

ROCKY FLATS STEWARDSHIP COUNCIL

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

(303) 412-1200
(303) 660-7773 (f)

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

Monthly Status Report –February 2010

Board meeting summary:

New Members and Executive Committee Appointments

When it came time to appoint new members for 2010- 2011 and elect the executive committee for 2010, only six governments were in attendance. Accordingly, the Board made the following decisions. Because the League of Women Voters, Rocky Flats Cold War Museum and Rocky Flats Homesteaders received the unanimous support of the six governments, they were temporarily appointed to the board pending formal approval at the April 5th meeting. The governments, however, deadlocked 3-3 on appointing Lorraine Anderson versus Arthur Widdowfield to the final community seat. That appointment will require another vote at the April meeting. Once those appointments have been made, the Board will then need to elect 2010 executive committee officers.

2010 Meeting Schedule

The Board adopted the following meeting schedule for 2010: February 1, April 5, June 7, September 13 (second Monday of the month), November 1.

Washington, D.C. Talking Points

The Board approved talking points members and their staff can use during meetings in Washington, D.C. with Congress and DOE. Copies are available by email (dabelson@rockyflatssc.org).

Rep. McKinley Rocky Flats Sign Bill

State Rep. McKinley introduced House Bill 1127, “Concerning Information to be Provided to Visitors at Rocky Flats.” This bill is the same one Rep. McKinley introduced last year. The fiscal note is for \$225,397, \$30,000 less than in 2009 for the same bill. The Board voted 8-2 in opposition to the bill, but nine votes are needed to approve a motion. Accordingly, the Board did not adopt a formal position at the meeting.

Despite its strong opposition, the Board asked Lisa Morzel (City of Boulder) to work with Rep. McKinley to see whether a mutually-agreeable solution to the ongoing impasse was feasible.

Dam Breach NEPA Scoping

DOE briefed the Board on its plans to prepare a National Environmental Protection Act (NEPA) Environmental Assessment (EA) to support its decisions to breach dams over the next five-to-eight years. Specifically, DOE will breach the five remaining dams – C-2 on Woman Creek, Present Landfill pond, and A-3, A-4 and B-5 on Walnut Creek.

Each alternative will evaluate a number of potential issues stemming from the proposed action. The primary (but not exclusive) impacts DOE will analyze are impacts to:

- hydrology
- endangered species (e.g., Preble's Mouse)
- wetlands habitat
- fugitive dust emission during construction

DOE will evaluate two alternatives: (1) Breach all five dams, and (2) No action (a NEPA term meaning DOE would leave the ponds as is). Throughout February DOE was seeking input on whether they should evaluate other alternatives. Northglenn, Westminster, Broomfield and the Woman Creek Reservoir Authority submitted comments.

Legacy Management (LM) Quarterly Update

The Stewardship Council hosted the LM quarterly update for the third quarter of 2009. Updates included:

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

Some of the highlights include:

- There were no terminal pond discharges during the quarter.
- All water-quality data at the RFLMA Points of Compliance along Indiana Street remained below the applicable standards.
- The water monitoring network, which consists of 11 automated gauging stations, 10 surface water grab-sampling locations, 8 treatment system locations, 99 wells, and 8 precipitation gages, met the targeted monitoring objectives. That includes Plutonium 239,240 and Americium-241 which are well below the RFLMA standards.
- Routine maintenance activities continued at the Mound Site Plume Treatment System and the East Trenches Treatment System.
- Activities at the Mound Site included raking the media each week, checking and flushing filters, and inspecting influent and effluent flow conditions. Activities at the East Trenches included raking the media each week, checking and flushing filters, and inspecting influent and effluent flow conditions. In September, work began on replacing the treatment media and installing plumbing upgrades.
- The Phases II and III upgrades to the SPPTS were completed at the Solar Ponds Plume Treatment System (SPPTS). Routine maintenance activities also continued, including weekly inspections of the solar/battery systems that power the pumps, operation of the pumps, and influent and effluent flow conditions.

- In July, excessive settling of a water storage sump -- installed to help reduce fluctuations in flow rates -- caused the SPPTS to automatically shut down. The sump was removed, the plumbing was reconfigured to operate without the sump, and the system was restored to operation. However, optimization efforts (such as adjusting carbon dosing rates and influent flow rates) continued for the balance of the quarter.
- Routine maintenance activities continued at the Present Landfill Treatment System through the quarter. These activities generally consisted of inspecting the system for any issues or potential problems.
- The Original Landfill (OLF) continues to require periodic maintenance due to slumping, subsidence, and seep formation. During the quarter, DOE repaired a new crack in the OLF cover, took inclinometer and settlement monument readings (provide data on movement in the OLF), extended the seep #7 drain to lessen the expression as surface water, and performed regular monthly inspections.

