

**Rocky Flats Stewardship Council Meeting**  
**Monday, February 4, 2008**  
**8:30 – 11:45 AM**  
**Rocky Mountain Metropolitan Airport Terminal Building**  
**11755 Airport Way, Broomfield, Colorado**

**Board members in attendance:** Lorraine Anderson (Director, Arvada), Clark Johnson (Alternate, Arvada), Lisa Morzel (Director, Boulder) Matt Jones (Alternate, Boulder), Megan Davis (Alternate, Boulder County), Lori Cox (Director, Broomfield), Todd Schumacher (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Kate Newman (Alternate, Jefferson County), Shelley Stanley (Alternate, Northglenn), David Allen (Alternate, Northglenn), Andrew Muckle (Director, Superior), Bob Briggs (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Sue Vaughan (Alternate, League of Women Voters), Kim Grant (Director, Rocky Flats Cold War Museum), Ann Lockhart (Alternate, Rocky Flats Cold War Museum), Karen Imbierowicz (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:** Simon Lipstein (DOE), Hillary Merritt (The Trust for Public Land), D. Jean Tate (Jefferson County Nature Association), Paul Kilburn (Jefferson County Nature Association), Mark Aguilar (EPA), John Dalton (EPA), Ron Cattany (Colorado Department of Natural Resources), Carl Spreng (CDPHE), Gary Baughman (CDPHE), Dan Miller (Colorado Attorney General's office), Jason King (Colorado Attorney General's office), Jeanette Alberg (Sen. Allard's office), Bob Darr (Stoller/DOE-LM), Jeremiah McLaughlin (Stoller), Steve Berendzen (USFWS), Bruce Hastings (USFWS), Larry Gamble (USFWS), Shirley Garcia (Broomfield), Alan King (Broomfield), Tim Wohlgenant (The Trust for Public Land), Dale Eberharter (citizen), Ken Foelske (citizen), Dean De Santis (citizen), 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.

**Election of Stewardship Council 2008 Officers**

Lori began by asking the new members of the Stewardship Council to introduce themselves.

The Board's Bylaws call for election of officers each year. The term for new officers will begin at this meeting and continue through the first meeting of 2009. Lori Cox, Jeannette Hillery, and Lorraine Anderson have volunteered to serve as officers. David Abelson spent a few minutes explaining the roles and duties of each position. He said that the Chair probably has the most conversation with David, but none of the positions entail a large time commitment. Also,

officers must be a Director, not an Alternate member. Lori asked if anyone else was interested. No one volunteered. She then asked Jeannette and Lorraine which position most interested each. Jeannette said she would be happy to either continue as Vice Chair or become Treasurer, believing one of the local government members should Chair the organization. Lorraine said she had been planning to nominate Jeannette as Chair. Karen Imbierowicz nominated Lorraine as Chair. Andrew Muckle moved to approve Lorraine Anderson as Chair, Jeannette Hillery as Secretary/Treasurer, and Lori Cox as Vice Chair. The motion was seconded by Lisa Morzel. The motion passed 9-0. (Jefferson County, Golden and the Rocky Flats Homesteaders were absent.)

David Abelson noted that per the Stewardship Council's Rotating Parties agreement, Golden will be the voting party and Northglenn will be the non-voting party.

### **Consent Agenda**

Lorraine Anderson took over as Chair of the meeting.

Lisa Morzel moved to approve the November, 2007 minutes and the checks. The motion was seconded by Kim Grant. The motion passed 9-0. (Jefferson County, Golden and the Rocky Flats Homesteaders were absent.)

### **Approval of Resolution Re: 2008 Meeting Dates and Notice Provisions**

Barb Vander Wall noted that the proposed meeting schedule tracks the schedule from last year. Board approval of this schedule is required under statute because of the Stewardship Council; is a public entity. The meetings will be scheduled for the first Monday of February, May, August and November. The Stewardship Council will follow the same routine regarding publication of meeting notices. If additional meetings are scheduled, they will be subject to special meeting notification requirements. David Abelson pointed out that the Stewardship Council usually schedules another meeting during the fall in order to meet the requirements for budget approval. Lori Cox moved to approve the Resolution Regarding 2008 Meeting Dates and Notice Provisions. The motion was seconded by Jeannette Hillery. The motion passed 9-0. (Jefferson County, Golden and the Rocky Flats Homesteaders were absent.)

