

**Rocky Flats Citizens Advisory Board
Meeting Minutes
March 3, 2005
6 to 9 p.m.
Broomfield Community Center, Lakeshore Room
Broomfield, Colorado**

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

BOARD / EX-OFFICIO MEMBERS PRESENT: Suzanne Allen, Jerry DePoorter, Joe Downey, Erin Hamby, Victor Holm, Bill Kossack, Mary Mattson, Mike Maus, Bill McNeill, Andrew Ross, Hank Stovall, Phil Tomlinson / Joe Legare (DOE-RFPO), Steve Gunderson (CDPHE), Dean Rundle (USFWS), Mark Aguilar (EPA).

BOARD / EX-OFFICIO MEMBERS ABSENT: Earl Gunia / Scott Surovchak (DOE-LM)

PUBLIC / OBSERVERS PRESENT: Alan Trenary (Westminster resident), Roman Kohler (RF Homesteaders), Karen Lutz (DOE-RFPO), Frazer Lockhart (DOE-RFPO), Dave Shelton (Kaiser-Hill), Felix Doligosa (Rocky Mountain News), Isaac Kirchner (Northglenn resident)/ Ken Korkia (RFCAB staff)

EXECUTIVE SESSION:

The Board held an executive session at the beginning of its meeting to consider an application for membership by Hank Stovall. Hank has been an active Rocky Flats stakeholder for many years. Recently he completed his sixth term as a Broomfield City Councilor. He has also served as a member of the Rocky Flats Health Advisory Panel, the Rocky Flats Local Impacts Initiative, the Rocky Flats Soil Action Levels Oversight Panel, and the Rocky Flats Coalition of Local Governments. The Board approved his membership to fill one of the vacancies created by previous member resignations. Hank took his seat with the Board for the rest of the meeting.

PUBLIC COMMENT / NEW BUSINESS:

Alan Trenary: Alan expressed a concern about the close proximity of the former Leyden Coal Mine to Rocky Flats and the possibility of contamination from the site having entered the mine. DOE Manager, Frazer Lockhart, replied that the site has looked at the possibility of a connection between the mine and the site, but studies have found no connection.

Ken Korkia: Ken provided an update to the Board on activities of the Environmental Site Specific Advisory Board (EMSSAB). The next EMSSAB chairs meeting will be on April 27 – 29, at the Savannah River Site. Jerry DePoorter, Joe Downey and Ken Korkia will represent the Board. Ken also announced that he and Jerry DePoorter are on a steering committee to develop a National Dialogue meeting to discuss DOE waste management issues. The EMSSAB had recommended that DOE sponsor a National Dialogue at its meeting held last October. Finally, Ken announced that the Nevada Test Site Citizens Advisory Board would be leaving the EMSSAB at the end of the fiscal year. The

Nevada Test Site (NTS) itself is now under the jurisdiction of the National Nuclear Security Administration (NNSA) for all its activities, including environmental management. Thus, the NTS Citizens Advisory Board will begin providing advice to NNSA rather than the Environmental Management program within the Department of Energy.

ROCKY FLATS CLOSURE PROJECT UPDATE:

Rocky Flats site Manager, Frazer Lockhart, gave the first part of the presentation. He reported that the site's mission remains the same, to "make it safe, clean it up, close it down." When the cleanup program began in earnest in 1995, many challenges lay ahead. There were many aging facilities with improperly stored nuclear material. There was a large inventory of special nuclear materials and nuclear wastes that required processing and shipping. There were over 360 potentially contaminated sites that required investigation and remediation.

Today, the site is ahead of the closure target date, which is December 15, 2006. Now, the site plans to conclude the physical cleanup work by the end of 2005. Currently, the site is 7% ahead of schedule and 7% below cost. Ten years ago in 1995, when Kaiser-Hill signed its first contract with DOE, the cleanup target date was decades away. The Rocky Flats Cleanup Agreement target dates at that time had weapons useable fissile materials leaving that site by 2015. That work was accomplished in 2003. Originally, the agreement would allow some waste to remain stored at the site, while now all waste will be removed by this year. In 1995, it was thought that the final buildings would be removed from the site by 2020, but now the last building will come down this year. Earlier plans called for a large cap to be installed over the bulk of the former Industrial Area, but with more sufficient cleanup, that will no longer be necessary. Surface soil cleanup levels in 1995 were set at 651 picocuries per gram, but after concerns were raised by the community an agreement was reached to allow greater surface soil cleanup to 50 picocuries per gram.

Frazer reported that with the elimination of the nuclear risk, the site must now focus on industrial work safety. DOE is discouraging on-site traffic in personal vehicles and by this spring will eliminate access through the east gate.

When the physical work is done, all buildings, with the exception of the east and west inspection sheds that are being retained for use by the Fish and Wildlife Service, will be removed. Surface soil will have been remediated to at least 50 picocuries per gram, with the majority of the site less than 7 picocuries per gram. Both the Original and the Present Landfills will have earthen covers, with ongoing surveillance, maintenance and monitoring. There will be continued passive groundwater treatment, augmented by continued evaluation of both groundwater and surface water through a sampling network. After closure, DOE will maintain a presence through the Office of Legacy Management.

