

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 -- Ken Foelske

Monthly Status Report – September 2006

Board meeting summary: (September 11th)

Receive Rocky Flats Coalition of Local Governments 2005 and 2006 Financial Audits

Ray Russell presented his financial audits of the Rocky Flats Stewardship Council for 2005 and 2006. The audits did not identify any problems and were unanimously accepted by the Board.

Meeting with Mike Owen, Director, DOE Office of Legacy Management (LM)

Director Owen stated that he looks forward to working with the Stewardship Council. His primary mission at the meeting was to listen, to hear what is on the mind of the Stewardship Council and also to see how the Stewardship Council works and who serves on the Board of Directors. He does not foresee any major problems arising but assured the Stewardship Council that Congress supports LM's budget requests so DOE will retain the means to address any problems that may arise. The Stewardship Council raised the following issues:

- Monitoring – stressed the importance of sharing monitoring data and other information with the community;
- Funding – stressed importance of Congress and LM insuring adequate funding for stewardship activities at the site;
- Challenges – inquired into LM's short-term and long-term challenges at the site; and,
- Museum – inquired into LM's view of the proposed Rocky Flats Cold War Museum.

Briefing on Maintenance Work on Groundwater Treatment Systems

LM contractor staff discussed recent problems and maintenance work associated with two groundwater treatment systems, the Mound system and the Solar Ponds system. The VOC treatment media at the Mound site had to be replaced due to age. The Solar Ponds treatment system presented a more challenging problem. The main problem appears to be broken system components such as pipes. LM excavated to a depth that enabled repairs to be made to the system and is currently in the process of analyzing effluent samples from the system to ensure that groundwater is being adequately treated to remove nitrates and uranium.

Discussion of Proposed Plan and Approval of Board Policy

The Stewardship Council had been briefed on the Proposed Plan at the May 1st and June 5th Board meetings. A draft public comment letter for the Proposed Plan was circulated to the Stewardship Council prior to the September 11th Board meeting for their review. The Board discussed the draft issues posed in the letter and added a few comments before voting to

unanimously support the amended letter and transmit it to DOE as the Stewardship Council's official public comment response. A copy of the letter can soon be found at: www.rockyflatssc.org/board_policies.html.

Legacy Management monthly site inspection summary:

The LM monthly report for August was distributed by LM on September 26th which included the following activities:

- continued groundwater and surface water sampling from various locations across the site;
- continued re-vegetation work, noxious weed control, and ecological assessments;
- inspections and continued maintenance of the groundwater treatment systems (discussed above in Board meeting summary);
- continued maintenance of erosion control measures;
- road improvements;
- continued monitoring of the slump near the former Building 991 location;
- inspections of the Original Landfill to look for evidence of any new seeps; and,
- security patrols during times when LM field crews are not present.

Congressional update

DOE reports that negotiations with mineral holders over acquisition of privately-held rights underlying portions of Rocky Flats are progressing. In December 2005 Congress authorized DOE to acquire, from willing sellers, specific tracts of minerals owned by private parties. Congress appropriated \$10 million and specified minerals would need to be acquired within one year. Acquisition of these rights or a payment of \$10 million to the Natural Resource Trustees would settle any natural resource damage claims.

Other issues:

None at this time

Agency update:

None at this time

Site document update:

Following public comment on the Proposed Plan, on September 30, 2006, DOE, EPA and CDPHE signed the Corrective Action Decision/Record of Decision (CAD/ROD) for Rocky Flats. The document, in short, specifies that all applicable regulations have been met or exceeded and that the cleanup is therefore complete.

With the signing of the CAD/ROD, DOE, EPA and CDPHE are now focusing their attention on the post-closure regulatory agreement, the Rocky Flats Legacy Management Agreement (RFLMA). When signed, the RFLMA will succeed the current regulatory agreement, the Rocky Flats Cleanup Agreement (RFCA), and thus will serve as the legally binding agreement for Rocky Flats. CDPHE will take on more of the day-to-day regulatory oversight, but EPA will still maintain some regulatory oversight. The RFLMA will be released for a 30-day public

comment period in late October or early November. Of particular interest to the Stewardship Council and others will be Attachment 3, which will specify the following:

- remedy performance standards
- physical controls
- institutional controls
- monitoring requirements
- action determinations
- reporting requirements

Stewardship Council update:

In order to be able to submit comments on the RFLMA, the Stewardship Council will meet on both November 6th and December 11th. Comments will be approved at the December meeting.