

Rocky Flats Coalition of Local Governments Board Meeting Minutes
Monday, September 10, 2001
8:00 – 11:00 a.m.
Mt. Evans Room in the Terminal Building
Jefferson County Airport, Broomfield

Board members in attendance: Tom Brunner (Director, Broomfield), Hank Stovall (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Lorraine Anderson (Director, Arvada), Lisa Morzel (Director, City of Boulder), Mike Weil* (Alternate, City of Boulder), Paul Danish (Director, Boulder County), Carolyn Dulchinos* (Alternate, Boulder County), Karen Imbierowicz* (Director, Superior).

Note: There were only five voting Board members in attendance.

*Arrived at time indicated.

Coalition staff members and consultants in attendance: David Abelson (Executive Director), Melissa Anderson (Technical Program Manager), Kimberly Chleboun (Program Manager), and Barbara Vander Wall (Seter & Vander Wall, P.C.).

Members of the Public: John Corsi (Kaiser-Hill), Dave Shelton (Kaiser-Hill), John Rampe (DOE), Norma Castaneda (DOE), Anna Martinez (DOE), Pat Etchart (DOE), Larry Dailey (DOE), Jeremy Karpatkin (DOE), Kathleen Rutherford (CDPHE), Steve Tarlton (CDPHE), Steve Gunderson (CDPHE), Tim Rehder (EPA), Rob Henneke (EPA), Jerry Henderson (RFCAB), Shirley Garcia (City of Broomfield), Kristi Pollard (Senator Allard), Nancy Hunter (Congressman Schaffer), Theresa Sauer (Governor Owens), Mark Udall (Congressman), Doug Young (Congressman Udall), Doris DePenning (Friends of the Foothills), Tom Hoffman (Friends of the Foothills), Hildegard Hix (Sierra Club), Roman Kohler (Rocky Flats Homesteaders), Paula Elofson-Gardine (Environmental Information Network), Kathleen Sullivan (citizen), Gail Bange (Wackenhut), Dan Chesshir (RFSOIU Local #1), John Whitney (RFSOIU Local #1), Filiberto Cruz (RFSOIU Local #1), Katy Human (The Daily Camera), Berny Morson (Rocky Mountain News), Stacie Oulton (Denver Post), Terje Langland (Colorado Daily), Chris Powers (NREL), LeRoy Moore (Peace and Justice Center), Richard Huggins (citizen).

Convene/Agenda Review

Chairman Danish called the meeting to order at 8:16 a.m. There was not a quorum yet, so business items requiring Board approval were postponed until after the Executive Director's Report.

Business Items

1) **Executive Director's Report** - David Abelson addressed the need to clarify any misunderstandings the Board may still have regarding Coalition stewardship funding and potential problems with the Rocky Flats Citizens Advisory Board (CAB). David said he had been assured by the CAB's chairman, Gerald DePoorter, that the CAB's concerns had been addressed and he continues to view the Coalition as a partner. Second, David noted two big issues in Washington, D.C. consisting of the federal budget and the Savannah River Site, both of which Congressman Udall will address in his briefing. Third, he advised the Board the guard towers are scheduled for demolition with explosives for September 29th. Fourth, David said the ER RSOP has been released for official public comment and he anticipates working with staff to provide comments on it. Fifth, he noted DOE still had not responded to the Board's April 2001 letter regarding stewardship issues, but Barbara Mazurowski had assured him that a letter was forthcoming. John Rampe confirmed it is currently being drafted. Sixth, David reminded the Board he would be going to Washington, D.C. for the remainder of the week to participate in an Energy Communities Alliance (ECA) roundtable discussion as well as meet with Mike Owen and other DOE officials. He also hopes to have the opportunity to meet with House staffers to get a better sense of the prospect of getting a hearing on the Allard-Udall bill. Seventh, per the Board's request, David circulated the latest information received from the Site regarding scope and schedule. He noted that overall the Site is slowly closing the gap on the cost and schedule variance. The Board asked for a briefing on this information in the future. Last, David referred to the information Melissa had provided the Board on potential presenters for the health effects workshop, and asked the Board for their recommendations. After a short discussion regarding staff recommendations, qualifications and cost, the Board agreed on the three presenters. Tom Brunner motioned to recommend James Durham, Robert Ullrich and Ray Guilmette as presenters for the Coalition's health effects workshop. Lorraine Anderson seconded the motion. The motion passed 5-0.

