

ROCKY FLATS STEWARDSHIP COUNCIL

Monday, September 12, 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: Marc Williams (Director, Arvada), Jim McCarthy (Alternate, City of Arvada), Carl Castillo (Alternate, City of Boulder), Megan Davis (Alternate, Boulder County), Lori Cox (Director, Broomfield), David Allen (Alternate, Broomfield), Sheri Paiz (Director, Northglenn), Shelley Stanley (Alternate, Northglenn), Joe Cirelli (Director, Superior), Bob Briggs (Director, Westminster), Mary Fabisiak (Alternate, Westminster), Shirley Garcia (Director, 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), Marilyn Null (CDPHE), John Dalton (EPA), Scott Surovchak (DOE-LM), Rick DiSalvo (Stoller), Bob Darr (Stoller), George Squibb (Stoller), John Boylan (Stoller), Gwen Hooten (DOE-LM), Karen Reed (DOE-LM), Linda Kaiser (Stoller), Bruce Hastings (USFWS), Emily Hunt (City of Thornton), Cathy Shugarts (City of Westminster), Christine Hawley (Woman Creek Reservoir Association), Colin Anonsen (Rep. Polis), Stuart Feinhor (Rep. Polis), Mary Harlow (citizen), Hildegard Hix (citizen), Anne Fenerty (citizen), Leroy Moore (Rocky Mountain Peace & Justice Center), Deborah Trout (citizen), Jeffrey Bishop (citizen), Cody Spyker (citizen), Jay Hormel (Rocky Mountain Peace & Justice Center), Judith Mohling (Rocky Mountain Peace & Justice Center), Harvey Nichols (CU Boulder), Ababayehu Zula (student, Metro State), Fisseha Asress (student, Metro State).

Convene/Agenda Review

Chair Bob Briggs convened the meeting at 8:37 a.m. Referring to a scheduled presentation by Leroy Moore, Lori Cox stated her opinion that it was quite irregular for a citizen to have such a long period of time on the Stewardship Council's agenda. Sheri Paiz responded by stating that this time will be a good opportunity for new members to meet and hear from Mr. Moore directly, since the Board has received so much correspondence from about various issues. David Abelson noted that Sheri brought this request to the Executive Committee, which approved it and then David invited Mr. Moore to speak. Bob Briggs added that the officers felt that this presentation would be valuable to Board members as an opportunity to gain a better understanding of various viewpoints about Rocky Flats issues.

Chairman's Review of Aug 12 Executive Committee meeting

Chairman Briggs noted that an Executive Committee meeting was held on August 12. 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 that the word ‘let’ was missing on page 2 of the June 6, 2011 minutes. Roman Kohler moved to approve the June Board meeting minutes as amended and the checks. The motion was seconded by Arthur Widdowfield. The motion to accept the minutes and checks passed 11-0.

Executive Director’s Report

David Abelson began his report to the Board by welcoming a new member, Jim McCarthy from Arvada. He then updated the Board about a significant reorganization within DOE. The \$5.5 billion Environmental Management program, which is responsible for nuclear site remediation, and the Office of Legacy Management (DOE-LM), which manages Rocky Flats, are being moved to the Office of the Undersecretary for Nuclear Security. However, this move has hit a road block. A bill moving through the House would prohibit funding for DOE-EM in this program. The Senate’s version contains a provision that would require a plan from DOE explaining this new organization. The funding bill will be going through Congress in early December, after which there should be greater clarity. This will also happen after the debt commission’s report. David said that the reason this organizational issue is important to the Stewardship Council is that DOE-LM is currently a stand-alone office, and the concern would be the possibility of funding intended for DOE-LM being diverted to other programs. David said he hoped DOE-LM will maintain independent budget authority. He said this news should not cause alarm, but is something to be aware of. In terms of the draft budget, both the House and Senate have essentially provided full funding for DOE-LM. It is a bit lower than last year’s budget because of some fulfilled some pension obligations.

David next spoke about an Inspector General report regarding the Department of Interior and Rocky Flats. A copy was provided to Board members. This report, issued in late July, blames a lack of funding for dealing with invasive weeds for causing problems in terms of site ecology and the potential movement of radioactive materials in the environment. CDPHE and EPA sent letters to the IG pointing out deficiencies in the analysis. The IG referenced a 2003 letter from the regulators addressing this issue, yet since that time, the entire Refuge was released for unrestricted use. Also, since this time, the boundaries of Refuge were defined. In 2003, it was not known that a ‘Central OU’ would be retained by DOE.

