

## **ROCKY FLATS STEWARDSHIP COUNCIL**

**Monday, April 6, 2015, 8:30 AM – 11:30 AM**

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

**Board members in attendance:** 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), Libby Szabo (Director, Jefferson County), Ray Reling (Alternate, Northglenn), Joe Cirelli (Director, Superior), Clint Folsom (Mayor, Superior), Emily Hunt (Alternate, Thornton), Bob Briggs (Director, Westminster), Bruce Baker (Alternate, Westminster), Mary Fabisiak (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Sue Vaughan (Alternate, League of Women Voters), Roman Kohler (Rocky Flats Homesteaders), Ann Lockhart (Alternate, Rocky Flats Institute & Museum), Ken Freiberg (Alternate, Rocky Flats Institute & Museum), Nancy Newell (citizen).

**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:** Shirley Garcia (City & County Broomfield), Jim Rada (CO Water Quality Control Commission), Hannah Mullen (Rep. Perlmutter), Jeremy Rodriguez (Rep. Perlmutter), Karen Reed (DOE-LM), Scott Surovchak (DOE-LM), Padriac Benson (DOE-LM), Bob Darr (SN3), Carl Spreng (CDPHE), Vera Moritz (EPA), Anne Fenerty (citizen), Art Burmeister (citizen), Bonnie Graham Reed (citizen), Marian Whitney (citizen), Erik Sween (citizen), Jon Lipsky (citizen), Mike DiPardo (citizen), Marc Roberson (citizen), Ted Ziegler (former Rocky Flats safety rep.), Larry Hankins (former Rocky Flats RCT).

### **Convene/Agenda Review**

Chair Lisa Morzel convened the meeting at 8:33 a.m. The first order of business was introductions of Board members. David Abelson noted that the Executive Committee had reviewed the agenda at its March 2, 2015, meeting. Among the attendees was Jorge Delgado, from Senator Gardner's staff. David commented that this type of engagement from congressional staff members was always appreciated by the Stewardship Council. David reported that the Executive Committee discussed the role of this organization and how to work with DOE on issues such as the planned Refuge visitor center.

### **Consent Agenda**

David noted that a change to the January minutes had been presented by Mary Harlow, as the word 'not' was left out of her statement regarding DOE treatment systems. Bob Briggs moved to approve the January 26, 2015 Board minutes, as amended, and the checks. The motion was seconded Roman Kohler. The motion to accept the minutes and checks passed 13-0.

Tim Plass said that he had been contacted by a member of the public asking if public comments could be added to the written minutes of meetings. David Abelson explained that the Stewardship Council's minutes were not transcripts; however, DOE's Office of General Counsel has directed the Board to post all public comments to its website. Attendees who provide public comment are asked to email a copy of their comments to David so they may be posted online. Tim said that he just wanted to make sure that the written comments become part of the record. David Allen suggested that a note be added to the minutes when written particular comments were submitted and posted online. David Abelson said he would add a notation to the minutes and also add a live link in the minutes to the online version of the comments. (Note: Based on the Board's direction, those links have been added to prior minutes dating back to 2011.)

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

David Abelson began his update by noting that the Board's annual financial audit had been completed. As has been the case in every previous year, the audit result was a 'clean opinion'. The auditor will present the results at the Board's June meeting, and information will be in the Board packet.

David introduced two new Board members. Bruce Baker joins the Board for Westminster, and Libby Szabo from Jefferson County. David also noted that Jerry Marks will be representing Arvada, but was not at this meeting.

The next item David reported on was the status of DOE's management contract for Rocky Flats. David explained that private contractors have always managed the site for DOE, and that since 2007, this contractor has been S.M. Stoller (now SN3). In 2012, SN3's contract reached an end, and DOE put out a formal request for proposals to engage a new contractor. Since then, DOE has made three selections, all of which have been protested. In the interim, SN3's contract has continued to be extended while the contract process is ongoing. In this last round of competition, DOE selected a bid from Navarro Research and Engineering. Again, there is a dispute, which should be resolved in late June. David explained that this was an issue of importance to the Board primarily because contractor personnel are the ones who provide updates to the Board. He noted that SN3's current staff is very knowledgeable about not only the site, but also about the expectations for public involvement at Rocky Flats. David explained that the existing employees are usually hired by the new contractors, as the new contractor typically does not have their own staff. He will continue to monitor developments and keep the Board updated.

