

**ROCKY FLATS STEWARDSHIP COUNCIL**  
**Monday, October 26, 2015, 8:30 AM – 12:15 PM**  
**Rocky Mountain Metropolitan Airport, Terminal Building, Mount Evans Room**  
**11755 Airport Way, Broomfield, Colorado**

**Board members in attendance:** Mark McGoff (Director, Arvada), Sandra McDonald (Alternate, Arvada), Lisa Morzel (Director, City of Boulder), Tim Plass (Alternate, City of Boulder), Deb Gardner (Director, Boulder County), Mike Shelton (Director, Broomfield), David Allen (Alternate, Broomfield), Laura Weinberg (Director, Golden), Libby Szabo (Director, Jefferson County), Pat O’Connell (Alternate, Jefferson County), Joyce Downing (Director, Northglenn), Shelley Stanley (Alternate, Northglenn), Ray Reling (Alternate, Northglenn), Joe Cirelli (Director, Superior), Emily Hunt (Alternate, Thornton), Bob Briggs (Director, Westminster), Bruce Baker (Alternate, Westminster), Mary Fabisiak (Alternate, Westminster), Sue Vaughan (Alternate, League of Women Voters), Roman Kohler (Rocky Flats Homesteaders), Arthur Widdowfield (Director, Rocky Flats Cold War Museum), Ann Lockhart (Alternate, Rocky Flats Cold War Museum).

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

**Attendees:** Scott Surovchak (DOE-LM), Bob Darr (Navarro), Kurt Franzen (Navarro), Linda Kaiser (Navarro), David Ward (Navarro), Jody Nelson (Navarro), John Boylan (Navarro), George Squibb (Navarro), Shirley Garcia (Broomfield), Stuart Feinhor (Rep. Polis), Erik Sween (citizen), Bonnie Graham Reed (citizen), Marian Whitney (citizen), Jay Hormel (citizen), Jeff Gipe (citizen), LeRoy Moore (RMPJC), Anne Fenerty (citizen), Jon Lipsky (citizen), Leona Dunlap (citizen), Marc Roberson (citizen), Ted Ziegler (citizen), Cynthia Winslow (PCM), Nick Hansen (LSO applicant), Steven Franks (LSO applicant).

**Convene/Agenda Review**

Chair Joyce Downing convened the meeting at 8:34 a.m. The first order of business was introductions. Joyce noted that this would be Bob Briggs’ last meeting as a member of the Stewardship Council. She took a moment to recognize Bob’s many years of service as a county commissioner and city councilperson. She said he was always a strong advocate for everything the Stewardship Council has stood for. Bruce Baker also recognized Bob and the Stewardship Council for the work it was doing. He said he had learned from Bob about how the Board operates within its role, and added that Bob brought optimism to these issues.

Joyce noted that the Executive Committee had reviewed the agenda for this meeting.

**Consent Agenda**

Mark McGoff moved to approve the September 2015 Board minutes and the checks. The motion was seconded by Bob Briggs. The motion to accept the minutes and checks passed 13-0.

### **Review and Approve Colorado Open Records Act (CORA) Policy**

At the last meeting, the Board had David Abelson and Barb Vander Wall to develop a policy related to the Colorado Open Records Act (CORA). Barb developed the policy with David's input. David said that they tried to make the draft policy simple, and to incorporate some flexibility in order to accommodate staff constraints. Mark McGoff referred to the sentence that read, "Documents that are prohibited from disclosure under CORA will not be released." He suggested that if came into play, that the Board provide an explanation to the person requesting the documents. Barb said that this had not been included in CORA policies for other public entities, but added that it was a good business practice. Mark McGoff moved to insert an additional statement to the Limitations section that reads "An explanation will be given for any documents that are not provided upon request." The motion was seconded by Bob Briggs. The motion to approve the CORA policy as modified passed 13-0.

### **Executive Director's Report**

David Abelson began by noting that the new Rocky Flats contractor (replacing SN3) was Navarro Research and Engineering. He noted that there were no personnel changes at the local level, and that one of senior Navarro leaders would be based in Westminster.

David next discussed a strategic review that was being led by the Director of DOE-Legacy Management (LM). He said two additions to LM's plan concerned Rocky Flats. The first concerns an increased emphasis on government engagement at LM sites. David said this may involve looking at the Rocky Flats model in terms of what has been working and what could be done better. The second item stems from a presidential executive order directing agencies to examine the impacts of climate change. DOE-LM would be looking at the potential impacts on remedies and performance. David noted that this issue came to the Stewardship Council a few years ago, and that he would continue to keep the Board updated on these activities.

