

**Rocky Flats Stewardship Council Board Meeting Minutes**  
**Monday, August 6, 2007**  
**8:30 – 11:30 AM**  
**Jefferson County Airport, Terminal Building**  
**11755 Airport Way, Broomfield, Colorado**

**Board members in attendance:** Lorraine Anderson (Director, Arvada), Clark Johnson (Alternate, Arvada), Matt Jones (Alternate, City of Boulder), Megan Davis (Alternate, Boulder County), Lori Cox (Director, Broomfield), Mike Bartleson (Alternate, Broomfield), Chuck Baroch (Director, Golden), Bob Nelson (Alternate, Golden), Sheri Paiz (Director, Northglenn), David Allen (Alternate, Northglenn), Shelley Stanley (Alternate, Northglenn), Tim Purdue (Alternate, Superior), Jo Ann Price (Director, Westminster), Ron Hellbusch (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Roman Kohler (Director, Rocky Flats Homesteaders), Ken Foelske (Director).

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

**Attendees:** Cathy Shugarts (City of Westminster), Carl Spreng (CDPHE), Mark Aguilar (EPA), Larry Kimmel (EPA), Sam Garcia (EPA), Vera Moritz (EPA), Shirley Garcia (Broomfield/Westminster), Scott Surovchak (DOE-LM), John Boylan (Stoller), Bob Darr (Stoller/DOE-LM), Linda Kaiser (Stoller), Rick DiSalvo (Stoller), Michelle Hanson (Stoller), Jody Nelson (Stoller), George Squibb (Stoller), Jeremiah McLaughlin (Stoller), Sam Marutsky (Stoller), Amy Thornburg (USFWS), Bruce Hastings (USFWS), Steve Berendzen (USFWS), Sue Vaughan (League of Women Voters), Jennifer Bohn (RFSC accountant).

**Convene/Agenda Review**

Chairman Lori Cox convened the meeting at 8:35 a.m. She asked if there were any suggested changes to the agenda. There were none.

**Consent Agenda**

Jo Ann Price moved to approve the May, 2007 minutes. The motion was seconded by Roman Kohler. The motion passed 11-0. (Jefferson County was not present)

Lorraine Anderson moved to approve the checks. The motion was seconded by Jeannette Hillery. The motion passed 11-0. (Jefferson County was not present)

**Ratification and Approval of Letter Regarding “The Rocky Flats Special Exposure Cohort Act”**

The Board was asked to approve a letter to the Advisory Board on Radiation and Worker Health which was mailed May 23, 2007. The letter, regarding the Rocky Flats workers special exposure

cohort petition, was signed by Chairman Lori Cox. It included all changes that Board members requested be made.

Lorraine Anderson said that it seemed as if workers at other sites got approval of their petitions much easier than the Rocky Flats workers. David Abelson said this was partially true. He said that the system was indeed faster at some of the smaller sites. However, while faster, the Advisory Board's decision was essentially the same as it was here as far as approving only a smaller group of workers from the early years of production. Lorraine asked David to provide her with more information about the issues involved so that she will be able to do some lobbying. David responded that he will discuss these issues further in his report later in the meeting.

Jeannette Hillery moved to approve the letter. The motion was seconded by Roman Kohler. The motion passed 11-0. (Jefferson County was not present)

### **Executive Director's Report**

David began by commenting that even though the cleanup is complete there remains a great deal of work for DOE and the regulatory agencies. Many issues have arisen that warrant the attention of DOE, the regulators, Congress and the Stewardship Council. Some questioned the need for the Stewardship Council but there is clear need for ongoing local government and community oversight.

Regarding the Rocky Flats worker's Special Cohort petition, the Secretary of Health and Human Services has 60 days to decide if he agrees with the recommendations of the Advisory Board. In June, the Board recommended approval of the petition for those who worked at Rocky Flats through the mid-1960s. The Secretary is expected to make a decision this month.

