

ROCKY FLATS STEWARDSHIP COUNCIL

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Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

Board of Directors Meeting – Agenda

Monday, November 5, 2007, 8:30 – 11:55 AM

**Rocky Mountain Metropolitan Airport (formerly Jefferson County Airport)
Terminal Building
11755 Airport Way, Broomfield, Colorado**

8:30 AM Convene/Agenda Review

8:35 AM Business Items

1. Consent Agenda
 - o Approval of meeting minutes and checks
2. Executive Director's Report

8:50 AM Public Comment

9:00 AM Approve Draft Bylaws Amendment Regarding Appointment of Community Representatives to Rocky Flats Stewardship Council (briefing memo attached)

- o The bylaws do not currently provide for Member appointments to the Stewardship Council Board of Directors.
- o The Board must make new appointments for the four community representative seats for 2008-2009.
- o The amendment provides that the appointments are made by the nine governments that are a party to the Stewardship Council IGA.
- o The amendment was reviewed at the October 1, 2007, meeting. No changes were made.

Action Item: Approve bylaws amendment

9:10 AM Fiscal Year 2008 Budget Hearings (briefing memo attached)

- o Draft budget was initially reviewed by the Board at the October meeting.
- o Prior to finalizing budget, Stewardship Council must hold budget hearings and allow time for public comment.
- o Following public hearing, Board must approve budget resolution.

Action Item: Hold hearings and approve budget

- 9:25 AM Approve Fiscal Year 2008 Work Plan (briefing memo attached)
- Draft work plan was initially reviewed by the Board at the October 1, 2007, meeting.
 - Changes from that draft are noted in redline strikeouts.

Action Item: Approve 2008 Work Plan

- 9:35 AM Host DOE Quarterly Meeting (briefing memo attached)
- DOE will brief the Stewardship Council on site activities for April – June, 2007.
 - DOE has posted the report on their website and will provide a summary of activities to the Stewardship Council.
 - Activities included surface water monitoring, groundwater monitoring, air monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.).

10:25 AM Public comment

- 10:30 AM Updates/Big Picture Review
1. Member Updates
 2. Review Big Picture

10:40 AM EXECUTIVE SESSION

10:55 AM Stewardship Council Membership Interviews

11:55 AM Adjourn

Next Meetings: February 4, 2008
May 5, 2008

Business Items

- October 1, 2007, draft board meeting minutes
- List of Stewardship Council checks

Draft Bylaws Amendment

- Cover memo
- Draft bylaws amendment
- Stewardship Council bylaws

**Rocky Flats Stewardship Council Board Meeting Minutes
Monday, October 1, 2007**

8:30 – 11:15 AM

**Rocky Mountain Metropolitan Airport, Terminal Building
11755 Airport Way, Broomfield, Colorado**

Board members in attendance: Clark Johnson (Alternate, Arvada), Carl Castillo (Alternate, City of Boulder), Matt Jones (Alternate, City of Boulder), Lori Cox (Director, Broomfield), Mike Bartleson (Alternate, Broomfield), Chuck Baroch (Director, Golden), Jim Congrove (Director, Jefferson County), Kate Newman (Alternate, Jefferson County), Sheri Paiz (Director, Northglenn), David Allen (Alternate, Northglenn), Karen Imbierowicz (Director, Superior), Tim Purdue (Alternate, Superior), Jo Ann Price (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Marjory Beal (Alternate, League of Women Voters), Roman Kohler (Director, Rocky Flats Homesteaders), Kim Grant (Director, Rocky Flats Cold War Museum), Ann Lockhart (Alternate, Rocky Flats Cold War Museum), Ken Foelske (Director).

Stewardship Council staff members and consultants in attendance: David Abelson (Executive Director), Rik Getty (Technical Program Manager), Barb Vander Wall (Seter & Vander Wall, P.C.), Erin Rogers (consultant).

Attendees: Carl Spreng (CDPHE), Vera Moritz (EPA), Scott Surovchak (DOE-LM), Bob Darr (Stoller/DOE-LM), Rick DiSalvo (Stoller), Sue Vaughan (League of Women Voters), Jennifer Bohn (RFSC accountant).

Convene/Agenda Review

Chair Lori Cox convened the meeting at 8:40 a.m. She asked if there were any suggested changes to the agenda. There were none.

Consent Agenda

Clark Johnson moved to approve the August, 2007 minutes. The motion was seconded by Jeannette Hillery. The motion passed 12-0.

Karen Imbierowicz moved to approve the checks. The motion was seconded by Clark Johnson. The motion passed 12-0.

Executive Director's Report

David first discussed was the status of the federal budget for fiscal year 2008. The 12 appropriations bills should be completed by September 30, the end of the fiscal year, but Congress does not succeed at this very often. If the appropriations are not made, Congress needs to approve a Continuing Resolution, which serves to buy more time to approve and for the President to sign come the outstanding bills. To date, the House has approved all 12 appropriation bills but only four have been approved by the Senate. None of the bills have gone

to conference, the process where the House and Senate resolve their differences. Therefore, none of the bills have been approved so Congress approved a Continuing Resolution which covers all 12 bills has been approved. It is valid through November 16. Because of the number of outstanding issues, a second Continuing Resolution is expected, which will extend through the Thanksgiving holiday. Complicating the picture is that the President has threatened to veto 11 of the 12 appropriation bills. There are no budget issues at the present time that affect Rocky Flats. The only lingering issue is a provision in one of the House bills that would move DOE's Legacy Management office into the Environmental Management office. The Senate version does not contain this provision. This will be a key issue for Rocky Flats when Congress enters conference negotiations on the Energy and Water appropriations bill. The Senate version also includes \$500,000 for the Rocky Flats Cold War Museum.

David next discussed federal funding for the Rocky Flats Stewardship Council. The Stewardship Council will exhaust its federal dollars in approximately September 2009. David recommended that he visit Washington, D.C. in November to meet with Congressional staff and DOE to begin to explain the need for additional dollars. During this trip, he would be able to lay the groundwork for consideration of additional federal funding for the Stewardship Council in FY09. He said that it may be a good idea for Chair Lori Cox to go on this trip as well. Carl Castillo asked if Stewardship Council funding will continue to be a direct appropriation. He also asked why it is not part of the LM budget. David said that LM asked for fixed amount to cover their costs, and extra expenditures would cut into their budget. It would be possible to build Stewardship Council funding into their request, but federal agencies are required to create their budgets so far in advance that this would be difficult. Carl asked what the ramifications would be if the Stewardship Council did not get the direct appropriation. David said that if that scenario happens, the group will have to look at all of their options. The Stewardship Council has approximately one year of non-federal funding available, and David is reasonably confident that the Stewardship Council will receive funding, since this group was specifically authorized by Congress and has strong support within DOE and Congress.

David next discussed DOE's petition to the Colorado Water Quality Control Commission to change the site-specific uranium standard. DOE has requested the Commission apply the state drinking water standard for uranium to Rocky Flats. The current Rocky Flats standard is roughly twice as stringent at the state standard. The Commission agreed to review the standard at its January 2009 meeting; DOE had requested the Commission conduct the review in January 2008. In preparation for the 2009 review, DOE is developing additional data points about the type of uranium, namely whether it is naturally-occurring or man-made. David noted that Rik Getty previously wrote a summary explaining this analysis, called speciation.

David announced that DOE's Frazer Lockhart and his team recently received an award from the Partnership for Public Services for the cleanup of Rocky Flats. This is one of most prestigious awards for public service employees. This year's top medal went to doctors with the National Institutes of Health working on cervical cancer vaccines.

Regarding the Rocky Flats worker's special exposure cohort petition, in August the Secretary of Health and Human Services officially accepted the June 2007 recommendation from the Advisory Board. This recommendation was to approve the petition of those who worked at

Rocky Flats through the mid-1960s. However, there is still a bill supported by Senator Salazar and Representatives Udall and Perlmutter which would grant special exposure cohort status to additional Rocky Flats workers. Congress is waiting for results of a GAO report on the matter, which will likely be followed by hearings.

David informed the Board that he will be attending an annual Intergovernmental Meeting at which he has spoken for the past few years. Meeting participants include Energy Communities Alliance (ECA), National Governors Association, National Association of Attorneys General, State and Tribal Government Working Group, Environmental Council of States, and DOE. ECA will pay most of his expenses, including hotel and airfare.

Rik Getty noted that a rain storm in mid-September produced almost 1” of rain. Attachment 2 of the Rocky Flats Legacy Management Agreement (RFLMA) requires that the site conduct an inspection after a significant precipitation event, which is defined as 1” or more of rain. Bob Darr (DOE) said the site had documented .92” of rain, but that staff nevertheless inspected the site. David Allen asked how the RFLMA defines a significant snow event. Rik said it was based on the water content of the snow, but thinks it is approximately 10 inches. Karen Imbierowicz asked what they do for this type of inspection. Rik said they are mostly looking at erosion control issues and primarily these are visual inspections.

Public Comment

Bob Darr (DOE) reminded the Board that DOE has been looking at closing the Rocky Flats Public Reading Room. Along with conducting a great deal of research, DOE has entered into discussions with the University of Colorado library archivist. Bob offered the cities and municipalities a last opportunity to let him know if there are any particular records of which they are interested in taking possession. CU will maintain community archives, so the data will still be accessible to the public. Mike Bartleson asked if there is a cost to DOE to transfer these materials. Bob said they will simply provide packing materials, but that is all. David Abelson noted that CU also received all the Citizens Advisory Board and Rocky Flats Coalition of Local Governments files, as well as several other sets of Rocky Flats files. JoAnn Price asked when the reading room will close. Bob said the lease is up on December 31st, but staff will start packing in advance of that date so they can be completely moved out by the end of the year. Ann Lockhart pointed out that CDPHE also transferred its Historical Public Exposures Study data to the CU archive. Kim Grant said that the Rocky Flats Cold War Museum had loaned some of their materials to the Reading Room, and they would like to make sure they are returned. Rik Getty said the Stewardship Council has eight boxes of files that will also be going to CU. David noted that he and Rik are also creating hard copy files of all records to have for future needs.

Rocky Flats Cold War Museum Briefing

Board members from the Rocky Flats Cold War Museum recently participated in an ECA peer exchange on historical preservation at nuclear sites. Kim Grant began by thanking Lorraine Anderson for her leadership at ECA in beginning this dialogue on historical preservation beyond the Manhattan Project. Kim said they were able to learn a great deal from the groups that

participated in this meeting, which included DOE, ECA, National Park Service, Atomic Heritage Foundation, Los Alamos, Hanford, Oak Ridge, Idaho Science Center, and Rocky Flats.

Kim reported that Atomic Heritage Foundation (AHF) president Cindy Kelly discussed a new book on the Manhattan Project, as well AHF's success in preserving the garage at Los Alamos National Laboratory used for assembly of the atomic device tested at the Trinity site. One of the challenges she mentioned facing preservation at these sites is allowing for public access at many of these facilities.

At Oak Ridge, one of the success stories is the Secret Cities Festival, which has grown into large local event attracting thousands of visitors each year. There are also efforts underway to preserve a portion of the K-25 U Historic Site (used to produce uranium-235), and the release of two documentary films related to the Oak Ridge community's role in the Manhattan Project. At Hanford, the focus is preservation of the B-Reactor site, the first large scale nuclear reactor that produced plutonium for the Trinity Test. They are also working to develop a National Monument in this area. The Idaho Science Center is a small local museum being developed which includes a partially buried nuclear submarine and other visitor attractions. There are also local efforts to preserve the history of DOE's Idaho National Laboratory. The Rocky Flats presentation focused on the Museum's efforts to preserve artifacts, oral history, as well as site planning and development issues.

Many common threads emerged from these discussions, including access to sites, the benefits of linking with other area/regional heritage organizations, the importance of having an online presence, and the need for ongoing federal presence and Congressional appropriations. One specific challenge at Rocky Flats is the number of constituencies and local governments that are part of the Rocky Flats area.

Kim also noted that the Museum has been invited to participate in a national oral history conference. In advance of this conference, Museum Board Members have developed an 8-minute video containing snippets of the Rocky Flats oral histories.

Ann Lockhart reported that the Museum Board has been putting out an electronic newsletter, which includes excerpts from some of the oral histories along with other museum information. They are trying to expand their distribution list. Kim and Ann have given presentations at several groups in community. They also conducted a phone consultation with a successful nuclear museum in New Mexico to gather fundraising tips. To date, the major fundraising successes for the Rocky Flats Museum have been due to Kim's efforts. She added that the Museum hopes to continue to do more oral histories. They have recently created a new exhibits committee which includes Shirley Garcia and Neils Schonbeck. There are also efforts underway to improve their website. Lori Cox said she has not received the newsletter and asked how to sign up. Ann said people can sign up through the website (RockyFlatsMuseum.org). David Abelson said he forwards copies via email to the Board Members. Chuck Baroch asked if groundbreaking is scheduled. Kim said they are not ready yet and that federal funding is key to making it happen. There are still a few zoning issues to work out. All the money raised by the museum so far has been used for projects, not construction. To undertake construction efforts, the Museum estimates it will need about \$4 million.

Briefing Materials for Newly Elected Officials

Stewardship Council board members identified the need to prepare briefing materials for newly-elected officials. David Abelson has prepared a set of draft papers which reflect the Board's input to date. At this meeting, David is looking for feedback. He noted that the direction he was given at the last meeting was to focus on the background of Rocky Flats, as well as communicating risk. He is planning to develop topic-specific papers addressing the scope of cleanup, 'how clean is clean', ongoing management needs, worker issues, and one paper containing talking points. These briefing materials may be distributed as hard copies, a complete briefing packet, and on the website. David asked the Board Members to focus on the substance of the papers before addressing format issues. His goal was to write these papers at an executive summary level of detail.

Ken Foelske said he thinks the drafts were extremely well done. He suggested that the addition of a map might help to show the location of key points. Clark Johnson suggested additional basic visuals. David Abelson noted that a representative from Jefferson County put together map some time ago which showed the location of Rocky Flats in relation to the local jurisdictions, and he will try to locate this information for use in the briefing packet. Jo Ann Price also said she thought the papers were very well done. Karen Imbierowicz asked David if he considered going to level higher than this. David said he would like to provide information at various levels. An example of the most basic level of information would be the first two paragraphs of National Wildlife Refuge briefing paper. Karen agreed that the current format and level of information is good.

David Allen said he likes having issue-specific papers. He thought it would be a good idea to have one (2-3 page) general paper, and then a separate, more specific, paper for each issue. Kim Grant suggested that the historical timeline could be made into a separate attachment. He added that, while more subjective, the talking points are well done and will be useful. David Allen asked posed the question of whether the Stewardship Council should cross the line of adding subjectivity within the briefing paper format. David Abelson responded that when adding subjective content, the paper will make note of this.

Chuck Baroch asked why the history of Rocky Flats was not included in the briefing paper topics. Bob Darr said that DOE had just created a new fact sheet on Rocky Flats that covers the history and that it will be available on their website. Clark Johnson noted that the topics of history, cleanup, and 'how clean is clean' are separate from future issues.

Jeannette Hillery said the Board needs to look at who the audience is and base the level of the information on that. Lori Cox said there was a good rationale for making each of the briefing papers a stand-alone piece, as readers will be able to choose their topic of interest. David Abelson noted that the staff received a questionnaire from the League of Women Voters that was being used in preparation for a panel discussion on Rocky Flats. Most of the League's questions had to do with safety issues and 'how clean is clean'. David said they submitted about 11 pages of answers, as these are the most challenging questions to address. David said he thinks this is what most people are interested in regarding Rocky Flats. Carl Castillo suggested inserting an

introductory paragraph in the papers which notes the intended audience and purpose. He also suggested cross-referencing the other briefing papers when appropriate. Kim Grant would like to see the papers include a list of websites so that the reader can access additional information. Lori Cox said she was working off the assumption that the target audience for these papers was new Board Members. Chuck Baroch said the information will also be important for new city council members. Kim Grant said that he thinks all audiences will be served with the papers as written.

Karen asked David if he was planning to add information about the history of Rocky Flats. David said he was, along with a paper providing background on the Stewardship Council. JoAnn Price asked about including a map that shows the main features of the site, including landfills. David said there will be a new section on the Stewardship Council website which will highlight various perspectives and provide external resources. David said he envisions that the new briefing packet will include additional information, such as a list of Board Members, current press releases, Stewardship Council work plan, and possibly other documents based on what it is being used for.

David concluded by saying will continue refining the papers based on the input from the Board and send revised drafts via email. There will be further discussion at the February 2008 meeting.

Draft Stewardship Council Bylaws Amendment

The bylaws do not currently provide a process for appointing community members to the Stewardship Council. The four community representatives of the Stewardship Council (League of Women Voters, Rocky Flats Cold War Museum, Rocky Flats Homesteaders and Ken Foelske) were appointed to a two-year term that expires in February 2008. Each is eligible to apply for reappointment and the Board must make new appointments for 2008-2009. The draft bylaws amendment provides that the appointments will be made by all nine governments that are a party to the Stewardship Council IGA. The amendment will be reviewed at this meeting and adopted as modified at the November 5th meeting. Lori Cox asked if there were any questions or concerns about the amendment. She noted that the reason for this amendment is that the bylaws currently require nine members to approve a motion, but there are only eight government members at any one time due to the rotating arrangement of Golden and Northglenn. She said it makes sense that all nine of the governments be able to vote on the appointments.

Barb Vander Wall, the Stewardship Council's attorney, suggested that the words 'notice' 'membership application' be changed to lowercase so they are not defined terms. She clarified that only discussion of the amendment can take place at this meeting, with approval at the next meeting. Karen Imbierowicz asked if it would be a good idea to include a simple sentence noting that both Golden and Northglenn will vote on membership appointments. David Abelson said that the rotating parties are defined elsewhere in the bylaws.

Board Review of Stewardship Council Activities for 2007 and Initial Review of 2008 Work Plan

The 2007 Stewardship Council Work Plan provides that the Board review the Plan elements to help determine its ability to accomplish the stated mission and objectives. The review includes

an assessment of how the organization can improve in the coming year, focusing on areas of weakness and opportunities for improvement. This review is a first step in developing the 2008 Work Plan. This month's meeting packet contained a draft 2008 Work Plan that is an update of the 2007 Plan. Formal approval of the 2008 Work Plan will take place at the November 5th meeting. David said the Board should spend some time looking at how things have been working. He pointed out that there are two main changes from last year. First, the site is moving out of the regulatory closure period. Second, the Stewardship Council is working to increase public communications activities, such as the briefing packets discussed earlier. David also sees a need to explore possible linkages between the Stewardship Council and the Rocky Flats Cold War Museum, as there is so much commonality in the focus of the two organizations.

Lori Cox asked the Board for their thoughts on the Stewardship Council's 2007 activities. Jeannette Hillery said she has been pleased with DOE's quarterly updates on activities, and also the updates on Refuge issue. She said that, while these updates may be more thorough than some people would like, they have been helpful for her. She added the Stewardship Council needs to maintain vigilance on budget issues, especially regarding the Refuge, but also for DOE's long-term monitoring.

Kim Grant said this group has learned the importance of outreach, since public memory will erode over time.

