

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 Thornton -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Steven Franks

Monthly Status Report – May 2016

Board meeting summary

There was no meeting this month.

Legacy Management monthly site inspection summary

DOE reports that in addition to routine monitoring and maintenance activities, site personnel conducted the following activities in April.

Surface water and groundwater monitoring

- Sampled the Present Landfill (PLF) treatment system effluent.
- Collected surface water flow-paced samples.
- Began 2nd Quarter 2016 groundwater sampling.

Landfills

- New movement at the Original Landfill was observed on April 20th after snow from a recent storm had melted. On April 21st, small cracks and ponding areas were filled.

Site Operations

- Conducted the annual site inspection on April 13th. No issues were found. Some minor depressions were noted in the former building 881 area, but they did not require maintenance but were marked for observation.
- Inspected former building areas following significant precipitation. Found 4' wide, 3-to-4' deep subsidence in an area that had previously been filled. All subsidences were filled on May 10.

Groundwater Treatment Systems

- East Trenches Plume Treatment System (ETPTS): The system is working as designed.
- Mound Site Plume Treatment System (MSPTS): The system is working as designed. Reconfiguration design is nearly complete.
- Solar Ponds Plume Treatment System (SPPTS): The interim reconfiguration project mobilization began on April 18th. Began removing media from the Big Box on April 20th. The material is not as saturated as had been anticipated.

Ecology

- Added GeoRidges to east perimeter channel on Original Landfill and to Functional Channel 1 area.
- Cut 157 coyote willow stakes and planted them on the 903 hillside.
- Conducted wetland water level monitoring as part of the annual wetland monitoring.
- Treated previously identified populations of Scotch thistle, Canada thistle, tall mustard, and common mullein.

Cook v. Rockwell

After more than 20 years of litigation, the parties settled the Cook case. It is important to know what this case is and is not. It was filed in 1990 by landowners neighboring Rocky Flats. There were a number of claims, including claims for medical monitoring program. Years ago, the court rejected the medical monitoring claim because the plaintiffs could not prove bodily injury. The claims that prevailed—the basis of this settlement—are for trespass and nuisance, leading to diminution in property values.

Importantly, to be included in the class, one had to own property as of June 7, 1989. The suit defines the class property boundary. The total settlement was \$375 million, which equates to roughly \$25,000 per household. It is also important to note that since the case was filed, there has been development within the class property boundary.

Note from David: I got involved in this case when working for Congressman David Skaggs; Skaggs pressed the parties in the mid-to-late 1990s to settle. Later, after stopping work for Congress, I was subpoenaed to testify, but House counsel got it quashed.

Health Survey

As has been reported in the media, the Rocky Flats Downwinders, a new citizen organization, announced it will work with professors at Metro State to conduct a survey of people who lived within 10 miles of Rocky Flats. The last comprehensive health study was the Historical Public Exposures Studies.

(Note: much of the following about prior studies is copied from CDPHE's website)

The Historical Public Exposures Studies involved nine years of research, including identification and assessment of past releases of radioactive materials and chemicals. Those studies focused on estimating increased cancer risk to residents living or working in surrounding communities during the plant's operation from 1952 to 1989. The work addressed past releases that were carried off-site and led to exposure of the public, but did not include possible releases after production ceased in 1989 nor on-site impacts to workers. (The latter was covered by another study.)

CDPHE administered the Historical Public Exposures Studies. Oversight was provided by a 12-member Health Advisory Panel appointed in 1990 by former Governor Roy Romer. This independent panel was made up of scientists, physicians, health officials, local officials and members of the public; the Panel was charged with overseeing research that focused on past emissions from Rocky Flats.

The studies concluded the highest risk, based upon the high-end (95th percentile) estimate for the locations modeled, was the laborer living and working southeast of Leyden near Indiana Street and 64th Avenue from 1953 to 1989. The laborer's estimated risk of developing cancer was between about 1-in-ten thousand and 4-in-one hundred million. Researchers are 90 percent confident that the predicted risks fall within this range. This individual's median risk was about 2.5-in-one million.

The lowest risk was the laborer working or living in Boulder from 1953 to 1989. The Boulder laborer's risk was between 3-in-ten million and 2-in-one billion.

What is unclear to Stewardship Council staff at this time about the Downwinders Health Survey is the relationship between this survey and the prior studies.

Stewardship Council Update

2016 Board meetings:

June 6

September 12

October 31