

ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670
Boulder, CO 80308-0670
www.rockyflatssc.org

(303) 412-1200
(303) 412-1211 (f)

Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Karen Imbierowicz

Monthly Status Report – November 2008

Board meeting summary:

Approval of 2009 Budget

The Board approved the 2009 budget. The budget includes a \$19,205 decrease from the 2008 budget. Expenditures are expected to remain relatively constant.

Approval of 2009 Work Plan

The Board approved the 2009 Work Plan. The Plan builds on the Stewardship Council's efforts in 2008. The Board will continue to focus on DOE management issues, worker issues, outreach, communications, and some USFWS issues. The plan can be found at:

http://www.rockyflatssc.org/work_plan.html

DOE's Uranium Standards Petition

DOE has petitioned the Colorado Water Quality Control Commission (COWQCC) to align the site-specific uranium standard with the new state standard. The change, should the COWQCC adopt DOE's petition, would effectively double the current site-specific standard. The Stewardship Council stated in its letter

“While the cleanup was a success there are numerous systems and cleanup remedies that continue to bear watching. DOE's decision to seek alignment of the site uranium standard with the state of Colorado's standard raises a number of issues that warrant careful examination. The current site standard must be viewed not simply through the lens of risk, but as an indicator of the effectiveness and protectiveness of the cleanup remedies.

“Until we have a better sense of the long-term effectiveness of the remedies, it remains within the state's obligation to ensure DOE aggressively pursues cleanup of the groundwater. One way to maintain this critical focus is by maintaining the current site-specific uranium standard.”

The letter can be found at: http://www.rockyflatssc.org/board_policies.html

Natural Resource Damages Fund RFP

Local government and Trust for Public Land staff updated the Board on their efforts to submit a joint proposal for funding under the NRD Fund RFP. Approximately \$4.5 million remains in the

Fund. The proposal package, which is in draft form, brings together acquisition and restoration projects.

Legacy Management (LM) Quarterly Update

The Stewardship Council hosted the quarterly update for the second quarter of 2008. Updates included:

- groundwater monitoring
- surface water monitoring
- air monitoring
- ecological monitoring
- surveillance, maintenance and site operations

Some of the highlights include:

- Due to continued dry conditions at the site (quarterly precipitation was 62% of average) there were no terminal ponds discharges.
- Water monitoring at the point of compliance on Walnut Creek at Indiana Street indicated plutonium and americium levels well below the regulatory standard. Uranium values were approximately 50% of the regulatory standard.
- Reportable uranium values (predominantly naturally-occurring) at surface water monitoring location GS10 in the South Walnut Creek drainage continue to be observed. The elevated levels are due to the increasing proportion of groundwater contribution to the stream flow.
- All RFLMA groundwater wells were monitored during this quarter.
- Phase 1 of the Solar Ponds Plume Treatment System (SPPTS) was completed. Groundwater, which previously bypassed the SPPTS, is now routed to pass through the treatment system to help lower uranium and nitrate levels prior to discharge into North Walnut Creek.
- Although not part of this reporting quarter, DOE updated the board on its petition to the Colorado Water Quality Control Commission (COWQCC). DOE is requesting that the COWQCC remove the site-specific standard for uranium (10 picoCuries/liter of water) and replace it with the state-wide standard of approximately 20 picoCuries/liter of water. There will be a formal hearing before the COWQCC in January 2009 on this proposed change. In addition, DOE is preparing for a hearing this December on the temporary water quality control modifications at the site which are scheduled to expire in December 2009.
- In preparation for the January COWQCC hearing, DOE sent additional water samples to the Los Alamos National Laboratory (LANL) for uranium analysis. Testing will determine the relative percentages of man-made versus naturally-occurring uranium. Some of the new sample locations were requested by downstream communities' and Stewardship Council staff. It is hoped that the LANL results will be ready for the January 2009 hearing.
- The annual site inspection was performed during this quarter. No unusual conditions were observed but trash and other debris items were encountered and removed.
- During this quarter a geotechnical investigation into the causes for seeps and slumping at the Original Landfill (OLF) was completed. Based on the report recommendations, construction repairs to the OLF will be made during the fourth quarter of 2008 and the

first quarter of 2009. It is hoped these repairs will stabilize the seeps and slumping at the OLF.