Legislation introduced by Senator Salazar and Representatives Udall and Perlmutter would grant Special Exposure Cohort status to Rocky Flats workers. There was hope that the bill could be tacked onto the Fiscal Year 2008 National Defense Authorization Act. Due to the potential price tag in the hundreds of millions, the House Judiciary Committee blocked that option and has decided to wait for the results of a GAO report on implementation of the Energy Employees Occupational Illness Compensation Program Act (EEOIPCA), the authorizing legislation, before deciding on a legislative course of action. Once the report is released, the delegation will push for hearings on the Rocky Flats bill. David noted that Congress did intend that the workers get compensated, but the costs and ramifications at other sites have led them to look more closely at how to meet these commitments.

Chuck Baroch asked why the mid-1960's was chosen for cutoff for approving worker's petitions. David Abelson explained that it was related to the development of improved safety and monitoring techniques. Chuck noted that the exposure standards were also changed during the time he worked in the nuclear field.

David also informed the Board of a proposal in the U.S. House to put the DOE's Office of Legacy Management (LM) under the Office of Environmental Management (EM). David sees this proposal as both good and bad. The downside for Rocky Flats is that if LM were placed

under EM, LM would lose its line item budget. On the plus side it would better integrate cleanup actions with post-closure responsibilities. This proposal is not in the Senate bill. David said that the Board does not need to take any action yet, just to be aware of the issue and talk to their legislators about the ramifications. Senator Allard will be on the committee that discusses this proposal. David will keep the Stewardship Council informed and let them know when any action may be helpful.

David next discussed DOE's petition to the Colorado Water Quality Control Commission to change the site-specific uranium standard. He noted that if the uranium contributing to the standard is man-made, it would be directly related to Rocky Flats and would become of interest to the Stewardship Council. However, it is more likely that it is naturally-occurring uranium which is causing this need to change the standard. Therefore, David sees this as a topic for this group to watch, but noted that it is more of a typical stream water rule-making issue than anything related to the operations at Rocky Flats. There will be a meeting on Wednesday at the DOE office to discuss this issue with interested stakeholder. The Commission requested that DOE meet with stakeholders to discuss any potential issues. David and/or Rik will attend the meeting and will keep the Stewardship Council apprised. David reported that the next scheduled review of Rocky Flats' site-specific standards is not until 2009. However, DOE will address the Commission next week to ask for a review in January, 2008. Rick DiSalvo said that DOE hopes the Commission will set a hearing in order to apply the state drinking water standard at Rocky Flats. DOE will also keep the Board informed.

Each of the local municipalities has been contacted by CDPHE regarding the future of the Rocky Flats Area of Concern, which was established in the early 1970's. Since that time, local governments have been able to request reviews by State radiation staff to evaluate any risks present in potential new subdivisions due to operations at Rocky Flats. Because of cleanup and closure, CDPHE believes that these reviews are no longer necessary and is proposing that the Rocky Flats Area of Concern be discontinued. No serious issues were raised by the governments, so CDPHE will move forward with its proposal.

David sent copies of the quarterly financial report to the Board last month. If there are any questions, please contact him. David also announced that Tim Purdue is the new staff Board member from Superior and Megan Davis has taken over for Jane Uitti from Boulder County.

DOE officially transferred buffer zone land recently to the U.S. Fish and Wildlife Service (USFWS). Therefore, the Rocky Flats Wildlife Refuge now exists. The initial plan from the USFWS anticipated that the Lindsey Ranch trail would be opened during the first year of operation, followed by additional trails in future years. However, since the Refuge does not have the funding available that was anticipated when the plan was written, the Lindsey Ranch trail will not be open during the first year. It is also likely that the construction of additional trails will be pushed back as well. The short-term priorities for the Refuge will be maintenance of habitats and weed control. David said that the February 4, 2008 Stewardship Council meeting will be a good time for the USFWS to update the Board on Refuge issues, as the budget will have been released by this time.