David Abelson pointed out the wording on Page 4, Number 10 of the draft Plan regarding DOE management responsibilities. David said the Refuge interpretive signage discussion will be a huge issue. The Stewardship Council will be talking to the Fish and Wildlife Service at the February meeting, and hopes to begin to engage on this issue. One way to use the signs as an educational tool about the history of Rocky Flats is to include photos of the site at various vantage points along the future trails. Kim Grant noted that the Cold War Museum has encountered some reticence on the part of the USFWS to go beyond their basic wildlife mission in terms of information they will provide to the public. Ken Foelske said it will be important to convey to future visitors how many people worked at the site at one time. Karen Imbierowicz asked why there is reluctance from the USFWS about these issues. Kim said there were funding issues, but also this historical perspective of the site is beyond the normal mission of the USFWS. David Abelson pointed out that the Conservation Plan for the Rocky Flats Refuge does call for this kind information to be included in the signage. Kim said that funding for signage does not have to come from the federal government. David Allen asked if the Stewardship Council can put some pressure on USFWS through our Congressional representatives to work on signs.

Chuck Baroch asked if the Stewardship Council has approached other organizations about funding for Refuge interpretive signage. He noted that it is possible to solicit funds for this purpose from groups such as the Colorado Historical Society and Preserve America. David Abelson pointed out that, because the USFWS does not have funding to open any trails, there will not be a need for signs for several years. He said this group should be more focused on content, because the federal government is responsible for funding.

Mike Bartleson said the success of the Stewardship Council includes hearing about the ongoing monitoring, and having DOE report at these meetings. David Abelson asked if the technical staff briefings have been working for the participating cities. Mike Bartleson and Ron Hellbusch said they have been working well. He also asked the Board if they think the DOE quarterly reports have been useful. All agreed that they were. Roman Kohler said he liked the Work Plan as written.

Clark Johnson said he worries about people becoming less engaged, and would like to see the Stewardship Council work to try to prevent this from happening. He said the future development of the Refuge is an issue that may be able to keep the interest level from waning. David Abelson wants to make sure the conversation about the site does not become too choppy. The frequency of Stewardship Council meetings will be important. The staff is trying to be careful about when they are sending information to the Board, as they do not want Rocky Flats to be off the radar screen for too long.

FY 08 Budget – Initial Review

The Stewardship Council will need to approve the fiscal year 2008 budget at the November 5th meeting. Today, the Board will review the draft budget. The required formal budget hearings will also take place at the November meeting. David Abelson pointed out that the draft budget maintains or decreases every item for the third year in a row. As usual, they have added a bit of padding in order to try to avoid the need for any supplemental funding. The sole exception is the telephone budget, which was increased to cover normal rate increases. Under the Subscriptions item, David would like to increase the Conference Registration budget to \$295. The Weapons Complex Monitor subscription price also went up from last year.

JoAnn Price said she has been struggling with the cost associated with the Executive Director position, since the duties have declined. She also thought staff should cover expenses. David Abelson said he does not think the work has declined, and that staff is actually busier than anticipated. He added that a typical management contract would charge large overhead fee to cover expenses, and that he is not including this charge. He does get reimbursed for standard items such as cell phone, internet, fax, and gas. He said the Stewardship Council probably could not find a lower cost for services elsewhere. JoAnn noted that the budget includes four trips to Washington, D.C and asked if this could be reduced to two. David noted that just because this is in the budget does not mean it has to be spent. The Board will decide if and when to use this money. Karen Imbierowicz said she thinks it is better to budget more than you think you need. She said it may be helpful to see the 2007 actual costs as comparison. She also said she remembered that there was more specific information about personnel expenses in David's 2007 contract. David said the 2006 personnel budget was reduced in 2007. Rik Getty was added at \$100 per hour, with a maximum of 30 hours per quarter. David is on a flat monthly salary. David said if he switched to hourly billing, his costs would go up. He also noted that Rik's hours have been going up lately. The staff contract is up at end of the year, so the Board will have to make decision on how to proceed. Also, this line item in the budget is padded by at least \$24,000.

Jeannette Hillery said she also likes having extra padding in the budget, as opposed to having to do amendments. Echoing Karen's request, she also would like to see the actual vs. budgeted expenses for 2007. David said he will provide the first ten months of data with the next Board packet. Chuck Baroch asked where extra money would come from if the budget was exceeded. David said the Stewardship Council has reserve funding that is not shown on the budget. These numbers are shown on the quarterly financial reports. The Stewardship Council needs to expend DOE funding before the reserve, non-federal funding. David Allen pointed out that the purpose of this budget is to set placeholders for the year. He agreed that the Board needs a quick 2007 overview. He said he would also like to understand how long the additional funds will last. David said that if expenditures remain constant, the Stewardship Council has enough to operate about two more years. Kim said that the actual personnel cost for the year would be helpful. He also asked how much of the RFCLOG funding remained. Jennifer Bohn said it was \$89,000, and that none of this money had been spent. The original source of this funding was a 1999 Kaiser Hill grant.

David said the total projected Stewardship Council costs for 2007 are \$124,000. He said staff will update this projection, but this should be very close.

Chair Lori Cox reiterated that the personnel contract is up at end of year, and that the Board needs to have a discussion now on how to proceed. Chuck Baroch said he sees no need to change course at this time and that he favors renewing the contract. JoAnn Price said she did not see a need to put out an RFP. Sheri Paiz asked David if he anticipated any major changes to his contract. David said he will not request a fee increase and that the scope of work in the contract continues to be valid. There may be two new items from last year. First, if Representative McKinley introduces another Rocky Flats bill, this may lead to additional staff work. Second, if there are new Board members, there will be additional effort required in terms of education. David said he was thinking about increasing the maximum hours per quarter for Rik's services. Rik said he would be willing to come down on his per hour cost in order to have a set monthly fee at \$850. Currently, Rik is averaging almost 9.5 hours per month. Karen Imbierowicz said she thinks the proposed contract sounds like a good deal. David Abelson said they could schedule an Executive Session at the next meeting to review staffing decisions. He will develop a revised contract for review. The Executive Committee will meet to go over the contract, and bring a recommendation to the Board at the November meeting. Jeannette Hillery said she thought the scope of work for David was good this year, and they will review it again before the next meeting.

Public Comment

David Abelson noted that he found out the night before that there was a problem with the email distribution of the meeting notice. It appears the general distribution list did not receive the email for some reason. He will make sure that the November email reaches the list.

One of the Board members noted that a large housing development is being built on the southern border of Rocky Flats and asked anyone had been receiving calls about this. No one reported any inquiries. David Abelson said this was on the other side of the southern boundary fence.

Updates/Big Picture Review

David announced that 2008 Board Member applications had been distributed. None have been received yet, but David is aware that some are in process. Ken Foelske said he will not be re-applying, but the League of Women Voters, the Rocky Flats Cold War Museum and the Rocky Flats Homesteaders will be submitting applications.

Barb Vander Wall noted that the Board will need to officially set its 2008 Board meeting schedule at the February meeting.

The next Stewardship Council Meetings are scheduled for:

- November 5, 2007: Topics include: Budget hearings for the 2008 budget; 2008-09 the Stewardship Council membership interviews; Host LM quarterly public meeting; and approve 2008 Work Plan.
- February 4, 2008: Elect 2008 officers; Host LM public meeting; DC briefing materials; Meet with USFWS; and DOE FY09 budget briefing.

The meeting was adjourned at 11:07 a.m.

Respectfully submitted by Erin Rogers.

6:40 PM

10/15/07

Rocky Flats Stewardship Council
Check Detail
September 16 through October 15, 2007

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Check		9/27/2007		CASH-Wells Fargo-Operating		-2.00
				Admin Services-Misc Services	-2.00	2.00
TOTAL					-2.00	2.00
Bill Pmt...	1204	9/18/2007	Erin Rogers	CASH-Wells Fargo-Operating		-575.00
Bill	9/9 Bi...	8/31/2007		Personnel - Contract	-575.00	575.00
TOTAL					-575.00	575.00
Bill Pmt...	1205	9/18/2007	Office Depot Credit Plan	CASH-Wells Fargo-Operating		-204.56
Bill	6011 ...	8/31/2007		Supplies	-204.56	204.56
TOTAL					-204.56	204.56
Bill Pmt...	1207	9/18/2007	Seter & Vander Wall, P.C.	CASH-Wells Fargo-Operating		-1,499.61
Bill	52207	8/31/2007		Attorney Fees	-1,499.61	1,499.61
TOTAL					-1,499.61	1,499.61
Check	1208	9/18/2007	Purchase Power	CASH-Wells Fargo-Operating		-250.00
				Postage	-250.00	250.00
TOTAL					-250.00	250.00
Check	1209	9/29/2007	Exchange Monitor Publications	CASH-Wells Fargo-Operating		-495.00
				Subscriptions/Memberships	-495.00	495.00
TOTAL					-495.00	495.00
Check	1210	9/29/2007	Tricia Marsh	CASH-Wells Fargo-Operating		-240.00
				Website	-240.00	240.00
TOTAL					-240.00	240.00
Bill Pmt...	1211	9/30/2007	Jennifer A. Bohn	CASH-Wells Fargo-Operating		-420.00
Bill	0751	9/30/2007		Accounting Fees	-420.00	420.00
TOTAL					-420.00	420.00
Bill Pmt...	1212	9/30/2007	Crescent Strategies, LLC	CASH-Wells Fargo-Operating		-7,860.60
Bill	9/30/...	9/30/2007		Personnel - Contract	-6,775.00	6,775.00
				Telecommunications	-127.66	127.66
				TRAVEL-Local	-64.75	64.75
				TRAVEL-Out of State	-104.90	104.90
				Supplies	-7.69	7.69
				Subscriptions/Memberships	-225.00	225.00
				Misc Expense-Local Government	-33.20	33.20
				Admin Services-Misc Services	-522.40	522.40
TOTAL					-7,860.60	7,860.60
Bill Pmt...	1213	10/9/2007	Seter & Vander Wall, P.C.	CASH-Wells Fargo-Operating		-408.75
Bill	52354	9/30/2007		Attorney Fees	-408.75	408.75
TOTAL					-408.75	408.75

6:40 PM

10/15/07

Rocky Flats Stewardship Council
Check Detail
September 16 through October 15, 2007

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
Check	1214	10/9/2007	Blue Sky Bistro	CASH-Wells Fargo-Operating		-225.00
				Misc Expense-Local Government	-225.00	225.00
TOTAL					-225.00	225.00
Check	1215	10/9/2007	Qwest	CASH-Wells Fargo-Operating		-73.28
				Telecommunications	-73.28	73.28
TOTAL					-73.28	73.28
Check	1216	10/9/2007	Qwest	CASH-Wells Fargo-Operating		-26.76
				Telecommunications	-26.76	26.76
TOTAL					-26.76	26.76
Check	1217	10/9/2007	Excel Micro	CASH-Wells Fargo-Operating		-10.75
				Telecommunications	-10.75	10.75
TOTAL					-10.75	10.75

ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670
Boulder, CO 80308-0670
www.rockyflatssc.org

(303) 412-1200
(303) 412-1211 (f)

Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

MEMORANDUM

TO: Board

FROM: David Abelson

SUBJECT: Draft Amendment to Stewardship Council Bylaws

DATE: October 25, 2007

At the meeting the Board will need to approve the bylaws amendment regarding Member appointments to the Stewardship Council Board of Directors. The amendment was first reviewed at the October 1, 2007, Board meeting. The proposed amendment and bylaws are attached.

As discussed at the August October meetings, the proposed amendment is needed because the bylaws provide that the Board, which is comprised of elected officials and community representatives, votes on matters before the Board. In the case of Member appointments to the Board of Directors, three issues arise. First, DOE guidance provides the governmental parties are responsible for appointing the Members to the Board. Second, in any given year either Golden or Northglenn has a vote, but not both. Third, it would be a conflict of interest for Members to vote for themselves when appointing Members for 2008-2009. For these reasons, the proposed amendment provides that the nine governments, which include both Golden and Northglenn, shall nominate and vote to appoint the Members.

Action Item: Adopt bylaws amendment

**FIRST AMENDMENT TO THE BYLAWS
OF THE BOARD OF DIRECTORS
OF THE ROCKY FLATS STEWARDSHIP COUNCIL**

This FIRST AMENDMENT TO THE BYLAWS OF THE BOARD OF DIRECTORS OF THE ROCKY FLATS STEWARDSHIP COUNCIL (the "Amendment") is made and effective as of the ____ day of _____, 2007 by the Board of Directors of the Rocky Flats Stewardship Council (the "Stewardship Council").

ARTICLE XI. **Miscellaneous** is hereby revised to incorporate the following new paragraph F.

F. Selection Process for Members. At least two months prior to the expiration of the Members' terms, the Stewardship Council shall publish a Notice advertising the Stewardship Council's solicitation of Member Applications. In addition to any other means selected by the Stewardship Council, notice shall be provided by a one-time publication in a newspaper of general circulation, and posted on the Stewardship Council website. Any entity or person who desires to become a Member of the Rocky Flats Stewardship Council shall submit a Membership Application on the form provided by the Stewardship Council. The Executive Director shall forward all completed Membership Applications to the Board for review. The Director representatives for the Permanent and Rotating Parties shall interview representatives of the prospective Members, at a public meeting as determined by the Board. Following completion of the interviews, at a Stewardship Council Board meeting the Director representatives for the Permanent and Rotating Parties shall nominate and vote to appoint up to four (4) Members from the Membership Applications. The procedures for voting shall be pursuant to a process identified by the Board in advance.

ROCKY FLATS STEWARDSHIP COUNCIL

By: Lori Cox
Chair, Board of Directors

ATTEST:

Secretary

First Reading: October 1, 2007
Second Reading: November 5, 2007
RFSCO/Bylaws
BTW1517
0756.0005/.0007

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BYLAWS OF THE BOARD OF DIRECTORS OF THE ROCKY FLATS STEWARDSHIP COUNCIL

Approved March 6, 2006

PREAMBLE

The object of the Rocky Flats Stewardship Council (the “Stewardship Council”) shall be to carry out its purposes as described in and pursuant to the Intergovernmental Agreement establishing the Rocky Flats Stewardship Council (the “IGA”) and amendments thereto.

ARTICLE I.

Offices

Principal Office. The principal office of the Stewardship Council shall be located within the boundaries of any Party to the IGA and amendments thereto, as designated by the Board of Directors. The Stewardship Council may have other offices and places of business at such places within the State of Colorado as shall be determined by the Board.

ARTICLE II.

Board of Directors

A. Number, Qualifications and Term of Office. The business and affairs of the Stewardship Council shall be managed by a Board of Directors not to exceed twelve (12) members, not including ex-officio members. When used herein, the term "Director" shall include that Director's alternate director, as provided in the IGA, unless the context requires otherwise. Each Director shall be appointed pursuant to the provisions of the IGA for a term of one year, from February 1 to the succeeding last day of January; provided, however, that the initial Directors shall be appointed as of the effective date of the IGA and serve until the last day of January, 2007. There shall be no limitation on the number of terms to which a Director may be appointed.

B. Performance of Duties. A Director shall perform his/her duties as a Director, including his/her duties as a member of any committee of the Board upon which he/she may serve, in good faith, in a manner he/she believes to be in the best interests of the Stewardship Council. An alternate Director shall serve in the absence of the Director for which he/she is an alternate.

C. Vacancies. Any Director may resign at any time by giving written notice to the chair of the Board of Directors. Such resignation shall take effect at the time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. In the case where the Director is an elected official, a Director's office shall be deemed to be vacant upon the failure of any Director to be re-elected to public office of the Director's designating Party. A vacancy will occur if a Director dies during his or her term of office. Any vacancy occurring on the Board of Directors shall be filled as provided in the IGA.

D. Expenses. By resolution of the Board of Directors, any Director may be paid his/her direct expenses, if any, of attendance at meetings or other Stewardship Council business.

E. Conflict of Interest. No Director (including alternate Directors who are elected public officials) may enter into an employment relationship with the Stewardship Council (1) while serving on the Board or (2) for twelve months thereafter. An alternate Director who is not an elected official may not enter into an employment relationship with the Stewardship Council (1) while serving on the Board or (2) for twelve months thereafter.

F. Ex-Officio Members of the Board. At its discretion, the Board may appoint ex-officio members to the Board from federal and state agencies, including the U.S. Department of Energy, the Environmental Protection Agency, the Colorado Department of Public Health and Environment, and/or the U.S. Fish and Wildlife Service. Ex-officio members shall not be a Party to the IGA but shall have the ability to designate a non-voting representative to the Board of Directors.

G. Removal of Directors. Any Director may be removed from the Board by a vote of the Board of Directors with or without cause whenever in its judgment the best interests of the Stewardship Council will be served by such removal. A Director who is absent for three consecutive regular meetings of the Board of Directors and whose absence is deemed unexcused by the Board of Directors shall automatically be removed from the office of Director.

ARTICLE III.

Officers of the Board

A. **General.** The Chair, Vice Chair, and Secretary/Treasurer shall be elected annually by the Board of Directors. The terms shall commence at the first meeting of the Board held on or after February 1 of each year. There shall be no limitation on the number of terms for which a person may serve as an officer, except as provided in Article III.G. herein.

An officer shall hold office until he/she is no longer qualified to serve or his/her successor is chosen, until his/her death, or until he/she shall resign. All officers of the Stewardship Council shall be Directors of the Stewardship Council; provided, however, that an alternate Director shall not assume any office held by the Director for whom the alternate Director is substituting.

B. **General Duties.** All officers and agents of the Stewardship Council, as between him or her and the Stewardship Council, shall have such authority and shall perform such duties as may be provided in these Bylaws or as may be determined by resolution of the Board of Directors not inconsistent with these Bylaws.

C. **Vacancies.** When a vacancy in one of the Board offices occurs due to any of the reasons listed in paragraph III.A., it shall be filled by a resolution of the Board of Directors at the following meeting of the Board at which a quorum is present.

D. **Chair of the Board.** The Chair of the Board shall preside as chair at meetings of the Board of Directors. He/she shall, in addition, execute resolutions and documents, represent the Board and Stewardship Council at public functions and perform such other duties as the Board may prescribe.

E. **Vice-Chair.** The Vice-Chair shall fulfill the responsibilities of the Chair when the Chair is unavailable to do so.

F. **Secretary/Treasurer.** The Secretary/Treasurer shall perform both the duties of a secretary and of a treasurer, as follows:

- The Secretary/Treasurer shall keep or cause to be kept, in books provided for that purpose, the minutes of the meetings of the Board. The Secretary/Treasurer may have one or more assistant secretaries, which need not be Directors and which shall be appointed by the Board.

- The Secretary/Treasurer shall have oversight of Stewardship Council funds and assets. He/she shall review accounts of receipts, disbursements and deposits of all Stewardship Council monies and other valuable effects in the name and to the credit of the Stewardship Council and report to the Board of Directors upon request. The Secretary/Treasurer or his/her designee shall provide a detailed quarterly financial statement to the Board. The financial statement shall include all revenue, revenue sources, expenditures and balances, and include quarterly and year-to-date figures.

G. **Delegation of Duties.** Except for the Chair, whenever an officer is unable to perform the duties of his/her office for any reason, the Board may delegate the powers and duties of an officer to any other officers or to any qualified Director or Directors.

ARTICLE IV.

