

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
Karen Imbierowicz

Board of Directors Meeting – Agenda

Monday, February 1, 2010, 8:30 AM – 12:00 PM
Rocky Mountain Metropolitan Airport, Terminal Building
11755 Airport Way, Broomfield, Colorado

- 8:30 AM Convene/Agenda Review
- 8:35 AM Business Items (briefing memo attached)
1. Consent Agenda
 - Approval of meeting minutes and checks
 2. Approval of Resolution Re: 2010 Meeting Dates and Notice Provisions
- Action item: Adopt resolution and meeting notice provisions.**
3. Executive Director's Report
- 8:55 AM Public Comment
- 9:00 AM DOE will brief the Stewardship Council on site activities for July -- September, 2009 (briefing memo attached)
- DOE has posted the report on their website and will provide a summary of its activities to the Stewardship Council.
 - Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.).
- 9:45 AM Dam Breach NEPA Alternatives Analysis (briefing memo attached)
- DOE is in the early stages of conducting NEPA analysis for breaching ponds A-3, A-4, B-5, C-2, and the Present Landfill pond.
 - At this meeting DOE will brief on the alternatives they will analyze and seek your input on the scope of those alternatives.

- 10:15 AM Review Draft Washington, D.C. Talking Points (briefing memo attached)
- In the coming months Board members and staff will meet in Washington, D.C. with Congress and DOE.
 - To ensure that the message these members and staff will carry reflect the position and policies of the Stewardship Council Board, the Board will approve talking points for their meetings.

Action Item: Approve DC Talking Points

- 10:30 AM Discuss State House Bill, 1127, Rocky Flats Visitor Information Introduced by Rep. McKinley (briefing memo attached)
- State Rep. Wes McKinley has reintroduced his bill requiring CDOT to post signs on non-federal lands adjacent to the Rocky Flats Refuge.
 - The bill is the same one that died in committee in 2009.

Action Item: Adopt a position on HB 1127

- 11:00 AM NEW MEMBER INTERVIEWS AND APPOINTMENTS** (briefing memo attached)
- The nine governments will interview candidates for the four community representative seats on the Board of Directors and make appointments.
 - The terms start following the appointments.
 - Six individuals/groups submitted applications

Action Item: Interview candidates and make appointments

- 11:45 AM Election of Stewardship Council 2010 Officers (see “Business Items” briefing memo)

Action Item: Elect officers

- 11:50 AM Updates/Big Picture Review
1. Executive Director
 2. Member Updates
 3. Review Big Picture

Adjourn

Next Meetings: TBD
(Proposed next meetings: April 5; June 7)

Business Items

- Cover memo
- November 2, 2009, draft board meeting minutes
- List of Stewardship Council checks
- 2010 Meeting Schedule Resolution

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MEMORANDUM

TO: Board
FROM: David Abelson
SUBJECT: Business Items
DATE: January 22, 2010

In addition to approving the consent agenda (approval of minutes and checks), the Board will need to approve a resolution regarding 2010 meeting dates and notice provisions. Once the new board is seated, the new board will need to appoint officers for 2010.

Resolution Re: 2010 Meeting Dates and Notice Provisions

Each year the Board is required to adopt a resolution establishing the meeting dates for the given year. In 2009 we changed the schedule from prior years and met in February, April, June, September and November. Board members seemed to like this schedule so I am proposing it again for 2010. The draft 2011 budget and work plan would be presented at the September meeting with formal approval at the November meeting.

The notice provisions track the Stewardship Council's bylaws.

Action item: Adopt resolution and meeting notice provisions.

Election of officers

At the end of the meeting, following the local governments appointing the new members for 2010-2011, the new board will elect the officers for 2010. In accordance with the Stewardship Council bylaws, "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 are no limitations as to the number of terms one can serve.

If you are interested in serving as an officer and have not yet let me know of your interest, please email or call me ASAP. That way I can notify your fellow Board members of your interest.

Action Item: Elect officers

Monday, November 2, 2009, 8:30 – 11:30 AM
Rocky Mountain Metropolitan Airport, Terminal Building
11755 Airport Way, Broomfield, Colorado

Board members in attendance: Lorraine Anderson (Director, Arvada), Clark Johnson (Alternate, Arvada), Lisa Morzel (Director, City of Boulder), Meagan Davis (Alternate, Boulder County), Lori Cox (Director, Broomfield), David Allen (Alternate, Broomfield), Bill Fisher (Director, Golden), Faye Griffin (Director, Jefferson County), Kate Newman (Alternate, Jefferson County), Sheri Paiz (Director, Northglenn), Shelley Stanley (Alternate, Northglenn), Matt Magley (Alternate, Superior), Bob Briggs (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Sue Vaughan (Alternate, League of Women Voters), Shirley Garcia (Director, Rocky Flats Cold War Museum), Roman Kohler (Director, Rocky Flats Homesteaders).

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: Vera Moritz (EPA), Carl Spreng (CDPHE), Scott Surovchak (DOE-LM), Rick DiSalvo (Stoller), George Squibb (Stoller), John Boylan (Stoller), Linda Kaiser (Stoller), Steve Berendzen (USFWS), Hildegard Hix (citizen), Mary Harlow (citizen), Ann Lockhart (RFCWM), Jennifer Bohn (RFSC accountant).

Convene/Agenda Review

Chair Jeannette Hillery convened the meeting at 8:35 a.m. There were no changes to the agenda.

Business Items

The first business item was the consent agenda. Lori Cox moved to approve the September Board meeting minutes. The motion was seconded Lorraine Anderson. The motion passed 10-0.

Bob Briggs asked why there was a check to Qwest for less than \$2.00. David Abelson explained that, in order to reduce costs, some changes were made to phone and fax services. This was just a small leftover amount. Lori Cox moved to approve the Board's checks. The motion was seconded Lorraine Anderson. The motion passed 10-0.

Executive Director's Report

David Abelson began by announcing that this would be Lorraine Anderson's last meeting with the Stewardship Council as she was term-limited on Arvada City Council.

He noted that October was a busy month of travel on behalf of the Stewardship Council. David travelled to Washington, D.C. and met with Dave Geiser, the Acting Director of DOE's Office of Legacy Management. He asked if there were any updates regarding plans to fill the open leadership positions in the Office, and was told that there were not. David told the Board that, in

terms of issues affecting Rocky Flats, this situation does not pose any problems, as the current team is doing a great job. A second topic discussed on this trip was the status of continued funding for the Stewardship Council. David reported that Mr. Geiser very much understands the importance of this organization, and will get back to us with more information at the end of the month. David said he learned at a different meeting that the Stewardship Council will be receiving a \$120-130K budget allocation, although he is not sure about the timeframe. He said it may be sooner rather than later. Through these discussions, it was made clear that there will be a dialogue in 2010 regarding this group's structure and role to make sure these responsibilities continue to make sense as we move forward.

While in D.C, David also met with representatives from the Energy Communities Alliance and various Congressional offices. Although there should not be a need for them to weigh in, all of Colorado's Congressional offices stand ready to support any Stewardship Council funding requests. They are also very interested in looking at funding for the Rocky Flats National Wildlife Refuge. David noted that the site is entering a time period where it makes sense to look at funding. Over the next few months, the parties will start a dialogue. Representative Perlmutter is definitely interested in pursuing Refuge issues. David met with Perlmutter's a new staff person assigned to these issues, and provided information about Rocky Flats.

David also attended an inter-governmental, multi-organization meeting. He said that although these meetings were quite valuable in the past, he did not find it as useful this year. Only Environmental Management topics were addressed. He said DOE-LM might start scheduling its own meetings. David also reported that ECA did endorse the Charlie Wolff Act and will work to support its passage. ECA is also sponsoring David on a trip to Los Alamos to meet with local official and discuss the Rocky Flats Coalition/Stewardship models.

David mentioned that the Stewardship Council quarterly financial reports were distributed in mid-October, and to let him know if there are questions.

Lori Cox asked about status of the preservation of Rocky Flats records. David said that there are two categories of documents to be considered. The official Administrative Record (AR) is required by CERCLA to be kept in a government repository. The Rocky Flats AR will be kept at a facility soon opening in Morgantown, WV. These documents will also be accessible online. Other records, which are not associated with the AR, are currently located at the Federal Center in Lakewood, pending ongoing litigation. Lori asked where the records that had been in the Front Range Community College library collection are now. David said they are at the Federal Center. Once they are no longer needed for the litigation, there will there be an opportunity for this group and others to weigh in on whether and how to save them for the future. David added that perhaps the Rocky Flats Cold War Museum may want to take ownership of some of these records.

Public Comment

None

Approve Fiscal Year 2010 Work Plan

The Board reviewed the draft 2010 work plan at the September meeting. A revised version was distributed for review in the packet for this meeting.

Lorraine Anderson brought up the topic of legislation that has been introduced in Congress regarding 'energy parks'. She talked to Rep. Perlmutter, and tried to make sure Rocky Flats was included. Lorraine added that it would be wise for this group to support and encourage this legislation to be broad enough to include communities surrounding cleaned up sites. She said that DOE-EM has initiated an effort to develop legislation defining various types of end uses, such as research sites and energy focused activities, which will determine cleanup goals. David noted Rocky Flats not part of this topic now since the effort is focused on EM sites. Lorraine is talking about broadening this effort to look at communities where there is an existing DOE presence and expertise, such as Rocky Flats and NREL. Lorraine also suggested that there may be some aid for our area from DOE regarding new energy jobs, as there is already legislation in process. Jeannette Hillery asked for a sense of group regarding these issues, and added that she thinks additional information is warranted. Roman Kohler suggested that these issues are covered in the work plan under item 5 on page 5. The group agreed.

Lori Cox brought up an issue relating to 'DOE Management' #12 and possible plans for a transportation corridor through Rocky Flats lands. David Abelson explained that it is clearly beyond the scope of this group to make regional transportation decisions. However, there are certain issues, such as relocation of monitoring stations and NEPA analysis that do fall under the Board's purview. For now, the Board has agreed to simply have staff track the process. Also, this discussion led to an idea for the Board to put together materials providing independent, objective information that members can use to address these issues in other arenas. Lori said that she thinks the current language implies that the Board will provide an opinion on whether to build the highway. Sue Vaughan said she agrees, and suggested adding another clarifying statement. David Allen said that in order to pre-empt misperceptions or concerns, he would like to see the Board put together a white paper that identifies the cleanup work and studies that have been done to date. Lorraine said she agrees with the suggestion. To address Lori and Sue's concern, David Abelson suggested changing the wording in the work plan to read 'identifying work that has been done during cleanup to answer questions'. Shirley said that this would be sending mixed messages about the cleanup, and said that perhaps the State should be providing this information. She said downstream communities will already be addressing storm water, runoff, erosion and related issues. Jeannette said that this group may be looked to for certain information, and that would be a reason to have something on the record. Bill Fisher said that in terms of general awareness and education, a white paper may seem a little formal. He agreed that tracking these transportation discussions is important. David Allen said that it is important to provide clarification that our involvement in tracking is tied to the ongoing monitoring in the DOE-held Central Operable Unit. Clark Johnson noted that the Stewardship Council is a group that can put out facts regarding cleanup in order to clear the way for having transportation-specific discussions in other venues. Steve Berendzen added that a decision about NEPA analysis regarding transfer of land is being discussed at Headquarters for a decision. There may be an opportunity for the Stewardship Council to weigh in on NEPA. Also, if the highway is not built, there will have to be a decision about how to use this land, and this scenario will be addressed during the transfer stage. Lisa Morzel said that plans have changed since the right-of-

way provision was discussed and added into the Rocky Flats Wildlife Refuge legislation. She thinks there should be a discussion by the Stewardship Council.

Jeannette asked the group if there should there be something in work plan regarding this issue. David Abelson said that there are two parts to this for the Stewardship Council. First is tracking the discussions with regard to monitoring of the COU. Second would be the white paper outlining cleanup that has been done. He said the Stewardship Council can tie its actions on this topic to DOE's responsibilities, as opposed to USFWS responsibilities. Lorraine said that it would be more appropriate to tie our analyses to impacts on the 300-foot right-of-way. Shari Paiz suggested that a white paper might put the group out there politically and could be used for or against a particular cause. For this reason, she would prefer that the Board plan to simply track the issues for now, and can jump in later if necessary. Meagan Davis said she agreed that tracking would be sufficient at this point. The group agreed to change the work plan to reflect tracking only. The new bullet will read 'Tracking development of the Jefferson County Parkway as it relates to Rocky Flats'.

Ron Hellbusch asked for Steve Berendzen's assessment of the work plan. Steve said it looks good, and wishes his agency was able to do more work on the Refuge. Ron asked at what point the Board change the word 'track' as it applies to Refuge funding to something more proactive. David Abelson said that individual members can become advocates for funding, but the Stewardship Council cannot use DOE funds to lobby for funding. Clark Johnson said he would like to see a little more focus on getting a funded Refuge in place. Lori Cox suggested that the governmental members do this individually during their March trips to Washington, D.C. Lorraine Anderson suggested removing 'as necessary' in the sentence about working with USFWS to implement the Rocky Flats CCP. David Abelson noted that voices from local governments are more powerful in making the case for Refuge funding than a single group. Ron said he would like to add the word 'funding' into #1. Lisa Morzel said that she did not see a problem with pushing for funding as a group. Jeannette suggested the wording 'advocate for funding'. Bob Briggs said it might work to use 'implementation and funding' for CCP and then leave the second bullet as is. Sue Vaughan pointed out that if we take 'as necessary' out of this section, we also need to take it out of the overview.

David Allen requested that the 'Business Operations' section be modified to add a #6 calling for an annual report highlighting key activities and accomplishments of the Stewardship Council. He also suggested that website issues fit better under the 'Outreach' section. Finally, he said that reviewing DOE budgets (#3 under 'DOE Management Responsibilities') is something that that Board does not do. David Abelson said he agreed on first two, however the staff handles #3 during updates to the Board.

Lorraine Anderson moved to approve the work plan as amended. Lisa Morzel stated a concern that moving bullets 9 & 10 regarding the Museum out of the 'DOE Management Responsibilities' section may deter DOE from supporting the Museum. She made a friendly amendment to replace these items in this section. Lisa Morzel seconded the motion. The motion was approved 10-0. After the vote, a member asked staff to re-read bullet #12 about the highway topic. There were no further questions.

Fiscal Year 2010 Budget Hearings

The Board reviewed the draft budget at the September meeting and no changes were offered. Barb Vander Wall explained that, as a unit of local government created through intergovernmental agreement, there is an annual requirement to develop a budget through a public process. As part of this process, the Board must open a public hearing and invite public comment, close the hearing, invite board members to speak, and then vote on a motion to adopt budget and appropriate funds.

Jeannette Hillery opened the public hearing. There were no comments. Jeannette then closed the hearing. Shari Paiz requested holding the scheduled Executive Session prior to voting on the budget. The Board agreed.

At 9:45 a.m. Lorraine Anderson made a motion to move into Executive Session for the purpose of discussing personnel issues, and to receive legal advice on such issues, as authorized under Sections 24-6-402(4)(b) and (f), C.R.S. Lisa Morzel seconded the motion. The motion passed 10-0.

The Board reconvened from Executive Session at 10:15 a.m. and affirmed that no actions had been taken during Executive Session.

Jeannette Hillery stepped outside the agenda momentarily to present Lorraine Anderson with a framed photo and letter of appreciation for her many years of service related to Rocky Flats issues. Lorraine spoke of her fond memories of working with this group and others to help shape a successful cleanup of Rocky Flats. Lisa Morzel also thanked Lorraine and commended her on her ability to work together even when there were disagreements on the issues.

Roman Kohler moved to adopt the 2010 budget and appropriate the funds. The motion was seconded by Lisa Morzel. The motion passed 10-0.

Lisa Morzel moved to approve the contract with Crescent Strategies and continue other staff agreements through 2010. The motion was seconded by Roman Kohler. The motion passed 10-0.

Update from the Rocky Flats Cold War Museum (RFCWM)

Since the Museum had not briefed the Stewardship Council for two years, Shirley Garcia was asked to present an update on the Museum's mission and activities.

The mission of the RFCWM is to document the historical, social, environmental and scientific legacy of Rocky Flats. The Museum Board's goal is to tell all sides of the complex history of the site. The Museum secured its nonprofit designation in 2001, and completed a feasibility/scoping study in 2003. Part of this study included plans for a 'technology trail' at sites along Highway 93. As Rocky Flats was torn down, volunteers saved key artifacts. To date, the Museum has received approximately \$300K in grants and donations. Part of their work has involved the creation of a website, logo, and display posters. The State Historic Fund awarded the group a

grant to conduct 90 oral histories. These were completed 2004-2007. Eight nearby cities, two counties and the Stewardship Council have passed resolutions of support of Museum. In 2006, activists invited to a teepee event and to donate artifacts. The Museum also publishes a newsletter called 'Weapons to Wildlife'.

The Rocky Flats Wildlife Refuge CCP identifies the Cold War Museum as a partner in interpreting the history of the site as ranchland and a nuclear weapons production facility. Former Senator Allard helped secure a \$492K Congressional appropriation for the Museum in December 2007. To store the artifacts it has collected, the Museum Board secured a warehouse in Arvada with a meeting room in 2009. Thousands of artifacts are in storage currently, approximately 20% of which has been identified and entered into a database. Volunteers helped transfer artifacts into storage, and Charlie McKay donated equipment and staff as part of this effort.

The Museum is developing an exhibit for the Arvada Center that they are hoping to have ready for the 60th anniversary of Rocky Flats in 2011. Five themes under development for this exhibit include: 1) What is Rocky Flats and what did it do? 2) Science and technology at Rocky Flats, 3) Cleanup of Rocky Flats site (1995-2006) and evolution into NWR. 4) Resistance to Rocky Flats, 5) Development of the Museum/Visitors Center.

Museum consultants have been hired to develop the exhibit. They are also working to describe and archive the thousands of artifacts into the Museum database. Oral histories are also being incorporated into the exhibit design. A key goal is to ensure fairness as information is being developed into text and wall panels.

Shirley discussed why it is important to preserve the history of Rocky Flats. She pointed out that the impacts of the site continue today. Rocky Flats produced the core of every nuclear weapon in the U.S. arsenal in missiles and submarines situated around the world. No other museum in Colorado documents Rocky Flats.

Partners and supporters of the Museum include DOE-LM, the Rocky Flats Homesteaders, USFWS, Friends of the Wildlife Refuges, Boulder Public Library Maria Rogers Oral History Program, Rocky Flats Stewardship Council, and Energy Communities Alliance.

Shirley pointed out several ways interested parties can get involved, which include signing up for the newsletter, volunteering for a committee, contributing artifacts, making presentations to school and community groups, becoming a board member, and checking out the website at www.rockyflatsmuseum.org.

Lorraine Anderson suggested that the Museum coordinate with LANL, Hanford, Oak Ridge museum efforts. She thought it would be a good idea to coordinate activities so visitors could go to all the sites. She also referenced a woman who heads an atomic energy history group. Lisa Morzel pointed out an existing bicycle corridor and noted there may be some opportunities to couple with the technology trail sites.

Host DOE Quarterly Meeting

DOE next briefed the Stewardship Council on site activities for the second quarter of 2009 (April – June). Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations. DOE has posted the report on its website.

Surface Water Monitoring

George Squibb noted surface water at GS10 did not exceed the standards. The reason is that there was quite a bit of snow during the quarter. Pond levels averaged approximately 22.4% of capacity. There was almost 8 inches of precipitation, which was 144 percent of the average. Correspondingly, flow rates were fairly high. There were a number of transfers and discharges during the quarter.

Water quality at all points of evaluation was below applicable standards. As of the end of April, the 12-month rolling average for total uranium at GS10 is no longer reportable. Precipitation events in second quarter 2009 increased runoff from the GS10 drainage area. A decrease in total uranium to below the reportable level was subsequently observed. This bolsters the conclusion that the reportable uranium levels at GS10 are the result of groundwater base flow (contaminated with predominantly natural uranium) making up a higher proportion of stream flow due to the reduced runoff after closure. George said he would expect a return of exceedances after the runoff subsides.