Rik Getty gave a brief update about a scheduled surface water discharge at Rocky Flats. The discharge was to start later that day and would consist of water from ponds A-4 and B-5, which had been tested in mid-August and found to meet applicable standards. The site estimated that it would take approximately twelve days to complete the discharge. Once complete, these ponds will be left in flow-through configuration, rather than closing the outlet valves. A new Point of Compliance (POC), called Wal-POC, is now operational in addition to the existing POC on Indiana Street.

David's final update was about Board membership. All of the Board members' two-year terms will be over in February. In order to publicize the opportunity for new people to apply for Board membership, staff will send out letters and emails, post notices online and in newspapers, and ask member organizations and governments to circulate. There will be interviews at the meeting on November 14th. David noted that both Lori Cox and Sheri Paiz are term-limited within their governments, and therefore will not be able to represent their cities past the November meeting. Because Sheri is also on the Executive Committee, there will be a gap on this committee until the February Board meeting at which new officers will be elected. According to Bob Briggs, the Executive Committee found this to be acceptable and noted that everyone is welcome at their meetings.

Public Comment

The first to speak was Anne Fenerty, citizen of Boulder. She said she read the CDPHE/EPA letter to the Inspector General. She said she never knew anything about unrestricted use at Rocky Flats. She asked that since the open space cleanup scenario included an analysis of a refuge manager living onsite, whether this meant that there would be building onsite. David Abelson explained that the Refuge bill included a prohibition against former Rocky Flats land ever being out of government control. He added that the unrestricted use designation did mean that the USFWS can do whatever it would like in terms of trails or other uses. David noted that for cleanup, the analysis had to be based on the 'maximally exposed individual' (someone living onsite). However, this was only an assumption to guide cleanup; it was not a plan. Anne asked for a definition of unrestricted use in writing. She noted that certain sites had been cleaned up to a six foot depth, polluted structures were buried, and the original landfill contained radioactive materials. Anne said that the buffer zone is not an ordinary Wildlife Refuge. She referred to a comment made by a site manager that plutonium is just a metal. She commented that radioactive materials cannot be safely disposed of, because of their long half lives and that this understanding seems to be missing. Carl Spreng said that he would be happy to provide the regulatory definition of 'unrestricted use'. He added that, before cleanup was completed at Rocky Flats, Congress defined what the future use would be. However, during the final risk assessment and decision, the site and regulators used a more sensitive scenario than required on which to base the cleanup levels. This was a rural resident scenario, including both adult and child. Because the cleanup met the criteria for this most conservative assumption, the site was cleared for any use, even though it was already set aside as a Wildlife Refuge.

Mickey Harlow spoke next. She asked about the status of modifications to the CAD/ROD. Scott Surovchak said it was actually an 'amendment', not a 'modification' and that the site was finalizing it at that time. He said it needed to be signed by all three parties, and that would probably happen within the next two weeks. He added that a 'response to public comments' will be part of the final document. Mickey said that the comments are not labeled according to who submitted them and asked why this had changed. Scott said it had always been done this way. Shirley Garcia asked if there would be a meeting to go over the final wording. She said she would like a discussion of the questions that had been submitted by each entity. Scott said this would have to be a public meeting.

Board Review of Stewardship Council Activities for 2011 and Initial Review of 2012 Work Plan

David Abelson noted that a few slight, proposed changes to the Work Plan were highlighted in the Board packet. These changes included adding provisions for addressing the CERCLA five-year review and the Adapted Management Plan. It also scaled back on USFWS issues due to lack of activity. Another change was to incorporate the City of Thornton into the organization. David said that it was his belief that this organization continues to move forward, meet the challenges it set for itself, and uphold its mission as the Local Stakeholder Organization (LSO) for Rocky Flats. Sheri Paiz asked whether the document did not mention the removal of the rotating membership between Northglenn and Golden because these cities were already members. David Abelson said that was the case, and that he did not see this as a substantive change. David Allen asked about role of the Stewardship Council, or individual organizations/governments, with respect to the CERCLA five-year review. David Abelson said that he tried to use a very broad term for the Board's role, which was why it was simply called 'participation'. He said it would be easy to determine at least the minimum level of involvement this will entail, such as briefings, and the submission of letters from some local governments. He added that, beyond that, it will really be up to the Board to discuss. Lori Cox suggested it may actually be the regulators that make this determination about public involvement. David Abelson agreed that the agencies can put parameters on what they want in terms of public involvement; however, there is nothing that prohibits the Board from discussing and weighing in on these issues. Lori added her perception that 'participation' implies actually being part of the process. David Abelson said he believed that the term 'participation' is actually broader than this definition. He said it also included being engaged in the dialogue and being able to articulate input. Scott Surovchak clarified that the development of the five-year review is DOE's responsibility, while EPA has oversight.

