

**Rocky Flats Citizens Advisory Board
Meeting Minutes
February 7, 2002
6 to 9:30 p.m.**

Jefferson County Airport Terminal Building, 11755 Airport Way, Broomfield

FACILITATOR: Reed Hodgkin

Jeff Eggleston, the Board's chair, called the meeting to order at 6:05 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Suzanne Allen, Joe Downey, Jeff Eggleston, Maureen Eldredge, Shirley Garcia, Noelle Stenger Green, Victor Holm, Jim Kinsinger, Bill Kossack, Tom Marshall, Mary Mattson, LeRoy Moore, Nancy Peters, Earl Sorrels / Mark Aguilar, Steve Gunderson

BOARD / EX-OFFICIO MEMBERS ABSENT: Robin Byrnes, Tom Gallegos / Jeremy Karpatkin, Joe Legare, Tim Rehder

PUBLIC / OBSERVERS PRESENT: Joel Colvin (citizen); Reg Tyler (DOE-RFFO); Louise Janson (citizen); John Corsi (KH); Alan Trenary (citizen); Mark Sattelberg (USFWS); Melissa Anderson (RFCLoG); Anna Martinez (DOE); Jerry Henderson (RFCAB staff); Ken Korkia (RFCAB staff); Michelle Kump (RFCAB staff); Deb Thompson (RFCAB staff)

PUBLIC COMMENT PERIOD: No comments were received.

REGULATOR UPDATE – EPA: Mark Aguilar with EPA, filling in for Tim Rehder, presented a quarterly update on Rocky Flats issues:

- **RSAL Review:** The RSAL Working Group is discussing numbers for uranium RSALs. Some disagreement among group members exists as to the best value to be used for the uranium reference dose, so the group won't distribute a draft number for another week or two. It does appear that the non-carcinogenic effects of uranium will be more important than the carcinogenic effects (i.e. an RSAL based on toxicity will be a lower, more conservative value than one based on cancer risk).
- **ER RSOP:** EPA expects to approve this document next week. The agency had some questions about how the document could be used for cleaning up sites with significant radiological contamination, since the RSALs have not yet been revised. If the site decides to use the RSOP to address radiological contamination prior to setting of the RSALs, DOE and the regulators will need to agree on cleanup objectives and put those out for public comment.
- **Five-Year Review:** EPA is currently reviewing some draft sections of the five-year review currently being conducted by DOE.
- **Buffer Zone Sampling and Analysis Plan:** EPA has some questions about the statistics the site is using to determine background and how it is handling hotspots, but the

agency feels it is close to approval on the document.

- Original Landfill: The site submitted a preliminary list of alternatives for addressing the original landfill. There has not yet been a substantive discussion of those alternatives since the regulators are busy reviewing the existing characterization data of the landfill. Although there is quite a bit of data, some of it appears to be of questionable quality.
- Enforceability of Records of Decision: A question was posed last month about the dispute between the Army and EPA over enforcing Records of Decision. In fact, the Army is questioning the enforceability of post-ROD documents such as remedial decision documents. This challenge may result in EPA placing more requirements up front in the RODs. However, the agency doesn't believe this will affect the cleanup at Rocky Flats since the ROD won't be signed until cleanup is complete.

PRESENTATION ON FIVE-YEAR REVIEW PROCESS: Reg Tyler, DOE-RFFO, gave the Board a brief presentation on the five-year review currently underway. The purpose and scope of the five-year review is to assess the protectiveness of any remedies established. The review should specifically address these questions: Is the remedy functioning as intended? Are the assumptions and data still valid? Has new information come to light that could call into question the protectiveness of the remedy? The five-year review will include recommendations and follow-up actions.

Five-year reviews are conducted per CERCLA regulations. This review will be sitewide, and is being modeled after the five-year review recently completed at the Rocky Mountain Arsenal. It will cover all accelerated and final actions completed through fiscal year 2001 (September 30, 2001). Data and reports to be reviewed are those completed through fiscal year 2001. Sites covered by the review include the 881 Hillside, offsite areas, Trench 1 and Trenches T3/T4, the Mound site, Ryan's Pit, passive/reactive barriers, the Solar Ponds, the present landfill, and underground storage tanks. Sites considered as No Further Remedial Action areas will be covered in a table.

Notification of the review began in January. A draft report will be submitted to the regulatory agencies at the end of February, with a final draft for public comment to be released March 31. Board members may also request a copy of the draft report as the same time it is released to the regulatory agencies. There will be a 45-day comment period, with final report approval expected by May 31. The next review is planned for 2007. Future reviews will include information and data from the Comprehensive Risk Assessment, the final CAD/ROD, and the stewardship plan. Future reviews will address the sitewide comprehensive remedy.