David next updated the group on the status of mineral rights acquisition. Congress approved the acquisition of mineral rights in a few parcels at the site. Charlie McKay opted not to sell his parcel. Three other parcels have been acquired by the Trust for Public Lands and have been transferred to DOE. These parcels are not part of the land that has been transferred to the USFWS.

Parcel C will be the first to be transferred. It has no existing mining permits, so the Department of Justice is working to clear title, which will probably be completed in the fall. One title is clear administrative jurisdiction over the land will transfer to USFWS for inclusion in the Refuge. Two of the parcels (A1 and A2) have been permitted for mining by the State. However, the attached restrictions, including those related to endangered species issues, influence whether it is economically viable to actually remove the minerals. The existing lease is between the Lafarge mining company and DOE as the new owner of the mineral rights. It is a 5-year lease, ending in December, with an option to extend for another five years if the mining company chooses to renew. If the company were to start mining now, it would have to stop after the next five year period. Currently, it is looking like this parcel will not be mined because of the restrictions.

Ken Foelske asked if there are any reclamation requirements if the area was mined for minerals. David said he was not sure what they are. He added that it would be very difficult for the company to start mining in order to meet all requirements. Lorraine noted that Congress set aside a certain amount of money for the acquisition, and asked what would happen to the money that was not spent. David said that Congress appropriated \$10 million, with the unspent balance earmarked for the Colorado Natural Resource Trustees. DOE spent about \$6 million, so the remaining \$4 million is in the hands of the trustees (which include DOE, USFWS, CDPHE and others). These agencies will collectively decide what to do with the money. Lorraine asked if there was an opportunity to use this money to fund the Wildlife Refuge. David said there have been some discussions about this possibility. However, any such funding would need to be only a supplement to the federal appropriation in order to avoid a cut-off of federal funds. Lorraine also asked about whether income from mining the DOE-acquired parcels could provide funding for the refuge. David said the agencies have talked about looking at whether there is any habitat value in the mined areas. For example, Boulder has turned some old mines into waterfowl habitat.

David said he would keep the Board up to date on what happens with Parcels A1 and A2 and will continue talking with the delegation about funding for the Refuge. Scott Surovchak offered that because of the permit requirements associated with these parcels, only about 20 acres could be mined. This means that it probably would not be cost-effective to even try to mine on these lands. Some of the studies required by the permit will take five years to complete. Most of the difficulties involved in mining at the site are related to water. Since Lafarge does not have enough water to run their existing mine all year, Scott does not see any way they would have enough water to open another mine.

David concluded by mentioning that Senator Allard inserted \$500,000 into a Senate appropriations bill for the Rocky Flats Cold War Museum.

Matt Jones asked about a drilling rig he had seen positioned off Highway 93 to the south of Rocky Flats. David said that it is on State Land Board land.

### **Public Comment**

Amy Thornburgh (USFWS) announced that she will be transferring to another location, and that Bruce Hastings will be taking over her position at the Rocky Flats refuge.

Mark Aguilar announced that EPA's Rocky Flats team will be disbanding September 30. He introduced Vera Moritz who will be taking over all Rocky Flats issues.

### **Legacy Management Quarterly Meeting**

DOE briefed the Stewardship Council on site activities for January – March, 2007. The report is available on DOE's website

### ***Surface Water***

George Squibb with Stoller discussed the 1<sup>st</sup> Quarter Surveillance and Maintenance Report for surface water. Site water quality is showing the same trends as previously seen at the 18 surface water monitoring locations, 100 groundwater wells, and 11 treatment system locations.

There were two pond discharges at Rocky Flats in March due to snow melt, as well as another just a few days ago. Current pond levels are around 20%. The total precipitation for the quarter was 3.14". Flow rates are 100-366% of the site average (including pre-closure data). At Indiana Street, they saw more water than any other year.

