

**Rocky Flats Coalition of Local Governments Board Meeting Minutes**  
**Monday, February 2, 2004**  
**8:30 – 10:45 a.m.**  
**Mt. Evans Room in the Terminal Building**  
**Jefferson County Airport, Broomfield**

**Board members in attendance:** Gary Brosz (Director, Broomfield), Lori Cox (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Lorraine Anderson (Director, Arvada), Clark Johnson (Alternate, Arvada), Paul Danish (Director, Boulder County), Jane Uitti (Alternate, Boulder County), Sam Dixon (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Michelle Lawrence (Director, Jefferson County), Nanette Neelan (Alternate, Jefferson County), Karen Imbierowicz (Director, Superior), Devin Granbery (Alternate, Superior), Amy Mueller (Alternate, City of Boulder), Hank Stovall (*Ex-officio*), Lisa Morzel (*Ex-officio*).

**Coalition staff members and consultants in attendance:** David Abelson (Executive Director), Kimberly Chleboun (Program Manager), Rik Getty (Technical Program Manager), Barb Vander Wall (Seter & Vander Wall, P.C.).

**Members of the Public:** Dave Shelton (Kaiser-Hill), John Corsi (Kaiser-Hill), Bob Davis (Kaiser-Hill), Lane Butler (Kaiser-Hill), Bob Baur (Kaiser-Hill), Joe Legare (DOE), Karen Lutz (DOE), Norma Castaneda (DOE), Bob Birk (DOE), Laurie Shannon (USFWS), Mark Sattelberg (USFWS), Rob Henneke (EPA), Mark Aguilar (EPA), Steve Gunderson (CDPHE), Marion Galant (CDPHE), Edgar Ethington (CDPHE), David Kruchek (CDPHE), Patricia Rice (RFCAB), Shirley Garcia (Broomfield), Al Nelson (Westminster), Kim Cadena (Rep. Beauprez), Doug Young (Rep. Udall), Rep. Mark Udall, Robert Lynch (RFSOIU #1), Dan Chesshir (RFSOIU #1), Phil Cruz (RFSOIU #1), Chuck Miller (USWA Local 8031), Roman Kohler (Rocky Flats Homesteaders), Berny Morson (Rocky Mountain News), Jennifer Bohn (accountant).

**Convene/Agenda Review**

Chairman Lorraine Anderson convened the meeting at 8:36 a.m.

**Business Items**

**1) Motion to Approve Consent Agenda** – Karen Imbierowicz motioned to approve the consent agenda. Amy Mueller seconded the motion. The motion passed 7-0.

**2) Review Proposed Bylaw amendment** - In accordance with the bylaw requirement that public notice be provided at two meetings before the bylaws can be amended, the Board reviewed the bylaw amendment proposed at the last Board meeting. Lorraine Anderson explained that the

amendment would allow the Board to maintain the same rotation for Executive Committee members instead of redrawing names. The Board had no further questions on this issue.

**3) Appoint New Coalition Officers** - Barb Vander Wall explained that appointments are handled through each government, and all have done so except the City of Boulder which is expected to do so tomorrow. Thus, a motion is not necessary to recognize the new officers. In accordance with the aforementioned rotation for selection of officers of the Board, Karen Imbierowicz was appointed as the new Chairwoman of the Board, the new Director for City of Boulder, Shaun McGrath, was appointed Vice Chairman, and Gary Brosz was appointed Secretary/Treasurer. The positions became effective immediately.

Karen presented Lorraine with a plaque, thanking her for her commitment as the Coalition chair for the past year.

**4) Executive Director's Report** - David Abelson reported on the following items.

- Local governments' annual contributions are being received. David will contact any government that has not yet submitted their contribution.
- Coalition and local government staff, including open space personnel, have been discussing positions (both scientific and policy) on refuge issues in preparation for the forthcoming release of the Comprehensive Conservation Plan/Environmental Impact Statement. This same group will meet with USFWS after the next Board meeting and again shortly thereafter to determine if it will be possible to issue a joint Coalition recommendation, or if the Coalition best serves as a forum to discuss refuge issues.
- CDPHE is now requiring the Site to do hydrolasing of B771 floors to reduce hot spots, and decontamination of hot spots in B371 deeper than six feet below grade via hydrolasing or concrete shaving. These are issues originally raised by the Coalition. There was additional discussion about averaging the standard through the concrete and how the subsurface soil action level changes depending on the relationship between volume and contamination concentration level.
- The next Board meeting is being held a week early, on February 23, due to Coalition lobbying in Washington, D.C. the following week. David will begin to schedule meetings shortly.