END-STATE DISCUSSION: Originally the Board's End-State Discussion Steering Committee had developed a proposed process and schedule of options for the end-state discussions the Board would hold this year. However, based on new information received from DOE the day before the meeting, the agenda was modified. Jeff Eggleston noted that the Board must accomplish at least two things: first, give direction to the committee on the path forward for discussions, specifically, topics for the March board meeting; and second, discuss what approach to take.

John Rampe with DOE first talked about the agency's plans and timeframe for a process it hopes the Board will adopt. Mr. Rampe stated that cleanup at Rocky Flats will occur, and will be accomplished within budgetary constraints, but it must be understood that contamination will be left at the site. DOE wants to develop an approach that will decide where and under what circumstances that contamination will be left behind. That approach must take into consideration that cleanup choices (remedies and levels) will be limited by the available budget. DOE plans to complete end-state discussions by late spring or early summer. Their proposal includes three major subject areas: surface soil contamination, subsurface soil contamination, and surface water issues. The RSAL is only one component of the discussion on surface soil. The purpose of these discussions will not be to solve every end-state issue, but rather to focus on the big picture, come up with strategies, and develop a conceptual approach to dealing with the three key issues outlined above.

Next, the Board held a round-robin discussion on whether the Board could agree to compress its schedule of discussion and keep on target with DOE's plans. Generally speaking, most Board members agreed that the accelerated schedule was achievable. Some Board members did express reservations about whether a meaningful discussion could be held in such a short timeframe, and also were concerned that the Board's comments be factored into the drafting of the end-state decisions, rather than after the fact. Ideas for achieving an accelerated schedule included:

- Each Board member commits to learning about some of the issues on their own, such as site hydrology and geology, and contaminants of concern.
- Spending more time having discussions about tradeoffs rather than on the learning process.
- Combining meetings or having an additional meeting.
- Be specific about what is needed, reduce the scope of the discussions, and prioritize.

Prior to the meeting, staff prepared an alternative Board discussion process, which was more in line with DOE's timeframe. The Board approved it unanimously. The Board will remain flexible and open to changes in the future. In addition, the End-State Discussion Steering Committee will review the schedule and process after each monthly meeting to see where changes might need to be made. The new schedule is as follows:

- March: presentation and discussion on surface soil and surface water contamination, including an introduction to site geology and hydrology
- April: presentation and discussion on subsurface soil contamination
- May: presentation and discussion by DOE regarding a risk-based approach to address areas of contamination
- June: discussion of key evaluation criteria in relation to the current baseline remediation strategy and the proposed risk-based approach
- July and August: discussion and development of recommendations related to revisions to RFCA

- September through December: evaluation and discussion related to specific remediation strategies for key areas of contamination, such as the Original Landfill and Solar Ponds

LETTER TO DOE CONCERNING RESPONSE TO RFCAB RECOMMENDATION 2001-4: A

letter to Barbara Mazurowski had been drafted by the End-State Discussion Steering Committee, and was up for the Board's review and approval. However, some of the comments in the letter would need to be changed to reflect the discussion at tonight's meeting. The letter will be redrafted by the committee at its next meeting, and sent out to the Board via email for discussion and decision.

REPORT ON EMSSAB GROUNDWATER WORKSHOP: The EMSSAB for DOE holds an annual conference or workshop to discuss a specific issue, hosted each year at a different site. This year's workshop was held January 31 to February 2 at the Savannah River Site, where the group discussed issues related to groundwater. Board members Suzanne Allen, Shirley Garcia, Victor Holm, Tom Marshall, and Earl Sorrels attended, along with staff members Jerry Henderson and Ken Korkia. Each participant gave his or her views and insight on what occurred at the workshop of particular note. The attendees developed a list of statements to be transmitted to DOE Headquarters. The statements cover broad areas such as communication, public participation, decision-making, technology, and stewardship. Each individual Site Specific Advisory Board is expected to review the statements and hopefully approve them so they can be sent to DOE Headquarters prior to the next SSAB Chairs meeting in April. Staff will transmit the statements to the Board for their review and approval before the March Board meeting.

APPOINTMENT OF CO-CHAIRS FOR AME TRG AND STEWARDSHIP WORKING

GROUP: The Board approved the appointment of new co-chairs. Joe Downey will serve as co-chair of the Actinide Migration Evaluation Technical Review Group, and Noelle Stenger Green is the new co-chair of the Stewardship Working Group.

NEXT MEETING:

Date: March 7, 2002, 6 to 9:30 p.m.

Location: Jefferson County Airport Terminal Building, Mount Evans Room, 11755 Airport Way, Broomfield

Agenda: Revision of Board bylaws; regulator update by DNFSB; endorse Groundwater Workshop recommendations; presentation on contamination, pathways, and remediation strategies for surface soil and surface water; presentation on surface water regulatory framework; Board discussion

MEETING ADJOURNED AT 9:25 p.m. *

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

RESPECTFULLY SUBMITTED:

Shirley Garcia, 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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