David next spoke about a question that Deb Gardner had posed to Rik Getty and him at the last meeting. She had asked about the staff's relationship with CDPHE and EPA, as well as the commitment to get different data points and explanations for issues. David explained that the Rocky Flats cleanup work involved both RCRA and CERCLA, which meant that both EPA and CDPHE were involved. He said that building cleanup was primarily regulated by CDPHE, and environmental remediation by EPA. David explained that at closure, due to resource limitations, EPA requested that CDPHE be the lead regulatory agency at Rocky Flats. EPA has been involved, but in a more limited role. David explained that because CDPHE has more day-to-day involvement, they are the ones who present to the Board and answer most of the questions. David said that he and Rik are in touch with CDPHE as often as they are with DOE and the site contractor. David said that there was a constant process of reaching out to all of the agencies in terms of making sure the Board always had complete information and perspectives. He noted

that with respect to historic events, different people often retained different information. Reaching out to several people allowed for a more a complete understanding of issues or events.

Deb Gardner followed up with another question to David. She was wondering in the event the Board was presented with data that felt incomplete, whether they could ask for more information to be gathered, such as additional monitoring. David responded that question could trigger a bigger question—re-opening a remedy decision that had already been made. This may involve asking DOE to go above and beyond what was required by the legal cleanup decision made under federal law. He explained that if the issue in question was related to DOE lands, flagging concerns about a particular sampling issue would be appropriate. However, because Refuge lands have been certified and released for any and all uses, any suggestions to sample or monitor in these areas would be in conflict with this legal prior determination and would be subject to USFWS' discretion. He added that CDPHE did have a regulatory role for air quality/permits for issues such as the construction of the Northwest Parkway or a prescribed fire.

Joe Cirelli noted that problems related to the remedies on the DOE lands, such as flooding, could impact the Refuge and Jefferson Parkway lands. David noted that this is exactly the type of issue that the Stewardship Council does look at, and is consistent with the Record of Decision. Deb Gardner pointed out that the ROD was approved quite a while ago, and that subsequent events (such as floods and fires) could have potentially changed the environmental conditions. She asked whether there were any prescribed triggers for revisiting the decision in the Refuge. David said he did not know if there were any triggers to revisit. He added that monitoring data was being closely tracked and they were not seeing anything that would warrant revisiting the CERCLA Record of Decision for the cleanup.

David Allen noted that Broomfield's primary concern was focusing on the DOE-controlled lands in order to make sure the remedies were performing well. He said the Board had the opportunity to go back to agencies to revisit remedy issues if anything was found to be not working. Bruce Baker said that this discussion went right to the history of trust issues at the site, and past misrepresentations. He said that while the official word was that the site was cleaned up, the very existence of a hierarchy of land use could be interpreted to mean that the risks were higher in certain areas. David Abelson noted that while this may be the perception, it was not why DOE land was structured the way it was. He recounted a huge number of public meetings taking place while these decisions were being made, and noted that it was easy for people who were not involved to not fully understand the issues. He explained that the Central Operable Unit was created because it was easier for DOE to manage one unit than several smaller ones, and not because this whole area brought a higher level of risk. David stated that there would always be a measure of distrust at Rocky Flats, and added that the local governments understood that there had been hard decisions to make. He noted that if there were significant problems at Rocky Flats, local governments would be first in line to bring up the issues and would not wait for the public to react. Bruce Baker asked why DOE kept a portion of the site if it was truly cleaned up. David explained that part of DOE's responsibility under the closure was to continue groundwater treatment under CERCLA. Also, they did not want to allow public access to these areas in case someone were to damage remedy components (such as monitoring points or landfill caps). For this reason, it made much more sense to have singular DOE unit set aside. Bruce asked why

DOE got rid of the Refuge lands. Scott Surovchak explained that an Act of Congress created the Refuge and mandated the transfer of land for the refuge following completion of the regulatory actions. Scott also noted that the local governments unanimously supported the Refuge Act.

David Allen noted that there was confusion due to interchanging terminology such as ‘safe’, ‘closure and ‘clean’. He said the site was not completely ‘clean’, otherwise there would be no need for monitoring and remedies.

### **Public Comment**

Marion Whitney said that at the dedication for a new memorial at Rocky Flats, there was some discussion about a reservoir nearby. She said she hoped the water was not used for drinking. Mark McGoff said Arvada did not own the reservoir, and that it belonged to Consolidated Water Company. He said his understanding was that the water was shipped to Lakewood. Marion said she was still worried about this.

