

ROCKY FLATS STEWARDSHIP COUNCIL

Board of Directors Meeting – Agenda

Monday, November 14, 2011, 8:30 AM – 12:00 PM

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

Board members in attendance: Carl Castillo (Alternate, City of Boulder), Meagan Davis (Alternate, Boulder County), David Allen (Alternate, Broomfield), Greg Stokes (Alternate, Broomfield), Bill Fisher (Director, Golden), Sheri Paiz (Director, Northglenn), Shelley Stanley (Alternate, Northglenn), Joe Cirelli (Director, Superior), Chris Hanson (Alternate, Superior), Bob Briggs (Director, Westminster), Mary Fabisiak (Alternate, Westminster), Shirley Garcia (Director, Rocky Flats Cold War Museum), Ann Lockhart (Alternate, Rocky Flats Cold War Museum), Roman Kohler (Director, Rocky Flats Homesteaders), Jeannette Hillery (Director, League of Women Voters), Sue Vaughan (Alternate, League of Women Voters), Arthur Widdowfield (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.), Jennifer Bohn (RFSC accountant), Erin Rogers (consultant).

Attendees: Vera Moritz (EPA), Carl Spreng (CDPHE), Charlie Adams (CDPHE), John Dalton (EPA), Scott Surovchak (DOE-LM), Rick DiSalvo (Stoller), Jeremiah McLaughlin (Stoller), Robert Hill (Stoller), Bob Darr (Stoller), George Squibb (Stoller), John Boylan (Stoller), Linda Kaiser (Stoller), Steve Berendzen (USFWS), Emily Hunt (City of Thornton), Mike Shelton (Broomfield), Joyce Downing (City of Northglenn).

Convene/Agenda Review

Chairman Bob Briggs convened the meeting at 8:37 a.m. He began by welcoming Joyce Downing, Mayor of the City of Northglenn, as an incoming member of the Stewardship Council. He also noted that Mike Shelton had replaced Lori Cox on the Broomfield City Council, and welcomed Emily Hunt with the City of Thornton, who will be joining as an alternate in February.

Chairman's Review of October 21 Executive Committee meeting

Chairman Briggs noted that an Executive Committee meeting was held on October 21. The purpose was to develop the agenda for this meeting. He asked if there were any questions, and there were not. He noted that these meetings are always open to the public.

Consent Agenda

David Allen noted two minor corrections to the September Board meeting minutes. Meagan Davis' last name was incorrect in one place, and Sheri Paiz' first name was spelled two ways and should be corrected.

Jeannette Hillery moved to approve the September Board meeting minutes as amended and the checks. The motion was seconded by Joe Cirelli. The motion to accept the minutes and checks passed 9-0.

Executive Director's Report

David Abelson began his report to the Board. First, he announced that both Sheri Paiz and Lori Cox were term limited and therefore after this meeting were stepping down from the Stewardship Council Board of Directors. He thanked both for their dedicated service to the Board. David also congratulated Bob Briggs and Lisa Morzel for their election victories.

David mentioned that DOE had begun draining pond C-2 on Woman Creek. He said the notable point with this news was that all three terminal ponds would now be managed in a flow-through configuration. DOE will be reviewing monitoring data over the coming years, and should the data shown that standards are being met, would ultimately lead to the breaching of all dams onsite.

In terms of DOE reorganization, David reminded the Board that the Office of Legacy Management (DOE-LM), along with the Office of Environmental Management (EM), now reports to the Under Secretary for Nuclear Security. David in was in Washington, D.C. in mid-September and met with DOE-LM Director Dave Geiser. He was told that this reorganization was a positive step and one that would benefit DOE-LM.

Next, David provided an update about a Department of Interior Inspector General (IG) report regarding some issues at Rocky Flats. As reported previously, this document implied that the failure to fund the US Fish and Wildlife Service to manage the Rocky Flats Wildlife Refuge, coupled with certain management actions, could lead to potential soil disturbances and the migration of radioactive materials. EPA and CDPHE sent a letter to the IG pointing out information they missed about Rocky Flats. At the end of October, EPA and CDPHE received a letter from the IG thanking them for bringing this information to the attention of the IG, and noting that the report was revised. The IG's concern about contaminant migration was dropped, leaving the report to focus on the threat of invasive species and biodiversity issues at Rocky Flats.