*Karen Imbierowicz arrived at 8:19 a.m. and Mike Weil arrived at 8:27 a.m.

2) **Motion to Approve Consent Agenda** –Lorraine Anderson motioned to approve the consent agenda. Tom Brunner seconded the motion. The motion passed 5-0.

Meet with Representative Mark Udall

Representative Udall began by stating an important decision facing the DOE complex is funding for cleanup efforts. He asserted that shortfalls in funding for the enrichment of plutonium for reuse or immobilization have lead to the governor of South Carolina refusing future waste shipments. The plutonium stabilization and immobilization programs were created in partnership with the Soviets, thus the decision to cut funds cannot be made in isolation. Rep. Udall noted Governor Owens and Senator Allard had sent a letter to Secretary Abrahams urging DOE to resolve the matter and avoid delayed waste shipments from Rocky Flats. He stated he was guardedly optimistic about the situation. Next, Rep. Udall said he is pleased the energy employee's worker compensation program appears to be running well, and although there may be kinks he looks to DOE and DOL for a smooth operation. Regarding the Northwest Parkway, he

acknowledged the Coalition's recent meeting with Tom Norton, and stated he has received some indication that the state of Colorado is rethinking the decision to study a transportation corridor through Rocky Flats. Rep. Udall was concerned the study could derail efforts to pass the refuge bill in Congress, and he thanked the Coalition for supporting the bill. He noted the refuge bill had been attached to the National Defense Authorization Act by Senator Allard, and the hearings in the House may be held by November although he would prefer it to be sooner. Next, Rep. Udall discussed soil action levels and confirmed he believes a refuge designation would not result in a lessening of cleanup standards. He underscored the fiscal realities of the U.S. budget and said there is not an unlimited amount of money for cleanup, but he believes the bill will force a thorough cleanup for the proposed future use. Lastly, Rep. Udall reviewed Colorado redistricting efforts and stated he advocates keeping the northwest Denver metro area together, especially since Rocky Flats ties the communities together. The floor was opened for questions and comments.

Katy Human asked Rep. Udall why he was optimistic regarding the South Carolina waste shipment situation. He explained Governor Owens and Senator Allard have been making their own inquiries, Representative Lindsey Graham (R-SC) has been working to move this ahead, and he just has a sense the people really want to get this issue resolved. Lorraine Anderson said this is an example of why the Site and the Coalition need to work to get receiver sites what they need, including funding. Rep. Udall agreed and said this is a diverse caucus, defying partisan camps. Tom Brunner thanked the congressman for his continuing availability and the need for the Coalition to remain informed. Tom referred to recent news that the U.S. government justified not informing defense workers of the dangers posed by working with beryllium because of security, and asked if this could happen with plutonium and if there are any regulations concerning this issue. Rep. Udall recounted the history leading up the Radiation Exposure Compensation Act (RECA), and the more recent Energy Employees Occupational Illness Compensation Program Act (EEOICPA) in which sick defense workers will be compensated for disability and death caused from working with these types of dangerous materials. He said there is still a reluctance on the part of the Clinton and the Bush Administrations to fully implement these two pieces of legislation. He also said in trying to preserve security, the government circumvented the First Amendment and they are still trying to recoup the damages done.