David then discussed the urgent issue of Coalition funding. He first thanked Joe Legare for helping work with the new DOE contract people at Savannah River Site to obtain the Coalition's FY03 carryover. He then described the funding situation for FY04 and beyond. The way things stand at this time the Coalition will run out of federal money this spring. However, because of money in the bank originally raised through RFLII and Kaiser-Hill, the Coalition has funding to make it until approximately March 2005. David stated DOE committed \$250,000 - \$300,000 to the Coalition for FY04, depending on workforce transition complex-wide needs for FY04. However, the Community Reuse Organizations (CRO) have now been told not to count on any money for FY04, as well as FY05. The \$1.7 million already appropriated to the CROs for FY04 has been reprogrammed, and David said he is working with staff from Senator Allard's office and the Senate Armed Services committee to figure out where that money is going. He also

contacted Rep. Beauprez, who then called Mike Owen to further look into the situation. Last year Rep. Udall saw this coming when he circulated a letter, also signed by Rep. Beauprez, in which he argued that the President's request for FY04 funding was inadequate.

David explained that complex-wide DOE is eliminating the Site Specific Advisory Boards, the CROs, and also has no interest in supporting the Rocky Flats Cold War Museum (Senator Allard wrote a letter to DOE supporting the Museum). Additionally, in promoting their Risk Based End State (RBES) throughout the complex, DOE is not working well with people outside the fence (Rocky Flats is the exception to the RBES problem). David noted this is not just a decision by Mike Owen, and not just a DOE decision. The FY05 budget from the Office of Management and Budget (OMB) must take into account funding for homeland security, defense, and election year priorities. Thus, there is great pressure for DOE to tow the line in funding their department. David said there are various items he is working on regarding funding and possible Coalition organizational transitions.

David then welcomed Rep. Udall, who first stated that he considered Rocky Flats one of the most rewarding aspects of his job, and it has been successful due to cooperation among the agencies and the stakeholders. Rep. Udall then explained he was there to acknowledge the work of Hank Stovall and his contributions as a councilman for the City and County of Broomfield and as a member of the Coalition. Rep. Udall presented Hank with the statement he had introduced into Congressional record regarding Hank's accomplishments.

Rep. Udall also said he would be happy to answer any questions regarding the funding issues raised, but he stated that in this economic climate, no matter the party, it is necessary for the President to stand firm on being fiscally responsible with low budget increases across the board except for homeland security and defense. He encouraged the Coalition to continue working with the congressional delegation as this group provides a public participation model for the rest of the country.

### **Public Comment**

Dan Chesshir (RFSOIU #1) stated the guards need assistance in securing pensions for a small number of workers who will be losing their pensions and benefits (some by a matter of 30 to 90 days) due to accelerated closure. Chuck Miller (USWA Local 8031) said there are steelworkers with up to 25 years of service that will leave Rocky Flats and not qualify for health insurance benefits because of accelerated closure. Roman Kohler (Rocky Flats Homesteaders) stated retirees are concerned about their health benefits being transferred to DOE Legacy Management and the potential for all the plans to be lumped into one program and thereby reduced. Paul Danish said it is also a high priority to fund the Museum and take care of the people who fought the Cold War.

Rep. Udall said a leverage point is to continue to remind Congress and DOE that these people who served are no different than veterans and deserve equal treatment. He noted that he has to continue to battle for veterans as well. Lorraine Anderson expressed concern over the issue of

pensions and asked David to look into the matter and report back to the Board. Sam Dixon said the retiree's medial benefits are essential to keeping them off of welfare. Rep. Udall said his office will continue to look at various ideas to resolve these issues. Phil Cruz (RFSOIU #1) stated the workers have always appreciated the support of the Coalition and they will champion the Coalition in any manner possible to continue this open public process.

### **Original Landfill**

Bob Davis (Kaiser-Hill) provided the Coalition with its sixth Original Landfill presentation since September 2002. He again provided a background on the landfill's history and characterization, including descriptions of surface soil contamination, subsurface soil contamination, and 35 years of sampling results. Bob stated that in surface soils radiological hot spots for uranium are well defined and all other constituents are below action levels, except for two samples that exceed the action level for poly aromatic hydrocarbons (PAH). In the subsurface two samples out of 129 exceeded the action level for PAH and all other constituents were below action levels. In response to a variety of Board questions, Bob provided the following information:

- PAH is frequently seen in asphalt and is listed as an EPA priority pollutant and can provide risk at high levels.
- There were no exceedances of PCBs.
- The waste runs two to fourteen feet below ground surface.
- The most recent sampling was done mid to late 1990s and tested for metals, VOCs, semi-VOCs and radiological contaminants.
- They do not know what was originally contained in the barrels that are now surfacing as the Site did not keep records at that time.