FY 12 Budget – Initial Review

Barb Vander Wall explained the process that the Board must use to develop and approve a budget. The first step is review a draft budget. That is being done at this meeting. The next step is to publish a notice of a public hearing (scheduled for November 14th). The public has an opportunity to comment at the hearing. Once the hearing is closed, the Board has an opportunity to comment. Once approved, the budget is filed with the Division of Local Government. David Abelson explained that the Board's budget always includes higher amounts than is projected to be spent. This allows the Board to avoid a cumbersome 'supplemental budgeting' process in the event of an unexpected expense. David noted that the Board has never come close to exceeding its budget and that the amount has remained approximately the same for a number of years. At this point, he saw no reason to expand or scale back the budget. Sheri Paiz asked if the total for local government contributions would increase because of additional members. David Abelson said it would and thanked her for pointing that out. Arthur Widdowfield noted that the amount budgeted for contractual and accounting seemed a bit high. David Abelson said that this was part of the over-budgeting he mentioned, and that they were not intending to spend the full amounts. He explained that this 'cushioning' could prove to be useful if something unexpected arises, such as the Board wishing to hire a consultant for some reason. Barb Vander Wall said that this was also a business strategy, since it could lead to cost-savings by avoiding the added expense of the

supplemental appropriations process. When there were no more questions or comments, David Abelson said that the only change to the draft budget the Board will see at the next meeting will be the increase in local government contributions. The actual vs. projected budget will also be updated. Jeannette Hillery asked when this budget will take effect. David noted that the Stewardship Council is on a calendar year schedule.

Continue Triennial Review

David Abelson explained that the Board must amend its Intergovernmental Agreement (IGA) to add Thornton, change Northglenn and Golden from rotating to permanent members, and to change voting numbers. David said the plan was to discuss and answer any questions at this meeting. The changes will be reviewed by each government's attorneys, with the Board's approval vote scheduled for the November meeting.

Lori Cox moved to amend the IGA to add the City of Thornton to the Board. The motion was seconded by Joe Cirelli. The motion passed 11-0.

Sheri Paiz moved to amend the IGA to add Northglenn and Golden as permanent members of the Board. The motion was seconded by Shirley Garcia. The motion passed 11-0.

David Abelson next guided the Board in a discussion of revised voting numbers. Currently, there are 12 voting members, and 9 are required to pass a vote as well as to constitute a quorum. Because there are 8 governments, the Board originally picked 9 because this meant that at least one non-governmental member must be present, or vote on an issue. The new Board will have 14 members. Using same logic that was behind the original setup, the new number for voting and quorum would be 11. Arthur Widdowfield said he agreed with this because it would put the burden on all members to show up.

Arthur Widdowfield moved to revise the Board's quorum and number of votes required to pass a resolution to 11. The motion was seconded by Jeannette Hillery. Joe Cirelli asked if there had been any history of problems reaching quorum. David Abelson said there was only one meeting at which the Board lost a quorum. He said there was another meeting at which they did not have a quorum until later in the meeting. Sheri Paiz asked whether the 11 votes necessary would require 10 local governments plus one other. David Abelson said that, with the current wording, it could be any combination of 11 votes. The motion passed 11-0.

David Abelson asked if Board members had any questions about the triennial review resolution. David Allen asked about the logistics for exactly how the resolution should be provided to the local governments' attorneys for review. Barb Vander Wall said that staff would be providing notice to all relevant parties and then each entity would go through their own process. David Allen said it would be helpful to have this in an editable document. He asked if Board members needed to take the lead on bringing this to their attorneys, and added that it would make sense to provide both the IGA and triennial review at the same time. Barb Vander Wall said that Board members should indeed provide the documents to the attorneys and identify any issues. They should then bring communicate these issues to David and Barb so that they may make changes to the document. David Abelson said staff would send an email clarifying this process. Since the

attorney review might take a while, that is why they are starting now. He noted that members should also involve government staff because of rules with council members or other issues. David Allen asked at which meeting Thornton will become a voting member. David Abelson said the Board will amend the bylaws at the beginning of the February meeting, with Thornton sitting at table. The IGA would then be approved, which supersedes the bylaws. Final approval of the bylaws is scheduled for the April meeting.

