

**Rocky Flats Stewardship Council Board Meeting Minutes
Monday, October 1, 2007**

8:30 – 11:15 AM

**Rocky Mountain Metropolitan Airport, Terminal Building
11755 Airport Way, Broomfield, Colorado**

Board members in attendance: Clark Johnson (Alternate, Arvada), Carl Castillo (Alternate, City of Boulder), Matt Jones (Alternate, City of Boulder), Lori Cox (Director, Broomfield), Mike Bartleson (Alternate, Broomfield), Chuck Baroch (Director, Golden), Jim Congrove (Director, Jefferson County), Kate Newman (Alternate, Jefferson County), Sheri Paiz (Director, Northglenn), David Allen (Alternate, Northglenn), Karen Imbierowicz (Director, Superior), Tim Purdue (Alternate, Superior), Jo Ann Price (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Marjory Beal (Alternate, League of Women Voters), Roman Kohler (Director, Rocky Flats Homesteaders), Kim Grant (Director, Rocky Flats Cold War Museum), Ann Lockhart (Alternate, Rocky Flats Cold War Museum), Ken Foelske (Director).

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: Carl Spreng (CDPHE), Vera Moritz (EPA), Scott Surovchak (DOE-LM), Bob Darr (Stoller/DOE-LM), Rick DiSalvo (Stoller), Sue Vaughan (League of Women Voters), Jennifer Bohn (RFSC accountant).

Convene/Agenda Review

Chair Lori Cox convened the meeting at 8:40 a.m. She asked if there were any suggested changes to the agenda. There were none.

Consent Agenda

Clark Johnson moved to approve the August, 2007 minutes. The motion was seconded by Jeannette Hillery. The motion passed 12-0.

Karen Imbierowicz moved to approve the checks. The motion was seconded by Clark Johnson. The motion passed 12-0.

Executive Director's Report

David first discussed was the status of the federal budget for fiscal year 2008. The 12 appropriations bills should be completed by September 30, the end of the fiscal year, but Congress does not succeed at this very often. If the appropriations are not made, Congress needs to approve a Continuing Resolution, which serves to buy more time to approve and for the President to sign come the outstanding bills. To date, the House has approved all 12 appropriation bills but only four have been approved by the Senate. None of the bills have gone

to conference, the process where the House and Senate resolve their differences. Therefore, none of the bills have been approved so Congress approved a Continuing Resolution which covers all 12 bills has been approved. It is valid through November 16. Because of the number of outstanding issues, a second Continuing Resolution is expected, which will extend through the Thanksgiving holiday. Complicating the picture is that the President has threatened to veto 11 of the 12 appropriation bills. There are no budget issues at the present time that affect Rocky Flats. The only lingering issue is a provision in one of the House bills that would move DOE's Legacy Management office into the Environmental Management office. The Senate version does not contain this provision. This will be a key issue for Rocky Flats when Congress enters conference negotiations on the Energy and Water appropriations bill. The Senate version also includes \$500,000 for the Rocky Flats Cold War Museum.

David next discussed federal funding for the Rocky Flats Stewardship Council. The Stewardship Council will exhaust its federal dollars in approximately September 2009. David recommended that he visit Washington, D.C. in November to meet with Congressional staff and DOE to begin to explain the need for additional dollars. During this trip, he would be able to lay the groundwork for consideration of additional federal funding for the Stewardship Council in FY09. He said that it may be a good idea for Chair Lori Cox to go on this trip as well. Carl Castillo asked if Stewardship Council funding will continue to be a direct appropriation. He also asked why it is not part of the LM budget. David said that LM asked for fixed amount to cover their costs, and extra expenditures would cut into their budget. It would be possible to build Stewardship Council funding into their request, but federal agencies are required to create their budgets so far in advance that this would be difficult. Carl asked what the ramifications would be if the Stewardship Council did not get the direct appropriation. David said that if that scenario happens, the group will have to look at all of their options. The Stewardship Council has approximately one year of non-federal funding available, and David is reasonably confident that the Stewardship Council will receive funding, since this group was specifically authorized by Congress and has strong support within DOE and Congress.