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

David conveyed his own welcome to the new board members. He said that staff will be trying to sit down with everyone during the next few weeks to go over some of the basics of the Stewardship Council, including the work plan and budget. He explained how the Board uses the Big Picture schedule as a tool for planning the next few meetings. David also explained how the staff works as independent contractors without a dedicated office space. He clarified how Northglenn and Golden rotate annually as voting members, and that the voting party is the one responsible for paying the \$1000 per year dues required of the local government participants. He also noted that annual dues statements will be distributed soon. In a recent email, David updated the members on Stewardship Council funding issues. He said that it is unusual how this organization has been able to maintain federal funding. He sees this as a reflection of the

commitment that board members put in, and how this organization helps DOE carry out its mission. Recently, DOE decided to provide an additional \$240,000 to Stewardship Council, obviating the need for a Congressional appropriation. This funding will carry the Stewardship Council at least through the end of calendar year 2010.

Next, David reported that he and Lorraine Anderson will be attending the annual Energy Communities Alliance conference/board meeting in Washington, D.C. During this time Lorraine, Kim Grant and David will be meeting with DOE and members of Congress. The Board will be approving talking points for them to us during their DC meetings.

David updated the Board on the status of documents which were formerly housed in the Rocky Flats Reading Room at Front Range Community College. The documents were moved to the local DOE office, and were to be provided to the library at the University of Colorado. However, DOE discovered that there was some personal information within several of the documents, so they shut down access. Source One, DOE's contractor, will go through the collection to clear all of the personal information. However, DOE wants to destroy many of these documents, even those without personal information. DOE plans to scan documents that are part of the Administrative Record, put them online, and house the physical documents in Morgantown, West Virginia. David is concerned about the destruction of documents. DOE has committed to hold off on taking any action until Scott Surovchak is able to address the Board on this issue. Kim Grant said the Rocky Flats Cold War Museum Board is also concerned. He said there is a subset of documents that were promised to the Museum.

Shelley Stanley asked if DOE planned to black out the personal information in documents. Bob Darr said that DOE has instructed its contractor to shred copies of all documents. They immediately shut down online access to the Administrative Record. Access is now being restored. DOE has added an index, so that users may request copies of particular documents. Source One contractors will then review every page, redact as necessary, and make the information available. The personal information that was found was in the form of Social Security numbers on monitoring documents, primarily from the 1980's. At that time, this was how employees were identified. Bob said that nothing will happen until after the Board's May meeting, and that this decision came from DOE-HQ. Bob said he plans to look through all documents prior to shredding and keep things he thinks are important for his office. David suggested that the Board empower the Executive Committee to work with him between meetings to follow up on this issue. David said that keeping copies locally would not be intended as a replacement for DOE's Administrative Record, but rather would provide additional, local access to those interested in the history of Rocky Flats. Since the documents will already be publicly available, this would make it easier for those in Colorado. Jeannette Hillery said she totally agreed with David and would look for any suggestions from Kim Grant and Ann Lockhart on how to go about this. David Allen said he would like to have a recommendation put together by our next meeting. Lorraine asked for volunteers to work with the Executive Committee. Kim Grant said he will help. Andrew Muckle pointed out that this would be a good message to share with ECA.

David Allen asked David Abelson about the \$90,000 remaining under the DOE budget. David responded these funds are left from the Stewardship Council's original appropriation. David will distribute a complete budget report for 2007 soon.

Barb Vander Wall noted that she had passed out oaths of office for Board members to sign and return to her.