DOE Briefing on 2012 CERCLA Five-Year Review

Rick DiSalvo, Assistant Project Manager for Stoller, provided an update on the third CERCLA five- year review at Rocky Flats. This presentation was scheduled to be the kick-off of the review process. There will be a notice in the newspapers and a portal on the website dedicated to this project, as well as status reports at Stewardship Council meetings. Since it is so early in the process, the project team has not yet had a meeting. The five-year review must be completed by September 14, 2012.

Rick began with a quick review of the status of Rocky Flats' Operable Units (OUs). OU3 and the Peripheral OU were deleted from CERCLA in 2007, after it was determined that they presented no significant risk. The Central OU is the only one left at the site. Its remedy includes continued monitoring, as well as physical and institutional controls.

Rick noted that there was some good information about this project in the Board packet. DOE is responsible for conducting the review, with the participation of EPA and CDPHE. He said that the project team will be following the existing CERCLA five-year review guidance. The end goal of the review will be to produce a protectiveness determination. To do this, the site will need to answer three questions. The project will involve reviewing monitoring results and reviewing the assumptions that were used in order to determine whether they still valid. The team will also investigate whether there have been any changes to relevant standards. Another question is whether or not the defined 'remedial action objectives' are still valid and if there is any new information that should be considered. There are four possible protectiveness statements. Results of the review will also include identification of issues, and recommendations for any necessary follow-up actions. To complete the review, the team will look at existing documentation, perform a site inspection and look at cost data. Required evaluations will include new technologies, remedy component changes and inspection monitoring frequencies.

Shelley Stanley asked whether cost would factor into any potential determination to change remedies. Rick said that it could. Sheri Paiz asked if there was any way that the information that the team will be reviewing could be released to public so they can follow along. Rick said that all of the information is already in the public domain. Sheri also stated that she was concerned about changing inspection frequencies. Rick said that if this were the case, it would only be recommendation and would still need to go through the regulatory process. David Allen asked what the community involvement piece would entail. Rick said there would be notification, updates on process, and the opportunity for feedback about any concerns. He said that there is no formal comment period associated with this process. David added that community 'involvement' and 'participation' seemed like the wrong terms for this process, and that 'public

notification' was probably a better description. Rick noted that the site receives and accepts feedback from the community on a regular basis and that any comments would be welcomed.

Mickey Harlow asked about scientists and engineers that will be involved, per superfund regulations. Rick said this will be discussed and that he was pretty sure it was already included in the process. Anne Fenerty brought up the original landfill. She said it did not get a protective cover, and that it was located on a sensitive landslide area. She wanted to know what the site was doing to monitor this area. Rick said this would be discussed in the next presentation. Deborah Trout asked if there would be a written work plan to guide this process. Rick said it was covered in CERCLA guidance. She asked if there would be a separate project work plan. Rick said there would not, as they would be following the guidance. Another audience member asked if DOE works with EPA to develop the report. Rick said that they do, and that EPA goes through the guidance line by line.

Host DOE Annual Meeting

DOE brief on site activities for the first 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.).

Surface Water – George Squibb

There were no discharges or transfers during the quarter. It was very dry, with only about a half-inch of precipitation. Flow rates were about a quarter of the average, ranging from zero to 33% of average. Pond levels were only about 8% of capacity.

At the Present Landfill, all results for performance monitoring were below the standards. At the Original Landfill, monitoring results during the first quarter triggered monthly sampling for silver. Silver was not detected in the first monthly sample collected during the second quarter, so monthly sampling was discontinued. George next reviewed slides showing the sampling results for the Points of Compliance. All levels were below applicable standards. Also, water quality at all points of evaluation, except SW027, was below applicable standards.

12-month rolling averages at POE SW027 continued to exceed the standard for Pu-239,-240 (0.15 pCi/L) through January 31, 2011. Rick said that the continued exceedance is primarily due to lack of runoff since 2010 (i.e. no additional results are being added to the rolling average). Looking back, 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. Water quality at all other POEs was below applicable standards during the quarter. After the contamination had been attributed to the 903 Pad and lip area, erosion control measures were put in place. Because these fixes worked so well, the result was a lack of water for sampling. An audience member asked what percentage of the area draining into SW027 was re-vegetated. George said it was probably about five percent. Shelley Stanley asked what the sampling routine will be at the new Wal-POC. George said it would use both 30-day and 12-month rolling averages, each of which trigger different reporting requirements. The 12-month standard is regulatorily enforceable, while elevated 30-day average results would trigger a consultation process. Shirley Garcia asked about the new POC's. George

said that the site will send a letter of notification when the POC's change, since the parties had already agreed to the changes through modifications to RFLMA. She also asked how they sample for nitrates. George said that they will collect a nitrate grab at start of each automated composite. The frequency varies with runoff. He said that they are also doing a 2-week turnaround. The cities will be notified, per the AMP, when bottles are pulled and when results are received. The changes will be updated in the Site Operations Guide non-RFLMA appendix. These will be posted very soon.