Finally, David discussed steps the Rocky Flats Cold War Museum is taking. The Museum Board hired Exhibit Design Associates to start work on the exhibits for the museum. Part of this process is to hold public meetings and gather public input about content for the exhibits. Information about two upcoming meetings was provided to the Stewardship Council.

Public Comment

There was none.

Host DOE Quarterly Meeting

DOE briefed on site activities for the second quarter of 2011. DOE has posted the report on its website. Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.).

Site Operations -- Jeremiah McLaughlin

During the quarter DOE did not recorded much movement on the cover at the Original Landfill (OLF), which is a positive trend. Shelly Stanley asked whether a decision had been made to remove woody plants from the cover area. Jeremiah said that these plants were removed in the footprint of the waste area. Shirley Garcia asked how the site will manage depressions in this area. Jeremiah said that they put up signs, and perform inspections as part of the regulatory process.

In the former Building 776/771 area, a buried tunnel area was the subject of discussion. The site reviewed the closeout and engineering information and determined that there should not be slumping within a 2,000 year period. David Allen asked about vegetation monitoring on the Present Landfill (PLF). Jeremiah said that Jody Nelson could answer this question, but he was not in attendance. Scott Surovchak said that the PLF met the criteria for revegetation, and therefore falls under general site procedures for documenting the condition of grasslands. David asked if the site was scaling back on the frequency of these inspections. Scott said that they were. The inspections previously were done monthly, and now they are done quarterly. Rick DiSalvo said that there will be a recommendation about these procedures as part of the site's Five Year Review, and then a formal change to the site Monitoring and Maintenance Plan.

Surface Water Monitoring – George Squibb

George began by showing a photo of the new regulatory monitoring station on Walnut Creek, which is called WAL-POC (Point of Compliance). He said that there were no terminal pond discharges during the quarter as they had been waiting for construction of two new POCs. These are now complete and the valves are open. He said they were still operating the previous POC's as AMP monitoring sites. Pond A-3 has been operating in flow-through configuration. Flow rates continue to be lower than before closure. This was expected, due to the removal of impervious surfaces at the site.

George said that nitrates had only been collected for monitoring at discharge points, but now that the ponds have changed to flow-through, nitrate will be collected more often. At GS31, a continued exceedance is primarily due to lack of runoff since April 2010. Plutonium sample results from April through October 2010 (one result) were well below the standard. There was no flow from October 2010 through May 17, 2011 and there has been no subsequent flow since May 21, 2011. The composite sample started on February 17, 2011, is still in progress. Shirley Garcia asked if this was beyond the recommended hold time. George said that the standard six month hold time does not apply to radioactive materials. He said they might need to wait until spring and start fresh. Shelly Stanley asked how much water is in the sample. George said it was about a liter, and that they need four liters to do a radionuclide analysis properly. Mary asked about possible evaporation in the sample. George said that it is sealed and that would not be a problem.

At GS10, 12-month rolling averages exceeded the standard for uranium (16.8 ug/L) for the period April 30 through June 30, 2011. Notification in accordance with RFLMA was made on June 16, 2011. RFLMA Contact Record 2011-04, "Reportable Condition for Uranium at Point of Evaluation GS10," provides a discussion of the monitoring results and recaps the outcome of the RFLMA parties' consultation regarding the evaluation steps to be taken. The site is contracting with Los Alamos National Laboratory (LANL) for isotopic analyses and is performing additional sampling in the GS10 drainage. George added that the uranium levels are starting to go down and should be at non-reportable levels soon.

George said that there are new grab sample locations upstream of GS10. The site also performed some ad-hoc sampling at seeps and wells in the area. The first round of LANL samples did show a change in the ratio between natural and anthropogenic (man-made) uranium. There will be more information available at the next meeting. Shelly Stanley asked if the one liter sample at SW027 is large enough to have LANL run it. George said it was not. He added that they did collect pre-discharge samples at pond C-2, which did not show plutonium. There will be two composites at each of three locations downstream along the creek.