### **Public Comment**

Jeanette Alberg (Senator Allard) said that Rocky Flats workers have filed an appeal regarding the denial of their petition for benefits under the Energy Employees Occupational Illness Compensation Program Act. The Secretary of Health and Human Services has appointed a Board to review the appeal, but the names will not be made public until their decision is made. There is no timeline on their decision. This is only the second appeal of its kind. Jeanette will keep the Stewardship Council updated as this issue proceeds.

### **Natural Resource Trustees Briefing**

The Rocky Flats Natural Resource Trustees are exploring ideas for how best to spend \$4.5 million remaining from acquisition of mineral rights. Purchasing these mineral rights and spending the \$4.5 million settles Natural Resource Damage (NRD) claims for Rocky Flats. The Trustees wish to begin discussing candidate projects with the Stewardship Council.

Dan Miller from the Colorado Attorney General's office explained that the Federal Trustees for Rocky Flats are DOE and USFWS, while the State Trustees are the Attorney General, the Executive Director of CDPHE, and the Director of Reclamation, Mining & Safety (within the Colorado Department of Natural Resources).

Dan next explained the two faces of CERCLA. First, remediation is required to prevent harm to people and the environment through treating, removing or containing contamination, plus other strategies such as use restrictions. Second, Natural Resource Damages make the public whole for injuries to its natural resources caused by contamination by restoring or replacing injured natural resources. In the case of CERCLA, 'injury' means an adverse impact to a natural resource caused by a release of a hazardous substance. 'Damages' is defined as monetary compensation for an injury to a natural resource (land, fish, biota, air, water, groundwater, drinking water supplies, and other such resources owned, managed or controlled by the state or federal government). Injured resources at Rocky Flats include groundwater, surface water, and biota (prairie, riparian and wetland habitats).

The FY2006 National Defense Authorization Act (NDAA) extinguished NRD claims at Rocky Flats for \$10 million. DOE was required to purchase 'essential mineral rights' for \$10 million or less, pay \$10 million to the natural resource Trustees, or a combination of the two. Three out of four parcels have been purchased for \$5.5 million (the owner of the fourth parcel has been unwilling to sell), leaving about \$4.5 million in NRD funds.

In determining how to spend this remaining money, the Trustees must use the funds to ‘restore, replace or acquire the equivalent of’ the injured resources. The law further clarifies that ‘restoration’ means actions taken to return an injured resource to its baseline condition. ‘Replace or acquire the equivalent’ means substitution for an injured resource with one that provides the same or substantially similar services. Dan pointed out that projects such as construction or maintenance of recreational projects (e.g., bike or hiking paths), or funding a park ranger position are not options for the Rocky Flats NRD funds under these guidelines.

The NDAA specified that restoration at Rocky Flats may include additional mineral rights acquisition and habitat restoration. The funds may be used either on or off-site. Specific decisions will be made jointly by the State and Federal Trustees.

Dan reviewed some previous NRD project examples. At the Summitville Mine near Leadville, acid mine drainage killed fish and invertebrates in the river. Restoration involved enhancing riparian habitat through removal of exotic invasive species, re-planting native vegetation and stream bank stabilization and re-contouring. At Uravan, damage from mine waste piles was restored with revegetation and regrading. Also at this site, the Trustees cooperated with other parties in order to better leverage the NRD funding with other funding sources, and were able to resolve an open mine safety hazard.

The first phase of the NRD planning process is for the Trustees to develop a restoration plan. This plan will include project screening and selection criteria, development of alternatives, and evaluation and selection of alternatives. There will be public involvement throughout the process, but it has not been structured yet.

DOI regulations provide the following criteria for use of NRD funds – technical feasibility, cost-benefit, cost-effectiveness, consider response action effect, consistency with federal and state policies, compliance with applicable laws, and other relevant considerations.

There are some additional selection criteria for Rocky Flats. As agreed in the Rocky Flats Trustees MOU, the Trustees will also look for consistency with the Rocky Flats Refuge Comprehensive Conservation Plan. State NRD Guidelines prefer projects located on or near the site, leveraging NRD funds with matching funds or integrating NRD restoration with compatible related projects, and projects with low operations and maintenance costs (must have outside O&M funding).