Jon Lipsky said he appreciated the opportunity to rebut certain information at the last meeting. He said that David and Rik claimed that parts of his presentation to the Stewardship Council at its September 2015 meeting were inconsistent with the administrative record and legal cases, and that David emailed him following the meeting asking for clarification. Jon said he highlighted parts of Stewardship Council’s mission, including to ‘act as spokesperson’ for the public. He said this group was not intended to ‘edit or filter comments from stakeholders’. He said that vital facts were not part of the proper CERCLA remedy, and that he trusted that openness would prevail. He said that the administrative record was from earlier era, and was without certain evidence. Jon said that the nature of document destruction was not disclosed when a moratorium was issued. He mentioned reading room documents being returned to DOE, because of personally identifying information. He referred back to the slides from his presentation to the Board. He said documents were locked away from the public and workers seeking benefits.

Jay Hormel said he was a resident of Boulder County. He thanked David for the explanation of the relationships between agencies. He said he felt like the system in place to make site decisions was designed to be impenetrable. He told the Stewardship Council that it was on them to monitor and raise flags if there were any questions about safety. He said the Board needed to use political pressure to make sure things are not being done that posed risk to the community.

Ted Ziegler said he worked at Rocky Flats for 13 years, and was on the safety committee for the union. He said he had thousands of unclassified documents that pertained to contamination and exposures. He brought a few as examples. He said there was no effort to encapsulate or remove widespread asbestos contamination. He said history should not repeat itself. Ted referred to Carl Spreng’s presentation about risk comparisons, and said this was not in the best interest of local communities. He said that while they cannot change the past, what happens in future could be better.

### **Host DOE Quarterly Meeting**

DOE briefed on site activities for second quarter 2015. The full report was posted on DOE's website. Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.). DOE was also asked to include an overview of the recent events at the Original Landfill (OLF).

#### *Surface Water Monitoring – George Squibb*

George began by reviewing surface water activities for the quarter. He began with a quick review of the monitoring requirements and locations of the monitoring sites. He also described what constituents they monitor for.

He then reviewed performance monitoring at the Original and Present Landfills (OLF/PLF). At the OLF (Woman Creek – location GS59), between April 21-30, composite sampling results for lead and selenium were above the RFLMA standard.

- Lead results were 6.8 µg/L (RFLMA standard is 6.5 µg/L)
- Selenium results were 5.5 µg/L (RFLMA standard is 4.6 µg/L)

These results prompted an increased sampling frequency (monthly), per RFLMA evaluation protocols. Neither lead nor selenium were detected in the subsequent composite sample.

From June 12 through July 7, composite sampling results for selenium were above RFLMA standard. The levels were 5.8 µg/L (RFLMA standard is 4.6 µg/L). These results prompted increased sampling frequency (monthly), per RFLMA evaluation protocols. Selenium was not detected in the subsequent composite sample

At the Present Landfill (PLF), routine first quarter sampling results for vinyl chloride were 0.23 µg/L, which was above the RFLMA 0.2 µg/L standard. This result prompted an increased sampling frequency (monthly), per RFLMA evaluation protocols. Three consecutive monthly sampling results during the second quarter were above standard at 0.24 – 0.26 µg/L. These results prompted additional sampling at the former PLF Pond outfall to No Name Gulch (location NNG01). Vinyl chloride was not detected at this location, so the sampling frequency reverted to quarterly, per RFLMA protocols. Shelley Stanley asked if this sampling was done with an automatic or grab sample. George said it was grab sampling.

George next discussed Point of Evaluation (POE) SW027. He noted that many more details could be found in the Contact Record which is found on DOE's website. He also mentioned that there was a pretty detailed discussion of mitigating actions at last Stewardship Council meeting.

At SW027, the 12-month rolling average for plutonium was reportable as of April 30, 2015.

- Standard is 0.15 pCi/L12-month
- Rolling averages were 0.22 through 0.72 pCi/L
- Information compiled in RFLMA Contact Record 2015-05 (July 8, 2015)
- Mitigating actions include enhancing upstream erosion controls
- All results from downstream WOMPOC were less than applicable standards.

George noted that no other RFLMA POE analyte concentrations were reportable throughout second quarter, and that at the Points of Compliance (POC's), all concentrations remained below reporting levels throughout the quarter. George also mentioned that they were able to collect a lot of good samples due to the wet conditions during that timeframe. Pat O'Connell asked if vinyl chloride exceedances triggered sampling for others VOC's. George said that all others were sampled and not detected. Bruce Baker commented that the site had not changed anything it was doing based on these findings. George said they were looking at the data and for any potential impacts downstream. He said the results did trigger a more thorough evaluation, although this did not always require mitigating actions. Bruce asked if the site had implemented any mitigating actions. George said they had. Bruce asked who told them to do it. George explained that the steps were outlined in the Evaluation Protocols in RFLMA. George gave the example of GS51 in 2010, and explained what they did to mitigate that low-level source. Enhancing the vegetation helped to improve water quality. Bruce wanted to know who made these decisions. Joyce Downing interjected and noted that with newer Board members it was clear that there was not an understanding of the ongoing remedy monitoring process. She suggested a future educational session on this topic.