David next mentioned that there was a new dynamic occurring with local governments' relationship with the local U.S. Fish and Wildlife Service (USFWS) that was not expected. He noted that the first USFWS site manager for the Rocky Flats National Wildlife Refuge, Dean Rundle, appreciated the importance of public engagement on issues related to Rocky Flats. Dean understood the historical context of Rocky Flats, and realized that this refuge could not be treated the same as any other parcel of land being used as a wildlife refuge. David observed that since then, the nature of relationship with USFWS had changed dramatically. Since shortly after the site conservation plan for the Rocky Flats refuge was approved in 2007, the agency began working under the assumption that because no funding was being allocated to the Refuge, there was no further need to engage the public. Now that the agency appears poised to open the

Refuge, David is wondering how the USFWS will communicate with the local governments and broader community. He said so far communication was not going smoothly and pointed to public controversy regarding the proposed prescribed burn in which broad-reaching concerns were raised about contamination and potential health-related issues. David said his hope was that there would be substantive engagement on all levels. However, so far there had been only one public meeting that related to the burn, and that was the Stewardship Council's last meeting. David emphasized that all of the questions and concerns from the Board and public raised at that meeting had been related to issues of contamination and safety. He noted that these types of questions are directly tied in with the history and cleanup of Rocky Flats, and are ones that originate with DOE, not USFWS.

David noted that a letter had been distributed just prior to the meeting that LeRoy Moore from the Rocky Mountain Peace and Justice Center had sent to DOE's Office of General Counsel. The letter alleges that the Stewardship Council was doing something illegal by discussing the proposed DOE-USFWS visitor center with the USFWS. David clarified that the Stewardship Council was not discussing the visitor center with USFWS, and thus the premise of Moore's letter was inaccurate. David noted that both the burn and the visitor center were not strictly USFWS issues, and that, for both, the Stewardship Council as the LSO was examining the DOE part of the issues. From the Stewardship Council's perspective, these questions and concerns were primarily DOE issues because they relate directly to concerns about the cleanup, contamination, and ongoing contaminant management needs, as well as telling the story of the history of Rocky Flats as a former nuclear weapons plant.

David concluded by noting that the Stewardship Council is now being challenged by a segment of the community for attempting to provide the only forum to discuss these issues. David noted that in providing this forum to begin discussing the DOE-USFWS visitor center, the Stewardship Council was closely adhering to its grant and the DOE-General Counsel's 2010 directive as the organization is not a FACA group or an advisory board to DOE. David further noted that for both of these issues, local governments would not be the only ones providing feedback, and thus is extremely concerned that LeRoy wrote DOE's Office of General Counsel raising concern about the Stewardship Council's public dialogues. He said he did not understand this dynamic, noting USFWS would not attend Stewardship Council meetings, and was very concerned about the apparent attempts to stifle public dialogue. A copy of Moore's letter can be found at: [http://rockyflatssc.org/public\\_comment/RMPJCLMTORFSC04062015.pdf](http://rockyflatssc.org/public_comment/RMPJCLMTORFSC04062015.pdf)

Rik Getty noted that the Board's annual site tour was being scheduled for June. He said that he had emailed out six potential dates, and asked Board Members to respond with their preferences by April 24.

### **Public Comment**

Anne Fenerty spoke first and said that Mickey Harlow had asked her to make a statement on her behalf. Anne said Mickey asked that Board members begin questioning the information they were being provided by DOE and the regulators related to the onsite treatment systems. She referred to the suggested change in the minutes of the last meeting regarding her comments. Mickey had said she would prefer that public comments be attached to the minutes, but would

like them to at least be posted online. Anne then moved on to her own comments. She noted that they were in reference to plans to construct a visitor's center for the Rocky Flats National Wildlife Refuge. She said that the current Adaptive Management Plan for Rocky Flats was a decision making process that could be adjusted as new information became known. She said that the areas of contamination at Rocky Flats were already known. She said that independent scientists criticized cleanup plans in 2005, and noted that the plans did not meet MARSSIM guidelines, or generally accepted methods. She stated that Scott Surovchak said at a previous meeting that DOE could delist the areas it still manages and have them become part of the Refuge. Anne read off a list of carcinogens that were found onsite, saying that all can cause cell damage. She said there was a need for an independent evaluation of the air, soil and water before a visitor center is built and the site becomes open to the public. Anne submitted the following comment to be posted on the Stewardship Council website (see [http://rockyflatssc.org/public\\_comment/Anne%20Fenerty%20comment%204-15.pdf](http://rockyflatssc.org/public_comment/Anne%20Fenerty%20comment%204-15.pdf))

