

ROCKY FLATS STEWARDSHIP COUNCIL
Monday, October 30, 2017, 8:30 – 11:30 a.m.
Rocky Mountain Metropolitan Airport, Terminal Building, Mount Evans Room
11755 Airport Way, Broomfield, Colorado

Board members: Mark McGoff (Director, Arvada), Sandra McDonald (Alternate, Arvada), Megan Davis (Alternate, Boulder County), Lisa Morzel (Director, Boulder), Mike Shelton (Director, Broomfield), David Allen (Alternate, Broomfield), Libby Szabo (Director, Jefferson County), Joyce Downing (Director, Northglenn), Chris Hanson (Director, Superior), Sandy Pennington (Alternate, Superior), Jan Kulmann (Director, Thornton), Emily Hunt (Alternate, Thornton) Bruce Baker (Director, Westminster), Mary Fabisiak (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Murph Widdowfield (Director, Rocky Flats Cold War Museum), Susan Flack, (Alternate, Rocky Flats Cold War Museum), Roman Kohler (Director, Rocky Flats Homesteaders)

Stewardship Council staff and consultants: David Abelson (Executive Director), Barbara Vander Wall (Seter & Vander Wall, P.C.), Rik Getty (Technical Program Manager), Ann Lockhart (Minutes)

Attendees: Christine Hawley (WCRA), Shirley Garcia (Broomfield), Ryan Hanson (Sen. Gardner), Carl Spreng (CDPHE), Lindsay Masters (CDPHE), Linda Kaiser (Navarro), Patty Gallo (Navarro), Jeremy Wehner (Navarro), John Boylan (Navarro), Bob Darr (Navarro), Jody Nelson (Navarro), Jeffrey Murl (DOE-LM), Vera Moritz (EPA), John Boylan (Navarro), Jeff Gipe, Marion Whitney, Bonnie Graham-Reed, Diane Vigil, Kim Griffiths, Tiffany Hansen, Nick Hansen, Pat Mellen, Elizabeth Panzer and Paul Karolyi (journalist, Changing Denver).

Convene/Agenda Review: Vice Chair Chris Hanson opened the meeting at 8:45 a.m. and listed the topics to be covered.

Public comment on Consent Agenda and Non-Agenda Items: Pat Mellen of the law offices of Randall Weiner wanted a correction to the September Stewardship Council update email. She said the judge dismissed the lawsuit against the U.S. Fish & Wildlife Service (USFWS) without prejudice, and wanted to clarify that the judge would allow for costs but not attorney fees. She said the USFWS did not petition the court to have the Plaintiffs cover its costs.

Business Items—Approval of Meeting Minutes and Checks: Bruce Baker made a motion to approve the minutes. The motion was seconded by Jeannette Hillery. The motion passed 11-0. Jeannette Hillery made a motion to approve the checks. The motion was seconded by Lisa Morzel. The motion passed 11-0.

Executive Director's Report: David Abelson said the Intergovernmental Agreement (IGA) amendments and triannual review were sent to the governments, and that the governments must adopt them in 2017 or early 2018. Later each government must make its appointments to the Stewardship Council.

Abelson said he taught a class on Rocky Flats for the University of Denver Osher Lifelong Learning Institute (OLLI). OLLI is for people 55 and over; approximately 25-30 attended the class. He listed six key comments from participants during their conversations: 1) They wanted to know the impact or risk from Rocky Flats to neighbors; 2) They asked if plutonium can be redistributed during construction of the proposed highway; 3) What is the extent of the plume offsite; 4) What is the impact of the fires at Rocky Flats; 5) How does Rocky Flats compare to other nuclear sites; and 6) What are the plans for trails at the Rocky Flats Refuge, because they want to hike them.