Surface water quality results at the Original Landfill during second quarter 2009 showed acceptable water quality.

Surface water quality results at the Present Landfill (PLF) triggered monthly sampling for vinyl chloride, selenium, and silver. These analytes were not detected in the first monthly sample. Therefore, monthly sampling was discontinued. Jeannette Hillery asked about potential problems with selenium. George said that there are problems off and on, but that there is nothing sustained over the standard. Faye Griffin asked about how quickly the monitoring results are turned around. George explained the process with the lab, verification of results, and reporting any exceedances. He said that the site is constantly monitoring and reviewing data.

Groundwater Monitoring and Operations

John Boylan noted that the second quarter is a heavy sampling quarter with the following wells being monitored: all AOC wells and surface water support locations; all sentinel wells; all RCRA wells; all boundary wells; and all treatment system locations. No new reportable conditions were observed and the results will be evaluated in the 2009 annual report.

At the East Trenches Plume Treatment System (ETPTS), the media replacement and system upgrades project continued. This project began in September, and is scheduled to be complete by the end of October. The need for media replacement was signaled by reduced media permeability, increasing VOC concentrations in the system effluent. The site revised the media design to address permeability issues and improve contact with and effectiveness of media. The project also involves installing a new plumbing vault to simplify changes to flow configuration

and improving the plumbing design to reduce the potential for pipe clogging and simplify typical maintenance needs. Finally, the project will involve upgrading flow monitoring.

John next discussed the results of a geotechnical investigation of Phase II and Phase III areas at the Solar Ponds treatment area (SPPTS). The investigation showed that the probable cause of the water storage sump settling was inadequately compacted fill underlying sump. They were unable to determine which fill was the cause. A 72-inch drain was removed in this area at closure. Regrading and North Walnut Creek relocation occurred in the late 1970s, and other local regrading and backfilling has also been conducted (for instance, construction of SPPTS in 1999). The recommended path forward recognizes that no structural stabilization is needed immediately, although helical piers are recommended for the long term. The site will focus on selected components, based on their anticipated use in Phase IV. Sue Vaughan asked if they were able to determine why there is more uranium now. John said that they are currently performing tests and trying to figure it out. Shelley Stanley asked if the site is going to pursue extending the temporary modifications for uranium. John said they are not.

Water Quality Control Commission (WQCC)

Rick DiSalvo discussed the June 2009 Triennial Review of the South Platte River Basin, where the WQCC revised the current arsenic standard (50 µg/L) to conform with the new statewide water supply standard, effective January 1, 2010. The new standard will be 0.02 to 10 µg/L (the low being the WQCC risk-based water consumption and the high being EPA's maximum contaminant level [MCL] for drinking water supply). Water below the MCL (based on 85th percentile of data) is considered in attainment with standard. Rocky Flats is in attainment with new standard.

The WQCC also changed the segment 4b recreation use classification from N (no recreation use) to P (potential recreation use) based on the establishment of the Refuge outside of Central Operable Unit (COU), effective January 1, 2010. The E.coli standard will change from 630/100 ml to 205/100 ml. Segment 5 retains N classification. A portion of segment 4b now inside COU (from A-4 and B-5 terminal ponds to COU west boundary) will become segment 5. Also, a portion of segment 5 outside COU (North Walnut Creek west of COU boundary) will become segment 4b.

DOE did not propose any extension/changes to the expiring Temporary Modifications (TMs). Current Rocky Flats TMs (six VOCs, nitrate/nitrite) expire December 31, 2009. Changes will be incorporated in RFLMA Attachment 2, Table 1, Surface Water Standards, as part of the planned Attachment 2 modification.

Annual Site Operations

At the Original Landfill (OLF), monthly inspections were performed throughout the quarter and a vegetation inspection was completed in May. Seep 4 had some surface expression, but did not show any surface flow. This is likely due to the rock drain that was installed during the West Perimeter Channel Regrade Project. Seep 8 flowed at a rate of 2 to 3 gpm throughout the second quarter. The West Perimeter Channel flowed at a rate of 2 to 5 gpm throughout the second quarter. The higher rates were noted following precipitation events. Seep 7 showed surface

expression along the eastern edge of the drain extension installed in September 2008 and from the south edge of the concrete pad for inclinometer 82508I

As part of the OLF geotechnical investigation, an extension for the original Seep 7 subsurface drain was installed in the OLF cover soil in September 2008. There was no surface expression in the Seep 7 area until after the precipitation events throughout second quarter CY 2009. Seep 7 showed surface flow during all three monthly inspections. Flow was observed along the approximate location of the eastern edge of the drain extension and south edge of casing for inclinometer 82508I. Potholing was performed on May 14 to evaluate the eastern edge of the drain and connection to the existing drain to determine whether water was flowing within the drain. The site may do one or more additional potholing projects on that edge and install more replacement fabric.

The geotextile fabric wrap was not sufficiently porous to allow water to seep into the drain fast enough to carry the water away. Seepage was surfacing in the vicinity of the eastern edge instead. Water was freely flowing inside the drain extension and carrying water that enters the drain in the subsurface. A small section of the geotextile wrapping edge was replaced with more porous permanent erosion matting, which immediately resulted in the water entering the drain and the surface area quickly drying up at this location. Additional sections along the edge were adjusted in similar manner to allow water to enter the drain.

Settlement monuments were surveyed on June 23 and data were within the expected range per the OLF Monitoring and Maintenance Plan. Inclinometers were measured in April, and twice each in May and June. Results showed higher deflection for several inclinometers, most noticeable for the three inclinometers on the west side of the OLF, between diversion Berms 1 and 3, where deflection was approximately 1.5 to 2.25 inches.

Seven inclinometers were installed in boreholes in 2008 during OLF geotechnical investigation. These inclinometers deflect with lateral ground movement. Movement of the inclinometers has been monitored approximately monthly since installation.

Deflection occurred after a period of heavy precipitation events beginning in April 2009. It appears consistent with the findings from the geotechnical investigation that the organic layer near the bedrock creates a weak zone for the overlying soil. When lubricated by subsurface moisture from precipitation events, localized movement of the surface soil may occur. A qualified geotechnical engineer is evaluating further inclinometer data.

Areas where the landfill cover is pushed up or rolling are noticeable on the western end of the OLF between Berms 2 and 3. However, the areas do not have any surface cracks at this time. A new crack in Berm 1 was observed on April 4, 2009. The crack extended for a short distance through diversion Berm 1 to the north side of the berm and then back to the south side of the berm. These cracks were in the same general location of large cracks that appeared in 2006 and 2007. The site completed the West Perimeter Channel regrading and channel drain in 2008 to improve stability. The slump is not as severe as what was noted in 2007.

The site will continue maintenance actions to fill cracking in order to minimize infiltration of precipitation. The main crack in Berm 1 was observed again on June 20. Site staff again repaired the crack with hand tools and the ATV bucket. Subsequent non-routine inspections have shown no new movement in the area where the crack was repaired

At the Present Landfill (PLF), the quarterly inspection was completed in May, and the vegetation inspection was completed in May. No areas of concern were observed.

A special, non-routine inspection of the OLF, PLF, and site following a precipitation event exceeding 3 inches was completed on April 20, as required by RFLMA. The center of the OLF between Berms 1 and 2 and 4 and 5 showed a small amount of erosion from surface flow following the precipitation event. The area was regraded and seeded by site staff, and erosion matting and wattles were installed to help prevent future erosion problems in the area. Another special inspection of the OLF, PLF, and site following a precipitation event of 1.1 inches was completed on March 30. No problems were observed.

David Allen asked if there is any estimate on how much movement would occur before inclinometers fail. Rick said this would depend on how deep they are. There was a question about the date for the special investigation in the landfill report. Rick will check on this. Linda Kaiser pointed out that the quarterly inspection dates happened to fall at the same time as the special inspections. There were two different precipitation events; however DOE will double check the dates in the report.

Shelly Stanley asked if the geotechnical consultant would be making recommendations on remedies. Rick said the site will consult with the State and EPA. Shirley Garcia asked about proposed changes regarding Preble's mouse rules and public opportunities to provide information. Steve Berendzen said he has some concerns, as the plan did not clearly identify where the boundary would stop.

Public comment

There was none.

Updates/Big Picture Review

February 1, 2010

Potential Business Items

- Elect 2010 Officers
- Adopt resolution re: 2010 meeting dates

Potential Briefing Items

- Host LM quarterly public meeting
- Approve Washington, D.C. talking points
- Continue discussing interpretative signs for Rocky Flats
- DOE budget briefing

April 5, 2010

Potential Briefing Items

- Host LM quarterly public meeting
- Continue discussing interpretative signs for Rocky Flats
- Update on NRD projects by RFSC members and CDPHE
- Briefing on groundwater plumes and treatment systems

David Allen asked when the Board will vote on appointments for the non-governmental members in 2010. David Abelson said that he would follow up on this schedule and send out information.

The meeting was adjourned at 12:07 p.m.

Respectfully submitted by Erin Rogers.

6:40 PM
01/14/10

Rocky Flats Stewardship Council Check Detail October 18, 2009 through January 14, 2010

| Type | Num | Date | Name | Account | Paid Amount | Original Amount |
|--------------------|-------------|-------------------|--------------------------------------|-----------------------------------|-------------|------------------|
| Check | | 10/28/2009 | | CASH-Wells Fargo-Operating | | -2.00 |
| | | | | Admin Services-Misc Services | -2.00 | 2.00 |
| TOTAL | | | | | -2.00 | 2.00 |
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| | | | | Admin Services-Misc Services | -2.00 | 2.00 |
| TOTAL | | | | | -2.00 | 2.00 |
| Check | | 12/31/2009 | | CASH-Wells Fargo-Operating | | -2.00 |
| | | | | Admin Services-Misc Services | -2.00 | 2.00 |
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| Bill Pmt... | 1392 | 10/29/2009 | Erin Rogers | CASH-Wells Fargo-Operating | | -550.00 |
| Bill | 9/14/... | 10/1/2009 | | Personnel - Contract | -550.00 | 550.00 |
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| Bill Pmt... | 1393 | 10/29/2009 | Seter & Vander Wall, P.C. | CASH-Wells Fargo-Operating | | -1,151.65 |
| Bill | 56728 | 10/1/2009 | | Attorney Fees | -1,151.65 | 1,151.65 |
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| | | | | Misc Expense-Local Government | -162.00 | 162.00 |
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| TOTAL | | | | | 0.00 | 0.00 |
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| TOTAL | | | | | -27.47 | 27.47 |
| Bill Pmt... | 1398 | 12/3/2009 | Crescent Strategies, LLC | CASH-Wells Fargo-Operating | | -7,539.92 |

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01/14/10

Rocky Flats Stewardship Council
Check Detail
 October 18, 2009 through January 14, 2010

| Type | Num | Date | Name | Account | Paid Amount | Original Amount |
|--------------------|-------------|------------------|--------------------------------------|-----------------------------------|-------------|------------------|
| Bill | 11/30... | 11/30/2009 | | Personnel - Contract | -6,850.00 | 6,850.00 |
| | | | | Telecommunications | -125.90 | 125.90 |
| | | | | TRAVEL-Local | -62.15 | 62.15 |
| | | | | Postage | -15.99 | 15.99 |
| | | | | Supplies | -175.98 | 175.98 |
| | | | | TRAVEL-Out of State | -309.90 | 309.90 |
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| Bill | 19-93 | 11/30/2009 | | Accounting Fees | -459.00 | 459.00 |
| TOTAL | | | | | -459.00 | 459.00 |
| Bill Pmt... | 1400 | 12/3/2009 | Seter & Vander Wall, P.C. | CASH-Wells Fargo-Operating | | -522.50 |
| Bill | 56937 | 10/31/2009 | | Attorney Fees | -522.50 | 522.50 |
| TOTAL | | | | | -522.50 | 522.50 |
| Bill Pmt... | 1401 | 12/3/2009 | Tricia Marsh | CASH-Wells Fargo-Operating | | -165.00 |
| Bill | 1183 | 11/30/2009 | | Website | -165.00 | 165.00 |
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| | | | | Subscriptions/Memberships | -474.00 | 474.00 |
| TOTAL | | | | | -474.00 | 474.00 |
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| | | | | Telecommunications | -27.08 | 27.08 |
| TOTAL | | | | | -27.08 | 27.08 |
| Bill Pmt... | 1404 | 1/4/2010 | Blue Sky Bistro (2) | CASH-Wells Fargo-Operating | | -255.00 |
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| TOTAL | | | | | -550.00 | 550.00 |
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| Bill | 09-93 | 12/31/2009 | | Accounting Fees | -255.00 | 255.00 |
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| Bill Pmt... | 1407 | 1/4/2010 | Seter & Vander Wall, P.C. | CASH-Wells Fargo-Operating | | -1,529.15 |
| Bill | 57057 | 11/30/2009 | | Attorney Fees | -1,529.15 | 1,529.15 |
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| Bill Pmt... | 1408 | 1/6/2010 | Crescent Strategies, LLC | CASH-Wells Fargo-Operating | | -7,439.28 |
| Bill | 12/31... | 12/31/2009 | | Personnel - Contract | -6,850.00 | 6,850.00 |

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Rocky Flats Stewardship Council
Check Detail
October 18, 2009 through January 14, 2010

| <u>Type</u> | <u>Num</u> | <u>Date</u> | <u>Name</u> | <u>Account</u> | <u>Paid Amount</u> | <u>Original Amount</u> |
|--------------------|-------------|-----------------|--------------------------------------|-----------------------------------|--------------------|------------------------|
| | | | | Telecommunications | -128.50 | 128.50 |
| | | | | TRAVEL-Local | -41.80 | 41.80 |
| | | | | Postage | -235.99 | 235.99 |
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| Bill Pmt... | 1409 | 1/6/2010 | Seter & Vander Wall, P.C. | CASH-Wells Fargo-Operating | | -497.52 |
| Bill | 57274 | 12/31/2009 | | Attorney Fees | -497.52 | 497.52 |
| TOTAL | | | | | -497.52 | 497.52 |

**RESOLUTION
OF THE
BOARD OF DIRECTORS
OF
ROCKY FLATS STEWARDSHIP COUNCIL**

regarding

2010 MEETING SCHEDULE AND NOTICE PROVISIONS

WHEREAS, pursuant to an Intergovernmental Agreement dated as of February 13, 2006, and as amended thereafter, (the "IGA"), the Rocky Flats Stewardship Council ("Stewardship Council") was established; and

WHEREAS, the Stewardship Council was created to allow local governments to work together on the continuing local oversight of the activities occurring on the Rocky Flats site to ensure that government and community interests are met with regards to long term stewardship of residual contamination and refuge management; and

WHEREAS, the Board of Directors of the Stewardship Council has a duty to perform certain obligations in order to assure the efficient operation of the Stewardship Council; and

WHEREAS, on March 6, 2006, the Board of Directors of the Stewardship Council adopted Bylaws regarding the operations of the Stewardship Council, governing, *inter alia*, meeting and notice requirements; and

WHEREAS, § 24-6-402, C.R.S., of the Colorado Sunshine Law, specifies the duty of the Board of Directors at its first regular meeting of the calendar year to designate a public posting place within the boundaries of the Stewardship Council for notices of meetings, in addition to any other means of notice; and

WHEREAS, pursuant to its Bylaws and Colorado laws, the Stewardship Council desires to establish its regular meeting schedule and location, and to designate its public posting place(s) for 2010.

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

1. Meeting Schedule/Location. The Board of Directors determines to hold regular meetings the **first Monday of February, April, June, and November at 8:30 AM** at the Jefferson County Airport Terminal Building, 11755 Airport Way, Broomfield, Colorado and the **second Monday of September** at the same location and time; and to hold special meetings as may be necessary, in accordance with the Bylaws of the Stewardship Council.

2. Regular Meeting Notice. The Board of Directors determines to annually post its regular meeting schedule at the Clerk and Recorder's office of the following counties: Jefferson, Boulder, Broomfield, Adams and Weld; and at the City or Town Clerk's Office of the following cities and/or towns: Arvada, Boulder, Broomfield, Westminster, Golden, Superior and Northglenn, for posting in a public place. In addition, the Board shall post its regular meeting schedule on the website established for the Stewardship Council. These notices shall remain posted throughout the year. At least seven (7) days advance notice of the regular meeting time, place and date shall be provided to the directors and

alternate directors, and to those members of the public who so request. The general nature of the business proposed to be transacted or the purpose of any meeting of the Board of Directors shall be specified in the notices of such meeting where possible.

3. Special Meeting Notice. In the event of a special meeting, a notice of such special meeting shall be posted at least seventy-two (72) hours in advance at the clerks' offices of the counties, cities and towns indicated above, for posting in a public place. At least seventy-two (72) hours advance notice of the special meeting time, place and date shall be provided to the directors and alternate directors, and to those members of the public who so request. 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.

4. Emergency Meeting Notice. Should the Board of Directors determine an emergency special meeting is necessary, a notice of such emergency meeting shall be posted at least twenty-four (24) hours in advance at the clerks' offices of the counties, cities and towns indicated above in accordance with the Colorado Open Meetings Act. 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.

5. Written Notice Requirements. Written notice of each meeting of the Board of Directors shall be given by telefax or electronic mail; 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.

6. Additional Notification. The Stewardship Council shall maintain a list of persons who, within the previous two years, have requested notification of all meetings, or of meetings with discussions of certain specified policies, and shall provide reasonable advance notification of such meetings to the individuals.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2010.

(SEAL)

ROCKY FLATS STEWARDSHIP COUNCIL

By: _____
Chair

ATTEST:

By: _____

DOE Quarterly Briefing

- Cover memo
- Quarterly report (minus appendices)

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
Karen Imbierowicz

MEMORANDUM

TO: Stewardship Council Board
FROM: Rik Getty
SUBJECT: DOE Quarterly Briefing
DATE: January 20, 2010

We have scheduled 45 minutes for DOE to present its quarterly briefing for the third quarter (July through September) of 2009. The quarterly report (104 pages) can be found at: http://www.lm.doe.gov/Rocky_Flats/Documents.aspx The first 33 pages are attached to this memo (there is no executive summary for this report). The remaining pages are the appendices, which include all the water quality testing results, as well as the inspection reports for different areas.

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

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

Highlights of the third quarter included:

- The water monitoring network met the targeted monitoring objectives as required by RFLMA and in conformance with the Rocky Flats Site Operations Guide implementation guidance. The network consisted of 11 automated gauging stations, 10 surface water grab-sampling locations, 8 treatment system locations, 99 wells, and 8 precipitation gages. During the quarter, 11 flow-paced composite samples, 2 surface water grab samples, 8 treatment system samples, and 10 groundwater samples were collected (groundwater monitoring results will be evaluated as part of the 2009 Annual Report).
- There were no terminal pond discharges during the third quarter.
- All water-quality data at the RFLMA Points of Compliance along Indiana Street remained below the applicable standards.
- Plutonium 239,240 and Americium-241 are well below the RFLMA standards. With the removal of impervious areas resulting in decreased runoff, the stabilization of soils within

the drainages, and the progression of re-vegetation, regulatory-compliant water quality is expected to continue.

- The Original Landfill (OLF) continues to require periodic maintenance due to slumping, subsidence, and seep formation. During the quarter, DOE repaired a new crack in the OLF cover, took inclinometer and settlement monument readings (provide data on movement in the OLF), extended the seep #7 drain to lessen the expression as surface water, and performed regular monthly inspections.
- No adverse biological conditions were observed.
- Routine maintenance activities continued at the Mound Site Plume Treatment System. Activities included raking the media each week, checking and flushing filters, and inspecting influent and effluent flow conditions.
- Routine maintenance activities continued at the East Trenches Plume Treatment System for the first two months of the third quarter CY 2009. These activities included raking the media each week, checking and flushing filters, and inspecting influent and effluent flow conditions. In the final month of the quarter plans were finalized and work began on replacing the treatment media and installing plumbing upgrades. This included sampling the spent media for waste characterization purposes.
- Routine maintenance activities continued at the Solar Ponds Plume Treatment System (SPPTS). These activities included weekly inspections of the solar/battery systems that power the pumps, operation of the pumps, and influent and effluent flow conditions.
- The Phases II and III upgrades to the SPPTS that were completed in the second quarter were a focal point for optimization efforts in the third quarter. On July 4, excessive settling of a water storage sump -- installed to help reduce fluctuations in flow rates -- caused the system to automatically shut down. Over the next several weeks, the sump was removed, the plumbing was reconfigured to operate without the sump (using excess storage available in the Phase II cell), and the system was restored to operation on August 6. Optimization efforts (such as adjusting carbon dosing rates and influent flow rates) continued for the balance of the quarter. The 2009 annual report will provide a complete description of upgrades and related activities completed through the year. In addition DOE will update the current conditions at the SPPTS during their quarterly briefing.
- Routine maintenance activities continued at the Present Landfill Treatment System through the quarter. These activities generally consisted of inspecting the system for any issues or potential problems.