Jon Lipsky spoke next, and introduced himself by explaining his involvement related to the 1989 FBI raid on Rocky Flats and the related five year criminal investigation. He said he had also been recognized as an expert witness for the Cook lawsuit related to Rocky Flats. Jon said that he had reviewed the Board's packet for this meeting, and had concerns with what he called the 'rewriting of history at Rocky Flats'. He presented the Board with a letter that listed six items that should have been included in the historical timeline of Rocky Flats events. He added that the Stewardship Council should act within the role it was chartered to do. He said that the Stewardship Council was supposed to promote public comment and that there were people in the public who had more knowledge than some Board members. Jon said that Rocky Flats workers were still trying to get special exposure cohort status related to health benefits and he would appreciate the support of the Stewardship Council in helping these workers. Jon submitted the following comment to be posted on the Stewardship Council website (see [http://rockyflatssc.org/public\\_comment/Lipsky%20040615.pdf](http://rockyflatssc.org/public_comment/Lipsky%20040615.pdf))

Ted Ziegler spoke next, and stated he was a former Rocky Flats worker and union member. He said he started at the site in 1982 and spent 13 years working there. He said that at the last meeting he had very little opportunity to present his concerns. He stated that he had documentation regarding communication back and forth between DOE, contractors, and employees that was not available in any public records. He said they were signed documents relating to the toxic conditions onsite. Ted said he had prepared a small packet to present to anyone interested in reviewing. He said his documents included photographs and descriptions of exposure to employees and that the documents illustrated the conditions that existed at the time, when there were no mandatory procedures for daily work in that environment. He noted that employee concerns were disregarded or put on hold indefinitely. He said he was concerned about contamination that still existed and that there was a need for an independent laboratory (selected by members of the communities, not the agencies) to take samples. Tim Plass commented that Ted had said at the last meeting that he would work with Roman Kohler to pull together this documentation and asked about the status of that effort. Ted said he was also working with Jon Lipsky and had scanned several documents. Roman said they had a short meeting. Ted was asked to provide a copy of his packet to the staff and it would be disseminated to the Board.

Marion Whitney spoke next and said she was a former teacher. She referenced a comment David Abelson made related to site ecology issues not being a high priority for the Board. She wanted to emphasize that ecological conditions were holding contaminated soil in place. She said she lived downwind, and wanted the soil to stay in place. David Abelson clarified that his comment was directed toward site ecology activities unrelated to contamination, such as placement of bluebird boxes for nesting.

Larry Hankins was the next speaker and said he had 33 years of experience at Rocky Flats as a radiological worker. He said he performed environmental studies of contamination, and had many safety concerns that were not addressed, and that he was told by management not to speak up. He said he would rather see taxpayer dollars spent in other ways, and that the Board was supposed to answer to the public.

At this time, the audience members were asked to introduce themselves.

### **Briefing on the History of Rocky Flats**

David Abelson introduced the next agenda item, which was a briefing on the history of Rocky Flats. He said that to help understand Rocky Flats today, it was imperative to understand the history of the site and scope of the cleanup. He said this information helps to frame many issues currently being evaluated and debated. David said that DOE gave a similar presentation at the April 2012 meeting and Board members found it extremely helpful in understanding the suite of issues.

Scott Surovchak with DOE provided the briefing. He began by discussing Rocky Flats during the production years, 1953-1994. This section was designed to provide insight for current activities at the site. At the time Rocky Flats was built, there was not much development to the east, south or north. The site was virtually a small city, with its own water supply and sewage treatment system. Scott showed several photos of different areas of the site from the time it was first built and throughout the years. He said that even though people primarily think about plutonium being used at Rocky Flats, the site produced weapons parts from just about every metal.

