

**Rocky Flats Citizens Advisory Board
Meeting Minutes
August 4, 2005
6 to 9 p.m.
College Hill Library, Room L-211
Front Range Community College, Westminster, Colorado**

Board Chair Jerry DePoorter called the meeting to order at 6:00 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Jerry DePoorter, Joe Downey, Earl Gunia, Bill Kossack, Mary Mattson, Bill McNeill, Andrew Ross, / Mark Sattelberg (USFWS), Mark Aguilar (EPA), Scott Surovchak (DOE-LM), Dave Kruchek (CDPHE), Carl Spreng (CDPHE), Rich Schassburger (DOE-RFFO)

BOARD / EX-OFFICIO MEMBERS ABSENT: Suzanne Allen, Erin Hamby, Mike Maus, Hank Stovall, Phil Tomlinson / none

PUBLIC / OBSERVERS PRESENT: Pam Tumler (GAO), Bob Nininger (Kaiser-Hill), Bob Darr (DOE-RFPO), Ted Auker (CLTC), Glenn Fischer (GAO), Rob Henneke (EPA), Karen Wiemelt (Kaiser-Hill), / Ken Korkia (RFCAB staff), Patricia Rice (RFCAB staff)

PUBLIC COMMENT / NEW BUSINESS:

There was no public comment.

Under new business, Ken Korkia noted that there Board will send three representatives to the upcoming EM SSAB Chairs meeting to be held in Idaho Falls, Idaho at the end of September. Chair Jerry DePoorter and Ken Korkia will fill two of the slots, so one more Board member is needed. Andrew Ross indicated he was interested and would check his schedule. Ken noted that the final decision on who will attend needs to be made by August 15, so that reservations can be finalized.

In the second new business item, Ken Korkia reviewed a draft agenda for the Board's August 27 annual retreat. The agenda will focus on developing the Board's work plan for 2006 and will discuss how the Board will handle its legacy, such as making recommendations on future public participation and developing a final report to the community. The Board approved the agenda.

PRESENTATION ON EPA SURFACE WATER AND SEDIMENT SAMPLING IN WOMAN CREEK:

Mark Aguilar with EPA announced that his agency is redoing the sampling it had previously done due to concerns with sample contamination. When the original samples were removed from the site, they were not properly bagged, resulting in concerns by the offsite laboratory performing the analysis that the samples had been compromised. Mark indicated that rather than allow there to be questions about the samples, it would be best to completely redo them. To ensure against further problems, EPE will have its quality assurance experts onsite to oversee its contractor when they redo the samples. Mark

will forward to the Board a study of lessons learned from the sampling effort problem when it is complete.

PRESENTATION ON CLOSEOUT OF THE ORIGINAL AND NEW PROCESS WASTE LINES REMEDIATION PROJECT:

Karen Wiemelt of Kaiser-Hill gave a presentation on the Original and New Process Waste Lines (OPWLs and NPWLs). Both of these projects have recently been completed. Karen distributed maps showing the results of sampling taken along the network of pipes after remediation was complete.

Karen said originally there were 33,000 feet of OPWL pipeline, 29 manways or valve vaults and 62 tanks associated with OPWLs. Pipes ranged in size from 1 inch to 10 inches in diameter and were constructed of a variety of materials, including black iron, cast iron, plastic, polyethylene, vitrified clay, cement/asbestos, saran-lined steel, stainless steel, polyvinyl chloride, Fiberglas®, Pyrex®, and Teflon®.

The network of pipes carried waste from processes in various buildings to a treatment center in Building 774. The process did not lead to a continuous flow of materials. Wastes accumulated in building holding tanks and were then transferred in batches to B774. Wastes included radioactive materials, nitrates, caustic materials, and acids. Small quantities of medical decontamination liquids, laboratory wastes, and laundry effluent also went through the system.

Use of OPWLs began in 1952. Repairs and additions were made to the network through 1975. There were reported and suspected leaks at many locations. Between 1975 and 1984, the OPWLs were replaced by NPWLs. In contrast to the OPWLs, which were single-walled pipes, the NPWLs were double-lined pipes. Some of the OPWLs were removed, but others were used in the NPWL system after a second layer of piping had been added. Much of the abandoned OPWL system was left in place after the conversion.

The NPWL system contained about 21,500 feet of pipeline and 20 valve vaults. The NPWL system was permitted under the Resource Conservation and Recovery Act (RCRA). The OPWL system was in place before RCRA was enacted. The NPWL system carried waste from other buildings to the Building 374 treatment center. The wastes were similar to those carried in the OPWLs. Use of the system stopped in 2004.