Hank Stovall referred to the RSALs and said one item that may become an issue is what risk level the community is willing to accept. Hank agreed the refuge bill would not constrain cleanup, but said they should ask if there could be tradeoffs where the Site could clean to higher levels without increased required revenue. Rep. Udall agreed the cleanup benefited from a complete vetting of the numbers. Paula Elofson-Gardine said the refuge bill should contain language restricting access to the nuclear zones since the public has been desensitized to the dangers present. Rep. Udall said U.S. Fish and Wildlife Service would work with DOE and the Coalition in identifying how the land should be managed and what restrictions should be in place. Paula also said the land management should exclude the use of prescribed burns. Rep. Udall said the Coalition has been working with his office on this issue to ensure that any future burns would meet safety standards, and although burns are a possibility DOE must convince the stakeholders it is appropriate. He noted there is a buildup of thatch and he wants to avoid the

type of fire that occurred at Hanford due to fuel buildup. LeRoy Moore said the Peace and Justice Center is not opposed to the idea of a refuge but is not happy using a refuge worker as the anticipated future user in calculating RSALs. LeRoy explained the refuge worker would not be the long-term user since the plutonium would be there longer than a refuge would exist. He also said the real driver for cleanup is surface water quality, and a previous Site study stated cleaning up to these soil action levels alone would not protect the surface water. David Abelson said the Coalition is trying to resolve endstate issues as a community, but given the current budget in Congress there is potential for the erosion of cleanup support. He said the Coalition should ask how the budget will relate to the question of final cleanup levels and what we can get for our money. Rep. Udall agreed and said DOE needs to analyze science and ideal outcomes as well as political realities. He stressed this is why it is important for the Coalition to double lobbying efforts and speak with one voice. He also said another motivation to hasten Rocky Flats cleanup and closure is the fact that significant resources then will be available to the rest of the complex.

Kathleen Sullivan asked Rep. Udall if he was familiar with the current DOE Programmatic Environmental Impact Statement on scrap metal recycling. Rep. Udall said he did not know enough to comment, but asked her to work with his chief Colorado policy advisor, Doug Young. Karen Imbierowicz asked how the Coalition might influence the Bush Administration to not suspend the plutonium immobilization and MOX programs. Rep. Udall suggested working with ECA, and added the Administration needs to hear from members of the Republican Party. Richard Huggins asked about these plutonium programs, and Rep. Udall described them as being designed in enlightened self interest as they are intended to prevent nuclear materials from reaching unscrupulous sellers and provide funding for nuclear scientists to pursue other work. Lisa Morzel reaffirmed the City of Boulder's support for the refuge bill, said the South Carolina issue emphasizes how sites within the DOE complex are integrally involved, and added the last two ECA meetings have discussed the limited amount of money for all cleanup. Lisa also said the worker compensation program is not about money, but about principle. Rep. Udall concluded by giving kudos to the Coalition and all the involved stakeholders for keeping an eye on a common goal.

*Carolyn Dulchinos arrived at 8:45 a.m.

Public Comment

Paula Elofson-Gardine asked the Board to address the monitoring situation at the Site, citing a lack of enhanced monitoring for D&D work. Paul Danish said this issue should be addressed after the Board has been better informed at the health effects workshop.

Environmental Restoration Briefing

Melissa Anderson reviewed what had been discussed in the last overview session on environmental restoration (ER) and what this session would encompass, including policy and endstate issues. She then introduced John Rampe.

John Rampe described the types of contaminants found at Rocky Flats, as well as the contaminated media that will be addressed as part of the ER program including surface soils, subsurface soils and groundwater. He noted approximately half of the sites at Rocky Flats that had been considered contaminated will have no action taken, either because the level of contamination doesn't warrant cleanup, or because there was no contamination there to begin with. He displayed a map which provided an overview of where the contamination is in general. In reviewing onsite surface soils, John showed two maps illustrating the primary area of plutonium and americium contamination: the 903 Pad, Lip Area, and "americium zone". The contaminated acreage above 650 picocuries per gram (pCi/g) is 5 acres, above 110 pCi/g is 18 acres, above 35 pCi/g is 50 acres, and above 10 pCi/g is about 300 acres. John said this raises the issue of the interdependency of SALs, cleanup levels and surface water quality. It will have a great effect on the number of acres cleaned, although the insoluble plutonium does not extend below the top few inches of soil making removal fairly straightforward. He added plutonium in surface soils can wash into surface water through erosion however, thus water management actions will be a part of the 903 Pad remedial actions. John referred to the Site's erosion modeling report, which determined they must integrate water management and removal in order to meet the water quality standard.