Please contact me if you have any questions.

Rocky Flats Site

**Quarterly Report of
Site Surveillance and
Maintenance Activities
Third Quarter
Calendar Year 2009**

January 2010



U.S. DEPARTMENT OF
ENERGY

Legacy
Management

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LMS/RFS/S06087

**U.S. Department of Energy
Office of Legacy Management**

Rocky Flats Site

Quarterly Report of Site Surveillance and Maintenance Activities

Third Quarter Calendar Year 2009

January 2010

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Appendixes

Appendix A Landfill Inspection Forms and Survey Data

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Abbreviations

| | |
|---------|--|
| Am | americium-241 |
| AOC | area of concern |
| CAD/ROD | Corrective Action Decision/Record of Decision |
| CDPHE | Colorado Department of Public Health and Environment |
| COU | Central Operable Unit |
| CY | calendar year |
| DOE | U.S. Department of Energy |
| ETPTS | East Trenches Plume Treatment System |
| gpm | gallons per minute |
| GWIS | Groundwater Intercept System |
| LM | Office of Legacy Management |
| µg/L | micrograms per liter |
| mg/L | milligrams per liter |
| M&M | monitoring and maintenance |
| mL | milliliters |
| MSPTS | Mound Site Plume Treatment System |
| OLF | Original Landfill |
| pCi/L | picocuries per liter |
| PLF | Present Landfill |
| PLFTS | Present Landfill Treatment System |
| POC | Point of Compliance |
| POE | Point of Evaluation |
| Pu | plutonium-239,240 |
| RCRA | Resource Conservation and Recovery Act |
| RFLMA | <i>Rocky Flats Legacy Management Agreement</i> |
| RFSOG | <i>Rocky Flats Site Operations Guide</i> |
| Site | Rocky Flats Site |
| SPPTS | Solar Ponds Plume Treatment System |
| U | uranium |
| WQCC | Water Quality Control Commission |

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1.0 Introduction

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 2006a) issued September 29, 2006, for the Rocky Flats Site (the Site). DOE, the U.S. Environmental Protection Agency, and the Colorado Department of Public Health and Environment (CDPHE) have chosen to implement the monitoring and maintenance requirements of the CAD/ROD as described in the *Rocky Flats Legacy Management Agreement* (RFLMA) (DOE 2007a). Attachment 2 of RFLMA defines the Central Operable Unit (COU) remedy surveillance and maintenance requirements, the frequency for each required activity, and the monitoring and maintenance locations. The requirements include environmental monitoring; maintenance of the erosion controls, access controls (signs), landfill covers, and groundwater treatment systems; and operation of the groundwater treatment systems. RFLMA also requires that the institutional controls, in the form of use restrictions as established in the CAD/ROD, are maintained.

This report is required in accordance with Section 7.0 of Attachment 2 of RFLMA. The purpose of this report is to inform the regulatory agencies and stakeholders of the remedy-related surveillance, monitoring, and maintenance activities being conducted at the Site. LM provides periodic communications through several means, such as this report, Web-based tools, and public meetings.

LM prepared the *Rocky Flats Site Operations Guide* (RFSOG) (DOE 2009a) to serve as the primary internal document to guide work to satisfy the requirements of RFLMA and implement best management practices at the Site.

Several other Site-specific documents provide additional detail regarding the requirements described in Attachment 2 of RFLMA, including all aspects of surveillance, monitoring, and maintenance activities, as well as data evaluation protocols.

A modification to RFLMA Attachment 2, to incorporate several changes since the March 2008 page change modification of RFLMA Attachment 2, was submitted to CDPHE for approval on September 21, 2009. These page changes incorporate the following:

- Changed monitoring locations approved in RFLMA Regulatory Contact Records 2007-07, 2008-04, and 2008-09;

- Changed Original Landfill (OLF) monitoring and inspection criteria based on the *Final Landfill Monitoring and Maintenance Plan, Rocky Flats Environmental Technology Site, Original Landfill* (OLF M&M Plan) (DOE 2006b) modification and the performance of inspections since closure;

- Noted the completion of additional ecological sampling required by RFLMA; and

- Changed surface water standards consistent with revisions promulgated by the Colorado Water Quality Control Commission (WQCC) through August 2009.

Landfill inspection and monitoring tasks follow the format and protocols established in the *Present Landfill Monitoring and Maintenance Plan and Post-Closure Plan* (PLF M&M Plan) (DOE 2008a) and the OLF M&M Plan (DOE 2006b). These plans include detailed information

on monitoring groundwater, surface water, subsidence and consolidation, slope stability, soil cover, vegetation, storm water management structures, and erosion in surrounding features so that maintenance actions can be implemented in a timely manner.

A modification to the 2006 OLF M&M Plan was also submitted to CDPHE for review and approval on September 21, 2009. The modification revises OLF M&M Plan text to recognize the implementation of the remedy under RFLMA. As discussed in the *Quarterly Report of Site Surveillance and Maintenance Activities, Second Quarter Calendar Year 2009* (DOE 2009b), the modification also recaps and reflects changes resulting from the OLF geotechnical investigation.

Pursuant to RFLMA, Section 10, paragraph 66, public notice is required for any modifications of RFLMA attachments. In accordance with the Rocky Flats community-notification and Web-posting protocol, the RFLMA Attachment 2 modification and the OLF modification submittal were posted to the Rocky Flats website for public notification. The final CDPHE-approved modification will also be posted.

Monitoring data and summaries of surveillance and maintenance activities for past quarters are available in the quarterly reports. Extensive discussion and evaluation of surveillance, monitoring, and maintenance activities are presented each calendar year in the annual report of Site surveillance and maintenance activities.

This report addresses remedy-related surveillance, monitoring, and operations and maintenance activities conducted at the Site during the third quarter calendar year (CY) 2009 (July 1 through September 30) and includes:

- Maintenance and inspection of the OLF and Present Landfill (PLF);
- Maintenance and inspection of the four groundwater treatment systems;
- Erosion control and revegetation activities; and
- Routine (in accordance with RFLMA and the RFSOG) water monitoring.

2.0 Site Operations and Maintenance

2.1 Landfills

2.1.1 Present Landfill

The PLF is inspected quarterly in accordance with the requirements of the PLF M&M Plan (DOE 2008a) and RFLMA (DOE 2007a).

2.1.1.1 Inspection Results

The routine PLF inspection for third quarter CY 2009 was performed on August 27, 2009. An evaluation of the landfill cover vegetation was performed on August 19. No significant problems were observed during these inspections. Refer to Appendix A, which provides the landfill inspection forms, for more information.

2.1.1.2 Settlement Monuments

The annual settlement monument surveys were performed on January 9, 2009. Additional information on the settlement monuments is included in the *Quarterly Report of Site Surveillance and Maintenance Activities, First Quarter Calendar Year 2008* (DOE 2008b).

2.1.2 Original Landfill

The OLF is inspected monthly, in accordance with the requirements in the OLF M&M Plan (DOE 2006b) and RFLMA. It was anticipated that after the first year, the inspection frequency might be reduced to quarterly for an additional 4 years. However, because of observed localized slumping and seep areas, and investigation and repairs to the OLF cover that were being planned at the time, no change to the monthly inspection frequency was recommended in the second 5-year review of the Site (DOE 2007b).

2.1.2.1 Inspection Results

Routine OLF inspections during third quarter CY 2009 were performed on July 30, August 26, and September 28, 2009. An evaluation of the landfill cover vegetation was performed on August 20. Refer to the completed inspection forms in Appendix A for additional information.

Note: In the *Quarterly Report of Site Surveillance and Maintenance Activities, Second Quarter Calendar Year 2009* (DOE 2009b), a special inspection of the OLF following a precipitation event of 1.1 inches was erroneously reported to have been completed on March 30, 2009. This was a typographical error, and the special inspection was completed on May 26, 2009.

A new 140-foot-long, narrow, continuous crack that runs along the north and south sides of Berm 1 was noticed during a nonroutine inspection of the OLF on July 22. The crack is located in the same general area as previously documented cracks in Berm 1, as discussed in the quarterly report for second quarter CY 2009 (DOE 2009b), and is roughly in the middle part of the narrow, discontinuous cracking noted in second quarter. The crack had a horizontal displacement (width) of approximately 2 inches and no vertical displacement. The depth of the crack was approximately 4 to 6 inches in most places. The crack was filled with Rocky Flats Alluvium and compacted on July 22 to prevent water from infiltrating the subsurface, which could potentially cause further movement. Several subsequent inspections have been completed since the crack was repaired, and no further movement has been observed.

As discussed in the quarterly report for second quarter CY 2009 (DOE 2009b), this cracking is consistent with evidence of localized movement being observed at several of the inclinometers installed south of Berm 1 as part of the 2008 geotechnical investigation. Refer to the discussion of the results of the inclinometer monitoring in Section 2.1.2.5 for additional information regarding slope stability monitoring. Figure 1 shows the general location of the crack and the locations of the inclinometers for reference.

2.1.2.2 Seeps

Seeps at the OLF were evaluated during the monthly inspections as well as during unscheduled visits. Seep 4 showed areas of saturation during third quarter CY 2009 but had no surface flow.

Seep 8 showed areas of active groundwater seepage at a rate of approximately 1 to 2 gallons per minute (gpm) throughout the third quarter. The rock drain located at the base of the West Perimeter Channel, which channels water from the channel seep, only flowed for short periods following precipitation events. Other smaller seeps showed areas of wetness only temporarily after precipitation events. None produced any new surface flow.

Seep 7 showed a surface flow of approximately 0.1 gpm during the July inspection. The area was dry during subsequent inspections following the adjustment completed on the drain extension. The following section provides information on the Seep 7 drain extension adjustment.

Seep 7 Drain Extension

As discussed in the quarterly report for second quarter CY 2009 (DOE 2009b), the planned adjustment to the eastern edge of the Seep 7 drain extension was completed this quarter. The adjustment involved hand-excavation and opening the geotextile fabric to make the area porous to water along the eastern edge of the drain. Hand-excavation to a depth of approximately 1.5 feet to expose two approximately 5-foot lengths along the drain edge was conducted to access the geotextile fabric. The fabric was cut open, the opening was covered with permanent erosion matting and crushed rock, and the excavated soil was replaced.

The work was performed on July 23 and August 19, 2009. After completion, the area was observed over the rest of the third quarter, and no further surface expression of Seep 7 in this localized area was noted.

2.1.2.3 Slumps

As discussed in the quarterly report for second quarter CY 2009, areas where the landfill cover is pushed up or rolling are noticeable on the western end of the OLF between Berms 2 and 3. Inspections do not show any surface cracks at this time. Refer to the discussion on the results of the inclinometer monitoring below for additional information regarding slope stability monitoring.

2.1.2.4 Settlement Monuments

The OLF settlement monuments were surveyed on September 30, 2009. Preliminary survey data indicate that settling at each monument does not exceed the limits published in the OLF M&M Plan (DOE 2006b). Refer to the survey results in Appendix A for additional information.

2.1.2.5 Inclinometers

As discussed in the quarterly report for second quarter CY 2009, seven inclinometers were installed in boreholes at the OLF in 2008 as part of the geotechnical investigation (see Figure 1).

Movement of the inclinometers has been monitored approximately monthly since installation. Inclinometers deflect based on lateral movement of the ground in which the inclinometer is



Figure 1. Original Landfill Observed Surface Cracking Location and Inclinometer Locations

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located, and can deflect enough to cause the inclinometer tube to break. Once an inclinometer tube breaks, it will no longer be monitored. Inclinometer monitoring data provide information on localized soil movement and serve to focus periodic inspections of the soil cover surface for signs of potential instability, such as cracking, vertical displacement, and slumping. A deflection of more than 1 inch is used as a trigger for evaluation of the data by a qualified geotechnical engineer. The engineer determines the significance of the deflection in relation to recommendations for maintenance or repairs to address potential instability in accordance with the OLF M&M Plan (DOE 2006b). A modification to the OLF M&M Plan to revise the text as appropriate to recognize the implementation of the remedy under RFLMA and the completion of the geotechnical investigation work was discussed in the quarterly report for second quarter CY 2009 (DOE 2009b). The modification was submitted for CDPHE review and approval on September 21, 2009.

Inclinometer measurements were taken on July 22, August 18, and September 28, 2009. Very little deflection of the inclinometers was noted. This indicates that the localized movement associated with the area of the three inclinometers on the west side of the OLF, between diversion Berms 1 and 3 (inclinometers 82208I, 82308I, and 82408I), which showed approximately 1.5 to 2.25 inches deflection last quarter, did not continue this quarter.

The deflection appears consistent with the findings of the geotechnical investigation that there is an organic layer near the bedrock surface that is a weak zone for the overlying soil, especially if it becomes lubricated by subsurface moisture. Seeps 4 and 7 also showed significant moisture and had surface expressions during this period as well. As described in Contact Record 2008-07, the West Perimeter Channel was regraded and a channel drain was added in 2008 to improve the stability of the western side of the OLF cover. A qualified geotechnical engineer is evaluating the inclinometer data, and results of subsequent monitoring will be reported in quarterly and annual reports.

2.2 Groundwater Treatment Systems

Four groundwater treatment systems are operated and maintained in accordance with requirements defined in RFLMA and the RFSOG. Three of these systems (the Mound Site Plume Treatment System [MSPTS], East Trenches Plume Treatment System [ETPTS], and Solar Ponds Plume Treatment System [SPPTS]) include a groundwater intercept trench (collection trench), which is similar to a French drain with an impermeable membrane on the downgradient side. Groundwater entering the trench is routed through a drain pipe into one or more treatment cells, where it is treated and then discharged. The fourth system, the PLF Treatment System (PLFTS), treats water from the northern and southern components of the Groundwater Intercept System (GWIS) and flow from the PLF seep.

2.2.1 Mound Site Plume Treatment System

Routine maintenance activities continued at the MSPTS through third quarter CY 2009. These activities included raking the media each week, checking and flushing filters, and inspecting influent and effluent flow conditions.

2.2.2 East Trenches Plume Treatment System

Routine maintenance activities continued at the ETPTS for the first two months of the third quarter CY 2009. These activities included raking the media each week, checking and flushing filters, and inspecting influent and effluent flow conditions. In the final month of the quarter, plans were finalized and work began on replacing the treatment media and installing plumbing upgrades. This included sampling the spent media for waste characterization purposes. Work to replace the media and upgrade the plumbing was underway as the third quarter ended and will be reported in the annual report for CY 2009.

2.2.3 Solar Ponds Plume Treatment System

Routine maintenance activities continued at the SPPTS through third quarter CY 2009. These activities included weekly inspections of the solar/battery systems that power the pumps, operation of the pumps, and influent and effluent flow conditions.

The Phases II and III upgrades that were completed in second quarter CY 2009 were a focal point for optimization efforts. On July 4, excessive settling of a water storage sump, installed to help reduce fluctuations in flow rates, caused the system to automatically shut down. Over the next several weeks, the sump was removed, the plumbing was reconfigured to operate without the sump (using excess storage available in the Phase II cell), and the system was restored to operation on August 6. Optimization efforts (such as adjusting carbon dosing rates and influent flow rates) continued for the balance of the quarter.

The 2009 annual report will provide a complete description of upgrades and related activities completed through the year.

2.2.4 PLF Treatment System

Routine maintenance activities continued at the PLFTS through third quarter CY 2009. These activities generally consisted of inspecting the system for any issues or potential problems.

2.3 Erosion Control and Revegetation

Maintenance of the Site erosion control features required continued effort throughout second quarter CY 2009, especially following high-wind or precipitation events. Repairs were made to erosion wattles and matting loosened and displaced by high winds or rain. Erosion controls were installed and maintained for the various projects that were ongoing during second quarter. Several areas were interseeded with additional native species to increase vegetation cover.

3.0 Environmental Monitoring

This section provides a summary of the environmental monitoring that was conducted in accordance with RFLMA.

3.1 Water Monitoring

This quarterly report presents data collected during third quarter CY 2009. This section includes:

A discussion of analytical results for the Point of Compliance (POC), Point of Evaluation (POE), PLF, and OLF monitoring objectives; and

A summary of Area of Concern (AOC) well, Boundary well, Evaluation well, and Sentinel well monitoring; treatment system monitoring; and Resource Conservation and Recovery Act (RCRA) groundwater monitoring and surface water support monitoring at the Site.

Monitoring locations, sampling criteria, and evaluation protocols for all water monitoring objectives in the following sections are detailed in Attachment 2 of RFLMA and the RFSOG. Analytical water quality data for third quarter CY 2009 are provided in Appendix B.

3.1.1 Water Monitoring Highlights

During the third quarter CY 2009, the water monitoring network successfully met the targeted monitoring objectives as required by RFLMA and in conformance with the RFSOG implementation guidance. The network consisted of 11 automated gaging stations, 10 surface water grab-sampling locations, 8 treatment system locations, 99 wells, and 8 precipitation gages. During the quarter, 11 flow-paced composite samples, 2 surface water grab samples, 8 treatment system samples, and 10 groundwater samples were collected.¹

All water-quality data at the RFLMA POCs remained well below the applicable standards through third quarter CY 2009. **Note:** The WQCC revised the uranium standard from an activity concentration standard (picocuries per liter) to a mass concentration standard (micrograms per liter) effective the beginning of this quarter. The WQCC proceedings regarding the revised uranium standard are discussed in the 2008 Annual Report (DOE 2009c).

As of April 2009, reportable 12-month rolling average total U concentrations were no longer observed in surface water at RFLMA POE monitoring station GS10, which is located in South Walnut Creek upstream of Pond B-1 in the Walnut Creek Basin. This improvement in U water quality at GS10 was caused by higher-than-normal surface runoff quantities reaching the creek. This increased runoff effectively decreased the relative proportion of groundwater (a source of naturally occurring U) in the sampled streamflow at GS10. Additional information can be found in the specific GS10 section below.

All other POE analyte concentrations remained below reporting levels as of the end of third quarter CY 2009. Erosion and runoff controls, as well as extensive revegetation efforts, have been effective in measurably reducing both sediment transport and constituent concentrations. As

¹ Composite samples consist of multiple aliquots (“grabs”) of identical volume. Each grab is delivered by the automatic sampler to the composite container at each predetermined flow volume or time interval. During third quarter CY 2009, the 11 flow-paced composites comprised 566 individual grabs.

of the end of third quarter CY 2009, all of the POEs continued to show Pu-239,240 and Am-241 activities well below the RFLMA standards. With the removal of impervious areas resulting in decreased runoff, the stabilization of soils within the drainages, and the progression of revegetation, acceptable water quality is expected to continue.

Groundwater monitoring results will be evaluated as part of the 2009 Annual Report.

3.1.2 POC Monitoring

The following sections include summary tables and plots showing the applicable 30-day and 12-month rolling averages for the POC analytes.

3.1.2.1 Location GS01

Monitoring location GS01 is located on Woman Creek at Indiana Street. Figure 2 and Figure 3 show no occurrences of reportable 30-day averages for the quarter.