Rocky Flats Cleanup Agreement (RFCA) Attachment 14 governed remediation of the OPWLs. Under RFCA, all OPWLs within 3 feet of the surface were removed. The lines were not flushed because cleaning with jets of water could have caused the single-walled pipes to crack, pushing contamination into the surrounding soil. Soil that exceeded the action level of 50 picocuries per gram (pCi/g) within three feet of the surface was removed. Between 3 and 6 feet, soil with reported leaks was sampled to a depth of 8 feet. RFCA listed about 27 areas of reported leaks. If soil contained more than 3 nanocuries (3,000 picocuries) per gram of contamination, step-out sampling was conducted. About 58 locations with suspected leaks were identified in RFCA. Soil between 3 and 6 feet in areas of suspected leaks was characterized. The same procedure was followed as in areas of reported leaks. For areas where plutonium levels were greater than 3 nCi/g, soil was removed to less than 1 nCi/g. Any pipes left in place were grouted and foamed to a length of 65 feet. The manways were removed down to a minimum of 6 feet.

The OPWL project began in December 2003 and was complete in June of this year. After remediation,

645 soil samples were collected from 434 locations. About 17,000 feet of pipe, more than 50 percent of the OPWL network, was removed. Karen said that during the remediation, workers uncovered OPWLs they did not know existed. Conversely, about 900 feet of OPWLs that had been recorded could not be found and are assumed to not exist.

Karen said the Actinide Migration Panel had asked for "speciation" of the radionuclides to determine how far plutonium and americium had migrated into the soil. But that task was impossible because the levels of radionuclide contamination were too low.

NPWLs were remediated under the Resource Conservation and Recovery Act (RCRA). RCRA requires the pipes either be cleaned out or removed. The project began April 2002 and was completed in July. After remediation, 249 soil samples were collected from 151 locations. Karen said about 6,200 feet of pipelines, or more than 70 percent of the pipe network, was removed. Six valve vaults were completely removed and 14 others were partially removed. Of those 14, four had levels of residual contamination well below action levels and 10 met unrestricted release criteria. She said some of the valve vaults were 20 feet into the ground.

With regard to the residual contamination in both the OPWL and NPWL networks, Karen said samples indicate that there was not as much contamination in the soil and pipe networks as they had expected. She said areas around buildings, particularly B771, and near B series ponds contained the most contamination.

In answer to a question, Karen said that in most cases the highest levels of contamination were 100 to 200 pCi/g. Carl Spreng of the Colorado Department of Public Health and Environment said it was a complicated project but it went very well. Dave Kruchek, also with CDPHE, said project managers were diligent in removing contamination when it was found.

Karen answered a question on sampling, saying there were more than 600 samples for the OPWLs with about 10,000 analyses. Karen said the NPWLs that were left in place were "clean closed," meaning they were rinsed out, and then they were sampled. Karen said OPWLs were not rinsed because of the possibility the pipes would crack or break and the contamination would be pushed into the surrounding soil.

A Board member stated that there still could be contamination in some of the pipes that could leak into the ground. Karen conceded that could happen, however, she doubted the contamination would spread. Another Board member asked where the 65-foot grouting length came from that was used in the OPWLs. Karen said that was the length into the pipe that vendors could guarantee could be grouted. Karen said the grout is a cement mixture.

The Site is currently preparing the final closeout reports for the Original and New Process Waste Lines projects. These reports should be available by early fall.

DISCUSSION ON BOARD'S WORK PLAN ACTIVITIES FOR 2006:

The Board reviewed with DOE and the other ex officio representatives the final site activities to achieve regulatory closure and transfer of the site from Environmental Management to Legacy Management within

the Department of Energy.

The major near-term activity will be completion of the Remedial Investigation / Feasibility Study (RI/FS). A draft of this document, which includes the Comprehensive Risk Assessment, is being prepared by Kaiser-Hill and is scheduled for completion this fall. Portions of the RI/FS are currently available for review. After completion of the RI/FS, there will be the final acceptance by DOE that its contractor, Kaiser-Hill, has done the work it was supposed to do in its contract. At physical completion acceptance, day-to-day management responsibility for the site will turn from Environmental Management to Legacy Management, although EM will continue to be responsible for the regulatory closeout of the site.

Following the RI/FS, the site will prepare a Proposed Plan, which is basically a much shortened version of the RI/FS that will outline final activities necessary to complete cleanup of the site. The site anticipates, however, that no further cleanup action will be necessary, other than continuing to operate and maintain groundwater treatment systems, implementing institutional controls, and performing environmental monitoring.

The completion of the Proposed Plan will lead to development and release of the Corrective Action Decision / Record of Decision (CAD/ROD). The CAD/ROD will provide the documentation necessary to declare the site cleaned up and allow the final transfer from Environmental Management to Legacy Management. It is anticipated that a draft CAD/ROD will be complete in late summer 2006.