Paul Danish referred to the plutonium levels and said if you overlay this with the americium levels you would have a higher level of radiation, and asked how this would compare to cleanup levels. John said the RSAL calculations include a sum of ratios, considering both the plutonium and americium contribution to dose and risk. Paul asked if he had a map of other actinides, and John said he does have a map of uranium contamination but the uranium is very site specific and doesn't overlap with the other radionuclides. John did not know the inventory of depleted uranium onsite. Lisa asked about trace metal contamination, and John said there are a few Individual Hazardous Substance Sites (IHSS) where metals are of concern, mostly in pond sediments.

John then reviewed offsite surface soil contamination, primarily from the 903 Pad, as far as three miles from the eastern Site boundary. The highest levels of plutonium offsite are about 7 pCi/g, found in the vicinity of the east gate and near Great Western Reservoir. Ongoing water testing has never shown an exceedance of the State standard for plutonium or americium at Great Western or Standley Lake. The Record of Decision stating no further action was required for any areas offsite will be up for a 5-year review in 2002. Next, John pointed out the detention ponds on the general map, and described pond sediments in the upper B-series ponds which will require removal for offsite disposal. The sediments contain high levels of plutonium, americium, chromic acid, sodium hydroxide, ethylene glycol and other various contaminants. He confirmed they had sampled all of the ponds, and it is still uncertain whether the ponds will remain after closure.

John next provided a history and description of subsurface soils and original process waste lines (OPWL), and provided maps of the old and new lines. The OPWL consist of about six miles of underground lines as well as 67 tanks. The lines are 1.5" - 8.0" in diameter, located within 6' - 10' of the surface, and are made of various materials. They carried wastewater with a wide

variety of contaminants. The lines did not have secondary containment, and while there are a number of known or suspected leaks in the lines, the soils around them are uncharacterized. The path the Site will take in characterizing and removing the lines is still unclear, and may range from: 1) removal of all or most of the lines, to 2) removal of known leaks, or to 3) largely leaving them in place, foaming them, and relying on a passive treatment system to capture and treat contaminated water. The questions remain as to how to characterize the contamination, and in how large of intervals, and how to remediate. Next, John provided an overview of the subsurface contamination found in the trenches, which consists mostly of uranium or solvents and contributed to local groundwater contamination. Many of these sites have been removed already and the next, and possibly last, trench to be removed will be T-7 in the year 2002. T-7 may have some plutonium contamination, but there are not many big policy questions involved. John explained there is also subsurface contamination related to under building contamination (UBC) and the ash pits, and provided maps of the sites. Actual conditions beneath the buildings are largely unknown although OPWLs are found beneath most of the major buildings. Recent investigations under three buildings show little soil contamination and no radiological or solvent contamination. John stated they will have the opportunity to confirm the sampling results when they excavate Building 123 UBC this year. He also explained the main contaminant of concern in the ash pits is uranium, which occurs in four locations in the pits with levels exceeding the subsurface soil Tier I action levels. John stated they are currently recharacterizing the area, and the remedial action may include some excavation, but the extent is currently unknown. He confirmed the pits contain only ashes.

John next discussed the challenges associated with remediating the Present Landfill and the Original Landfill. The Present Landfill contains some hazardous constituents and has a seep emanating from the base, and will ultimately be capped. However, the Original Landfill contains 70,000 cubic yards of waste, uranium contamination, and is unstable and erodible. The remedial action has not been decided upon, but it will be a massive undertaking. John stated most of the proposed earth moving should be in a decision document in 2002. He also described several discrete plumes of contaminated groundwater, containing chlorinated solvents, nitrates, and locally, uranium. He provided maps of the plumes. Due to the topography, all groundwater reaches the surface water before leaving the Site. Thus, groundwater is to be treated or otherwise managed only for the protection of surface water. The general approach is to collect and treat it where necessary, using passive barrier walls and treatment systems. He noted it has been successful where used so far, and cited examples.