At the Points of Compliance (POC) all results remain below applicable standards. At Pond B5 there was a reading close to the standard, reflecting the presence of uranium from GS10. There is an updated source evaluation summary in the quarterly report. Plutonium and americium results have virtually disappeared.

Surface water quality results show that both the Original Landfill (OLF) and Present Landfill (PLF) are functioning properly. Lorraine asked about nitrate levels in the landfills. John Boylan responded that this could be from natural sources, but is probably affected by the solar ponds area. Ron Hellbusch asked what they meant by functioning as designed if they are seeing some higher samples. George said the levels have been hovering around those which would trigger the requirement for monthly samples, but it has been going up and down. The last samples were collected about two weeks ago.

### ***Groundwater***

John Boylan reported on groundwater monitoring at Rocky Flats. Activities during the first quarter included normal RCRA monitoring at the landfills. They also sampled sentinel well 45605 because it is in a precarious position and will not last much longer. The site performed additional sampling at the Solar Ponds to confirm that the Treatment System is removing nitrates. They saw an increase in concentrations as the flow increased early in the year, but these

decreased with the flow as well. At the OU1 plume well, results were consistent with previous sampling.

Next, John led a demonstration of the site's sampling procedures. Most groundwater sampling is performed with a peristaltic pump. Samples for analysis of metals, uranium, plutonium and americium are filtered. Samples for analysis of VOCs, SVOCs, and nitrate are not filtered. They first measure the level of the water, purge some (using peristaltic pump), measure turbidity (how muddy is it), and try to get water as clear as they can. They also decontaminate the equipment after each use. Shelley Stanley asked what they do if they do not get to certain 'ntu' during purging. John said it would be documented, and that they can use some of these measurements anyway. She asked if they also run splits. John said that there are field duplicates, along with Quality Assurance/Quality Control procedures in place. Mike Bartleson asked how long it takes to sample each well. John said it varies. Because there is not a lot of groundwater at Rocky Flats, it can take as little as a half hour up to multiple days.

### ***Ecology***

Jody Nelson reported that most of the work during the winter for the ecologists is paperwork, analysis of data, project support, and vegetation surveys. Planning began to evaluate weed control activities for the 2007 field season. They also prepared an Amendment to the Biological Evaluation for weed control in Preble's mouse to improve the ability to control noxious weeds in the habitat. The ecology staff provided support for the Solar Pond Discharge Gallery temporary flume installation and the Central Operable Unit fence construction. Also, vegetation surveys were conducted on the OLF and PLF. Approximately 69 acres of former roads and parking areas were revegetated using various methods of soil amendments. 450 bare root shrubs were planted and 251 coyote willow stakes were installed along the slump line and the north pond edge at the PLF Pond.

Ken Foelske asked if last year's burn area has been revegetated. Jody said you cannot even tell there was a fire there now and that it looks great.

### ***Air Monitoring***

Since October 2006, samples at S-136 and S-138 (both on the site's eastern boundary) are archived pending a need for analysis. Sampling at S-132 (on the west boundary) has been discontinued. Measured isotopes (except for uranium) were generally below detection limits and not measurable. Airborne radionuclides were dominated by uranium isotopes of natural origin. Lacking large-scale soil disturbances, potential air emissions are expected to remain at or below detection limits.

### ***Site Operations***

Jeremiah McLaughlin reported on inspections at the PLF. Inspections were performed January 18, February 14 and March 27. The vegetative cover was inspected January 30, February 7, and March 14. They followed the prescribed checklist from the Monitoring and Maintenance Plan (May 2006). A new slump was discovered east of the PLF on February 13. It was inspected by a geotechnical engineer the same day, and was staked and mapped with GPS to monitor movement. There are no significant concerns at the PLF.

Settlement monuments were installed at the PLF in August 2006 (9 monuments across the top of landfill and 6 monuments on the east face of landfill). The monuments were surveyed in March 2007. The movement was within the calculated settlement data.

