

ROCKY FLATS STEWARDSHIP COUNCIL

Monday, October 30, 2023

8:30 – 10:45 AM

Board members in attendance: Randy Moorman (Director, Arvada), Jacob Moyer (Alternate, Arvada), Tara Winer (Director, City of Boulder), Claire Levy (Director, Boulder County), Nick Robles (Alternate, Boulder County), Bill Fisher (Director, City of Golden), Pat O’Connell (Alternate, Jefferson County), Rich Kondo (Director, Northglenn), Shelley Stanley (Alternate, Northglenn), Laura Farzim (Alternate, Northglenn), Bob McCool (Director, Superior), Jan Kulmann (Director, Thornton), Caleb Owen (Alternate, Thornton), Rich Seymour (Director, Westminster), Trea Nance (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Linda Porter (Alternate, League of Women Voters), Roman Kohler (Director, Rocky Flats Homesteaders), Kim Griffiths

Stewardship Council staff members and consultants in attendance: David Abelson (Executive Director), Barb Vander Wall (Setter & Vander Wall, P.C)

Members of the public in attendance: Andy Keim (DOE-LM), Dana Santi (RSI), George Squibb (RSI), Harry Bolton (RSI), John Boylan (RSI), Karin McShea (RSI), Lisa Bade (RSI), Padraic Benson (DOE-LM), Ryan Wisniewski (RSI), Brian Walker (CDPHE), David Connolly (EPA), Laura Hubbard (Broomfield), Chris Allred, Emerald Thomas, Lynn Segal, Travis Culley, Bob Cleek, Alyesa Casse

Convene/Agenda Review: Jan Kulmann convened the meeting at 8:32 am.

Public Comment: Lynn Segal spoke about the Marshall Fire, saying it was linked to plutonium dumping in the 1970s in Marshall Lake, a private landfill approximately six miles north of Rocky Flats. She stated Travis Culley’s father saw Atomic Energy Commission employees dumping Rocky Flats waste in the lake in 1979. Chris Allred expressed his ongoing concern for the meeting location, day and time. He is also concerned that the in-person meetings are not recorded. Travis Culley stated that the Stewardship Council has failed to meet its objectives. He then talked about the Marshall Fire, echoing Lynn Segal’s comments.

Consent Agenda: The consent agenda included the draft September 18, 2023, meeting minutes and checks written since that meeting. Roman Kohler moved to approve the minutes. The motion was seconded by Claire Levy. The motion to accept the minutes passed 11-0. Jeannette Hillery moved to approve the checks. The motion was seconded by Roman Kohler. The motion to accept the checks passed 11-0.

Executive Director’s Report: David Abelson started by noting that this meeting would be Melissa Weakley’s final meeting before she resigns at the end of November. David spoke about the value she brought over the years to the organization and explained that her level of technical expertise was no longer needed. He does not plan to replace her. Melissa missed the meeting due to illness.

David next spoke about a recent technical meeting of the International Atomic Energy Agency (IAEA), that he attended. The focus was stakeholder engagement around nuclear sites – either existing sites in the US and throughout the world, or the development of nuclear power plants. Attendees were from the US, South America, Asia, Africa, and Europe. He served on two panels: (1) stakeholder engagement

and (2) coalition building. David also participated in a small meeting with the Director General of the IAEA. There were four main takeaways that are relevant to Rocky Flats:

1. The high level of elected official engagement at the Stewardship Council is extremely rare. Do not take for granted what we have here.
2. The loss of institutional knowledge is a universal concern. Knowledge transfer is a major challenge.
3. A small group of constituents seeking to dominate the public narrative is common. Those views are not necessarily reflective of the broader community values and priorities. Tactics that meeting participants spoke of include misinformation and personal attacks.
4. With social media, the best outcome to counter misinformation is a draw. The idea that we can win a social media campaign on issues involving the word “nuclear” is impossible.

2024 Work Plan – Approval: David noted that the work plan was presented and discussed at the September 2023 meeting and October executive committee meeting. No changes were offered.

Rich Kondo moved to approve the 2024 Work Plan. The motion was seconded by Roman Kohler. The motion to accept the work plan passed 11-0.

2024 Budget – Budget Hearing and Adoption: The Board reviewed the draft budget at the September 2023 meeting. Prior to finalizing the budget, the Board must hold a budget hearing and allow time for public comment. Following the public hearing, the Board must approve the budget resolution.

Barb Vander Wall explained the budget hearing process, in which the Chair opens the hearing, comments are received, and then the Chair closes the hearing. She explained that the Stewardship Council is a unit of local government, a political subdivision under Colorado law, and that one of its obligations is to adopt a budget on an annual basis showing its revenues and expenditures. This process is to be completed by the end of the year and filed by the end of January. A notice of this public budget hearing was published.

Jan Kulmann opened the hearing for the 2024 budget. She asked for public comments.

Travis Culley expressed concern about the section of the budget for maintaining the website, arguing written comments, whether offered at a meeting or at any other times, should be posted on the Stewardship Council website. Chris Allred urged disapproval of the budget, saying the DOE grant creates an inherent conflict of interest. Lynn Segal spoke about the conflict in the Gaza Strip. Tara Winer eventually asked her to stick to the budget or to sit down, that international conflict was beyond the Stewardship Council’s focus and thus not pertinent to any discussion of the Stewardship Council budget.

Claire Levy moved to approve the 2024 Budget. The motion was seconded by Kim Griffiths. The motion to accept the budget passed 11-0.