Stewardship Council Staff

At its discretion, the Board may hire an Executive Director who shall serve at the pleasure of and report directly to the Board of Directors of the Stewardship Council, and who shall be responsible for implementing the Board's policies, and for the overall management of all activities of the Stewardship Council.

ARTICLE V.

Meetings of the Board

A. **Place of Meetings.** The regular or special meetings of the Board of Directors or any committee designated by the Board shall be held at the principal office of the Stewardship Council or at any other place within or without the boundaries of the Parties that the Board of Directors, any such committee, or Stewardship Council staff, as the case may be, may designate from time to time.

B. **Regular Meetings.** The Board of Directors shall meet quarterly, or as otherwise determined by a quorum of the Board of Directors, for the purpose of transacting such business as may come before the Board.

C. **Special Meetings.** Special meetings of the Board of Directors may be called by any three members of the Board of Directors, and held at any time.

D. **Notice of Meetings.** Notice of the regular or special meetings of the Board of Directors or any committee designated for such notice by the Board shall be as follows:

(1) Regular Meetings. The time, date and place of regular meetings shall be set by the Board and notice thereof shall be provided (a) to the city/county/town clerk of all Stewardship Council Parties for posting in a public place, with at least seven (7) days advance notice of the meeting time, place and date, (b) to the Directors and alternate Directors, with at least seven (7) days advance notice of the meeting time, place and date, and (c) to those members of the public who so request.

(2) Special Meetings. Written notice of each special meeting of the Board of Directors setting forth the time and the place of the meeting shall be given as follows: (a) by telefax or electronic mail to each Director not less than 72 hours prior to the time fixed for the meeting; provided, however, that in the instance of any Director who in writing requests that such notice not be given by telefax or electronic mail, the notice shall be by hand delivery to an address within the boundaries of the Parties designated in writing; (b) to the clerk of each Stewardship Council Party for posting in a public place, not less than 72 hours prior to the time fixed for the meeting; and (c) to those members of the public who so request.

(3) Emergency Special Meetings. When necessary, an emergency special meeting may be called with notice given in the same manner as provided for special meetings, except that notice may be given not less than 24 hours prior to the time fixed for the meeting, in accordance with the Colorado Open Meetings Act.

Unless notice is required herein to be given by telefax or delivery, all notices of meetings may be given either by sending a copy of the notice through the United States mail, or by telegram, telex, telefax or electronic transmission (unless a Director requests in writing that such notice not be given by electronic mail), any charges prepaid, to the work or home address of each Director and alternate Director and to the designated addresses of Stewardship Council participants, and the public who so request appearing on the books of the Stewardship Council. If mailed, such notice shall be deemed to be delivered 72 hours after deposit in the United States mail so addressed, weekends and holidays excluded. If notice be given by telegram, telex, telefax or electronic mail, such notice shall be deemed to be delivered when the telegram, telex, telefax or electronic mail is transmitted.

The general nature of the business proposed to be transacted at, or the purpose of, any meeting of the Board of Directors shall be specified in the notices of such meeting where possible. The Board of Directors' ability to act on matters brought before it at a special meeting is restricted to those items specified in the notice.

E. Voting.

1. Quorum. At meetings of the Board of Directors, nine (9) of the appointed Directors (or their alternate if a Director is not present) shall be necessary to constitute a quorum for the transaction of business. If a quorum is present, an affirmative vote of at least nine (9) Directors shall be required to be the act of the Board of Directors

2. Consent Agenda. Within a meeting agenda, Stewardship Council staff may place on the consent agenda any one or more items which staff believes do not give rise to

discussion by the Board, and which may be acted upon by singular action and vote of the Board. Any Director may pull from the consent agenda any one or more items which shall then be separately and individually discussed and voted on by the Board.

F. Conduct of Meetings. The Board may adopt such rules of procedure as it deems proper. To the extent any rules adopted by the Board do not specify how an item of business of the Board is to be conducted, Roberts' Rules of Order shall apply.

ARTICLE VI.

Open Records and Open Meetings

A. All accounts and records of the Stewardship Council and its committees shall be open to the public as provided for in the Colorado Open Records Act and any other applicable laws, at all reasonable times under reasonable regulation, except where a specific determination is made by the Stewardship Council that there is a legitimate public purpose achieved by withholding a document concerning legal, personnel, or private proprietary information.

B. All meetings of the Board of Directors of the Stewardship Council and any of its committees are open to the public as provided for in the Colorado Open Meetings Act. Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation or other formal action occurs or at which a quorum of the Board is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public as provided herein. In accordance with Colorado statutes, executive sessions may be held upon the affirmative vote of two-thirds of the quorum present, for the sole purpose of considering any of the following matters: the purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest;

conferences with legal counsel for the Stewardship Council for the purpose of receiving legal advice on specific legal questions; matters required to be kept confidential by federal or state law or rules and regulations; specialized details of security arrangements or investigations; determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; personnel matters; or consideration of any documents protected by the mandatory nondisclosure provisions of the "Open Records Act". No adoption of any proposed policy, position, resolution, rule, regulation, or formal action shall occur at any executive session, except for the approval of executive session minutes, as allowable by law.

C. Minutes or similar record shall be kept of all meetings of the Board of Directors of the Stewardship Council.

ARTICLE VII.

Committees

A. **Stewardship Council Committees.** The Stewardship Council is interested in working with the public and will seek the input of the local community and other interested parties. As necessary, and to the extent practicable, the Stewardship Council will seek the input of the local community and other interested parties by establishing *ad hoc* committees and task forces, and by holding public meetings, workshops, special meetings, or other forums of public involvement, from time to time as may be deemed appropriate by the Board. By resolution or motion of the Board, the Stewardship Council may establish such working committees from time to time as it deems appropriate. These committees shall be open to all persons interested in participating with the Stewardship Council. Each committee shall have a chair appointed by the

Board of Directors. Committees may consider issues consistent with the Stewardship Council's purposes and make recommendations for actions to the Board of Directors. Any such recommendations, together with any minority reports, shall be made to the Board of Directors. The Board may consider and comment on committee recommendations and formulate its own recommendations for official action by the Board. Any minority report(s) from a committee shall be transmitted simultaneously with such recommendations. The Board of Directors may take such actions as it deems appropriate, notwithstanding recommendations or lack thereof or the fact of pending deliberations of committees and of the Stewardship Council.

B. Board Committees. The Board may have committees on finance, personnel and such other matters as the Board deems proper for the administration of the Stewardship Council.

ARTICLE VIII.

Fiscal Year

Fiscal Year. The fiscal year of the Stewardship Council shall be January 1 to December 31. Said fiscal year may be changed from time to time by motion or by formal resolution of the Board of Directors in its discretion.

ARTICLE IX.

Amendments

A. General. The Board of Directors may amend, supplement or repeal these Bylaws or adopt new Bylaws, and all such changes shall affect and be binding upon the Stewardship Council. Any amendment, supplement or repeal of these Bylaws or adoption of new Bylaws shall require consideration at two meetings of the Board.

B. Notice of Consideration. Specific notice of each meeting at which consideration of proposed amendment to, supplementation of or repeal of these Bylaws or adoption of new Bylaws shall be given in the same manner as notice of special meetings is to be given pursuant to III.D.(2) hereof.

C. Vote Necessary. Amendment to, supplementation of or repeal of these Bylaws or adoption of new Bylaws shall require approval by nine (9) Directors of the Board at the second meeting at which the amendment, supplement, repeal or adoption is considered.

ARTICLE X.

Annual Review

On an annual basis, any one or all of the parties to the IGA may request Stewardship Council to submit an annual report which shall generally address Stewardship Council's operations for the previous year; Stewardship Council's proposed plans for the upcoming year; a summary of Stewardship Council's financial status, including revenue projections and operating costs; and any changes or proposed changes in Stewardship Council's policies. Upon request, the Executive Director shall present an oral presentation of the annual report at a designated board or council meeting of the requesting party.

ARTICLE XI.

Miscellaneous

A. Invalid Provision. The invalidity or non-enforceability of any particular provision of these Bylaws shall not affect the other provisions herein, and these Bylaws shall be construed in all respects as if such invalid or unenforceable provision was omitted.

B. Governing Law. These Bylaws shall be governed by and construed in accordance with the constitution and laws of the State of Colorado and the IGA, as amended from time to time. To the extent there are inconsistencies between the IGA and any amendments thereto and these Bylaws and any amendments thereto, the IGA and amendments thereto shall control.

C. Rotating Parties. Each Rotating Party shall have the right to select a Director (and Alternate Directors) to the Board, in accordance with the IGA, on an annually rotating basis. By agreement between the two Rotating Parties, the city of Golden will serve first for one year until the last day of January 2007 at which time the city of Northglenn shall serve for one year until the last day of January 2008. After such time as each Rotating Party has had an opportunity to serve on the Board, then the rotation shall continue in the same order. During the year(s) in which a Rotating Party is not serving on the Board, then such Rotating Party may continue to participate in a non-voting capacity.

D. Debt. The incurrence of any revenue-based or other non-general obligation debt shall be subject to the prior approval of the governing body of each Party.

E. Members' Terms. Members' terms shall be limited to two years at which time such members must reapply for membership to the Stewardship Council.

FY 08 Budget – Budget Hearings

- Cover memo
- Draft 2008 Budget
- 2007 Projected Expenses versus Actual Expenses Through 10/15/07
- Budget Notice

Approval of 2008 Work Plan

- Cover memo
- Draft 2008 Work Plan

DOE Quarterly Meeting

- Cover memo

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

MEMORANDUM

TO: Board

FROM: David Abelson

SUBJECT: Fiscal Year 2008 Budget Hearings

DATE: October 25, 2007

At this upcoming meeting, the Board needs to hold budget hearings on the fiscal year 2008 Stewardship Council budget and approve a budget resolution adopting the budget. As a unit of local government under the Colorado Constitution, the Stewardship Council must hold this hearing prior to adopting a final budget.

The budget I am presenting is the same one the Board reviewed at the October 2007 meeting, with the two changes I discussed at that meeting – increasing Weapons Complex Monitor (from \$325 to \$495) and increasing Conference Registration Fees (from \$200 to \$250, not to \$295 as discussed at the October meeting). Otherwise, no changes were requested at that meeting and none have been made.

Attached to this memo is an accounting of 2007 expenditures through 10/15/07 and anticipated expenditures through 12/31/07. Also attached are the hearing notice and budget resolution that will be submitted to the State of Colorado. The notice will be published in the Denver Post.

Please let me know what questions, if any, you have.

Action Item: Hold budget hearings and approve resolution adopting budget.

ROCKY FLATS STEWARDSHIP COUNCIL
2008 Budget -- Draft #2 October 2007

A. Personnel		\$108,000.00
	Executive Director and Technical Advisor (\$9000/month for 12 months)	
B. Fringe Benefits		\$0.00
	Benefits	\$0.00
	Presumes staff are contract employees	
C. Travel		\$6,000.00
	Out of State	\$4,800.00
	National DOE-related trips \$1200/trip X 4 trips	
	Local Travel	\$1,200.00
	\$100/month for 12 months	
D. Computer Equipment		\$1,000.00
	Purchase misc. hardware, software	\$1,000.00
E. Supplies		\$1,500.00
	Supplies (\$125/month for 12 months)	\$1,500.00
F. Contractual		\$45,980.00
	Attorney & Accounting Services	\$33,500.00
	Legal Services (\$1400/ month for 12 months)	\$16,800.00
	Accounting (\$850/month for 12 months)	\$10,200.00
	Audit Report	\$6,500.00
	Admin. Services	\$7,100.00
	Misc. Services: budget notices, computer tech, etc	\$3,500.00
	Minutes Preparation (6 meetings)	\$3,600.00
	Meeting Expenses (6 meetings @ \$230/meeting))	\$1,380.00
	Local Government Expenses	\$4,000.00
	Miscellaneous expenses not covered by DOE funds	
G. Construction		\$0.00
	None	
H. Other		\$18,795.00

Printing & Copy		\$3,500.00
Postage		\$1,500.00
\$125/month for 12 months		
Liability Insurance		\$3,900.00
Property Contents/General Liability	\$900.00	
Board Members	\$3,000.00	
Telephone, email, etc		\$3,400.00
Website		\$4,250.00
Hosting	\$1,500.00	
Web master	\$2,750.00	
Subscriptions/Memberships		\$2,245.00
Weapons Complex Monitor	\$495.00	
ECA membership	\$950.00	
Conference registration fees	\$250.00	
Newspapers	\$550.00	

J. Indirect Costs	\$0.00
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N/A

TOTAL BUDGET	\$181,275.00
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Net Change from 2007 budget

(\$8,280.00)

REVENUE FOR 2008

Local government contributions	\$8,000.00
Department of Energy grant	\$125,000.00
RFCLG carry-over	\$48,275.00
TOTAL	\$181,275.00

ROCKY FLATS STEWARDSHIP COUNCIL
2007 Projected Expenses versus Actual Expenses through 10/15/07

	Projected Expenses Through 12/31/2007		Actual Expenses Through 10/15/2007
A. Personnel	\$82,900.00	\$	62,200.00
Executive Director and Technical Advisor			
B. Fringe Benefits	\$0.00	\$	-
Benefits	\$0.00		
Presumes staff are contract employees			
C. Travel	\$3,688.95	\$	1,994.85
Out of State	\$2,880.46		
National DOE-related trips			
Local Travel	\$808.49		
D. Computer Equipment	\$0.00	\$	-
Purchase misc. hardware, software	\$0.00		
E. Supplies	\$967.06	\$	667.06
Supplies	\$967.06		
F. Contractual	\$27,761.39	\$	20,805.36
Attorney & Accounting Services	\$21,375.84		
Legal Services	\$10,138.44		
Accounting	\$7,207.50		
Audit Report	\$4,029.90		
Admin. Services	\$4,631.40		
Misc. Services: budget notices, computer tech, etc	\$1,381.40		
Minutes Preparation	\$3,250.00		
Meeting Expenses	\$1,605.00		
Local Government Expenses	\$149.15		
Miscellaneous expenses not covered by DOE funds			
G. Construction	\$0.00	\$	-
None			
H. Other	\$11,516.03	\$	9,375.93
Printing & Copy	\$710.81		

Postage **\$1,326.20**

Liability Insurance **\$3,170.94**

Property Contents/General Liability \$186.00
Board Members \$2,984.94

Telephone, email, etc **\$2,998.08**

Website **\$1,240.00**

Hosting \$0.00
Web master \$1,240.00

Subscriptions/Memberships **\$2,070.00**

Weapons Complex Monitor \$495.00
ECA membership \$950.00
Conference registration fees \$225.00
Newspapers \$400.00

J. Indirect Costs **\$0.00** \$ -

N/A

TOTAL	\$126,833.43	\$ 95,043.20
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STATE OF COLORADO

ROCKY FLATS STEWARDSHIP COUNCIL

The Board of Directors of the Rocky Flats Stewardship Council (“Stewardship Council”), State of Colorado, held a meeting at the Rocky Mountain Metropolitan Airport (formerly Jefferson County Airport), Mt. Evans Room, 11755 Airport Way, in Broomfield, Colorado 80021, on November 5, 2007 at the hour of 8:30 A.M., at which a quorum of the Board of Directors was present.

The Executive Director reported that prior to the meeting he had notified each of the Directors of the date, time and place of this meeting and the purpose for which it was called. He further reported that Notice of the Board Meeting has been posted in accordance with the Bylaws of the Stewardship Council and, to the best of his knowledge, remains posted to the date of this meeting.

Thereupon, Director _____, introduced and moved the adoption of the following Resolution:

RESOLUTION

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR THE GENERAL FUND AND ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY TO THE GENERAL FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE ROCKY FLATS STEWARDSHIP COUNCIL, STATE OF COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE 1ST DAY OF JANUARY, 2008, AND ENDING ON THE LAST DAY OF DECEMBER, 2008.

WHEREAS, the proposed budget has been submitted to the Board of Directors of the Stewardship Council for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with law as attached at Exhibit A, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 5, 2007 and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Article X, Section 20 of the Colorado Constitution; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ROCKY FLATS STEWARDSHIP COUNCIL, STATE OF COLORADO:

Section 1. Summary of 2008 Revenues and 2008 Expenditures. That the estimated revenues and expenditures for the general fund for fiscal year 2008, as more specifically set forth in the budget attached hereto, are accepted and approved.

Section 2. Adoption of Budget. That the budget as submitted, amended, attached hereto and incorporated herein, is approved and adopted as the budget of the Rocky Flats Stewardship Council for fiscal year 2008.

Section 3. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget, attached hereto, are hereby appropriated from the revenue of the general fund, to the general fund, for the purposes stated and no other.

Section 4. Budget Certification. That the budget shall be certified by Lori Cox, Chairman of the Board, and made a part of the public records of the Rocky Flats Stewardship Council.

The foregoing Resolution was seconded by Director _____.

RESOLUTION APPROVED AND ADOPTED THIS 5th DAY OF NOVEMBER, 2007.

ROCKY FLATS STEWARDSHIP COUNCIL

By: _____
Lori Cox, Chairman

ATTEST:

Secretary

RFSCo/RESO
ST1408
0756.0015(08)

STATE OF COLORADO
ROCKY FLATS STEWARDSHIP COUNCIL

I, Lori Cox, hereby certify that I am a Director and qualified Chairman of the Rocky Flats Stewardship Council, and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of said Stewardship Council, adopted at a meeting of the Board of Directors of the Rocky Flats Stewardship Council held on November 5, 2007 at the Rocky Mountain Metropolitan Airport (formerly Jefferson County Airport), Mt. Evans Room, 11755 Airport Way, in Broomfield, Colorado, as recorded in the official record of the proceedings of the Stewardship Council, insofar as said proceedings relate to the budget hearing for fiscal year 2007; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the Stewardship Council this 5th day of November, 2007.

Lori Cox, Chairman

EXHIBIT A

NOTICE AS TO PROPOSED 2008 BUDGET

NOTICE IS HEREBY GIVEN that a proposed budget has been submitted to the **ROCKY FLATS STEWARDSHIP COUNCIL** for the fiscal year 2008. A copy of such proposed budget has been filed in the office Seter & Vander Wall, P.C. 7400 East Orchard Road, Suite 3300, Greenwood Village, Colorado, where same is open for public inspection. Such proposed budget will be considered at a meeting of the Rocky Flats Stewardship Council to be held at 8:30 A.M. on Monday, November 5, 2007. The meeting will be held at 11755 Airport Way, Mt. Evans Room, in Broomfield, Colorado. Any interested party may inspect the proposed budget and file or register any objections at any time prior to the final adoption of the 2008 budget.

**BY ORDER OF THE EXECUTIVE COMMITTEE:
ROCKY FLATS STEWARDSHIP COUNCIL**

By: /s/ SETER & VANDER WALL, P.C.
Attorneys for the District

Publish in: The Denver Post
Publish on: October 29, 2007

**ROCKY FLATS STEWARDSHIP COUNCIL
2008 BUDGET MESSAGE**

SUMMARY OF SIGNIFICANT ASSUMPTIONS

Services Provided

The purpose of the Rocky Flats Stewardship Council, consistent with public health, safety and welfare, is to provide an effective mechanism for local governments in the vicinity of Rocky Flats and their citizens to work together on issues of mutual concern relating to the future use and long-term protection of Rocky Flats, and to serve as a focal point for local government communication and advocacy with state and federal agencies regarding Rocky Flats issues.

