qwest	CASH-Wells Fargo-Operating		-26.24
				Telecommunications	-26.24	26.24
TOTAL					-26.24	26.24
Check	1363	6/1/2009	Qwest	CASH-Wells Fargo-Operating		-69.69
				Telecommunications	-69.69	69.69
TOTAL					-69.69	69.69
Bill Pmt...	1364	5/31/2009	Crescent Strategies, LLC	CASH-Wells Fargo-Operating		-7,577.91
Bill	5/31/...	5/31/2009		Personnel - Contract	-6,850.00	6,850.00
				Telecommunications	-140.39	140.39
				TRAVEL-Local	-64.90	64.90
				Postage	-115.99	115.99
				Printing	-156.10	156.10
				Supplies	-250.53	250.53
TOTAL					-7,577.91	7,577.91
Check	1365	7/2/2009	Qwest	CASH-Wells Fargo-Operating		-70.40

7:29 PM

08/23/09

Rocky Flats Stewardship Council
Check Detail
 May 15 through August 23, 2009

Type	Num	Date	Name	Account	Paid Amount	Original Amount
TOTAL				Telecommunications	-70.40	70.40
					-70.40	70.40
Check	1366	7/2/2009	Qwest	CASH-Wells Fargo-Operating		-26.31
				Telecommunications	-26.31	26.31
TOTAL					-26.31	26.31
Bill Pmt...	1367	7/2/2009	Blue Sky Bistro	CASH-Wells Fargo-Operating		-255.00
Bill	17	6/1/2009		Misc Expense-Local Government	-255.00	255.00
TOTAL					-255.00	255.00
Bill Pmt...	1368	7/2/2009	Jennifer A. Bohn	CASH-Wells Fargo-Operating		-425.00
Bill	09-49	6/30/2009		Accounting Fees	-425.00	425.00
TOTAL					-425.00	425.00
Bill Pmt...	1369	7/3/2009	Crescent Strategies, LLC	CASH-Wells Fargo-Operating		-7,081.33
Bill	6/30/...	6/30/2009		Personnel - Contract	-6,850.00	6,850.00
				Telecommunications	-147.14	147.14
				TRAVEL-Local	-68.20	68.20
				Postage	-15.99	15.99
TOTAL					-7,081.33	7,081.33
Bill Pmt...	1370	7/3/2009	Energy Communities All...	CASH-Wells Fargo-Operating		0.00
TOTAL					0.00	0.00
Bill Pmt...	1371	7/3/2009	Seter & Vander Wall, P.C.	CASH-Wells Fargo-Operating		-1,099.45
Bill	56101	6/30/2009		Attorney Fees	-1,099.45	1,099.45
TOTAL					-1,099.45	1,099.45
Bill Pmt...	1372	7/3/2009	Energy Communities All...	CASH-Wells Fargo-Operating		-950.00
Bill	0033	6/30/2009		Subscriptions/Memberships	-950.00	950.00
TOTAL					-950.00	950.00
Bill Pmt...	1373	8/7/2009	Crescent Strategies, LLC	CASH-Wells Fargo-Operating		-7,028.03
Bill	7/31/...	7/31/2009		Personnel - Contract	-6,850.00	6,850.00
				Telecommunications	-135.64	135.64
				TRAVEL-Local	-26.40	26.40
				Postage	-15.99	15.99
TOTAL					-7,028.03	7,028.03
Bill Pmt...	1374	8/7/2009	Jennifer A. Bohn	CASH-Wells Fargo-Operating		-212.50
Bill	09-57	7/31/2009		Accounting Fees	-212.50	212.50
TOTAL					-212.50	212.50
Bill Pmt...	1375	8/7/2009	Seter & Vander Wall, P.C.	CASH-Wells Fargo-Operating		-72.00
Bill	56271	7/31/2009		Attorney Fees	-72.00	72.00

7:29 PM

08/23/09

Rocky Flats Stewardship Council
Check Detail
May 15 through August 23, 2009

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
TOTAL					-72.00	72.00
Check	1376	8/7/2009	Qwest	CASH-Wells Fargo-Operating		-26.48
				Telecommunications	-26.48	26.48
TOTAL					-26.48	26.48
Check	1377	8/7/2009	Qwest	CASH-Wells Fargo-Operating		-70.35
				Telecommunications	-70.35	70.35
TOTAL					-70.35	70.35

DOE Quarterly Report Briefing

- Cover memo
- Quarterly report (minus appendices)

CDPHE and EPA Briefing

- Cover memo
- MOU between CDPHE and EPA

ROCKY FLATS STEWARDSHIP COUNCIL

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Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Karen Imbierowicz

MEMORANDUM

TO: Stewardship Council Board
FROM: Rik Getty
SUBJECT: DOE Quarterly Briefing
DATE: September 1, 2009

We have scheduled 45 minutes for DOE to present its quarterly briefing for the first quarter (January through March) of 2009. The quarterly report is attached and can also be found at http://www.lm.doe.gov/Rocky_Flats/Documents.aspx. Unlike past quarterly reports there is no Executive Summary included. The attachments are also not available on the web.

DOE will brief on the following topics in a similar format to past quarterly and annual report updates:

- surface water monitoring;
- groundwater monitoring;
- ecological monitoring; and,
- site operations (inspections, pond operations, security, general maintenance, etc.).

Highlights of the first quarter included:

- All water-quality data at the RFLMA Points of Compliance along Indiana Street remained well below the applicable standards through first quarter CY 2009.
- The Site continues to evaluate, in coordination with CDPHE and under RFLMA, the measured uranium (U) concentrations at surface water Point of Evaluation (POE) GS10. Recent GS10 data continue to support the conclusion that the reportable U activities are likely a result of changing hydrologic conditions (particularly the increasing groundwater component with naturally occurring U in surface water flows at GS10, relative to conditions that prevailed prior to Site closure), and that no specific remedial action is needed at this time. The data do not suggest a previously unknown localized source of contamination that warrants targeted action.
- All other POE analyte concentrations remained below reporting levels as of the end of first quarter CY 2009. Erosion and runoff controls, as well as extensive revegetation efforts, have proven to be effective in measurably reducing both sediment transport and constituent concentrations. As of the end of first quarter CY 2009, all of the POEs continued to show Pu-239,240 and Am-241 activities well below the RFLMA standards. With the removal of

impervious areas resulting in decreased runoff, the stabilization of soils within the drainages, and the progression of revegetation, acceptable water quality is expected to continue.

- The annual site inspection and monitoring for evidence of significant erosion and violation of institutional controls was performed on March 25, 2009, in accordance with the RFLMA. No evidence of violations of institutional or physical controls was observed and no adverse biological conditions were noted during the inspection. Some areas with minor erosion were observed and field teams were sent back to determine what, if any, erosion control repairs need to be made. If the areas required erosion control repair it will be documented in the second quarter report (April through June 2009).
- Maintenance of the Site erosion control features required continued effort throughout first quarter of 2009, especially following high-wind or precipitation events. Repairs were made to erosion wattles and matting loosened and displaced by high winds or rain. Erosion controls were installed and maintained for the various projects that were ongoing during the first quarter. Several areas were seeded with additional native species to increase vegetation cover.
- Preparations were made during the quarter for the Phase II and III upgrades to the Solar Ponds Plume Treatment System (SPPTS). **Note:** the upgrades were completed in the second quarter of 2009. DOE will include the current status of the SPPTS in their briefing. There have recently been structural issues with the system and DOE will outline the path forward for the SPPTS.
- The Colorado Water Quality Control Commission (CWQCC) issued two rulings concerning water quality standards at the site. The former site surface water standard for U was about 10 pCi/l U. The site requested a change to the state-wide U standard of 30 ug/l (about 20 pCi/l). The CWQCC adopted a new U standard of 16.8 ug/l (about 11.3 pCi/l) which is slightly above the former site standard. The site also requested that the gross alpha and gross beta water standards be dropped because they were redundant. The CWQCC agreed and dropped the two standards.

Please contact me if you have any questions.

Rocky Flats Site

**Quarterly Report of
Site Surveillance and
Maintenance Activities
First Quarter Calendar Year 2009**

July 2009



U.S. DEPARTMENT OF
ENERGY

Legacy
Management

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**U.S. Department of Energy
Office of Legacy Management**

Rocky Flats Site

Quarterly Report of Site Surveillance and Maintenance Activities

First Quarter Calendar Year 2009

July 2009

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Appendixes

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Abbreviations

Am	americium-241
CAD/ROD	Corrective Action Decision/Record of Decision
CDPHE	Colorado Department of Public Health and Environment
COU	Central Operable Unit
CY	calendar year
DOE	U.S. Department of Energy
EPA	U.S. Environmental Protection Agency
ETPTS	East Trenches Plume Treatment System
GWIS	Groundwater Intercept System
IC	institutional control
LM	Office of Legacy Management
µg/L	micrograms per liter
mg/L	milligrams per liter
M&M	monitoring and maintenance
MCL	maximum contaminant level
MSPTS	Mound Site Plume Treatment System
OLF	Original Landfill
pCi/L	picocuries per liter
PLF	Present Landfill
PLFTS	Present Landfill Treatment System
POC	Point of Compliance
POE	Point of Evaluation
Pu	plutonium-239,240
RCRA	Resource Conservation and Recovery Act
RFLMA	<i>Rocky Flats Legacy Management Agreement</i>
RFSOG	<i>Rocky Flats Site Operations Guide</i>
Site	Rocky Flats Site
SPPTS	Solar Ponds Plume Treatment System
TVS	table value standard
U	uranium
WQCC	Water Quality Control Commission
WQCD	Water Quality Control Division

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1.0 Introduction

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is responsible for implementing the final response action selected in the Final Corrective Action Decision/Record of Decision (CAD/ROD) (DOE 2006a) issued September 29, 2006, for the Rocky Flats Site (the Site). DOE, the U.S. Environmental Protection Agency (EPA), and the Colorado Department of Public Health and Environment (CDPHE) have chosen to implement the monitoring and maintenance requirements of the CAD/ROD as described in the *Rocky Flats Legacy Management Agreement* (RFLMA) (DOE 2007a). Attachment 2 to RFLMA defines the Central Operable Unit (COU) remedy surveillance and maintenance requirements, the frequency for each required activity, and the monitoring and maintenance locations. The requirements include environmental monitoring; maintenance of the erosion controls, access controls (signs), landfill covers, and groundwater treatment systems, as well as operation of the groundwater treatment systems. RFLMA also requires that the institutional controls (ICs), in the form of use restrictions as established in the CAD/ROD, are maintained.

This report is required in accordance with Section 7.0 of Attachment 2 to the RFLMA. The purpose of this report is to inform the regulatory agencies and stakeholders of the remedy-related surveillance, monitoring, and maintenance activities being conducted at the Site. LM provides periodic communications through several means (e.g., this report, Web-based tools, and public meetings).

LM prepared the *Rocky Flats Site Operations Guide* (RFSOG) (DOE 2008a) to serve as the primary internal document to guide work to satisfy the requirements of the RFLMA and implement best management practices at the Site.

Several other Site-specific documents provide additional detail regarding the requirements described in Attachment 2 to RFLMA, including all aspects of surveillance, monitoring, and maintenance activities, as well as data evaluation protocols.

Landfill inspection and monitoring tasks follow the format and protocols established in the *Present Landfill Monitoring and Maintenance Plan and Post-Closure Plan* (M&M Plan) (DOE 2008b) and the *Final Landfill Monitoring and Maintenance Plan, Rocky Flats Environmental Technology Site, Original Landfill* (M&M Plan) (DOE 2006b). These plans include detailed information on monitoring groundwater, surface water, subsidence and consolidation, slope stability, soil cover, vegetation, storm water management structures, and erosion in surrounding features so that maintenance actions can be implemented in a timely manner.

Monitoring data and summaries of surveillance and maintenance activities for past quarters can be found in the quarterly reports. Extensive discussion and evaluation of surveillance, monitoring, and maintenance activities are presented each calendar year in the annual report of Site surveillance and maintenance activities.

This report addresses remedy-related surveillance, monitoring, and maintenance activities conducted at the Site during the first quarter of calendar year (CY) 2009 (January 1 through March 31) and includes:

- Annual Site inspection;
- Maintenance and inspection of the Original Landfill (OLF) and Present Landfill (PLF);
- Maintenance and inspection of the four groundwater treatment systems;
- Erosion control and revegetation activities; and
- Routine (in accordance with RFLMA and the RFSOG) water monitoring.

