

To: Rocky Flats Stewardship Council Board of Directors
From: Jon Lipsky, local stakeholder
Date: September 12, 2016
Subject: Fulfilling Rocky Flats Stewardship Council Grant (2012-2017) Tenets
and RFLMA 7.0 Public Participation intentions

Attached is a copy of a March 2, 2016 DOE/LM email to the EPA, CDPHE and various others including David Abelson.

The purpose of this communication is to request the requisite Motions and Vote by the Board of Directors to direct the RFSC Executive Director, presently David Abelson, to disseminate all available information on the closure and post-closure operations of the Rocky Flats Superfund site in a timely manner. To include DOE Office of Legacy Management (DOE/LM) emails regarding "reportable conditions," variances to institutional controls or other Action Determinations to ensure a protective remedy at the Rocky Flats Superfund site.

The attached email corresponds to Rocky Flats [Superfund] Site Regulatory Contact Record (RCR) 2016-01 approved on March 25, 2016. DOE/LM published the existence of RCR 2016-01, via email, on March 29, 2016.

The RFSC Grant provides that public participation will be solicited and encouraged and an effective Executive Director would also disseminate information consistent with the attached email in a timely manner to local stakeholders. Information of attached Action Determination was delayed for four (4) weeks to most of the interested public.

The attached email demonstrates that DOE/LM and Scott Surovchak is not interested in actively informing the public concerning Rocky Flats Superfund site activities, preparation of documents, and to provide opportunities for open, ongoing, two-way communications. (RFLMA at 7.0 Public Participation).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jon Lipsky', written over a faint circular stamp or watermark.

Jon Lipsky

From: [DOE Office of Legacy Management](#)
To: "[Bob Krugmire](#)"; [Bruce Hastings \(bruce_hastings@fws.gov\)](#); [Carl Spreng \(carl.spreng@state.co.us\)](#); [Cathy Shugarts](#); [David Abelson \(dabelson@rockyflatssc.org\)](#); [David Allen](#); [David Lucas \(david_c_lucas@fws.gov\)](#); [Ed Lanyon \(edward.lanyon@cityofthornton.net\)](#); [Emily Hunt \(emily.hunt@cityofthornton.net\)](#); [James Boswell \(WCRA\)](#); "[Raymond Reling](#)"; [rc-westminster](#); [Rik Getty \(rgetty@rockyflatssc.org\)](#); [Surovchak, Scott](#); [Shelly Stanley \(SStanley@northglenn.org\)](#); [Shirley Garcia \(sgarcia@ci.broomfield.co.us\)](#); [Vera Moritz](#)
Subject: DOE notification of a Reportable Condition at the Rocky Flats Site
Date: Wednesday, March 02, 2016 2:19:46 PM

This notification is to inform you of a reportable condition at the Rocky Flats Site, under the Rocky Flats Legacy Management Agreement (RFLMA), Attachment 2, Section 6.0, "Action Determinations," at the RFLMA Point of Compliance WALPOC (sampling location identification). The Colorado Department of Public Health and Environment and the U.S. Environmental Protection Agency were notified on March 1, 2016.

The validated analytical result received on 2/24/2016 for the sample retrieved on 1/28/2016 from the WALPOC composite sampler was 17.3 ug/L (microgram per liter) total uranium. This composite sample result is representative of water flowing during the time period 1/4/2016 12:08 to 1/28/2016 13:30. An evaluation was performed in accordance with RFLMA, Attachment 2, Figure 5, "Points of Compliance," which resulted in a calculated 30-day average concentration for uranium on 1/27/2016 of 16.9 µg/L. This result exceeds the RFLMA Attachment 2, applicable Table 1 Standard for total uranium of 16.8 ug/L.

In accordance with RFLMA Attachment 2, Figure 5, "Points of Compliance," the method to determine compliance with the remedy performance standard is the 12-month rolling average. In this case, the calculated 12-month rolling average for 1/31/2016 cannot be calculated until analytical results are received for the composite sample collected for the period 1/28/2016 13:30 to 2/16/2016 11:40 (results are expected the week of March 7). The 12-month rolling average uranium concentration for 12/31/2015 is 8.0 µg/L. Previous high-resolution isotopic-uranium analyses for this location show signatures that are between 68 and 82 percent natural uranium.

Pursuant to RFLMA Attachment 2, Section 6.0, "Action Determinations," for a reportable condition:

- DOE must submit a plan and schedule to the regulators for an evaluation to address the condition within 30 days (on or before March 24, 2016) of receiving the validated data for the reportable condition.
- DOE will consult with CDPHE and EPA to determine if mitigating actions are necessary.
- The objective of consultation will be determining a course of action (if necessary) to address the reportable condition and ensure the remedy remains protective.
- Results of consultation will be documented in contact records and/or written correspondence.

If you have any questions, please contact:

Scott Surovchak

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