Revenue

The Stewardship Council receives its revenues from the Department of Energy; Rocky Flats Coalition of Local Governments; and Local Government contributions (Boulder County, Jefferson County, City and County of Broomfield, Cities of Arvada, Boulder, Golden, Northglenn, and Westminster and Town of Superior).

Expenditures

The funds are used for G&A, overhead expenses, as well as costs incurred with buffer zone and stewardship planning processes.

The Stewardship Council prepares its budget on the modified accrual basis of accounting.

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City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

MEMORANDUM

TO: Board

FROM: David Abelson

SUBJECT: Draft 2008 Work Plan

DATE: October 25, 2007

I have scheduled 10 minutes for the Board to review and approve the attached draft 2008 Work Plan. The Plan is essentially the same one the Board reviewed at the October meeting, with the one change offered at the meeting. That change is noted in redline.

Please let me know what questions you have.

Action Item: Approve 2008 Work Plan

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

2008 Work Plan

Draft #2, October 2007

Mission:

The mission of the Rocky Flats Stewardship Council is to provide continuing local oversight of activities at the Rocky Flats site and to ensure local government and community interests are met with regards to long-term stewardship of residual contamination and refuge management. The mission also includes providing a forum to track issues related to former site employees and to provide an ongoing mechanism to maintain public knowledge of Rocky Flats, including educating successive generations of ongoing needs and responsibilities regarding contaminant management and refuge management.

Preface: 2008 Challenges and Opportunities

In 2007 jurisdiction over Rocky Flats transferred from DOE's Office of Environmental Management to both DOE's Office of Legacy Management and the Department of the Interior. With this transfer of management responsibility, the Stewardship Council fully stepped into its long-term mission – engage on the range of issues underpinning the long-term management of Rocky Flats and use and protection of the site as a national wildlife refuge.

As the sole Local Stakeholder Organization (LSO) in the DOE complex, the Stewardship Council has established the framework for how a successful LSO functions. The involvement of the four non-governmental entities on the Stewardship Council provides important ideas and opportunities for engaging broad audiences on issues and histories related to the site.

Some of the challenges to address in 2008 will likely include:

- Continuing to expand and strengthen the organization's relationship with DOE's Office of Legacy Management (LM)
- Continuing to implement an effective public outreach program that not only reaches the current Rocky Flats audience but identifies new opportunities to educate others about the ongoing management needs at Rocky Flats
- Reviewing and modifying as necessary organizational systems to ensure members remain engaged and the Stewardship Council functions efficiently
- Securing additional federal appropriations

Background:

The Stewardship Council occupies two roles: (1) serving as the LSO for Rocky Flats, and (2) engaging USFWS on the management of the Rocky Flats National Wildlife Refuge.

Local Stakeholder Organization

Legacy Management approved the LSO Plan for Rocky Flats on December 21, 2005. This Plan identifies how the main responsibilities Congress identified in the legislation authorizing the creation of LSO (Section 3118 of the Fiscal Year 2005 Defense Authorization bill) are to be carried out at Rocky Flats. These responsibilities are summarized as follows:

- Solicit and encourage public participation in appropriate activities relating to the closure and post-closure operations of the site.
- Disseminate information on the closure and post-closure operations of the site to the State and local and Tribal governments in the vicinity of the site, and persons and entities having a stake in the closure or post-closure operations of the site.
- Transmit to appropriate officers and employees of DOE questions and concerns of governments, persons, and entities referred to in the preceding bullet.

In fulfilling these responsibilities, the Stewardship Council has been tasked with helping DOE meet its public involvement obligations identified in the Post-Closure Public Involvement Plan (PCPIP) for Rocky Flats.

Rocky Flats National Wildlife Refuge

“The Rocky Flats National Wildlife Refuge Act of 2001” established that Rocky Flats shall become a national wildlife refuge following EPA certification that the site has been cleaned to the agreed-upon regulatory standards. In July 2007 DOE conveyed jurisdictional responsibility over nearly 4000 acres to the Department of the Interior for the Rocky Flats National Wildlife Refuge. Additional lands will likely be conveyed in 2008.

In April 2005, USFWS published the Rocky Flats Comprehensive Conservation Plan (CCP), the conservation plan for the Rocky Flats National Wildlife Refuge. The CCP describes the desired future conditions of the Refuge and provides long-range guidance and management direction. Per the CCP, in the coming years USFWS anticipates developing the following “step-down” management plans, which provide specific guidance for achieving the objectives established in the CCP:

1. Vegetation and Wildlife Management Plan
2. Integrated Pest Management Plan
3. Fire Management Plan
4. Visitors Services Plan
5. Health and Safety Plan
6. Historic Preservation Plan

Due to funding restrictions, USFWS will delay implementation of the CCP, including delaying the timeline for opening the Refuge for public access.

Work Plan Elements

The Work Plan is divided into the following five sections:

1. DOE Management Responsibilities
2. Rocky Flats National Wildlife Refuge
3. Former Rocky Flats Workforce
4. Outreach
5. Business Operations

DOE Management Responsibilities

Overview:

One of the key roles of the Stewardship Council is to understand and engage the various issues regarding the cleanup and post-closure management of Rocky Flats, and to provide a forum to foster discussions among DOE, the regulatory agencies, and community members.

2008 Activities:

1. Review information regarding the long-term stewardship and management of the Rocky Flats site, including but not limited to the results of the operational and performance monitoring data of site operations and DOE status reports.
2. Work with DOE on implementing its Post-Closure Public Involvement Plan (PCPIP), including the meetings DOE identified in the PCPIP.
3. Review DOE budgets for implementation of DOE responsibilities.
4. Participate in DOE, CDPHE and/or EPA assessment(s) of remedy operations and effectiveness.
5. As needed, evaluate legal and regulatory issues regarding implementation of site-wide long-term stewardship plans and provide information to the Stewardship Council and to the community.
6. Work with DOE and the regulators to understand technical data regarding implementation and effectiveness of cleanup remedies and long-term controls, and provide information to the Stewardship Council and to the community.
7. Track issues related to DOE's petition to Colorado Water Quality Control Commission to change uranium standards for Rocky Flats.
8. Transmit to appropriate officers and employees of the DOE questions and concerns of governments, persons and entities regarding Rocky Flats.
9. Work with USFWS and DOE on access restrictions to DOE-retained lands, as provided in the Rocky Flats Legacy Management Agreement.
10. Work with USFWS and DOE on interpretative signage on refuge lands that includes history of Rocky Flats and cleanup, and ongoing DOE monitoring and surveillance program.

11. Discuss with Rocky Flats Cold War Museum efforts to establish a museum and other related actions.
12. Track issues related to transfer of administrative jurisdiction over former mineral parcels from DOE to Department of the Interior for inclusion in the Rocky Flats National Wildlife Refuge.

Rocky Flats National Wildlife Refuge

Overview:

A core function of the Stewardship Council is to engage on issues related to the development and management of the future Rocky Flats National Wildlife Refuge. This work includes tracking and addressing as necessary issues related to the interface of the Refuge to lands that DOE will retain as part of its management responsibilities.

2008 Activities:

1. As necessary, work with USFWS on access restrictions to refuge lands.
2. As necessary, work with USFWS on implementation of Comprehensive Conservation Plan for the Rocky Flats National Wildlife Refuge.
3. Track Congressional action affecting funding for USFWS.
4. Provide a forum for the community to raise issues related to development of management plans and other issues affecting USFWS responsibilities at the Rocky Flats National Wildlife Refuge.

Former Rocky Flats Workforce

Overview:

One of DOE's primary post-closure responsibilities is to manage the health and pension benefits of former site workers. Many of these workers are the constituents of the Stewardship Council governments. Further, the Rocky Flats Homesteaders, which represents more than 1800 former site workers, sits on the Board of the Stewardship Council. For these and other reasons, as noted in the Stewardship Council's IGA, worker issues will continue to play a role for the Stewardship Council.

2008 Activities:

1. Track issues related to the implementation of the Energy Employee Occupational Illness Program Compensation Act (EEOIPCA), including ongoing federal legislation. Respond as needed.
2. Track issues related to DOE's development and implementation of health and pension benefit programs for former Rocky Flats workers.

Outreach

Overview:

As the LSO for Rocky Flats, a core responsibility for the Stewardship Council is reaching out to the community and providing a mechanism to educate people about Rocky Flats and the ongoing management needs. As part of this mission it remains essential that the Stewardship Council maintain close communications with DOE, EPA, CDPHE, USFWS and Congress.

The local communities have developed over the period of many years a very good working relationship with the two primary regulatory agencies that oversee the site, EPA and CDPHE. It is imperative that the Stewardship Council continue this tradition of partnership with these agencies.

The Colorado congressional delegation likewise played a critical role in addressing Rocky Flats issues. The Stewardship Council shall remain an important vehicle for addressing issues of concern to the delegation and for providing community interface with the delegation on the numerous site-specific issues and concerns.

2008 Activities:

1. Hold quarterly Board meetings and provide opportunity for public comment and public dialogue.
2. Communicate with other local officials, DOE, state and federal regulators, the Colorado congressional delegation, and other stakeholders about the Stewardship Council's mission and activities, as appropriate.
3. Seek public input and involvement on issues related to DOE and USFWS responsibilities at Rocky Flats.
4. Evaluate Congressional action affecting DOE and USFWS and administrative action that could affect Rocky Flats.
5. Maintain communication with state legislators, as appropriate, and track state legislation as needed.
6. Develop communications materials for newly elected officials and provide such information to these officials.
7. As needed, develop briefing materials for new Stewardship Council Board Members.
8. Provide opportunities at meetings and in between meetings for education and feedback.
9. Work with DOE to disseminate information on the cleanup and post-closure operations of Rocky Flats.
10. [Begin to identify methods for keeping constituencies engaged on Rocky Flats issues.](#)
11. Identify mechanisms for educating successive generations about the residual contamination at Rocky Flats and the continued need for a comprehensive site-wide stewardship program.
12. Participate in local, regional and national forums.
13. Implement mechanisms for the Stewardship Council and the general public to be informed of the results of the monitoring data and other relevant information, recognizing that not all communication between DOE and Rocky Flats constituencies will flow through the Stewardship Council. Options include:
 - o Periodic reports
 - o Email updates
 - o White papers
 - o Letters

← - - - Formatted: Bullets and Numbering

- Press releases

Business Operations

Overview:

Business Operations refers to organizational management responsibilities – conducting the annual audit, hiring staff, submitting financial reports to DOE, adopting annual Work Plan and annual budget, etc.

2008 Activities:

1. Operate Stewardship Council in compliance with state and federal regulations.
 2. Conduct financial audit.
 3. Prepare and adopt the annual work plan and the annual budget.
 4. Submit financial reports to DOE, as appropriate.
 5. Secure additional federal appropriations.
-
-

Success Measurement Criteria

How the Stewardship Council will measure its success is important. Many organizations use sophisticated techniques to measure success, but these are not necessary for the Stewardship Council. Rather each year the Stewardship Council will pause and reflect on its Work Plan elements to help determine its ability to accomplish the stated mission and objectives. The review shall include an assessment of how the organization can improve in the coming year, focusing on areas of weakness and opportunities for improvement.

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

MEMORANDUM

TO: Stewardship Council Board
FROM: Rik Getty
SUBJECT: DOE Quarterly Update Briefing
DATE: October 25, 2007

We have scheduled 50 minutes for DOE to present its quarterly update for the second quarter of 2007 (April through June). DOE has posted the quarterly report on their website: http://www.lm.doe.gov/documents/sites/co/rocky_flats/quarterly_reports/2ndqtr2007.pdf
The report is 235 pages, so attached to this briefing memo is the executive summary.

DOE will brief on the following topics in a similar format to past quarterly report updates:

- surface water monitoring
- groundwater monitoring
- air monitoring
- ecological monitoring
- site operations (inspections, pond operations, security, general maintenance, etc.)

Highlights for this quarter included:

- 158 tons of soil was used to repair damage to the Original Landfill cover due to slumping.
- Site boundary surveys and legal document searches were conducted to help in the jurisdictional transfer of land from DOE to the Department of the Interior for establishment of the Rocky Flats National Wildlife Refuge.
- Discharge of terminal ponds A-4 and B-5 was delayed until early July (third quarter) due to differences in water quality results between DOE and CDPHE samples. Re-sampling resulted in closer agreement allowing for pond discharge.
- DOE collected additional information about the large slump near the location of former Building 991. Plans will be developed to repair the slump in the near future, probably before the end of 2007.
- A helicopter performed an aerial survey of the site and over 1500 digital photos were taken and incorporated into a database. The database will be used to document current site conditions.
- DOE continues to detect uranium in certain surface water and groundwater locations. The vast majority of the uranium is naturally-occurring. In this quarterly report DOE mentions

the submittal of a petition for rule-making to the Water Quality Control Commission seeking changes to the site's uranium surface water standard. Although this submittal occurred in August, outside the reporting period for this quarterly report, DOE felt it would be useful to mention the petition in the report.

- DOE is continuing road upgrade projects to help maintain site access during times of inclement weather conditions.
- DOE continued to fix erosion control measures and revegetate areas of the site.
- Water sampling efforts continued per RFLMA requirements.
- Routine maintenance was performed on the three passive groundwater treatment systems (Mound, East Trenches, and Solar Ponds). There were no additional problems detected during these maintenance operations.
- The treatability study being conducted by DOE and researchers from CSU on the Solar Ponds Treatment System continued during the quarter. In addition DOE began investigating the Solar Ponds Discharge Gallery in an attempt to determine the source of elevated levels of nitrate in water samples. DOE will go into more detail on this subject during the quarterly briefing.

There will be a technical meeting at the DOE office on October 30th at 1:00 pm. Topics for discussion include the quarterly report as well as an update on the site's new groundwater modeling results. There will also be time for any further discussions between DOE and the community concerning surface water quality topics.