George noted that there is likely to be a reportable result for americium (Am) at GS10. A sample taken July 21-August 24 showed an americium concentration of 2.97 picocuries/liter (pCi/L), along with a plutonium (Pu) concentration of 0.938 pCi/L. When put into the 12-month rolling average, the result will be above the standard of 0.15 pCi/L. This data has been validated and the site is re-running the remaining water in the sample. They will compare the two results, average them and then put this result into the rolling average. Shirley Garcia asked if the Am could be soluble. George said it was not really soluble, but they have seen this ratio of Am to Pu on Walnut Creek previously. In weapons-grade material, there is usually a 7 to 1 Pu to Am ratio. He added that Rocky Flats did do some separating of americium. He said that this latest result was the highest by far in the last six years, and it could be a lab error. The site collected three storm event samples to evaluate the transport of Pu and Am, and did not see anything of note. A subsequent sample showed 0.04 for Am and 0.02 for Pu, and results from September were due back soon. The next step will be to evaluate the path forward. Scott Surovchak referred to a description from scientist Bob Niniger about how Pu moves in the environment. He said the particles attach to colloids and it works like a pebble bouncing down a stream. He said there are a few particles sitting in the soil here and there, and that there is a history of Am at GS10. He added that flow-paced sampling offers a better opportunity than a grab sample for seeing what is really happening with this movement. Routine surveys in the area have not turned up any additional erosion or slumps. The site will be doing a walk-through to make sure there is nothing new. There is more complete grass coverage, so they do not expect to find anything. David Allen asked what was the ratio was. George said that it went from 70-72% natural to about 50%, enough change to be significant.

Groundwater – John Boylan

The second quarter is a heavy sampling quarter for groundwater, and includes all Sentinel wells, AOC wells, RCRA wells, treatment system locations, and surface water support locations. Results were reviewed in accordance with the RFLMA Attachment 2 decision flowcharts, and will be discussed and statistically evaluated in the 2011 Annual Report. Both boundary wells

were sampled and removed from the RFLMA network late in the quarter. Sentinel well 33703 was replaced with 33711 due to a kinked casing in the original well. Shelley Stanley asked if the casing was removed. John said it was left in place.

Non-RFLMA monitoring included several locations associated with treatment systems. At the Solar Ponds Plume Treatment System (SPPTS), there was continued sampling to support the optimization and evaluation of system performance. At the Mound Site Plume Treatment System (MSPTS), there was sampling to evaluate and optimize the air stripper. There were also several locations chosen for high-resolution uranium isotopic analysis, including wells near SPPTS, and a well at former Building 991 that consistently had been producing samples with elevated concentrations of natural uranium. Shirley Garcia asked how many wells were included in this sampling, and if these samples were done by LANL. John said he was not sure how many wells, and that they were using LANL. He said they also sampled the influent, and compared before and after results. At well 799, pre-closure results were about 200 micrograms/liter and 100% natural. It was now 300 micrograms/liter and still 100% natural. Shirley Garcia said that it would be helpful to have a map showing these sampling locations for the upcoming technical meetings.

At the SPPTS, the primary activity was maintenance of the Phase III Cell A (inert media dosed with liquid carbon source). John said that they tried steam-cleaning the media in place, but that did not work. They ended up having to remove it and clean it in a wire box. Shelley asked how they disposed of the water used in the cleaning process. John said they pumped out some water into a container to serve as inoculum, and put the rest into another container and characterized it via geoprobe.

At the MSPTS, air stripper optimization included testing several nozzle configurations, testing pump settings, and collecting samples to evaluate the effectiveness of different settings.

CAD-ROD Amendment – Rick DiSalvo

Rick noted that the site proposed a CAD/ROD Amendment in the second quarter, which was related to the Environmental Assessment (EA) for the site's dam breach project. He said that they would be notching the dams at pond A-3 and the PLF pond over this winter and spring. The EA public participation pointed out that current Institutional Controls (IC's) did not allow excavation onsite unless it was remedy related, which was not the intent for these requirements. A proposal was released for public review and comment during the June through August timeframe, with three public meetings in June and July. This plan was developed to formalize the regulatory review and approval process already applied by RFLMA parties. The parties agreed that work subject to ICs must meet the CAD/ROD objective and rationale. There is also a specific Soil Disturbance Review Plan. The Environmental Covenant granted by DOE to CDPHE was modified to incorporate the CAD/ROD amendment. Any future modification or termination of ICs will follow regulations and guidance in effect at that time.

Rick also mentioned the site's third Five Year review. There was a briefing at the last meeting. Shirley Garcia asked about the public process. Rick noted that there was a website and email address for comments.

Approve Fiscal Year 2012 Work Plan

The Board reviewed the draft work plan at the September meeting. No changes were offered at that meeting. Jeannette Hillery moved to approve the 2012 Stewardship Council Work Plan. The motion was seconded by Roman Kohler. The motion passed 9-0.