David next discussed DOE's petition to the Colorado Water Quality Control Commission to change the site-specific uranium standard. DOE has requested the Commission apply the state drinking water standard for uranium to Rocky Flats. The current Rocky Flats standard is roughly twice as stringent at the state standard. The Commission agreed to review the standard at its January 2009 meeting; DOE had requested the Commission conduct the review in January 2008. In preparation for the 2009 review, DOE is developing additional data points about the type of uranium, namely whether it is naturally-occurring or man-made. David noted that Rik Getty previously wrote a summary explaining this analysis, called speciation.

David announced that DOE's Frazer Lockhart and his team recently received an award from the Partnership for Public Services for the cleanup of Rocky Flats. This is one of most prestigious awards for public service employees. This year's top medal went to doctors with the National Institutes of Health working on cervical cancer vaccines.

Regarding the Rocky Flats worker's special exposure cohort petition, in August the Secretary of Health and Human Services officially accepted the June 2007 recommendation from the Advisory Board. This recommendation was to approve the petition of those who worked at

Rocky Flats through the mid-1960s. However, there is still a bill supported by Senator Salazar and Representatives Udall and Perlmutter which would grant special exposure cohort status to additional Rocky Flats workers. Congress is waiting for results of a GAO report on the matter, which will likely be followed by hearings.

David informed the Board that he will be attending an annual Intergovernmental Meeting at which he has spoken for the past few years. Meeting participants include Energy Communities Alliance (ECA), National Governors Association, National Association of Attorneys General, State and Tribal Government Working Group, Environmental Council of States, and DOE. ECA will pay most of his expenses, including hotel and airfare.

Rik Getty noted that a rain storm in mid-September produced almost 1” of rain. Attachment 2 of the Rocky Flats Legacy Management Agreement (RFLMA) requires that the site conduct an inspection after a significant precipitation event, which is defined as 1” or more of rain. Bob Darr (DOE) said the site had documented .92” of rain, but that staff nevertheless inspected the site. David Allen asked how the RFLMA defines a significant snow event. Rik said it was based on the water content of the snow, but thinks it is approximately 10 inches. Karen Imbierowicz asked what they do for this type of inspection. Rik said they are mostly looking at erosion control issues and primarily these are visual inspections.

Public Comment

Bob Darr (DOE) reminded the Board that DOE has been looking at closing the Rocky Flats Public Reading Room. Along with conducting a great deal of research, DOE has entered into discussions with the University of Colorado library archivist. Bob offered the cities and municipalities a last opportunity to let him know if there are any particular records of which they are interested in taking possession. CU will maintain community archives, so the data will still be accessible to the public. Mike Bartleson asked if there is a cost to DOE to transfer these materials. Bob said they will simply provide packing materials, but that is all. David Abelson noted that CU also received all the Citizens Advisory Board and Rocky Flats Coalition of Local Governments files, as well as several other sets of Rocky Flats files. JoAnn Price asked when the reading room will close. Bob said the lease is up on December 31st, but staff will start packing in advance of that date so they can be completely moved out by the end of the year. Ann Lockhart pointed out that CDPHE also transferred its Historical Public Exposures Study data to the CU archive. Kim Grant said that the Rocky Flats Cold War Museum had loaned some of their materials to the Reading Room, and they would like to make sure they are returned. Rik Getty said the Stewardship Council has eight boxes of files that will also be going to CU. David noted that he and Rik are also creating hard copy files of all records to have for future needs.

Rocky Flats Cold War Museum Briefing

Board members from the Rocky Flats Cold War Museum recently participated in an ECA peer exchange on historical preservation at nuclear sites. Kim Grant began by thanking Lorraine Anderson for her leadership at ECA in beginning this dialogue on historical preservation beyond the Manhattan Project. Kim said they were able to learn a great deal from the groups that

participated in this meeting, which included DOE, ECA, National Park Service, Atomic Heritage Foundation, Los Alamos, Hanford, Oak Ridge, Idaho Science Center, and Rocky Flats.