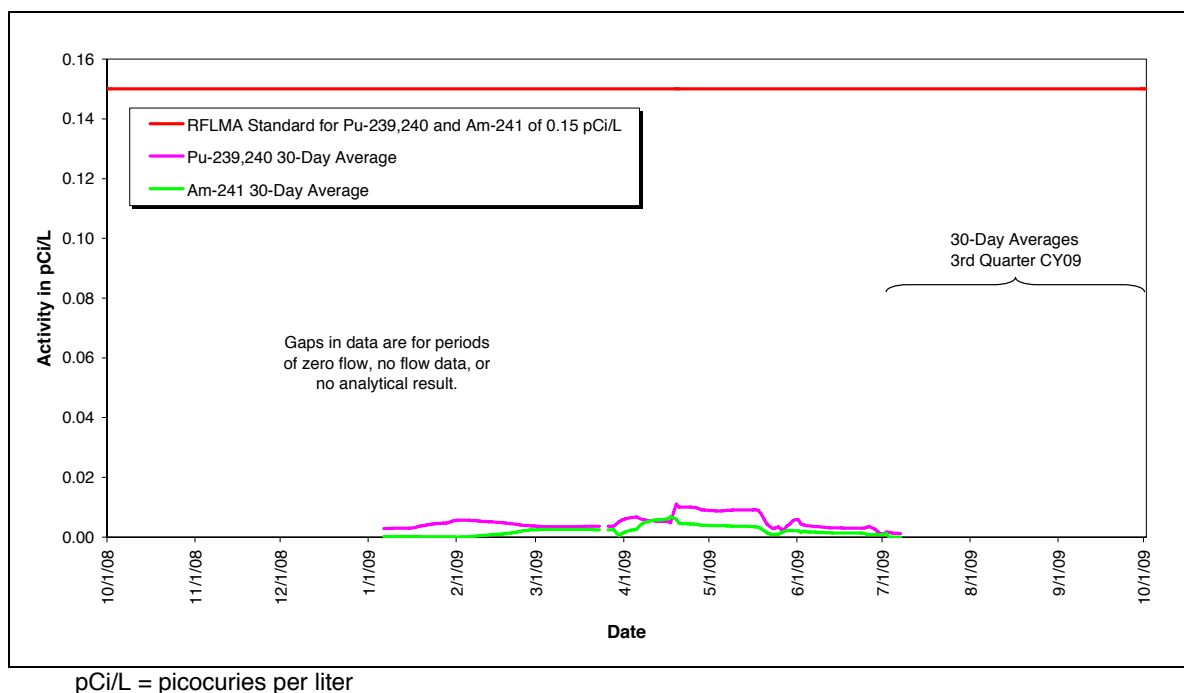
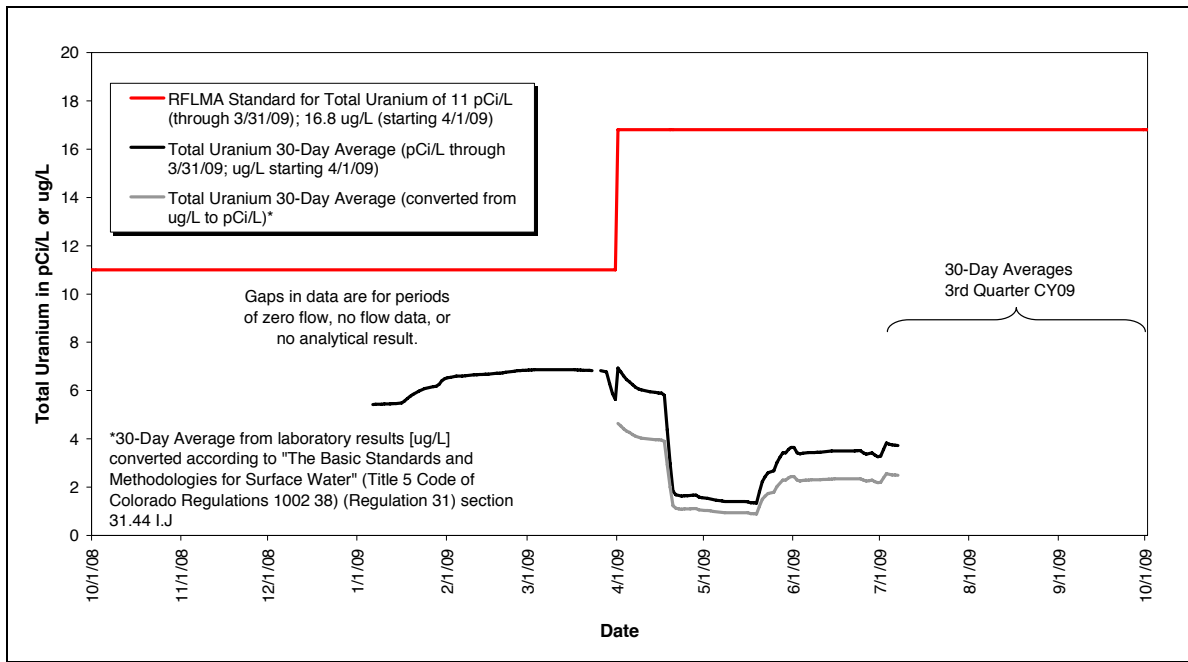


Figure 2. Volume-Weighted 30-Day Average Pu and Am Activities at GS01: Calendar Year Ending Third Quarter CY 2009



pCi/L = picocuries per liter, $\mu\text{g/L}$ = micrograms per liter

Figure 3. Volume-Weighted 30-Day Average Total U Activities at GS01: Calendar Year Ending Third Quarter CY 2009

3.1.2.2 Location GS03

Monitoring location GS03 is located on Walnut Creek at Indiana Street. Figure 4 and Figure 5 show no occurrences of reportable 30-day averages for the quarter.

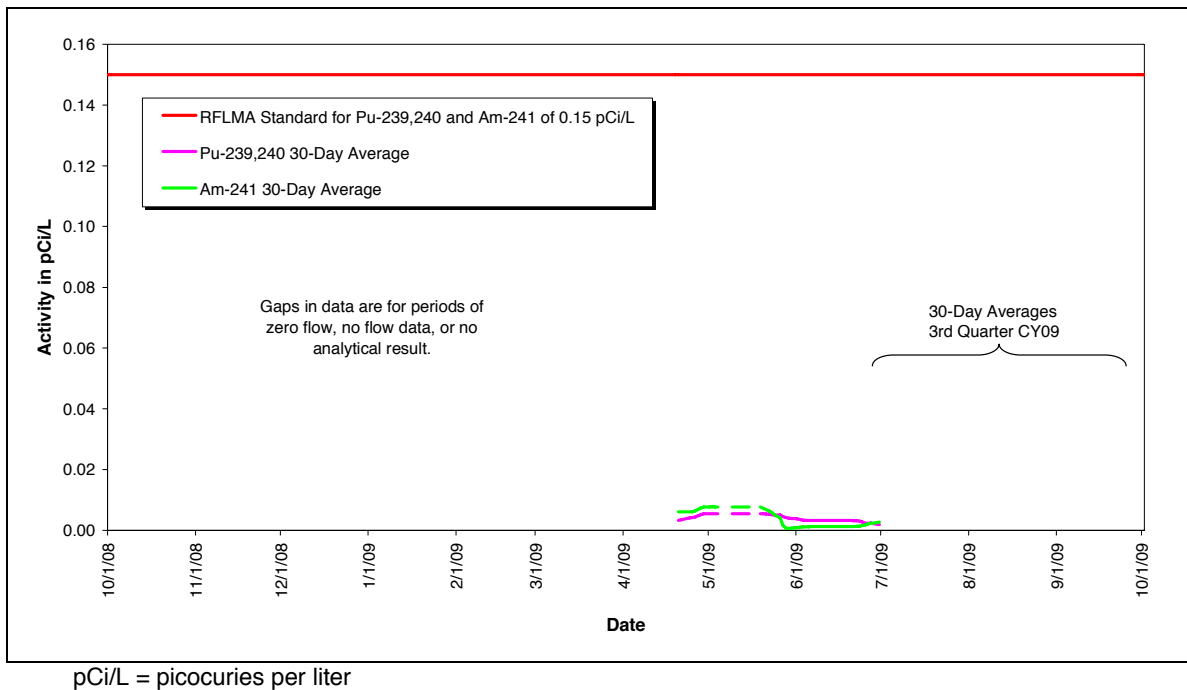


Figure 4. Volume-Weighted 30-Day Average Pu and Am Activities at GS03: Calendar Year Ending Third Quarter CY 2009

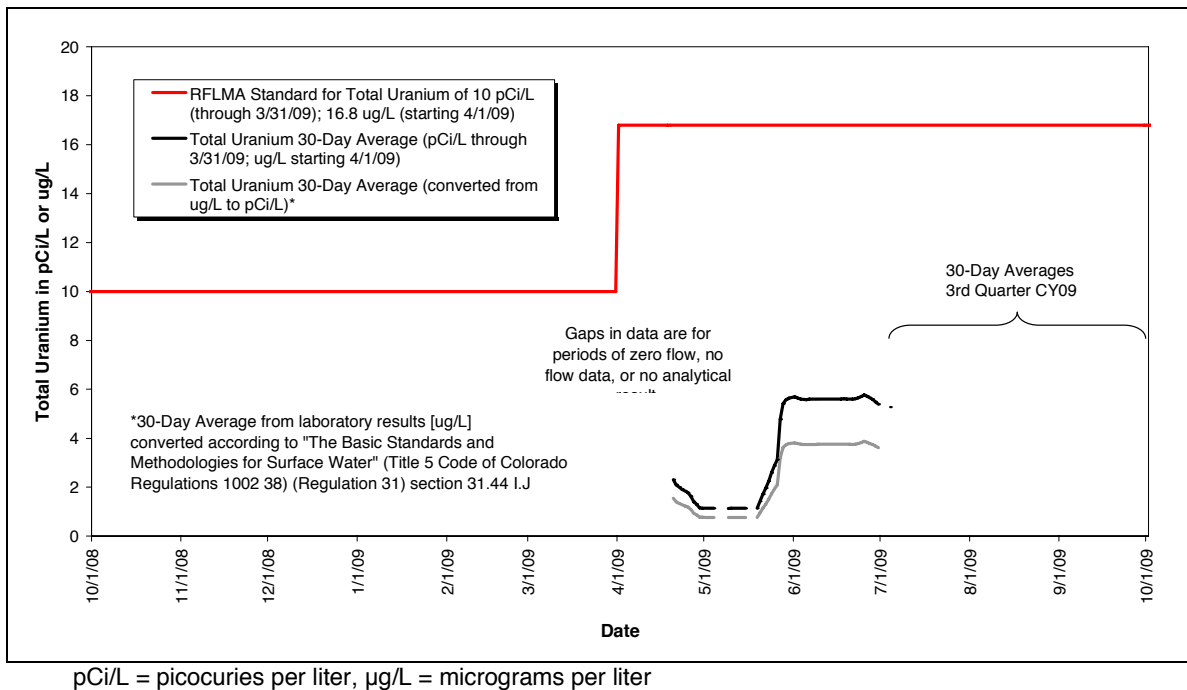


Figure 5. Volume-Weighted 30-Day Average Total U Activities at GS03: Calendar Year Ending Third Quarter CY 2009

3.1.2.3 Location GS08

Monitoring location GS08 is located on South Walnut Creek at the outlet of Pond B-5. Figure 6, Figure 7, and Figure 8 show no occurrences of reportable 12-month rolling averages for the quarter.

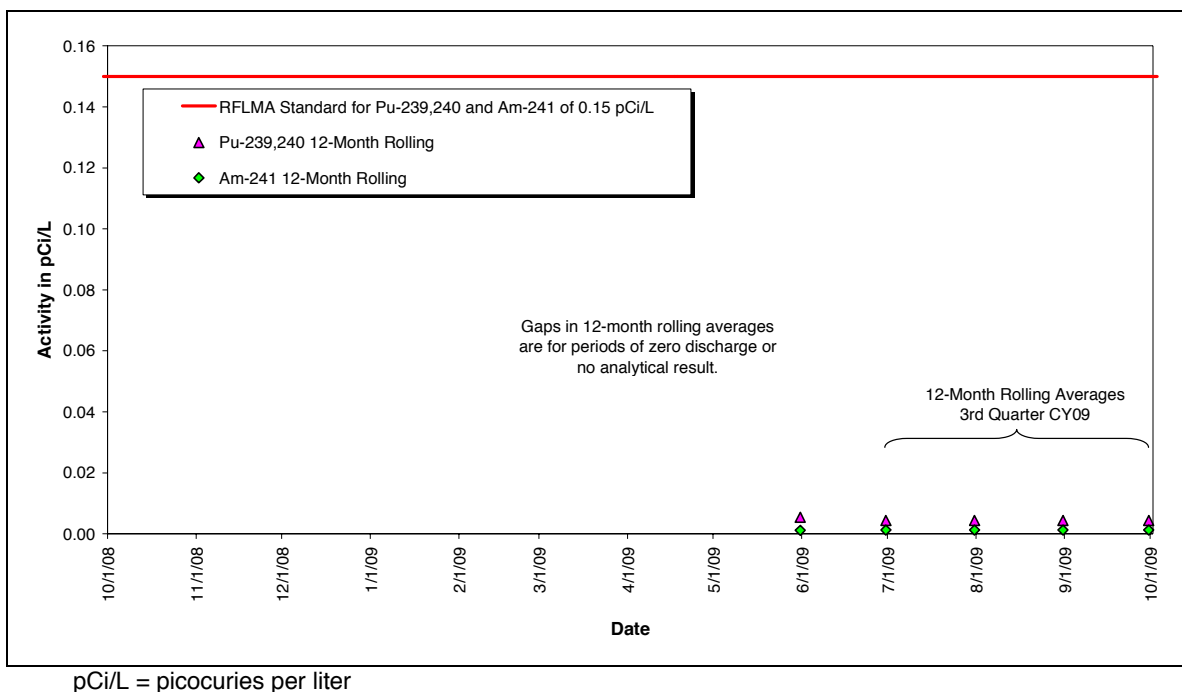


Figure 6. Volume-Weighted 12-Month Rolling Average Pu and Am Activities at GS08: Calendar Year Ending Third Quarter CY 2009

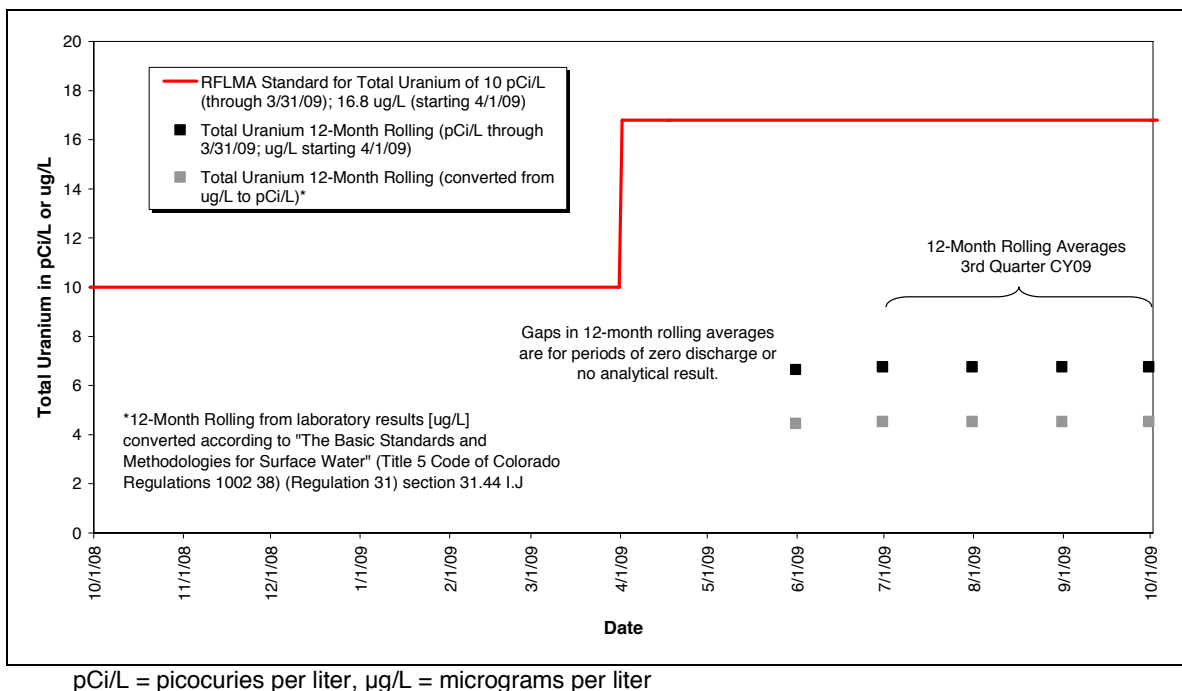
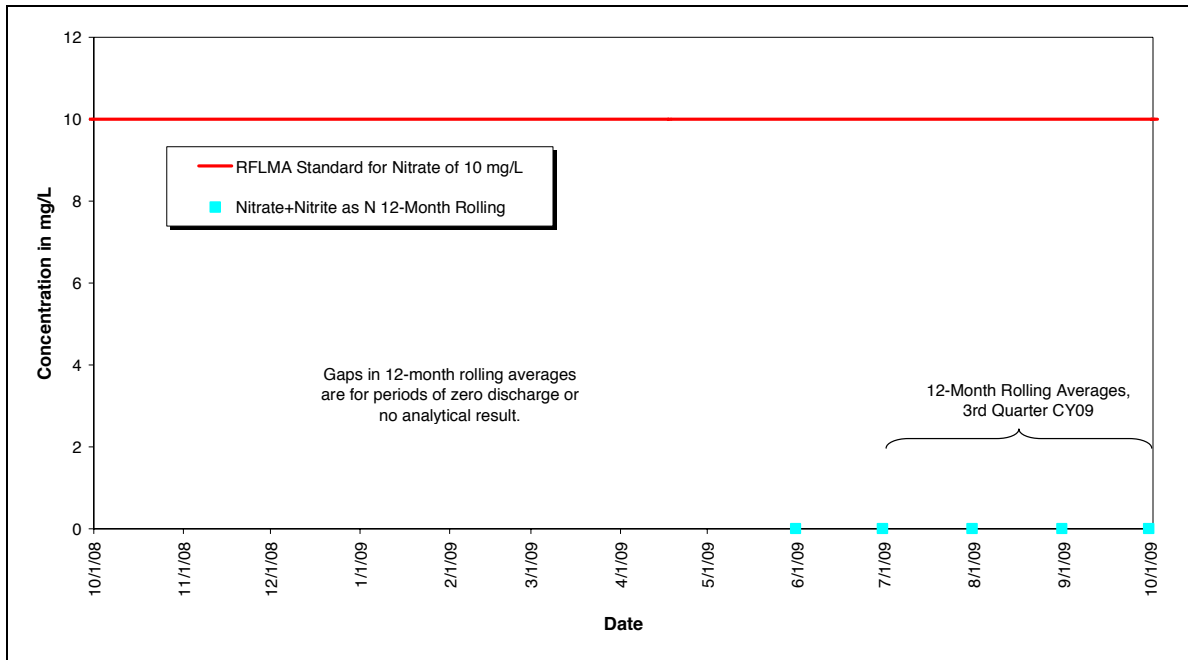


Figure 7. Volume-Weighted 12-Month Rolling Average Total U Activities at GS08: Calendar Year Ending Third Quarter CY 2009



Note: Nitrate + nitrite as nitrogen 12-month averages are conservatively compared to the nitrate standard only.
 mg/L = milligrams per liter

Figure 8. Volume-Weighted 12-Month Rolling Average Nitrate + Nitrite as Nitrogen Concentrations at GS08: Calendar Year Ending Third Quarter CY 2009

3.1.2.4 Location GS11

Monitoring location GS11 is located on North Walnut Creek at the outlet of Pond A-4. Figure 9, Figure 10, and Figure 11 show no occurrences of reportable 12-month rolling averages for the quarter.