Scott noted that in 1989, with the end of the Cold War, Rocky Flats' mission started to change. A cleanup effort was begun, directed by the Rocky Flats Cleanup Agreement (RFCA). RFCA was signed in 1996 after a great deal of public discussion, including organizations such as the Rocky Flats Citizens Advisory Board and the Rocky Flats Coalition of Local Governments. The cleanup took 10 years and cost approximately \$7 billion. 'Physical completion' of the cleanup occurred in October 2005. Most of the cleanup work was done in the 385-acre former Industrial Area which contained 800 buildings and other structures. 21 tons of weapons-grade material was shipped to other sites and 100 metric tons of plutonium residues were dispositioned. In order to remove existing buildings, extensive decontamination was implemented prior to demolition. Scott showed several photos of the building decontamination work, as well as examples of how workers were suited up to safely perform this work. He said that after everything was stripped out of the buildings, workers used a grid process to test surfaces, and would continue cleaning until the results met the cleanup criteria. Tanks were drained of liquids, equipment and layers of concrete floors were removed, and items were donated, auctioned or disposed. Rocky Flats and

the sites at Mound and Fernald were granted exceptions to the standard GSA process for getting rid of government equipment, which helped to greatly speed up the timeline for closure. Facilities were demolished using heavy equipment, with final walkthroughs and extensive sampling prior to demolition. The rubble was shipped to sanitary, hazardous and radioactive waste landfills as appropriate. Building 881 was explosively demolished in place.

Many different types of waste needed to be dispositioned from the site, including:

- Special Nuclear Material
- Sanitary Waste
- Transuranic (TRU) Waste
- Low Level Waste
- Hazardous Waste
- Classified Parts

Scott showed a map that depicted where each of these categories of waste were shipped to and noted that this was a huge logistical effort.

In terms of environmental remediation, many projects were undertaken, including:

- Some soils thermally treated
- Some soils excavated and shipped
- Groundwater treatment (ongoing)
- Landfill covers
- Building foundations removed (some were 60-80 feet below ground)
- Historical disposal sites investigated and remediated

Scott explained that when soil was being excavated, workers removed everything they found that registered any contamination, even it was below the standards. Since they were already in the field and had equipment deployed, this was the easiest choice. Contamination was fixed in place in Buildings 771 and 371, and at least six feet of buffer soil was added, which has been constantly maintained.

In summary, 421 potentially contaminated environmental sites were investigated and 88 of these sites required remediation. Surface soils were cleaned up to a depth of 3 feet below the surface in the industrial area. Soils were cleaned up to below the 50 picocuries per gram (pCi/g) soil action level for plutonium (Scott noted that a majority of the site was below 7 pCi/g). Some plutonium/americium contamination was fixed and left in place in two building foundations and some process piping was filled with grout (all below 6 feet). 275,000 cubic meters of radioactive wastes were disposed.

Scott explained that ‘physical completion’ of cleanup included the following:

- All buildings removed with the exception of two vehicle inspection sheds
- All Individual Hazardous Substance Sites were dispositioned per Rocky Flats Cleanup Agreement
- Soil removal where needed; remaining soils are below the soil action level

- Two landfills were closed with covers meeting the applicable landfill regulatory closure criteria and monitoring wells
- Four groundwater treatment systems are operating to remove contaminant loading to surface water
- Continued evaluation of groundwater and surface water continues through RFCA sampling network
- DOE maintains a presence through its Office of Legacy Management (LM)

Regulatory completion of cleanup was defined as the following:

*Central Operable Unit (COU)*

- Consolidated all areas requiring institutional controls and ongoing monitoring and maintenance to implement the CERCLA remedy
- 1,309 acres managed by DOE-LM

*Peripheral Operable Unit (POU)*

- No Further Action
- Essentially uncontaminated former buffer area
- EPA determined the POU met unrestricted use/unlimited exposure conditions and delisted from National Priorities List
- Approximately 4,000 acres transferred to USFWS as Rocky Flats National Wildlife refuge
- DOE has responsibility for an additional 945 acres of POU land

Scott explained that DOE was responsible for several long term surveillance and maintenance activities pertaining to the cleanup remedies, including:

- Two closed landfills
- Four groundwater treatment systems
- 97 groundwater, 18 surface water monitoring locations
- Institutional Controls (which prohibit/control groundwater and surface water use, soil disturbance, damage to any remedy components, no trespassing signs/no public access)
- Best land management practices

Scott noted that DOE's community and public interaction responsibilities at Rocky Flats include periodic reporting and reviews, periodic public meetings and maintaining a public website.

