

# ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670  
Boulder, CO 80308-0670

(303) 412-1200  
(303) 412-1211 (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 -- Ken Foelske

## Monthly Status Report – April 2006

### Board meeting summary:

Because the Board has decided to meet quarterly, there was no regularly scheduled Stewardship Council Board meeting for April. However two special meetings were held – one on April 3<sup>rd</sup> to discuss future staffing needs and to review the draft Work Plan, and a second meeting on April 19<sup>th</sup> to discuss HB 1389 (Rep. McKinley). A short summary of each meeting follows.

#### *Future staffing needs committee meeting*

David Abelson and Rik Getty's contract with the Stewardship Council terminates on July 31, 2006. An ad hoc committee met to discuss future staffing needs; they concluded that it is in the interest of the Stewardship Council to retain David and Rik through regulatory closure, estimated to be at the end of 2006. This additional time would allow the Stewardship Council the opportunity to better understand the role of staff after regulatory closure. The committee decided to recommend to the Board that David and Rik provide a new contract proposal for the period August – December 2006. As part of the contract, the committee members were interested in:

- Ensuring there are no conflicts of interest;
- Having staff provide a periodic update on work accomplished; and,
- Having the Board continue to work over the next few months to identify long-term staffing needs.

David and Rik agreed and this recommendation was accepted at the Board's May 1<sup>st</sup> meeting.

The committee also preliminarily reviewed the draft Stewardship Council Work Plan for 2006. Comments were added to the draft Work Plan for discussion at the May 1<sup>st</sup> Board meeting.

#### *Special board meeting on Rep. McKinley bill*

As noted above, the Board met on April 19<sup>th</sup> to discuss HB 1389 as it was moving quickly through the legislative process. HB 1389 would codify into law specific warnings visitors to the Rocky Flats National Wildlife Refuge would receive upon visiting the site. The Board reiterated its support to inform visitors to Rocky Flats of the history of the site and ongoing management needs, but agreed that at this time legislative intervention was not necessary. For that reason the Board voted 11-0 (with 1 abstention) to oppose the bill unless amended. The Board instead offered substitute language which would help ensure legislative oversight, while supporting the ongoing process DOE and USFWS have implemented to work with the community in

developing signage for Rocky Flats. The amendment was forwarded to the Colorado General Assembly. In late April, after the bill was approved by the Colorado House, the Colorado Senate postponed indefinitely the bill, thereby effectively killing it for the year.

### Legacy Management site inspection summary:

During April Legacy Management circulated three weekly updates. As explained in the February 2006 update, LM's reports are organized into the following activities:

- General project management;
- Environmental (includes groundwater monitoring, surface water monitoring, ecology, and the three passive groundwater treatment systems – Mound site plume, Solar Evaporation Ponds plume and East Trenches plume);
- Site monitoring (landfill inspections, site maintenance, and site security);
- Public Affairs
- Records Management (includes CERCLA Administrative Records, Freedom of Information Act requests, searches for information relating to former worker health issues, and other general requests).

As noted extensively in the press, on April 2<sup>nd</sup> a fire burned approximately 850 acres in the northeast buffer zone. There was minimal damage done to the site's infrastructure – one surface water monitoring location was destroyed as well as some signs and fencing along the site's perimeter. Power to the air monitor station located in the path of the fire (where Walnut Creek flows under Indiana) was shut off by Xcel Energy a short time after the fire started. The second air monitor station along Indiana where Woman Creek flows under Indiana had power throughout the fire but only minimal smoke would have been collected at this location. The site is awaiting results from the two air monitor stations and will provide the results to the public. The site has also done surveys of the vegetation which was burned in the fire. By the end of April significant amounts of new growth have been observed.

DOE's April inspections and maintenance activities were comparable to those reported in the March update. Water samples were collected, landfills inspected, erosion control measures inspected and repaired as required, routine maintenance of the three groundwater plume treatment systems occurred, and general site maintenance such as fence repairs were performed. The site also started additional revegetation efforts and noxious weed control in April.

A new site security surveillance contract was awarded in April and surveillance patrols of the site began April 19<sup>th</sup>. The patrols will be in place at night and on weekends when the site's field crews are not present.

### Congressional update:

In late April, the National Institute for Occupational Safety and Health (NIOSH) met in Denver to, in part, review the Rocky Flats' Steelworkers' petition to confer special cohort status for former Rocky Flats workers. With this status, former workers who contracted one of 20 specific cancers would be eligible for \$150,000 under a federal law designed to compensate former weapons production workers. Senators Allard and Salazar and Representatives Udall and Beauprez have been working together to ensure this petition is fairly addressed, including signing two joint letters last year. Based on issues raised by the Steelworkers, on April 25<sup>th</sup>

Senator Salazar and Representative Udall released a joint letter to NIOSH requested NIOSH's Advisory Board delay its decision on the petition to allow more time to gather information. In a letter dated April 26<sup>th</sup>, Senator Allard asked Health and Human Services Secretary Levitt to see that the petition is treated fairly, even if that means delaying a ruling on the petition until all outstanding issues are addressed. The NIOSH Advisory Board agreed to delay its decision.

### Other issues:

Lorraine Anderson and David Abelson were prepared to meet with Representative McKinley on May 2<sup>nd</sup>. This meeting will be reported in the May update.

### Agency update:

The EPA and CDPHE are continuing to work with DOE to address issues with the draft RI/FS report. The agencies intend to have this important regulatory closure document approved in early June. The final RI/FS report (which is, by law, approved by the regulators but is not subject to formal public comment) and draft Proposed Plan will be released at the same time for public comment.

### Site document update:

None at this time.

### Stewardship Council update:

As noted above, DOE has informed the Stewardship Council that it will likely release the Proposed Plan in early June. The Stewardship Council will continue its discussion of both the final RI/FS report and the draft Proposed Plan at the June 5<sup>th</sup> Board meeting. Although the Proposed Plan has an official public comment period of 60 days, the Stewardship Council has asked that we be allowed to submit comments a few days after the August 7<sup>th</sup> Board meeting. Requesting a response date after the Board meeting will allow the Stewardship Council an opportunity to provide public comment on the Plan which could include any discussions from the August 7<sup>th</sup> Board meeting.