2.0 Site Operations and Maintenance

2.1 Annual Site Inspection

Annual inspection and monitoring of evidence of significant erosion and violation of ICs is required in accordance with RFLMA Attachment 2, Sections 5.3.4 and 5.3.6. The inspection was conducted on March 25, 2009.

The following categories were inspected or monitored during the inspection:

- Evidence of significant erosion in the COU and evaluation of the proximity of this erosion to subsurface features identified in RFLMA Attachment 2, Figures 3 and 4. This monitoring included visual observation for precursor evidence of significant erosion, such as cracks, rills, slumping, subsidence, and sediment deposition;
- The effectiveness of ICs as determined through any evidence of the violation of any of these controls; and
- Evidence of adverse biological conditions, such as unexpected morbidity or mortality, observed during the inspection and monitoring activities.

As part of the IC inspection, verification that the Environmental Covenant remains in the administrative record and on file in Jefferson County records is also required annually. In addition, physical controls (i.e., signs placed along the COU fence) were also inspected.

The annual inspection was scheduled to allow adequate observation of surface features after snow cover had melted and the surface was dry enough to avoid muddy conditions and before vegetation growth might obscure land surface features.

To conduct this work, knowledgeable DOE, CDPHE, and S.M. Stoller team staff members (the inspection team) walked down the COU surface to observe the conditions. The areas walked down were designated as Areas A through E and are shown on the maps included in Appendix A. These areas generally coincide with the location of the subsurface features in RFLMA Attachment 2, Figures 3 and 4, or they afforded adequate viewing of the surface in these locations (e.g., sloping areas). Several team members were assigned to walk down a particular area or areas identified on the maps. Reference points, such as well heads and roads, were used to orient the team members within designated inspection areas.

The completed inspection checklists and several photographs illustrating noted conditions are also included in Appendix A of this report.

Marker flags were placed at locations where conditions showed evidence of the three condition categories listed above to track their location for follow-up by Site subject matter experts. Areas that required evaluation were documented in the Site Observation Log for evaluation and follow-up. Several areas were noted with evidence of erosion, possible depressions, or holes; however, these appeared to be minor and very limited in area. Most observations were related to metal debris on the surface or trash that was either picked up or marked for subsequent removal and pickup. Rocky Flats field operations subject matter experts will subsequently visit the areas to determine if any observations appear to be significant or require repairs and to collect debris to close out all items in the Site Observation Log. Completion of this work will be reported in the quarterly report for the second quarter 2009.

No evidence of violations of institutional or physical controls was observed.

On March 31, 2009, a team member verified that the Environmental Covenant for the COU remains in the administrative record and on file with the Jefferson County land records, which are used by the Planning and Zoning Department.

No adverse biological conditions were noted during the inspection.

2.2 WQCC Proceedings Related to Rocky Flats

The status of ongoing Water Quality Control Commission (WQCC) proceedings has been routinely updated in quarterly and annual reports. There were two WQCC proceedings during this calendar quarter. The first was related to the uranium (U), gross alpha, and gross beta surface water standards, and the second is related to the triennial review of Site-specific standards for the South Platte River Basin. Big Dry Creek segments 4a, 4b, and 5 on Rocky Flats property are part of this basin.

2.2.1 Uranium and Gross Alpha–Gross Beta Standards

A WQCC rulemaking hearing was held January 12, 2009, to consider revising “Classifications and Numeric Standards for South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin,” Regulation 38 (Title 5 *Code of Colorado Regulations* 1002-38) (Regulation 38). This revision would eliminate the Site-specific standards in Big Dry Creek segments 4a, 4b, and 5 for U, gross alpha, and gross beta in Regulation 38, Table 2, due to changed hydrological conditions after cleanup and closure of Rocky Flats. The Site-specific, ambient-based radionuclide standards for these analytes were first adopted in 1989 based on ambient conditions during operations. DOE petitioned the WQCC to remove the Site-specific U standard, which would result in the statewide basic standard for U becoming the RFLMA standard. The statewide basic standard for U is the EPA maximum contaminant level (MCL) of 30 micrograms per liter ($\mu\text{g/L}$). The MCL is approximately twice the RFLMA standard. There is no promulgated statewide basic standard for gross alpha and gross beta. The basis for DOE’s petition is the changed conditions resulting from cleanup and closure.

U in groundwater at Rocky Flats is predominantly natural, as determined prior to closure, through hundreds of samples analyzed at Los Alamos National Laboratory using high-resolution analytical methods. Post-closure high-resolution analysis of targeted groundwater and surface water locations also show that the U is predominantly natural. U that has been confirmed to be 100 percent natural has been measured in Rocky Flats groundwater at concentrations of more than 30 times the current Site-specific standard. With the quantity of runoff reduced through the removal of impervious surfaces and the elimination of imported water, the relative contribution of groundwater to surface water flows at Rocky Flats has increased greatly, and, consequently, U concentrations are also increasing. The groundwater U contribution to surface water base flow indicates that the post-closure ambient U concentration may approach or exceed the 1989 ambient-based standards developed when the plant was operating.

Gross alpha and gross beta standards are used for screening to limit radionuclide concentrations when specific radionuclides contributing to alpha and beta radioactivity are uncertain. The characterization of soil and water during cleanup and closure identified the radionuclide contaminants of concern as U-233/234, U-235, U-238, americium (Am)-241, and plutonium (Pu)-239/240. Specific standards for these isotopes are established in RFLMA Attachment 2, Table 1, making gross alpha and gross beta standards redundant and unnecessary.

The WQCC revised the U standard to 16.8 µg/L rather than the requested revision to 30 µg/L and eliminated the gross alpha and gross beta Site-specific standards. The WQCC statement of basis, Regulation 38, sec. 38.71, is as follows:

BASIS AND PURPOSE The Commission considered revisions to ... [Regulation 38 Table 2] ... standards for uranium, gross alpha and gross beta for segments 4a, 4b, and 5 of Big Dry Creek. The previous uranium standards (10 pCi/L for Walnut Creek and 11 pCi/L for Woman Creek) were set in 1996 based on the then current ambient conditions. Recently, post-closure surface water runoff has decreased and the relative contribution of uranium from groundwater has increased. However, the effects of this hydrologic change have not been quantified. In addition, increased treatment of the Solar Pond Plume area will result in a decrease in uranium from that source. Since there is continued uncertainty about the eventual equilibrium surface water uranium concentrations, the Commission decided that human health-based criteria were more appropriate than table value standards, new ambient-based standards or maintaining the current standards. The question of determining the “lowest practical level” will be left to the future when DOE completes a feasibility study of enhanced treatment of the Solar Pond Plume. The Commission adopted a total uranium standard of 16.8 µg/L to protect human health since the goal for the Rocky Flats site has been to protect all uses. This concentration-based criterion was derived using a reference dose of 0.0006 mg/kg/day and a relative source contribution of 0.8 (see Policy 96-2, Equation 1-1). Based upon a conversion factor of 0.67 pCi/µg uranium, 16.8 µg/L equates to 11.3 pCi/L.

2.2.2 Triennial Review

The rulemaking hearing is scheduled for June 8, 2009. Pursuant to the WQCC’s November 17, 2008, directive resulting from the November 10, 2008, Issues Formulation Hearing and based on informal consultation with Water Quality Control Division (WQCD) staff, DOE provided timely notification to the WQCC administrator before January 15, 2009, that

Rocky Flats would not be proposing any specific revisions to Regulation 38. Thus, any Rocky Flats proposed changes to standards or classifications would be in response to the WQCD Proponent's Pre-Hearing Statement.

Based on the WQCD's March 24, 2009, Proponent's Pre-Hearing Statement, two issues could potentially have an impact on Rocky Flats. The first was related to the proposed lowering of the Site-specific arsenic standard from 50 µg/L to the recently adopted statewide standard of 0.02–10 µg/L. The second was related to the proposed change of the segment 4b and 5 recreational classification from class N (no recreation use) to class E (existing recreation use).

The DOE Responsive Pre-Hearing Statement was filed in accordance with the April 28, 2009, due date. Further discussion of the issues, filings, and outcome of this proceeding will be included in the next quarterly report.

2.3 Landfills

2.3.1 Present Landfill

The PLF is inspected quarterly in accordance with the requirements of the PLF M&M Plan (DOE 2008b) and RFLMA.

2.3.1.1 Inspection Results

The routine PLF inspection for first quarter CY 2009 was performed on February 26, 2009. An evaluation of the landfill cover vegetation was performed on March 9. No significant problems were observed during these inspections. Refer to Appendix B, which provides the landfill inspection forms, for more information. A special inspection of the PLF following a precipitation event that exceeded 3 inches was completed on March 30, 2009, as required by RFLMA. No problems were observed during this inspection.

2.3.1.2 Settlement Monuments

Annual settlement monument surveys were performed on January 9, 2009. Refer to Appendix B for the survey data. Additional information on the settlement monuments is included in the *Quarterly Report of Site Surveillance and Maintenance Activities, First Quarter Calendar Year 2008* (DOE 2008c).

2.3.2 Original Landfill

Formal inspections of the OLF are conducted monthly, consistent with the requirements contained in the OLF M&M Plan (DOE 2006b) and RFLMA. It was anticipated that after the first year, the inspection frequency might be reduced to quarterly for an additional 4 years. However, because of observed localized slumping and seep areas, and repairs to the OLF cover that were being planned, no change to the monthly inspection frequency was recommended in the second 5-year review of the Site (DOE 2007b).

2.3.2.1 Inspection Results

Routine OLF inspections during first quarter CY 2009 were performed on January 29, February 26, and March 30, 2009. An evaluation of the landfill cover vegetation was performed on March 9. Refer to the completed inspection forms in Appendix B for additional information. A special inspection of the OLF following a precipitation event that exceeded 3 inches was completed on March 30, 2009, as required by RFLMA. No problems were observed during this inspection.

2.3.2.2 Seeps

Seeps at the OLF were evaluated during the monthly inspections and during unscheduled visits. Seep 7 showed no surface flow during all three monthly inspections. Installation of the drain extension for Seep 7 was designed to drain this water in the subsurface of the cover to the buttress drain. Seep 4 showed areas of saturation during the February and March inspections but had no surface flow. Seep 8 showed areas of active groundwater seepage at a rate of approximately 0.5 to 1 gallon per minute throughout the first quarter.

Other smaller seeps showed areas of wetness only temporarily after precipitation events. None produced any surface flow.

2.3.2.3 Slumps

No new slumps were observed at the OLF during the first quarter. Areas where the cover is pushed up or rolling are noticeable on the western end of the landfill between Berms 2 and 3; however, the areas do not have any surface cracks at this time.

2.3.2.4 Settlement Monuments

The OLF settlement monuments were surveyed on March 24, 2009. Preliminary survey data indicate that settling at each monument does not exceed the limits published in the OLF M&M Plan. Refer to the survey results in Appendix B for additional information.

2.3.2.5 Inclinerometers

The geotechnical investigation resulted in a recommendation to install seven inclinometers across the landfill cover to monitor displacement over the length of the inclinometer from bedrock to the surface of the cover. Inclinometer measurements were taken during first quarter CY 2009 on February 3 and February 25. No significant displacement was observed.

2.4 Groundwater Treatment Systems

Four groundwater treatment systems are operated and maintained in accordance with requirements defined in RFLMA and the RFSOG. Three of these systems (the Mound Site Plume Treatment System [MSPTS], East Trenches Plume Treatment System [ETPTS], and Solar Ponds Plume Treatment System [SPPTS]) include a groundwater intercept trench (collection trench), which is similar to a French drain with an impermeable membrane on the downgradient side. Groundwater entering the trench is routed through a drain pipe into one or more treatment cells, where it is treated and then discharged. The fourth system, the PLF Treatment System

(PLFTS), treats water from the northern and southern components of the Groundwater Intercept System (GWIS) and flow from the PLF seep.

2.4.1 Mound Site Plume Treatment System

Routine maintenance activities continued at the MSPTS through first quarter CY 2009. These activities included raking the media each week, checking and flushing filters, and inspecting influent and effluent flow conditions. Additionally, to accommodate rising water levels, Cell 1 was switched to upflow configuration; Cell 2 remains configured for downflow.

2.4.2 East Trenches Plume Treatment System

Routine maintenance activities continued at the ETPTS through first quarter CY 2009. These activities included raking the media each week, checking and flushing filters, and inspecting influent and effluent flow conditions.