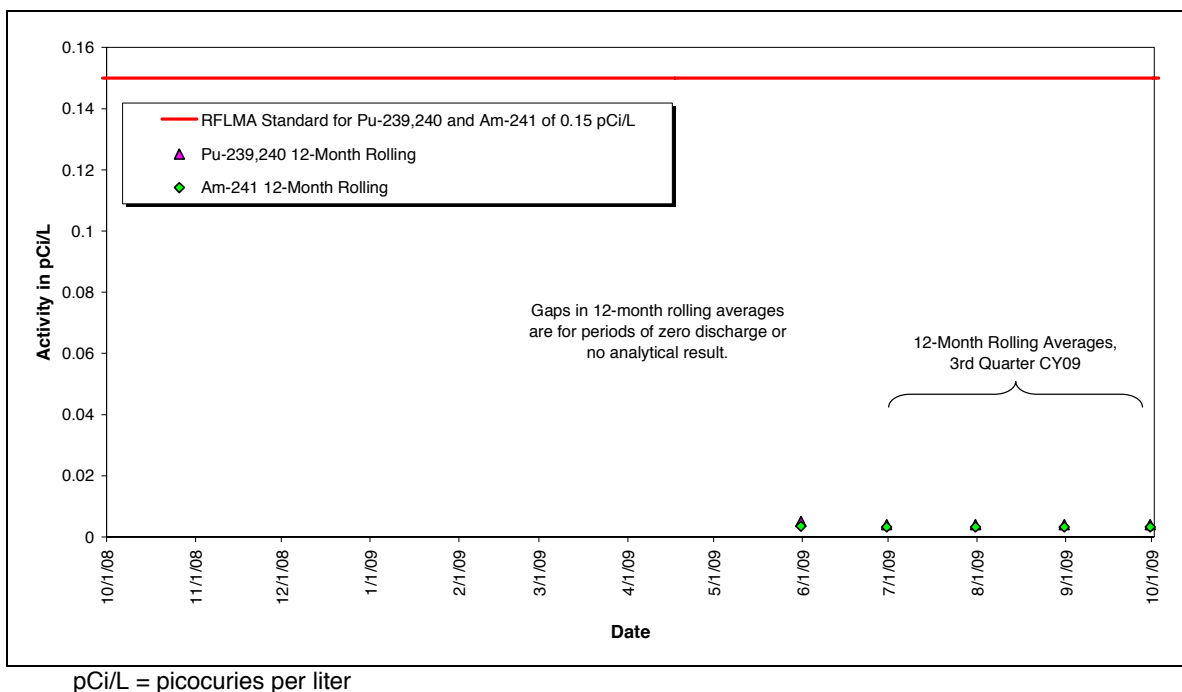


Figure 9. Volume-Weighted 12-Month Rolling Average Pu and Am Activities at GS11: Calendar Year Ending Third Quarter CY 2009

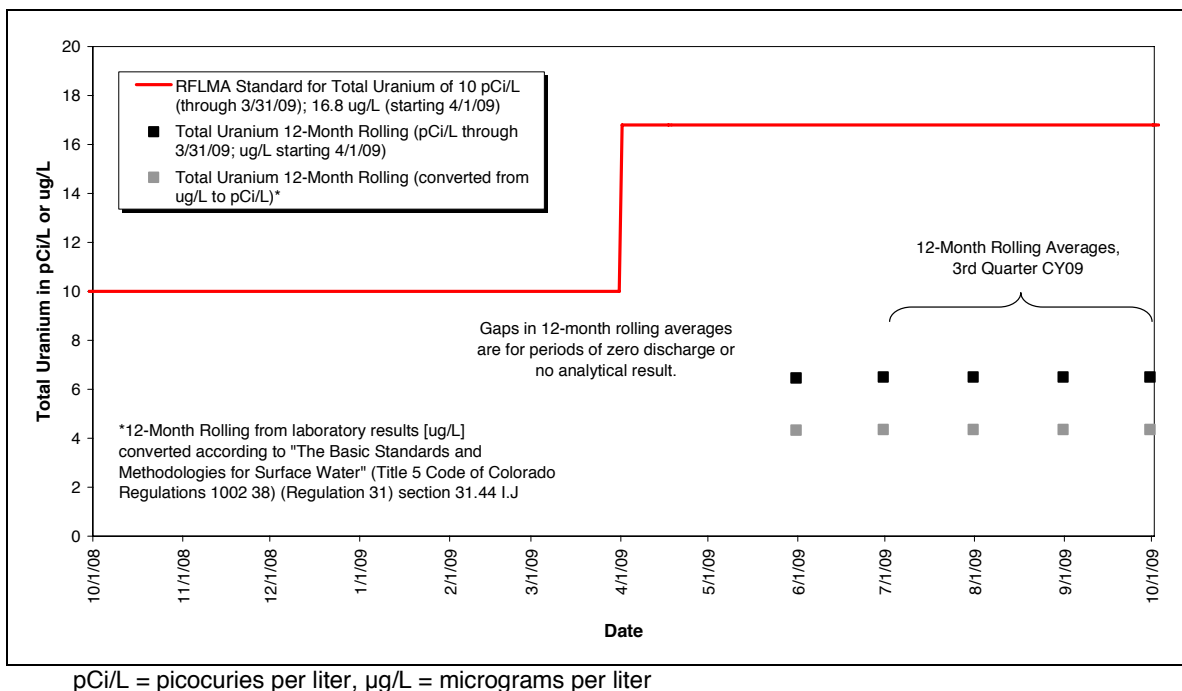
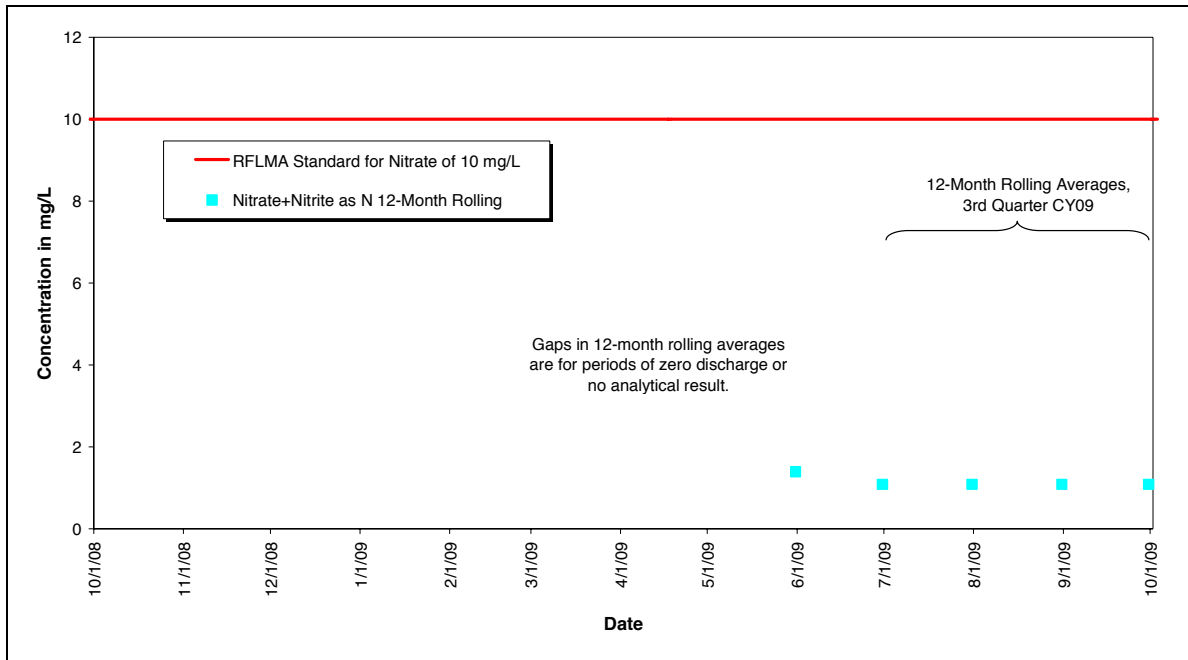


Figure 10. Volume-Weighted 12-Month Rolling Average Total U Activities at GS11: Calendar Year Ending Third Quarter CY 2009



Note: Nitrate + nitrite as nitrogen 12-month averages are conservatively compared to the nitrate standard only.
 mg/L = milligrams per liter

Figure 11. Volume-Weighted 12-Month Rolling Average Nitrate + Nitrite as Nitrogen Concentrations at GS11: Calendar Year Ending Third Quarter CY 2009

3.1.2.5 Location GS31

Monitoring location GS31 is located on Woman Creek at the outlet of Pond C-2. Figure 12 and Figure 13 show no occurrences of reportable 12-month rolling averages for the quarter.

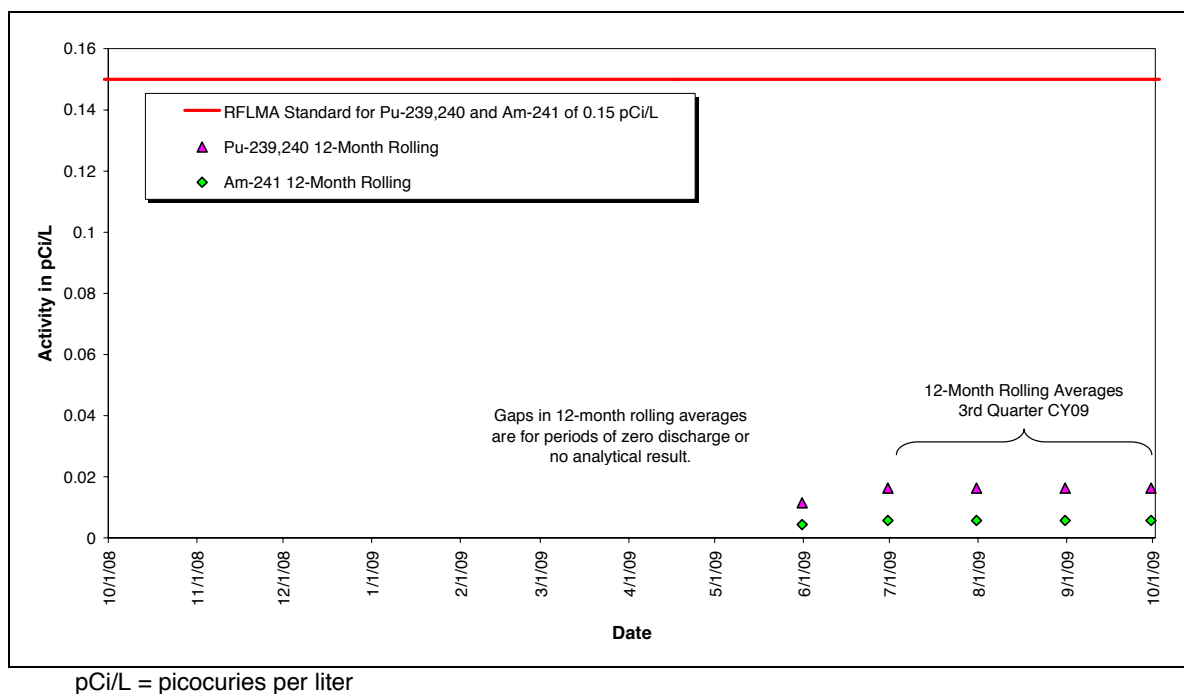


Figure 12. Volume-Weighted 12-Month Rolling Average Pu and Am Activities at GS31: Calendar Year Ending Third Quarter CY 2009

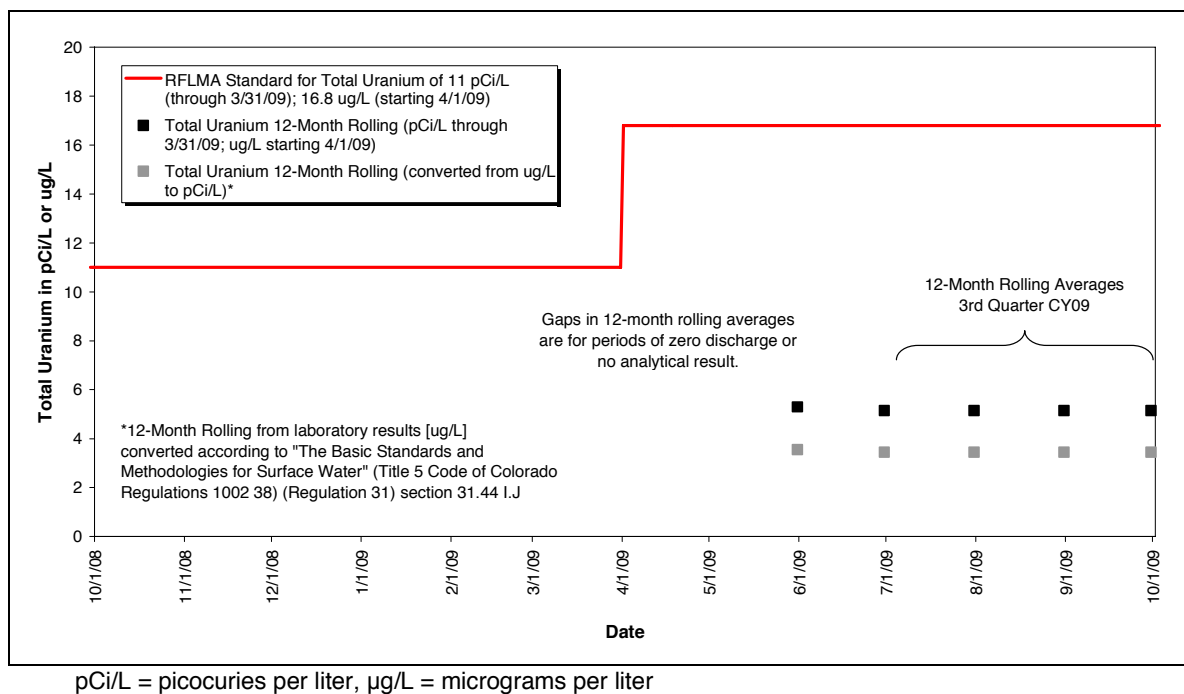


Figure 13. Volume-Weighted 12-Month Rolling Average Total U Activities at GS31: Calendar Year Ending Third Quarter CY 2009

3.1.3 POE Monitoring

The following sections include summary tables and plots showing the applicable 30-day and 12-month rolling averages for the POE analytes.

3.1.3.1 Location GS10

Monitoring location GS10 is located on South Walnut Creek just upstream of the B-Series ponds. Figure 14 and Figure 15 show no reportable Pu, Am, or total U values during the quarter. In addition, none of the 85th percentile 30-day average metals concentrations were reportable for the quarter.

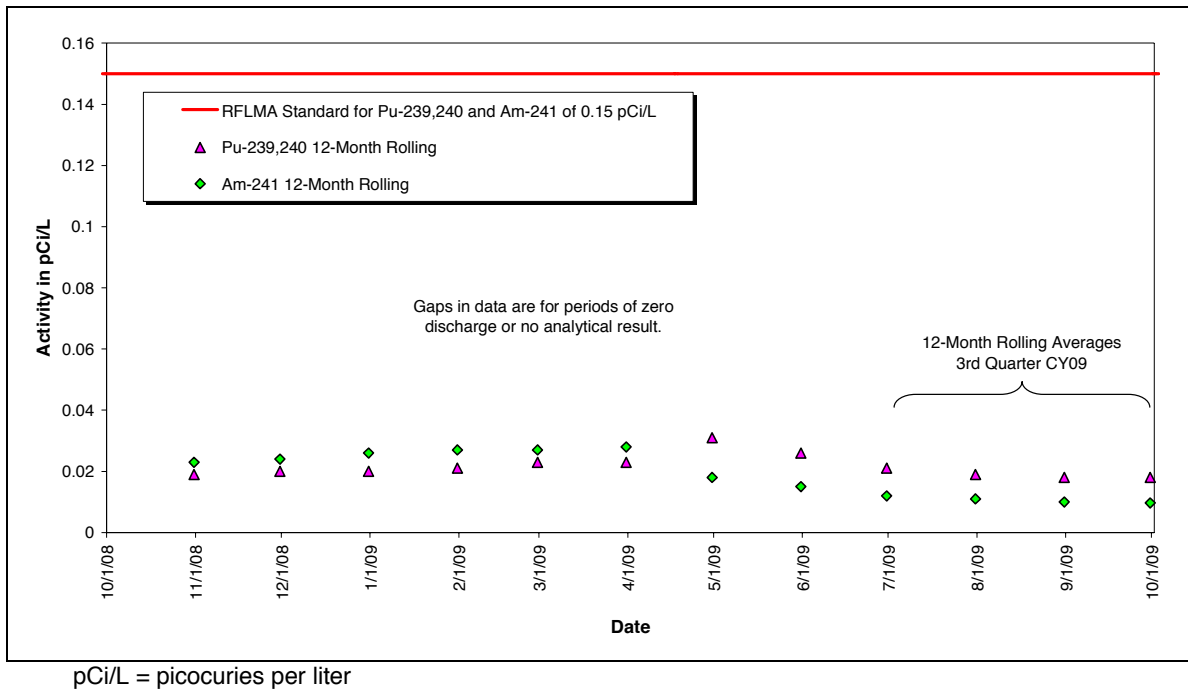


Figure 14. Volume-Weighted Average Pu and Am Compliance Values at GS10: Calendar Year Ending Third Quarter CY 2009

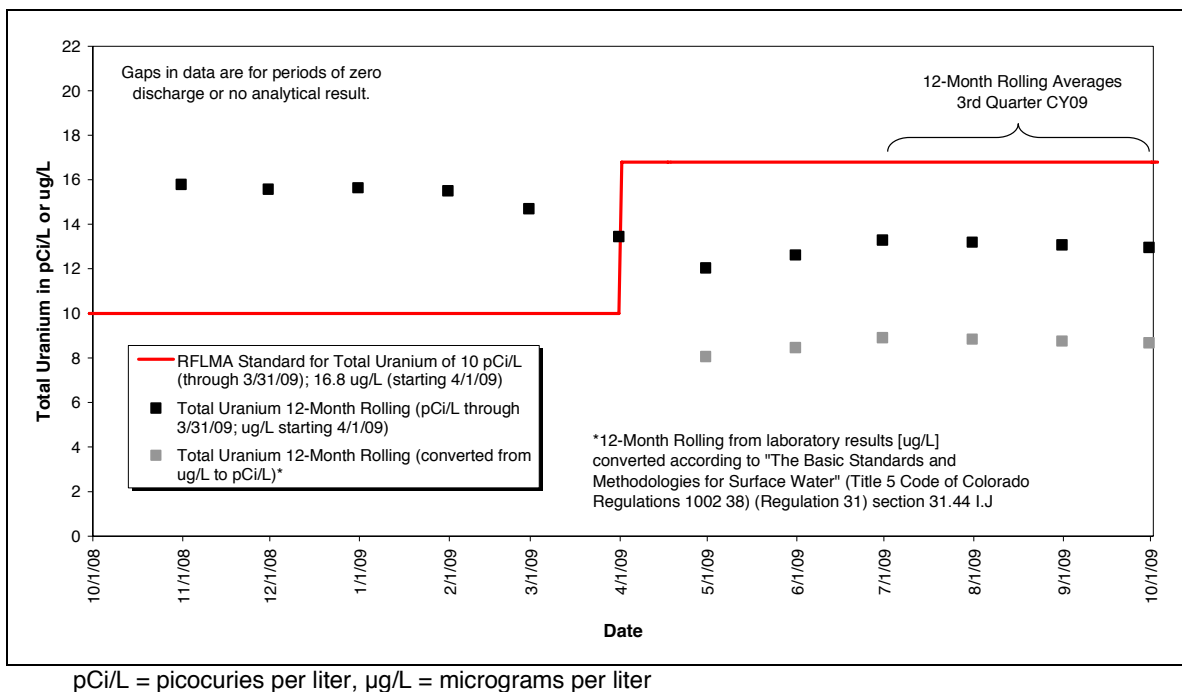


Figure 15. Volume-Weighted Average Total U Compliance Values at GS10: Calendar Year Ending Third Quarter CY 2009

3.1.3.2 Location SW027

Monitoring location SW027 is located at the end of the South Interceptor Ditch at the inlet to Pond C-2. There was no flow at SW027 for the entire period from July 1, 2008, through April 17, 2009. Flow began on April 18, 2009, and composite samples were collected as planned. However, the latest composite sample, started on April 24 and still in progress as of December 29, 2009, currently does not contain a sufficient quantity for analysis (SW027 has been mostly dry since April 30, 2009). Since results from the April 24 sample are not available, the April 2009 compliance values (and subsequent end-of-month compliance values through the current quarter) cannot be calculated at this time. Therefore, no compliance values are calculated and no plots are presented.

