

ROCKY FLATS STEWARDSHIP COUNCIL

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Karen Imbierowicz

Monthly Status Report – August 2008

Board meeting summary:

Natural Resource Damage (NRD) Fund RFP

The Board was briefed on the NRD Fund RFP. The RFP process includes three stages:

1. Sketch proposal –1-2 page overview that demonstrates how the proposal meets the screening criteria. Due date: August 29, 2008 (proposals can be found at <http://www.cdphe.state.co.us/hm/rf/plans.htm>)
2. Draft proposal – includes detailed project information. Due date: October 17, 2008
3. Final Proposals – will incorporate suggested changes to the earlier drafts. Due date: December 12, 2008.

The Natural Resource Trustees will rank the proposals using the following criteria:

- Benefit and proximity to injured natural resources (35%)
- Project feasibility and technical expertise/experience of bidder (25%)
- Project cost-effectiveness and relative cost/benefit (25%)
- Project sustainability (15%)

Public comments on the proposals are due January 16, 2009. A final decision by the Trustees is planned for spring 2009.

Beyond the Fences

The Board discussed the role of the Stewardship Council in Senator Salazar and Representative Perlmutter's vision to support regional open space collaboration on lands in relative proximity to Rocky Flats. The question the Board grappled with is not whether local governments should coordinate open space acquisition and preservation efforts. Governments routinely work collaboratively on such efforts and have many times reiterated that commitment to Salazar and Perlmutter. The question the Board discussed was the role of the Stewardship Council in Beyond the Fences. Where the Board is split is on whether the Stewardship Council is the appropriate forum, or whether, as some have proposed, another forum should be developed or utilized. (In the weeks following the meeting the governments started collaborating on Beyond the Fences, but not as part of the Stewardship Council.)

DOE Dam Notching Plan

DOE discussed their plan to notch the dams at ponds A-1, A-2, B-1, B-2, B-3, and B-4. Each of these ponds is upstream of either the A-4 and B-5 terminal ponds. The A- and B-series ponds

are on two stems of Walnut Creek that meet on-site. (A is North of B). The ponds were installed during production to settle any contamination that was released into the streams prior to the water leaving the site. Cleanup activities included remediating some of the sediments in the ponds that were contaminated with hazardous and radioactive materials. The plan outlined during closure was that following some unspecified period to determine how the remedies were performing DOE would notch the dams so that water could flow naturally. While the ponds helped the Atomic Energy Commission and later DOE protect water quality, as a regulatory matter the ponds are not part of the cleanup remedy. That means DOE is not required to maintain the ponds in order to meet their post closure responsibilities.

DOE and CDPHE have determined that they have sufficient data to now notch the dams. The terminal ponds – the most downstream ponds on each segment of Walnut Creek – are not going to be notched at this time. DOE plans to wait until 2018 or later to determine whether the A-4 and B-5 terminal ponds should be notched.

Legacy Management (LM) Quarterly Update

The Stewardship Council hosted the quarterly update for the first 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 continuing dry conditions at the site there were no terminal pond discharges this quarter.
- Elevated concentrations of uranium in surface water continue to be recorded at surface water monitoring station GS-10 upstream of the B-series ponds in the South Walnut Creek drainage. As with prior results over the last several years, the vast majority of the uranium that is detected is naturally-occurring.
- DOE provided an update on the path forward for improving the overall performance of the Solar Ponds Plume Treatment System in removing nitrate contamination from groundwater before it discharges into North Walnut Creek. Although the treatment system is treating the nitrate contamination to levels well below state standards, there is some groundwater that has bypassed the treatment system that needs to be treated. DOE will begin pumping the bypass water back through the treatment system in order to clean it to regulatory levels.
- DOE provided a current update on their proposed petition before the Colorado Water Quality Control Commission for hearings scheduled in 2009. Three issues will be discussed. As reported over the last year, DOE is requesting the Commission set the state-wide uranium surface water standard (20 pCi/l) for the site instead of the current site-specific standard (10 pCi/l). In addition the Commission will need to deal with expiring temporary modifications for nitrate as well as the more encompassing triennial review of the South Platte River Basin.
- The geotechnical investigation into the seeps and subsidence problems at the Original Landfill was completed. Nine test pits and seven boreholes were used to gather information.