2.4.3 Solar Ponds Plume Treatment System

Routine maintenance activities continued at the SPPTS through first quarter CY 2009. These activities included weekly inspections of the solar/battery system that powers the pump, operation of the pump, and influent and effluent flow conditions. Inspections of the newly completed (as of late October 2008) Phase I upgrades were performed as well and consisted mainly of inspecting the pump and its solar/battery system. Also, preparations were underway in first quarter CY 2009 for the construction of additional system upgrades (Phases II and III) that were scheduled to be installed in second quarter CY 2009. These upgrades were described in the 2008 annual report (DOE 2009), which focused primarily on the Phase I portion. The Phase II and III portions will be described in detail in the 2009 annual report.

2.4.4 PLF Treatment System

Routine maintenance activities continued at the PLFTS through first quarter CY 2009. These activities generally consisted of inspecting the system for any issues or potential problems.

2.5 Erosion Control and Revegetation

Maintenance of the Site erosion control features required continued effort throughout first quarter CY 2009, especially following high-wind or precipitation events. Repairs were made to erosion wattles and matting loosened and displaced by high winds or rain. Erosion controls were installed and maintained for the various projects that were ongoing during the first quarter. Several areas were interseeded with additional native species to increase vegetation cover.

3.0 Environmental Monitoring

This section provides a summary of the environmental monitoring that was conducted in accordance with RFLMA.

3.1 Water Monitoring

This quarterly report presents data collected during first quarter CY 2009. This section includes:

- A discussion of analytical results for the Point of Compliance (POC), Point of Evaluation (POE), PLF, and OLF monitoring objectives; and
- A summary of groundwater monitoring based on Resource Conservation and Recovery Act (RCRA) requirements at the PLF and OLF.

Monitoring locations, sampling criteria, and evaluation protocols for all water monitoring objectives in the following sections are detailed in Attachment 2 of RFLMA and the RFSOG. Analytical water-quality data for first quarter CY 2009 are provided in Appendix C.

3.1.1 Water Monitoring Highlights

During first quarter CY 2009, the water monitoring network successfully met the targeted monitoring objectives as required by RFLMA and in conformance with the RFSOG implementation guidance. The network consisted of 11 automated gaging stations, 10 surface water grab-sampling locations, 8 treatment system locations, 100 wells, and 8 precipitation gages. During the quarter, 22 flow-paced composite samples, 4 surface water grab samples, 7 treatment system samples, and 12 groundwater samples were collected.¹

All water-quality data at the RFLMA POCs remained well below the applicable standards through first quarter CY 2009.

Reportable 12-month rolling average total U concentrations continued to be observed in surface water at RFLMA POE monitoring station GS10, which is located in South Walnut Creek upstream of Pond B-1 in the Walnut Creek Basin.

The Site continues to evaluate, in coordination with CDPHE and under RFLMA, the measured U concentrations at GS10. Recent GS10 data continue to support the conclusion that the reportable U activities are likely a result of changing hydrologic conditions (particularly the increasing groundwater component with naturally occurring U in surface water flows at GS10, relative to conditions that prevailed prior to Site closure), and that no specific remedial action is indicated at this time. The data do not suggest a previously unknown localized source of contamination that warrants targeted action.

All other POE analyte concentrations remained below reporting levels as of the end of first quarter CY 2009. Erosion and runoff controls, as well as extensive revegetation efforts, have proven to be effective in measurably reducing both sediment transport and constituent concentrations. As of the end of first quarter CY 2009, all of the POEs continued to show

¹ Composite samples consist of multiple aliquots (“grabs”) of identical volume. Each grab is delivered by the automatic sampler to the composite container at each predetermined flow volume or time interval. During first quarter CY 2009, the 22 flow-paced composites comprised 643 individual grabs.

Pu-239,240 and Am-241 activities well below the RFLMA standards. With the removal of impervious areas resulting in decreased runoff, the stabilization of soils within the drainages, and the progression of revegetation, acceptable water quality is expected to continue.

Groundwater monitoring results will be evaluated as part of the 2009 annual report.

3.1.2 POC Monitoring

The following sections include summary tables and plots showing the applicable 30-day and 12-month rolling averages for the POC analytes.

3.1.2.1 Location GS01

Monitoring location GS01 is located on Woman Creek at Indiana Street. Figure 3–1 and Figure 3–2 show no occurrences of reportable 30-day averages for the quarter.

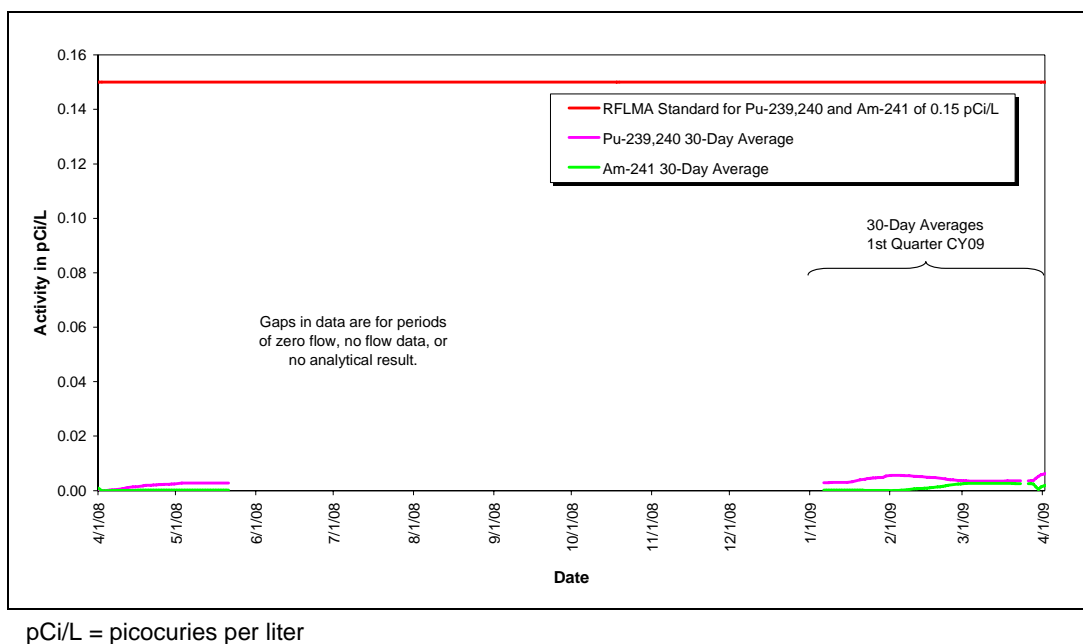


Figure 3–1. Volume-Weighted 30-Day Average Pu and Am Activities at GS01: Calendar Year Ending First Quarter CY 2009

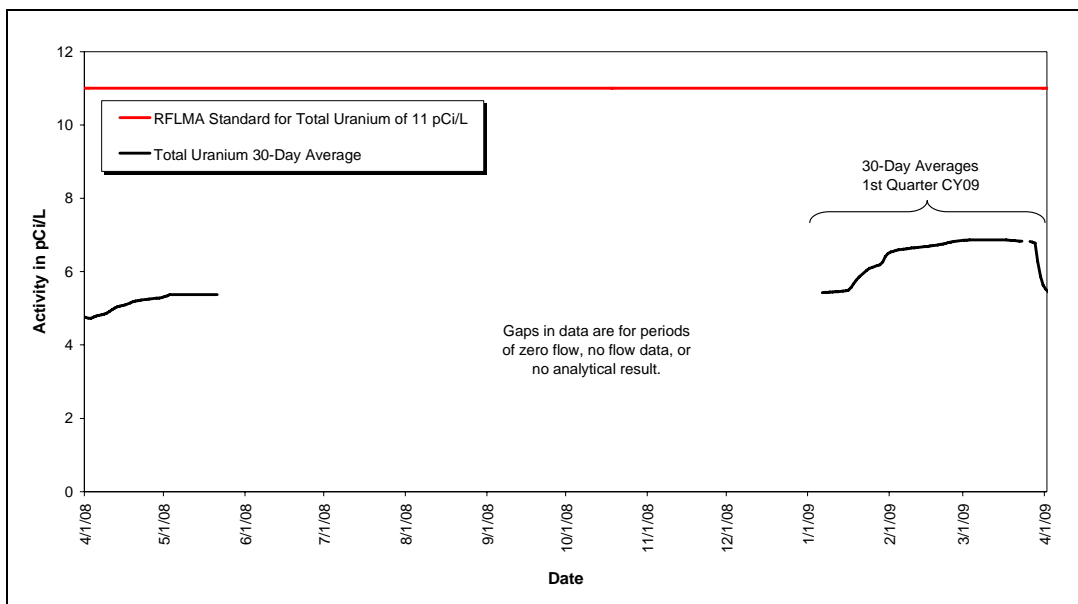


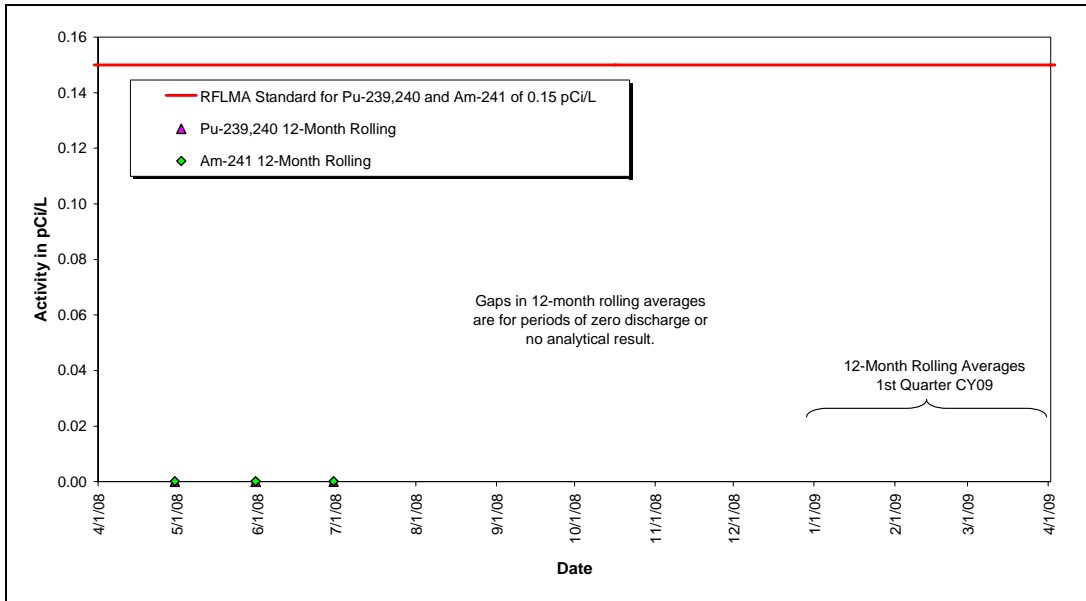
Figure 3–2. Volume-Weighted 30-Day Average Total U Activities at GS01: Calendar Year Ending First Quarter CY 2009

3.1.2.2 Location GS03

Monitoring location GS03 is located on Walnut Creek at Indiana Street. There was no flow at GS03 for the entire period April 1, 2008, through April 1, 2009. Therefore, no compliance values are calculated and no plots are presented.