Once the CAD/ROD is complete, the Rocky Flats Post-Closure Agreement will be finalized. DOE and the regulators are working on the final cleanup agreement now and hope to have it done soon. They can then "put it on the shelf" and wait until the CAD/ROD is done and then revisit the agreement to see if any final tweaking needs to be done.

While the CAD/ROD is being finalized, Legacy Management will be working on its final Long-Term Surveillance and Maintenance Plan. LM is about to finish an interim version of the plan that will describe how it will manage the site from the time physical completion is declared until the CAD/ROD is finalized and the end of the regulatory cleanup phase.

One of the final site closure activities will be the National Priorities List Delisting by EPA. The delisting will not occur until the final CAD/ROD has been approved. There will be a defined public involvement process associated with the site delisting, although the time-frame may extend beyond the current September 2006 expiration date for the Board. Mark Aguilar indicated that final delisting may not occur until December 2006 or January 2007. When asked, Mark indicated that a recent delisting example the Board might want to investigate is that done at the Rocky Mountain Arsenal.

The Board spent some time clarifying the timelines and anticipated review opportunities associated with the final physical completion activities and the regulatory closure of the site. The members will use this information to develop its 2006 work plan. Further discussion will occur at the August 27 retreat.

CONSIDERATION OF LETTER TO SENATORS ALLARD AND SALAZAR REGARDING SUPPORT

FOR FEDERAL LEGISLATION TO PURCHASE MINERAL RIGHTS AT ROCKY FLATS:

The Board discussed the Allard-Salazar amendment to the Defense Authorization Act that would authorize \$10 million to the Secretary of Energy to purchase four parcels of mineral rights at Rocky Flats. In return, all Natural Resource Damage (NRD) claims against DOE would be considered settled. The agencies have not been able to agree on who should manage the lands on which there are permitted or "permissible" sand and gravel rights. The legislation would mandate that DOE retain management of those lands as long as the mineral rights remain in private hands.

The Board discussed sending a draft letter to Senators Allard and Salazar supporting the legislation but with certain conditions. The conditions were discussed at a Committee Night meeting in August. Among other things, those conditions asked that an assessment of the Natural Resource Damages be made and that the \$10 million should be used to offset any NRD liability and not settle it. The Board also considered asking the senators to fold within it legislation authored by Rep. Mark Udall and Rep. Bob Beauprez to allow mineral rights at Rocky Flats to be traded for federal rights elsewhere.

Mark Sattelberg of the U.S. Fish and Wildlife Service said the four parcels may cost between \$4 and \$6 million. He said those four parcels represented lands containing rare but highly prized prairie ecosystem and would be a good addition to the Rocky Flats National Wildlife Refuge. He said identification of those four parcels came out of discussions between FWS and DOE staff.

Bob Darr of the Department of Energy stated that the conditions set forth in the Board's draft letter to the senators might affect the ability of the legislation to be passed in Congress. It was suggested that asking for more money to buy all the mineral rights, not just the four parcels, would compromise the ability of the legislation to be passed in Congress.

Scott Surovchak said that the deal had been worked on for a long time between DOE, DOI, and elected representatives. The Board was considering asking for an extension of the one-year limit on using the \$10 million, but Bob Darr said the one year limit was viewed as giving the issue a higher priority. Also, because it is a defense authorization, the money would have to be spent in one year. It was pointed out that if the money were not spent in one year, it would go to the Natural Resource trustees, who would also be able to negotiate with the mineral rights owners over purchasing the land. Also, many in the state and federal government believe that any potential natural resource damages would fall way below the \$10 million figure.

Several Board members noted that it appeared there had been a lot of behind-the-scenes negotiations on the matter that resolved a lot of the issues they were originally concerned about. They now felt those issues had been addressed. They proposed revising the draft letter to state that the Board supported the legislation and not include any of the conditions outlined in the draft. The members unanimously approved the revised letter.

PLANNING FOR UPCOMING MEETINGS:

For the September meeting, the Board will schedule a presentation on the aerial and ground gamma surveys that were conducted at the site in June. If it is available by that time, there will also be a presentation on the post-closure public involvement plan.

The agenda for the August Committee Night is yet to be determined.

NEXT MEETING:

Date: September 1, 2005 6 to 9:00 p.m.

Location: College Hill Library, Room L-107, Front Range Community College

- Agenda:*
- *Presentation and discussion on the aerial and ground gamma surveys*
 - *Presentation and discussion on the post-closure public involvement plan*
 - *Other items as necessary*

MEETING ADJOURNED AT 9:00 p.m. *

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

RESPECTFULLY SUBMITTED:

Bill Kossack, 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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