Please contact me if you have any questions.

~~~~~

## **Quarterly Report Executive Summary**

*(quoting from the report)*

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is responsible for implementing the final response action selected in the Final Corrective Action Decision/Record of Decision (CAD/ROD) (DOE 2006g) issued September 29, 2006, for the Rocky Flats Site. DOE, the U.S. Environmental Protection Agency, and the Colorado Department of Health and the Environment have chosen to implement the monitoring and maintenance requirements of the CAD/ROD under and as described in the Rocky Flats Legacy Management Agreement (RFLMA; DOE 2007c). Attachment 2 to the RFLMA defines what monitoring and maintenance is required, the frequency for each required activity, and the monitoring and maintenance locations. The requirements include environmental monitoring; maintenance of the erosion controls, landfill covers, dams, and ground water treatment systems; and operation of the ground water treatment systems.

The Rocky Flats Site Operations Guide (RFSOG; DOE 2007b), prepared by DOE-LM, serves as the primary document to guide work at the Site. The RFSOG provides details on the surveillance and maintenance needed to satisfy the requirements of RFLMA as well as best management practices at the Site.

This report addresses all surveillance and maintenance activities conducted at the Site during the second calendar quarter of 2007 (April 1 through June 30). Highlights of the surveillance and maintenance activities include:

- Routine pond operations and management;
- Maintenance and inspection of the Original and Present Landfills;
- Maintenance and inspection of the four ground water treatment systems;
- Erosion control and revegetation activities;
- General Site maintenance and operations including road upgrades, Site boundary surveys, aerial photography, fence maintenance/construction, and Site security;
- Non-routine (project-specific) and routine (per RFLMA and the RFSOG) water monitoring;
- Ecology activities; and
- RFLMA ecological sampling

## Letters and News Clips

- SC&A Letter to NIOSH and Executive Summary re: close-out procedure for sick workers
- Notice re: press availability of former Rocky Flats workers
- *Denver Post* article re: sick workers
- Rocky Flats workers letter to Secretary of Health and Human Services
- *Seattle Post Intelligencer* article re: funding for national wildlife refuges
- DOE-Rocky Flats contact record on 991 Hillside slump

September 20, 2007

Mr. David Staudt  
Center for Disease Control and Prevention  
Acquisition and Assistance Field Branch  
Post Office Box 18070  
626 Cochrans Mill Road – B-140  
Pittsburgh, PA 15236-0295

Re: Contract No. 200-2004-03805, Task Order 3: Transmittal of Draft SCA-TR-TASK3-0005,  
Rev. 0, *Review of Close-Out Interview Procedure, ORAUT-PROC-0092*

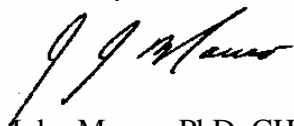
Dear Mr. Staudt:

SC&A is pleased to submit to NIOSH and the Board its review of ORAUT-PROC-0092, *Review of Close-Out Interview Procedure, ORAUT-PROC-0092*, SCA-TR-TASK3-0005, Rev. 0, dated September 20, 2007. This report has been subjected to a review for Privacy Act-related information and has been edited accordingly.

Though this SC&A report is part of our deliverable under Task Order 3, it is being submitted under separate cover because, like our review of ORAUT-OTIB-0052 (dealing with reconstructing doses to construction workers), the review of PROC-0092 required extensive analysis, and we believe it is especially important to the program.

If you have any comments or questions, please contact me at 732-530-0104.

Sincerely,



John Mauro, PhD, CHP  
Project Manager

cc: P. Ziemer, PhD, Board Chairperson  
Advisory Board Members  
L. Wade, PhD, NIOSH  
L. Elliott, NIOSH  
J. Neton, PhD, NIOSH  
S. Hinnefeld, NIOSH  
L. Homoki-Titus, NIOSH  
A. Brand, NIOSH  
J. Broehm, NIOSH  
C. Ellison, NIOSH  
L. Shields, NIOSH  
D. Sundin, NIOSH  
A. Makhijani, PhD, SC&A  
H. Behling, PhD, MHP, SC&A  
M. Thorne, SC&A  
H. Chmelynski, SC&A  
J. Fitzgerald, Saliant  
J. Lipsztein, SC&A  
K. Robertson-DeMers, CHP, Saliant  
S. Ostrow, PhD, SC&A  
K. Behling, SC&A  
T. Bell, Saliant  
Project File (ANIOS/003)

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Draft Report

**NATIONAL INSTITUTE FOR  
OCCUPATIONAL SAFETY AND HEALTH**

**ADVISORY BOARD ON RADIATION AND WORKER HEALTH**

***TASK 3: REVIEW OF NIOSH/ORAUT PROCEDURES AND METHODS  
USED FOR DOSE RECONSTRUCTION***

**Review of Close-Out Interview Procedure, ORAUT-PROC-0092**

**Contract No. 200-2004-03805  
SCA-TR-TASK3-0005, Revision 0**

Prepared by

S. Cohen & Associates  
1608 Spring Hill Road, Suite 400  
Vienna, VA 22182

September 2007

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*Disclaimer*

*This document is made available in accordance with the unanimous desire of the Advisory Board on Radiation and Worker Health (ABRWH) to maintain all possible openness in its deliberations. However, the ABRWH and its contractor, SC&A, caution the reader that at the time of its release, this report is pre-decisional and has not been reviewed by the Board for factual accuracy or applicability within the requirements of 42 CFR 82. This implies that once reviewed by the ABRWH, the Board's position may differ from the report's conclusions. Thus, the reader should be cautioned that this report is for information only and that premature interpretations regarding its conclusions are unwarranted.*

|                                       |                           |                                   |                     |
|---------------------------------------|---------------------------|-----------------------------------|---------------------|
| Effective Date:<br>September 20, 2007 | Revision No.<br>0 - Draft | Document No.<br>SCA-TR-TASK3-0005 | Page No.<br>2 of 67 |
|---------------------------------------|---------------------------|-----------------------------------|---------------------|

|                                                                                                                                                              |                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| <b>S. Cohen &amp; Associates: <i>Technical Support for the Advisory Board on Radiation and Worker Health Review of NIOSH Dose Reconstruction Program</i></b> | Document No.<br>SCA-TR-TASK3-0005             |
|                                                                                                                                                              | Effective Date:<br>Draft – September 20, 2007 |
|                                                                                                                                                              | Revision No.<br>0 - Draft                     |
| <b>Review of Close-Out Interview Procedure, ORAUT-PROC-0092</b>                                                                                              | Page 2 of 67                                  |
| Task Manager:<br>_____<br>Arjun Makhijani, PhD<br>Date: _____<br><br>Project Manager:<br>_____<br>John Mauro, PhD, CHP<br>Date: _____                        | Supersedes:<br><br>N/A                        |

**NOTICE:** This document has been reviewed for Privacy Act information and has been edited accordingly.

**NOTICE:** This report is pre-decisional and has not been reviewed by the Advisory Board for factual accuracy or applicability within the requirements of 42 CFR 82.

|                                       |                           |                                   |                     |
|---------------------------------------|---------------------------|-----------------------------------|---------------------|
| Effective Date:<br>September 20, 2007 | Revision No.<br>0 - Draft | Document No.<br>SCA-TR-TASK3-0005 | Page No.<br>3 of 67 |
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**NOTICE:** This document has been reviewed for Privacy Act information and has been edited accordingly.

**NOTICE:** This report is pre-decisional and has not been reviewed by the Advisory Board for factual accuracy or applicability within the requirements of 42 CFR 82.



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|---------------------------------------|---------------------------|-----------------------------------|---------------------|
| Effective Date:<br>September 20, 2007 | Revision No.<br>0 - Draft | Document No.<br>SCA-TR-TASK3-0005 | Page No.<br>4 of 67 |
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## EXECUTIVE SUMMARY

The close-out interview is a critical time in the process of adjudication of a claim. It is the last time that the claimant can provide substantive information that could affect dose reconstruction during the NIOSH dose reconstruction process. It is the time when the claimant must sign the OCAS-1 form stating that they understand the implications and finality of the stage of the process as regards the dose reconstruction. If they do not sign it within 60 days, National Institute for Occupational Safety and Health (NIOSH) may administratively close the case. The claimants are so informed.

The facts provided by the claimant prior to and during the close-out interview process set the stage for any administrative review that may occur if the claim is denied. The administrative review is submitted to the Department of Labor (DOL) and not to NIOSH or the Department of Health and Human Services.<sup>1</sup>

In view of the crucial nature of the close-out interview, SC&A has carefully reviewed the procedure for conducting these interviews (ORAUT-PROC-0092, Rev. 00). SC&A observed, firsthand, three close-out interviews (one with an energy employee and two with survivor claimants) for claims that were still being processed, on condition that SC&A personnel make no comment whatsoever during the interview. SC&A also drew on close-out interview information in another case that came to its attention during a site expert interview. SC&A would like to thank NIOSH and the Oak Ridge Associated Universities Team (ORAUT) for arranging the complex process of close-out interview observation, as well as access to the site expert, whom SC&A contacted and advised that SC&A was using this site expert's close-out interview information in this report (with the site expert's name, site, job type, and other identifying information redacted to protect privacy).

## SUMMARY OF FINDINGS

Finding 1: The close-out interview procedure does not ensure that the HP Reviewer and dose reconstruction group fully address claimant concerns raised during the close-out interview. The procedure has many gaps relating to response to claimant concerns. The gaps identified in regard to response to claimant concerns are as follows:

- (1) ORAUT-PROC-0092 has serious gaps related to a lack of specificity about what information should be referred to an HP Reviewer and to the dose reconstruction department of ORAU. It also lacks specificity in the level of detail that claimant concerns should be researched. For instance, there is no explicit requirement to carefully check whether all information corresponding to the concerns has been appropriately taken into account in the dose reconstruction.

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<sup>1</sup> SC&A was informed by OGC that DOL regulations do not have an "appeals" process, it is an administrative review. OGC editorial comment for clarification of September 12, 2007, made to SC&A as part of the PA review of the draft of this report. However, SC&A notes that ORAUT used the term "appeal" as part of one of the close-out interviews observed by SC&A (see Attachment B).

**NOTICE:** This document has been reviewed for Privacy Act information and has been edited accordingly.

**NOTICE:** This report is pre-decisional and has not been reviewed by the Advisory Board for factual accuracy or applicability within the requirements of 42 CFR 82.

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- (2) The procedure also has no specifications or examples of what kinds of follow-up are to be expected when detailed information is provided. In two cases examined by SC&A, the claimants provided specific information. Yet, the evidence is that the underlying data were not reviewed in one case and no attempt was made to obtain the relevant reports in the other. In the latter case, the date on the final dose reconstruction actually predates the close-out interview, despite the fact that the employee provided detailed new information during the close-out interview.
- (3) The level of detail in documenting the close-out interview process during the follow-up call was very different in the two cases discussed above. In the first case, the HP Reviewer provided a much more detailed summary in the close-out interview record than in the second case. The lack of specific documentation procedures for research and for the communication of the resolution of concerns creates the potential for inconsistency and arbitrariness in how concerns are researched, communicated, and resolved.
- (4) In both cases, substantive information provided by the claimant was not addressed by a dose reconstructor. In one case, SC&A is aware that the information was not referred to the dose reconstructor. In the second case, this can be inferred from the identical language in and dates on the draft and final dose reconstructions.
- (5) The HP Reviewers, who make key decisions about researching claimants' concerns and who communicate with the claimants, do not have health physics qualifications or experience in dose reconstruction, according to the managers of the program..

Finding 2: The procedure makes no substantive provision for ensuring that the claimant actually understands the dose reconstruction and its implications for compensation prior to signing the OCAS-1 form, even when the claimant complains that they do not understand the "lingo."

Finding 3: The fact that the signing of the OCAS-1 form (if it has not been signed before) occurs in the context of the close-out interview may create pressures on ORAUT personnel to get the signature before being certain that all issues of concern to the claimant have been fully addressed.

Finding 4: The procedure does not ensure that the claimant has all the information that was essential to the dose reconstruction prior to the close-out interview. This can hamper the claimant in deciding whether or not to submit additional data or information at the close-out interview stage.

## **SUGGESTIONS FOR IMPROVEMENT**

- (1) Claimants should be informed that HP Reviewers are not health physicists. The term "HP Reviewer" should not be used to refer to personnel without qualifications or experience in Health Physics.
- (2) The potential for inconsistency and for arbitrary judgments by HP Reviewers should be significantly decreased by detailed written guidelines for and examples of how concerns

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should be researched and when they should be referred to the dose reconstruction group. The two examples discussed in this review can be used as case studies for lessons learned in developing those guidelines.

- (3) The procedure should include instructions that HP Reviewers should make detailed notes about what was done to address claimant concerns and how they were resolved. This should include specific references to documents reviewed, personnel consulted, and details of how the issues were resolved during the follow-up call.
- (4) All claimant concerns relating to dose, data, intakes, exposure, or incidents should be referred to the dose reconstruction group for a response. The response should fully address the concern and should be in writing. The written document should be provided to the claimant as part of the follow-up process.
- (5) The interviewer should clearly communicate to the claimant the implication of the dose reconstruction for compensation with a declarative statement. Claimants should be told, according to the dose reconstruction, whether the claim is likely to be compensated or not compensated, with the caveats that (1) DOL may return the dose reconstruction for re-evaluation, and (2) the decision on compensation is made by DOL. Qualified health physics personnel who are trained to communicate non-technical information to the general public or have a track record of doing so successfully should answer the claimant's questions during all follow-up calls and in cases where the claimant states that they do not understand the information in the draft dose reconstruction.
- (6) A health physics professional should be available in real-time during the initial close-out interview (though not necessarily be on the line) in case there are concerns or questions that the interviewer cannot address, but that could be resolved relatively expeditiously by a health physicist familiar with the claimant's file.
- (7) Claimants should be given access to the records, documents, and procedures pertaining to their dose reconstructions without having to request them. The specific Workbook version used for the dose reconstruction should be noted in the draft dose reconstruction report sent to the claimant. The draft dose reconstruction report should offer to make that Workbook and other materials available to the claimant, should they wish to have them. SC&A notes that the Workbook is now a part of the claimant's file.
- (8) All Workbooks used in dose reconstructions should be archived.

SC&A observed three close-out interviews and examined two cases of close-out interviews in which the claimant provided information and expressed concerns that required follow-up. The fact that substantial issues arose in the small number of cases sampled would raise questions about the extent of the problems, even without further information. In these cases, however, the problems appear to arise largely from gaps in the existing procedure and from technical judgments by HP Reviewers, who have no health physics qualifications or dose reconstruction experience, according to the managers of the program (see Attachment B). This raises a clear possibility that the problems regarding lack of adequate follow-up to the claimant concerns may

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be systemic. This needs to be further investigated by NIOSH, given the crucial nature of the close-out interview in the dose reconstruction and compensation process. Likewise, it would be highly desirable for the Advisory Board on Radiation and Worker Health (Advisory Board), directly or via the Working Group, to investigate how widespread the problems identified above may be.

A part of this investigation might consist of re-interviews by the Advisory Board or through the Working Group of the two claimants' cases discussed above, provided they are amenable to that, of course. This would help in evaluating the adequacy of changes in the close-out interview procedure that NIOSH/ORAUT might propose. It would also throw some light on the worker interview and site expert documentation procedure, and the ways in which that information, as well as information in the Computer-Assisted Telephone Interviews (CATIs), is being used. SC&A recognizes that the site expert documentation is being reviewed separately by the Advisory Board, and is making this comment here in the interest of facilitating a coordinated review of various kinds of input provided to NIOSH and ORAUT.

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**PRESS BRIEFING & AVAILABILITY: USW Fighting for Cold War Heroes - Colorado's Rocky Flats Nuclear Defense Workers Need Claimant-Friendly Response From Energy Employees Occupational Illness Compensation Program Act (EEOICPA)**

2007-10-23 00:08:45 - [www.usw.org](http://www.usw.org) - News From USW:

**WHO:**

Terry Bonds, USW District 12 Director, representing Colorado & western states Hilary Chiz, USW EEOICPA advocate & job health expert, Pittsburgh George Barrie, past worker, Rocky Flats Nuclear Weapons plant (minimal EEOICPA) Terrie Barrie, advocate for former Rocky Flats Nuclear Weapons plant workers Laura Schultz, past worker, Rocky Flats Nuclear Weapons plant (denied EEOICPA)

**WHAT:**

Press availability and lunch briefing event; USW leaders, job health advocates and Rocky Flats workers ill from radiation exposure in support of redress review by Senate Health, Education, Labor, and Pension Committee hearing on EEOICPA; Hearing Date: Oct. 23, 10 a.m.(EDT); Dirksen Senate Office Building, Room 430.

**WHERE:**

USW Legislative Office; 1150 - 17th Street, NW, Ste. 300, Washington, DC

**WHEN:**

12:30 p.m., (EDT) on Oct. 23. News correspondents outside of Washington should call the USW contacts for dial-in number to participate in the press briefing with opportunity to ask questions.

More than 22,000 former Rocky Flats workers will have to individually prove their radiation exposure caused their cancers. Meeting the statutory criteria is not easy. Applicants have to undergo a long, bureaucratic process that often takes several years. Many die before being awarded compensation. One in 10 Rocky Flats workers who qualified for compensation died before receiving it, according to an analysis by The Rocky Mountain News. Nationally, more than 60 percent of the 72,000 cases processed were denied.

Having data alone does not guarantee that it is accurate. Nuclear workers tell of having to toss their badges aside that measure radiation exposure, having to use their last radiation reading, or co-worker's data when the radiation exposure registered too high. "Sick nuclear workers like George Barrie have given their lives to help defend this country and should not have to undergo a slow, bureaucratic process that often denies them the medical care and compensation promised by EEOICPA," USW District 12 Director Terry Bonds said.

**USW**

Lynne Baker, 615-831-6782 (W); 615-828-6169 (C)  
Gary Hubbard, 202-778-4384 (W); 202-256-8125 (C)

## Senators slam delays in payments to Cold War-era nuclear workers

By ERICA WERNER Associated Press Writer

Article Last Updated: 10/23/2007 06:40:24 PM MDT

WASHINGTON—Majority Leader Harry Reid and other senators said Tuesday that there are unacceptable delays in a government program to compensate Cold War-era nuclear workers who developed cancer from exposure to radiation.

Reid, D-Nev., told a Senate hearing that ill and dying workers from the Nevada Test Site are waiting years for the government to process their claims and give them the \$150,000 checks and medical benefits they're entitled to under the program created by Congress in 2001.

The workers were involved in nuclear weapons testing that happened at the site in the Nevada desert from 1951 to 1992.

"They tell me their sacrifices are being ignored," Reid told a hearing of the Senate Health, Education and Labor Committee.

"This program has the right intentions, but it is failing thousands of Americans who helped win the Cold War," Reid said.

Other senators voiced similar concerns about workers at Oak Ridge in Tennessee, Hanford in Washington, and Rocky Flats in Colorado, among other sites.

Sen. Lamar Alexander, R-Tenn., said he was considering introducing legislation aimed at speeding the compensation process and ensuring that if an affected worker dies, his or her survivors would collect benefits that are due, something that doesn't necessarily happen now. The director of the Labor Department's worker compensation programs, Shelby Hallmark, defended his efforts to administer the Energy Employees Occupational Illness Compensation Program. Nationally, more than 64,000 workers have been paid more than \$3.2 billion under the law, he said.

"I'm not satisfied with our current processing speed, but we will fix it," he said. Individual cases can take about three years to process. Before workers can qualify for compensation, the government must determine there is a 50 percent or greater chance that their cancer or other illness was caused by work-related exposure to radiation or other toxins. The lengthy process of deciding whether someone's illness is work-related is done by the National Institute for Occupational Safety and Health. Workers complain it can be impossible to prove their cases because of lost records or other bureaucratic snafus.

In some instances, they say they were instructed to hide the amount of radiation they were getting by not wearing devices that recorded the radiation. The House Judiciary Committee also has released documents that suggest government officials have attempted to limit program claim costs.

Of the 15,000 workers that have gone through individual adjudications by the National Institute for Occupational Safety and Health, only about 5,000 have had their cases accepted, while 10,000 have been denied.

Of 766 Nevada Test Site cases adjudicated, 129 have been accepted and 637 denied.

The only way to avoid individual adjudication is for employees to be classified as part of a "special exposure cohort." Currently certain workers at 22 different sites qualify. Workers potentially exposed to aboveground testing at the Nevada Test Site from 1951 to 1963 have been classed in the special exposure cohort. But late last month the government recommended against a petition by people who worked at the Nevada Test Site from 1963 through 1992 to be given that special status.

Reid has tried to get special status for the group through legislation but hasn't succeeded. Alexander said he's considering a bill that would automatically add workers to the special exposure cohort if it's taking too long to work through their individual claims.