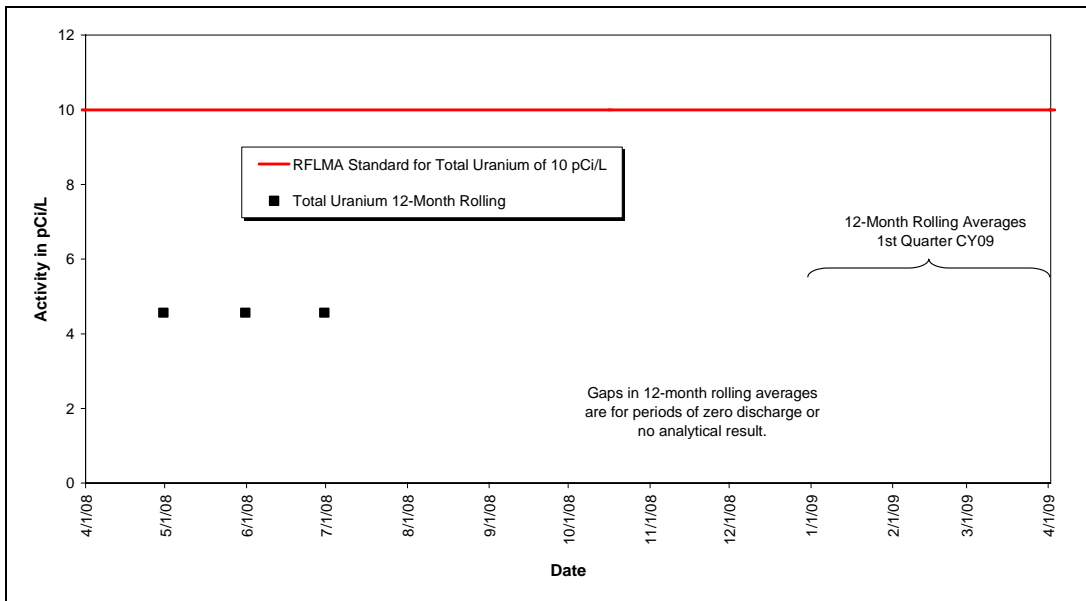
3.1.2.3 Location GS08

Monitoring location GS08 is located on South Walnut Creek at the outlet of Pond B-5. Figure 3–3, Figure 3–4, and Figure 3–5 show no occurrences of reportable 12-month rolling averages for the quarter.



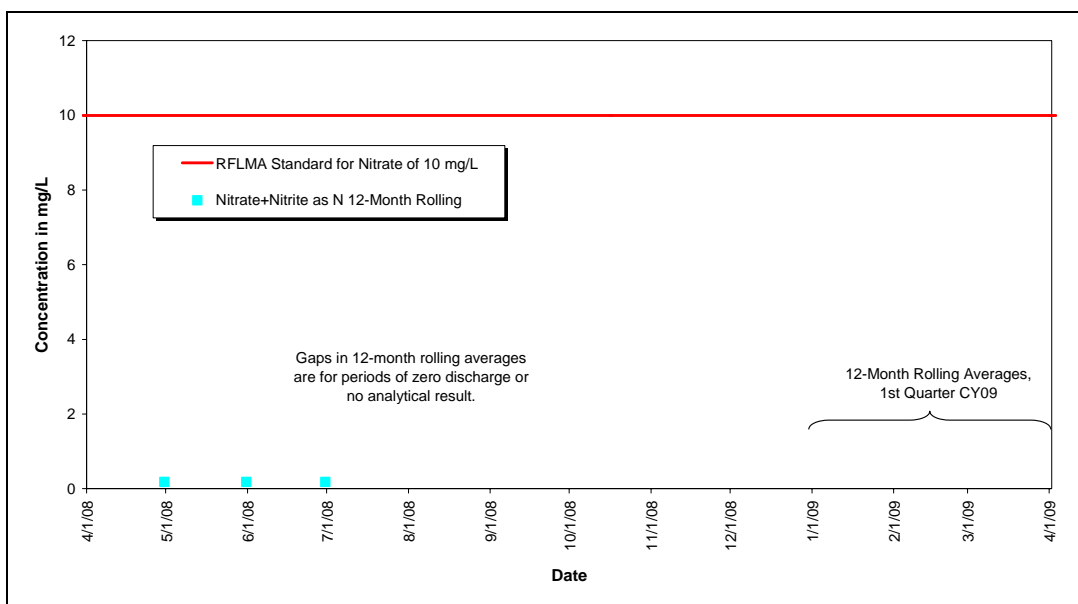
pCi/L = picocuries per liter

Figure 3–3. Volume-Weighted 12-Month Rolling Average Pu and Am Activities at GS08: Calendar Year Ending First Quarter CY 2009



pCi/L = picocuries per liter

Figure 3–4. Volume-Weighted 12-Month Rolling Average Total U Activities at GS08: Calendar Year Ending First Quarter CY 2009

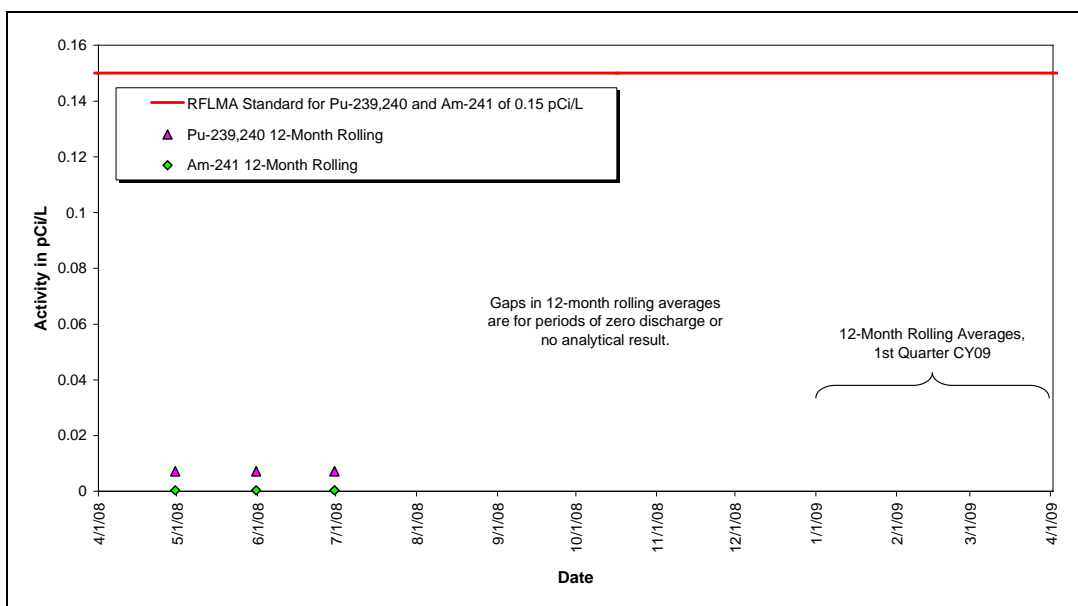


Note: Nitrate + nitrite as nitrogen 12-month averages are conservatively compared to the nitrate standard only.
 mg/L = milligrams per liter

Figure 3–5. Volume-Weighted 12-Month Rolling Average Nitrate + Nitrite as Nitrogen Concentrations at GS08: Calendar Year Ending First Quarter CY 2009

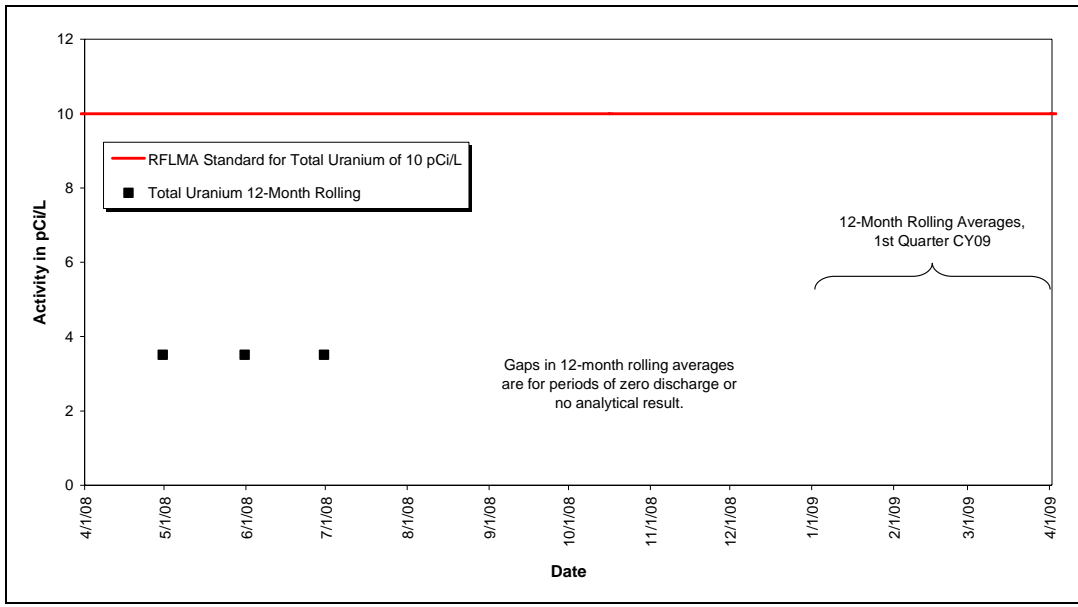
3.1.2.4 Location GS11

Monitoring location GS11 is located on North Walnut Creek at the outlet of Pond A-4. Figure 3–6, Figure 3–7, and Figure 3–8 show no occurrences of reportable 12-month rolling averages for the quarter.



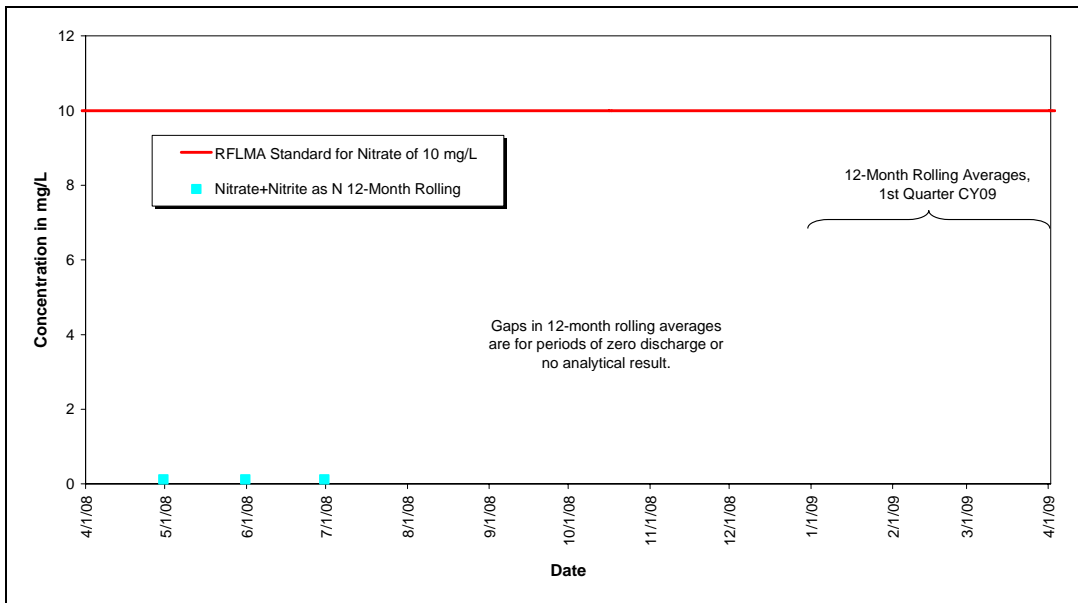
pCi/L = picocuries per liter

Figure 3–6. Volume-Weighted 12-Month Rolling Average Pu and Am Activities at GS11: Calendar Year Ending First Quarter CY 2009



pCi/L = picocuries per liter

Figure 3–7. Volume-Weighted 12-Month Rolling Average Total U Activities at GS11: Calendar Year Ending First Quarter CY 2009



Note: Nitrate + nitrite as nitrogen 12-month averages are conservatively compared to the nitrate standard only.
mg/L = milligrams per liter

Figure 3–8. Volume-Weighted 12-Month Rolling Average Nitrate + Nitrite as Nitrogen Concentrations at GS11: Calendar Year Ending First Quarter CY 2009

3.1.2.5 Location GS31

Monitoring location GS31 is located on Woman Creek at the outlet of Pond C-2.

Pond C-2 was not discharged during first quarter CY 2009. The last discharge occurred during the July 1–July 14, 2005, time frame. Therefore, no compliance values can be calculated after June 30, 2006, and no plots are presented.

3.1.3 POE Monitoring

The following sections include summary tables and plots showing the applicable 30-day and 12-month rolling averages for the POE analytes.

3.1.3.1 Location GS10

Monitoring location GS10 is located on South Walnut Creek just upstream of the B-Series ponds. Figure 3–9 shows no reportable Pu or Am values during the quarter. In addition, none of the 85th percentile 30-day average metals concentrations were reportable for the quarter.