David Allen asked George what happened to the monitoring schedule for vinyl chloride after the downstream samples showed no exceedances. George said it reverted to quarterly. David said that seemed counterintuitive to him since the actual results had not gone back down. George said the process was designed to look for persistence, and he believed they were still collecting enough data to make informed decisions. David said he believed that monitoring should remain at a monthly interval. George said that was something they could evaluate. Linda Kaiser said she thought it would be a great idea to go through the RFLMA process at a future meeting. She added, to answer Bruce, that when they have something that triggers an action, they go through the process and have a specified amount of time to develop a proposed plan. The plan is reviewed with the regulators, and they either concur or make comments or suggestions. When all three parties are in concurrence, the plan is then implemented. Jon Lipsky asked if there was a mechanism to notify the public. Linda said she was not sure of the exact requirements are, but they do have to notify governments. Ted Ziegler noted the site sampled water for plutonium, but wondered why they did not monitor the soil as well. Linda said that she was not the best person to address this question, but that the CERCLA Record of Decision for the cleanup did not require soil sampling, and that RFLMA did not either. She said this decision was derived from risk-based scenarios.

#### *Groundwater Monitoring – John Boylan*

John spoke about groundwater monitoring for the quarter. He showed a photo that included some fresh slumps after heavy rains. He noted that the second quarter was a heavy sampling quarter that included:

- 10 RCRA wells (quarterly)
- 9 AOC wells and 1 Surface Water Support location (semiannual)
- 27 Sentinel wells (semiannual)
- 9 treatment system locations (semiannual)

He added that the results would be evaluated in the annual report. Anne Fenerty asked him to define the different types of wells. He noted that the primary objective of groundwater monitoring was the protection of surface water. He said that AOC wells were the furthest downgradient, where groundwater discharges to surface water. He said that wells were defined according to their location and requirements.

Bruce Baker asked if the TCE plume would be daylighting into Woman Creek. George said it may. Shelley Stanley asked where the closest stream sampling site was and whether TCE was monitored there. George said there was another AOC well downstream and nothing had been detected there. He said the closest surface water monitoring location was downstream of Pond C2 at WOMPOC.

John spoke next about RFLMA monitoring. He said higher results were typical, due to spring conditions. The volume for the quarter was about the same as in a typical year. Groundwater quality was also generally consistent with previous results. He said that the AOC well 10304 was one exception. This well is located in the Woman Creek valley downgradient of Ryan's Pit Plume. TCE was reported at 15 µg/L (RFLMA level is 2.5 µg/L). This was the first result above the RFLMA level at this location. John said that only AOC wells have RFLMA reportable conditions defined.

John noted that due to heavy spring precipitation, groundwater levels measured in monitoring wells were higher in many cases. One historically dry Sentinel well provided samples for the first time on record. He noted that treatment systems received higher than normal flows during the quarter, and were comparable to a normal year's entire flow volume. John explained that higher flows corresponded to shorter residence times in treatment media at the Mound Site Plume Treatment System (MSPTS) and Solar Ponds Plume Treatment System (SPPTS). The result of this is reduced treatment effectiveness. He said there were elevated VOCs in MSPTS effluent and at performance location GS10 (2.6 µg/L TCE at GS10, compared to RFLMA level of 2.5 µg/L) and elevated nitrate and uranium in SPPTS effluent. John noted that designs were in process to reconfigure the MSPTS and interim SPPTS.

John moved on to non-RFLMA monitoring, which included selected evaluation wells and the SPPTS. Evaluation wells were selected mostly to support the geochemistry study and most locations were associated with the former Solar Evaporation Pond. Several samples were submitted to Lawrence Berkeley National Lab for high-resolution uranium isotope analysis to determine natural versus anthropogenic content. At the SPPTS, the site continued microcell and lagoon testing, as well as bench tests of lagoon effluent clarifying and filtration.

John's next topic was treatment system activities. He said that all treatment systems experienced above-average flows.

Activities at the MSPTS included:

- Routine air stripper and other system maintenance

- Designing system reconfiguration
  - Will route MSPTS influent to ETPTS air stripper for treatment
  - Scheduled for construction in FY 2016

Activities at the ETPTS included:

- Reconfiguration project completed in first quarter 2015, routine RFLMA sampling begun in second quarter
- Added temporary, second pump in effluent tank to keep up with treated influent

Activities at the SPPTS included:

- Continued pilot-scale lagoon tests (including sampling)
- Replaced components damaged by rising groundwater in metering vault after prolonged heavy rainfall
- Installed automated sump pump in vault to manage shallow groundwater
  - Pumped water to treatment cells
- Began developing Statement of Work to empty original 'Big Box' structure
  - Will convert to interim configuration early in FY 2016
    - Includes full-scale lagoon

*Site Operations – Kurt Franzen*

During quarterly sign inspections, all were found to be in good condition.