3.1.3.3 Location SW093

Monitoring location SW093 is located on North Walnut Creek 1,300 feet upstream of the A-Series ponds. Figure 16 and Figure 17 show no reportable Pu, Am, or total U values during the quarter. None of the 85th percentile 30-day average metals concentrations were reportable for the quarter.

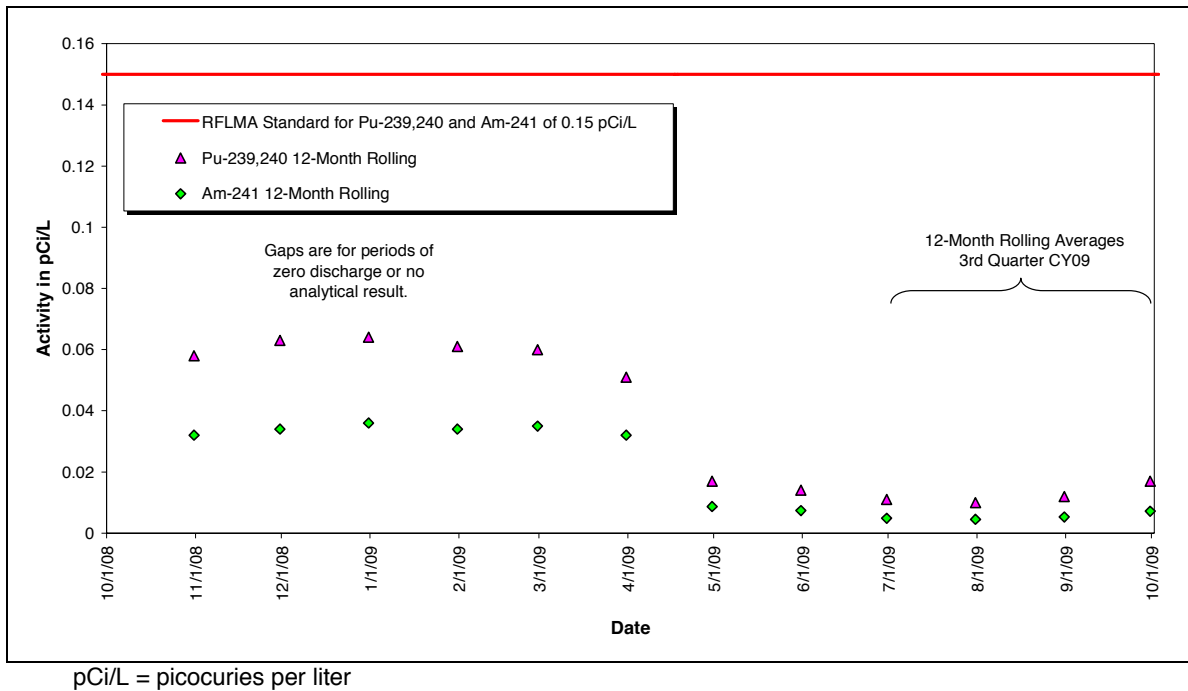


Figure 16. Volume-Weighted Average Pu and Am Compliance Values at SW093: Calendar Year Ending Third Quarter CY 2009

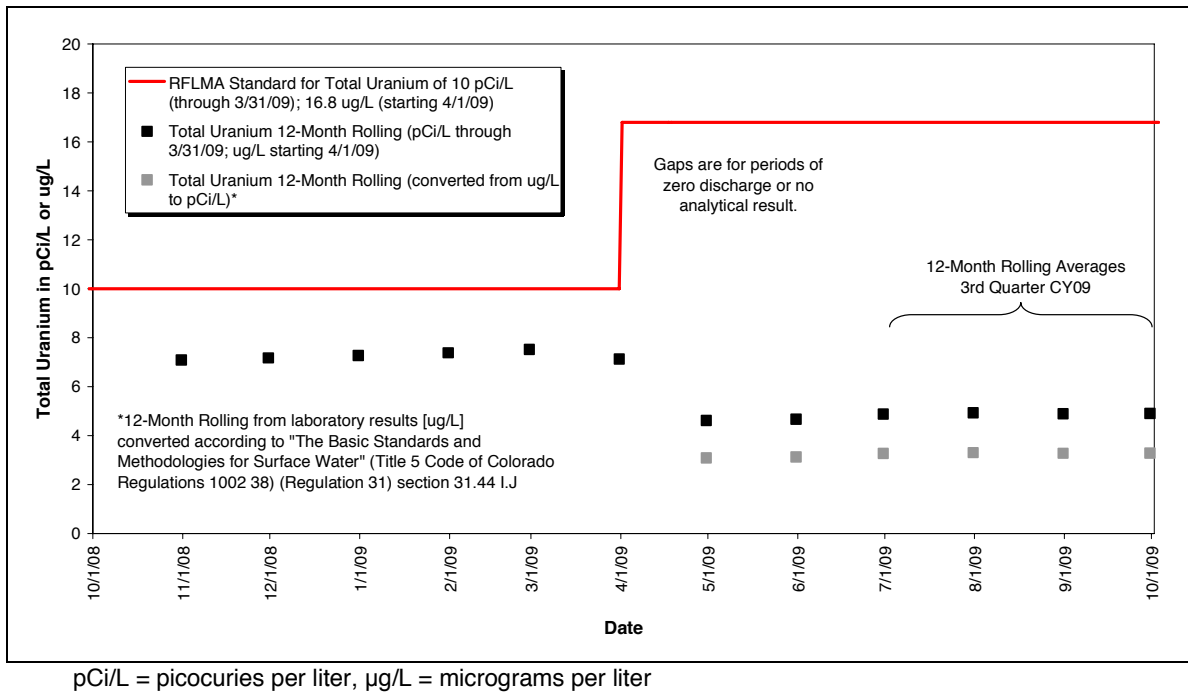


Figure 17. Volume-Weighted Average Total U Compliance Values at SW093: Calendar Year Ending Third Quarter CY 2009

3.1.4 AOC Wells and Surface Water Location SW018

AOC wells and SW018 were not scheduled for RFLMA monitoring in third quarter CY 2009.

3.1.5 Boundary Wells

Boundary wells were not scheduled for RFLMA monitoring in third quarter CY 2009.

3.1.6 Sentinel Wells

Sentinel wells were not scheduled for RFLMA monitoring in third quarter CY 2009.

3.1.7 Evaluation Wells

Evaluation wells were not scheduled for RFLMA monitoring in third quarter CY 2009.

3.1.8 PLF Monitoring

All RCRA groundwater monitoring wells at the PLF were sampled during third quarter CY 2009. Analytical results (Appendix B) will be discussed and statistically evaluated as part of the 2009 Annual Report. Surface water monitoring at the PLF is discussed in Section 3.1.10.4.

3.1.9 OLF Monitoring

All RCRA groundwater monitoring wells at the OLF were sampled during third quarter CY 2009. Analytical results (Appendix B) will be discussed and statistically evaluated as part of the 2009 Annual Report.

During third quarter CY 2009, when routine surface water sampling was performed at Woman Creek downstream of the OLF (GS59), all available analytical results were less than the applicable surface water standards. (Results from composite samples for the period September 22 through November 17, 2009, were not available for this report.)

3.1.10 Groundwater Treatment System Monitoring

As described in Section 2.2, contaminated groundwater is intercepted and treated in four areas of the Site. The MSPTS, ETPTS, and SPPTS include a groundwater intercept trench. Groundwater entering the trench is routed through a drain pipe into one or more treatment cells, where it is treated and then discharged to surface water. The PLFTS treats water from the northern and southern components of the GWIS and flow from the PLF seep.

3.1.10.1 Mound Site Plume Treatment System

MSPTS monitoring locations were not scheduled for RFLMA sampling in third quarter CY 2009.

3.1.10.2 East Trenches Plume Treatment System

ETPTS monitoring locations were not scheduled for RFLMA sampling in third quarter CY 2009.

3.1.10.3 Solar Ponds Plume Treatment System

SPPTS monitoring locations were not scheduled for RFLMA sampling in third quarter CY 2009. Non-RFLMA samples were collected at several locations to support continuing evaluation and optimization of the Phase II and Phase III upgrades. These data will be discussed in the 2009 Annual Report.

3.1.10.4 PLF Treatment System

During collection of the July 7, 2009, sample at the system influent (location PLFSEEPINF), the flow rate was 1.14 gpm. As of September 30, 2009, the Landfill Pond outlet remained in an open configuration.

During third quarter CY 2009, routine sampling of the treated effluent exiting the system (location PLFSYSEFF) showed that vinyl chloride concentrations were greater than the applicable surface water standard (Table 3–1). All other third quarter CY 2009 data were below applicable surface water standards.

Table 3–1. PLFTS Effluent (PLFSYSEFF): Summary of Routine Third Quarter CY 2009 Grab-Sampling Analytical Results Exceeding RFLMA Surface Water Standards, July 7, 2009, Sample

| Analyte | Result | Unit | RFLMA Standard | Basis for Standard ^a |
|----------------|--------|------|----------------|---------------------------------|
| Vinyl chloride | 0.51 | µg/L | 0.2 (PQL) | W+F |

Note: ^aBasis abbreviations: W+F = water plus fish, µg/L = micrograms per liter; PQL = practical quantitation limit.

For the Table 3–1 analytes at the PLFSYSEFF, the routine quarterly results triggered monthly sampling according to the RFLMA flowchart (see Table 3–2 for detail). Vinyl chloride was not detected in the second monthly sample. Given these results, monthly sampling of the PLFTS effluent for the Table 3–1 analytes was discontinued.

Table 3–2. PLFTS Effluent (PLFSYSEFF): Summary of Monthly Analytical Results

| Analyte | Sample Date | Result | Unit |
|----------------|---------------|---|-------------|
| Vinyl chloride | 7/7/09 | 0.51 | µg/L |
| | 8/3/09 | 0.63 | µg/L |
| | 9/9/09 | nondetect | µg/L |
| | Status: | Discontinue monthly sampling for vinyl chloride | |

Note: The initial result triggering monthly sampling is shown in **bold**. The routine quarterly sample results are shown in *italics*.
µg/L = micrograms per liter

3.1.11 Pre-Discharge Monitoring

Pre-discharge samples are collected prior to discharge at Ponds A-4, B-5, and C-2 on North Walnut Creek, South Walnut Creek, and Woman Creek, respectively.

No pre-discharge-samples were collected during third quarter CY 2009.

4.0 Adverse Biological Conditions

No evidence of adverse biological conditions (e.g., unexpected mortality or morbidity) was observed during monitoring and maintenance activities in third quarter CY 2009.

5.0 References

DOE (U.S. Department of Energy), 2006a. *Corrective Action Decision/Record of Decision for Rocky Flats Plant (USDOE) Peripheral Operable Unit and Central Operable Unit*, September.

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DOE (U.S. Department of Energy), 2009c. *Rocky Flats Site Annual Report of Site Surveillance and Maintenance Activities, Calendar Year 2008*, Office of Legacy Management, April.

Dam Breaching

- Cover memo

Washington DC Talking Points

- Cover memo
- Draft Talking Points

HB 1127, Rep. McKinley Rocky Flats Sign Bill

- Cover memo
- Bill
- 2009 Fiscal Note

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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
Karen Imbierowicz

MEMORANDUM

TO: Stewardship Council Board
FROM: Rik Getty
SUBJECT: NEPA Analysis for Future Dam Breaching
DATE: January 20, 2010

We have scheduled 30 minutes for DOE to discuss the National Environmental Policy Act (NEPA) analysis the agency will undertake to support its decision to breach five ponds at Rocky Flats. As discussed below, this meeting will focus solely on the alternatives DOE will evaluate in the draft Environmental Assessment (EA) it will prepare in the next few months. The April Stewardship Council meeting will provide the forum for DOE to discuss their findings and conclusions, including impacts to the environment.

During the meeting DOE will present an overview of the project, explain the EA process, identify potential alternatives that will be included in the EA, and solicit input from the Stewardship Council and members of the public on the environmental issues and concerns that should be evaluated in the draft EA.¹ The draft EA will be out for public comment in mid-May.

Two Alternatives DOE is Preparing to Analyze

As of the drafting of this memo, DOE will evaluate two alternatives:

1. Breach all five dams
2. No action (a NEPA term meaning DOE would leave the ponds as is)

During the meeting and during the public scoping period, DOE will seek your input on whether they should evaluate other alternatives. That could include breaching some but not all of the dams. It could also include not breaching the dams but managing them in a flow-through condition.

¹ EPA and DOE NEPA guidance do not require soliciting input from the general public when preparing an EA; rather public input (called “scoping” in NEPA parlance) is required when preparing the more detailed Environmental Impact Statement (EIS). Nevertheless, DOE has decided to implement a quasi-scoping process for the EA. This process is similar to the 2004 EA DOE prepared prior to breaching ponds A-1, A-2, B-1, B-2, B-3, and B-4 in 2009. For those interested in the 2004 EA, go to: <http://www.gc.energy.gov/NEPA/ea1492.htm>

Please be prepared to propose any alternative that you believe DOE should consider evaluating as part of the EA.

Elements of the EA Analysis

Each alternative will evaluate a number of potential issues stemming from the proposed action. The primary (but not exclusive) impacts DOE will analyze are impacts to:

- hydrology
- endangered species (e.g., Preble's Mouse)
- wetlands habitat
- fugitive dust emission during construction

Please be prepared to propose any additional issues that DOE should evaluate.

Dam Breach Project

As DOE has discussed in prior meetings, over the next five-to-eight years, DOE will breach the five remaining dams – C-2 on Woman Creek, Present Landfill pond, and A-3, A-4 and B-5 on Walnut Creek. These activities will likely occur in two phases. The first phase, which will likely occur in 2011, will be breaching A-3, C-2, and the Present Landfill pond. It will also include managing A-4 and B-5 in a flow-through condition. The second phase (around 2015-2018) will entail breaching ponds A-4 and B-5. However, before any construction can occur DOE must prepare and approve an EA.

Public Input on the Alternatives the EA will Evaluate

DOE will accept public input on the EA alternatives until February 12, 2010. Input may be emailed to rfinfo@lm.doe.gov or mailed to:

Rocky Flats Surface Water Configuration EA
11025 Dover St., Suite 1000
Westminster, CO 80021

As noted above, DOE will again brief the Stewardship Council and the public on the draft EA at the April 5, 2010, Stewardship Council meeting. A draft EA will then be released to the public with a 30-day public comment period. DOE will evaluate the comments and produce a final EA.

NEPA Background

NEPA consists of an evaluation of the environmental effects of a federal action, including its alternatives. There are three levels of analysis depending on whether or not an action could significantly affect the environment. These three levels include:

- categorical exclusion determination;
- preparation of an environmental assessment/finding of no significant impact (EA/FONSI); and,
- preparation of an EIS.

DOE has determined that the proposed action warrants an EA. If DOE determines the action would not significantly affect the environment, it issues a Finding of No Significant Impact (FONSI). The FONSI may address measures which an agency will take to reduce (mitigate) potentially significant impacts.

Generally, an EA includes brief discussions of the following:

- the need for the proposal
- alternatives, including no-action alternative
- the environmental impacts of the proposed action and alternatives
- a listing of agencies and persons consulted

Please contact me if you have any questions.

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
Karen Imbierowicz

MEMORANDUM

TO: Board
FROM: David Abelson
SUBJECT: Washington, D.C. talking points
DATE: January 20, 2010

I have scheduled 15 minutes for the Board to discuss and approve (as modified) the attached talking points for meetings with Congress and DOE. As has been the case in past years, throughout February and March Board members and Stewardship Council staff will meet with officials in Washington, D.C. To ensure our message as it relates to Rocky Flats reflects the Stewardship Council's positions and policies, it is helpful for the Board to approve talking points.

Please let me know what questions and/or concerns you have and any issues that you believe should be added or deleted. I have focused on broad-reaching issues, recognizing that was the case last year, Stewardship Council members will supplement these messages when they meet with their representatives.

Action Item: Approve DC Talking Points

Rocky Flats Stewardship Council

Washington, D.C. – Talking Points

February 2010

Background – General:

1. The Rocky Flats Stewardship Council is starting its fifth year of operations. We formed to provide ongoing local government and community oversight of the post-closure management of Rocky Flats, the former nuclear weapons plant northwest of Denver.
2. 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, but ongoing management remains vital to ensuring long-term protection of human health and the environment. Those responsibilities lie with the Department of Energy (DOE).
3. We are the DOE-designated Local Stakeholder Organization (LSO) for Rocky Flats and thus provide public oversight and advise DOE on management issues.
4. The Board is comprised of elected officials from nine local governments, three community groups (including one representing former workers) and one individual.
5. We meet 5-6 times per year. All meetings are open to the public.

Background – Stewardship Council Funding:

1. Member governments contribute annually, but the Stewardship Council relies on federal funds. Congress appropriated initial funding -- \$395,000 was provided in 2006 and \$240,000 in 2008.
2. We are now in talks with DOE about additional funding.
3. We believe this additional support from DOE highlights the ongoing value local government and community members bring to the post-closure management of the site.

Funding for DOE:

1. In large measure the cleanup remedies are performing as designed.
2. There are a few areas that bear watching, including the groundwater treatment systems and slumping on the cover of the Original Landfill.
3. DOE has consistently asked for and Congress has consistently provided funding for DOE's Office of Legacy Management.
4. That funding allows DOE to carry out its mission at Rocky Flats.

Congressional support:

5. **Funding for DOE's Office of Legacy Management remains necessary in order to for the agency to carry out its responsibilities. That requires making sure the Administration continues to ask for the necessary funds – and Congress providing sufficient funding.**

Workers:

1. The Stewardship Council remains concerned about implementation of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), a federal compensation claims for former DOE workers.
2. The GAO is investigating implementation of the EEOICPA. The draft report should be issued in the coming months.
3. We continue to support coverage for all former workers who have become ill from workplace exposures.
4. Towards this end, in April 2009 we voiced our support for the “Charlie Wolf Nuclear Workers Compensation Act” (S. 757; HR 1828)

Congressional support:

- 5. Congressional oversight of the program remains vital and we urge Congress to approve this important legislation.**

Rocky Flats National Wildlife Refuge:

1. In July 2007 DOE transferred to the USFWS approximately 4000 acres to create the Rocky Flats National Wildlife Refuge.
2. However, USFWS has not requested and Congress has not provided any funding for this refuge.
3. For fiscal year 2010, Congress appropriated \$503.3 million for the national wildlife refuge system, \$20 million above the request and \$40.4 million above 2009, to provide critically needed staff, implement climate change strategies, and improve conservation efforts.
4. It is not unusual for new refuges to not have an operating budget for first 3-5 years. Without a budget, however, the USFWS will not be able to implement most of the Rocky Flats Refuge Comprehensive Conservation Plan (CCP).
5. Until such time that funds become available the Rocky Flats Refuge will remain in caretaker status.
6. Interior Secretary Ken Salazar has long supported the Refuge, viewing it as a critical piece in conservation efforts in the northwest Denver-metro area.
7. Accordingly, we believe we have an opportunity for the Colorado delegation to strategize with Secretary Salazar on developing a multi-year funding plan that will enable USFWS to start implementing the CCP.

Congressional support:

- 8. DOI and Congress need to provide long-term, consistent funding for USFWS to implement the CCP to help ensure the site is an asset.**
- 9. With Ken Salazar as Secretary, the Colorado delegation should begin discussing with DOI long-term stable funding for the Rocky Flats Refuge.**

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League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders
Karen Imbierowicz

MEMORANDUM

TO: Board
FROM: David Abelson
SUBJECT: Discussion of H.B. 1127, Rep. McKinley's Rocky Flats bill
DATE: January 22, 2010

I have scheduled 30 minutes for the Board to discuss State House Bill 1127, "Concerning Information to be Provided to Visitors at Rocky Flats." This bill is the same one Rep. McKinley introduced last year. A fiscal note has not been released. However, last year's fiscal note (attached) was \$255,332.