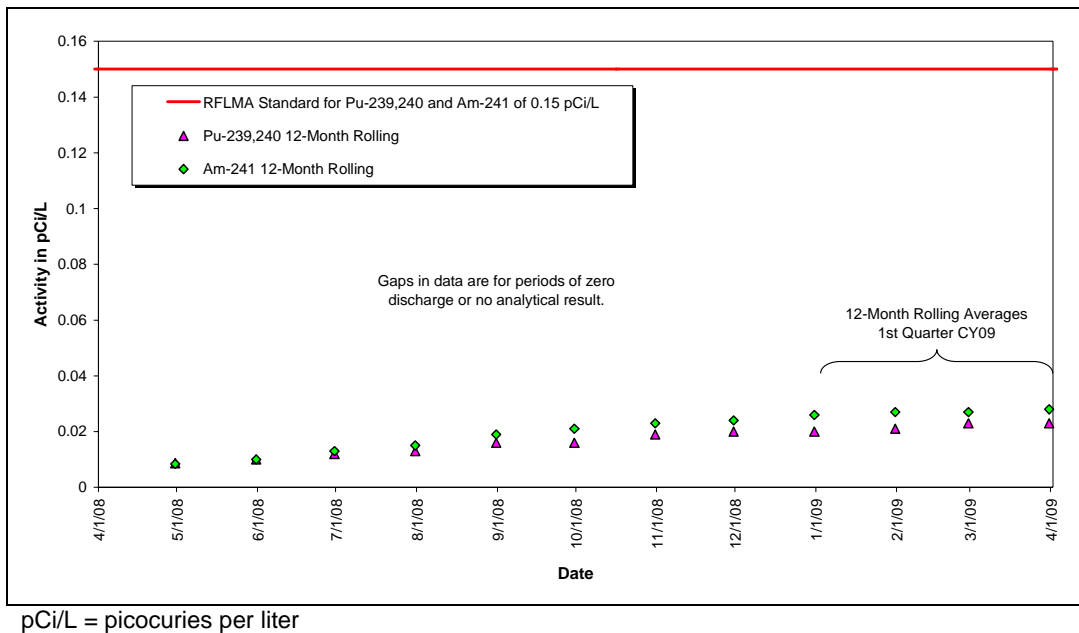
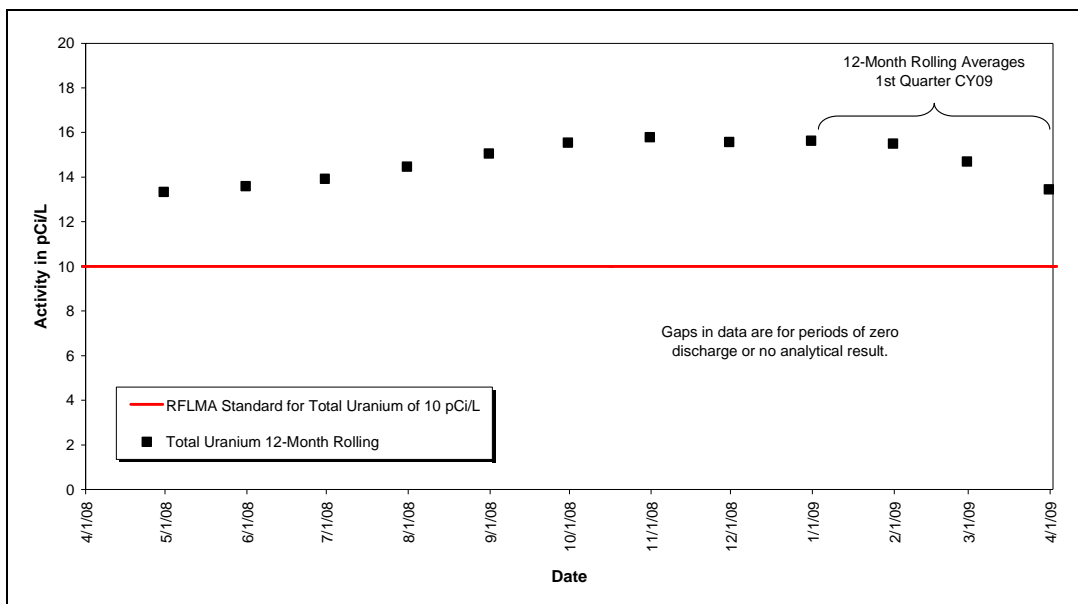


Figure 3–9. Volume-Weighted Average Pu and Am Compliance Values at GS10: Calendar Year Ending First Quarter CY 2009

Figure 3–10 shows reportable 12-month rolling averages for total U during the quarter. The Site continues to evaluate, in coordination with CDPHE, the measured U concentrations at GS10.



pCi/L = picocuries per liter

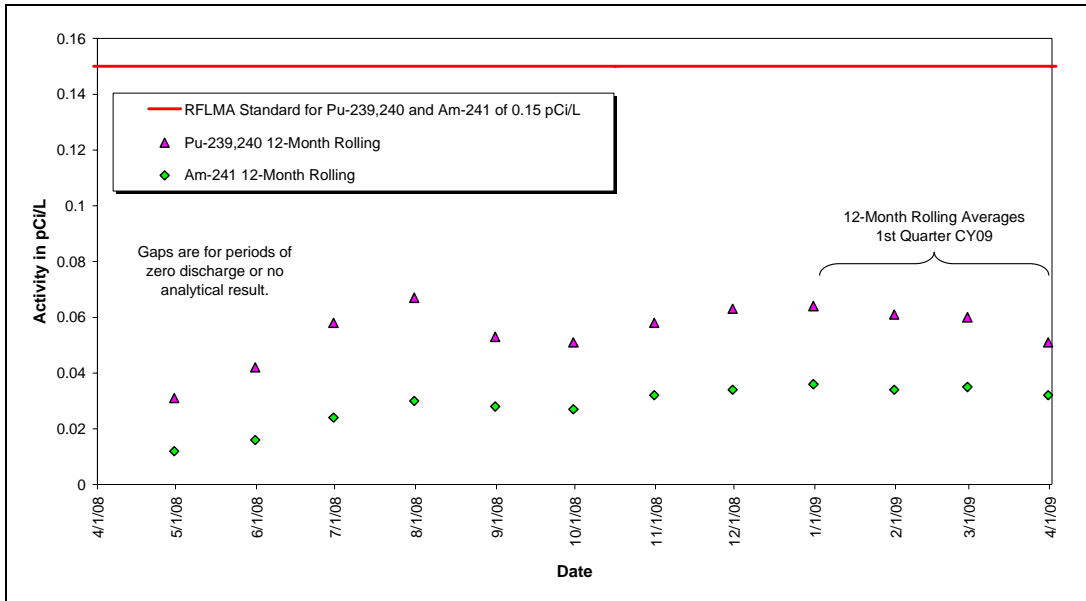
Figure 3-10. Volume-Weighted Average Total U Compliance Values at GS10: Calendar Year Ending First Quarter CY 2009

3.1.3.2 Location SW027

Monitoring location SW027 is located at the end of the South Interceptor Ditch at the inlet to Pond C-2. There was no flow at SW027 for the entire period from April 1, 2008, through April 1, 2009. Therefore, no compliance values are calculated and no plots are presented.

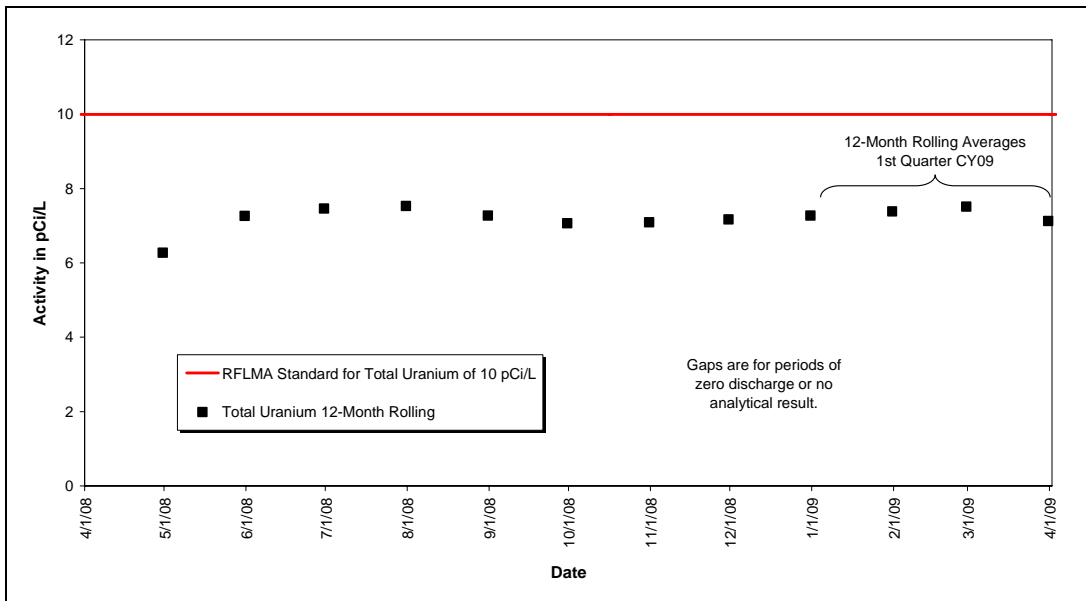
3.1.3.3 Location SW093

Monitoring location SW093 is located on North Walnut Creek 1,300 feet upstream of the A-Series ponds. Figure 3-11 and Figure 3-12 show no reportable Pu, Am, or total U values during the quarter. None of the 85th percentile 30-day average metals concentrations were reportable for the quarter.



pCi/L = picocuries per liter

Figure 3–11. Volume-Weighted Average Pu and Am Compliance Values at SW093: Calendar Year Ending First Quarter CY 2009



pCi/L = picocuries per liter

Figure 3–12. Volume-Weighted Average Total U Compliance Values at SW093: Calendar Year Ending First Quarter CY 2009

3.1.4 Area of Concern Wells and Surface Water Location SW018

Neither Area of Concern wells nor SW018 were scheduled for RFLMA monitoring in first quarter CY 2009.

3.1.5 Boundary Wells

No Boundary wells were scheduled for RFLMA monitoring in first quarter CY 2009.

3.1.6 Sentinel Wells

No Sentinel wells were scheduled for RFLMA monitoring in first quarter CY 2009.

3.1.7 Evaluation Wells

Two Evaluation wells (00191 and 50299) were scheduled for RFLMA monitoring in first quarter CY 2009 because they were erroneously omitted in second quarter CY 2008. Results were discussed in the 2008 annual report (DOE 2009).

3.1.8 PLF Monitoring

All RCRA groundwater monitoring wells at the PLF were sampled during first quarter CY 2009. Analytical results (Appendix C) will be discussed and statistically evaluated as part of the 2009 annual report. Surface water monitoring at the PLF is discussed in Section 3.1.10.4.

3.1.9 OLF Monitoring

All RCRA groundwater monitoring wells at the OLF were sampled during first quarter CY 2009. Analytical results (Appendix C) will be discussed and statistically evaluated as part of the 2009 annual report. Surface water downgradient of the OLF, as monitored at location GS59, shows no adverse impact from the OLF due to elevated concentrations of boron or U in groundwater.

During first quarter CY 2009, when routine surface water sampling was performed at Woman Creek downstream of the OLF (GS59), the analytical result for dissolved silver was greater than both the applicable surface water standard (Table 3–1) and the upstream concentration at location GS05.

Table 3–1. Woman Creek (GS59): Summary of Routine First Quarter CY 2009 Sampling Analytical Results Exceeding RFLMA Surface Water Standards

Composite Sample Period	Analyte	Result	Unit	RFLMA Standard	Basis for Standard ^a
1/2/09 11:44–3/2/09 9:52	Silver, dissolved	1.7	µg/L	1.0 (PQL)	TVS

Note: ^aTVS = table value standard (table value standards for metals are based on a toxicity equation, which uses a hardness value of 143 mg/L)
µg/L = micrograms per liter; PQL = practical quantitation limit

For silver at GS59, the routine result (during the first quarter) triggered increased monthly sampling frequency according to the RFLMA flowchart (see Table 3–2 for detail). Silver was undetected in the subsequent sample. All first quarter CY 2009 data continue to indicate that the remedy is functioning properly as related to surface water quality.

