

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
Karen Imbierowicz

Monthly Status Report – October 2009

Board meeting summary:

There was no meeting this month.

Legacy Management monthly site inspection summary:

September site activities included:

- Field staff completed bladder pump installation in 50 groundwater wells and planned for fourth quarter sampling.
- At the East Trenches Plume Treatment System, spent media consisting of zero-valent iron (ZVI) and pea gravel was removed after the cells were dewatered. The treatment media is used to lower concentrations of Volatile Organic Compounds in groundwater. Crusting and variations in apparent flow conditions in the cells were observed during media removal. Based on these observations, DOE will redesign the plumbing. Re-plumbing work will occur in October, along with the addition of fresh ZVI and gravel treatment media. The spent ZVI is being recycled, but not the pea gravel. The gravel will be disposed of at a local waste facility.
- The newly upgraded Solar Ponds Plume Treatment System continues to remove nitrate and uranium from influent groundwater. Optimization of the system is ongoing. Preliminary data show increasing uranium concentrations. Because the increase appears to coincide with doubling of the citrate dose applied to influent to the ZVI cell, it was decided to cease citrate dosing and observe the response in uranium treatment by the ZVI cell. Uranium results since citrate dosing was deactivated are still above target concentrations.
- Wetland mitigation monitoring was completed. The data will be reported in the 2009 Annual Wetland Mitigation Monitoring Report due to EPA on March 1, 2010.
- Erosion controls were installed at several locations after the 2009 roads project was completed, and on the Original Landfill (OLF) along the route used to repair Berm #7.
- Snow fencing is being installed on top of the OLF to try and reduce the amount of snow that piles onto the OLF landfill cover. The project is scheduled to begin on October 19. (For more information, see “Site Document Update” below.)
- Shrub survival counts were made at a former Preble's meadow jumping mouse mitigation location in Woman Creek to evaluate longer-term success rates. The plants were originally installed in 2003. Survival has been very good, averaging approximately 94% for all species.

- Several signs and barricades located at the west access gate for the Site were vandalized the evening of September 17. An incident report outlining the vandalism was subsequently submitted. Repairs to the signs and barricades were completed.

Charlie Wolf Act:

At its fall board meeting, the Board of Directors of Energy Communities Alliance (ECA) unanimously endorsed “The Charlie Wolf Nuclear Workers Compensation Act.” ECA intends to draft a letter to Congressional leaders expressing their support. The Stewardship Council endorsed the bill at its April 2009 meeting. (For a copy of the Stewardship Council’s letters, go to: http://www.rockyflatssc.org/board_policies.html)

The Charlie Wolf Act makes two fundamental changes to the Energy Employees Occupational Illness Compensation Program Act (EEOICPA):

1. broadens the list of specified cancers, and
2. shifts the presumption to NIOSH to prove person did not get cancer from work at facility.

Since passage of the EEOICPA in late 2000, issues have arisen which have resulted in large classes of workers being denied compensation. Perhaps most importantly, under the EEOICPA workers must prove that they were exposed to hazardous and radioactive materials and that their cancers were a result of work at a listed facility. Often, the sole way to meet this burden is using documents that are within DOE’s control. In many cases, though, critical records are missing and data is unreliable. At some sites, workers cannot access the needed documents, documents have been destroyed, or documents are otherwise incomplete. Yet, under the current rules governing implementation of the EEOICPA, workers need to prove a causal connection between their cancers and exposures using exposure data that was and often still remains beyond their control.

Congressional update -- Appropriations:

On October 28, 2009, President Obama signed into law the fiscal year 2010 Energy and Water Appropriations bill. The bill includes funding for the Department of Energy’s Office of Legacy Management (LM). LM’s jurisdiction includes managing Rocky Flats.

Agency update:

None at this time.

Site document update:

On October 28, 2009, DOE posted on its website a new contact record addressing the installation of snow fencing at the Original Landfill (OLF).

http://www.lm.doe.gov/Rocky_Flats/ContactRecords.aspx (click on “RFLMA CR 2009-05”).

As the contact record provides, “Snow fencing will be installed north of the OLF to minimize snow drifting that could cause snow and ice to build up on the OLF cover, as discussed during consultation regarding the OLF geotechnical investigation work (refer to RFLMA Contact Record 2008-07).” The objective of this activity is “to ensure the proper functioning of the

landfill cover. Minimizing snow and ice buildup on the cover, as discussed in RFLMA Contact Record 2008-07, is consistent with this objective.”

As the contact record further provides, construction involves “excavation prohibited by the institutional controls (ICs)” as the “post holes for the H-braces outside the OLF waste footprint may slightly exceed the 3-foot-depth limit specified by ICs.” Also, “drilling, excavation, and construction on the cover of the OLF is prohibited, except for remedy-related purposes,” thereby necessitating CDPHE’s approval of the excavations and construction. The objective of this IC (regarding excavations with a depth that exceeds 3 feet) “is to maintain the current depth to subsurface contamination or contaminated structures,” and to comply with CDPHE’s risk management policy of “ensuring that residual risks to the site user are at or below 1×10^{-6} .”

As discussed in the contact record, “the proposed work achieves the objective and risk management policy goal” as the action will not impact waste in the OFL.

Stewardship Council update:

Later this month the Stewardship Council will start soliciting applications for the four community seats on the Board of Directors. Those seats are currently held by the League of Women Voters, the Rocky Flats Homesteaders, the Rocky Flats Cold War Museum, and Karen Imbierowicz. Interviews will take place at the February 1, 2010, meeting and appointments will be made at that time. Look for more information in the coming weeks.

Next meeting: February 1, 2010