In 2005, a somewhat different version died in the House. The 2006 bill, which mirrors the current version, passed the House but died in the Senate. The 2009 bill died in the Ag Committee. The 2010 bill has been assigned to the State, Veterans, & Military Affairs Committee.

Below is an analysis of the bill and options for trying to reach agreement with Rep. McKinley on a path forward. Prior attempts to reach a mutually-agreeable solution have failed. Nevertheless, a few board members have stated they would like to again try to reach a solution to the ongoing impasse. Barring reaching a solution, they indicated they are prepared to support others on the Stewardship Council and again oppose the bill.

Please let me know what questions you have.

Action Item: Adopt a position on HB 1127

Bill Overview

The central tenant of the bill is to provide information to future visitors to the Rocky Flats National Wildlife Refuge. (“Future” is key as the Refuge is not yet open to the public and, unless Congress provides funding, will not be open for the foreseeable future.) The bill would codify in law specific language about the history of the site and ongoing risks that the state of Colorado would need to provide to visitors. The bill also provides school children, as part of school-sponsored field trips, could not enter the refuge without first receiving a written copy of the information specified in the bill.

Further, the bill provides members of the public shall be provided the information “prior to entering the refuge.” The Colorado Department of Transportation would design and construct the signs and the other information systems. In order to address potential budgetary issues, the bill further requires the state to seek reimbursement for the costs of managing the program from DOE.

Finally, the bill requires that the state “ensure that the information” provided in the bill “is included in the materials distributed to the public at any cold war museum or Rocky Flats Museum that may be constructed in Colorado.”

Important Facts to Bear in Mind When Analyzing the Bill

1. The state does not have authority to place signs on the Refuge, a federal property. The bill thus provides the information should be provided to visitors “prior to entering the refuge”. Accordingly, the state either needs to reach agreement with private landowners, place information on state road easements (which is not where the parking lots will be) or acquire private lands. That’s the reason for the fiscal note in 2009.
2. USFWS, as the agency charged with managing the vast majority of the 6200-acre site, has plans to inform refuge visitors of the history of Rocky Flats as a nuclear weapons plant and the ongoing wildlife and contaminant management needs. USFWS plans on posting signs at the refuge boundaries (demarcating the federal lands), at all access points, and at the boundary between the Refuge and lands retained by DOE. USFWS will also install information kiosks and interpretative signs. Language for the entrance signs was approved in 2006 following a public dialogue and formal public comment period.
3. The majority of the site, including the refuge lands, is clean enough to support residential development. That’s one of the central reasons why Congress passed “The Rocky Flats National Wildlife Refuge Act of 2001” – to protect Rocky Flats from future development. The DOE lands can likewise host future visitors, but will remain closed in order to protect the remedies – landfill caps, groundwater treatment systems and most of the surface water monitoring stations – from human intrusion.
4. The existing regulatory framework does not include cost-reimbursement provisions. The bill provides the state should seek compensation for the costs in managing this program from DOE under the 1996 Rocky Flats Cleanup Agreement. That regulatory agreement, which guided the remediation project, no longer exists. It was replaced by the post-closure

agreement, the Rocky Flats Legacy Management Agreement (RFLMA). RFLMA has no applicable cost-reimbursement provisions.

Proposed Principles for Evaluating the Bill

In evaluating the bill and identifying options for moving forward, I offer the following:

1. **Proposed Principle:** We strongly agree with Rep. McKinley about the need to inform future visitors of the history of the site as a nuclear weapons facility, risk, and ongoing management needs. That's why we have and will continue to work with DOE, CDPHE, EPA and USFWS on interpretative signs for Rocky Flats. It is also why we will build a new website this year – to provide additional information that community members can use to learn about the cleanup, risks and ongoing management needs.

How the bill fails to meet this principle: The bill is designed to warn visitors of the residual hazards posed by visiting Rocky Flats. If such warnings were necessary, the Stewardship Council would not wait for the state legislature to reach agreement on signs; we would instead take our case to Congress, DOE and the Governor and press for a compliant, protective cleanup. Warnings, the core message of the bill, are not necessary and send an inaccurate message about current site conditions.

2. **Proposed Principle:** Local governments and community members should be allowed to engage in a public dialogue about the scope and substance of signs.

How the bill fails to meet this principle: Because the bill would codify in law language for state-sponsored signs, local governments and community members would be divested from engaging in an important public process.

3. **Proposed Principle:** Signs should convey a consistent message to future visitors.

How the bill fails to meet this principle: The McKinley sign language conveys a far different message than the entrance signs USFWS adopted in partnership with DOE and CDPHE. Placing Rep. McKinley's signs in close proximity to signs USFWS will post at the Refuge would confuse visitors. Before adopting this bill the legislature should first determine that there is a problem with the substance of the messages USFWS intends to convey.

Questions That Need to be Addressed

In evaluating Rep. McKinley's bill, one should first ask the following questions:

1. What is the problem with the current process USFWS outlined that warrants the state legislature intervening?
2. Is there a problem with the cleanup that warrants the state legislature interceding? If so, why is the state legislature not working to hold its state regulator accountable?
3. Why should sign language be codified in state law?
4. Why disenfranchise local governments and community members from working on signs for the site?
5. Given that the state's signs cannot be placed on federal property, what are the benefits that outweigh the costs?

Options for Moving Forward

Yesterday, Marc Williams (Arvada Council), Clark Johnson (Arvada Assistant City Manager) and I met with Rep. McKinley. During our meeting we proposed two ideas for breaking the long-standing impasse, neither of which Rep. McKinley expressed an interest in exploring.

Require CDPHE to report on the following

In 2006, the Stewardship Council “opposed unless amended” Rep. McKinley’s bill. We proposed the bill language be revised to strike the sign language and instead require CDPHE to (1) report on the procedure used by DOE and USFWS to solicit and incorporate stakeholder and public comments into their plan for signs and access, and other post-closure activities; (2) provide a summary of the plan for signs and access and other post-closure activities, and (3) provide a summary of stakeholder and public comments and recommendations received and rationale for decisions on final recommendations. In 2006, Rep. McKinley rejected this approach.

Ask the state legislature to approve a resolution requesting USFWS move up in time their plan to adopt language for signs it will place throughout the Refuge

The Rocky Flats Refuge Conservation Plan specifies that in addition to the entrance signs, the agency will develop information kiosks and signs interpreting the history of the site as a weapons facility and ongoing management needs. However, because USFWS does not yet have funding for the Refuge, the agency has been hesitant to work with the Stewardship Council on those signs. If the legislature agrees with the Stewardship Council that focusing on these signs at this time is necessary, the legislature could express through a formal mechanism the importance of convening a community dialogue on Refuge signs.

I trust there are additional, creative solutions that align with any principles the Board may adopt.

Please let me know what questions you have.

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0369.01 Duane Gall

HOUSE BILL 10-1127

HOUSE SPONSORSHIP

McKinley,

SENATE SPONSORSHIP

(None),

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING INFORMATION TO BE PROVIDED TO VISITORS AT ROCKY
102 FLATS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill requires the posting of signs and supplementary brochures at entrances to the Rocky Flats national wildlife refuge that contain specified information about the presence of, and risks posed by, plutonium and other toxic substances that were used in the production of nuclear weapons at the site.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds, determines, and declares that:

4 (a) The state of Colorado will be welcoming many visitors to this
5 state who may decide to visit the Rocky Flats National Wildlife Refuge
6 (refuge) and citizens of Colorado may also choose to do so;

7 (b) Current plans for the management of the refuge include
8 promoting field trips for Colorado school children;

9 (c) It is in the public interest and in furtherance of well-known
10 public health goals to fully inform members of the public who are
11 deciding whether to visit the refuge about the history of the former Rocky
12 Flats nuclear weapons plant and about the risk of exposure to
13 contaminants being left on the site.

14 **SECTION 2.** 25-11-103, Colorado Revised Statutes, is amended
15 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
16 read:

17 **25-11-103. Radiation control agency - powers and duties -**
18 **advisories concerning Rocky Flats.** (9) WHEN A NATIONAL WILDLIFE
19 REFUGE IS ESTABLISHED ON LANDS FORMERLY OCCUPIED BY THE ROCKY
20 FLATS NUCLEAR WEAPONS PLANT IN JEFFERSON COUNTY PURSUANT TO
21 THE FEDERAL "ROCKY FLATS NATIONAL WILDLIFE REFUGE ACT OF 2001",
22 PUB.L. 107-107, THE DEPARTMENT SHALL ENSURE THAT MEMBERS OF THE
23 PUBLIC, PRIOR TO ENTERING THE REFUGE, ARE PROVIDED WITH COMPLETE
24 AND OBJECTIVELY SUPPORTABLE INFORMATION INCLUDING, BUT NOT
25 LIMITED TO, THE FOLLOWING:

26 (a) (I) AT LEAST ONE PROMINENT AND CLEARLY LEGIBLE SIGN AT

1 EACH FOOT OR VEHICULAR ACCESS POINT TO THE REFUGE, BEARING THE
2 FOLLOWING NOTICE:

3 **PUBLIC ADVISORY**

4 **THE STATE OF COLORADO WISHES TO PROVIDE YOU**
5 **WITH INFORMATION CONCERNING THE HISTORY OF THE**
6 **ROCKY FLATS NATIONAL WILDLIFE REFUGE, FORMERLY**
7 **ROCKY FLATS NUCLEAR WEAPONS PLANT, THE**
8 **RADIOACTIVE AND OTHER HAZARDOUS MATERIALS THAT**
9 **WERE USED AND RELEASED AT THE SITE WHEN IT WAS IN**
10 **OPERATION, AND THE CLEANUP THAT HAS OCCURRED.**
11 **SOME CONTAMINATION MAY REMAIN IN THE SOIL AND**
12 **GROUNDWATER. DETAILED INFORMATION IS PROVIDED**
13 **IN THE CONTAINERS LOCATED NEAR THIS SIGN.**

14 (II) THE DESIGN AND CONSTRUCTION OF THE SIGNS REFERRED TO
15 IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) SHALL BE DEVELOPED IN
16 COLLABORATION WITH, AND SHALL BE SUBJECT TO THE APPROVAL OF, THE
17 EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF
18 TRANSPORTATION OR HIS OR HER DESIGNEE.

19 (b) IN ONE OR MORE WEATHERPROOF CONTAINERS LOCATED AT
20 THE BASE OF, OR IN CLOSE PROXIMITY TO, EACH OF THE SIGNS REFERRED
21 TO IN PARAGRAPH (a) OF THIS SUBSECTION (9), WRITTEN PAMPHLETS,
22 AUDIO RECORDINGS, OR BOTH, IN A FORM READILY ACCESSIBLE BY
23 MEMBERS OF THE PUBLIC AND CARRYING THE FOLLOWING MESSAGE, AT A
24 MINIMUM:

25 **"INFORMED CONSENT PUBLIC ADVISORY**

26 THE STATE OF COLORADO HAS DETERMINED THAT MEMBERS OF
27 THE PUBLIC SHOULD BE INFORMED OF THE FOLLOWING FACTS WHEN

1 DECIDING WHETHER TO ENTER ROCKY FLATS NATIONAL WILDLIFE
2 REFUGE:

3 ROCKY FLATS NATIONAL WILDLIFE REFUGE WAS A NUCLEAR
4 WEAPONS MANUFACTURING PLANT FROM 1950-1991. DURING THAT TIME,
5 THE UNITED STATES DEPARTMENT OF ENERGY (DOE) AND ITS
6 CONTRACTORS BURIED, BURNED, AND SPRAYED PLUTONIUM AND OTHER
7 RADIOACTIVE AND HAZARDOUS MATERIALS ON-SITE AT ROCKY FLATS.
8 SOME OF THESE ACTIONS WERE LEGAL, OTHERS ILLEGAL.

9 SINCE 1992, THE DOE HAS UNDERTAKEN CLEANUP OF THE SITE.
10 THE DOE, THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
11 (EPA), AND THE STATE OF COLORADO ACKNOWLEDGE THAT, AFTER THE
12 CLEANUP IS COMPLETE, DETECTABLE LEVELS OF PLUTONIUM AND OTHER
13 RADIOACTIVE AND HAZARDOUS MATERIALS WILL REMAIN IN THE SURFACE
14 AND SUBSURFACE SOILS AND IN THE GROUNDWATER, AND MAY BE PRESENT
15 IN DUST THAT BECOMES AIRBORNE AT THE SITE. PERSONS ACCESSING
16 ROCKY FLATS NATIONAL WILDLIFE REFUGE MAY BECOME EXPOSED TO
17 RADIOACTIVE AND OTHER HAZARDOUS MATERIALS THROUGH DUST IN THE
18 AIR OR THROUGH CONTACT WITH THE SOILS. THE RADIOACTIVE AND
19 HAZARDOUS MATERIALS ARE INVISIBLE TO THE NAKED EYE AND MAY BE
20 CARRIED HOME IN DIRT ON SHOES AND BELONGINGS. PLUTONIUM REMAINS
21 RADIOACTIVE FOR TENS OF THOUSANDS OF YEARS, AND IT CAN BE
22 HARMFUL IN VERY SMALL AMOUNTS IF INHALED, INGESTED, OR OTHERWISE
23 TAKEN INTO THE BODY, SUCH AS THROUGH AN OPEN WOUND.

24 THERE IS CONTROVERSY WITHIN THE SCIENTIFIC COMMUNITY
25 CONCERNING ACCEPTABLE LEVELS OF RISK FROM SUCH EXPOSURE AND THE
26 METHODS OF CALCULATING THAT RISK, AND THERE IS CONSIDERABLE
27 SCIENTIFIC UNCERTAINTY ASSOCIATED WITH THESE ISSUES.

1 ACCORDING TO NATIONAL AND INTERNATIONAL
2 STANDARD-SETTING BODIES, THERE IS NO SAFE LEVEL OF HUMAN
3 EXPOSURE TO PLUTONIUM OR OTHER MATERIALS THAT PRODUCE IONIZING
4 RADIATION. CANCER AND GENETIC DEFECTS ARE KNOWN EFFECTS OF
5 EXPOSURE TO LOW LEVELS OF IONIZING RADIATION. CHILDREN AND THE
6 ALREADY INFIRM ARE THE MOST AT RISK FROM LOW LEVELS OF IONIZING
7 RADIATION.

8 THE EPA AND THE STATE OF COLORADO, USING MATHEMATICAL
9 MODELING, HAVE DETERMINED THAT CLEANUP OF WHAT IS NOW THE
10 ROCKY FLATS NATIONAL WILDLIFE REFUGE HAS MADE THE REFUGE SAFE
11 FOR VISITORS AND WILDLIFE REFUGE WORKERS. THESE AGENCIES HAVE
12 ALSO DETERMINED THAT THE CLEANUP COMPLIES WITH THE WRITTEN
13 AGREEMENT BETWEEN THE EPA, THE DOE, AND THE STATE.

14 IN LIGHT OF THE SCIENTIFIC UNCERTAINTIES AND THE
15 CONTROVERSIES ABOUT RISK, MEMBERS OF THE PUBLIC CONSIDERING A
16 VISIT TO ROCKY FLATS NATIONAL WILDLIFE REFUGE SHOULD DECIDE FOR
17 THEMSELVES WHETHER THE RISKS ARE ACCEPTABLE TO THEM AND THEIR
18 FAMILIES."

19 (10) (a) THE DEPARTMENT SHALL ATTEMPT TO OBTAIN
20 REIMBURSEMENT FOR THE COSTS INCURRED IN CARRYING OUT THE
21 DIRECTIVES OF SUBSECTION (9) OF THIS SECTION FROM THE UNITED
22 STATES DEPARTMENT OF ENERGY PURSUANT TO THE "ROCKY FLATS
23 CLEANUP AGREEMENT" AND ANY OTHER AUTHORITY. IN ADDITION, THE
24 DEPARTMENT MAY ACCEPT PRIVATE GIFTS, GRANTS, AND DONATIONS FOR
25 THE PURPOSE OF CARRYING OUT THE DIRECTIVES OF SUBSECTION (9) OF
26 THIS SECTION. ANY SUCH GIFTS, GRANTS, AND DONATIONS SHALL BE
27 SEPARATELY HELD AND ACCOUNTED FOR.

1 (b) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
2 DEPARTMENT NOT BE REQUIRED TO SOLICIT GIFTS, GRANTS, OR DONATIONS
3 FROM ANY SOURCE FOR THE PURPOSES OF THIS SECTION AND THAT NO
4 GENERAL FUND MONEYS BE USED TO PAY FOR SIGNS OR OTHER MATERIALS
5 PURCHASED IN ACCORDANCE WITH SUBSECTION (9) OF THIS SECTION.

6 (c) IF, WITHIN TWELVE MONTHS AFTER THE OPENING OF THE
7 REFUGE TO THE PUBLIC, THE AMOUNT OF MONEYS COLLECTED BY THE
8 DEPARTMENT FROM THE UNITED STATES DEPARTMENT OF ENERGY AND
9 PRIVATE GIFTS, GRANTS, AND DONATIONS IS NOT SUFFICIENT TO PURCHASE
10 THE SIGNS REQUIRED BY PARAGRAPH (a) OF SUBSECTION (9) OF THIS
11 SECTION AND AT LEAST A THIRTY-DAY SUPPLY OF THE PAMPHLETS,
12 RECORDINGS, OR OTHER MATERIALS REASONABLY ANTICIPATED TO BE
13 REQUIRED UNDER PARAGRAPH (b) OF SUBSECTION (9) OF THIS SECTION,
14 THE DEPARTMENT SHALL NOT UNDERTAKE ANY DUTIES PURSUANT TO
15 SUBSECTION (9) OF THIS SECTION AND SHALL RETURN TO EACH GRANTOR
16 OR DONOR AN AMOUNT EQUAL TO SUCH GRANTOR'S OR DONOR'S
17 CONTRIBUTION. THE INTEREST, IF ANY, EARNED FROM THE INVESTMENT
18 OF GIFTS, GRANTS, AND DONATIONS SHALL BE TRANSFERRED TO THE
19 GENERAL FUND.

20 (11) EXCEPT IN THE EVENT OF A FAILURE TO OBTAIN NECESSARY
21 FUNDING AS SPECIFIED IN PARAGRAPH (c) OF SUBSECTION (10) OF THIS
22 SECTION:

23 (a) THE DEPARTMENT SHALL USE ALL REASONABLE EFFORTS TO
24 ENSURE THAT THE INFORMED CONSENT PUBLIC ADVISORY PAMPHLETS AND
25 RECORDINGS SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (9) OF THIS
26 SECTION ARE INCLUDED IN THE MATERIALS DISTRIBUTED TO THE PUBLIC AT
27 ANY COLD WAR MUSEUM OR ROCKY FLATS MUSEUM THAT MAY BE

1 CONSTRUCTED; AND

2 (b) NO MINOR PERSON ENROLLED IN ANY SCHOOL IN COLORADO
3 MAY ENTER THE ROCKY FLATS NATIONAL WILDLIFE REFUGE AS PART OF
4 A SCHOOL FIELD TRIP WITHOUT FIRST RECEIVING A WRITTEN COPY OF THE
5 INFORMED CONSENT PUBLIC ADVISORY INFORMATION SPECIFIED IN
6 PARAGRAPH (b) OF SUBSECTION (9) OF THIS SECTION.

7 **SECTION 3. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.

CONDITIONAL FISCAL IMPACT

Drafting Number: LLS 09-0450
Prime Sponsor(s): Rep. McKinley

Date: January 14, 2009
Bill Status: House Agriculture
Fiscal Analyst: Amy Larsen (303-866-3488)

TITLE: CONCERNING INFORMATION TO BE PROVIDED TO VISITORS AT ROCKY FLATS.

| Fiscal Impact Summary | FY 2009-2010 | FY 2010-2011 |
|--|-------------------------|---------------------|
| State Revenue | Potential Increase | |
| Cash Funds - Gifts, Grants or Donations | | |
| State Expenditures | Potential Increase " | |
| Cash Funds - Gifts, Grants or Donations Federal Funds | | |
| FTE Position Change | 0.0 FTE | 0.0 FTE |
| Effective Date: Upon signature of the Governor or upon the bill becoming law without his signature. | | |
| Appropriation Summary for FY 2009-2010: None | | |
| Local Government Impact: None | | |

Summary of Legislation

The bill requires the Department of Public Health and Environment (DPHE) to develop and post public notices regarding public health and safety information at entrances to the Rocky Flats National Wildlife Refuge. The design and construction of signs are subject to the approval of the executive director of the Department of Transportation. Written pamphlets, audio recordings, or both are required to be close to each sign informing the public of the history and possible health risks arising from entering the refuge.