The meeting minutes, which include a more thorough summary of DOE's report, will be posted on the Stewardship Council's website following the April 2010 Stewardship Council board meeting. DOE's third quarter 2009 monitoring and maintenance report can be found at:

http://www.lm.doe.gov/Rocky_Flats/Documents.aspx

Legacy Management monthly site inspection summary:

January site activities follow below. During the month DOE

- Did not collect flow-paced surface water samples due to frozen conditions.
- Began bimonthly sampling at 12 of the ambient surface water monitoring sites.
- Completed routine maintenance at surface water monitoring locations.
- Collected quarterly groundwater samples at the Original Landfill and the Present Landfill.
- Completed redevelopment of 12 groundwater monitoring wells. Redevelopment of a well generally entails cleaning out the well's filter and other components to improve the flow of water into the well.
- Conducted SPPTS sampling to evaluate the treatment efficiency of the new upgrades for removal of nitrate and uranium contamination.
- Began collecting first quarter 2010 water levels at wells to determine how much water, if any, is available in the well. During any given year some of the monitoring wells go dry and thus cannot be sampled.
- Completed inspections of the groundwater treatment systems.
- Raked the gravel and inspected the influent and effluent at the Mound Site Plume Treatment System (MSPTS). The system was flushed from the piping inside the vault.
- Constructed eight brush piles for wildlife habitat using recycled Christmas trees from the Broomfield tree recycling center and from employees.
- Completed inspecting the Original Landfill. There were no significant changes to report. Staff seeded and applied erosion matting to Berm 4.
- Completed snow removal at various locations at the Site including the B-series ponds road, Ridge Road, the road that leads from the PLF to Pond A-4, and the road on the east end of the OLF.
- Performed routine erosion control inspections in Preble's Meadow Jumping Mouse habitat areas.

DOE also reports:

- East Trenches Plume Treatment System (ETPTS) -- The system is functioning normally.
- SPPTS – The system is functioning normally with optimization of the system and pilot scale Phase III testing ongoing. Staff continued the SPPTS flow testing.

Energy Employees Occupational Illness Compensation Program Act (EEOICPA):

The GAO has issued a draft report for DOE, Department of Labor, Congress and others to review. The draft report, which is embargoed and might change based on feedback GAO receives from the aforementioned parties, concludes that additional transparency and oversight would improve the program. Towards this end, the GAO might also recommend that Congress amend the EEOICPA to create an independent review board for the part of the program that compensates for impairment and lost wages resulting from exposures to toxins.

State Legislation: Rep. McKinley Rocky Flats Sign Bill

As noted above in the discussion of the February Board meeting, State Rep. McKinley introduced House Bill 1127, “Concerning Information to be Provided to Visitors at Rocky Flats.” The fiscal note is for \$225,397, \$30,000 less than in 2009 for the same bill. The Board voted 8-2 in opposition to the bill, but nine votes are needed to approve a motion. Accordingly, the Board did not adopt a formal position at the meeting.

The central tenant of the bill is to provide information to future visitors to the Rocky Flats National Wildlife Refuge. The bill would codify in law specific language about the history of the site and ongoing risks that the state of Colorado would need to provide to visitors. The bill also provides school children, as part of school-sponsored field trips, could not enter the refuge without first receiving a written copy of the information specified in the bill.

Further, the bill provides members of the public shall be provided the information “prior to entering the refuge.” The Colorado Department of Transportation would design and construct the signs and the other information systems. In order to address potential budgetary issues, the bill further requires the state to seek reimbursement for the costs of managing the program from DOE. Finally, the bill requires that the state “ensure that the information” provided in the bill “is included in the materials distributed to the public at any cold war museum or Rocky Flats Museum that may be constructed in Colorado.”

There are a few important factors to keep in mind when analyzing the bill:

1. The state does not have authority to place signs on the Refuge, a federal property.
2. USFWS, as the agency charged with managing the vast majority of the 6200-acre site, has plans to inform refuge visitors of the history of Rocky Flats as a nuclear weapons plant and the ongoing wildlife and contaminant management needs.
3. The majority of the site, including the refuge lands, is clean enough to support residential development.
4. The Rocky Flats Legacy Management Agreement, the existing regulatory framework for Rocky Flats, does not include cost-reimbursement provisions.

Stewardship Council update:

Next meetings: April 5, June 7