Frazer next outlined the steps of the regulatory closure process that will be completed after the physical work is done. This work will be done by DOE. Some of the steps of this process include the Comprehensive Risk Assessment, acceptance of Kaiser-Hill contract performance, completion of the Record of Decision, certification by the Environmental Protection Agency (EPA) and Colorado Department of Public Health and Environment that the remedy is operating effectively, and finally, EPA certification of the site cleanup.

Dave Shelton with Kaiser-Hill gave the next part of the presentation. Dave reviewed the accomplishments the site has made in the areas of special nuclear material stabilization, packaging, and shipping; in the decontamination and demolition of buildings; in soil and water remediation; and in waste shipping. Specifically, some of the accomplishments include the demolition of 627 of 802 facilities and the disposition of 294 of 360 potentially contaminated individual hazardous substance sites. Some of the most impressive accomplishments have been in the waste shipping area. The site averages 125 radioactive waste shipments per week. Most notably, the site will send its last shipment of transuranic waste to the Waste Isolation Pilot Plant (WIPP) in April.

Work that remains includes demolition of buildings 776, 460 and 371. Building 371 will be the last to go, with demolition scheduled for completion in October. Final site configuration is anticipated for completion several weeks after Building 371 demolition is complete.

Dave reported that the site's safety goals are as follows: no one gets hurt, minimize radiation dose as much as possible, and prevent external releases to the environment. With the heavy equipment work now underway, the site uses OSHA statistics for the construction industry to measure its safety compliance. The site is well below the construction industry averages, and also below DOE complex averages for the important measures of total recordable case rate average (the number of reports of incidents per 200,000 hours worked) and for lost workday case rate average. The radiation dose exposure average at the site is now extremely low at 0.08 rem per worker. There was one incident in 2004 in which a worker received a 2.8 rem exposure from a puncture wound. This exposure exceeded both the Rocky Flats Administrative Control Limit of 0.5 rem and the DOE limit of 2.0 rem. It was, however, below the Federal Limit of 5 rem. The cumulative site dose decreased to 77 rem, which compares to a 292 rem cumulative dose five years ago.

Dave concluded his presentation by noting that Kaiser-Hill is accomplishing its goals because of the strong support of its workers, the surrounding communities, the regulators, the various waste and material receiver sites, DOE and the U.S. Congress. Continued excellent safety performance will be the key to finishing the project by the end of the year.

Joe Legare with DOE concluded the presentation by going over key aspects of the regulatory closure process. Kaiser-Hill will be responsible for preparing drafts of documents such as the Remedial Investigation / Feasibility Study (RI/FS) and the Comprehensive Risk Assessment (CRA). DOE will prepare the final versions of these documents, including the Proposed Plan. The Proposed Plan is the document that comes out after the Final RI/FS and describes what final action will take place at the site in terms of its cleanup. The Proposed Plan is a document that will go out for formal public comment, which is not true of the RI/FS and the CRA. Given the method used to clean the site through a series of accelerated actions, it is unlikely that any further cleanup action would be required by the Proposed Plan. After the Proposed Plan is approved, DOE will prepare the final Corrective Action Decision/Record of Decision (CAD/ROD), the Post Closure Management Plans, and the Site Care, Custody, and Control Transfer Plans.

Joe stated there will be three success metrics. First there is physical completion in which all buildings are demolished, waste shipped, soil remediated, and surface water protected. The next is transfer of land use from DOE to the Fish and Wildlife Service. The final is regulatory completion that will culminate with the site's delisting from the National Priorities List by EPA. During the regulatory closure, the site and the regulators will determine if the sum of the individual accelerated cleanup actions results in the total

cleanup of the site, with this determination described in the final CAD/ROD.

Joe next outlined the Remedial Investigation / Feasibility Study process. He pointed out that this document has two names because of the two environmental laws, Superfund (CERCLA, or the Comprehensive Environmental Responsibility, Compensation, and Liability Act) and the Resource Conservation and Recovery Act (RCRA), which it supports. The purpose of the Remedial Investigation (RI) is to collect data to characterize the site and to investigate the nature and extent of the hazardous substance releases. This effort includes development of the Comprehensive Risk Assessment which analyzes risks to human and ecological receptors.

The purpose of the Feasibility Study (FS) is to ensure that the appropriate remedial alternatives are developed. The FS identifies the remedial action objectives and analyzes alternatives to meet the objectives.

Combined, the RI/FS supports the Proposed Plan that outlines the preferred alternative and its justification. To complete the RI/FS, the site has been divided into 18 exposure units or areas. For each of these exposure units analyses such as the nature and extent of air, soil, groundwater, and surface water contamination will be performed. Kaiser-Hill is expected to deliver a draft RI/FS to DOE by October 2005. The document will undergo regulatory review and informal public comment.