The bill also requires the DPHE to use all reasonable efforts to make information available at any cold war museum that may be built in Colorado. In addition, minors enrolled in any Colorado school on a field trip to the refuge may not enter without first receiving a copy of the informed consent public advisory information.

The bill prohibits the use of General Fund to pay for signs or other materials. The DPHE must attempt to obtain funds from the U.S. Department of Energy, and it may accept gifts, grants and donations for the purposes of the bill. Should funding from these sources be insufficient, The DPHE is not to undertake the duties outlined in the bill.

Background

In July 2007, the Rocky Flats National Wildlife Refuge was transferred from the U.S. Department of Energy to the U.S. Fish and Wildlife Service. Currently, there is no public access to the refuge, and no federal funding has been made available to make improvements to the refuge for public access. A total of 6 public access points are planned, but are not expected to be fully completed for about 15 years.

State Revenues

The DPHE is required to seek federal reimbursement from the U.S. Department of Energy for costs incurred as a result of the bill. In addition, the DPHE may accept private gifts, grants, and donations to carry out the directives in the bill, but it is not required to solicit donations. No such funding has been identified, but a total of \$225,332 is required to cover the expenditures identified.

State Expenditures

State expenditures are conditional upon the Rocky Flats National Wildlife Refuge opening to the public and the receipt of sufficient federal or private funds. The U.S. Fish and Wildlife Service has developed plans for public access to the refuge, but it is unknown as to when funds would be available to make necessary improvements. Once the public has access to the refuge, state costs identified for signs, as specified in the bill, are conditional upon the receipt of sufficient federal or private funds. If sufficient funding is available, total state expenditures are anticipated to be \$223,562 for the DPHE. Total state expenditures are shown in Table 1 and described below.

| Table I. HB09-1060 - Total Estimated Expenditures for the Department of Public Health and Environment | | | |
|--|------------------------------------|-------------------------------|------------------|
| | 1 Vehicle Pull-out Site | 5 Pedestrian Sites | Total |
| Personal Services - about 500 hours total | \$8,654 | \$8,654 | \$17,308 |
| Land Purchase and Site Development | 105,000 | | 105,000 |
| Purchase of Easements | | 25,000 | 25,000 |
| Purchase of Kiosks | 10,000 | 50,000 | 60,000 |
| Legal Services | 3,004 | 15,020 | 18,024 |
| Total Expenses | \$126,658 | \$98,674 | \$225,332 |

Expenses shown in Table 1 are based on the following assumptions:

- the department will require about 500 hours total to compile and review the necessary information and to procure and manage the contracted services;

- the department will purchase one quarter acre of land to construct a vehicle "pull out" to house the public notice sign and materials (\$105,000 for site purchase and development);
- easements for kiosks at 5 walking path access points will cost \$5,000 each;
- the development and placement of 6 weather-proof kiosks along the proposed refuge access points (1 for vehicles, 5 walking paths) to house written and audio public disclosure materials will cost \$10,000 each; and
- 240 hours of legal services will be required to acquire the property and easements (40 hours for each access point).

State Appropriations

Since the expenditures are conditional upon receipt of federal or private funds, no appropriation is required.

Departments Contacted

Public Health and Environment
Education

Transportation

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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
Karen Imbierowicz

MEMORANDUM

TO: Board
FROM: David Abelson
SUBJECT: Rocky Flats Stewardship Council Membership Applications
DATE: January 20, 2010

I have scheduled 45 minutes for the nine governments to interview candidates for the four community representative seats on the Board of Directors and to make appointments. The terms start following your appointments.

Six individuals/groups candidates submitted applications:

Arthur "Murph" Widdowfield
Friends of the Front Range Wildlife Refuges
League of Women Voters
Lorraine Anderson
Rocky Flats Cold War Museum
Rocky Flats Homesteaders

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, DOE identified 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

Each of the applicants was asked to identify the membership category which best represents their interest/perspective.

Below are the six applications. In order to make them easier to review, I have copied the substance of the applications into this memo.

Please let me know what questions you have.

Action Item: Interview candidates and make appointments

Arthur “Murph” Widdowfield

Director: Arthur “Murph” Widdowfield

Membership category: Individual

Years of service on the Rocky Flats Stewardship Council: 0

Number of individual/groups organization represents: Self

Can meet time commitment: Yes

Statement of Interest:

I have lived in the Wheat Ridge or Arvada area since 1948 and have always had an interest in Rocky Flats since the weapons plant was built. I worked on some of the facilities at the plant as a construction worker and as a contractor. Some of my neighbors over years have been employees at the Rocky Flats Plant. I am very pleased that the site has become a wildlife area and I wish that it could continue as such.

I have a very good background in serving on boards, committees and with operating groups. I have been owner, president of two contracting companies and a supply company. Having spent thirty one years with the Rotary Club of Lakewood, I have been on the Board of Directors, held the office of Secretary, Vice President and President. I have served on the Rotary International Youth Exchange and was the chairman for four years. I was one of three founders of the Rotary Youth Leadership Award conference, a one week long leadership conference for high school juniors and seniors which is now in its twenty fourth year.

As a specialty industrial contractor, our corporation operated in almost all states including Alaska and Hawaii. We held licenses in all states that require such. Our specialty was high temperature systems, such as furnaces, high pressure boilers and the operating systems. Our services ranged from engineering to modifications and new construction.

As I am not sure of the total mission for the Stewardship Council and therefore not exactly sure what I would expect to accomplish in serving. I have a sincere interest and believe in the Rocky Flats area and wish to see it stay protected and operate its wildlife capabilities. I believe that I could be an asset to the council. I am retired and have the time and energy available as an individual.

Conflicts of Interest: None

Directors/Alternate Director(s) Biography:

See statement of interest

Friends of the Front Range Wildlife Refuges

Director: D. Jean Tate

Alternate Director: Carolyn Boller

Alternate Director: Jeanette Alberg

Membership category: Other

Years of service on the Rocky Flats Stewardship Council: 0

Number of individual/groups organization represents: 99. We plan a substantial membership drive in 2010 and expect this number to grow markedly.

Can meet time commitments: Yes

Statement of Interest:

The Friends of the Front Range Wildlife Refuges (FFRWR) as a group and as represented primarily by Dr. D. Jean Tate meet each of the characteristics that DOE identified in 2005 to guide membership in the Stewardship Council as demonstrated by the following.

- Our Mission Statement: The mission of Friends of the Front Range Wildlife Refuges (FFRWR) is to support and promote the Rocky Mountain National Wildlife Refuge and Rocky Flats National Wildlife Refuge in their efforts to conserve and restore native habitat and wildlife, as well as to provide meaningful opportunities for the public to experience wildlife and nature near a major metropolitan area.
- Our General Objectives:
 - To heighten awareness of the Front Range refuges
 - To sponsor events to promote the Front Range refuges and membership within the Friends Group
 - To foster initiatives to preserve, and where appropriate, restore natural areas on these refuges
 - To support US Fish and Wildlife Service projects and programs on these refuges with money, labor, and materials contributed by our members and solicited from the community at large
 - To embrace and promote the entire National Wildlife Refuge System.
- Because of our interest in the environment, habitats, and public stakeholders of the Rocky Flats National Wildlife Refuge and nearby associated lands, FFRWR is definitely impacted by and interested in a majority of the scope topic areas of the Stewardship Council.
- Because of our interest and dedication to the environmental health of this area, we are willing to invest time and energy on all of the RFSC topic areas.
- Most of our Board Members have lived in the Metro Denver area for a long time and have some familiarity with Rocky Flats history, the cleanup process, etc.; in addition, Dr. D. Jean Tate worked on Rocky Flats and played an active role in identifying environmental issues on the site—Carolyn Boller has provided constituent services (veterans, military, labor, Rocky Flats labor, Adams County, difficult cases and effort at Rocky Flats, securing \$10m to finalize the site transfer.
- Our Board Members and our general membership comes primarily from the Denver Metro Area and represent a broad constituency with a wide diversity of viewpoints, that typically include support of human and environmental health.

- Because of the diversity of our backgrounds, familiarity with governmental groups and agencies as well as with the natural environment, and because our group includes innovative thinkers, we will bring ideas to the table that are not only new, but also reasonable and implementable.

Our membership category is listed as “Other”, because we have a unique interest in Rocky Flats, and also bring both public/environmental interests and technical expertise to the table. Thus, our Friends Group and our particular Directors could fit into several of the potential membership categories listed. As a Friends Group with a Mission Statement and General Objectives, our particular interest in the Rocky Flats National Wildlife Refuge and variously interconnecting areas is unique and offers a perspective not held by any other group, on or off the current RFSC Board. The diverse backgrounds of our designated Director and Alternate Directors relative to Rocky Flats bring a particular depth of technical expertise in environmental issues, constituent services, political perspectives, and Rocky Flats history that would complement the expertise of others on the RFSC Board.

Conflicts of Interest: None

Directors/Alternate Director(s) Biography:

D. Jean Tate, Ph.D., Director: Dr. Tate has been an applied ecologist for over 30 years, focusing her work on biological inventory and environmental impacts, including ecological risk. She worked on several projects at Rocky Flats Plant (two wetlands evaluations, two floodplain evaluations, and two threatened and endangered species evaluations; and Operable Unit 1 Environmental Evaluation; Site-wide Ecological Baseline—see attached resume for further details) between October 1990 and July 1992. She is familiar with both the biota and the health and safety concerns associated with the former Rocky Flats Plant, lives within 5 miles of the Rocky Flats Boundary, and is greatly interested in the long-term future of the Rocky Flats environment and surrounding communities. Dr. Tate is on the Board of Directors of the Friends of the Front Range Wildlife Refuges (FFRWR), where she serves as President, and on the Board of the Rocky Mountain Bird Observatory.

Carolyn Boller, Alternate Director: Ms. Boller has been affiliated with the Colorado political process since 1986, successively supporting the Tim Wirth Campaign, the Office of Congressman David Skaggs, serving as executive Director of the Colorado Democratic Party, and supporting the Office of Senator Mark Udall. Her primary roles have been with constituent services (veterans, military, labor, Rocky Flats labor, Adams County, difficult cases, and outreach around these areas). Prior to this, Ms Boller completed a successful career with Frontier Airlines reservations. Ms. Boller is on the Board of Directors of FFRWR where she serves as Vice President.

Jeanette Alberg, Alternate Director: Ms. Alberg has been a key player in the Colorado political process since 1999. She initially managed the Southeast Colorado field office as District Aide for Congressman Bob Schaffer, and then served as Area Director for U.S. Senator Wayne Allard from 2000 to 2009. As Area Director she managed the Denver office, which served three million constituents in 13 counties. Her primary policy focus areas include renewable energy, energy, aerospace, environmental clean-ups (Rocky Flats, Rocky Mountain Arsenal, Lowry Landfill), Federal research laboratories (NREL, NOAA, NIST, NCAR), water and transportation. She led

the mineral acquisition effort at Rocky Flats, securing \$10m to finalize the site transfer. Ms. Alberg is on the Board of Directors of FFRWR where she serves as Secretary.

League of Women Voters

Director: Jeannette Hillery

Alternate Director: Sue Vaughn

Membership category: Public Interest

Years of service on the Rocky Flats Stewardship Council: 4

Number of individual/groups organization represents: 22 local leagues statewide, over 1700 members

Can meet time commitments: Yes

Statement of Interest:

The League of Women Voters has a long history of promoting public process and education of the public in all areas of governmental interest. We have been active participants with Rocky Flats for years and been members of the Stewardship Council since 2005. We feel that we provide a public perspective to the ongoing process of the closed Rocky Flats facility.

We wish to see that there is ongoing monitoring at the site and that the land surrounding it be preserved. We promote public dialogue on any subject that might arise. By asking questions and joining the dialogue, we feel we have added to the ongoing issues of the Council. Continued membership will add to the continuity of the Council which is always beneficial to new members.

Conflicts of Interest: None

Directors/Alternate Director(s) Biography:

Jeannette Hillery, Director:

I have been a member of the League of Women Voters for over 30 years. In the past 16 years I have been involved with Natural Resources issues for the Colorado League and am the state contact on Natural Resources.

During the 1990s I participated in EPA training on involving citizens in public discussion of nuclear power plant closures. I have extensive experience in moderating a variety of forums and debates. I have been on the Boulder County Board of Health (10 years), City of Boulder Water Resources Advisory Board (10 years), a continuing member of the Colorado Water Quality Forum, and on the Water and Wastewater Facilities Operators Certification Board (Chair '09 - '10). I have been a member of the RFSC for 4 years.

Sue Vaughn, Alternate Director: As an active member for seven years in League of Women Voters of Jeffco, I have been involved in a variety of activities related to Rocky Flats. These include chairing a committee to update our members on Rocky Flats since its closing, observing RFSC meetings for two years, and later serving as an alternate for League of Women Voters on the RFSC board for three years. In addition, I have served on our local board of LWV for three years as government portfolio chair and have chaired numerous committees to study issues which impact Jefferson County, as well as acting as chairperson for our school board observer corps. Prior to joining League, I taught deaf and hard of hearing students for 30 years. Since

retiring from Jefferson County Schools, I have been hired back as a part-time consultant to the school district.

Lorraine Anderson

Director: Lorraine Anderson

Membership category: Individual

Years of service on the Rocky Flats Stewardship Council: 4 (Also served on Rocky Flats Coalition of Local Governments [1999-2006] and Rocky Flats Local Impacts Initiative [1993-1999])

Number of individual/groups organization represents: self

Can meet time commitments: Yes

Statement of Interest:

I have served on both the Rocky Flats Coalition of Local Governments as well as the Rocky Flats Stewardship Council. I have a historic background in the cleanup activities as well as the issues facing the stewardship council. I believe that I can bring value to the council as they deliberate on-going issues relating to the stewardship of the wildlife refuge and the protected area. I would like to continue to serve my community on the council.

Conflicts of Interest: None

Directors/Alternate Director(s) Biography:

Lorraine served on Arvada City Council from 1986 – 2009. During that time she served on numerous boards and commissions, including the Rocky Flats Stewardship Council, Rocky Flats Coalition of Local Governments, Rocky Flats Local Impacts Initiative, Energy Communities Alliance, the Department of Energy Environmental Management Advisory Board, Colorado Municipal League, plus a host of other local, regional and national organizations.

Rocky Flats Cold War Museum

Director: Shirley Garcia

Alternate Director: Ann Lockhart

Membership Category: Historic Preservation

Years of Service on the Rocky Flats Stewardship Council: 4

Number of Individual/Groups Organization Represents: The Rocky Flats Cold War Museum Board consists of 10 board members who include former Rocky Flats workers, former Colorado Department of Public Health and Environment staff, a Rocky Flats activist, a nearby landowner, and approximately 20 volunteers.

Can Meet Time Commitments: Yes

Statement of Interest:

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 thousands of artifacts as well as oral histories of more than 90 former workers, activists, government regulators and political leaders. The artifacts will be utilized for exhibits and educational material in traveling exhibits and a eventually in a museum facility to preserve the historic impact Rocky Flats had at the local, state, regional national and world-wide level.
2. The museum board received funding by the Department of Energy to design and present an exhibit reflecting historical activities of the Rocky Flats Site. The funding allowed the Board to hire professionals in the field to design an exhibit and develop story lines that reflect the history of the site and its impacts on surrounding governments and the community.
3. The Federal government, which owned and operated the Rocky Flats Nuclear Weapons Plant for more than 50 years, has a significant reasonability in preserving the unique history of the plant. Rocky Flats plays an integral role in the Cold War and also had a significant effect on nearby suburbs and the entire Denver metropolitan area. The story still continues with activities at other DOE facilities and our experience will be used to facilitate preserving the history of other DOE facilities that have gone through closure or player a part in the Cold War era.
4. The Fish and Wildlife Service's Comprehensive Conservation Plan (CCP) has identified the Rocky Flats Cold War Museum as the entity the Service will work with to identify language to reflect the historical aspect of the site on signage to be placed at the Rocky Flats Refuge. With the scope of the Rocky Flats Cold War Museum biding to preserve the history of Rocky Flats at all levels, we are charged to reflect the historical views of the workers, communities, regulators, governments and activists.
5. The Rocky Flats Stewardship Council supports the development of the Rocky Flats Cold War Museum to commemorate the efforts of the thousand of former employees who worked at the plant and in recognition of this important history.
6. 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 Flat workers, a former activist, an architect who planned building 060 and 061, former Colorado Department of Public Health and Environment employees actively involved with Rocky Flats issues, a nearby landowner,

staff from nearby communities and consultants. The board is compiling a list of key contacts that are knowledgeable about various aspects of the site and plant history.

Conflicts of Interest: None

Directors/Alternate Director(s) Biography:

Shirley Garcia, Director

Shirley Garcia is the Environmental Services Coordinator for the City and County of Broomfield. Shirley is responsible for reviewing and commenting on reports generated by Legacy Management pertaining to long-term stewardship activities at the Rocky Flats site. She has almost 15 years of experience working at Rocky Flats and two years as the Compliance Contact at a clean-up site in Utah. Shirley is the current President for the Rocky Flats Cold War Museum and Chair of the Education Committee. In addition to Rocky Flats oversight, Shirley is also responsible for waste management and compliance activities for the City and County of Broomfield. Shirley is the current President of the Rocky Mountain Chapter of the North American Hazardous Materials Management Association and is a member of the Certified Hazardous Waste Management Association. Shirley serves on the Governor's Pollution Prevention Advisory Board Assistance Committee issuing technical and recycling grants for the state of Colorado. She is also the Director of the Children's Equipping Center at Church In The City-Beth Abraham working with inner city youth. Shirley has a B.S. in Environmental Science and a M.S. in Environmental Management and Regulatory Compliance.

Ann 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 rock Flats Historical Public exposure Studies team in the 1990s, she focused on communicating the potential off-site health impacts from the former nuclear weapons plant's toxic emission 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, was a previous President and Secretary of the organization. She currently is the chair of the Oral History Committee and Communications Committee. Ann is responsible for starting and drafting an online museum newsletter 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 Issue* 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 Communication from the University of Denver. A long-time Toastmaster, she's also been active in the National Federation of Press Women.

Rocky Flats Homesteaders

Director: Roman Kohler

Alternate Director: Kathleen Bacheller

Membership category: Former Rocky Flats workers

Years of service on the Rocky Flats Stewardship Council: 4

Number of individual/groups organization represents: 1800

Can meet time commitment: Yes

Statement of Interest: Representing former Rocky Flats workers

Conflicts of Interest: None

Directors/Alternate Director(s) Biography:

Roman Kohler, Director

Roman is a 27-year veteran of Rocky Flats (1968 – 1995). He worked as an hourly Steelworker and as a salaried manager. He is a board member of the Rocky Flats Homesteaders, a social organization for retirees of the Rocky Flats Plant. He is a board member of the Rocky Flats Retired and Disabled Workers Benefits Information and Protection Committee, a committee chartered to follow any changes to retiree benefits, health or retirement plans, and to campaign for security of retiree benefits. He is the editor and distributor of the Rocky Flats Homesteaders Newsletter. The newsletter is distributed to the 1800 dues-paying members of the Homesteaders. The newsletter is distributed five times a year, and is the primary communication of the retirees living throughout the United States and abroad. He has been the designated representative for retirees from the Rocky Flats Plant, both hourly and salary.

Kathleen Bacheller, Alternate Director

Kathleen is a 10-year veteran of Rocky Flats. She has been a board member of the Rocky Flats Homesteaders since February 2006. She has served as alternate director for the Homesteaders since 2008.