

ROCKY FLATS STEWARDSHIP COUNCIL

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Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Arthur Widdowfield

Monthly Status Report – October 2011

Board meeting summary

There was no meeting this month.

Legacy Management monthly site inspection summary

DOE's September 2011 Rocky Flats activities included:

Groundwater and Surface Water Monitoring

- Completed installation of the new point of compliance (POC) surface water sampling station on Walnut Creek (WALPOC).
- Completed installation of the new POC surface water sampling station on Woman Creek (WOMPOC).
- Sampled Seep 8 and upper and lower Seep 7 on the Original Landfill (OLF).
- Collected routine samples at the Solar Ponds Plume Treatment System (SPPTS).
- Collected Walnut Creek ambient grab samples.
- Ponds A-4 and B-5 were discharged. Dams A-4 and B-5 are now being operated in the flow-through configuration.

Groundwater Treatment Systems

Routine inspections of the treatment systems were conducted as follows:

- East Trenches Plume Treatment System (ETPTS) – DOE reports the system is functioning normally.
- Mound Plume Treatment System (MPTS) – DOE reports the system is functioning normally. DOE collected samples from the MPTS air stripper to evaluate volatile organic compounds (VOC) removal based on different nozzle sizes and configuration.
- SPPTS – DOE reports optimization of the system is ongoing

Ecology

- Continued photopoint monitoring for revegetation locations.
- Restaked erosion control wattles in Functional Channel 1.
- Continued sub-contractor herbicide application.

Site Monitoring & Maintenance

- The quarterly Present Landfill (PLF) and monthly OLF inspections were completed. There were no significant changes to report at either landfill.
- Completed Walnut Creek and Woman Creek flume installations. DOE also placed riprap, and graded and reseeded the project areas.
- Routine Prebles Meadow Jumping Mouse (PMJM) erosion control inspections were conducted.
- The site received 1.08 inches of rain on September 7. This required an inspection of the site, OLF, and PLF. No problems were observed during the inspections.
- The site received 0.99 inches of rain on September 14. This required an inspection of the site, OLF, and PLF. Minor erosion control issues, some of which were not related to the rainfall, were noted and addressed.

Site Document update

Contact Record 2011-06, Soil Disturbance Review Plan—Roads upgrade project involving reconfiguration of a sharp curve west of Functional Channel 1

This contact record involves “Maintenance, repair, and upgrades to the gravel road west of Functional Channel 1 within the Central Operable Unit.” According to the record, the upgrades will include “reconfiguring a sharp curve in the road south of North Walnut Creek,” and will require “excavating soil and grading soil on the west side of the current curve deeper than 3 feet below the surface.”

Because the project will include soil disturbance deeper than 3 feet below surface, work is subject to the Rocky Flats Legacy Management Agreement (RFLMA), Attachment 2, Institutional Controls (ICs) 2 and 3. (Notably, those controls were adjusted as part of the decision framework regarding breaching terminal ponds on Walnut and Woman Creeks.) In accordance with the ICs, CDPHE examined the proposed actions and determined that they meet the rationale and objectives of the applicable ICs.

The repairs are planned for November 2011. The contact record can be found at:
http://www.lm.doe.gov/Rocky_Flats/ContactRecords.aspx

Cook v. Rockwell update

In 1990, the owners of property near Rocky Flats filed a class action against DOE under the Price-Anderson Act alleging trespass and nuisance claims arising from the release of plutonium onto their properties. The district court conducted a lengthy trial, and in 2006 ruled in favor of the plaintiffs, awarding approximately \$926 million, inclusive of compensatory damages and punitive damages. Defendants Dow Chemical Company and Rockwell International Corporation appealed the judgment, and in September 2010, the 10th Circuit Court of Appeals vacated the judgment and remanded the case to the district court. The court in short ruled that to show trespass, the plaintiffs must prove “actual and physical damage to their properties.”

The case was appealed to the Supreme Court, who agreed to hear the appeal.

Stewardship Council update

Next meetings:

February 6, 2012

April 2, 2012 (?) (2012 meeting dates will be determined at February 6th meeting)