Kim reported that Atomic Heritage Foundation (AHF) president Cindy Kelly discussed a new book on the Manhattan Project, as well AHF's success in preserving the garage at Los Alamos National Laboratory used for assembly of the atomic device tested at the Trinity site. One of the challenges she mentioned facing preservation at these sites is allowing for public access at many of these facilities.

At Oak Ridge, one of the success stories is the Secret Cities Festival, which has grown into large local event attracting thousands of visitors each year. There are also efforts underway to preserve a portion of the K-25 U Historic Site (used to produce uranium-235), and the release of two documentary films related to the Oak Ridge community's role in the Manhattan Project. At Hanford, the focus is preservation of the B-Reactor site, the first large scale nuclear reactor that produced plutonium for the Trinity Test. They are also working to develop a National Monument in this area. The Idaho Science Center is a small local museum being developed which includes a partially buried nuclear submarine and other visitor attractions. There are also local efforts to preserve the history of DOE's Idaho National Laboratory. The Rocky Flats presentation focused on the Museum's efforts to preserve artifacts, oral history, as well as site planning and development issues.

Many common threads emerged from these discussions, including access to sites, the benefits of linking with other area/regional heritage organizations, the importance of having an online presence, and the need for ongoing federal presence and Congressional appropriations. One specific challenge at Rocky Flats is the number of constituencies and local governments that are part of the Rocky Flats area.

Kim also noted that the Museum has been invited to participate in a national oral history conference. In advance of this conference, Museum Board Members have developed an 8-minute video containing snippets of the Rocky Flats oral histories.

Ann Lockhart reported that the Museum Board has been putting out an electronic newsletter, which includes excerpts from some of the oral histories along with other museum information. They are trying to expand their distribution list. Kim and Ann have given presentations at several groups in community. They also conducted a phone consultation with a successful nuclear museum in New Mexico to gather fundraising tips. To date, the major fundraising successes for the Rocky Flats Museum have been due to Kim's efforts. She added that the Museum hopes to continue to do more oral histories. They have recently created a new exhibits committee which includes Shirley Garcia and Neils Schonbeck. There are also efforts underway to improve their website. Lori Cox said she has not received the newsletter and asked how to sign up. Ann said people can sign up through the website (RockyFlatsMuseum.org). David Abelson said he forwards copies via email to the Board Members. Chuck Baroch asked if groundbreaking is scheduled. Kim said they are not ready yet and that federal funding is key to making it happen. There are still a few zoning issues to work out. All the money raised by the museum so far has been used for projects, not construction. To undertake construction efforts, the Museum estimates it will need about \$4 million.

Briefing Materials for Newly Elected Officials

Stewardship Council board members identified the need to prepare briefing materials for newly-elected officials. David Abelson has prepared a set of draft papers which reflect the Board's input to date. At this meeting, David is looking for feedback. He noted that the direction he was given at the last meeting was to focus on the background of Rocky Flats, as well as communicating risk. He is planning to develop topic-specific papers addressing the scope of cleanup, 'how clean is clean', ongoing management needs, worker issues, and one paper containing talking points. These briefing materials may be distributed as hard copies, a complete briefing packet, and on the website. David asked the Board Members to focus on the substance of the papers before addressing format issues. His goal was to write these papers at an executive summary level of detail.

Ken Foelske said he thinks the drafts were extremely well done. He suggested that the addition of a map might help to show the location of key points. Clark Johnson suggested additional basic visuals. David Abelson noted that a representative from Jefferson County put together map some time ago which showed the location of Rocky Flats in relation to the local jurisdictions, and he will try to locate this information for use in the briefing packet. Jo Ann Price also said she thought the papers were very well done. Karen Imbierowicz asked David if he considered going to level higher than this. David said he would like to provide information at various levels. An example of the most basic level of information would be the first two paragraphs of National Wildlife Refuge briefing paper. Karen agreed that the current format and level of information is good.

David Allen said he likes having issue-specific papers. He thought it would be a good idea to have one (2-3 page) general paper, and then a separate, more specific, paper for each issue. Kim Grant suggested that the historical timeline could be made into a separate attachment. He added that, while more subjective, the talking points are well done and will be useful. David Allen asked posed the question of whether the Stewardship Council should cross the line of adding subjectivity within the briefing paper format. David Abelson responded that when adding subjective content, the paper will make note of this.