Fiscal Year 2012 Budget Hearings

The Board reviewed the draft budget at the September meeting. One minor change was offered at that time. Chairman Bob Briggs officially opened the budget hearing. There were no comments from the audience. Bob then closed the budget hearing. There were also no comments from Board members.

The Board's attorney, Barb Vander Wall, noted that after the budget is approved, it will be filed with the State by the end of the year. She said there was also a published notice of this meeting as required.

Jeannette Hillery moved to approve the Fiscal Year 2012 budget. The motion was seconded by Joe Cirelli. The motion passed 9-0.

Continue Triennial Review

David Abelson said that this time was set aside to address any questions or concerns about the triennial review and IGA (Intergovernmental Agreement) amendments. He said that both documents had been vetted with city and county staff, including the attorneys, and their input had been incorporated. There were no questions. David asked Board members to keep him informed as to their governments' review and approval timelines and if there were any questions. He noted that the key thing was that the documents had to be approved without any changes. These need to be approved by the end of January. Barb Vander Wall also mentioned that governmental members had also received a request for designation of members (Directors and Alternates). This has the same deadline as the triennial review and IGA, and should include contact information for any members who will be new to the Board.

David also noted that the new Board voting policies (numbers for quorum and approval) will be effective at the next meeting and that bylaw changes would follow.

New Member Interviews and Selection

David began by announcing that the only groups/individuals that applied for membership in 2012 were current members – League of Women Voters, Rocky Flats Cold War Museum, Rocky Flats Homesteaders, and Arthur “Murph” Widdowfield. The governments will need to vote to approve these parties for membership for 2012-2013. David said a few others did ask about membership, but no applications were received.

Joe Cirelli moved to approve the League of Women Voters, the Rocky Flats Cold War Museum, the Rocky Flats Homesteaders, and Arthur “Murph” Widdowfield as Board Members of the Rocky Flats Stewardship Council for 2012. The motion was seconded by Sheri Paiz. The motion was approved unanimously by the member governments in attendance.

Jeannette Hillery passed along a thank you from the League of Women Voters for the approval of another term. She said she hopes that the League is adding continuity and good questions into the process. She said she has enjoyed working with all of the parties and hearing all of the different perspectives. Roman Kohler said he appreciated being on the Stewardship Council and being able to distribute current information to former Rocky Flats workers. Ann Lockhart with the Rocky Flats Cold War Museum said she appreciated the Board’s support for the Museum’s efforts. She said she enjoyed keeping up with Stewardship Council activities and keeping the Members updated on Museum news. Murph Widdowfield thanked the Board for their confidence and said that over the past year and a half, the Board had done a great job of training him, and he did not feel like he was a beginner any more.

Public comment

Steve Berendzen with USFWS was asked to provide an update on Refuge issues. He said that there was a recent comment period on an expansion of refuge boundaries. 500 public comments were received and the comment period is now closed. Comments included the need to balance between bike and vehicular traffic and also some contamination concerns. He said they were on track with the schedule to announce a decision by mid-December.

Updates/Big Picture Review

February 6, 2012

Potential Business Items

- Elect 2012 officers
- Adopt resolution for 2012 meeting dates
- Review bylaws amendments

Potential Briefing Items

- Host LM quarterly public meeting
- Continue discussion of CERCLA 5-year review
- Briefing by Rocky Flats Cold War Museum

April 2, 2012

Potential Business Items

- Adopt bylaws amendments

Potential Briefing Items

- Continue discussion of CERCLA 5-year review
- AMP monitoring update

- Solar ponds performance
- NRD update

Issues to watch:

Original landfill performance, including special sampling program results.

Executive Session

At 10:12 a.m. Bill Fisher made a motion to move into Executive Session for the purpose of discussing personnel issues, and to receive legal advice on such issues, as authorized under Sections 24-6-402(4)(b) and (f), C.R.S. Sheri Paiz seconded the motion. The motion passed 9-0.

The Board reconvened from Executive Session at 10:17 a.m. and affirmed that no actions had been taken during Executive Session.

Member Updates

Sheri Paiz thanked the Board and wished everyone good luck. She said her time on the Board was enlightening.

The meeting was adjourned at 10:20 a.m.

Respectfully submitted by Erin Rogers.