Table 3–2. Woman Creek (GS59): Summary of Monthly Analytical Results

Analyte	Composite Sample Period	Result	Unit
Silver, dissolved	1/2/09 11:44–3/2/09 9:52	1.7	µg/L
	3/2/09 9:52–4/6/09 11:23	nondetect	µg/L
	Status:	Discontinue monthly sampling for silver	

Note: The initial result triggering monthly sampling is shown in **bold**.
µg/L = micrograms per liter

3.1.10 Groundwater Treatment System Monitoring

As described in Section 2.2, contaminated groundwater is intercepted and treated in four areas of the Site. The MSPTS, ETPTS, and SPPTS include a groundwater intercept trench. Groundwater entering the trench is routed through a drain pipe into one or more treatment cells, where it is treated and then discharged to surface water. The PLFTS treats water from the northern and southern components of the GWIS and flow from the PLF seep.

3.1.10.1 Mound Site Plume Treatment System

No MSPTS monitoring locations were scheduled for RFLMA sampling in first quarter CY 2009.

3.1.10.2 East Trenches Plume Treatment System

No ETPTS monitoring locations were scheduled for RFLMA sampling in first quarter CY 2009.

3.1.10.3 Solar Ponds Plume Treatment System

No SPPTS monitoring locations were scheduled for RFLMA sampling in first quarter CY 2009. Non-RFLMA samples were collected at the SPIN, SPOUT, and SPPDISCHARGE GALLERY locations to support ongoing treatment system upgrades and evaluation efforts. These data will be discussed in the 2009 annual report.

3.1.10.4 PLF Treatment System

During collection of the January 20, 2009, sample at the system influent (location PLFSEEPINF), the flow rate was 1.05 gallons per minute. As of March 31, 2009, the Landfill Pond outlet remained in an open configuration.

During first quarter CY 2009, routine sampling of the treated effluent exiting the system (location PLFSYSEFF) showed that vinyl chloride, selenium, and dissolved silver concentrations were greater than the applicable surface water standards (Table 3–3). All other first quarter CY 2009 data were below applicable surface water standards.

Table 3–3. PLFTS Effluent (PLFSYSEFF): Summary of Routine First Quarter CY 2009 Grab-Sampling Analytical Results Exceeding RFLMA Surface Water Standards, January 20, 2008, Sample

Analyte	Result	Unit	RFLMA Standard	Basis for Standard ^a
Vinyl chloride	0.33	µg/L	0.2 (PQL)	W+F
Selenium	6.3	µg/L	4.6	AL
Silver, dissolved	1.9	µg/L	1.0 (PQL)	TVS

Note: ^a Basis abbreviations: W+F = Water plus Fish; AL = Aquatic Life; TVS = table value standard (table value standards for metals are based on a toxicity equation, which uses a hardness value of 143 mg/L). µg/L = micrograms per liter; PQL = practical quantitation limit.

For the Table 3–3 analytes at the PLFSYSEFF, the routine quarterly results triggered monthly sampling according to the RFLMA flowchart (see Table 3–4 for detail). All three analytes were undetected in the subsequent monthly samples. Given these results, monthly sampling of the PLFTS effluent for the Table 3–3 analytes was discontinued.

Table 3–4. PLFTS Effluent (PLFSYSEFF): Summary of Monthly Analytical Results

Analyte	Sample Date	Result	Unit
Vinyl chloride	1/20/09	0.33	µg/L
	2/27/09	nondetect	µg/L
	Status:	Discontinue monthly sampling for vinyl chloride	
Selenium	1/20/09	6.3	µg/L
	2/27/09	nondetect	µg/L
	Status:	Discontinue monthly sampling for selenium	
Silver, dissolved	1/20/09	1.9	µg/L
	2/27/09	nondetect	µg/L
	Status:	Discontinue monthly sampling for dissolved silver	

Note: The initial result triggering monthly sampling is shown in **bold**. The routine quarterly sample results are shown in *italics*. µg/L = micrograms per liter

3.1.11 Pre-Discharge Monitoring

Pre-discharge samples are collected prior to discharge at Ponds A-4, B-5, and C-2 on North Walnut Creek, South Walnut Creek, and Woman Creek, respectively.

No ponds were pre-discharge-sampled during first quarter CY 2009.

4.0 Adverse Biological Conditions

No evidence of adverse biological conditions (e.g., unexpected mortality or morbidity) was observed during monitoring and maintenance activities in first quarter CY 2009.

5.0 References

DOE (U.S. Department of Energy), 2006a. *Corrective Action Decision/Record of Decision for Rocky Flats Plant (USDOE) Peripheral Operable Unit and Central Operable Unit*, September.

DOE (U.S. Department of Energy), 2006b. *Final Landfill Monitoring and Maintenance Plan, Rocky Flats Environmental Technology Site, Original Landfill*, Rocky Flats Environmental Technology Site, Golden, Colorado, February.

DOE (U.S. Department of Energy), 2007a. *Rocky Flats Legacy Management Agreement*, March 14.

DOE (U.S. Department of Energy), 2007b. *Second Five-Year Review Report for the Rocky Flats Site, Jefferson and Boulder Counties, Colorado*, Office of Legacy Management, September.

DOE (U.S. Department of Energy), 2008a. *Rocky Flats Site Operations Guide*, Office of Legacy Management, September.

DOE (U.S. Department of Energy), 2008b. *Present Landfill Monitoring and Maintenance Plan and Post-Closure Plan*, Office of Legacy Management, Rocky Flats Environmental Technology Site, Golden, Colorado, March.

DOE (U.S. Department of Energy), 2008c. *Rocky Flats Site Quarterly Report of Site Surveillance and Maintenance Activities, First Quarter Calendar Year 2008*, Office of Legacy Management, July.

DOE (U.S. Department of Energy), 2009. *Rocky Flats Site Annual Report of Site Surveillance and Maintenance Activities, Calendar Year 2008*, Office of Legacy Management, April.

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City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Karen Imbierowicz

MEMORANDUM

TO: Stewardship Council Board
FROM: Rik Getty
SUBJECT: Post Closure Regulator Roles Briefing
DATE: September 1, 2009

We have scheduled 45 minutes for CDPHE and EPA to discuss their post closure regulator roles. As you may recall the post closure cleanup agreement, the Rocky Flats Legacy Management Agreement (RFLMA), was signed in 2007 by DOE, CDPHE, and EPA.

The RFLMA can be found at: www.lm.doe.gov/Rocky_Flats/Regulations.aspx

As part of the RFLMA, CDPHE and EPA signed a memorandum of understanding (attached) which assigned the day-to-day regulatory oversight role to CDPHE. EPA agreed to make resources available for consultations with CDPHE and DOE. However before delving into the post closure regulator roles it is important to take a step back in time and examine the two agencies' extensive roles during the cleanup (1995-2006).

Cleanup Regulator Roles (1995-2006)

I have chosen 1995 as the jumping-off point for cleanup because it corresponds to DOE awarding Kaiser-Hill, LLC (K-H) its first remediation contract. Some cleanup activities were performed before K-H but they pale in comparison to what K-H accomplished during their contract. Although physical closure of the site occurred in October 2005, regulatory closure cumulated in September 2006 with the approval of the CAD/ROD.

Under the Rocky Flats Cleanup Agreement (RFCA), the regulatory cleanup document, both EPA and CDPHE regulated the site. The EPA, which was charged with implementing CERCLA, served as the lead regulator on environmental restoration (ER) activities. ER included remediating the 903 Pad, closing landfills, and other remediation activities outside the former core of the site known as the Industrial Area. CDPHE's responsibilities were primarily overseeing hazardous waste cleanup and building decontamination and demolition (D&D) within the Industrial Area. Their authority was rooted in the federal hazardous waste law (RCRA) which is regulated in Colorado by the state under the Colorado Hazardous Waste Act.

Importantly, like the current regulatory framework, the RCRA process was collaborative, requiring formal consultation amongst the regulators and DOE.

The regulators' duties included:

- reviewing, discussing, modifying, and approving thousands of cleanup work plan documents related to ER and D&D activities;
- taking thousands of air and water samples which were subsequently analyzed for compliance with federal and state standards;
- interacting with local communities on a broad range of cleanup topics;
- verifying compliance with approved work plans as ER and D&D projects were implemented;
- maintaining an extensive collection of cleanup documentation for reference and other purposes; and
- providing day-to-day regulatory guidance as cleanup work progressed.

Rocky Flats Coalition Independent Analysis of Cleanup Activities

In 2005 as part of an ongoing emphasis on independent reviews of the site, the Rocky Flats Coalition of Local Governments (RFCLOG) directed me to perform a series of independent reviews of remaining contamination at the locations of important ER and D&D activities. The reviews can be found at: www.rockyflatssc.org/residual_contamination_info.html

I presented my findings at the February 6, 2006, RFCLOG Board. The following is an excerpt from the meeting minutes:

“Rik stated that his overall conclusion after doing all of his research was that regulators were very thorough in their oversight of the cleanup and that they did not simply approve what was put in front of them ... Shaun asked Rik to elaborate about his conclusions. Rik said he was not sure if many people realized just how involved the regulators were in the cleanup process from cradle-to-grave. He said it was not a rubber stamp process. There was lots of back and forth dialogue, as well as disagreements. It was an iterative process throughout, which gives him confidence in the results.”

www.rockyflatssc.org/rfclog_meetingminutes/2006/rfclog_minutes_2_6_06.pdf

Post Closure Regulator Roles (2007 - present)

The RFLMA, which was signed in March 2007, established a new regulatory framework for the site. Among other provisions, DOE's Office of Legacy Management (LM) assumed site responsibilities, taking over from DOE's Office of Environmental Management (EM). CDPHE also assumed the role of the lead regulator, implementing (but not assuming as a legal matter) some of EPA's regulatory authorities. Importantly, both EPA and CDPHE maintain their enforcement authority. (This shift in EPA-CDPHE responsibilities is found in the aforementioned MOU between the two agencies.)

As the MOU describes, CDPHE and EPA work in a consultative manner. One of CDPHE's primary responsibilities is approving Contact Records for site activities. Contact Records are official regulatory approvals to perform certain work in which workers have the potential to

come in contact with residual contamination or violate certain provisions in the RFLMA. Some recent examples of Contact Records are:

- road maintenance activities;
- repairs to the Original Landfill;
- repairs and upgrades to the Solar Ponds Plume Treatment System;
- repairs to the Building 991 hillside slump;
- dam breaching project;
- evaluation of surface water and ground water with elevated contaminant levels; and,
- Xcel Energy project to replace buried natural gas pipeline valve system.

In addition to approving Contact Records, CDPHE also works with DOE on terminal pond discharges. Prior to discharging any waters, CDPHE takes duplicate water samples alongside LM for analysis. That way there are always two sets of water quality data; CDPHE samples provide a referee to LM's samples.

CDPHE also performs field inspections on a wide range of site activities. That work includes landfill inspections and developing along with DOE remedial responses. Given the problems DOE has encountered at the Original Landfill, CDPHE has been intensely involved in the full suite of activities. The same hold true for analyses and modifications to the Solar Ponds Plume Treatment System.

One responsibility which EPA has not delegated to CDPHE is implementation of the CERCLA five-year reviews. Since the Central Operable Unit (DOE-retained lands) has not been de-listed from the EPA's National Priority List of CERCLA sites, a 5-year Review of site conditions must be performed by EPA. The last review was performed in 2007 and the next will be 2012.

In addition to the 5-year review EPA Region 8 in Denver has a vegetation consultant who performs evaluations at various locations in Region 8 for the EPA. EPA uses the consultant's expertise to evaluate the effectiveness of the re-vegetation efforts and overall site vegetation condition in the DOE-retained lands.

Big Picture

Since LM assumed management responsibilities in 2007, they have encountered more work requiring regulatory oversight, primarily by CDPHE, than they anticipated at closure. DOE, CDPHE and EPA staff have stated in conversation that the post closure site has posed more challenges than originally anticipated. CDPHE staff remains hopeful that the site will soon enter a more "steady-state" condition with less additional work. Only time will tell if this condition prevails.

Please contact me if you have any questions.

**ROCKY FLATS LEGACY MANAGEMENT AGREEMENT
APPENDIX 1:**

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
AND
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - REGION 8
FOR
ROCKY FLATS**

1 INTRODUCTION

1.1 Parties to the Agreement

This Memorandum of Understanding (MOU) is entered into by the United States Environmental Protection Agency, Region 8 (EPA), and the Colorado Department of Public Health and Environment (CDPHE). EPA and CDPHE are referred to jointly as the Parties.