Chuck Baroch asked why the history of Rocky Flats was not included in the briefing paper topics. Bob Darr said that DOE had just created a new fact sheet on Rocky Flats that covers the history and that it will be available on their website. Clark Johnson noted that the topics of history, cleanup, and 'how clean is clean' are separate from future issues.

Jeannette Hillery said the Board needs to look at who the audience is and base the level of the information on that. Lori Cox said there was a good rationale for making each of the briefing papers a stand-alone piece, as readers will be able to choose their topic of interest. David Abelson noted that the staff received a questionnaire from the League of Women Voters that was being used in preparation for a panel discussion on Rocky Flats. Most of the League's questions had to do with safety issues and 'how clean is clean'. David said they submitted about 11 pages of answers, as these are the most challenging questions to address. David said he thinks this is what most people are interested in regarding Rocky Flats. Carl Castillo suggested inserting an

introductory paragraph in the papers which notes the intended audience and purpose. He also suggested cross-referencing the other briefing papers when appropriate. Kim Grant would like to see the papers include a list of websites so that the reader can access additional information. Lori Cox said she was working off the assumption that the target audience for these papers was new Board Members. Chuck Baroch said the information will also be important for new city council members. Kim Grant said that he thinks all audiences will be served with the papers as written.

Karen asked David if he was planning to add information about the history of Rocky Flats. David said he was, along with a paper providing background on the Stewardship Council. JoAnn Price asked about including a map that shows the main features of the site, including landfills. David said there will be a new section on the Stewardship Council website which will highlight various perspectives and provide external resources. David said he envisions that the new briefing packet will include additional information, such as a list of Board Members, current press releases, Stewardship Council work plan, and possibly other documents based on what it is being used for.

David concluded by saying will continue refining the papers based on the input from the Board and send revised drafts via email. There will be further discussion at the February 2008 meeting.

Draft Stewardship Council Bylaws Amendment

The bylaws do not currently provide a process for appointing community members to the Stewardship Council. The four community representatives of the Stewardship Council (League of Women Voters, Rocky Flats Cold War Museum, Rocky Flats Homesteaders and Ken Foelske) were appointed to a two-year term that expires in February 2008. Each is eligible to apply for reappointment and the Board must make new appointments for 2008-2009. The draft bylaws amendment provides that the appointments will be made by all nine governments that are a party to the Stewardship Council IGA. The amendment will be reviewed at this meeting and adopted as modified at the November 5th meeting. Lori Cox asked if there were any questions or concerns about the amendment. She noted that the reason for this amendment is that the bylaws currently require nine members to approve a motion, but there are only eight government members at any one time due to the rotating arrangement of Golden and Northglenn. She said it makes sense that all nine of the governments be able to vote on the appointments.

Barb Vander Wall, the Stewardship Council's attorney, suggested that the words 'notice' 'membership application' be changed to lowercase so they are not defined terms. She clarified that only discussion of the amendment can take place at this meeting, with approval at the next meeting. Karen Imbierowicz asked if it would be a good idea to include a simple sentence noting that both Golden and Northglenn will vote on membership appointments. David Abelson said that the rotating parties are defined elsewhere in the bylaws.

Board Review of Stewardship Council Activities for 2007 and Initial Review of 2008 Work Plan

The 2007 Stewardship Council Work Plan provides that the Board review the Plan elements to help determine its ability to accomplish the stated mission and objectives. The review includes

an assessment of how the organization can improve in the coming year, focusing on areas of weakness and opportunities for improvement. This review is a first step in developing the 2008 Work Plan. This month's meeting packet contained a draft 2008 Work Plan that is an update of the 2007 Plan. Formal approval of the 2008 Work Plan will take place at the November 5th meeting. David said the Board should spend some time looking at how things have been working. He pointed out that there are two main changes from last year. First, the site is moving out of the regulatory closure period. Second, the Stewardship Council is working to increase public communications activities, such as the briefing packets discussed earlier. David also sees a need to explore possible linkages between the Stewardship Council and the Rocky Flats Cold War Museum, as there is so much commonality in the focus of the two organizations.