At the Original Landfill (OLF), three monthly inspections were performed. One weather-related inspection occurred in April, two in May, and three in June. All weather-related inspections were due to precipitation events producing more than one inch of rain in a 24-hour period. Eight settlement monuments were monitored. Cracking and slumping was more pronounced on the OLF east and west sides, compared to March observations. Kurt said they carried out multiple efforts to minimize ponding and route water away from affected areas using heavy equipment and hand labor throughout the second quarter. CDPHE and EPA inspected the landfill on May 14 and 20, and the geotechnical engineer inspected the landfill on April 23, May 12, and May 20.

At the Present Landfill (PLF), one quarterly inspection and six weather-related inspections for precipitation events producing more than one inch of rain in a 24-hour period were performed. No issues were observed.

At the former building areas (371, 771, 881, and 991), inspections are performed quarterly and during weather events of one inch or more in a 24 hour period. Subsidence were observed near former buildings 881 and 771, and were filled when found. The size of the subsidence ranged from 1-5 feet wide, and 1-3 feet deep. Sue Vaughan asked if the site was still working with the geotechnical engineer regarding problems at the OLF and what the status was. Kurt said that the evaluation was continuing. Linda Kaiser said that DOE should receive the first draft in about a week, and that more iterations would be coming before the draft was finalized, perhaps in the December timeframe. David Allen noted that one of the subsidence sounded similar to one

found years ago near a stairwell at Building 881, and asked if the current one was close to that. Jody said it was pretty close.

Shelley Stanley referred to success criteria being met at the OLF, and inspections being discontinued. She asked if this would be re-started. Kurt said it would. Anne Fenerty said that it seemed like problems were always coming up with OLF. She asked if the PLF had RCRA cover. Kurt said it did. Linda noted that the steep slope at OLF led to many of the problems they were seeing. Scott Surovchak commented that a RCRA cover at the OLF would have added more weight and caused further hillside instability. David Abelson noted that one of reasons that local government did not push for a RCRA cover at the OLF was the slope stability issue, and that Woman Creek would have run underneath the cap. He noted that they would discuss this issue in more depth at the February meeting. Lisa Morzel said that some in the community had also pushed hard for a buttress at the base of the landfill. She said current buttressed areas were stable during recent precipitation events, and she would assume they would be looking at using buttresses in other areas. Linda said that was one of the options.

#### *Site ecology – Jody Nelson*

Jody spoke about activities during the quarter which involved getting started with some fieldwork for the summer. Activities included:

- Weed mapping
- Wetland delineations/mapping
- Conducted nest-box (20 nestboxes, 18 occupied, true sparrows, house-wrens) and prairie-dog surveys (none found on COU)
- Conducted wetland water-level surveys
- Installed and irrigated 45 woody plants as habitat enhancement
- Treated approximately 194 acres with herbicides for weed control
- Conducted hand-control and spot herbicide applications at some locations
- Prepared for third-quarter revegetation, wetland, and Preble's mouse mitigation monitoring

Sandra McDonald asked what the source of the irrigation water was. Jody said it just came from a tank they brought in from the office. Marion Whitney said she was an organic gardener, and had talked to Refuge Manager David Lucas about pesticide spraying also affecting broad leaf plants and soil organisms. Jody said he always tried to use ones that were most effective on the target species. He said that a lot of the areas where they spray are revegetation areas, which only contain a certain species and no desirable forbs. Bruce Baker said that the best way to control weeds at the site was to burn. Jody said that was one option, but also grazing, herbicides, and mowing. He said there was no one best method, and that the challenge was trying to balance with their ability to use different methods. He said he could not use grazing or burning on DOE areas. Bruce asked why they could not if the area was really clean. Jody said that they did not have permission. Mike Shelton asked if grazing was prohibited. Jody said it was more about practicality, as monitoring equipment could be damaged, and they would have to fence off so many areas.

## **Board Approval of 2016 Work Plan**

The Board reviewed the 2016 Work Plan at the September meeting. One change was offered that was incorporated into the current draft. David Abelson asked if the Board had any questions. Tim Plass referred to the language that was added regarding reviewing the Rocky Flats National Wildlife Refuge site conservation plan, with an emphasis on the proposed trail plan. He asked if there were opportunities to impact or change the CCP. David said he did not know. He added that at the April meeting, the Board would be focusing on the Refuge, and would be inviting USFWS. David said he would be asking them in advance of that meeting what the opportunities for involvement were.

