

# 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 – December 2006

### Board meeting summary:

There was no Stewardship Council meeting in December.

### Legacy Management monthly site inspection summary:

The Legacy Management (LM) monthly report for November was distributed on December 12<sup>th</sup>. It included the following activities:

- Continued drafting the Rocky Flats Legacy Management Agreement (RFLMA).
- Sampled groundwater and surface water from various locations across the site.
- Consulted with CDPHE and EPA regarding water quality at the Present Landfill treatment system. The results of the consultations will be documented with contact records approved by the parties.
- Continued to inspect the Present and Original landfills, to survey vegetation for regeneration, and to maintain erosion control systems.
- Issued its annual mitigation monitoring reports to USFWS and provided data regarding the A- and B-series ponds to Broomfield as part of the reporting requirements for the new water lease agreement with Broomfield.
- Developed legal descriptions for active mining claims and mineral rights purchase areas so that the legal description for the refuge and the DOE-retained lands can be finalized.
- Began installing the fence that will delineate DOE-retained land from the wildlife refuge.
- Modified the direction of the Solar Ponds treatment system discharge gallery outflow.
- Reviewed the draft LM Emergency Management System and LM Emergency Preparedness Program document.

LM also noted researchers at CSU ran into problems with their initial treatability study tests on improving the Solar Ponds treatment system. It was discovered that the initial tests using flow-through columns at the CSU lab did not allow enough time for contamination to be removed by the treatment media. As a result the researchers have switched to a batching process which allows the treatment media longer time to remove the contamination.

### Congressional update

Senators Allard and Salazar and Representative Udall continued to publicly express frustration with the federal government's inaction regarding former Rocky Flats workers' claims for health

benefits under the Employees Occupational Illness Compensation Program Act (EEOIPCA). In late November Senator Salazar and Representative Udall issued a statement protesting the government's handling of workers' claims, stating that the National Institute for Occupational Safety and Health is hindering an independent review of worker's claims.

In December Senator Salazar placed a hold on a Department of Labor (DOL) appointee – DOL administers a key part of the EEOIPCA – pending resolution of the Rocky Flats workers' claims. Senator Allard subsequently issued a press release voicing support for Senator Salazar's actions.

### Other issues:

In a letter dated November 6, 2006, the Stewardship Council issued a letter to DOE, CDPHE and EPA expressing concern about post-closure communications with the Stewardship Council and local communities. CDPHE responded to the Stewardship Council letter in a reply dated November 29<sup>th</sup>. Dennis Ellis, CDPHE executive director, stated his department "remains committed to ensuring that affected citizens and communities will have all the necessary information and opportunities to engage the appropriate agencies in the future." DOE and EPA have told Stewardship Council staff that their agencies are drafting their responses.

### Agency update:

None at this time.

### Site document update:

On December 15, 2006, DOE, CDPHE and EPA released the draft post-closure regulatory agreement, the Rocky Flats Legacy Management Agreement (RFLMA), for a 45-day public comment period. The public comment period closes on January 29, 2007. Stewardship Council staff has distributed a draft response to the RFLMA for Board members to review and modify. The final version of the Stewardship Council RFLMA response will be approved at the January 8<sup>th</sup> Stewardship Council meeting.

### Stewardship Council update:

Effective January 1, 2007, Rik Getty, Technical Program Manager, will be reducing his hours to 30 hours per quarter. David Abelson, Executive Director, will continue in his current capacity.