He said there has been an uptick in media interest in Rocky Flats, with some new to the issue, including Vice magazine, KUNC (aired a long story), and a Denver podcast. Abelson said the nature of the issues is not different from 2000, but that the issues are elevated due to various new media. During cleanup, the issues were how clean is clean, what's the risk, can we trust those in charge, will there be access to the refuge, what are the appropriate uses of the site, and how we close the chasm between fact and public perception. He said the dynamic of the governments is similar. Towards this end, he said the Citizens Advisory Board overseeing the cleanup chose cleanup to background levels, and that the governments, by contrast, understood what was feasible in terms of risk reduction. At closure, the governments had three overarching questions: 1) Did DOE do what it said it was going to do? 2) What contamination remains (i.e. hot spots)? and 3) What are the systems and protocols for post-management of the site.

Libby Szabo asked where people in the OLLI class came from. Abelson said some came from various neighborhoods and communities, including a few from the Whisper Creek neighborhood.

Murph Widdowfield said he had been interviewed by Japanese news reporters who asked what happened to all of the former Rocky Flats employees. Abelson said of the 8,000-10,000 workers, many retired, some secured work at other DOE sites, and some lost their jobs before they were able to get another job. One of the biggest challenges the cleanup contractor faced was incentivizing workers to work themselves out of a job.

Bruce Baker said a problem is that this Stewardship Council covers the Central Operable Unit, and that all the conflict involves the refuge where there was no cleanup. He said that was why people were frustrated. Abelson responded that there was a buffer zone sampling plan to investigate the areas of contamination. Based on that data and analysis, no active remediation was needed in the buffer zone.

Council Approval of 2018 Work Plan: The 2018 Work Plan was reviewed at the September 11, 2017, Stewardship Council meeting. Bruce Baker made a motion to accept the proposed 2018 Work Plan. Jeannette Hillery seconded the motion. The motion was approved 11-0.

Council Approval of 2018 Budget: The 2018 budget was reviewed at the September 11, 2017, Board meeting. No changes were offered at that meeting. Barb Vander Wall explained the budget review process. Prior to finalizing the budget, the Stewardship Council must hold a budget hearing and allow time for public comment. Following the public hearing, the Stewardship Council must approve the budget resolution, and approval must occur before the end of each year. She also noted that after the budget is approved, it is filed with the Division of

Local Governments by the end of January. Vander Wall reminded those in attendance that notice of the 2018 budget hearing was published in advance of this meeting, and that an official public hearing must be held before approval.

Chris Hanson officially opened the hearing for the 2018 budget. He asked for public comments. There being no public comments, the budget hearing was then closed. Mike Shelton made a motion to accept the 2018 budget. The motion was seconded by Jan Kulmann. The motion to approve the 2018 budget, appropriate the funds, and adopt the budget resolution was approved 11-0.

DOE Quarterly Report DOE, Second Quarter 2017: John Boylan of Navarro said he would cover both surface water and groundwater for the DOE 2017 Second Quarterly Report. The Superfund remedy at Rocky Flats includes maintaining two landfill covers and three groundwater treatment systems, conducting surface and groundwater monitoring and maintaining physical controls of signage and access restrictions. The staff must also enforce institutional controls, ensuring no building construction, excavation or soil disturbance; no surface water consumption or agricultural use; no groundwater wells except for monitoring; and protection of landfill covers and remedy components.

Boylan said routine sampling at the Present Landfill (PLF) showed that concentrations for all analytes were below the applicable Rocky Flats Legacy Management Agreement (RFLMA) water quality standards. No flow occurred from June 2, 2016 through April 4, 2017. The 12-month rolling average concentrations of plutonium at SW027 remained reportable from 2016. As of April 30, 2017, plutonium is no longer reportable at this location.

Concentrations at the Woman Creek Point of Compliance (WOMPOC) downstream of SW027 were not reportable, and no other RFLMA point of evaluation analyte concentrations were reportable during the second period.