Since many in the community are most interested in what remains onsite that could be a risk to the public or environment, Scott reviewed areas of residual contamination in the DOE-managed COU:

- Original Landfill
- Present Landfill
- Groundwater plumes – VOCs, nitrates, uranium
- Some infrastructure and building remnants
- Fixed contamination at least 6 feet below ground surface

- Some historical disposal trenches and pits (contents were remediated to at least 3 feet below ground)
- Residual soil contamination

Scott noted that soil was remediated to a level of 1 in 1,000,000 risk or lower of increased incidence of cancer to a Wildlife Refuge Worker (WRW) scenario. This level of cleanup met DOE/NRC decommissioning criteria. Also, surface water onsite meets drinking water standards.

Libby Szabo asked whether there was any program in place to track and test elk for contamination uptake. Scott said that was something they had done in the past, but has been discontinued. Joe Cirelli said that given the concern about soil contamination, Scott should talk about what was done to clean up the 903 Pad. Scott explained that drums containing cutting fluids and lubricants from machinery that was also contaminated with plutonium were stored outside in the 903 area. These barrels eventually decayed and leaked, and the area was paved over as a temporary means of containing the contamination. During closure, workers utilized movable tents and excavated the soil until they either hit bedrock or encountered soil that was clean. The soils were characterized as they went. During this effort, workers were very conservative in terms of meeting cleanup standards, and removed much more soil than needed.

Deb Gardner asked what kind of testing was done for soil and water in the buffer zone. Scott said it was the same type of testing that they did inside the industrial area. Workers broke the areas up into grids, and computed millions of analytical results. The areas were highly characterized. If anything came up as questionable, they removed it. She asked if they did much remediation in buffer zone. Scott said they did not need to do much remediation in this area. Deb also asked if this information was publicly available. Scott said it could be found in the RI/FS and Proposed Plan.

Ted Ziegler asked if the site enforced trespassing. Scott said they do, but that trespassing is infrequent. He said DOE had an agreement with the Jefferson County Sheriff for enforcement and making arrests. Scott pointed out that there was signage on the perimeter of the site, and the Indiana Street side had eight signs within a three-mile stretch. Scott noted these signs were for the Refuge boundaries, not the COU. Ted said that he thought the signs were in need of replacement and that additional signs should be put up. Lisa Morzel said that when she was visiting the Candelas development on the southern boundary of the Refuge, she saw two sets of signs, including old DOE signs and newer USFWS signs. Scott commented that the older signs just say 'U.S. government property', so were still accurate. Jeannette Hillery noted that it would be the responsibility of the USFWS to post signage for the Refuge. Scott added that DOE signs along the perimeter of the COU list the institutional controls, and there were also 'no trespassing' signs. He noted that fences were not part of the remedy, and that their real purpose was to prevent grazing in order to protect the monitoring and treatment equipment from potential damage.

### **Begin Scoping Goals for Rocky Flats Visitor Center**

David Abelson introduced the next agenda item by noting that DOE and USFWS were in the early stages of developing the conceptual framework for a visitor's center at Rocky Flats. DOE

had expressed interest in understanding the public's goals and priorities as the agency worked with USFWS to develop a center that meets a range of interests. David pointed to a memo in the Board packet that set out some starting points for this discussion. He reiterated that as the LSO for Rocky Flats, he was focused on DOE's role in developing the visitor center, not USFWS'.

David suggested that it might be easiest for the Board to review what issues they were not going to discuss related to the visitor center, rather than deciding what they should address. He noted that this discussion was, by design, occurring in advance of the overall process. David said it was clear that the primary community concerns were likely to be related to risk issues and whether it would be safe to construct onsite and safe to visit. David Allen said that since a visitor center would be such a high profile facility, it would be helpful to hone in on the types of information the visitor center should present to the public. He referred to Rocky Flats history, cleanup, ongoing management, and worker issues, all of which fall under DOE's management responsibilities.