Dan next talked about the Trustees ‘challenge’ to the community. The Trustees believe they can significantly increase natural resource restoration opportunities by combining the NRD funds with funds from local, state, federal and other sources. They hope to double or even triple the \$4.5 million in NRD funds by supporting the restoration aspects of projects that also offer benefits other than resource restoration. He gave examples of other projects in which the Trustees were able to accomplish this goal, including the Cotter Mill site and with the Northeast Greenway Corridor Project. Sites have used different models to develop these projects. One way is a cooperative approach where local jurisdictions developed a consolidated plan. The other model is a competitive approach where proposals were accepted and each was partially funded.

Dan provided several options for potential Rocky Flats NRD projects, including the purchase of additional mineral rights, a Highway 93 wildlife migration corridor, Preble's Mouse habitat restoration in lower Rock Creek, funding for open space acquisition or restoration, and introduction of the Plains Sharp-tailed Grouse. However, he emphasized that the Trustees are not tied to these options and are looking for input from this group and others.

In conclusion, Dan said that the Trustees would be interested in the Stewardship Council's consideration and response to today's presentation. The Trustees will continue preparing the Restoration plan, including the development of alternatives and will seek public input on the proposed alternatives. Also, additional NRD training is available if there is an interest.

Jeannette Hillery asked where the Trustees are in the process of developing criteria, and what kind of public involvement they hope to receive. Dan said that Trustee staff came up with first-cut of criteria. They plan to conduct public involvement only in the vicinity of Rocky Flats.

Ron Hellbusch asked what features of the CCP plan can be incorporated. Dan said that whatever is chosen must be consistent with the plan, such as a possible wildlife migration corridor.

Ron Cattany (Colorado Department of Natural Resources) highlighted the two different project models they have used at other sites. In some instances, there may be one project, coordinated by a single entity or several projects which are not even related.

Lorraine Anderson said that this is an opportunity for the Stewardship Council to work with the Trustees. She asked for ideas on how this group can go forward to work on this issue. David Abelson suggested that the Board could hold a special meeting, perhaps in April, to develop and discuss ideas. Any municipality or group that has plans they have been wanting to implement along these lines should come prepared to discuss how they may be able to partner with the Trustees. He also suggested that the municipalities bring their Open Space staffs to this meeting. One way to move forward may be to develop a statement of principles. David said the Board could do this at the May meeting, but it may be good to have more time to brainstorm. He said it would be worth at least trying for a collaborative model and see if it can work for this project.

Ron Cattany said it is essential that the local government representatives people to go back to their colleagues and find out how serious they are about pursuing a leveraging scenario. He said political buy-in will be critical.

Lisa Morzel said she would love to see some rough cost estimates on possible alternatives. She also asked the size of the parcel for which mineral rights were not acquired. Dan said it is about 320 acres (½ section). David Abelson clarified that 'essential' minerals do not include all mineral rights. It may make sense to make additional purchases in the future.

Ron Cattany told the group to not be encumbered by the preliminary list of possible alternatives. He said to look at wish lists and possibilities, and then work backwards to see if they may work.

Clark Johnson said that when the Refuge was being developed, Coalition members did put together some ideas with Open Space people, and that it might be useful to have separate meetings. Kim Grant said he liked the idea of scheduling a brainstorm meeting in April that would include staff and open space personnel, and then follow up with a Stewardship Council working group to bring something back to full Board.

Matt Jones said he liked Clark's idea. He would suggest that open space staffs meet prior to the workshop. Jeannette mentioned that the open space/parks personnel will have a good sense of the costs of each project, what challenges may exist, and ideas for leveraging additional dollars. David Allen suggested having a staff level meeting, an update at the May Stewardship Council meeting, and then if there is a need to hold a separate meeting, do it after that.

Andrew Muckle recommended that the Board have a point person (David Abelson), and also keep the Trustees involved.