- 1.2 The purpose of this MOU is to define the roles of the Parties with respect to oversight of post-cleanup activities at Rocky Flats pursuant to the Rocky Flats Legacy Management Agreement (RFLMA). The RFLMA is a joint Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 120 Interagency Agreement and Colorado Hazardous Waste Act ("CHWA")/ Resource Conservation and Recovery Act ("RCRA") corrective action order. The RFLMA establishes the regulatory framework for implementing the final response action at Rocky Flats and ensuring that the final response action remains protective of human health and the environment.

2 DUTIES AND RESPONSIBILITIES

- 2.1 CDPHE has the overall lead regulatory responsibility at Rocky Flats in accordance with the RFLMA among CDPHE, EPA and the Department of Energy (DOE). EPA will operate in a support role to CDPHE throughout the implementation of the RFLMA, except for five-year reviews and delisting decisions (see Section 2.6 below). It is the intent of the Parties to foster, to the maximum extent practicable, an EPA/CDPHE partnership.
- 2.2 The Parties agree to follow a consultative process in implementing this Agreement. "Consultation" and "the consultative process" mean the responsibility of one Party to meet and confer with another Party and any appropriate contractors in order to reach agreement, to the extent possible, regarding a proposed course of action. Consultation involves a cooperative approach to problem solving at the staff level. Consultation includes the responsibility to raise any concerns or suggestions regarding the implementation of this Agreement as soon as the concern or suggestion is identified, to maximize the chances of reaching agreement before a document must be submitted or a regulatory determination rendered.
- 2.3 EPA and CDPHE agree that the assigned project managers will consult and coordinate regarding oversight of the implementation of the RFLMA. The project managers shall maintain frequent contact through verbal and/or written communication. A Party which changes its project manager shall notify the other Party in writing in a timely manner of the change.

- 2.4 EPA will forward comments on work plans, reports, or documents within two weeks of their receipt from the facility. CDPHE will compile a consistent set of comments and attempt to resolve any of EPA's comments that are inconsistent with CDPHE's comments within two weeks of receiving them.
- 2.5 CDPHE will inform EPA of upcoming site visits, inspections, meetings, or other events and of notifications and documents CDPHE receives as lead regulatory authority.
- 2.6 EPA shall consult with CDPHE regarding five-year reviews and delisting determinations. CDPHE may prepare recommendations for EPA's consideration. CDPHE and EPA shall consult regarding the recommended decision prior to issuance of a final decision.
- 2.7 The Parties shall consult regarding any matter subject to dispute resolution under the RFLMA.
- 2.8 This MOU only addresses the relationship of the Parties with regard to Rocky Flats. This MOU creates no rights or causes of action for anyone not a party to it.

3 COMMUNITY RELATIONS

- 3.1 The Parties will coordinate community relations activities, including the issuance of fact sheets, press releases, community interviews, and the conduct of press conferences. The Parties will:
 - 3.1.1 Notify the other party in advance that a press conference is being conducted, or a major fact sheet or press release is being drafted for any Rocky Flats activity. Notification will include proposed conference date or press release date, content, and key points of contact.
 - 3.1.2 Transmit draft press releases to the other party. Except in the case of an emergency, a 24-hour comment period will be provided.
 - 3.1.3 Notify the other party of final press release issuance and, whenever practicable, transmit a copy of the final press release prior to release to the media.

4 ENFORCEMENT

The Parties agree that enforcement action for violations of the RFLMA that are CHWA violations will be the responsibility of CDPHE under state authorities. CDPHE shall advise EPA of any matter that it believes may constitute a violation of CERCLA, and shall consult with EPA regarding a course of action. This MOU does not limit the enforcement authority of EPA or CDPHE. By entering into this MOU, neither EPA nor

CDPHE waive any right, authority, or claim it may have under Federal or State law, but expressly reserve all of the rights, authorities, and claims it may have thereunder, except that EPA agrees to exhaust any applicable remedies pursuant to the Dispute Resolution process, prior to exercising any reserved rights for disputes.

5 DISPUTE RESOLUTION

The parties will resolve any disputes through the dispute resolution provisions in Part 7 of the RFLMA.

6 MODIFICATION/TERMINATION

This MOU may be modified in writing, with mutual consent of the Parties. This MOU can be terminated by mutual consent of the Parties.


7 SIGNATURES



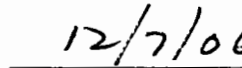
Gary W. Baughman, Division Director
Hazardous Materials and Waste Management Division
Colorado Department of Public Health and Environment



Date



Max H. Dodson
Assistant Regional Administrator
Ecosystem Protection and Remediation
U.S. Environmental Protection Agency, Region 8



Date

Stewardship Council 2010 Work Plan

- Cover memo
- Draft 2010 Work Plan

Stewardship Council 2010 Budget

- Cover memo
- Draft 2010 budget and comparison of 2010 budget to 2009 expenditures

ROCKY FLATS STEWARDSHIP COUNCIL

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www.rockyflatssc.org

(303) 412-1200
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Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Karen Imbierowicz

MEMORANDUM

TO: Board
FROM: David Abelson
SUBJECT: Board Review of Stewardship Council Activities for 2009 and Initial Review of Draft 2010 Work Plan
DATE: September 2, 2009

At this meeting the Board will evaluate its efforts for 2009 and start reviewing its 2010 Work Plan (attached). Any changes to the Work Plan will be incorporated into a revised draft that will be reviewed, modified as necessary, and approved at the November 2nd meeting.

Review of 2009 Activities

The 2009 Work Plan contains the following provision:

“How the Stewardship Council will measure its success is important. Many organizations use sophisticated techniques to measure success, but these are not necessary for the Stewardship Council. Rather each year the Stewardship Council will pause and reflect on its Work Plan elements to help determine its ability to accomplish the stated mission and objectives. The review shall include an assessment of how the organization can improve in the coming year, focusing on areas of weakness and opportunities for improvement.”

The first part of the conversation will be the Board’s assessment. That conversation will then be used to set goals for 2010 and to make changes to the draft 2010 Plan.

Staff’s perspective on 2009

Rik and I both believe the first eight months of 2009 have been successful. As the number of issues decreases – a good indicator about the protectiveness and effectiveness of the cleanup – the Board’s ongoing commitment remains strong. Your commitment, particularly in light of the many challenges facing your communities and organizations, is encouraging for it shows that local government and community oversight remains intact. That commitment and cohesiveness was highly uncertain when the organization formed in 2006 but was a critical goal in forming the Stewardship Council.

In meeting this commitment, the Stewardship Council is principally keeping its focus on near-term activities and decisions, while maintaining an eye on future needs and future generations. Near-term activities, as you know, include reviewing monitoring data, addressing the needs of workers, plus a host of other issues. For long-term stewardship to be effective, however, the organization looks into the future, addressing questions now of how to remind people of the legacy of Rocky Flats and ongoing management needs.

In your review of 2008 activities, Rik and I brought two issues to your attention – (1) technical staff meetings, and (2) keeping constituencies informed and engaged. Both warrant brief mention in this memo.

Technical staff meetings

Last year recognizing that these meetings were becoming less frequent, the Board agreed they should occur on an as-needed basis. The intent of the meetings, as you will recall, had been to supplement Board meetings and provide an opportunity to discuss and debate issues at a more in-depth level. It was further agreed that local government staff and not Stewardship Council staff would schedule and host the technical meetings. No meetings have been called in 2009. That does not mean Rik and local government technical staff are not engaged on technical issues – quite the opposite. What it does mean is that the meetings, as conceived, are no longer needed.

Keeping constituencies informed and engaged

I believe Board members do an excellent job of keeping their colleagues informed about the state of the site and on-going issues. What I cannot tell is how far that information spreads to the general populace. I believe the best gauge will likely be visitor numbers once the refuge opens. Only then will we know if people trust the cleanup. In the meantime, I believe we should identify options for increasing communications with state legislators. Not only will that help them sort through specious claims, but it will also help us should Rep. McKinley or one of his allies in the legislature introduce Rocky Flats-related legislation.

Draft 2010 Work Plan

There is one notable change to the 2010 Work Plan from the 2009 Plan – develop a new website (in addition to the Stewardship Council’s website) focusing on Rocky Flats facts and history. This idea has the support of Shirley Garcia, the Rocky Flats Cold War Museum’s President.

The idea is as follows. At present, historic and current information about Rocky Flats is scattered across many sources, including websites. The lack of a singular access point for people to go for more information about the site is a glaring gap. The idea, as currently conceived, is to develop a site that both contains a great deal of information and easily points to other places where people can learn more. To some degree the Stewardship Council website meets this need, but a new portal that focuses exclusively on this information appears warranted.

In due time it might make sense for the Rocky Flats Cold War Museum to take over this function/website, but that organization, as Shirley explained to me, is not yet prepared both logistically and financially to undertake that effort. The Stewardship Council, however, is. The new site would, importantly, complement and supplement the Museum’s work.

The other changes I trust are self-explanatory. Please let me know what questions you have, particularly if there are any items I did not include in the draft Work Plan.

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2010 Work Plan

Draft #1, September 2009

Mission:

The mission of the Rocky Flats Stewardship Council is to provide continuing local oversight of activities at the Rocky Flats site and to ensure local government and community interests are met with regards to long-term stewardship of residual contamination and refuge management. The mission also includes providing a forum to track issues related to former site employees and to provide an ongoing mechanism to maintain public knowledge of Rocky Flats, including educating successive generations of ongoing needs and responsibilities regarding contaminant management and refuge management.

Preface: 2010 Challenges and Opportunities

In 2007 jurisdiction over Rocky Flats transferred from DOE's Office of Environmental Management to both DOE's Office of Legacy Management and the Department of the Interior. With this transfer of management responsibility, the Stewardship Council fully stepped into its long-term mission – engage on the range of issues underpinning the long-term management of Rocky Flats and use and protection of the site as a national wildlife refuge.

As the sole Local Stakeholder Organization (LSO) in the DOE complex, the Stewardship Council has established the framework for how a successful LSO functions. The involvement of the four non-governmental entities on the Stewardship Council provides important ideas and opportunities for engaging broad audiences on issues and histories related to the site.

Some of the challenges and opportunities to address in 2010 will likely include:

- Continuing to strengthen the organization's relationship with DOE's Office of Legacy Management (LM)
- Strengthening relationships with the new Administration and new members of the Colorado Congressional delegation.
- Addressing misconceptions about Rocky Flats cleanup and ongoing risks.
- Maintaining public awareness and interest in the ongoing management needs at Rocky Flats.

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- Reviewing and modifying as necessary organizational systems to ensure members remain engaged and the Stewardship Council functions efficiently

Background:

The Stewardship Council occupies two roles: (1) serving as the LSO for Rocky Flats, and (2) engaging USFWS on the management of the Rocky Flats National Wildlife Refuge.

Local Stakeholder Organization

Legacy Management approved the LSO Plan for Rocky Flats on December 21, 2005. This Plan identifies how the main responsibilities Congress identified in the legislation authorizing the creation of LSO (Section 3120 of the Fiscal Year 2005 Defense Authorization bill) are to be carried out at Rocky Flats. These responsibilities are summarized as follows:

- Solicit and encourage public participation in appropriate activities relating to the closure and post-closure operations of the site.
- Disseminate information on the closure and post-closure operations of the site to the State and local and Tribal governments in the vicinity of the site, and persons and entities having a stake in the closure or post-closure operations of the site.
- Transmit to appropriate officers and employees of DOE questions and concerns of governments, persons, and entities referred to in the preceding bullet.

In fulfilling these responsibilities, the Stewardship Council has been tasked with helping DOE meet its public involvement obligations identified in the Post-Closure Public Involvement Plan (PCPIP) for Rocky Flats.

Rocky Flats National Wildlife Refuge

“The Rocky Flats National Wildlife Refuge Act of 2001” established that Rocky Flats shall become a national wildlife refuge following EPA certification that the site has been cleaned to the agreed-upon regulatory standards. In July 2007 DOE conveyed jurisdictional responsibility over nearly 4000 acres to the Department of the Interior for the Rocky Flats National Wildlife Refuge. Additional lands will likely be conveyed in 2010.