# Rocky Mountain News

## Read workers' appeal letter

September 25, 2007

September 24, 2007

Rocky Flats SEC00030  
Petitioner  
On behalf of:  
Rocky Flats United Steelworkers of America, Local 8031  
2280 E. 139th Avenue  
Brighton, CO 80602

The Secretary of Health and Human Services  
Attention: Executive Secretary to the Department  
Administrative Review Request, SEC 00030  
200 Independence Avenue, SW  
Washington, DC 20201

RE: Formal Letter of Appeal of Determination by Michael O. Leavitt for SEC Status for Rocky Flats Workers Who Were Exposed to Radiation Dose from 1967 to 2005 and to Radiation Dose Other Than Neutron from 1952 to 1966

Dear Secretary Michael Leavitt,

On behalf of the Rocky Flats workers who were members of the Rocky Flats United Steelworkers of America, Local 8031, we write to formally appeal your decision dated August 6, 2007, and yet oddly not sent to the petitioners until August 27, 2007 – three full weeks after the decision was made. This delay in notification simply highlights a long and troubled process in which timeliness has always been an issue at the forefront. Perhaps the Secretary figured that since the sick and dying Rocky Flats workers have already been waiting two and a half years for a decision, that an extra 21 days wouldn't kill us – or would it? Sadly 10 percent of our sick workers die waiting for their claims to be processed by the U.S. Government.

Our understanding of our legal rights under the Energy Employees Occupational Illness Compensation Program Act of 2000 allow us to appeal to the Secretary of Health and Human Services in writing and that you will then appoint your own 3-person "independent" panel to review your decision. We, hereby, formally appeal. We also understand that we can appeal based on "substantial errors in the implementation of the procedures" and to challenge "record of substantial factual errors" that were used to deny our petition. We appeal based on both implementation and error in factual basis in accordance with the points of appeal listed below. Please notify us regarding the membership of your panel as soon as you have appointed it and advise us if any additional information is required from the Petitioner. I encourage you to break with the consistent untimely nature of your office and this process and to appoint the panel immediately and get a final ruling so that we can take our next steps with respect to Legislative and Legal remedies before too many more of our workers die waiting for the Government to make good on the Congressional promise to take care of our sick workers.

### POINTS OF APPEAL BASED ON "SUBSTANTIAL ERRORS IN THE IMPLEMENTATION OF THE PROCEDURES ENUMERATED"

1) Failure to provide information to the petitioner in accordance with the provision of the law. NIOSH and now the Secretary of Health and Human Services have exhibited a pattern of withholding and delaying communication of information to the Rocky Flats petitioner throughout this process – including "accidentally" removing the petitioner and petitioner representative from the e-mail distribution for notification of meetings for a six month period of time. The petitioners were added back to the list and an



apology was issued by NIOSH for their accidental mistake. Several times including before the May 3, 2007, and June 12, 2007 meetings, reports were prepared by the Advisory Board's contractor that were discussed at the meetings, yet NIOSH failed to distribute the reports to the Petitioner until minutes before or in some cases after the meetings – thus preventing the Petitioner from being able to prepare for the meetings. Board members voiced similar complaints about the timely provision of information by NIOSH at its June 11 and 12 meeting in Denver. This pattern of blatant disrespect for the Petitioner's rights is further evident in that the Secretary of HHS did not even bother to notify the petitioner of his decision until three weeks after he made it – leaving it up to the news media and frustrated members of the Colorado Congressional delegation to do his dirty work – indicating a lack of pride in his own decision. It took a call from Carolyn Boller in Congressman Udall's office before Mr. Elliott finally issued a letter on behalf of the Secretary.

2) Timeliness. NIOSH failed to meet the Congressionally mandated deadline of 180 days to make its recommendation on the Petition. The recommendation was not made until 440 days after the Petition was submitted February 15, 2005. The Rocky Flats petition should be approved based on the Government's failure to meet timeliness requirements of the Act. The Rocky Flats Petition was submitted on February 15, 2005. The Secretary did not issue his decision until August 6, 2007 – 902 days after the petition was submitted – 902 days while our workers, sick with cancer, suffered and many died. The NIOSH recommendation on this petition was issued 440 days following receipt in spite of the fact that the 2005 EEOICP Act Revision required a recommendation, by law, in 180 days. The Advisory Board on Radiation Safety and Health (the Board) recommendation did not occur until June 2007. The law requires timeliness and fairness. This process has been neither timely nor fair to the Rocky Flats workers who are sick with cancer. Furthermore, it is unacceptable that individual Rocky Flats claimants wait an average of 742 days for their claims to be processed from submittal to the time a positive ruling is made. This delay has meant that 67 Rocky Flats workers (10 percent of those ultimately approved), who would have been compensated, died waiting. It is clear that timeliness is not being met in the case of individual Rocky Flats claimants or in the case of the Rocky Flats Petition. This factor alone is enough to warrant approval in full of the Rocky Flats Petition. The question was not could NIOSH ever reconstruct dose with accuracy. It has been two and a half years and substantial issues are still outstanding. The law did not say – petitioner point out flaws in the government's ability to reconstruct dose; NIOSH fix some of the flaws (admitting inabilities) and then recommend denial of \ petition based on a new set of standards that did not exist at the time the petition was submitted. The law clearly states: "The purpose of the compensation program is to provide timely, uniform, and adequate compensation. . . ." Justice Delayed is Justice Denied.

3) Conflict of Interest Invalidates the Process. As noted by Congressman Hostettler in a March 9, 2007, letter, "At Rocky Flats, a manager of health physics programs prepared NIOSH's site profiles, TIBS, is actively involved in the evaluation of a SEC petition, which includes validation of results used in his previous work." Individuals who have testified AGAINST workers in worker compensation hearings are serving key roles in the NIOSH process. The Government's own General Accounting Office identified conflicts of interest.

4) Non-Cohesion in the Board. The Board vote of 6 to 4 showed considerable dissension in opinion of the Board members. This vote is not a strong endorsement for the Board's recommendation. In fact, many issues were left unresolved at the time of the vote, as evidenced by the split vote. In addition, the Board's expert contractor Sanford Cohen and Associates (SC&A) had identified many open issues and concerns with NIOSH's approaches. The Board has not given a strong endorsement to the Department of Health and Human Services.

5) Actions Outside the Boundaries of the Authority under the Act. This process was intended to include a timely evaluation and recommendation regarding the merit of the petition – to answer the question, did the petitioner prove that there was a class of workers for which the Government could not accurately reconstruct dose. The Board's role was to evaluate and recommend, never to fix. The Board, albeit with good intentions, became intertwined with a process to develop a set of new science, methods, models, guidance, technical basis documents and assumptions over the last two years. These were directed at serving as the basis to deny the Rocky Flats petition. These new documents will ultimately result in thousands of dose reconstructions that must now be redone in accordance with the new standards. The fact that dose reconstructions are being declared "invalid" and are being redone serves as strong evidence

to the Department of Health and Human Services and the members of Congress that it was, in fact, not possible for NIOSH to reconstruct dose for the Rocky Flats workers at the time the petition was submitted. We are gravely concerned that this action and the Secretary's decision to deny the petition based on this action opens the entire EEOICPA process up to severe scrutiny either as part of a Congressional investigation or litigation. This situation would severely tarnish the U.S. Government, the U.S. Congress and your agency in particular.

6) Inconsistent Application of Conflict of Interest Requirements. NIOSH inconsistently applied conflict of interest standards to stack the Advisory Board on Radiation Health to deny worker petitions in accordance with political pressure and statements made by top leaders in HHS. For example Mark Griffon was allowed to vote in spite of his relation with the union, while Josie Beach was denied her right to vote based on her membership in a union at the Hanford Site. Interestingly, because of NIOSH's delay in the petition process, the Rocky Flats workers were in fact no longer members of the United Steelworkers union at the time of the Board's vote. There was no financial tie or benefit or association and so there was no reason that Ms. Beach should have been denied her right to participate. The Petitioner requested for the Conflict of Interest to be re-evaluated based on the fact that there was no longer one and NIOSH said it did one but refused to provide any evidence that such a re-review was conducted or the name of the attorney who conducted the review. The following is a direct quote from the Petitioner's Presentation to NIOSH on May 3, 2007 – "We have learned that some members of the Board have been instructed that they cannot vote on the Rocky Flats petition based on relationship with the United Steelworkers. As a direct result of NIOSH's delay in addressing this petition, if ever valid, such a restriction is no longer valid today for the following reasons: 1) The Rocky Flats workers on behalf of whom this petition was filed no longer have any financial or contractual relationship with the United Steelworkers; 2) Local 8031 no longer has a single nuclear worker in its membership; 3) The United Steelworkers no longer receive any dues from the former Rocky Flats members nor do they provide representation or services to the members; 4) The United Steelworkers do not benefit in any way from the approval of this petition; 5) NIOSH on its own right expanded the class to include all RF employees so it is no longer a "Steelworker" petition. Therefore no relational conflict exists today. No legal basis was ever provided.

7) Inappropriate Expansion of the Rocky Flats Class of Workers from its Original Submittal as a "Steelworker" Petition to include all Rocky Flats Workers. This decision was extraordinarily inappropriate for the following reasons: 1) the U.S. Steelworkers filed the petition on behalf of its membership under the special provisions for labor organizations. The U.S. Steelworkers of America, Local 8031 had no right of legal representation for members of the expanded class and therefore those new class members were unrepresented; 2) no information was gathered on behalf of the expanded class or included in the petition; 3) they are now, effectively, denied based on a petition that submitted no information on their behalf and so they went unrepresented in the process. We believe NIOSH did this on purpose to make the Class unpalatably large so that it would have to be denied – they had no intention of granting SEC status for Rocky Flats workers so they wanted to deny everyone in one action.

8) Politics and Budget Denied the Rocky Flats Petitioners a Fair Review Based on Science, Instead the Board and NIOSH Were Pressured to Find Any Reason to Deny Petition 00030. We are concerned that politics and budget were a major factor in the decision process. This is particularly disturbing in light of the deliberate action on NIOSH's part to expand the class from its original size of 4,000 Steelworkers potentially, with less than 1,400 expected to be ultimately compensated to a class, with no basis, of 20,000 people. In making this expansion, NIOSH stated in its April 7, 2006, recommendation, "NIOSH determined that all employees were similarly or identically exposed, and therefore, cannot be disaggregated from the union workers with respect to their work and exposures." This statement is a gross error in representation. The union Collective Bargaining Agreement clearly defines the work scope of the Steelworkers facilitating ease in disaggregating the union workers from other workers with respect to both work and exposure. The hourly Steelworkers were the only ones that performed hands-on (hands in the gloves) weapons production and chemical recovery operations at the Rocky Flats site and therefore are a distinct and separate class with clear and inherent danger in their positions for the highest occupational exposures. An undated memo roughly late 2005, from White House's Office of Management and Budget to Labor Department OMB Passback outlined a plan to contain growth in benefits from new SECs by requiring "administrative clearance" before the HHS Secretary can make a decision, and calls for a White House led interagency task force to "address any imbalance" in the Advisory's Board's membership. In this context, this appears to intend a tilt in the Advisory Board's composition against approval of SECs.

9) Deputy Secretary Applied Pressure Against SECS. "Just in case there was any question, it's my strong belief that we should do everything possible to oppose these SEC (special cohort status) amendments".— June 18, 2004, e-mail from Shelby Hallmark, Department of Labor deputy assistant secretary Oddly, just months before (before the OMB Passback memo), Mr. Shelby was singing a different tune. "If there's a justification for an SEC anywhere, common sense suggests that it should be at Rocky." — Feb. 26, 2004, e-mail from Shelby Hallmark, Department of Labor deputy assistant secretary for the Office of Workers' Compensation Programs. He also was previously so bold as to publicly criticize the validity of dose reconstruction: "Does it make any sense to continue to defend a dose reconstruction process that will just get more complicated and attenuated?"—Shelby Hallmark, Department of Labor deputy assistant secretary. Someone needs to look into what made him change his tune. Was it science or politics?

10) Suppression of Scientific Points. Members of the Advisory Board's Contractor, SC&A, were silenced and pressured not to discuss views contrary to the position of NIOSH.

11) Methods were used as Basis of Denial that did not exist when the Petition was submitted. NIOSH blatantly ignored legal time requirements in favor of stalling to allow time to develop band-aid fixes to coerce the Advisory Board into voting against the petition. The development of new TIBs is not part of the Petition review process and it is for this reason that it took two and a half years for a determination to be issued. Our workers died while NIOSH desperately dabbled in science under the threat that its program would be eliminated spelling an end to the multi-million dollar business that is dose reconstruction – a

NIOSH and HHS jobs program at the expense of the workers and the taxpayers.  
POINTS OF APPEAL: "SUBSTANTIAL FACTUAL ERRORS"

1) Missing Data. We are very concerned that between 1964 and 1992, that 33% of the worker cases reviewed were found to have missing data. To quote the Board's contractor – "There are large gaps in internal dose data, notably for 1964-1992" "NIOSH has not demonstrated its ability to fill existing data gaps for external dose in a manner that would produce bounding dose estimates that would satisfy the requirements of 42 CFR, Part 83."

2) Lack of Scientific Evidence to Support Particle Size Selected for High Fired Oxides. NIOSH used one single data point to determine what particle size to use, but no research has been done to support it. PNNL-MA-860 Chapter 8.0 issued January 31, 2003 "The precise nature of super class Y material is not known, although it appears to have been associated with processes involving high fired plutonium oxides.

3) Lack of Research or Scientific Basis for how High Fired Oxides are metabolized in the body. PNNL-MA-860 Chapter 8.0 issued January 31, 2003 "The precise nature of super class Y material is not known, although it appears to have been associated with processes involving high fired plutonium oxides. How can you go from knowing little to having it all figured out to the point you can model it without doing any scientific research or studies? Garbage in --- garbage out.

4) Unproven Scientific Models employed. New models were created and not adequately proven. Fly-by-night, overnight science – NIOSH thinks they can develop in three months, what still has been failing after three decades. Dose Reconstruction is not a science. Defense Threat Reduction Agency Dose Reconstruction Program stated" . . . upper-bound doses from external gamma, neutron, and beta exposure are often under estimated, sometimes considerably, particularly when doses are reconstructed."

5) Faulty Co-Worker Model. In addition, we are very concerned about the co-worker model's reliance on the ability to remember or track what buildings workers were in for periods of time given the transient nature of the hourly work force. We are very concerned that fundamental facts and understanding about

the processes and radionuclides present in the buildings (for example Building 881) remain unclear to NIOSH even after more than 28 months of review of the petition.

6) Inaccuracy of Model to account for undocumented exposures to the head and back. We are concerned about the inaccuracy of monitoring of external exposure to the upper torso, head and back when dosimeter is blocked or pointed in opposite direction. We are concerned about the validity of dose records for workers in high dose jobs. We are concerned about the adequacy of the co-worker model and NIOSH's ability to apply it.

7) Gross Error in Fact Contributed to NIOSH's Decision to Expand the Class. NIOSH's part to expand the class from its original size of 4,000 Steelworkers potentially, with less than 1,400 expected to be ultimately compensated to a class, with no basis, of 20,000 people. In making this expansion, NIOSH stated in its April 7, 2006, recommendation, "NIOSH determined that all employees were similarly or identically exposed, and therefore, cannot be disaggregated from the union workers with respect to their work and exposures." This statement is a gross error in representation. The union Collective Bargaining Agreement clearly defines the work scope of the Steelworkers facilitating ease in disaggregating the union workers from other workers with respect to both work and exposure. The hourly Steelworkers were the only ones that performed hands-on (hands in the gloves) weapons production and chemical recovery operations at the Rocky Flats site and therefore are a distinct and separate class with clear and inherent danger in their positions for the highest occupational exposures.

8) Significant Divergence in Scientific Opinion. SC&A stated that it, too, has concern over NIOSH's ability to implement its stated methods, approaches, and coworker models to enable "dose reconstruction with sufficient accuracy," as prescribed by 42 CFR Part 83.". We are concerned that while the Pacific Northwest Nuclear Laboratory stated in 2003 that "the precise nature of Super Class Y material is not known", that NIOSH developed adjustment factors to accommodate these exposures and used only one single data point to determine particle size for modeling. Fundamental facts remain unknown about high fired oxides. We are concerned that the standard being applied appears to be whether something is "plausible" or not. We repeatedly here things like it is plausible that a model will work or it is plausible that the Os recorded met that the dosimeter was not turned in. The Webster New World Dictionary defines the word plausible as "seemingly true; often implying disbelief" or "applies to that which at first glance appears to be true . . . but which may or may not be so." We do not plausibility is an appropriate standard by which to make decisions as important as whether or not sick workers should be compensated. The fact that it has been more than two years and significant factors are still unresolved means the petition was valid and should be approved. The fact that NIOSH has modified the site profile, added new TIBs, changed the particle size for high fired oxides, developed new co-worker models, added adjustment factors, tweaked other models, Etc. , means that NIOSH could not accurately reconstruct dose otherwise they would not have made all the changes. Department of Labor Official Shelby Hallmark asked the question "Does it make any sense to continue to defend a dose reconstruction process that will just get more complicated and attenuated?" As evidenced by the addition of nine new technical guidance documents in the time since the Rocky Flats Petition was submitted, we would have to agree with Mr. Hallmark, this process has gotten far too attenuated to allow accurate dose reconstruction.

It is for these reasons and based on the facts described above, that we hereby formally request a review of the Secretary of HHS's decision dated August 6, 2007, that determined Rocky Flats workers from 1967 to 2005 and those exposed to dose other than neutrons from 1952 to 1966 "do not meet the statutory criteria for addition to the SEC." Please count this letter as our formal request for administrative review and our appeal of the Secretary's decision.

Respectfully,

Anthony DeMaiori Jennifer Thompson  
Former President, USWA, Local 8031 Official Petitioner-Designated Representative

# SEATTLE POST-INTELLIGENCER

Last updated October 9, 2007 2:59 p.m. PT

## 10 years after wildlife refuge law, critics say areas neglected

By MATTHEW DALY  
ASSOCIATED PRESS WRITER

WASHINGTON -- Ten years after a landmark law was adopted to improve national wildlife refuges, the 96 million-acre system is neglected and undermined by political meddling and chronic underfunding, former Interior Secretary Bruce Babbitt said Tuesday.

Babbitt, who played a key role in developing the 1997 law, said years of budget cuts have led to staff shortages that have left huge swaths of refuge land unstaffed, with maintenance projects delayed by years.

The 1997 law "was a promise to the American people: that the system of lands and waters that had been set aside for wildlife ... would be properly cared for. I fear this promise has not been fulfilled," said Babbitt, now chairman of the private World Wildlife Fund.

Under the Bush administration, the nation's 548 wildlife refuges have been neglected and are "reeling from years of fiscal starvation," Babbitt said. In some areas of the West, he added, "huge swaths of land are left to lone law enforcement officers. This is no way to treat this great system of lands or the public."

Faced with a \$2.5 billion budget shortfall, the Fish and Wildlife Service has eliminated hundreds of jobs in recent years, cut back programs and left more than 200 wildlife refuges unstaffed.

By the time cuts are completed in 2009, the agency will have lost 565 refuge jobs - a 20 percent reduction. Jobs that have been eliminated include biologists, maintenance and education workers and even refuge managers.

The Fish and Wildlife Service, an arm of the Interior Department, oversees 548 wildlife refuges - including one added in July at the former Rocky Flats nuclear weapons complex in Colorado. The refuge system encompasses more than 96 million acres in all 50 states and attracts about 40 million visitors a year.

Babbitt and other critics say the staffing cuts have left an already lean work force depleted and have resulted in less habitat management, fewer restoration and education projects and minimal law enforcement.

H. Dale Hall, director of the Fish and Wildlife Service acknowledged the budget woes, but said the agency is committed to meeting its mission.

Since 2001, annual funding for refuges has increased by about \$83 million, but costs have far outpaced those increases. Most of the money has gone to control invasive species, improve border security and meet a \$2.5 billion maintenance backlog.

"Today's challenges are new and vexing, and we all have some trepidation about an uncertain future," Hall said at a congressional hearing on the 10th anniversary of the National Wildlife Refuge System Improvement Act. President Clinton signed the law on Oct. 9, 1997.

"What we need is the same open, honest, bipartisan collaboration that we all found when we worked together to craft" the 1997 law, Hall said.

The law established wildlife protection as the main priority for the refuge system and created a new process to determine other compatible uses, such as hunting and recreation. It requires the Interior secretary to maintain the biological integrity of the refuges and a comprehensive conservation plan for each refuge.