Once the RI/FS is complete, DOE will prepare the Proposed Plan. This plan describes the remedial alternatives analyzed, proposes a preferred remedial action alternative, and summarizes the information relied upon to select the preferred alternative. The Proposed Plan will be released for formal public comment. The CAD/ROD will document the final decision. Both the Proposed Plan and the CAD/ROD are expected for formal review in the spring of 2006.

Joe stated that regulatory closure is targeted for completion about ten months after physical completion and delivery of the draft RI/FS. He said that once EPA certifies the remedy is operating properly and successfully, there will be delisting of all media across most of the site. Surface soils will be delisted, but not subsurface soils or groundwater for some areas such as the Industrial Area and the landfills. Once the delistings take place, there will be transfer of land management of the future refuge areas to the U.S. Fish and Wildlife Service. DOE's actions at the site after closure will be regulated by a post closure agreement and whatever is spelled out in the final CAD/ROD.

Based on Joe's presentation, the Board decided that it will request a presentation on available chapters of the RI/FS for its April meeting. Joe stated that sections of the document will be delivered to stakeholders as they become available, starting in April and probably extending through September. He restated that the RI/FS chapters, as well as the CRA, will be released for informal public comment, which means that when comments are received they will not be subject to a formal responsiveness summary by the site.

APPROVAL OF LETTER ON THE DRAFT ROCKY FLATS SITE-WIDE INTEGRATED PUBLIC INVOLVEMENT PLAN:

The Department of Energy is required under the Rocky Flats Cleanup Agreement to periodically update its public involvement plan associated with the cleanup program. In its latest update, the Department has focused the plan on the transition period between now and site closure. The Board reviewed the plan and

had no specific comments. The Board developed a letter expressing appreciation for DOE's continued commitment to public involvement and its acknowledgement of the Board's continuing role through site closure. The letter was approved by unanimous consent.

After the Board approved the letter, Karen Lutz with DOE announced that Audrey Berry with the Grand Junction Office had just completed a predecisional draft of the Rocky Flats Post-Closure Community Involvement Plan. Audrey will be seeking informal comments on this draft before the end of March, at which time she will release another draft for formal comment. Karen encouraged the Board to review the predecisional draft and send comments to Audrey.

APPROVAL OF LETTER ON THE ESTABLISHMENT OF A LOCAL STAKEHOLDER ORGANIZATION FOR ROCKY FLATS:

At its February meeting, the Board held a community discussion on the creation of a Local Stakeholder Organization (LSO) for Rocky Flats after site closure. After the community discussion, Legacy Management released a position paper outlining its positions on the creation of an LSO. Based on the community discussion, and after reviewing Legacy Management's position paper, the Board developed a letter to Mike Owen, Director of the Office of Legacy Management for the Department of Energy, outlining its desires and concerns related to establishing an LSO for Rocky Flats.

The letter begins by thanking Legacy Management for its participation so far with the local stakeholder community. The Board then states its main principals for creating an LSO, namely that the LSO be broadly representative of the community and that all future participants serve in a full and equal manner. In the letter, the Board also cautions DOE from accepting the position of some elected officials of local governments that they alone be full members of the LSO, with a secondary role for non-elected persons. The Board also states its support for Legacy Management's position that the LSO be established in the near-term as a distinct entity to serve in parallel with both the CAB and the Coalition of Local Governments. The letter closes with the Board's request that Legacy Management take responsibility for organizing and soliciting membership on the LSO. The Board offers the example of its own creation twelve years ago as a model for how Legacy Management might go about creating the LSO.

In discussion of the draft letter, the members had several comments on changes in tone and wording. They also felt it would be good to provide as an attachment a list of current CAB members that includes brief biographical information for each to emphasize the value and expertise that non-elected persons have and will continue to play in stakeholder oversight of Rocky Flats site activities. The Board asked Ken Korkia to work on a redraft of the letter that would be considered by email for final approval. Ken will redraft the letter by the following day and members will have until noon on Monday, March 7, to offer their final approval. The members were also asked to review their current biographical information posted on the Board's website and provide any changes to Ken.

UPDATE ON THE INDEPENDENT VALIDATION AND VERIFICATION OF ROCKY FLATS CLEANUP:

Phil Tomlinson reported that he has been reviewing procedures used by Kaiser-Hill analytical services for radionuclide sampling. He also just received another group of documents from DOE to review. Until there is further activity by the Oak Ridge Institute for Science and Education, reviewing these documents will be his major activity.

PLANNING FOR UPCOMING MEETINGS:

At the March Committee Night, the Board decided it will review the informal draft of the post-closure public involvement plan. Ken Korkia will extend an invitation to Audrey Berry to attend the meeting.

For the April Board meeting, the Board will schedule presentations on whatever sections of the Remedial Investigation / Feasibility Study (RI/FS) or the Comprehensive Risk Assessment (CRA) might be available.

NEXT MEETING:

Date: April 7, 2005 6 to 9:00 p.m.

Location: College Hill Library, Room L-211, Front Range Community College

Agenda:

- *Presentation on Available Draft Portions of the Remedial Investigation/Feasibility Study*
- *Other items to be determined*

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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