

ROCKY FLATS CITIZENS ADVISORY BOARD MINUTES OF WORK SESSION

February 3, 2000
6 — 9:30 p.m.

Westminster City Hall
4800 West 92nd Avenue, Westminster, Colorado

FACILITATOR: Reed Hodgkin

Gerald DePoorter, the Board's chair, called the meeting to order at 6:00 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Ray Betts, Shawn Burke, Bruce Dahm, Eugene DeMayo, Jerry DePoorter, Joe Downey, Jeff Eggleston, Tom Gallegos, Mary Harlow, Victor Holm, Jim Kinsinger, Bill Kossack, Tom Marshall, Mary Mattson, LeRoy Moore, David Navarro, Markuené Sumler, Bryan Taylor / Steve Gunderson, Joe Legare, Anna Martinez, Tim Rehder

BOARD / EX-OFFICIO MEMBERS ABSENT: None

PUBLIC / OBSERVERS PRESENT: David Grover (DNFSB); Tom Stewart (CDPHE-EMP); Joe Rippetoe (citizen); John Marler (RFCOLG); Carol Barker (RF retiree); Roman Kohler (RF retiree); Kathleen Wahlberg (CDPHE); Ann Lockhart (CDPHE); Carl Spreng (CDPHE); Jack Hoopes (K-H); Ken Korkia (CAB staff); Erin Rogers (CAB staff); Deb Thompson (CAB staff); Brady Wilson (CAB staff)

PUBLIC COMMENT PERIOD: No comments were received.

REGULATOR UPDATE — CDPHE: Steve Gunderson gave his quarterly status report on Rocky Flats issues.

- **RFCA Targets.** RFCA parties have reached agreement on targets through 2003. All are based on the 2006 baseline.
- **Tri-Party Agreement.** CDPHE will begin discussions with DOE and Kaiser-Hill about the role of regulators in the earned value system of measuring contractor progress. Discussions will also begin on identifying management efficiencies and ways to reduce unnecessary red tape, in accordance with the Tri-Party Agreement signed by RFCA principals in December.

- **New Kaiser-Hill Contract.** A public meeting about the new Kaiser-Hill contract will be held the evening of February 7. This new contract has many innovations unique to DOE contracts. The contract also has some controversial assumptions — such as caps, soil action levels, and not meeting the RFCA surface water standard onsite.
- **Status of WIPP Shipments.** DOE's Carlsbad Area Office and representatives of the New Mexico Environmental Department (NMED) were at Rocky Flats recently to review progress made on three corrective action items. These items were identified during the audit held in early December concerning the site's readiness to characterize and ship debris waste in accordance with the RCRA permit. CDPHE inspectors observed the review, and it went well. NMED has to provide final approval for debris shipments to begin. The earliest possible date for resumption of WIPP shipments is late February.
- **NPDES Permit.** EPA will soon begin a second 30-day public comment period for the NPDES permit.
- **Plutonium Packaging System in Building 371.** The FY00 target for getting the Plutonium Packaging System operational by March will not be met. June is a more likely date. The packaging system is critical for getting metals and oxides to Savannah River.
- **Building 779.** The building has been demolished. Strip-out of ancillary Building 782 (the filter plenum building) is underway. Once that is completed, radiation surveys will be performed and results will be submitted to regulators for review. Demolition would then occur. One issue to be resolved is about the collection of groundwater in a sump. CDPHE will review samples results from this water to determine if there is a need for pumping and treating in Building 374.
- **Building 776.** D&D has begun; two minor D&D worksets have been removed. Set 17 was an unused glovebox, and Set 62 was the fluidized bed incinerator tanks. This building will have a robot-operated glovebox size reduction facility installed later this year.
- **Solar Ponds Plume Treatment System.** This treatment system has yet to treat any water due to insufficient water collected behind the barrier to drive the passive system. Groundwater is apparently leaking through the desiccated claystone beneath the barrier. It is assumed and hoped that given sufficient time to resaturate, the claystone will seal and with more moisture in the spring, the system will begin to operative passively.
- **GS10 Sub-drainage Sampling.** In an effort to determine the source of exceedences at GS10, the state proposed sampling at nine locations in the sub-drainage that contribute to that surface water sampling point. Samples were collected; results are pending.

PRESENTATION/DISCUSSION ON DOE-ROCKY FLATS BUDGET AND PLANNING EFFORTS FOR 2002: Bob Birk and Mary Ann Tinney with DOE-RFFO attended the meeting to give an overview on the site's planning and budgeting activities.