Rep. Don Young, R-Alaska, a co-sponsor of the 1997 law, said it has more than met its goals. "In the past 10 years, the number of refuge units has grown from 514 to 548, the amount of refuge land has increased by more than 3 million acres, visitation has increased by more than 11 million people each year, and 317 of the 452 open refuges allow hunting. This is an historic level," Young said.

Young pushed for a bill to create alternative sources of funding for wildlife refuges, including opening offshore areas for oil and natural gas.

Rep. Ron Kind, D-Wis., co-chairman of the Congressional Wildlife Refuge Caucus, said he was "painfully aware of ongoing problems created by insufficient funding" for the wildlife refuges.

But Kind said he was encouraged by a House vote this summer approving \$451 million for the refuge system in the next budget year - a \$56 million increase over current spending. President Bush has threatened to veto the bill, calling it a budget buster.

The 1997 law "has provided a sure footing for the refuge system," Kind said. "How we build on this foundation from here on out, however, will determine the wildlife legacy that we bequeath to our children."

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On the Net:

National Wildlife Refuge System: <http://www.fws.gov/refuges/>

World Wildlife Fund: <http://www.wwf.org>

# ROCKY FLATS SITE REGULATORY CONTACT RECORD

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**Purpose:** Grading the Slump Area South of FC-4 and Former Building 991

**Contact Record Approval Date:** September 27, 2007

**Site Contact(s) / Affiliation(s):**

Scott Surovchak, DOE  
John Boylan, S.M. Stoller  
Rick DiSalvo, S.M. Stoller

**Regulatory Contact(s) / Affiliation(s):**

Carl Spreng / CDPHE

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## Discussion

The hillside slump south of the location of former Building 991 on the south side of Functional Channel (FC)-4, which began developing in 2006, needs to be regraded and seeded to stabilize the hillside and address worker safety and aesthetic concerns. The slumping is likely due to water saturation of the soils caused by disruption of the French drain underlying the hill and removal of the outfall associated with the drainage during closure. The hillside was constructed as part of the former Protected Area security fencing installation in the 1970s. The regrading is anticipated to make the topography of the area similar to that which existed prior to the hillside construction. Sentinel well 45605 is located within the slumping area; its casing is no longer vertical and the stress caused by the slumping is affecting its long-term serviceability. This well needs to be replaced after the grading work is completed. Other than the Sentinel well location, movement of the soils creating the slump does not affect the implementation of the remedy.

The excavation work will exceed the 3-foot-depth limit specified by the institutional controls (Rocky Flats Legacy Management Agreement [RFLMA], Attachment 2, Table 4, Institutional Control 2) and thus requires pre-approved procedures.

DOE, CDPHE, and Stoller staff informally consulted on August 30, 2007, on the regrading concept, and the attached S.M. Stoller Conceptual Design shows the grading location, depth of excavation, and placement of fill based on the outcome of those discussions. Note that Design Sheet 3 also shows the location of former Individual Hazardous Substance Site (IHSS) 154, the Pallet Burn Site, which is discussed in more detail below.

The regrading is projected to generate approximately 7,000 cubic yards of excess material. This soil will be spread at and adjacent to the former 903 Pad area (refer to Design Sheet 8), which will facilitate revegetation efforts in this area. The fill placement activity will conform with the applicable institutional controls, and the final elevation after fill placement and reseeded is expected to be slightly above the existing elevation. Erosion controls for the regrading excavation and fill activities will be employed in accordance with the Central Operable Unit (OU) Erosion Control Plan.

CDPHE approval for this work is requested before final design and procurement activities proceed. It is anticipated that the construction work will be completed in November 2007.

The objective of the institutional control is to maintain the current depth to subsurface contamination or contaminated structures. This control also results in achieving compliance with the CDPHE risk management policy of ensuring that residual risks to the site user are at or below  $1 \times 10^{-6}$ . Based on a review of the location of the regraded area, the limited aerial extent, and the minor change in depth to subsurface contamination, the regrading does not impact compliance with the risk management policy.

CDPHE has requested that the following information be included in contact records for soil excavation related to this institutional control that will not return soil to the preexisting grade:

*1 - Provide information about any remaining subsurface structures in the vicinity so that the minimum cover assumption will not be violated (or state that there are none if that is the case).*

There are no subsurface structures in the vicinity. The slump has been informally referred to as the "Building 991 slump" for ease of reference due to its proximity to the location of former Building 991. Portions of former Building 991 remain in the subsurface, but are located north of FC-4, well outside the hillside slump regrading activity area.

*2 - Provide information about any former IHSSs/PACs or other known soil or groundwater contamination in the vicinity (or state that there is no known contamination).*

The following IHSSs/Potential Areas of Concern (PACs) are in the vicinity of the hillside slump regrading activity area:

- IHSS 154 (PAC 900-154), Pallet Burn Site – Oil-contaminated pallets and other wood debris were burned in this area, which is located south of the slumping soils, just north of FC-5. The conceptual design drawing (Sheet 3) shows that the extent of regrading just touches the northern extent of IHSS 154, approximately between the southern end of Sections E and F (Sheets 6 and 7). Burning activities were conducted in 1965 and the area was removed sometime in the 1970s. Characterization of this IHSS in 2002, as part of IHSS Group 900-2, resulted in three of six sample locations with detectable levels of arsenic, and two of the three locations had arsenic above the wildlife refuge worker (WRW) soil action level specified in the Rocky Flats Cleanup Agreement (RFCA), both at depths greater than 4.5 feet below the surface.

Detected arsenic concentrations in the three locations ranged from 15.3 to 55.1 milligrams per kilogram (mg/kg). The two sample concentrations above the WRW RFCA soil action level of 22.2 mg/kg were 24.1 and 55.1 mg/kg. Based on the RFCA Attachment 5 Subsurface Soil Risk Screen, soil removal was not required because of the depth of the samples with concentrations above the WRW RFCA soil action level and because the IHSS was not in a significant erosion area, as identified in RFCA Attachment 5. No Further Accelerated Action was approved by CDPHE in 2002.

The proposed regrading may remove some soil adjacent to IHSS 154, but this would not significantly decrease the elevation of soils within IHSS 154. Prior to regrading, the



boundaries of IHSS 154 will be surveyed and marked. No excavation will take place inside the IHSS boundary.

- IHSS 192 (PAC 000-192), Antifreeze Discharge – On December 2 or 3, 1980, approximately 155 gallons of antifreeze solution, 25% ethylene glycol in water, were discharged from a brine chiller evaporator into a floor drain in former Building 708. The floor drain discharged into a buried culvert, which subsequently discharged into South Walnut Creek. The discharge was impounded in Pond B-1 and 5,000 gallons of water were flushed through the drainage system into Pond B-1. Based on the degradation model for ethylene glycol, it was predicted to reach undetectable levels in leachate and soil within 1 week of the discharge.

IHSS 192 was part of OU 16, Low Priority Sites, and a No Action remedy for this IHSS was approved in the 1994 OU 16 Corrective Action Decision/Record of Decision.

- PAC 000-503, Solar Pond Water Spill Along Central Avenue – In 1994, a tanker truck transporting water from the Solar Evaporation Ponds to the former Building 374 storage tanks spilled approximately 35 gallons over a 0.5-mile stretch of asphalt on Central Avenue. The spilled water was cleaned up from the asphalt. No Further Accelerated Action was approved by CDPHE in 2002.

More detailed information on these PACs/IHSSs and the disposition of these areas is provided in the Historical Release Report, Appendix B of the Remedial Investigation/Feasibility Study Report.

*3 - Resurvey any new surface established in subsurface soil, unless sufficient existing data is available to characterize the surface (or state that the excavated soil will be replaced and the original contours restored).*

When completed, the new surface elevations will be consistent with the final design drawings for the regrading work. Final elevations will be surveyed and the resulting data will be used to update the Central OU topography maps.

## **Resolution**

Carl Spreng, CDPHE, approved the regrading work as described in this Contact Record.

**Contact Record Prepared by:** Rick DiSalvo

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## **Distribution:**

Carl Spreng, CDPHE  
Scott Surovchak, DOE  
Linda Kaiser, Stoller  
Rocky Flats Contact Record  
File

## **Membership Interviews**

- Cover Memo
- Applications
  - League of Women Voters
  - Rocky Flats Cold War Museum
  - Rocky Flats Homesteaders
  - Karen Imbierowicz
  - Don Moore

# ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670  
Boulder, CO 80308-0670  
www.rockyflatssc.org

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(303) 412-1211 (f)

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City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior  
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## MEMORANDUM

**TO:** Board

**FROM:** David Abelson

**SUBJECT:** Membership Interviews

**DATE:** October 25, 2007

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At the meeting the nine governments will need to interview candidates for the four community representative seats on the Board of Directors and make appointments. The terms start at the February 2008 meeting.

Five candidates submitted applications – League of Women Voters, Rocky Flats Cold War Museum, Rocky Flats Homesteaders, Karen Imbierowicz and Don Moore. Their applications are attached.

**Action Item: Interview candidates and make appointments**

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## LEAGUE OF WOMEN VOTERS

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## **Rocky Flats Stewardship Council Membership Application**

### **Background**

The Rocky Flats Stewardship Council formed in February 2006 to provide ongoing local government and community oversight of the post-closure management of Rocky Flats, the former nuclear weapons plant northwest of Denver.

The nearly \$7 billion cleanup project was completed in October 2005 and represents an important legacy for our communities. Cleanup significantly reduced the many risks posed by the former weapons site. There are, however, ongoing management needs that remain vital to ensuring long-term protection of human health and the environment. Those responsibilities lie with the Department of Energy (DOE). In June 2007, DOE transferred 3953 acres of the former site buffer zone to the Department of the Interior to manage as the Rocky Flats National Wildlife Refuge.

The Stewardship Council's mandate is found in federal law. In late 2004, the United States Congress, working with the Department of Energy and our predecessor organization, the Rocky Flats Coalition of Local Governments, approved legislation creating a new organization to focus on the post-closure care and management of Rocky Flats. This organization, the Rocky Flats Stewardship Council, includes elected officials from nine municipal governments neighboring Rocky Flats, three community organizations and one individual.

In addition to working with DOE, the Environmental Protection Agency and the Colorado Department of Public Health and Environment, the Stewardship Council also works with the United States Fish and Wildlife Service on issues related to the management of the Rocky Flats National Wildlife Refuge.

### **Membership**

There is no single formula for determining which non-elected officials should serve on the Stewardship Council. In determining membership, the Stewardship Council and DOE have committed to balancing those with knowledge of Rocky Flats with adding new perspectives and engaging constituencies not traditionally engaged on Rocky Flats issues, including non-elected

officials who represent organizations or individuals who have experience or skills that would benefit the Stewardship Council.

In 2005 following the passage of federal legislation that enabled the establishment of the Stewardship Council, DOE identified the following characteristics that could serve to guide membership:

1. Impacted by and interested in a majority of the scope topic areas of the Stewardship Council
2. Willingness to invest time and energy on all of the topic areas
3. Some familiarity with Rocky Flats history, the cleanup process, etc.
4. Represent a broad constituency with a wide diversity of viewpoints
5. Bring new ideas to the table

In developing a broad constituency, there are various potential membership categories:

1. Academic institution
2. Business
3. Former Rocky Flats worker
4. Historic preservation
5. Landowner/asset holder
6. Public interest/environmental group
7. Student
8. Technical expertise
9. Other

**Application Deadline:** Monday October 15, 2007 (fax, email and mail only)

### Applicant Information

Name: *Jeanette Hillery*

Name of organization represented (if applicable): *League of Women Voters of Colorado*

Address: *999 Meadow Glen Dr, Boulder, Colorado 80303*

Telephone: *303-494-7718*

Fax: *303-543-7143*

Email: *jnhillery915@comcast.net*

Title (if applicable):

Membership category: *non governmental*

Number of individuals/groups your organization represents: *22 local leagues statewide*

## Time Commitment

Members can be expected to spend 5-10 hours per month working on Stewardship Council issues including participating in 5-6 Board meetings per year. Members who lack a solid foundation on Rocky Flats issues will likely need to spend time developing a strong foundation on the history of the site and the cleanup, and long-term goals for the site. How much time will you/your organization be able to commit towards this effort? Are there any time constraints you/your organization will/may face? Please explain.

## Assignment of Director and Alternate Director(s)

Meeting attendance is vitally important so each organization must be able to appoint a Director and up to two Alternate Directors to serve in the absence of the Director. If you are applying on behalf of an organization, who will serve as the designated Director and the designated Alternate Director(s)? Please attach a short bio for the Director and Alternate Director(s). (Persons applying for membership as individuals, not representing a category or organization, are not permitted to appoint Alternate Directors to serve on their behalf, but please attach a short bio.)

*Alternate: Sue Vaughan  
16449 W. 55th Drive  
Golden, CO 80403  
suev53@aol.com*

## Statement of Interest

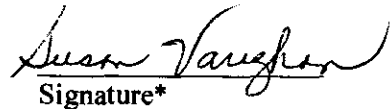
Please write a statement explaining your organization's interest (or personal interest if you are applying as an individual) in serving on the Stewardship Council. Please discuss any relevant experience, education, expertise, or special skills you or your organization has that would serve the Stewardship Council's mission, including any work experience on Rocky Flats issues. If you are an individual please list any relevant experience you have in serving on boards or commissions, and if you represent an organization or category of interest, please include a short explanation of what your organization hopes to accomplish in serving on the Stewardship Council. Please also explain your membership category.

*The League of Women Voters has historically been interested + participated in public proceedings of Rocky Flats. After serving two years on the Stewardship Council, the LWV feels it has been and active and beneficial member to the continuing process. LWV is concerned about the future uses at Rocky Flats and ensuring public input in all decisions*

## Conflict of Interest Statement

In the interest of maintaining public trust and accountability, organizations and individuals who have a conflict of interest or a potential conflict of interest must identify any such conflicts. "Conflict of interest" is broadly defined as (1) having a direct financial interest in any issue related to the management of Rocky Flats and/or (2) currently being engaged in a lawsuit against the Department of Energy, the Department of the Interior, Jefferson County, Boulder County, the City and County of Broomfield, the cities of Arvada, Boulder, Golden, Northglenn and Westminster, and the Town of Superior. Any such conflicts must be listed below.

  
Signature

  
Signature\*

JEANNETTE HILLERY 10/6/07  
Print name/date

SUSAN VAUGHAN 10/10/07  
Print name/date

\*If you are submitting the application on behalf of an organization, both the Director and one Alternate Director must sign the application.

If you have any questions, please contact:  
David Abelson  
Executive Director, Rocky Flats Stewardship Council  
(303) 412-1200  
[dabelson@rockyflatscc.org](mailto:dabelson@rockyflatscc.org)



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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## ROCKY FLATS COLD WAR MUSEUM

## **Applicant Information**

Name: Ann J. Lockhart

Name of organization represented (if applicable): Rocky Flats Cold War Museum

Address: Rocky Flats Cold War Museum, P.O. Box 871, Arvada, CO 80001-0871

Telephone: 720-898-7125

Fax: (all above number to arrange)

Email: [ajldenver@aol.com](mailto:ajldenver@aol.com) (president's email address)

Title (if applicable): President

Membership category: Organization

Number of individuals/groups your organization represents:

The Rocky Flats Cold War Museum board includes five former Rocky Flats workers, two former Colorado Department of Public Health and Environment staff; a Rocky Flats activist, a nearby landowner, two staff from nearby communities, a retired architect and a museum expert.

## **Time Commitment**

Members can be expected to spend 5-10 hours per month working on Stewardship Council issues including participating in 5-6 Board meetings per year. Members who lack a solid foundation on Rocky Flats issues will likely need to spend time developing a strong foundation on the history of the site and the cleanup, and long-term goals for the site.

How much time will you/your organization be able to commit towards this effort?  
**5-10 hours a month or more, as necessary**

Are there any time constraints you/your organization will/may face? Please explain.  
**No**

## **Assignment of Director and Alternate Director(s)**

Meeting attendance is vitally important so each organization must be able to appoint a Director and up to two Alternate Directors to serve in the absence of the Director. If you are applying on behalf of an organization, who will serve as the designated Director and the designated Alternate Director(s)?

**Kim Grant, Director**

**Ann Lockhart, Alternate Director**

Please attach a short bio for the Director and Alternate Director(s).

### **Kim Grant, Director**

Kim Grant serves as Grants Administrator for the City of Arvada, where he is responsible for developing, obtaining and coordinating supplementary funding to support city initiatives as part of a comprehensive grants program for a municipality of 104,000 residents. This involves project development, prospect research, proposal writing and grant implementation and reporting responsibilities in coordination with several city departments and divisions. Since 1999, Grant has helped secure over \$10 million in new funding for the city, with particular emphasis on parks, trails and open space; planning and historic preservation; environmental remediation and protection; and arts, culture and humanities programming. Grant previously served as Director of Development for Historic Denver, Inc. and as Executive Director of the Lower Downtown District, Inc. (LoDo). He also wrote and helped secure most of the private grants for the new Central Library in Denver. Prior to relocating to Colorado in 1991, Grant served as the Assistant State Coordinator for the Kansas Main Street Program at the Kansas Department of Housing and Commerce. He is married to Mira Zevin and lives in Denver with his wife and sons, Ari and Evan.

### **Ann J. Lockhart, Alternate Director**

Ann Lockhart was public relations director of the Colorado Department of Public Health and Environment in the 1980s. On the department's Rocky Flats Historical Public Exposures Studies team in the 1990s, she focused on communicating the potential off-site health impacts from the former nuclear weapons plant's toxic emissions via a newsletter, technical topic papers, fact sheets, talking to concerned citizens and sponsoring a speaker's bureau. After early retirement, she started Eagle Eye Editing to do part-time writing and editing. She is a founding member of the Rocky Flats Cold War Museum board and now serves as president and chair of its Oral History Committee and Financial and Fund-Raising Committee. She started an online museum newsletter in January 2007 and also serves on the Education Committee. She has taught high school English and journalism and later taught University of Phoenix classes: *Writing for the Professions*, *Public Relations and Environmental Issues* and *Public Relations*. She worked for the Sentinel suburban newspapers in Arvada and Wheat Ridge and edited the University of Colorado Health Sciences Center newspaper. Ann has a B.A. in English from the University of Iowa and an M.S.S. in Applied Communications from the University of Denver. She served as the first president of the National Public Health Information Coalition, sponsored by the Centers for Disease Control and Prevention. A long-time Toastmaster, she's also been active in the National Federation of Press Women.

### **Statement of Interest**

Please write a statement explaining your organization's interest (or personal interest if you are applying as an individual) in serving on the Stewardship Council. Please discuss any relevant experience, education, expertise, or special skills you or your organization has that would serve the Stewardship Council's mission, including any work experience on Rocky Flats issues. If you are an individual please list any relevant experience you have in serving on boards or commissions, and if you represent an organization or category of interest, please include a short explanation of what your organization hopes to

accomplish in serving on the Stewardship Council. Please also explain your membership category.

**Interest in serving on the Stewardship Council:**

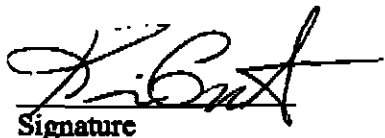
1. **Historic Preservation:** The Rocky Flats Cold War Museum has a focused interest in preserving the history of the former Rocky Flats Nuclear Weapons Plant. The board has saved hundreds of artifacts as well as oral histories of more than 90 former workers, activists, government regulators and political leaders. These will be needed for exhibits and educational materials in a new museum facility.
2. The museum board received a conditional land donation of 1.4 acres near the old West Gate entrance to the former plant site, with the goal of building a 15,000 square foot facility, beginning in 2008. This site is adjacent to the newly created Rocky Flats National Wildlife Refuge and could provide a museum/visitor's center for the refuge with the history of the site and information about its past activities, contamination in the soil and Superfund remedies to protect public health. The museum board hopes to receive a Congressional appropriation which would represent a basis for further fund-raising for development of a museum. Colorado's two U.S. senators have supported this request.
3. The Federal government, which owned and operated the Rocky Flats Nuclear Weapons Plant for more than 50 years, has a significant responsibility in helping to preserve the unique history of the plant. Rocky Flats played an integral role in the Cold War and also had a significant effect on nearby suburbs and the entire Denver metropolitan area.
4. The Rocky Flats Stewardship Council supports the development of the Rocky Flats Cold War Museum to commemorate the efforts of the thousands of former employees who worked at the plant and in recognition of this important history.