Roman Kohler moved to approve the 2016 Stewardship Council Work Plan. The motion was seconded Lisa Morzel. The motion passed 13-0.

## **Board Approval of 2016 Budget**

The Board reviewed the draft budget at the September meeting. No changes were offered. The Board's attorney Barb Vander Wall explained the required budget review process. Prior to finalizing the budget, the Board must hold a budget hearing and allow time for public comment. Following the public hearing, the Board must approve the budget resolution. This must occur before the end of each year. She also noted that after the budget is approved, it is filed with the Division of Local Government by the end of January.

Mark McGoff suggested it would be worthwhile to explain the way the Board over-budgets. David Abelson explained that if changes were needed to the budget during the year, it required a two-meeting process. He noted that because the Board only had 5 meetings a year, this was not practical. Therefore, flexibility was built into the budget from the beginning. Tim Plass commented on the lower expenditure projections for 2016 and asked why this was the case. David explained that a staff contract change was approved in June, and there also was quite a bit of extra work for Barb (attorney) last year. Much of this was due to responding to concerns brought up by a constituent. The budget assumed that attorney fees would be back to normal in 2016.

Chair Joyce Downing officially opened the budget hearing. There were no comments from the audience. The Chair then closed the budget hearing. There were no comments from Board members.

Lisa Morzel moved to approve the Fiscal Year 2016 budget. The motion was seconded by Bob Briggs. The motion passed 13-0.

## **Public Comment**

Anne Fenerty brought up the use acronyms. She said she was concerned about the accuracy of descriptions of radioactive materials. She said plutonium emitted particles at high energy, and that ionizing radiation breaks up cells in the body. She also mentioned beryllium, a carcinogen

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and one of most dangerous elements. She noted that a small particle can cause berylliosis. She said she hoped that the Board would look at the descriptions of acronyms.

LeRoy Moore thanked the Board for setting up audio system. He said it helped, but not enough. He said it was still very hard to hear the Board, and added that if they did not use a microphone, he could not understand what they were saying. He said he hoped this could be improved, and that this was a poor room for this kind of meeting.

Bonnie Grant Reed asked for a clarification on DOE's presentation regarding plutonium levels of .22-.72 pCi/g. She asked how that was prevented from going further in water and for more information about sampling. Scott Surovchak explained that samples were continuous. Bonnie asked if the water from the site flowed into Standley Lake. Scott said it did not. Bonnie asked if it went into other people's drinking water. Bruce Baker said it did. She said that the timing of these meetings seemed odd if they wanted to include the public. David Abelson explained that they were aware of this, but there were no other options because of local government meetings on weeknights.

Anne Fenerty said she had concerns about groundwater. She said that according to the USGS, contamination in Rocky Flats alluvium gets into water within short time. She said she was concerned about what happens to contaminated groundwater when it leaves the site.

### **Board Roundtable – Big Picture/Additional Questions/Issue Identification**

David Abelson explained that the Executive Committee came up with this idea to flush out questions or issues that the Board thinks should be addressed. He said he added to the 'Issues to Watch' on Big Picture, and emailed the Board for suggestions.

David Allen said he wanted to re-iterate that the uranium exceedance is important because of past exceedances at GS10/WALPOC. Joe Cirelli brought up the topic of the effects of climate change on the remedy, and said he would like to keep up with this item. Bruce Baker said he would like to understand better how the Board moves issues up the ladder of decision-makers and brought up the 'trust' issue. Laura Weinberg asked about groundwater treatment systems. David noted that the Board gets updates regularly on these.

### **EXECUTIVE SESSION**

At 10:55 a.m. Joyce Downing made a motion to move into Executive Session for the purpose of discussing Stewardship Council personnel contracts for 2016, authorized pursuant to Section 24-6-402(4)(e) & (b), C.R.S., to determine positions relative to matters that may be subject to negotiation, and conferencing with the attorney on such matters. Lisa Morzel seconded the motion. The motion passed 13-0.

The Board reconvened from Executive Session at 11:10 a.m. and affirmed that no actions had been taken during Executive Session.

Mark McGoff requested that Roman Kohler repeat a statement he had made during the Executive Session. Roman said that as a charter member of the Board, he believes David has done a strong job keeping the Stewardship Council on the right path and with the right focus. He added that Rik was invaluable as a technical assistant, and that the rest of the staff was exemplary.

### **New Member Interviews and Selection**

David Abelson began the discussion by noting that seven non-governmental groups/individuals applied for membership to the Rocky Flats Stewardship Council. The next step was for the government members to complete interviews and then vote to approve four individuals/organizations as Board members for 2016-2017.