Tim Plass noted that the visitor center issue would be tied to the actual opening of the Refuge to the public, and that issues related to access would also be triggered. Jeannette Hillery suggested that it would be beneficial to see if there was a consensus among Stewardship Council members about guidance on certain criteria or concerns.

Tim Plass asked Barb Vander Wall to comment on the Stewardship Council's legal standing to address these types of issues. He said he wanted to make sure that the group operated to the fullest extent permitted under its purview. Barb noted that the Stewardship Council was an intergovernmental entity under Colorado statutes, and was not a FACA group. The Stewardship Council has an Intergovernmental Agreement (IGA) as its authorizing document, which spells out all activities the group can undertake. She noted that FACA laws have a different set of criteria, and the Board has explicitly avoided putting itself in a position that would necessitate following FACA guidelines. She explained that if the Board were to undertake activities that were not permitted under its DOE grant, the Board could lose its Local Stakeholder Organization (LSO) designation, which would also mean losing DOE funding. Although the group could still operate legally under the IGA, the lack of funding would likely mean the organization would dissolve. David Abelson said that this highlighted the importance of the Board operating within the terms of the DOE grant. Tim Plass asked for a clarification of these boundaries. Scott Surovchak noted that the LSO legislation provided that definition. He said LSO status was created specifically as a venue to help DOE disseminate information pertaining to the remedy. Joe Cirelli said his recollection of the FACA law was that it was aimed at avoiding 'shadow governments', and suggested that the Board look at the grant language. He added his frustration that, among people he encounters, he could not seem to get past the belief there should not be public access to the Refuge, let alone discussing aspects of a visitor center. Tim Plass said the group might think about alternative venues in the event there are too many restrictions on Stewardship Council permitted activities.

David Abelson brought the discussion back to whether Board members felt that the issues in his memo were the types of things they thought were appropriate to discuss. He also asked if there were other briefing topics that should be planned in order to prepare for these discussions. Sue Vaughan said that it would be helpful to have a flow chart that listed the various topics related to

the Refuge, and the corresponding venue for those discussions, whether it was the Stewardship Council or another forum. David Abelson said he could put together a framework for how the Stewardship Council fit in to this overall picture once he knows the process DOE and USFWS will follow. David also noted that, although there would never be a public consensus about the risks associated with contamination left onsite, there was still a need to figure out how best to put forth objective information. He said that a briefing about contamination in buffer zone seemed to be the first question to tackle. David said he had no idea when the USFWS would start engaging the public on the visitor center. Lisa Morzel said that she received an email from USFWS stating that it was inappropriate for the Stewardship Council to be talking about these issues. Sue Vaughan commented that the issue about getting an independent assessment of contamination needs to be addressed.

Anne Fenerty noted that many people in the community with a long history of involvement and knowledge of Rocky Flats issue disagreed various statements that were routinely made about cleanup by DOE. She asked if a meeting could be scheduled to have Scott Surovchak answer questions and address information presented to him. David Abelson noted that the letter from the RMPJC to the Office of General Counsel would make such a meeting almost impossible. He said that letter argued that the Stewardship Council could not hold meetings with USFWS. David said he was advising the Board that it would run the risk of more complaints if it hosted such a meeting. He said that even though these claims were misguided, it would be a matter of perception. Lisa Morzel said that the Board meetings had regularly scheduled public comment periods during which the public could raise these concerns. She noted that the Board had been getting a large number of comments recently. Deb Gardner thanked Anne for her interest in these questions, and said she did not always feel qualified to ask informed questions. She added that it would be beneficial to have that exchange, and that it would be very informative. She also said she believed LeRoy Moore had sent a similar letter previously and asked how that was resolved. David Abelson said that there had been a similar complaint by LeRoy about the Stewardship Council's activities in 2010. The Office of General Counsel had noted that DOE could not treat this Board as an advisory committee, and that the Stewardship Council was to provide forum for discussion and a mechanism to forward community concerns to DOE. Deb stated that she did not see why LeRoy's letter should inhibit Anne's suggestion. Anne clarified her comment, noting she was not asking for a meeting with USFWS but with DOE. David responded that he thought she had requested a meeting to discuss Refuge issues.