Reportable 30-day average uranium concentrations were observed at Walnut Creek Point of Compliance (WALPOC). Concentrations were reportable from December 8, 2016 to April 3, 2017, during winter base flow conditions. (See RFLMA Contact Record 2017-02.) The 12-month rolling average uranium concentration has remained below the reportable level. All RFLMA point of compliance analyte concentrations remained below reportable levels during the second quarter.

RFLMA Groundwater Monitoring Overview: The RFLMA Groundwater Monitoring Network includes 10 RCRA (Resource Conservation Recovery Act) wells monitored quarterly to evaluate impacts from the Present Landfill and Original Landfill. Nine area of concern (AOC) wells and one surface water support location are checked semiannually and are located in drainages downstream of contaminant plumes to evaluate for plumes discharging to surface water.

There are 27 sentinel groundwater wells downgradient of treatment systems, on edges of plumes, and in the drainages. They are monitored semiannually to check for plumes migrating to surface water and for treatment system problems.

In addition, 42 evaluation wells within plumes, near source areas and inside the Central Operable Unit are monitored biennially to see whether the monitoring of an area or plume can cease. Of the nine treatment system locations, seven are monitored semiannually and two quarterly.

The second quarter of 2017 was a heavy sampling period covering all RFLMA locations except for the evaluation wells, which will be sampled the second quarter of 2018. One surface water grab sample was taken to support a reportable condition of trichloroethylene (TCE) at AOC well 10304. That well remains reportable for TCE. It was not detected in a surface water sample collected from a nearby Woman Creek location. These results are generally consistent with previous data and will be evaluated as part of the 2017 annual report.

Regarding treatment system activities, Boylan said he will procure uranium treatment expertise and award a bid in early August to support selection, design and installation of the treatment system component for the Solar Ponds Plume Treatment System (SPPTS). The procurement package was posted in late June.

David Allen asked about additional uranium sampling in Walnut Creek. Boylan said 18 samples were sent to Lawrence Berkeley National Laboratories, and 72-80 percent of the samples were from naturally occurring sources. He said they came from various locations and that nothing was surprising.

Bruce Baker asked about active mitigation of nitrates. Boylan said bacteria in the lagoon were eating down the nitrates. Sandy Pennington asked about the impacts of the September 2013 flood. Boylan said some concentrations were up, while others were down. That data is listed in previous reports. When the roads surrounding Rocky Flats were closed, staff could not get out to check for a number of hours. He said later results showed contaminants were well below limits.

A member of the public asked about the potential breaching of the terminal ponds. Abelson said four governments have been closely tracking these issues, and communicating their concerns to DOE, CDPHE and EPA. Mike Shelton said the dams must stay in place to keep contamination on site.

Site Operations: Jeremy Wehner said signs were inspected on May 17, 2017 as part of the RFLMA physical control efforts, and that all signs were present and legible. Monthly inspections were done April 20, May 21 and June 20, 2017. During the May 21 weather-related inspection after a weekend wet snowstorm, a slumping event was identified. It was initially smaller than the 2016 slumping event, but that the final extent was nearly identical. Navarro staff surveyed eight settlement monuments on June 13 and found that vertical settling at each monument was within limits.

Regarding the Original Landfill stabilization activities, the East Subsurface Drain was inspected as part of the landfill's monthly and weather-related inspections. The temporary groundwater intercept system became operational March 29 and operated through the second quarter. One quarterly inspection of the Present Landfill, combined with a weather-related inspection, was performed May 21, 2017. The landfill was found to be in good condition, so no maintenance

was required.

Areas around former buildings 371, 771, 881 and 991 are routinely inspected for subsidence quarterly and during weather-related checks. The second quarter inspection was conducted May 21 after a weather-related event. No significant changes to previously identified depressions were noted, and no new depressions were identified.