Lisa Morzel and Paul Danish raised concerns over how exceedances were followed-up on. Bob explained that Tier II action levels require evaluation, thus they look at trends in data, history, determine if contaminants are moving, and look at the landfill as a whole to determine the associated risk.

Bob described groundwater and surface water conditions, stating the landfill has been inactive for 35 years and wastes in the landfill have not significantly impacted groundwater or surface water. He then summarized results of data review and noted there were no impacts to surface water, and in the groundwater only a few constituents in a few wells were slightly above background or Tier II levels. Gary Brosz asked about the process of sinking a well and monitoring it. Bob explained how they use either a drill rig or a hydropunch, and how the wells were placed in groups over a period of time. He said over the past ten years there has been little physical activity at the landfill with the exception of sampling and related foot-traffic.

Bob then described landfill stability and stated most of the landfill is structurally stable. The landfill appears hummocky, but this is from the placement of waste as it was dumped and not from settlement or sliding. There is some surface instability from placement of waste at steep slopes. Bob said previous investigations indicate a potential stability concern, however, there is no physical evidence such as cracking at the surface to indicate that the landfill is currently unstable. Additional geotechnical investigation is planned to further assess the geotechnical

conditions and to develop a remedial design and geotechnical monitoring plan. Lisa said she was not convinced there is not creep and slumping occurring in the landfill and questioned the Site's methods for monitoring stability. Bob and Steve Gunderson (CDPHE) both explained that the area has shown no movement in the last 35 years, including boreholes down to bedrock. There was further discussion, but David Abelson asked them to continue their conversation after the meeting due to time constraints.

Bob next outlined the proposed accelerated action plan. As described in the past the remedy will consist of hot spot removal, grading, and a cover. Landfill containment is the EPA presumptive remedy and this cover will meet all Subtitle D regulatory requirements. He reviewed the following specific elements of the cover:

- grading to reduce surface features
- maximum slope of 18% (some slopes are already less than 18%)
- removing the SID within the footprint of the landfill
- covering with Rocky Flats alluvial soil (minimum two feet)
- establishing native varieties of vegetation with erosion controls
- continued groundwater and surface water monitoring
- monitoring physical conditions (stability)

Bob stated that further engineering enhancements for stability will be investigated to determine the need and implementability of retaining walls, a groundwater barrier system, and a stability monitoring plan. Sam Dixon said a Subtitle C cover would be better since they do not have any idea what is out there. Lorraine Anderson said once the hotspots are removed she does not want to spend money on removing waste that is benign. She said the landfill has been discussed extensively and there are other cleanup issues that have not yet been talked about.

Hank Stovall asked if the proposed remedy would consider an irregular surface in order to reduce sheet flow and eliminate the potential for erosion. Bob said the concept is a gentle slope, and they are doing further surface water runoff analyses and looking at design features. They are considering drainage ditches around the top of the landfill to divert surface water. Gary asked about the groundwater barriers. Bob explained it would be a slurry wall to prevent intrusion, with an assumed lifetime of hundreds of years since it would be constructed of native materials and there are no volatiles to degrade it.

Bob then described how the proposed remedy would protect water quality, reiterating that the data shows no impact from the landfill and no indication of waste sliding toward Woman Creek. He also reviewed the many stewardship controls that will be implemented, including monitoring, cover inspection and maintenance, and institutional controls. Institutional controls have been identified which: prohibit excavation of the cover and immediate vicinity; prohibit construction of roads and trails on cover; prohibit drilling on cover and immediate vicinity; prohibit disturbance of monitoring points; include signage listing restrictions; and, include administrative controls through legal mechanisms.

Finally, Bob reviewed the schedule. The Draft IM/IRA is undergoing internal review and will be released for public comment in April. The geotechnical investigation will occur February to May, 2004, resulting in the design which will be released by summer 2004. Surface hot spot removal and the remedy construction are scheduled for FY05.