David asked for a clarification on the process being suggested. Lorraine Anderson said she would prefer that the staffs meet first and then schedule a special Board meeting. David said he would be able to schedule an hour at the May meeting for this topic. Karen asked how much notice the Board needs for a meeting. It is 72 hours. Jeannette said it would be most helpful and productive for the Board to meet with staff people in April.

Jeannette moved to schedule a meeting in April with Stewardship Council members and open space/parks staff present to discuss alternatives to leverage Rocky Flats NRD funding. The motion was seconded by Karen Imbierowicz. David Allen interjected to clarify if staff people should meet prior to this joint meeting. Jeannette said either way would be fine. The motion passed 9-0. (Jefferson County, Golden and the Rocky Flats Homesteaders were absent.)

Andrew Muckle emphasized that communication is the key. He recommended that all Board members talk with their governments. He also suggested issuing a press release on this issue.

David reported that Rik was able to reserve the Airport conference room for April 7. David will confer with Barb on public notice plans for this meeting.

### **Meet with USFWS**

Next was an opportunity for the Board to meet with Rocky Flats Refuge manager, Steve Berendzen. The central topic to discuss is current and future funding for the Refuge and resulting impacts on implementation of the site conservation plan. David pointed out that the President's budget just released, so there is more that can be discussed in public now than there was prior to today.

Steve Berendzen stated the Rocky Flats National Wildlife Refuge is the 548<sup>th</sup> refuge in the nation. Refuge lands are managed first and foremost for wildlife and habitat. However, there are some public uses, such as wildlife viewing, photography, hunting, fishing, and environmental education and interpretation. At Rocky Flats, hiking trails are in the plan. This refuge was officially established last July, and was brought in as part of the Rocky Mountain Arsenal refuge

complex, which also includes Two Ponds in Arvada. Operational funding is not appropriated along with the addition of a new refuge in a system. USFWS funding is going deeper in a hole. Over the past five years, their budgets have been static or decreasing.

Currently, the USFWS priority at Rocky Flats is managing invasive weeds. They also seek to maintain a presence onsite in order to avoid poaching or other illegal activities. Without any funding, they have to make do with borrowing staff from the Arsenal refuge. The budget and staffing for the Arsenal refuge being reduced as well. The 8-state region, of which Colorado is a part, will get nothing significant in this next budget. Steve says they expect to maintain Rocky Flats in a custodial status for at least a few years, maybe significantly longer.

David Abelson asked if the Administration is requesting the budget it needs to be able to fund the Rocky Flats refuge. Steve said he could say that the Administration requested well below what Congress requested. The Administration has not been asking for increases in USFWS funding. David noted that the Stewardship Council plan calls for this group to begin working with the agencies on wording for signage. However, since there are not funds to devote to this, he asked if this is something the USFWS can work on. Steve said historical interpretation is a significant component to their programs and signage throughout the refuge complex, and that in the future visitor's center, there would be displays and exhibits, and there could also be interpretive kiosks at trailheads. Clark Johnson asked Steve about initial plans for the Refuge. Steve said some roads have been removed. The trail to Lindsey ranch is the first priority, but this cannot be started until they have staff/funding.

Jeanette Alberg (Senator Allard) clarified that Colorado's congressional delegation is aware of the funding issues, and have met with the USFWS. Senator Allard is retiring this year, but will try to do what he can to get some funding, since he is well-positioned on the appropriate committee.

Ron Cattany also noted that the State trails fund and Historical Society could also be funding sources for signs.

### **Review Draft Washington, D.C. Talking Points**

In the coming months, Board members and staff will meet in Washington, D.C. with Congress and DOE. To ensure that the message these members and staff will carry reflect the position and policies of the Stewardship Council Board, the Board will approve talking points for their meetings.

David pointed out two primary messages to convey – background on the group and what we need. This will include worker compensation issues and Refuge funding concerns. Another issue to bring to their attention will be records management and preservation.

Karen Imbierowicz asked about the wording in #3 under Site Conditions and whether the group will go into detail about costs at Rocky Flats. David responded that the DOE-LM budget is in much better shape than the DOE-LM budget. Sue Vaughan asked about an additional 800 workers that were added recently to the compensation cohort group. David said that the

committee did not change the class of workers that were eligible for compensation, but rather added another building, which increased the number of workers included in the group. There are efforts underway to add even more buildings.