- Repair localized slumping/differential settlement by filling or grading (area below Berm #1 repaired last summer with good results).
- Fill/regrade perimeter channel to reduce slope and improve stability at berm ends, as needed.
- Conduct routine maintenance for observed ponding in berm channels – regrade high and low spots.
- Install extension to Seep #7 drain to direct water to buttress drain.

Legacy Management monthly site inspection summary:

August activities at the site included:

- As discussed above, DOE will notch dams on the A- and B- series ponds. As a result, the road leading to the Present Landfill pond needs to be rerouted as it currently cuts across a dam that is to be notched. DOE cut a new road to the Present Landfill and installed a culvert where the new road crossed North Walnut Creek. On other roads, roadbase was added to some and some were regarded.
- DOE completed its spring weed control spraying. Additionally, Russian Olives, a noxious weed tree, were removed at several locations.
- DOE completed its routine surveys, which include monthly wetland noxious weed surveys, erosion control inspections, landfill slump and seep inspections, and quarterly vegetation surveys.
- As a result of two heavy rainstorms at Rocky Flats, DOE undertook non-routine inspections of the two landfills. No problems were identified.
- All RFLMA-required groundwater sampling for the 4th quarter FY 08 was completed and special investigative sampling designed to support the petition to the Colorado Water Quality Control Commission on site-specific uranium standards were identified, planned and initiated.
- In December 2005 at an event celebrating the cleanup of Rocky Flats, DOE unveiled a plaque commemorating the Rocky Flats cleanup. The plaque was recently placed on a boulder located at the west entrance gate to the former Industrial Area. The plaque reads: “Dedicated to the Rocky Flats Workers and Community in Commemoration of the Cleanup and Closure of the Rocky Flats Site and for the Critical Contributions Made to America’s National and Environmental Security. Samuel Bodman, Secretary of Energy, December 5, 2005.”



Rocky Flats Workers:

On July 31, 2008, Senator Salazar, Representative Udall and Representative Perlmutter wrote the General Accountability Office asking the agency to investigate implementation of the Energy Employees Occupational Illness Program Compensation Act (EEOIPCA). This specific request stemmed from a series of articles *The Rocky Mountain News* ran detailing problems former Rocky Flats workers were experiencing in receiving just compensation under the EEOIPCA. The Stewardship Council, in a letter dated August 22, 2008, expressed support for this review, noting “The EEOIPCA is critical to ensuring that workers who have suffered as a result of exposures to radioactive and hazardous materials while working at Rocky Flats and other Department of Energy (DOE) facilities be compensated for their illnesses. The problems workers have faced throughout the DOE complex are particularly acute at Rocky Flats.”

Due to the nature of GAO reviews and how the GAO prioritizes which review it will conduct in which order, Udall and Perlmutter are working with the key House committee chairman to elevate the importance of the review.

Congressional update:

When Congress reconvenes following the August recess, the first orders of business will be energy legislation and appropriations. With no progress on the Fiscal Year 2009 appropriations

bills expected before Congress adjourns at the end of September, a Continuing Resolution (CR) will be needed to fund the federal government, including Department of Energy programs. The length and composition of a CR remains up in the air, and any CR would almost certainly extend through the November elections, if not into the next Congress.

There is some talk of a government shutdown a la 1995, but given that this year is a Presidential election the likelihood of that level of stalemate seems highly unlikely.

Site document update:

None at this time.

Stewardship Council update:

Upcoming meetings are scheduled for:

October 6, 2008

November 3, 2008