

# ROCKY FLATS STEWARDSHIP COUNCIL

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## Monthly Status Report – January 2007

### Board meeting summary: (January 8, 2007)

#### *2007 Work Plan*

The Board approved the 2007 work plan. Whereas 2006 proved to be a year of transition, with the focus on the regulatory closure process, in 2007 the Stewardship Council will further establish and strengthen its long-term role. Its emphasis will be on overseeing long-term management of Rocky Flats and communicating site issues to a broad audience.

#### *Letter to State Legislators re: Refuge Signs and Cleanup*

In May 2006 following the Stewardship Council's decision to oppose Rep. Wes McKinley's Rocky Flats signage bill, the Board identified the need to communicate with state legislators prior to the 2007 session. In late December the Board wrote those legislators who sponsored Rep. McKinley's bill in 2006 and updated them on the status of the cleanup and the ongoing discussions regarding signage for Rocky Flats. That letter can be found at:

[http://www.rockyflatssc.org/RFSC\\_board\\_policies/Refuge\\_signs\\_update\\_ltr\\_12\\_06.pdf](http://www.rockyflatssc.org/RFSC_board_policies/Refuge_signs_update_ltr_12_06.pdf)

Later in the meeting, USFWS stated it would soon approve entrance signs for Rocky Flats. Based on public input, USFWS made significant changes, especially regarding language about the Cold War and the question about whether Rocky Flats is safe.

#### *Minerals Acquisition*

DOE is in the final stages on acquiring three of the four parcels of minerals rights underlying Rocky Flats that Congress authorized the agency to acquire from willing sellers. These three parcels comprise 85% of the minerals DOE was interested in acquiring. Once acquired, these lands will be included in the lands transferred to USFWS.

#### *Rocky Flats Legacy Management Agreement (RFLMA)*

The Board approved comments on the RFLMA. In its letter the Board offered a number of recommendations to improve the RFLMA, but concluded "the RFLMA is comprehensive and thus supports its approval." The letter can be found at:

[http://www.rockyflatssc.org/RFSC\\_board\\_policies/RFLMA\\_comments\\_1\\_07\\_final.pdf](http://www.rockyflatssc.org/RFSC_board_policies/RFLMA_comments_1_07_final.pdf)

## Legacy Management monthly site inspection summary:

The Legacy Management (LM) monthly report for December was distributed on January 16<sup>th</sup>. It included the following activities:

- Construction of the fence demarcating the boundary between the Refuge and DOE-retained lands is progressing.
- DOE has concluded several roads and parking lots which were dug up and seeded during cleanup need to be reseeded. Thirteen potential contractors toured the site prior to DOE sending the project out for bid.
- Drainage around the Building 371 footprint remains a concern because of standing water, which may provide a concentrated source of infiltration into the subsurface. The water could potentially feed plumes from Oil Burn Pit #1 and another source area that are in the immediate vicinity. DOE staff is developing cost estimates to address these drainage problems and improve potential wetland habitat in functional channel #1.
- Fieldwork included:
  - continued maintenance of the erosion control systems
  - replacement of erosion control systems damaged by sunlight, winds, and precipitation

## Congressional update

Former Rocky Flats workers continue to struggle in their bid to achieve special cohort status under the Energy Employees Occupational Illness Compensation Program Act (EEOIPCA). The EEOIPCA, which was approved by Congress in 2001, compensates former DOE workers who suffer from any one of 22 cancers. The program has been fraught with problems, from DOE being unable to successfully manage a key component of the program to data reliability. Special cohort status seeks to rectify such problems by simplifying the process and altering the causal links necessary to achieve compensation under the EEOIPCA. In 2005 Rocky Flats workers submitted an application to be designated a special cohort class under the EEOIPCA. Senator Salazar and Representatives Udall and Beauprez also introduced legislation that would classify Rocky Flats workers as a special cohort class. The Rocky Flats Coalition issued a letter in support of the legislation.

The federal government has yet to rule on the workers' petition. The Advisory Board on Radiation and Worker Health was likely going to rule on the petition at its February 7-9, 2007, meeting, but Sen. Salazar and Reps. Udall and Perlmutter issued a letter asking for a delay until such time that questions regarding data reliability could be appropriately addressed. In part based on this letter, the Advisory Board agreed to delay consideration of the Rocky Flats petition from its February meeting until its May 2-4, 2007, meeting in Denver.

## Agency update:

DOE and USFWS are continuing to plan for the transfer of DOE lands to USFWS for the future Rocky Flats National Wildlife Refuge. Transfer is projected to occur in March 2007. DOE and the USFWS agree that a new survey of the exterior boundary of Rocky Flats must be completed prior to the transfer.

**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 closed on January 29, 2007. DOE is in the process of developing response to comments.

**Stewardship Council update:**

None at this time.