John also explained the No Further Action (NFA) process, which must be approved by the appropriate regulator. These determinations are based on historic knowledge of the Site as well as sampling data. So far, the regulators have agreed 96 sites require no remedial action, and 80 additional proposals are pending. Paul asked if any of these contained actinides, and Steve Gunderson said most were chemical spills. John said he would follow-up on that. Lisa asked if criteria used are specific to the Site, and John answered the criteria are used sitewide at Rocky Flats. He handed out a flowchart illustrating the process, and added that if CDPHE disagrees with a decision it is due to a request for additional sampling. Lastly, John provided an overview of upcoming activities. So far, 28 contaminated sites have been remediated, and several more

are scheduled for 2002, including the 903 Pad, UBC for Buildings 123 and 889, Trench 7, the Solar Ponds, and the Ash Pits. Additionally, 26 more sites will be proposed for NFA.

David Abelson asked Steve Gunderson what CDPHE believed to be big issues coming up in the next year. Steve listed endstate issues including RSALs, the 903 Pad, the Solar Ponds, and how to handle the OPWLs. He also confirmed the Original Landfill will be the most challenging project financially and from an engineering aspect. Steve added that whatever the remedy, it must include a robust long-term stewardship program including monitoring to determine if a remedy is not working as planned, and a mechanism to ensure the federal government continues to be responsible for the cleanup. John agreed and said the Site is in the process of drafting the long-term stewardship plan, and has had a good ongoing dialogue with the Stewardship Working Group since the meeting in Grand Junction in July. He said they are looking at approaching stewardship in two ways: first by making the stewardship analysis transparent as outlined in the ER RSOP, and second by laying out a Site long-term stewardship policy. Paula Elofson-Gardine asked about several issues, to which John answered as follows: characterization of tunnel contamination would have been handled by the D&D program; he is not aware of contamination at railroad loading docks and he would have to check the status; the Site handles groundwater contamination by containing, diverting and treating the groundwater or removing the source, and; the Site has no current plans to conduct an aerial gamma survey. Katy Human confirmed the 26 proposed NFA sites for the year are in addition to the 80 John previously mentioned. She also asked how many of the proposed NFA sites had not been approved by the regulators. John said there were few, if any, but they would check the numbers. Katy questioned how they would test the OPWL, and John said they will decide as they go along, and determine the extent of contamination. Paul asked if new PWL had ruptured, and Steve Gunderson said he did not know of any. Steve Tarlton said new lines are largely double walled and leak into a containment system. Steve Gunderson added CDPHE has had someone reviewing everything known about the OPWL, and that information should be available soon. Paul confirmed the process lines are distinct from the tunnels, and added this is the first he had heard of the tunnels and asked for a full inventory of what is at the Site. John noted the tunnels had been discussed in D&D documents, but he would see what he could provide. Hank Stovall also requested a full discussion at a future meeting of long-term liability by DOE and the regulators.

Round Robin

Arvada – Lorraine Anderson expressed appreciation for the ER briefing and advised reviewing endstate issues carefully and how to reach closure as a community.

Public Comment

Paula Elofson-Gardine requested a better definition of which process lines are old and which are new, and a history of the tunnels and where they are. She also asked if the Coalition would provide a list of the Board and their email addresses at future meetings. Jeremy Karpatkin advised the Board that the Site has been advised to be prepared to begin shipments to the

Savannah River Site as scheduled by mid-October. He confirmed they have the necessary infrastructure in place.

Big Picture

David Abelson reviewed the big picture. At the October 1st meeting the Board will hold a workshop on the health effects of low-level radiation at Westminster City Hall. In November, they will review the draft budget, soil action levels, and hear from Senator Allard.

The meeting was adjourned by Paul Danish at 11:00 a.m.

Respectfully submitted by Kimberly Chleboun, Program Manager