Legacy Management monthly site inspection summary:

November 2008 site activities included:

- Excavation activities continued at upstream Dams A-1 and A-2. Boulder placement and forming/pouring of the stoplog structures was completed. Excess excavated soil was used to cover the road between A-2 and A-3 for future revegetation. Excavation and infrastructure removal was completed at B-2 and at B-3. The stoplog footer was poured at B-3.
- The Original Landfill (OLF) west perimeter channel regrade project began following recommendations from the OLF geotechnical investigation into the causes of seeps and subsidences. Approximately 4,000 tons of soil was imported to reduce the depth of the existing channel. Two rock drains and geotextile fabric were installed; these drains, as well as an existing drain, were connected to a toe drain along the bottom of the east slope to drain collected water to the mouth of the west perimeter channel.
- Initial analytical data on the upgraded Solar Pond Plume Treatment System (SPPTS) performance indicates concentrations of contaminants in the influent sharply increased, while sharply decreasing at the Discharge Gallery. These changes track expected results of the Phase I upgrades. Rerouted groundwater containing uranium and nitrate contamination is being pumped into the SPPTS from an area which previously had been bypassed for treatment prior to discharge into North Walnut Creek. Special sampling to determine the effect of the Phase 1 changes on system performance and stream water quality will continue for the next several months. Design considerations for future phases at the SPPTS are being evaluated.
- Installed remote telemetry equipment at the SPPTS, allowing staff to monitor water levels in the system, flow rates, and line pressures.
- Field staff completed the fourth quarter groundwater sampling.

Rocky Flats Workers:

The General Accountability Office's review of the Energy Employees Occupational Illness Program Compensation Act (EEOIPCA) is underway. Initial results are expected in spring 2009. 16 Senators and Representatives, including Senator Salazar and Representatives Udall and Perlmutter, joined the request that GAO investigate the program. According to *Weapons Complex Monitor*, the review is expected to examine the time spent processing claims and reasons for the numerous delays. The review will also include an examination of reports of claimants being repeatedly asked to provide information already submitted, and whether DOE security requirements interfere with claimants' access to data.

Congressional update:

The 2008 Presidential and Congressional elections usher in a new era. While the scope of change is hard to anticipate, change in both the executive and legislative branches will likely be significant.

In trying to identify changes in Administration and Congressional policy vis-à-vis DOE a few things emerge. First, as of the drafting of this update, no clear nominees for Energy Secretary

have emerged. That person and whomever s/he appoints to leadership roles within the Department will greatly influence development and implementation of federal policies. Second, DOE will play a clear role in shaping federal energy policy. That means, among other things, DOE policy (including funding) will likely elevate energy efficiency and alternative energy sources, thus increasing attention on DOE's Office of Energy Efficiency. What is less uncertain is the role DOE's Office of Nuclear Energy will play in the Obama Administration as President-elect Obama's position on nuclear energy is somewhat murky. How much the Obama Administration and Congress emphasize nuclear energy as part of the nation's energy portfolio will directly affect DOE's emphases and roles in the new administration.

Given this expected increased emphasis on new/emerging energy development and deployment, a key issue to watch is the impact on funding for DOE's Office of Environmental Management (EM) and Office of Legacy Management (LM), the cleanup and post-cleanup program offices, respectively. Given the tight budget framework the Obama Administration and Congress will face, adequate funding for both programs could be challenging, especially if DOE increases its focus on and role in national energy policy. President Bush sought to slash funding for EM but adequately funded LM, and it will be challenging to increase funding for both energy production programs and environmental cleanup programs if federal policy focuses on energy issues. Those fiscal challenges, coupled with the loss of key members of Congress who supported funding for EM and LM, leaves a murky picture regarding federal budget and policy priorities and the resulting impacts on both EM and LM.

As for the Colorado delegation, despite the retirement of Senator Allard, a key Rocky Flats supporter, the delegation will continue to fire on all cylinders, providing critical support for LM funding for Rocky Flats and fighting for worker benefits.

Site document update:

In early November, DOE submitted to the Colorado Water Quality Control Commission (COWQCC) its prehearing statement for its proposed changes to the site-specific uranium standards. The statement outlines DOE's argument in support of the COWQCC aligning the site-specific standard with the new state standard. The letter can be found at: http://www.lm.doe.gov/documents/sites/co/rocky_flats/Reg38Segments.pdf

Stewardship Council update:

Upcoming meeting is scheduled for February 2, 2009. The full 2009 schedule will be approved at the February meeting.