Groundwater – John Boylan

The first quarter is light sampling quarter. All 10 RCRA wells were sampled and the results were reviewed in accordance with the RFLMA Attachment 2 decision flowchart. Results will be evaluated in the 2011 annual report. Additional sampling was completed at several locations associated with the Mound Site Plume Treatment System (MSPTS) and Solar Ponds Plume Treatment Systems (SPPTS). At MSPTS, sampling was completed in preparation for media replacement. Additional activities included installing piping stubs to accommodate possible future plumbing upgrades; repairing the subsurface effluent discharge gallery; and selection, design, and installation of a polishing component (an innovative, solar-powered air stripper housed within existing effluent manhole). Fieldwork was completed by the end of March 2011. At SPPTS, there was continued sampling to support optimization and evaluation of system performance. This included maintenance of Phase III Cell A (inert media dosed with liquid carbon source) and disposition of the contents of original treatment Cells 1 and 2. Shelley Stanley asked whether the site was still dosing with phosphorous. John said they were not dosing it separately, but it was still used in combination with other materials.

Site Operations – Rick DiSalvo

At the Present Landfill (PLF), the quarterly inspection was completed on February 28. No areas of concern were observed. Rick mentioned that this landfill was not constructed as RCRA landfill. At the Original Landfill (OLF), monthly inspections were completed on January 28, February 28, and March 30, 2011. Rick also reviewed the components of the OLF, which include a series of settlement monuments and inclinometers. Most seep locations on the OLF were dry throughout the first quarter. Seeps 4 and 8 were the only locations that produced active seepage throughout the quarter. This is typical for the OLF cover during this period. Wetland vegetation on the OLF cover was dormant during the first quarter. Settlement monuments were surveyed on March 23, 2011, and data were within the expected range per the Original Landfill Monitoring and Maintenance Plan. Inclinometers were measured January 26 and February 22, 2011. Readings showed very little deflection, which was consistent with expected results. There was no heavy or prolonged precipitation during the quarter. The Berm 1 crack was filled and compacted in 2010 and no new cracking appeared during the quarter. The end of Berm 7 at the East Perimeter Channel was repaired in 2010 and no problems were noted in the quarter. Per the OLF Monitoring and Maintenance Plan, a survey is conducted approximately every 2 years. This aids in periodically evaluating subsidence and consolidation, slope stability, and precipitation run-on and run-off management structures. Survey field work was completed in March. There was also a geotechnical engineer review. Maintenance was required for approximately 700 feet of the diversion berm. Several inches of soil was added to maintain minimum berm height and recontour and fill minor depressions in localized areas. This minimized the potential for ponding in berm channels. Work was completed in August.

When it was constructed, the OLF was closed with a soil cover, similar to municipal dumps at the time. Contents included construction debris, asphalt, and drywall. There was one incident when depleted uranium was put in the landfill. It was removed, but a small amount was left. Radioactive material areas were removed as part of cleanup. Then soil was brought in as a cover. This landfill includes some components of RCRA closure, such as the well monitoring scheme. Anne Fenerty asked how large the landfill was. Rick said it was about 20 acres. He said that neither of the site's landfills has a liner. The PLF has a composite RCRA cover. The OLF has a soil cover. A RCRA cover would have cost a lot more. Slope requirements would have been quite substantial. Still, very little groundwater contaminants have been found in these areas.

The annual site inspection took place in March. The inspection team includes regulators as well as site personnel. For this inspection, the site is divided into five areas to be walked down and inspected – former 300 and 400 Areas; former 700 and 991 Areas; former 800 Area; former 903 Pad and East Trenches Area; and the former Ash Pits Area. This year, they also included the SW027 drainage area. The team walked down surface of each area to observe conditions. They do not spend a lot of time on areas that are routinely inspected.