Lori Cox asked the Board for their thoughts on the Stewardship Council's 2007 activities. Jeannette Hillery said she has been pleased with DOE's quarterly updates on activities, and also the updates on Refuge issue. She said that, while these updates may be more thorough than some people would like, they have been helpful for her. She added the Stewardship Council needs to maintain vigilance on budget issues, especially regarding the Refuge, but also for DOE's long-term monitoring.

Kim Grant said this group has learned the importance of outreach, since public memory will erode over time.

David Abelson pointed out the wording on Page 4, Number 10 of the draft Plan regarding DOE management responsibilities. David said the Refuge interpretive signage discussion will be a huge issue. The Stewardship Council will be talking to the Fish and Wildlife Service at the February meeting, and hopes to begin to engage on this issue. One way to use the signs as an educational tool about the history of Rocky Flats is to include photos of the site at various vantage points along the future trails. Kim Grant noted that the Cold War Museum has encountered some reticence on the part of the USFWS to go beyond their basic wildlife mission in terms of information they will provide to the public. Ken Foelske said it will be important to convey to future visitors how many people worked at the site at one time. Karen Imbierowicz asked why there is reluctance from the USFWS about these issues. Kim said there were funding issues, but also this historical perspective of the site is beyond the normal mission of the USFWS. David Abelson pointed out that the Conservation Plan for the Rocky Flats Refuge does call for this kind information to be included in the signage. Kim said that funding for signage does not have to come from the federal government. David Allen asked if the Stewardship Council can put some pressure on USFWS through our Congressional representatives to work on signs.

Chuck Baroch asked if the Stewardship Council has approached other organizations about funding for Refuge interpretive signage. He noted that it is possible to solicit funds for this purpose from groups such as the Colorado Historical Society and Preserve America. David Abelson pointed out that, because the USFWS does not have funding to open any trails, there will not be a need for signs for several years. He said this group should be more focused on content, because the federal government is responsible for funding.

Mike Bartleson said the success of the Stewardship Council includes hearing about the ongoing monitoring, and having DOE report at these meetings. David Abelson asked if the technical staff briefings have been working for the participating cities. Mike Bartleson and Ron Hellbusch said they have been working well. He also asked the Board if they think the DOE quarterly reports have been useful. All agreed that they were. Roman Kohler said he liked the Work Plan as written.

Clark Johnson said he worries about people becoming less engaged, and would like to see the Stewardship Council work to try to prevent this from happening. He said the future development of the Refuge is an issue that may be able to keep the interest level from waning. David Abelson wants to make sure the conversation about the site does not become too choppy. The frequency of Stewardship Council meetings will be important. The staff is trying to be careful about when they are sending information to the Board, as they do not want Rocky Flats to be off the radar screen for too long.

FY 08 Budget – Initial Review

The Stewardship Council will need to approve the fiscal year 2008 budget at the November 5th meeting. Today, the Board will review the draft budget. The required formal budget hearings will also take place at the November meeting. David Abelson pointed out that the draft budget maintains or decreases every item for the third year in a row. As usual, they have added a bit of padding in order to try to avoid the need for any supplemental funding. The sole exception is the telephone budget, which was increased to cover normal rate increases. Under the Subscriptions item, David would like to increase the Conference Registration budget to \$295. The Weapons Complex Monitor subscription price also went up from last year.

JoAnn Price said she has been struggling with the cost associated with the Executive Director position, since the duties have declined. She also thought staff should cover expenses. David Abelson said he does not think the work has declined, and that staff is actually busier than anticipated. He added that a typical management contract would charge large overhead fee to cover expenses, and that he is not including this charge. He does get reimbursed for standard items such as cell phone, internet, fax, and gas. He said the Stewardship Council probably could not find a lower cost for services elsewhere. JoAnn noted that the budget includes four trips to Washington, D.C and asked if this could be reduced to two. David noted that just because this is in the budget does not mean it has to be spent. The Board will decide if and when to use this money. Karen Imbierowicz said she thinks it is better to budget more than you think you need. She said it may be helpful to see the 2007 actual costs as comparison. She also said she remembered that there was more specific information about personnel expenses in David's 2007 contract. David said the 2006 personnel budget was reduced in 2007. Rik Getty was added at \$100 per hour, with a maximum of 30 hours per quarter. David is on a flat monthly salary. David said if he switched to hourly billing, his costs would go up. He also noted that Rik's hours have been going up lately. The staff contract is up at end of the year, so the Board will have to make decision on how to proceed. Also, this line item in the budget is padded by at least \$24,000.