David noted that Nancy Newell was not in attendance. He said each applicant would be asked to explain their background and interest in serving on the Board. He said one individual would speak as representative of a group applying for membership.

Sue Vaughan (League of Women Voters): Sue noted that the League had been sitting on the Board for several years. She said they were a non-partisan group, focusing on education and advocacy. She said their participation on the Board enabled them to provide their members with information about Rocky Flats. Some of the League's interests include nuclear and hazardous waste, open meetings, and coordination among city and counties. Bruce Baker asked Sue what the League's goals were for being on the Board. Sue said they wanted to listen to issues with their positions in mind, to advocate and support the local community and to keep their members informed. Deb Gardner asked whether the League's education piece was formal or informal. Sue said they did a study on Rocky Flats few years ago. She also taught a class through DU for senior citizens. Additionally, there is sustainability committee related to the Northwest Parkway that she is able to provide information to.

Murph Widdowfield (Rocky Flats Cold War Museum): Murph said that the Museum did a lot of education through speaking to groups regarding the history of Rocky Flats. Members have spoken to several groups of over 100, including school children. He said financing was tough, and they were currently being financed by individual Board members. He said they received no DOE money, and very little from local governments. He said they recently gave DOE a selection from their archives to support the new visitor's center, and that the remainder of the archives was moved to the Federal Center, where no rent was being charged. He said the Museum was trying to figure out how to get back on track, now that their five-year grant was done. Murph said that the Stewardship Council gave the Museum the information they needed when talking to people in the community. Bruce Baker asked Murph what the goals and expectations the Museum had about serving on this Board. Murph said that their participation on the Board gives them good information for their educational role. Bruce asked if the Museum was lobbying DOE for funding, and whether that was a conflict. Murph said DOE did not financially support the Museum, and they were not being lobbied for funding. He said they only thing they get from DOE is use of a conference room for board meetings, and storage of artifacts. Bruce asked who provided the five-year grant. Murph said that came from Congress, and the grant was used up four years ago.

Roman Kohler (Rocky Flats Homesteaders): Roman explained that the Homesteaders is a social organization made up of former workers from Rocky Flats. He said he had 27 years of experience at Rocky Flats, including hands-on work in production areas machining plutonium, uranium and beryllium. He was also involved in supervision and management, and retired in 1995. He noted that the Homesteaders is a charter member of the Stewardship Council. He noted that their goal was to inform their members about what was transpiring at Rocky Flats through a newsletter that is distributed to 1,400 dues-paying members. He said there is a newsletter section dedicated to Stewardship Council information. He said he offered the Board his experience in answering questions about past operations, and is focused on what remains. Deb Gardner asked if members ever get together, and whether discussions with them could be two-way. Roman said they do breakfasts and other social events, usually attracting about 80-90 people. He added that many members were scattered throughout the U.S., and that the newsletter was the only contact with Rocky Flats for some of them. Lisa Morzel asked if other nuclear sites had similar organizations. Roman said they did, and all have same issues with insurance/worker benefits.

Nancy Newell (individual): Nancy was not present. David said he spoke with her and she expressed a desire to continue. She worked for CDPHE in Hazardous Waste. David noted that there was additional information about Nancy in the Board packet.

Steven Franks (individual): Steven said he was not representing any group and that his interest in Rocky Flats came after reading a few books about it. He said his background was in chemical engineering. He said he was volunteering with the US Bureau of Land Management on wastewater treatment at Gold King Mine, and had read many regulations. He said his goal was to give back to the community by serving and being able to provide some technical thoughts on sampling and such matters. Mark McGoff noted that some books are more advocacy-based, while others are more neutral, and was curious which books Steven has read. He said one was 'Full Body Burden' by Kristen Iversen, which he interpreted as more of a personal story. He also read 'Making a Real Killing' by Len Ackland, which he said seemed more factual. Steven said he had also had discussions with a former DOE employee about sampling and monitoring. Joe Cirelli asked if Steven had had any contact with the Stewardship Council before. He said he had not been aware of the group until he saw the ad for new members. Emily Hunt said she would be interested in new members with expertise, and who might offer a different background. She asked if Steven saw himself as contributing that way. He said he did, gave an example related to technical questions he would ask DOE about TCE sampling and how this showed his value to the Board.