5. The Rocky Flats Cold War Museum board includes members with extensive and diverse knowledge of Rocky Flats operations and cleanup and its impact on the surrounding community. The museum board includes former Rocky Flats workers, a former activist, an architect who planned Buildings 060 and 061, former Colorado Department of Public Health and Environmental employees actively involved with Rocky Flats issues, a nearby landowner, staff from nearby communities and a museum expert. The board is compiling a list of key contacts knowledgeable about various aspects of the site and plant history.

**What our organization hopes to accomplish in serving on the Stewardship Council:**

The Rocky Flats Cold War Museum representative will bring diverse knowledge of the plant and site to Stewardship Council discussions. The museum, in turn, hopes to gain the support and help of members in creating a museum/visitor's center near the refuge to preserve the colorful Cold War history of Rocky Flats for students, neighbors, history buffs, former workers, researchers, tourists and others.

### Conflict of Interest Statement

In the interest of maintaining public trust and accountability, organizations and individuals who have a conflict of interest or a potential conflict of interest must identify any such conflicts. "Conflict of interest" is broadly defined as (1) having a direct financial interest in any issue related to the management of Rocky Flats and/or (2) currently being engaged in a lawsuit against the Department of Energy, the Department of the Interior, Jefferson County, Boulder County, the City and County of Broomfield, the cities of Arvada, Boulder, Golden, Northglenn and Westminster, and the Town of Superior. Any such conflicts must be listed below.

  
Signature

Kim Grant 10/15/07  
Print name/date

  
Signature

Ann J. Lockhart 10-15-07  
Print name/date

\*If you are submitting the application on behalf of an organization, both the Director and one Alternate Director must sign the application.

If you have any questions, please contact:  
David Abelson  
Executive Director, Rocky Flats Stewardship Council  
(303) 412-1200  
[dabelson@rockyflatssc.org](mailto:dabelson@rockyflatssc.org)

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## ROCKY FLATS HOMESTEADERS

officials who represent organizations or individuals who have experience or skills that would benefit the Stewardship Council.

In 2005 following the passage of federal legislation that enabled the establishment of the Stewardship Council, DOE identified the following characteristics that could serve to guide membership:

1. Impacted by and interested in a majority of the scope topic areas of the Stewardship Council
2. Willingness to invest time and energy on all of the topic areas
3. Some familiarity with Rocky Flats history, the cleanup process, etc.
4. Represent a broad constituency with a wide diversity of viewpoints
5. Bring new ideas to the table

In developing a broad constituency, there are various potential membership categories:

1. Academic institution
2. Business
3. Former Rocky Flats worker
4. Historic preservation
5. Landowner/asset holder
6. Public interest/environmental group
7. Student
8. Technical expertise
9. Other

**Application Deadline:** Monday October 15, 2007 (fax, email and mail only)

### Applicant Information

Name: Roman Kohler

Name of organization represented (if applicable): Rocky Flats Homesteaders

Address: 9295 W. 90<sup>th</sup> Cir. Westminster, CO 80021

Telephone: 303-420-7442

Fax: 303-420-3806

Email: rfkohler@yahoo.com

Title (if applicable):

Membership category: Former Rocky Flats worker

Number of individuals/groups your organization represents: 1, 810

## Time Commitment

Members can be expected to spend 5-10 hours per month working on Stewardship Council issues including participating in 5-6 Board meetings per year. Members who lack a solid foundation on Rocky Flats issues will likely need to spend time developing a strong foundation on the history of the site and the cleanup, and long-term goals for the site. How much time will you/your organization be able to commit towards this effort? Are there any time constraints you/your organization will/may face? Please explain.

*I expect to participate in all Board meetings.  
There are no constraints at present.*

## Assignment of Director and Alternate Director(s)

Meeting attendance is vitally important so each organization must be able to appoint a Director and up to two Alternate Directors to serve in the absence of the Director. If you are applying on behalf of an organization, who will serve as the designated Director and the designated Alternate Director(s)? Please attach a short bio for the Director and Alternate Director(s). (Persons applying for membership as individuals, not representing a category or organization, are not permitted to appoint Alternate Directors to serve on their behalf, but please attach a short bio.)

*See Attachment I*

## Statement of Interest

Please write a statement explaining your organization's interest (or personal interest if you are applying as an individual) in serving on the Stewardship Council. Please discuss any relevant experience, education, expertise, or special skills you or your organization has that would serve the Stewardship Council's mission, including any work experience on Rocky Flats issues. If you are an individual please list any relevant experience you have in serving on boards or commissions, and if you represent an organization or category of interest, please include a short explanation of what your organization hopes to accomplish in serving on the Stewardship Council. Please also explain your membership category.

*See Attachment I*



## Conflict of Interest Statement

In the interest of maintaining public trust and accountability, organizations and individuals who have a conflict of interest or a potential conflict of interest must identify any such conflicts. "Conflict of interest" is broadly defined as (1) having a direct financial interest in any issue related to the management of Rocky Flats and/or (2) currently being engaged in a lawsuit against the Department of Energy, the Department of the Interior, Jefferson County, Boulder County, the City and County of Broomfield, the cities of Arvada, Boulder, Golden, Northglenn and Westminster, and the Town of Superior. Any such conflicts must be listed below.

Roman Kohler  
Signature

Phil C Saba  
Signature\*

Roman Kohler/10-4-07  
Print name/date

PHIL C SABA/10-4-07  
Print name/date

\*If you are submitting the application on behalf of an organization, both the Director and one Alternate Director must sign the application.

If you have any questions, please contact:  
David Abelson  
Executive Director, Rocky Flats Stewardship Council  
(303) 412-1200  
[dabelson@rockyflatssc.org](mailto:dabelson@rockyflatssc.org)

Director:

Roman Kohler worked at the Rocky Flats Plant of 27 years. That time was in both hourly and salary positions. Roman maintains a close communication with Department of Energy and Benefits Administration personnel and is a communication distribution network to retirees on benefit issues. Roman has been a member of the Stewardship Council from its inception. Roman's personal commitment at attending Coalition and Citizens Advisory Board meetings demonstrates his long term desire for involvement and dedication toward the Stewardship Council and the network for retirees. Roman is the editor of the Homesteader Newsletter. The Homesteader Newsletter, is sent to all dues paying members 5 times a year provides information about retirement and benefit issues of interest to its members which presently total 1,800. Stewardship Council information is also included in the newsletter.

Alternate Director:

Phil Saba worked at the Rocky Flats Plant for 22 years. That time was in both hourly and salary positions.

Phil has been active in the Rocky Flats Homesteaders since 2000 when he was voted in as Vice President. He held that position until 2004 when he was voted in a President. He continues at that position for fiscal year 2008.

Phil has worked at the Energy Employees Compensation Resource Center contacting former workers as outreach for the compensation program.

Phil is very knowledgeable about the former plant and about former worker issues on benefits and compensation for sick former workers.

Statement of Interest:

Membership on the Stewardship Council would provide a voice to local government officials in support of promises made to former workers. Roman's long term working history especially during the production years at Rocky Flats would provide a resource to other members of the Council. The retention of retirement and benefits promise by Rocky Flats contractors and the Department of Energy is the primary focus of the Benefits Committee and an important function of the Homesteaders. Roman is an elected board member of both organizations and holds the office of secretary for each organization.

# ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670  
Boulder, CO 80308-0670  
[www.rockyflatssc.org](http://www.rockyflatssc.org)

(303) 412-1200  
(303) 412-1211 (f)

Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder  
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior  
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## KAREN IMBIEROWICZ

**Rocky Flats Stewardship Council  
Member Application**

Application Deadline: Monday, October 15, 2007

**Applicant Information**

Name: Karen Imbierowicz

Name of organization represented (if applicable): At large position

Address: 967 E. Karval Place, Superior, CO 80027

Telephone: 303-543-7532 (home), 720-352-7316 (cell)

Fax: N/A

Title (if applicable): N/A

Membership category: At large

Number of individuals/groups your organization represents: N/A

**Time Commitment**

Members can be expected to spend 5-10 hours per month working on Stewardship Council issues including participating 5-6 Board meetings per year. Members who lack a solid foundation on Rocky Flats issues will likely need to spend time developing a strong foundation on the history of the site and cleanup, and long-term goals for the site. How much time will you/your organization be able to commit towards this effort? Are there any time constraints you/your organization will/may face? Please explain.

*Because I am familiar with Rocky Flats issues given my service on the Rocky Flats Coalition of Local Governments board and the Rocky Flats Stewardship Council for the past seven years, I have a strong foundation of knowledge regarding the history, cleanup and long-term goals of the site. I anticipate having the time needed to prepare for the Stewardship Council meetings and to be able to attend these meetings 5-6 times per year. The only time constraint I could possibly imagine is if I were to take a job that might require me to work during the hours of the meetings, but I would make any employer aware of my previous commitment to this organization and hopefully work out an arrangement where I would still be able to attend the 10-12 meetings committed to with this 2 year appointment.*

### **Assignment of Director and Alternate Director(s)**

Meeting attendance is vitally important so each organization must be able to appoint a Director and up to two Alternate Directors to serve in the absence of the Director. If you are applying on behalf of an organization, who will serve as the designated Director and the designated Alternate Director(s)? Please attach a short bio for the Director and Alternate Director(s). (Persons applying for membership as individuals, not representing a category or organization, are not permitted to appoint Alternate Directors to serve on their behalf, but please attach a short bio.)

Since I am applying for the "at-large" position I understand that no Alternate Director would be designated. A brief resume, outlining my work on various committees, commissions and boards is included at the end of this application. My specific experience with Rocky Flats is described in the next section under "Statement of Interest".

### **Statement of Interest**

Please write a statement explaining your organization's interest (or personal interest if you are applying as an individual) in serving on the Stewardship Council. Please discuss any relevant experience, education, expertise, or special skills you or your organization has that would serve the Stewardship Council's mission, including any work experience on Rocky Flats issues. If you are an individual please list any relevant experience you have in serving on boards or commissions, and if you represent an organization or category of interest, please include a short explanation of what your organization hopes to accomplish in serving on the Stewardship council. Please also explain your membership category.

I have served as a director on the Rocky Flats Coalition of Local Governments and Rocky Flats Stewardship Council since 2001 as an elected official, representing the Town of Superior. For at least three of these years I have served on the Executive Committee, addressing issues between meetings, working with the Director, Attorney, Technical Staff and various other Coalition and Council members to make recommendations to the RFCLG and RFSC. In April of 2008, my second term as a Trustee in the Town of Superior will end and since I am term-limited, I will not run for a third term as Trustee and my involvement with the RFSC in my capacity as an elected official will end.

My service and involvement with the RFCLG and the RFSC began when cleanup levels were being determined and when cleanup was commencing. Because of my history, I am well aware of the various long-term stewardship concerns of the member groups and governments of the RFSC. It is critical for the surrounding community to remember what occurred at the site when it was functioning as a manufacturing plant for plutonium triggers, to understand the level of cleanup and to have knowledge of the long-term stewardship controls and monitoring systems.

Having invested a significant amount of time in this project to date, I want to be sure that the RFSC continues to be a well respected, informed and informing entity in the

stewardship of this unique wildlife preserve. To be certain that all positions on the council are filled and the necessary diligence in stewarding this historical site continues, I therefore offer my service as an at-large member to the RFSC for the next two years.

### **Conflict of Interest Statement**

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I have no conflicts of interest.

### **Karen Hanson Imbierowicz**

967 E. Karval Place  
Superior, CO 80027

Phone: (303) 543-7532 \* Email: [lobesco@comcast.net](mailto:lobesco@comcast.net)

### **Experience**

|              |                                                                         |
|--------------|-------------------------------------------------------------------------|
| 2000–2006    | Town of Superior Trustee – Superior, CO, Mayor Pro-Tem (2006)           |
| 2004-2006    | Boulder County Consortium of Cities Representative                      |
| 2005-Present | Boulder County Revenue Sharing/Stability Work Group                     |
| 2005-Present | YMCA Activate Boulder County Team                                       |
| 2000-Present | Town of Superior Metropolitan District 1 Director, Superior, CO         |
| 2001-Present | Rocky Flats Coalition of Local Governments Director, Chairperson (2005) |
|              | Rocky Flats Stewardship Council Director                                |
| 2006-Present | Denver Region Council of Governments Representative                     |
| 2001-Present | Town of Superior Arts Committee Member                                  |
| 2001-Present | Town of Superior Recycling and Conservation Advisory Committee          |
| 2002–2004    | Research Analyst, Skumatz Economic Research Associates (SERA)           |
| 2000-2005    | Boulder County Resource Conservation Advisory Board Representative      |
| 2000-2005    | Town of Superior Public Safety Committee                                |
| 1988-1997    | Registrar, Burr and Burton Academy, Manchester, VT                      |

### **Education**

B.S. Human Nutrition and Foods, Cum Laude, University of Vermont, 1985.

Big Horn Fellow, Big Horn Center Leadership Program, Sustainable Development, 2005

## Conflict of Interest Statement

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I have NO CONFLICT OF INTEREST.



Signature

Signature\*

Karen Imbierowicz 10-14/07

Print name/date

Print name/date

\*If you are submitting the application on behalf of an organization, both the Director and one Alternate Director must sign the application.

If you have any questions, please contact:  
David Abelson  
Executive Director, Rocky Flats Stewardship Council  
(303) 412-1200  
[dabelson@rockyflatssc.org](mailto:dabelson@rockyflatssc.org)

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Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder  
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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## DON MOORE



October 15, 2007

To Whom It May Concern,

I am requesting to be considered for a seat on the Board of Directors of the Rocky Flats Stewardship Council. I am requesting this seat as a member of the Board of Plan Jeffco and as a private citizen. My interest in being a Board member is to help ensure that the Rocky Flats Stewardship Council will consider and where possible incorporate the open space goals and values of Plan Jeffco and the Jefferson County Open Space program. I believe that there is many opportunities to partner with existing local government open space and recreational programs to further implement the Council's overall goals.

I have thirty years of experience in land use planning and natural resource management that I believe would be an asset to the Council. I have included a copy of my resume fro your review.

Sincerely,

A handwritten signature in cursive script that reads "Don Moore".

Don Moore

officials who represent organizations or individuals who have experience or skills that would benefit the Stewardship Council.

In 2005 following the passage of federal legislation that enabled the establishment of the Stewardship Council, DOE identified the following characteristics that could serve to guide membership:

1. Impacted by and interested in a majority of the scope topic areas of the Stewardship Council
2. Willingness to invest time and energy on all of the topic areas
3. Some familiarity with Rocky Flats history, the cleanup process, etc.
4. Represent a broad constituency with a wide diversity of viewpoints
5. Bring new ideas to the table

In developing a broad constituency, there are various potential membership categories:

1. Academic institution
2. Business
3. Former Rocky Flats worker
4. Historic preservation
5. Landowner/asset holder
6. Public interest/environmental group
7. Student
8. Technical expertise
9. Other

**Application Deadline:** Monday October 15, 2007 (fax, email and mail only)

### Applicant Information

Name: Donald E. Moore

Name of organization represented (if applicable):

Plan Jefferson County

Address:

P.O. Box 250348, Lakewood CO, 80228

Telephone:

12048 Black Hawk Dr. Conifer, CO 80433

W 303-660-7460, H 303 816-0907

Fax:

303-660-7460

Email:

dmoore@douglas.CO.US

Title (if applicable):

Membership category:

Number of individuals/groups your organization represents: 290

## Conflict of Interest Statement

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Donald E. Moore  
Signature

Donald E. Moore  
Print name/date

\_\_\_\_\_  
Signature\*

\_\_\_\_\_  
Print name/date

\*If you are submitting the application on behalf of an organization, both the Director and one Alternate Director must sign the application.

If you have any questions, please contact:  
David Abelson  
Executive Director, Rocky Flats Stewardship Council  
(303) 412-1200  
[dabelson@rockyflatssc.org](mailto:dabelson@rockyflatssc.org)

## DONALD E. MOORE, A.I.C.P.

P. O. Box 280348  
Lakewood, CO 80228  
(303) 816-0907 Home  
(303) 660-7460 Work  
[dmpore@douglas.co.us](mailto:dmpore@douglas.co.us)

### -Education-

|                                                 |                                                                                                                                          |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Colorado State University<br>(Fort Collins, CO) | 5/76 Bachelor of Science. Course work emphasized, Land Use Planning and Natural Resources, Environmental Sciences, Public Administration |
| University of Denver<br>(Denver, CO)            | 8/2004 Master of Environmental Policy and Management – Natural Resource Management                                                       |

### -Experience-

11/84 - present Senior Planner, Douglas County Planning Division, Castle Rock, CO. Supervisor: Kim Scherschligt (303-660-7460)

Natural Resource planning responsibilities include work in environmental analysis and regulatory compliance in point and non-point water pollution, water supply review, natural hazards, erosion control, solid waste planning and technical support in development review of environmentally sensitive development proposals.

Long-Range planning included development of the County Master Plan, Mineral Extraction Plan, and Transportation Plan.

Current planning responsibilities have included the review and processing of development proposals involving rezonings, subdivisions, special use permits and the writing of land use regulations.

Open space preservation responsibilities include the development of a dedicated tax supported open space program, instituting program policies, procedures and grant writing.

7/84 - 11/84 Planning Consultant, Consulting services in land use, environmental and recreation planning.

10/83 - 7/84 Current Planner, Wheat Ridge, Colorado. Supervisor: Glen Gidley, Planning Director (303-237-6944)

As Current Planner, responsibilities included development review, processing of rezonings, special use permits, subdivision plats, working with citizen groups, and making public presentations. Long range planning included economic development, revising land use codes, urban renewal plans, street scopes, and park development administration.

9/79 - 9/83 Assistant City Planner/Park and Recreation Development Coordinator, City of Golden, Colorado. Supervisor: Charles Heam, Planning Director (303-279-3331)

As Park and Recreation Development Coordinator, responsible for overall park and recreational planning, including preparing grant applications, land acquisitions, design and construction management. Oversaw the development of four newly completed parks and the planning and design of three additional parks, extensive trail system and open space acquisition policies. Coordinated all contracted work with private consultants and construction companies. Worked with citizen groups and City Park and Recreation Board in developing park, recreation and open space master plans, and alternative financing and land acquisition methods for park development.

As a Long Range Planner, responsibilities included development of comprehensive growth and development policy plans, land reclamation, initiated forest management plan for 7,000 acres of mountain land, flood mitigation plans, studies involving historic preservation, downtown redevelopment, transportation, housing and economic forecasting.

Current Planner responsibilities included identifying and analyzing the impacts of land development proposals, subdivision plats, writing and preparing zoning cases and ordinance revisions.

The position required extensive public and professional contact, analytical site investigations, review of regulations and land development policy, and commentary at public hearings. Served as liaison to other regional and local government agencies, citizen groups and City Council appointed boards.

7/78 - 9/79 Long Range Planner, Jefferson County Planning Department, Golden, CO. Supervisor: Mike Davidson (303-277-8699)

Carried out specific studies in land use planning and economics, including study of public service costs in Jefferson County, CO related to development and overall land use. Investigated other governmental entities to obtain data and determine cost effectiveness of county and municipal services for evaluation of a proposal for municipal incorporation of the Evergreen, CO community. Made detailed cost projections and methods of provision of services provided by special districts within Jefferson County. Worked in developing portions of the County Comprehensive Plan.

6/78 - 7/78 Research Assistant, Remote Sensing Department, Texas A&M University Pawnee National Grasslands

Collection and evaluation of natural resources field data for National Grassland studies.

8/76 - 6/78 Research Assistant, Engineering Research Center, Colorado State University, Fort Collins, CO. Supervisor: Dr. James Wedding (303-091-8571)

Performed research for governmental agencies and private industry in fluid dynamics and wind engineering, primarily in the areas of air pollution and aerosol science. Responsible for design and development of research experiments, collection and processing of data, laboratory analytic work and the reporting of findings. This research was carried out as per contract and cost requirements. Supervised students and technical personnel with specific research projects.

#### -Affiliations-

- Jefferson County Scientific and Cultural Council – Chair
- American Planning Association – Former Board Member
- Douglas County Open Lands Coalition
- Colorado Coalition of Land Trusts
- Land Trust Alliance
- Chatfield Watershed Authority – Co-Chair
- Cherry Creek Stewardship Partners