The North Walnut Creek hillside slump was regraded to close cracks, ensure positive drainage and to relocate some of the soil thought to be contributing to the slump's excess. About 1,700 cubic yards of excess soil was hauled to the East Trenches and used as cover on five trenches to promote drainage. Disturbed areas were seeded and hydro-mulched. All sites are sprayed with water to control dust. A geophysical bedrock survey was conducted after the grading project was completed, and roads were repaired that had been impacted by the North Walnut Creek slump.

Ecology: Jody Nelson reported on ecology activities at the site including weed mapping. He said a subcontractor applied herbicides on approximately 133 acres to control noxious weeds, doing spot-applications of herbicides for small infestations.

Nest box surveys, prairie dog surveys and wetland water level and weed surveys were also done. No prairie dogs were in the Central Operable Unit. Grass was mowed and bird nesting deterrents (plywood eagles and coyote) were installed to reduce the potential for Preble's Meadow Jumping Mice and nesting birds settling in the project areas. Nelson prepared for monitoring for Preble's Mouse and wetland mitigation, along with revegetation monitoring, to be conducted in the third quarter.

Pennington asked whether there was any discussion on an eventual burn. Abelson said he has heard nothing about that. Mike Shelton said there was heavy pushback to a proposed burn and that an alternate, such as using goats, was suggested and that USFWS canceled the burn.

Public Comment on DOE's Quarterly Report: Pat Mellen asked about nitrates in the groundwater treatment system. John Boylan said the bacteria eat the nitrates. Bonnie Graham Reed asked about groundwater movement on site. Boylan said groundwater discharges to surface water and does not move as groundwater off-site. Marion Whitney followed up by asking about springs on-site. Boylan said that water is monitored via surface water monitoring, with decades of data to back up the sampling results.

Amendments to Bylaws: Abelson said there were two proposed amendments to the Stewardship Council bylaws, and that the Stewardship Council would take action on them February 5. First, some local government officials will leave due to term limits, so an amendment was proposed as a way to allow former officials to serve on the Stewardship Council in a non-voting capacity at the Board's discretion.

Pennington suggested that in Stewardship Council voting, the chair ask for yea, nay and abstentions to more accurately record opinions of Stewardship Council members.

Libby Szabo asked how big might the Stewardship Council get with former officials, and what problem did they want to solve with the proposed amendment. Keeping the institutional knowledge was one answer. Jeannette Hillery added that some newly elected officials have no history with the site. Abelson said appointments would be one year at a time, to be reviewed annually. Mark McGoff noted that former members can attend now. Chris Hanson said a former Superior representative had been a Rocky Flats worker with site knowledge, but when his term on the Superior Board of Trustees ended, so did his time on the Stewardship Council. He noted that loss of institutional knowledge. Megan Davis noted there is value having people with long-time expertise.

Abelson said the second bylaws amendment would stagger appointments. Mike Shelton said he supported staggering terms and that the additional effort of making appointments annually would not be unduly burdensome. McGoff agreed, and suggested the last four words of the proposed amendment on members' terms be removed. The other members agreed to that proposed change.

New Member Interviews and Selection: The Board interviewed the following five candidates for the four nongovernmental seats on the Stewardship Council. The following is a summary of that discussion.

1. Jeanette Hillery said the League of Women Voters has had a long history on Rocky Flats and has facilitated or moderated meetings on nuclear issues, provided the history of the site and invited participation in nuclear issues. She has institutional knowledge of Rocky Flats and wants to encourage public participation and dialogue about it. She wants to keep the public informed on what happened at Rocky Flats in the Central Operable Unit and buffer zone, and to continue to clarify information. Sue Vaughn is her alternate who usually attends. Hillery said she distributes information to the 19 local League units in the state through articles or presentations, and also periodically answers questions.
2. Murph Widdowfield, President of the Rocky Flats Cold War Museum, said the Museum was founded in 2001 to save the history of Rocky Flats and to collect artifacts (which are now in storage). The Museum board would like to display them and is seeking funding to have a physical presence. He said he and others do presentations to schools. They spoke to about 200 kids from Adams 12 Stem Launch and to other schools and museums. Three talks are scheduled this spring. He said the Museum keeps receiving collectibles and board members continue to do newspaper interviews. The *Military Times* did a recent story on what has happened and what is happening at Rocky Flats. Widdowfield said tracking site activities is the Stewardship Council's role along with serving as a source of communication with the local community.
3. Tiffany Hansen is director and co-founder of the Rocky Flats Downwinders, which is a 501(c)(3) organization. It started in 2014 to advocate for residents downwind of the site. She wants to have more health studies done, raise awareness of the history, and promote more signage to make people aware of health issues. She also wants supportive services for the people impacted. She would promote awareness in the community, track decisions on the contaminated land and track the health of workers and community