One of the main tasks is to inspect and monitor for evidence of significant erosion. This is done through visual observation for precursors of significant erosion, and then an evaluation of the proximity of any significant erosion to subsurface features. Another task is to inspect the effectiveness of institutional controls (ICs). Effectiveness is determined by evaluating any evidence of violation of ICs and determining whether required signs are in place and verifying that the Environmental Covenant is in the Administrative Record and on file with Jefferson County (this was verified March 19, 2011). The team also looks for evidence of any adverse biological conditions.

No significant erosion was noted, but some holes and surface debris were noted. A deep hole was found at former B881. It was about 20-25 feet deep, and found in the area above a stairwell (this building was imploded). Other holes were minor. All holes were filled in, and debris and trash was collected or flagged for pick up. The hole at B881 led to the institution of a new site wide procedure to delineate the location of buried buildings by placing stanchions in these areas.

No adverse biological conditions were noted. Also, there was no evidence of IC violations and signs were in place. David Allen asked how much dirt was needed to fill the large hole. Rick said it was about 4-5 truckloads. Shirley Garcia asked if there were any problems in the B771/776 area. Rick said there was not.

Briefing by LeRoy Moore

LeRoy Moore with the Rocky Mountain Peace and Justice Center was invited to present some information about his perspectives and concerns with the cleanup and closure of Rocky Flats, and related issues. LeRoy has been involved with Rocky Flats issues since 1978. Since that time, he resisted production at the plant until it officially ended in 1992, and then served on several advisory or oversight bodies for several years. He has written many articles and papers

on all aspects of Rocky Flats, and for a number of years was a lay member of two committees of the National Council on Radiation Protection and Measurements.

LeRoy was on hand to discuss his paper entitled “Rocky Flats: The Case for Nuclear Guardianship.” This 15-page paper (included in the Board packet) addresses four topics about which he has significant concerns: 1) the questionable character of the Rocky Flats “cleanup”; 2) the toxicity of plutonium; 3) the dubious foundation of standards for permissible exposure to radiation; and 4) Response: Nuclear Guardianship for Rocky Flats.

In explaining why he questions the Rocky Flats cleanup, LeRoy argues that the government bodies responsible for the cleanup failed to review certain data, ignored findings of various studies, and did not prepare an Environmental Impact Statement. He said that well into the cleanup process, it became known that (years earlier) a limit had been placed on funding for the cleanup. He also stated that the final Rocky Flats Cleanup Agreement was rejected by 86% of the parties who commented on it.

LeRoy next commented on the toxicity of plutonium. He argues that it poses an essentially permanent hazard at the site and that risk assessment calculations fail to protect the most vulnerable in the population. He is also concerned about potential harm to the human gene pool due to plutonium exposure.

LeRoy and his colleagues believe that standards for permissible exposure to radiation are flawed. He referred to a recent study showing that any exposure to radiation is potentially harmful, and points out that current risk analysis assumes that some level of exposure is acceptable. He also commented that the effects of exposure on wildlife have not been sufficiently examined. His concern is that the uncertainty that is inherent in risk analysis is often interpreted to reflect the absence of a problem rather than the possible presence of one.

LeRoy’s suggested path forward at Rocky Flats and other nuclear sites is the practice of ‘Nuclear Guardianship’, which advocates both extreme caution in the presence of highly uncertain conditions, as well as a long-term commitment to permanently isolate these materials from the environment and to protect humans and other creatures from any further exposure.

Public comment

There was none.

Updates/Big Picture Review

November 14 (second Monday)

Potential Business Items

- Continue Stewardship Council triennial review
- Budget hearings for 2012 budget
- Approve 2012 work plan
- New member interviews/appointments

Potential Briefing Items

- DOE quarterly briefing
- Continue discussion of CERCLA 5-year review

February 6, 2012

Potential Business Items

- Elect 2012 officers
- Adopt resolution for 2012 meeting dates

Potential Briefing Items

- DOE quarterly briefing
- Continue discussion of CERCLA 5-year review
- Update on Solar Ponds performance

One of the Board Members asked whether there are any criteria for groups wishing to become members of the Board. David Abelson said that, in general, applicants must have an interest in the issues, as well as a viewpoint that adds value. Also, they cannot be involved in any pending litigation against one of the agencies. Sue Vaughan brought up a previous request to have audience members introduce themselves at the beginning of the meeting. David Abelson noted that many people came later in the meeting, and suggested this could be done at a break.

Issues to watch:

Original landfill performance, including special sampling program results
Data for CERCLA review
AMP monitoring results

The meeting was adjourned at 11:51 a.m.

Respectfully submitted by Erin Rogers.