

Rocky Flats Coalition of Local Governments Board Meeting Minutes
Thursday, July 1, 1999
8:00 AM – 11:00 AM
Westminster City Hall

Board members in attendance: Tom Brunner (Director, Broomfield), Lorraine Anderson (Director, Arvada), Michele Lawrence (Director, Jefferson County), Sam Dixon (Director, Westminster), Mike Weil (Alternate, Boulder), Carolyn Dulchinos (Alternate, Boulder County), Hank Stovall (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Nanette Neelan (Alternate, Jefferson County), Joel Meggers (Alternate, Superior), Mary Harlow (Alternate, Westminster), Carol Lyons (Alternate, Arvada)

Coalition staff in attendance: David Abelson (Executive Director), Will Neff (Technical Advisor), and Katie Ewig (Program Assistant).

Other people present: Owen Bishop (Senator Allard), Janice Sinden (Senator Allard), Terje Langeland (Colorado Daily), Steve Gunderson (CDPHE), Jeremy Karpatkin (DOE-RFFO), Amy Mueller (City of Boulder), Bob Card (Kaiser-Hill), Ken Korkia (RFCAB), Gregg Nishimoto (AFGE Local 1103), Elaine Nix (DOE), Ann Bormolini (Kaiser-Hill), Beth Arth (Kaiser-Hill), Nancy Hollinger (Blue Mtn. Estates), Hildegard Hix (JeffCo CWV), David DePenning (CCBM), Doris DePenning (BMLHA), Angela Hutton-Howard (CDPHE), Rob Henneke (EPA), Tim Rehder (EPA), Nancy Hunter (Rep. Schaffer), Bruce Dahm (Broomfield), Troy Timmons (Kaiser-Hill), Doug Young (Rep. Udall), John Swartout (Gov. Owens), Dan Miller (Colo. AGO), Anna Martinez (DOE/Communications), Frazer Lockhart (DOE), Dave Navarro (USWA), Mike Hargreaves (DOE), Barbara Powers (DOE).

Round Robin

Broomfield: Hank Stovall highlighted the community's concern regarding the decreasing amount of time provided by DOE for public comment on documents. He emphasized the need for documents to be as complete as possible, otherwise it is difficult to comment adequately. A calendar of documents out for comment would also be helpful.

Arvada: Lorraine Anderson voiced her concern over the lack of local government involvement in the process that created Udall's Open Space Bill.

Boulder: Mike Weil passed out copies of Boulder's letter to Udall regarding the Open Space Bill. Mike then asked Arvada for clarification of their position on open space and buffer zone preservation.

Boulder County: Carolyn Dulchinos passed out copies of a letter to Udall signed by the Boulder County Commissioners. She stated that Boulder County supports Udall's Open Space Bill.

Jefferson County: Nanette Neelan announced that Jefferson County's response to Udall would be ready by next week. She also announced that the Northwest Quadrant Study Management Committee would be meeting on a monthly basis.

Superior: Joel Meggers distributed a letter of Coalition Board Director Andrew Muckle that discusses Superior's current preferences for buffer zone reuse.

Westminster: Mary Harlow announced that the Westminster City Council recently passed a motion of support for Udall's Open Space Bill, although Westminster still has concerns regarding certain aspects of the bill. Mary also passed out copies of the Westminster Citizens Survey. Westminster has indicated to regulators that the City would like to participate in the RFCA review.

Public Comment

Doris DePenning, a citizen and member of the Blue Mountain Land Homeowners Association, asked if someone from Arvada had gone to DOE for funding of the industrial site for water uses. She was concerned about possible internal discussions between Arvada and DOE Headquarters. Doris also inquired about how much of the Rocky Flats cleanup oversight can be done by the Coalition versus the individual local governments?

David Abelson stated that the Coalition is currently working through the individual government action versus Coalition action issue, and therefore he could not give an answer at this time.

Lorraine Anderson said she was not aware of any internal discussions between Arvada and DOE Headquarters regarding water utilities in the Industrial Area. She did recall discussions on downstream water supplies for Broomfield and Westminster.