In April 2005, USFWS published the Rocky Flats Comprehensive Conservation Plan (CCP), the conservation plan for the Rocky Flats National Wildlife Refuge. The CCP describes the desired future conditions of the Refuge and provides long-range guidance and management direction. Per the CCP, in the coming years USFWS anticipates developing the following “step-down” management plans, which provide specific guidance for achieving the objectives established in the CCP:

1. Vegetation and Wildlife Management Plan
2. Integrated Pest Management Plan
3. Fire Management Plan
4. Visitors Services Plan
5. Health and Safety Plan
6. Historic Preservation Plan

Due to funding restrictions, USFWS has delayed implementation of the CCP, including delaying the timeline for opening the Refuge for public access. As USFWS implements steps to open the Refuge, the Stewardship Council will work with USFWS and DOE to ensure the current access restrictions to DOE-retained lands remain effective and to address issues as needed.

Work Plan Elements

The Work Plan is divided into the following five sections:

1. DOE Management Responsibilities
2. Former Rocky Flats Workforce
3. Outreach
4. Rocky Flats National Wildlife Refuge
5. Business Operations

DOE Management Responsibilities

Overview:

One of the key roles of the Stewardship Council is to understand and engage the various issues regarding the cleanup and post-closure management of Rocky Flats, and to provide a forum to foster discussions among DOE, the regulatory agencies, and community members.

2010 Activities:

1. Review information regarding the long-term stewardship and management of the Rocky Flats site, including but not limited to the results of the operational and performance monitoring data of site operations and DOE status reports.
2. Work with DOE on implementing its Post-Closure Public Involvement Plan (PCPIP), including the meetings DOE identified in the PCPIP.
3. Review DOE budgets for implementation of DOE responsibilities.
4. Participate in DOE, CDPHE and/or EPA assessment(s) of remedy operations and effectiveness.
5. As needed, evaluate legal and regulatory issues regarding implementation of site-wide long-term stewardship plans and provide information to the Stewardship Council and to the community.
6. Work with DOE and the regulators to understand technical data regarding implementation and effectiveness of cleanup remedies and long-term controls, and provide information to the Stewardship Council and to the community.
7. Transmit to appropriate officers and employees of the DOE questions and concerns of governments, persons and entities regarding Rocky Flats.
8. Work with USFWS and DOE on interpretative signage on refuge lands that includes history of Rocky Flats and cleanup, and ongoing DOE monitoring and surveillance program.

Deleted: <#>Track issues related to DOE's petition to Colorado Water Quality Control Commission to change uranium and other standards for Rocky Flats.¶

9. Support the Rocky Flats Cold War Museum efforts to establish a museum and on mechanisms for educating successive generations about the history of Rocky Flats, particularly about residual contamination and continued need for long-term stewardship.
10. Develop new website to help transmit history of Rocky Flats and ongoing management needs.
11. Track issues related to transfer of administrative jurisdiction over former mineral parcels from DOE to Department of the Interior for inclusion in the Rocky Flats National Wildlife Refuge.

Former Rocky Flats Workforce

Overview:

One of DOE's primary post-closure responsibilities is to manage the health and pension benefits of former site workers. Many of these workers are the constituents of the Stewardship Council governments. Further, the Rocky Flats Homesteaders, which represents more than 1800 former site workers, sits on the Board of the Stewardship Council. For these and other reasons, as noted in the Stewardship Council's IGA, worker issues will continue to play a role for the Stewardship Council.

2010 Activities:

1. Track issues related to the implementation of the Energy Employee Occupational Illness Program Compensation Act (EEOIPCA), including ongoing federal legislation and pending review of the program by the General Accountability Office. Respond as needed.
2. Communicate worker concerns to the Administration and to members of the Colorado Congressional delegation.

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Outreach

Overview:

As the LSO for Rocky Flats, a core responsibility for the Stewardship Council is reaching out to the community and providing a mechanism to educate people about Rocky Flats and the ongoing management needs. As part of this mission it remains essential that the Stewardship Council maintain close communications with DOE, EPA, CDPHE, USFWS and Congress.

The local communities have developed over the period of many years a very good working relationship with the two primary regulatory agencies that oversee the site, EPA and CDPHE. It is imperative that the Stewardship Council continue this tradition of partnership with these agencies.

The Colorado congressional delegation likewise played a critical role in addressing Rocky Flats issues. The Stewardship Council shall remain an important vehicle for addressing issues of concern to the delegation and for providing community interface with the delegation on the numerous site-specific issues and concerns.

2010 Activities:

1. Hold quarterly Board meetings and provide opportunity for public comment and public dialogue.
2. Communicate with other local officials, DOE, state and federal regulators, the Colorado congressional delegation, and other stakeholders about the Stewardship Council’s mission and activities, as appropriate.
3. Seek public input and involvement on issues related to DOE and USFWS responsibilities at Rocky Flats.
4. Evaluate Congressional action affecting DOE and USFWS and administrative action that could affect Rocky Flats.
5. Maintain communication with state legislators, as appropriate, and track state legislation as needed.
6. Provide opportunities at meetings and in between meetings for education and feedback.
7. Work with DOE to disseminate information on the cleanup and post-closure operations of Rocky Flats.
8. Develop new website focusing on history of the site and ongoing management needs.
9. Participate in local, regional and national forums.
10. Implement mechanisms for the Stewardship Council and the general public to be informed of the results of the monitoring data and other relevant information, recognizing that not all communication between DOE and Rocky Flats constituencies will flow through the Stewardship Council. Options include:
 - o Periodic reports
 - o Email updates
 - o White papers
 - o Letters
 - o Press releases

Deleted: <#>Provide communications materials to newly elected officials.¶

Deleted: Begin to identify methods for keeping constituencies engaged on Rocky Flats issues.¶

Deleted: <#>Identify mechanisms for educating successive generations about the residual contamination at Rocky Flats and the continued need for a comprehensive site-wide stewardship program. ¶

Rocky Flats National Wildlife Refuge

Overview:

A core function of the Stewardship Council is to engage on issues related to the development and management of the future Rocky Flats National Wildlife Refuge. This work includes tracking and addressing as necessary issues related to the interface of the Refuge to lands that DOE will retain as part of its management responsibilities.

2010 Activities:

1. As necessary, work with USFWS on implementation of Comprehensive Conservation Plan for the Rocky Flats National Wildlife Refuge.
2. Track Congressional action affecting funding for USFWS.
3. Provide a forum for the community to raise issues related to development of management plans and other issues affecting USFWS responsibilities at the Rocky Flats National Wildlife Refuge.

Deleted: <#>Work with Energy Communities Alliance on development of a peer exchange on refuge issues.¶

Business Operations

Overview:

Business Operations refers to organizational management responsibilities – conducting the annual audit, hiring staff, submitting financial reports to DOE, adopting annual Work Plan and annual budget, etc.

2010 Activities:

1. Operate Stewardship Council in compliance with state and federal regulations.
2. Conduct financial audit.
3. Prepare and adopt the annual work plan and the annual budget.
4. Submit financial reports to DOE.
5. Review and renew as necessary consulting agreements.

Deleted: <#>Renew the Intergovernmental Agreement.*

Success Measurement Criteria

How the Stewardship Council will measure its success is important. Many organizations use sophisticated techniques to measure success, but these are not necessary for the Stewardship Council. Rather each year the Stewardship Council will pause and reflect on its Work Plan elements to help determine its ability to accomplish the stated mission and objectives. The review shall include an assessment of how the organization can improve in the coming year, focusing on areas of weakness and opportunities for improvement.

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MEMORANDUM

TO: Board
FROM: David Abelson
SUBJECT: Draft 2009 budget
DATE: September 4, 2009

In accordance with Colorado law, attached for your review is the first draft of the Stewardship Council's fiscal year 2010 budget. I have scheduled time at the meeting for you to discuss and modify as necessary this draft. As a unit of local government under the Colorado Constitution, the Stewardship Council must hold budget hearings prior to adopting a final budget. The budget hearings will be held at the November 2nd meeting. You will adopt the budget at that meeting.

Overview: In accordance with the Board's direction in past years, the budget is for more than the anticipated costs (20% above projected costs for 2010). That way the Board has some latitude in how it manages the expenditures. This proposed budget reflects a net decrease of \$2,950 over the 2009 budget; 2009 was a reduction of \$19,025 over 2008. A comparison of the 2010 and 2009 budgets follows. Below is an accounting of the changes.

BUDGET CATEGORY	CHANGE FROM FY 2009
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A. Personnel	(\$3,000.00)
• The budget is reduced but actual expenses are expected to remain the same.	
B. Fringe Benefits	\$0.00
• No change	
C. Travel	\$300.00
• Out-of-state budget: Increased by \$300.	
D. Computer Equipment	\$0.00
• No change	

E. Supplies	0.00
• No change	
F. Contractual	(\$500.00)
• Attorney & Accounting Services: No change	
• Admin. Services: No change	
• Miscellaneous Services: No change	
• Minutes Preparation: No change	
• Local government expenses: Reduced by \$500	
G. Construction	\$0.00
• No change	
H. Other	\$250.00
• Printing: Reduced by \$1500	
• Postage: No change	
• Liability Insurance: No change	
• Telephone, email etc.: No change	
• Website	
• Hosting: No change	
• Webmaster: Increased by \$1750	
• Subscriptions/Memberships: No change	
TOTAL NET DIFFERENCE FROM 2009 BUDGET	<u>(\$2,950.00)</u>

ROCKY FLATS STEWARDSHIP COUNCIL
2010 Budget -- DRAFT #1

		<u>2009 Budget</u>	<u>2009 Actual/ Projected Expenses*</u>
A. Personnel	\$ 93,000.00	\$ 96,000.00	\$ 82,200.00
Executive Director and Technical Advisor (\$7750/month for 12 months)			
B. Fringe Benefits	\$ -	\$ -	\$ -
Benefits	\$ -		
Staff are contract employees			
C. Travel	\$ 5,700.00		
Out of State	\$ 4,500.00	\$ 4,200.00	\$ 4,203.19
National DOE-related trips \$1500/trip X 3 trips			
Local Travel	\$ 1,200.00	\$ 1,200.00	\$ 819.36
\$100/month for 12 months			
D. Computer Equipment	\$ 500.00		
Purchase misc. hardware, software	\$ 500.00	\$ 500.00	\$ -
E. Supplies	\$ 1,200.00		
Supplies (\$100/month for 12 months)	\$ 1,200.00	\$ 1,200.00	\$ 834.50
F. Contractual	\$ 40,100.00		
Attorney & Accounting Services	\$ 33,500.00		
Legal Services (\$1400/ month for 12 months)	\$ 16,800.00	\$ 16,800.00	\$ 9,053.67
Accounting (\$850/month for 12 months)	\$ 10,200.00	\$ 10,200.00	\$ 5,795.00
Audit Report	\$ 6,500.00	\$ 6,500.00	\$ 4,743.68
Admin. Services	\$ 4,600.00		
Misc. Services: budget notices, etc.	\$ 1,000.00	\$ 1,000.00	\$ 24.00
Minutes Preparation (6 meetings)	\$ 3,600.00	\$ 3,600.00	\$ 2,500.00
Local Government Expenses	\$ 2,000.00	\$ 2,500.00	\$ 1,275.00
Miscellaneous expenses not covered by DOE funds (includes meeting expenses)			
G. Construction	\$ -	\$ -	\$ -
None			
H. Other	\$ 18,800.00		
Printing & Copy	\$ 2,000.00	\$ 3,500.00	\$ 863.75
Postage	\$ 1,500.00	\$ 1,500.00	\$ 591.88
\$125/month for 12 months			
Liability Insurance	\$ 4,000.00	\$ 4,000.00	\$ 3,480.82
Property Contents/General Liability	\$ 500.00		
Board Members	\$ 3,500.00		
Telephone, email, etc	\$ 3,400.00	\$ 3,400.00	\$ 2,855.77
Website	\$ 5,000.00	\$ 3,250.00	\$ 1,311.60
Hosting	\$ 500.00		
Web master	\$ 4,500.00		
Subscriptions/Memberships	\$ 2,900.00	\$ 2,900.00	\$ 2,627.52
Weapons Complex Monitor	\$ 550.00		
ECA membership	\$ 950.00		
Conference registration fees	\$ 750.00		
Newspapers	\$ 650.00		

J. Indirect Costs	\$ -
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N/A

TOTAL PROPOSED BUDGET	\$ 159,300.00	\$ 162,250.00	\$123,179.74
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Net Change from 2009 budget \$ (2,950.00)

REVENUE FOR 2010

Local government contributions	\$ 8,000.00
Department of Energy grant	\$ 125,000.00
RFCLOG carry-over	\$ 26,300.00

TOTAL \$ 159,300.00

*2009 Actual/Projected Expenses = actual January through July; projected July through December