First, Bob Birk discussed the *Path to Closure* document and assumptions behind that document. Several different scenarios were presented a few years ago to help develop the budget for an accelerated cleanup, using different schedules and different funding levels. However, over the last few years the planning strategy was changed, and a closure plan was developed to form the basis for budget requests. Now the Closure Project Baseline drives planning and budget. RFCA, the Vision, and the assumptions that form the closure plan are what bind the baseline. The closure baseline is a lifecycle project that incorporates planning assumptions and strategies, work scope and sequence, a work logic schedule, cost estimates, and performance. The latest baseline came out in October and was available for review and comment. A revised baseline based on the new contract provisions is due in June. In the beginning, *Path to Closure* was driving the baseline, but now it is being derived from the baseline. The last version of the *Path to Closure* document was June 1998. Annual updates by DOE-HQ were planned but have not occurred. DOE-HQ was not pleased with the 1999 national *Path to Closure* document so that is being revised, and hopefully will be released in the near future. A revised *RFETS Path to Closure* is awaiting Headquarters' approval. Following are some of the changes to the proposed *Path to Closure* assumptions (which are now based on the 2006 baseline):

- Reduction of infrastructure and management costs by 5% per year is no longer applicable.
- Concrete rubble from D&D activities meeting free release criteria will be used as fill material onsite rather than disposed offsite.
- Number of IHSS and contamination areas requiring remediation increases from 65 to 130.
- Assumption of level funding for environmental restoration has been replaced by an assumed agreement to reduce environmental restoration in the early years to fund acceleration of other cleanup activities — deferring ER activities to the last three years of the project.
- Surface water leaving the site will meet RFCA standards for plutonium and americium content, but surface water still onsite may not meet those standards at all times.
- Existing surface water dams onsite will remain in place.
- DOE and commercial sites will be available to receive shipments of both bulk and containerized waste.
- No contamination will be found under Building 371, thus construction of a closure cap will not be necessary.
- Design and construction changes are assumed for the 700-area cap, now using a less expensive evapo-transpiration cap.
- The level of nuclear materials safeguards in the Protected Area will be reduced once all nuclear facilities contain less than category III quantities of stored special nuclear material.
- A RCRA permit will no longer be required by 2004.

DOE is still evaluating some of these assumptions.

Mary Ann Tinney then reviewed the federal budget process. The first phase of the process begins at the Field Office, where they prepare and submit data to Headquarters. The second phase is where Headquarters organizations use data and planning decisions to develop initial program budget requests. These are evaluated and considered through the department's internal budget review and result in actual allowances. Next the budget is forwarded to the Office of Management and Budget, and a specific dollar amount is requested. Finally, the budget goes through a congressional budget review process, which is based on presidential funding and policy determinations. The development process begins two fiscal years in advance of the budget year being requested. The site's FY'02 budget request was initiated in January, and planning narratives are available for review and comment in late February or early March. Planning development is completed by March 15, and actual budget development is completed by April 14. If the Board wishes to make any comments on the plans, assumptions, or draft budget, it must do so before March 15.

DISCUSSION/SUMMARY OF BOARD CONCERNS AND IDEAS RELATED TO DOE-ROCKY FLATS BUDGET AND PLANNING ACTIVITIES AND ASSUMPTIONS:

Following the presentation, the Board took time to discuss how it would like to develop comments on the site's budget and planning activities. Some concerns were brought forth:

- The contractor determining the revised baseline scope, due by June 30 (i.e., DOE "quick review")
- Assumptions may mean dirty cleanup
- Full Board needs to address assumptions — a subcommittee couldn't do justice in one month
- Focus on assumptions and resulting cleanup (i.e., caps) — some may not be fully addressed in one month
- Stand needs to be taken
- Contract not in sync with RFCA
- Compare assumptions with Board's vision
- Methods for reaching contract goals are unknown, little to comment on
- Should get involved in RFCA process when it gears up
- Does DOE plan to do anything after contract is over?
- Frustration with trying to participate (delays, closed negotiations, etc.) — can we make any difference?
- The assumptions are the most important to address
- The Board must discuss caps very soon
- Previous comments have not been incorporated in assumption changes
- Contract focused on the closure date

Some Board members were not certain that there would be a relevant role for the Board in developing comments and/or recommendations on the site's 2002 budget and planning activities. Others were concerned about the short time involved, and that there are substantial questions involved. No decision is likely to be reached or agreed to by the Board in such a short period of time, particularly when discussions begin on some of the assumptions where there are broad points of view. Finally, Board members did agree to form an ad-hoc committee to look at the Board's Vision document, compare the proposed/ revised list of assumptions, and develop a list of clear conflicts between the two. That will be prepared as a letter transmitting comments to DOE, for the Board's review at its March meeting. At that same time, the committee will review other assumptions, bring back to the Board its recommendations on a path forward, and propose how the Board might take a path forward to address broader, more contentious issues. Board members were then asked to serve on the committee. Bruce Dahm, Victor Holm, Tom Gallegos, and Eugene DeMayo will work with Erin Rogers on this project.

PUBLIC COMMENT PERIOD: No comments were received.