Kim Grant pointed out that there are no talking points about the Cold War Museum, but expressed his appreciation to the delegation for their support.

David will make a few changes to this draft and send a final version to the Board.

### **Host DOE Quarterly Meeting**

DOE began a briefing on site activities for July-September, 2007. DOE has posted the report on their website and will provide a summary of its activities to the Stewardship Council. Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.).

#### *Surface Water*

George Squibb (Stoller) began by reviewing Surface Water Monitoring for the Third Quarter 2007. There were no real changes to overall monitoring network. There were average levels of precipitation during the quarter. Flow rates were about what they expect to see. All five Point of Compliance (POC) continue to show low levels. At the three Points of Evaluation (POE) upstream of the ponds, all were well below applicable standards, with the exception of ongoing problems at GS10 with uranium.

At the Original Landfill, surface-water quality results indicate that the remedy is functioning properly. At the Present Landfill, surface-water quality results triggered monthly sampling for vinyl chloride. Three consecutive months of vinyl chloride above the standard triggered sampling of the Landfill Pond. Vinyl chloride was not detected in this sample on 9/6/07. The Site continues to consult with the regulators on this issue.

Pond Operations during the quarter included two Terminal Pond Discharges (Pond B-5 to Walnut Creek and Pond A-4 to Walnut Creek). Pond levels are approximately 15.9% of capacity.

#### *Site Uranium Standards*

George next discussed the Water Quality Control Commission (WQCC) rulemaking and DOE's petition to get the WQCC to adopt the statewide basic uranium standard at Rocky Flats. A hearing is scheduled for January 2009. Also ongoing is the Triennial Review South Platte River Basin. An issues scoping hearing took place in October 2007. Many issues will be addressed as part of this process. Rocky Flats' temporary modifications are set to expire at the end of 2009. There is a new statewide basic standard for arsenic which is below the Rocky Flats site-specific standard. Also, EPA has developed a new method for copper and other metals and CDPHE may adopt this new method. An issues formulation hearing will take place in November 2008, with a rulemaking hearing to follow in June 2009. Progress for each rulemaking will be summarized in the 2007 Annual Report.

### *Groundwater*

The first and third quarters are traditionally light in terms of required monitoring. Routine monitoring is limited to 10 RCRA wells at the landfills. Third quarter results were generally consistent with previous data. The site also collected some additional performance-check samples at the Mound and East Trenches treatment systems to determine whether changes to upflow configuration affected the treatment efficiency.

Samples at the Solar Ponds treatment system were collected to continue evaluating repairs which were performed in late 2006. Effluent water quality indicates treatment of water fed through the system is adequate. This led to the conclusion that repairs were successful

Non-RFLMA monitoring also included the collection of several samples to support negotiations with the WQCC regarding the site uranium standard. Samples were collected for determination of natural vs. anthropogenic uranium. High-res uranium samples from six locations (three surface locations and three wells) were sent to LANL in September. All had been previously characterized for uranium signature, with the exception the OLF, which was found to contain 100% natural uranium. The Solar Ponds discharge gallery showed some variation. In 2002, the uranium here came back as 2/3 natural. This time is showed only 1/2 natural. However, the average remains predominantly natural. DOE suggests that dominant reasons for this change likely relate to natural physical variations in the system (climate, hydrology, activities conducted at the Site, etc.).

Shelley Stanley asked about whether the well in the slump area had been replaced yet. It has not, but should be done in the next month. She asked if it will be in the same general location. George said it will only be about 10 feet away from previous location.