Ron Hellbusch related Westminster's concerns regarding the relationship between the landfill and Ponds C-1 and C-2, and asked that pond conditions be taken into account when planning the landfill accelerated actions. Specifically, he stated Westminster would like to see Pond C-1 dredged and reconstructed as a holding pond instead of flow-through. Lorraine asked if hot spot removal could cause a disturbance and if monitoring would occur during that time. Bob responded that they would sample as they excavate to ensure they get below the uranium action level, and regrading and cover construction would begin immediately thereafter. He said monitoring would be ongoing and water flow from rain would have to be controlled. Gary Brosz asked if the IM/IRA would include detailed information on all three alternatives, including criteria and weights. Bob stated the document would include the alternatives analysis, but again stated a cover is EPA's presumptive remedy for a landfill. He said the analysis reviews remedial action objectives, ARARs, cost and schedule, but alternatives are not scored by weight.

### **Original Process Waste Lines**

Lane Butler (Kaiser-Hill) began by providing a description and project history of the original process waste lines (OPWL). The OPWL were used from 1952 to the early 1980s to transport liquids back to the 700 area for waste disposal or economic recovery. There is six miles of process waste lines, constructed out of a variety of materials, and 67 tanks. Findings to date indicate the contamination is less than anticipated and the piping is in better condition than anticipated. Contamination is predominantly associated with valve vaults. Karen Imbierowicz asked about the number of valve vaults, and Lane said there are roughly 25 valve vaults and manways, which are also uncontained.

Lane stated they know for certain the B-1 dam area, and two areas north of Tank 207 will require soil remediation. The B-1 dam face has a small area with 434 pCi/g plutonium, and the other two areas consist of 74 pCi/g plutonium at the surface over an undefined area, and a fifteen by fifteen foot area with up to 4 nCi/g plutonium. The latter area is already being remediated. Additional remediation will be based on characterization; the OPWL characterization plan includes 27 reported leak locations, 58 suspected leak locations, and other sites where sampling is already being done for other projects (such as under building contamination and individual hazardous substance sites). Characterization of the reported leaks (three to six feet deep) was completed in FY03, and characterization of the suspected leaks (three to six feet deep) will be completed FY04. Thus far, 196 of 253 samples have been collected.

Lane then described the remediation plan, based on the strategy outlined in RFCA Attachment 14: lines within three feet of the surface will be completely removed; valve vaults will be removed to six feet below ground surface and completely if practical; and, the remaining lines will be foamed and/or grouted, but not flushed, to minimize the risk of mobilizing contaminants.

Lane noted associated soil contamination areas will also be removed as outlined above. Gary Brosz asked how deep most lines below three feet were, and Lane stated they were mostly five to six feet deep although some were seven to eight feet deep. Gary asked if going down six feet was prohibitively expensive, and Lane stated this was the remediation strategy previously agreed to in the RFCAs modifications. He stated the intent is to remediate the subsurface based on sampling, and then grout the remaining pipes to the extent practical.

Lane then reviewed remediation status and provided the Board with a map of OPWL status. He said 917 feet of pipe had been removed, primarily less than three feet deep, as part of the OPWL project. Additionally, 4500 feet had been removed by other projects. One valve vault and 4 OPWL manways have also been removed. The B-1 dam remediation area will be deferred to the B-2 Pond sediment removal project. In closing, Lane stated that overall the project is a good story as they are not finding significant contamination from the pipes, although they were somewhat surprised by contamination at the valve vaults.

### **Draft Washington, D.C. Briefing Packets**

David Abelson handed out a revised slide for the DOE packet. He then explained how they usually use the lobbying packets while meeting with representatives from Congress and DOE. He described how this year the information has been pared down, simplified, and focused on key issues as the Site is nearing the end of cleanup. The information will focus on funding, orphan waste, the refuge MOU, and long-term stewardship. David noted the packets are vague regarding Coalition funding in order to be adaptable at each meeting and also because circumstances could change by the time they meet.

Gary Brosz asked if there is a list of specific concerns the Coalition will raise and if there will be any attempt to communicate these concerns. David replied they will weave details in and out as the meetings necessitate, and depending on whom they are meeting with. The Board then discussed the details of meeting days and times.

### **Round Robin**

The governments had no further comment.

David Abelson handed out information packages on postclosure options for the Coalition, including Board composition and budgets. The Board will discuss the options further at the next Board meeting, and possibly go into executive session to discuss negotiating issues.

Barb Vander Wall asked the Board to return their oaths of office to her.

### **Public Comment**

There was no further public comment.

## **Big Picture**

David Abelson reviewed the Big Picture. Topics scheduled for the February 23<sup>rd</sup> Board meeting include presentations on Industrial Area groundwater, surface water, and the proposed refuge alternative. There will also be the Coalition business of finalizing the March lobbying packet.

The meeting was adjourned by Karen Imbierowicz at 10:49 a.m.

*Respectfully submitted by Kimberly Chleboun, Program Manager*