Community Representatives Appointments: Jan explained that there had been four applicants for the two open non-governmental seats on the Stewardship Council—the League of Women Voters, Rocky Flats Homesteaders, Emerald Thomas, and Travis Culley. The applications were included in the October meeting packet (see <https://www.rockyflatssc.org/meeting-information>)

Each applicant spoke to their applications, answering questions from the Board. A vote by the nine governments followed the presentations and Q&A.

Vote Count:

League of Women Voters – 9 votes
Rocky Flats Homesteaders – 8 votes
Emerald Thomas – 1 vote
Travis Culley – 0 votes

Host DOE Quarterly Meeting:

The report and presentation cover the 2023 second quarter.

Surface Water Monitoring – George Squibb

George began by discussing water monitoring at the Original Landfill (OLF). At Woman Creek (monitoring location GS59) all quarterly concentrations were below applicable Rocky Flats Legacy management Agreement (RFLMA) standards. At the Present Landfill (location PLFSYSEFF, the system effluent), although the system is not intended to treat metals, boron in the system effluent regularly exceeds the RFLMA Table 1 standard. The RFLMA parties are conducting an ongoing evaluation to determine an appropriate path forward. Details regarding RFLMA consultations for boron can be found in Contact Record 2006-02 and Contact Record 2022-02. Quarterly concentrations for all other analytes were below applicable RFLMA standards. (Records can be found at:

https://lmpublicsearch.lm.doe.gov/SitePages/default.aspx?sitename=Rocky_Flats)

Additionally, no RFLMA Point of Compliance (POC) or Point of Evaluation (POE) analyte concentrations were reportable during the quarter.

Groundwater Monitoring and Operations – John Boylan

John started with an overview of the RFLMA groundwater monitoring network. During the quarter there were no changes to the monitoring network. The system consists of:

- 10 Resource Conservation and Recovery Act wells (quarterly sampling). These wells evaluate potential impacts from OLF and PLF.
- Nine Area of Concern wells and one surface water support location (semiannual sampling). These wells are located in drainages downstream of contaminant plumes. They evaluate for plumes discharging to surface water.
- 27 Sentinel wells (semiannual sampling). These wells are downgradient of treatment systems, near plume edges, and in drainages. They monitor for plumes migrating to surface water and treatment systems.
- 42 Evaluation wells (biennial sampling). These wells are within plumes, near source areas, and interior of Central Operable Unit, the DOE-managed lands. These wells are used to evaluate whether monitoring of an area or plume can cease.
- Nine treatment system locations (seven semiannually, two quarterly).

Regarding RFLMA monitoring, all RFLMA locations except Evaluation wells were scheduled for monitoring. Evaluation wells are scheduled for the second quarter of even-numbered years. Monitoring results were generally consistent with previous data. Data will be evaluated and discussed in the annual

report for 2023. CDPHE and EPA observed monitoring activities at several PLF RCRA wells. Observation is routine and periodic with the last observation in 2021.

John then reviewed the groundwater monitoring network, using a map as a guide.

He concluded by discussing the Solar Ponds Plume Treatment System. Their contractor staff completed uranium treatment testing on May 9, removing the testing facility and replacing subsurface effluent discharge gallery.

Site Operations – Harry Bolton

Harry started by discussing the various signs across the DOE lands and between the DOE lands and the National Wildlife Refuge. Signs are inspected quarterly and replaced or reattached as needed. Staff inspected the sites of former buildings (371, 771, 881, and 991). No issues were identified.

Other activities included 2023 road maintenance – regrading site roads, adding road base as needed, refurbishing rock crossings, and adding a dust suppressant.

The PLF was inspected on May 16, 2023, with additional weather inspections on April 27 and May 12. No issues were identified. At the OLF, monthly inspections were completed, along with additional weather inspections on April 27, May 12 and May 16. Staff also walks down the OLF monthly. No issues including any slumping was observed.

Ecology – Karin McShea

Karin started by discussing the willow stakes, a habitat enhancement project. During the quarter, staff also monitored wildlife, including nest box surveys. Staff monitored and managed vegetation, including weed mapping, wetland surveys, weed control and interseeding.

The quarterly report can be found at: https://lmpublicsearch.lm.doe.gov/lmsites/45778_rfs_2q23.pdf

Big Picture/Additional Questions/Issue Identification: David went through the Big Picture.

February 5, 2024

Business Items

- Elect 2024 Officers
- Adopt resolution re: 2024 meeting date

Briefing Items

- DOE Quarterly Update
- RFSC History

April 1, 2024

Briefing Items

- RFSC organizational review

June 3, 2024

Business Items

- Receive 2023 Audit

Briefing Items

- DOE Quarterly Update

Issues to watch:

- Uranium and plutonium reportable conditions
- North Walnut Creek slump
- Air quality monitoring (wildfire)

Board Roundtable:

No comments were offered.

Executive Session

At 10:10 a.m. Rich Seymour made a motion to move into Executive Session for the purpose of discussing Stewardship Council personnel contracts for 2024, authorized pursuant to Section 24-6-402(4)(e) & (b), C.R.S., to determine positions relative to matters that may be subject to negotiation, and conferencing with the attorney on such matters. Jeannette Hillery seconded the motion. The motion passed 11-0.

The Board reconvened from Executive Session at 10:45 a.m. and affirmed that no actions had been taken during Executive Session.

The Board meeting adjourned at 10:45 a.m.

Respectfully submitted, David Abelson