Nick Hansen (Rocky Flats Downwinders Coalition): Nick passed out a flyer about his organization. He said he grew up in Evergreen, and was a lawyer in the Denver area for 25 years. He thanked the Board for the opportunity to apply. He said that the Downwinders was a group that was concerned about negative potential health effects from Rocky Flats. He said that in 2014, the government recognized workers health effects, and assumed radiation exposures for a cohort group. He said the next logical step was to determine whether residents were also affected, and that this was a moral imperative. He said no medical monitoring was done in the community. Nick said that at Hanford things were being done to recognize the residents as

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victims. He said that the Downwinders was a new organization, and they launched a website last month. They were working to create awareness within the medical community. They obtained a permit to have a rally on 'Downwinders Day' in January, at which Kristen Iverson will speak. He said he saw their mission as consistent with this group. Barb Vander Wall asked if the Downwinders was a corporation or LLC. He said they were not. David Abelson asked where Nick's interest in Rocky Flats stemmed from. He said he had heard stories about people getting sick his whole life, and just wanted to put this issue to rest once and for all. David asked how many people were in the group. Nick said there were about 100, and that 30 had signed up on the website as 'adverse health affected'. Deb Gardner asked if these people lived within the area, and asked what Nick thought he would get out of being on the Stewardship Council. He said the 30 people reporting health effects lived in the area and that new people were signing up every day. He said he would be looking for the Stewardship Council to help with awareness of the Downwinders and to create relationships with local governments. He also wanted to gain more information about how Rocky Flats had historically affected people in the area. Ann Lockhart noted that there was a state central cancer registry. Nick said no surveys were done among residents. He said many had dispersed, and that they needed to reach out and figure out who they were. Ann also brought up the Historical Public Exposure Studies, which included a dose reconstruction study. He said that was from 25 years ago. He also asked again for the name of that study so he could look at it. Tim Plass noted that the Stewardship Council had a larger scope including looking at the remedy, and asked if Nick had an interest in being a part of that. He said he absolutely did, and that he grew up in the area. He said he would not limit his focus, and would brush up on issues as best he could.

Harrison Levine (individual): Harrison said he was a psychiatrist, and became interested in Rocky Flats through trying to treat a patient. He said he ended up getting to know Kristen Iverson. He said he also knew someone who worked at Rocky Flats during cleanup. He said he wondered if people disappeared if they became radioactive. He said cancer was 'sexy' to talk about, but wondered about other effects. He mentioned neurological damage, and said he did not know what it was, just that it happened. He said he needed additional Rocky Flats information in order to go about his job. He talked about burying materials six feet deep and creating earthquakes. He said everyone wanted to know what happened at Rocky Flats, but no one knows. He said he was frustrated with same things everyone else was.

The Board moved on to the voting process. Each government had four votes to distribute. They were voting for two year appointments, which would start at the February 2016 meeting. David noted that in 2013, the Board picked top four applicants after voting. In 2011, there were only four applicants. In 2009, there was a tie, but someone dropped out so there was no conflict. David said that if there was a tie, there would be another round of voting.

The government votes were recorded as follows:

Arvada – League of Women Voters, Cold War Museum, Homesteaders, Steven Franks  
Boulder – League of Women Voters, Cold War Museum, Homesteaders, Nancy Newell  
Boulder County – League of Women Voters, Cold War Museum, Homesteaders, Nancy Newell  
Broomfield – League of Women Voters, Homesteaders, Nancy Newell, Steven Franks

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Golden – League of Women Voters, Cold War Museum, Homesteaders, Steven Franks  
Jefferson County – Nancy Newell, Steven Franks, Cold War Museum, Nick Hansen  
Northglenn – League of Women Voters, Cold War Museum, Homesteaders, Steven Franks  
Superior - League of Women Voters, Cold War Museum, Homesteaders, Steven Franks  
Thornton – League of Women Voters, Cold War Museum, Homesteaders, Nancy Newell  
Westminster – Cold War Museum, Homesteaders, Steven Franks, Nancy Newell

*Final Vote Tallies (top 4 in bold were elected)*

**Rocky Flats Cold War Museum - 9**

**Rocky Flats Homesteaders - 9**

**League of Women Voters - 8**

**Steven Franks - 7**

Nancy Newell - 6

Nick Hansen - 1

Harrison Levine - 0

Barb Vander Wall noted that her law firm would be sending memos to the local governments asking them to formally designate their Directors and Alternates. She said she would appreciate any help working these nominations through the systems.

## **Big Picture Review**

### **February 1, 2016**

#### *Potential Business Items*

- Elect 2016 Officers
- Adopt Resolution re: 2016 meeting dates

#### *Potential Briefing Items*

- DOE Quarterly Update
- Original Landfill

### **April 4, 2016**

#### *Potential Briefing Items*

- USFWS Refuge Plans (non-LSO meeting)

#### Issues to watch:

- Original landfill
- Uranium exceedances
- Plutonium levels at SW027
- Groundwater treatment systems

- Refuge – CCP and Trails (non-LSO issue)
- Air quality monitoring
- Plutonium movement in soil column

The meeting was adjourned at 12:08 p.m.

*Respectfully submitted by Erin Rogers.*