members. She said she has more than 2,000 people on her online newsletter list. The Downwinders have no regular meetings, but do use Facebook, Twitter and emails for communication. She also generates news stories and communicates with other groups near other nuclear sites. She said she could not attend every meeting due to work, but that an alternate would come. Her goal is to look at health problems of the people living nearby. Asked where she gets her information, she said she is reaching out to CSU and DU and wants more data. She said her 13-year-old son is sick, and she needs more information about it. Chris Hanson said it was important that everyone on the Stewardship Council gets along. He noted that some of their Facebook and Twitter posts were very negative against the Stewardship Council; one said the Stewardship Council was bought and paid for by DOE. He asked if she supported that. She said she did not write that, but noted she was the only one who posts on the organization's twitter feed.

4. Roman Kohler of the Rocky Flats Homesteaders said that there are more than 4,500 Rocky Flats retirees. The Homesteaders, chartered in 1982 as an employee organization, has 1,300 dues-paying members who get monthly newsletters. About 70-90 of them come to monthly meetings. A key objective is to ensure that DOE keeps its promises to former workers on retirement, health insurance and compensation through the Department of Labor for environmental exposures. The Stewardship Council has been very supportive, but it is an ongoing issue. About 80 percent of the 1,300 workers live in the local area, although some have moved away. He worked at Rocky Flats for 27 years and remains interested in what is happening at the site. He said he would still attend, if not reappointed to the Stewardship Council, and that he went to many meetings before the Stewardship Council was created.
5. Kim Griffiths said she is a local concerned citizen who lives in Candelas, but does not represent an organization. She believes the Stewardship Council should represent local interests related to the Superfund cleanup. She would represent her Candelas neighbors and friends. She said she has been concerned about the coarseness of the dialogue of some. She recounted a story of attending a community forum on Rocky Flats where she was screamed at and told that her children would not live to adulthood. She said some of the comments were harmful and degrading, and that she was told she was lying. She has lived in the area for 30 years and did research before she bought a house next to a Superfund site, although some told her she was lured in by a developer. She wants to remain vigilant and involved with issues at the site. She said she tried to hold a meeting, but that many neighbors are not engaged. One of her neighbors, a Colorado School of Mines physics professor, is developing a website about Rocky Flats and helped her understand some of the issues.

Stewardship Council member present then voted on their top four selections for non-governmental Stewardship Council seats. The results were:

- League of Women Voters, 8
- Rocky Flats Homesteaders, 8
- Rocky Flats Cold War Museum, 8
- Kim Griffiths, 6
- Rocky Flats Downwinders, 1

The first three groups will continue on the Stewardship Council, and Kim Griffiths will join the Stewardship Council at its next meeting.

Returning to the proposed bylaw amendment regarding staggering terms, Kim Griffiths would receive a one-year term. Murph Widdowfield offered to have the Rocky Flats Cold War Museum take a one-year term, as did the League of Women Voters. The Museum prevailed, and should the amendment be approved at the February 2018 meeting, the Museum would also serve a one-year term. That means the League of Women Voters and the Rocky Flats Homesteaders received two-year terms.

The meeting was adjourned at 11:40 a.m.

Prepared by Ann Lockhart