Business Items

Executive Director Report – David briefly updated the Board on three important Coalition issues: funding, the buffer zone, and stewardship. Regarding funding, David announced that the Coalition has officially received CRO status, but has not received a FY 1999 funding commitment. The funding request must first receive Secretary Richardson's approval. David said he would continue to monitor this issue closely. Regarding the buffer zone, David announced that he would complete his meetings with the individual local governments next week, after which time the Coalition can begin to craft a buffer zone strategy. David circulated a memo from Ken Salazar regarding a stewardship meeting he will host. David said he has received a strong message from the Board that the Coalition should initiate a stewardship dialogue. In response, the Coalition will host two stewardship meetings in July, the first one taking place on July 7th in Westminster, and the second on July 22nd at a location to be determined.

- 1) **Motion to Approve June 3 Minutes** – Mary Harlow noted two errors in the minutes. Under Round Robin –Westminster, the sentence should be changed to “Mary Harlow expressed concern about the equipment release program, and will forward comments on the solar ponds to DOE”. Under the Rubble Disposition Briefing, “file piles” should be changed to “fines in the piles”. Lorraine Anderson moved to approve the June 3 minutes with the corrections. Mike Weil seconded the motion. The motion passed 7-0.
- 2) **Motion to Approve Lease for New Office Space** – David stated that the office move would take place in late August or early September. Lorraine Anderson moved to approve the lease. Mike Bartleson seconded. The motion passed 7-0.
- 3) **Motion to Approve Employee Manual** – David said that a 15-minute employee break was added to the manual. Michele Lawrence moved to approve the manual. Mary Harlow seconded. The motion passed 7-0.
- 4) **Meet Elaine Nix** – David introduced Elaine Nix, who is the DOE Contracting Officer for Coalition budget issues.

Congressman Udall’s Rocky Flats Open Space Bill

David Abelson pointed out a few important documents in the Board packet relating the Udall’s bill, including an invitation from Udall to improve the bill and a letter from Allard asking where the Coalition stands on the bill. David cautioned the Board to think carefully about their response to the Allard letter, as the Coalition does not need to get caught in between the two Congressmen. Hank Stovall stated that, although many of the local governments agreed with Udall’s bill, Hank feels they were overlooked by higher government officials. Hank hopes that, in the future, the local governments will be consulted on these matters beforehand. Hank also expressed his concern about the cleanup of Rocky Flats becoming a partisan battleground. Lorraine Anderson urged the higher elected officials to work directly with the local governments in the future, and she stated that the Coalition should send a strong message to Congress concerning this issue. Michele Lawrence said that she was disappointed that the bill would create an open space advisory council because it ignores the Coalition and its work. Sam Dixon cautioned not to let this issue become a political game. Tom Brunner said that he received a call from Rep. Udall during which Udall indicated his interest in working with the Coalition. Hank asked Doug Young from Congressman Udall’s office to comment on the “cleanup based on cleanup levels” part of bill and how this apparent conflict of the rules and regulations would be resolved. Doug Young stated that the language was designed to preserve flexibility and to prevent the bill from directing a certain level of cleanup. Carolyn Dulchinos was interested in a recent newspaper article that mentioned Arvada’s disappointment about the Udall bill due to the City’s desire to develop portion of Buffer Zone. David Abelson questioned how the Coalition would convince Congress to fund a higher level of cleanup than what is driven by identified future land uses under CERCLA. Lorraine Anderson said the land should be available to citizens. Sam Dixon said the land should be cleaned up to industrial levels, but would like wording to say highest cleanup level possible. Hank Stovall was troubled by the Open Space Advisory Council clause in the Bill. He thought it sounded good in theory, but could be problematic if members of the Council were not fully informed. He further stated that the “open space” definition was not realistic if the open space lands are contaminated. Mary Harlow said the surface water standards will not be met with current soil action levels--we need to get a better cleanup to satisfy surface water standards.