Jeannette Hillery said she also likes having extra padding in the budget, as opposed to having to do amendments. Echoing Karen's request, she also would like to see the actual vs. budgeted expenses for 2007. David said he will provide the first ten months of data with the next Board packet. Chuck Baroch asked where extra money would come from if the budget was exceeded. David said the Stewardship Council has reserve funding that is not shown on the budget. These numbers are shown on the quarterly financial reports. The Stewardship Council needs to expend DOE funding before the reserve, non-federal funding. David Allen pointed out that the purpose of this budget is to set placeholders for the year. He agreed that the Board needs a quick 2007 overview. He said he would also like to understand how long the additional funds will last. David said that if expenditures remain constant, the Stewardship Council has enough to operate about two more years. Kim said that the actual personnel cost for the year would be helpful. He also asked how much of the RFCLOG funding remained. Jennifer Bohn said it was \$89,000, and that none of this money had been spent. The original source of this funding was a 1999 Kaiser Hill grant.

David said the total projected Stewardship Council costs for 2007 are \$124,000. He said staff will update this projection, but this should be very close.

Chair Lori Cox reiterated that the personnel contract is up at end of year, and that the Board needs to have a discussion now on how to proceed. Chuck Baroch said he sees no need to change course at this time and that he favors renewing the contract. JoAnn Price said she did not see a need to put out an RFP. Sheri Paiz asked David if he anticipated any major changes to his contract. David said he will not request a fee increase and that the scope of work in the contract continues to be valid. There may be two new items from last year. First, if Representative McKinley introduces another Rocky Flats bill, this may lead to additional staff work. Second, if there are new Board members, there will be additional effort required in terms of education. David said he was thinking about increasing the maximum hours per quarter for Rik's services. Rik said he would be willing to come down on his per hour cost in order to have a set monthly fee at \$850. Currently, Rik is averaging almost 9.5 hours per month. Karen Imbierowicz said she thinks the proposed contract sounds like a good deal. David Abelson said they could schedule an Executive Session at the next meeting to review staffing decisions. He will develop a revised contract for review. The Executive Committee will meet to go over the contract, and bring a recommendation to the Board at the November meeting. Jeannette Hillery said she thought the scope of work for David was good this year, and they will review it again before the next meeting.

Public Comment

David Abelson noted that he found out the night before that there was a problem with the email distribution of the meeting notice. It appears the general distribution list did not receive the email for some reason. He will make sure that the November email reaches the list.

One of the Board members noted that a large housing development is being built on the southern border of Rocky Flats and asked anyone had been receiving calls about this. No one reported any inquiries. David Abelson said this was on the other side of the southern boundary fence.

Updates/Big Picture Review

David announced that 2008 Board Member applications had been distributed. None have been received yet, but David is aware that some are in process. Ken Foelske said he will not be re-applying, but the League of Women Voters, the Rocky Flats Cold War Museum and the Rocky Flats Homesteaders will be submitting applications.

Barb Vander Wall noted that the Board will need to officially set its 2008 Board meeting schedule at the February meeting.

The next Stewardship Council Meetings are scheduled for:

- November 5, 2007: Topics include: Budget hearings for the 2008 budget; 2008-09 the Stewardship Council membership interviews; Host LM quarterly public meeting; and approve 2008 Work Plan.
- February 4, 2008: Elect 2008 officers; Host LM public meeting; DC briefing materials; Meet with USFWS; and DOE FY09 budget briefing.

The meeting was adjourned at 11:07 a.m.

Respectfully submitted by Erin Rogers.