STEWARDSHIP COMMITTEE UPDATE: Shawn Burke gave a brief overview on recent activities of the Stewardship Task Force Steering Committee, which is made up of members from both the Board and the Rocky Flats Coalition of Local Governments. In December, the committee hired a contractor to help establish a community dialogue on stewardship activities at Rocky Flats. The contractor, CDR Associates, conducted interviews with a broad group of community members, then reported back to the Task Force with the results of those interviews and the contractor's recommendations. Three key issues identified by CDR: ownership of the site, institutional controls, and funding. Interests that CDR identified include the following:

- Protecting human health, water quality, air quality, habitat, and the site's natural environment
- Guaranteeing federal responsibility while contamination still exists at the site
- Providing public information and access to decision-makers
- Institutional memory for future generations, to help understand potential risks at the site
- Legal/financial liability, to ensure the federal government takes responsibility for long-term remediation
- Monitoring — how it will be accomplished and for how long
- Public involvement — providing input into monitoring plans and other stewardship activities
- Ensuring that any changes in operation, cleanup plans, or future use receive public scrutiny; and that decisions about those changes are made by the appropriate entity
- Ensuring adequate and appropriate jobs in surrounding communities

CDR then recommended a "Work Team" of seven individuals be formed. Those individuals would represent the Board, the Coalition, water resource interests, open space interests, property owners, non-governmental groups, and unaffiliated citizens. Most Task Force members participating agreed that seven individuals is not enough. Another area that concerned many in the Task Force was the decision-making authority of the group. CDR had a backup recommendation, which was to form a group similar to the Steering Committee. A revised proposal will be prepared for the next meeting in late February.

REVIEW AND APPROVE LETTER TO DOE CONCERNING DOE'S REQUEST FOR A NATIONAL ACADEMY OF SCIENCES REVIEW OF SOIL ACTION LEVELS REVIEW BY RISK ASSESSMENT CORPORATION (RAC): In 1997, the Board asked DOE to fund a review of the soil action levels, and suggested DOE consider contracting with the National Academy of Sciences (NAS) or a similar organization for that review. DOE did agree to fund an independent review, but not with NAS. The Soil Action Level Oversight Panel was then established, and contracted with Risk Assessment Corporation to work on the review. Following the contractor's preliminary release of revised soil action levels for actinides, DOE-RFFO sent a memo to Headquarters asking to engage the Academy to review Risk Assessment Corporation's work and proposals. The Board's Executive Committee drafted a letter to DOE-HQ asking to wait until the study's conclusion before considering whether a subsequent review by NAS was necessary. After some debate, Board members could not agree on the wording in the letter. The Board asked staff to revise the letter, taking out some controversial areas, and incorporating a few Board member comments into the new draft of the letter. Staff will make the changes, then send the revised letter out via email to Board members for their review and comment, to aid in discussing the letter and discovering any problems that may exist prior to the next meeting. A final decision on the letter is scheduled to appear on the agenda for the March Board meeting.

APPROVE TRANSMITTAL OF ACTINIDE MIGRATION EVALUATION TECHNICAL REVIEW GROUP COMMENTS TO DOE: The TRG forwarded another recommendation for the Board's review and approval. This recommendation focused on its review of the Actinide Migration Evaluation (AME) FY'00 scope of work, and is based on information from the last public meeting. In addition, the TRG recommends some additions to the activities for FY'00. The first recommendation in this document is that AME should sample vegetation, soils, air, and runoff from the proposed burn plots this spring to compare before, during, and after fire soil conditions. The second recommendation concerns the use of this data in watershed and air modeling. AME also recommended that the site consider using Multiple Indicator Kriging techniques to estimate the probability that hot spots occur in unsampled regions. Board members discussed some of the issues brought forward by the recommendation. Of particular contention was the first recommendation — related to controlled burns in the Buffer Zone — and the fact that the Board had not yet offered its opinion on controlled burns. Other Board members wanted to forward the recommendation as it was written and were pleased

with the work of the TRG. Finally, a few minor changes were suggested for the wording in the recommendation. However, changes to the recommendation must be agreed upon by the TRG. Staff will discuss those proposed changes with TRG members. If the TRG agrees to the revised wording, the recommendation will be changed and forwarded to DOE and Kaiser-Hill with a cover letter. Board members did agree to the cover letter, which simply acts as a transmittal of the TRG recommendation and does not endorse or comment on the recommendation itself.

NEXT MEETING:

Date: March 2, 6 - 9:30 p.m.

Location: College Hill Library (Front Range Community College), 3705 West 112th Avenue, Westminster

Agenda: Update by EPA; discussion of RFCAB comments on Rocky Flats closure plan assumptions; DOE/Kaiser-Hill contract discussion; presentation on controlled burns at Rocky Flats; letter to DOE regarding possible NAS review of RAC's work

ACTION ITEM SUMMARY: ASSIGNED TO:

1. Convene to review budget and planning assumptions, compare to Vision; develop path forward to address broader issues in site assumptions Erin Rogers and ad-hoc committee
2. Revise NAS letter, submit to Board for review and discussion via email - Ken Korkia
3. Revise AME TRG recommendation, get agreement on wording from TRG, then submit to DOE - Brady Wilson

MEETING ADJOURNED AT 9:55 P.M. *

(* Taped transcript of full meeting is available in CAB office.)

RESPECTFULLY SUBMITTED:

Mary Harlow, Secretary
Rocky Flats Citizens Advisory Board

The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

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