### *Ecological Monitoring*

Jody Nelson reported that the third quarter is one of the busiest for ecological programs at the site. Regulatory project support included work on the roads project, an excavation/fill project at former B371, 991 slump repairs, and the annual dam mowing and riprap spraying project. Regulatory monitoring and maintenance activities included monthly landfill vegetation surveys, monthly weed surveys in mitigation wetlands, Preble's mouse mitigation monitoring, wetland mitigation monitoring, weekly PMJM erosion control surveys, mapping of existing erosion controls, herbicide applications on 441 acres of native grassland and revegetation areas (including some Refuge lands to assist USFWS), spraying to remove vegetation on riprap areas on dams, and mapping of diffuse knapweed in the COU.

Best Management Practices activities included Phase 3 revegetation in several areas, fill material around wells, planning for slump repair, planting of 275 donated wetlands plants, revegetation monitoring, and photopoint monitoring.

Matt Jones asked Jody where they found tamarisk growing. Jody said they are not sure how it is getting there, but they have found it in the DOE lands around seeps. Shelley Stanley asked if the OLF slump was addressed. It has not been. She added that downstream communities still have a concern that they are not being notified about large-scale pesticide spraying. Jody said Scott Surovchak needs to make that decision. Karen Imbierowicz added that Scott said he would look

into it, but the governments have not yet heard anything. David Abelson pointed out that there is a distinction between small hand-spraying and larger aerial spraying. David will follow up with Scott, and Jody will also mention these concerns to him.

### *Site Operations*

Monthly inspections and monthly vegetative cover inspections were performed on both landfills (OLF and PLF) during the quarter. They followed prescribed checklist in Monitoring and Maintenance Plan (May 2006). There were no significant concerns identified. Quarterly surveys of settlement monuments at both landfills were completed in during the quarter. Movement was within calculated settlement data per the M&M Plan.

There were two seeps at the Original Landfill. Seep #4 continues to show areas of active groundwater seepage. Seep #7 dried out in July, but flowed temporarily after precipitation events. Berm #1 Slump Phase 1 Repairs, also at the OLF, were completed in August. The site imported and compacted 227 tons of Rocky Flats alluvium and smoothed and compacted cracks between Berms #1 and #3.

Twenty consolidation monitors were installed at the OLF on September 19. The first monthly survey was conducted on September 28. Their purpose is to evaluate movement in the Berm #1 slump area.

The Roads III Upgrade Project was started August 20 and completed September 28. They imported road base and constructed water management structures. The site also inspected the 991 Slump Area with engineering and surveying subcontractors in July. A conceptual design for the re-grading project was issued to CDPHE in September for consultation.

As part of site access and security measures, there were continued patrols on internally approved routes as well as outer perimeter routes. No significant concerns were found during the quarter.

Shelley Stanley asked if the alluvium was tested prior to use. Jeremiah said it was.

Ron Hellbusch asked for an update on the geotechnical work previously discussed with the Stewardship Council. Jeremiah said there will be two phases. This week they will dig test pits, and then bid out for a subcontractor to do boreholes. Shelley asked what the final slope on the 991 slump was. Jeremiah said it was 14%. Rik Getty noted that there is a great deal of helpful information about these issues on the Rocky Flats website.

### **Public comment**

There was none.

### **Big Picture Review**

The next Stewardship Council Meetings are scheduled for:

- April 7: (Special Meeting) – Discuss possible Rocky Flats NRD projects.

- May 5: Topics include – Host LM quarterly public meeting; Stewardship Council briefing materials for newly-elected officials; Continue discussing use of NRD funds; Records Management; Board audit (possibly)
- August 4: Topics include - Host LM quarterly public meeting; DOE Petition to change site Uranium standard; Continue discussing use of NRD funds.
- October 6: Topics include – Initial review of 2009 budget; Annual review of Stewardship Council activities; Begin discussing 2009 work plan.

### **Member Updates**

Lorraine Anderson reported on some of her observations resulting from a recent trip to Yucca Mountain in Nevada. Energy communities will all become interim storage sites until Yucca Mountain is sorted out. DOE has spent \$17 billion on this site so far and it now has fences around it. She commented on how this shows how very lucky we are at Rocky Flats. She is not sure the kind of cleanup we had here will happen again at other sites.

The meeting was adjourned at 11:35 a.m.

*Respectfully submitted by Erin Rogers.*