Lisa Morzel posed the question of whether the Stewardship Council should engage someone at a different level within the USFWS since the relationship with the local office had really changed. Libby Szabo said she wondered if the public would even want to come to a visitor center, and asked if the USFWS had ever tried to gauge this interest. She said a visitor center was only one way of educating the public on these issues, and that other options were available. Lisa Morzel mentioned a similar set of circumstances were present when the Rocky Mountain Arsenal was developed, but she did not know how public issues were addressed there. David Abelson noted that public access opportunities at other former nuclear sites had been very popular after cleanup. Lisa said that public responses to access questions had been mixed when the USFWS developed their initial plan (CCP) several years ago. Bob Briggs said that visitor numbers at the Rocky Mountain Arsenal went from 30,000 visitors to 300,000 in its first two years. Bruce Barker stated that it would be fine mission for this group to address public concerns about being misled by

information from the agencies. Nancy Newell suggested that the term ‘visitor center’ might have different meanings to different people, and that perhaps they should consider calling it something else like ‘information center’.

David Allen said that the fundamental concern was to ensure that the remedy continued to assure safety through ongoing monitoring. He said that since the Refuge had already been delisted as a Superfund site, the public discussion should be well past questioning closure activities and cleanup. Deb Gardner suggested that the Board review the mission of the LSO, along with guidance from its attorney on specific activities. She suggested that members go back to the entities they represented to discuss how they want to be engaged and then see if those ideas meshed with the Board’s plans. David Abelson noted that the Stewardship Council was the only existing LSO at the moment. Larry Hankins asked how many people had even visited the Rocky Flats museum in Arvada. He said that his main concern, after working at the site and participating in soil surveys, was independent verification of soil contamination. Tim Plass said he agreed with Deb, and added that a visitor center would be valuable as a way to make sure people remember what went on at Rocky Flats. He also said he was distressed with the reaction of the USFWS because of the importance of public dialogue on these issues. He said he would like to keep trying to open up these lines of communication. Lisa Morzel said that Rep. Polis was told by USFWS in Washington, DC that the agency would welcome input from the public; however, this was not what the local USFWS staff was implementing. She noted that she was working to get a regional USFWS official, Noreen Walsh, involved in this issue. Roman Kohler said he thought questions and public comment on this topic had been addressed and suggested getting back on the agenda.

The Board asked Barb Vander Wall for a memo outlining the role of the Stewardship Council as the LSO for Rocky Flats, and identifying which items are beyond its role as the LSO.

### **Public Comment**

John Lipsky referred to a February 19<sup>th</sup> Colorado Air Quality Control meeting. He said that according to CDPHE, no sampling had been done at Rocky Flats since 2004. He said he would love to call upon people to present objective information about contamination at the site, and show evidence that contradicts DOE’s presentation.

Marion Whitney requested that the Board schedule a presentation regarding climate change and extreme weather, and have independent scientists present their predictions for the Rocky Flats area.

### **Updates/Big Picture Review**

#### **June 1, 2015**

##### *Potential Business Items*

- Receive 2014 audit

##### *Potential Briefing Items*

- DOE annual update
- TBD (possible CDPHE presentation on buffer zone contamination)

## September 14, 2015

### *Potential Business Items*

- Initial review of 2016 budget
- Initial review of 2016 work plan
- Review community member application and appointment process

### *Potential Briefing Items*

- DOE quarterly update

### \*TBD

- CDPHE briefing on contamination levels
- Overview of post-closure management (what DOE does and why)
- Continue discussing Rocky Flats visitor's center

### Issues to watch:

- Uranium – Exceedances at WALPOC and GS-10, and Wright Water Engineers uranium report
- AMP sampling

## **Member Updates**

Tim Plass referenced a report from the Jefferson County Nature Association which David had distributed to the Board and said he wanted to provide a clarification. He noted that Boulder's weed control program was listed as uncertain. He said they actually have a great program, and that their staff did try to get in touch with JCNA to provide information. He said that Boulder has less than .05 percent cover of weeds of concern.

## **Executive Session**

At 11:30 a.m. Lisa Morzel 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. Mike Shelton seconded the motion. The motion passed 13-0.

The Board reconvened from Executive Session at 11:35 a.m. and affirmed that no actions had been taken during Executive Session.

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

*Respectfully submitted by Erin Rogers.*