Kaiser-Hill 2006 Closure Plan

Bob Card, President of Kaiser-Hill, gave a presentation on the new 2006 Baseline for closure of Rocky Flats that was recently submitted to DOE for approval. Mr. Card stressed that the plan would be carried out safely and without shortcuts. He briefly described the project end-state, which includes having all radioactive waste shipped off site for disposal, all facilities demolished, environmental remediation to levels appropriate for future open space and limited industrial use, and water leaving the site meeting all applicable standards. He stated the two of the biggest challenges will be shipping weapons-grade materials off site to Savannah River and shipping TRU waste to WIPP. Mary Harlow asked Mr. Card what Kaiser-Hill plans to do with its orphan waste now that Deer Trail is no longer an option, and he replied that they are currently looking at alternatives. If an alternative disposal facility cannot be found, a CAMU (Corrective Action Management Unit) waste storage facility could be built onsite. A CAMU is allowed under CERCLA for the temporary storage of waste. Hank Stovall asked Mr. Card how water quality standards would be met offsite, and expressed concern that remedial action won't guarantee water quality in perpetuity. Mr. Card responded that under the current cleanup plan, offsite water quality standards will be met but he is unsure whether onsite standards will be met all the time. Mr. Card also announced that a study of a "maximum credible migration scenario" for the site will be started soon, and that study will look at the amount of material that could migrate from the site if natural disasters such as floods or earthquakes occurred. Frazer Lockhart said that, following a preliminary review, DOE found the 2006 proposal credible, so further review will continue, both by DOE and a contractor, Ernst & Young.

After the discussion, David Abelson asked for Board approval of the Coalition's press statement on 2006. Jeremy Karpatkin noted that DOE has not yet endorsed the 2006 baseline, and David responded that 2006 is Bill Richardson's stated goal at this time. Sam Dixion moved to approve the press statement. Lorraine Anderson seconded. The motion passed 7-0.

Rocky Flats Worker Issues

Marcie Nicks, from the Federal Workers Union, read a letter from the Union to DOE. The topic of this letter was the Union's opposition of Kaiser-Hill's plan to refurbish Building 460 for temporary storage of TRU waste. ("Refurbishing existing buildings" is the preferred alternative in the EA). The Union feels it is wrong to risk exposing non-rad workers to nuclear materials. Dave Navarro, speaking on behalf of the Steelworkers Union, also voiced concerns about worker safety at the site. In addition, Dave discussed the importance of health insurance benefits for retirees and the strong need for more trained workers at the site. Because of security clearances and classifications it is difficult to get workers to the jobs. Dave expressed concern that unless something changes the Union jobs may be lost to sub-contractors.

Interim TRU Waste

Will Neff led a discussion about the interim storage options currently under investigation by DOE. The draft interim TRU waste storage environmental assessment (TRU EA) is currently under a 45-day comment period. The TRU EA has been widely criticized due to its insufficient information and uncertainty. Because the TRU EA does not lay out the full end-storage concept

for TRU waste at Rocky Flats, it is difficult to anticipate which alternative DOE will choose. Will stated that while it would be unproductive for the Coalition to comment on each individual alternative, it is important that the Board uses the EA as a vehicle to ensure a place at the table in future decisions. Will then went over four potential Coalition policies and got input from the Board. Generally, the four policies are:

- 1) a request for further explanation of DOE's decision-making process;
- 2) a request for Coalition involvement in DOE's future selection of TRU waste storage strategies;
- 3) insurance that an adequate security system will be in place for protection of any onsite interim storage facility; and
- 4) all reasonable actions should be taken to avoid contaminating any temporary storage facility and to protect any co-located workers.

David Abelson stated the Board needs to really flesh out what alternative is preferable in order to make any sort of strong comment to DOE. The Coalition's comment to DOE should also include the Coalition's policies mentioned above as well as the Coalition's questions for DOE.

Public Comment

Ken Korkia from the CAB announced that the CAB Board would most likely agree to co-convene stewardship dialogue with the Coalition at their meeting later that evening. Doris DePenning asked for earlier notice of all public stewardship meeting dates. Nancy Hollinger expressed concern that no precautions or tests are being done before ditches are dug in the Westminster area around Indiana and Highway 93.

Tom Brunner announced the next Coalition meeting would take place on Thursday, August 5th, in Superior.

There was no motion to adjourn, but the meeting ended at 11:00 AM.