OLF inspections were performed January 18, February 7, and March 26. The vegetative cover was inspected February 7. They followed the prescribed checklist in Monitoring and Maintenance Plan (Feb 2006).

Seeps 4 and 7 were active. The flow was directed along Berm #3. Subsidence at Berm #4 was discovered on February 7. It was staked and surveyed and was then inspected by geotechnical engineers on February 12. Five settlement monuments were installed in March 2007 and three additional monuments will be installed when the cover dries.

The annual site inspection was performed on March 19. These inspections are to be performed annually, or after a 'Significant Event'. Results are documented with photos. DOE also brings in applicable expertise, such as geotechnical engineers, geologists, or ecologists. Fence construction around the DOE-retained land was suspended December 20, 2006, due to snow. It resumed February 22 and was completed on March 22. 'No Trespassing' signs were posted by March 23. Also, because of heavy snow, surveillance patrols were restricted to the outer perimeter roads. There were no significant concerns with security. Road upgrades to allow for uninterrupted travel through spring months were started March 21 and completed April 3.

Rik referenced the decision to attach flags to the perimeter fence due to deer becoming caught in the fence, and inquired whether this had solved the problem. DOE reported that they had not seen any more deer becoming entangled in the fence. Shelley Stanley asked about the slump at the PLF. Bob Darr said that the main cause was that the whole area was covered with snow. There was a high level of saturation. They also lowered the pond level there, and additional erosion influenced the slump. Ron Hellbusch asked if they monitor the settlement monuments quarterly and was told that they do. He also asked if a consultant was working with DOE on the OLF. Scott said that there have been several engineers working at the site, including one from Stoller corporate staff, an independent geotech consultant from Grand Junction, and Tetrattech.

### **DOE Briefing on CERCLA Five-Year Review**

Rick DiSalvo reported that DOE has submitted the draft CERCLA Five-Year Review to the EPA for approval. The off-site and refuge lands are not part of the review as they have been deleted from the CERCLA National Priorities List and thus are no longer subject to CERCLA. The purpose of the review is to make sure that the cleanup remains protective of human health and the environment. The last CERCLA review was conducted in 2002. The second CERCLA five-year review covers May 2002-April 2007. Based on this review, the remedy remains protective of human health and the environment.

Cleanup and closure of Rocky Flats was completed during the second five-year review period. The final remedy was selected in the September 2006 CAD/ROD, based on results of the July 2006 RI/FS, including a Comprehensive Risk Assessment. The current review assesses the

performance of the final remedy. However, CERCLA Five-Year Reviews do not reopen remedy decisions.

As part of the Rocky Flats closure, the Peripheral OU remedy is no action. The Central OU remedy is physical and institutional controls, and this area will remain on the NPL. OU3 (offsite areas) was addressed under a separate 1997 No Action CAD/ROD.

RFLMA implements the CAD/ROD so the Central OU remedy will remain protective. EPA certified that cleanup and closure is complete and that the Central OU remedy is operating properly and successfully (May 2, 2007). The Notice of Partial Deletion for the Peripheral OU and OU 3 was issued on May 25, 2007. Most Peripheral OU land was transferred to USFWS on July 12, 2007.

Within the Central OU, the PLF and OLF are closed with engineered covers, run-on and run-off controls, and monitoring wells. There is a PLF seep treatment system, in which VOCs are treated in a passive aeration treatment system. Arsenic, boron and manganese were found to be above the surface water standard. This triggered downstream PLF pond water sampling. This has since been discontinued based on DOE, CDPHE and EPA consultation. Boron remained slightly above RFLMA standards at the end of 2006. There are some areas of subsurface soil contamination, including VOCs, metals and radionuclides; remains for former building and infrastructure components; and debris and incinerator ash. Groundwater contaminant plumes include nitrates, VOCs and uranium that may impact surface water quality. Groundwater collection and treatment systems reduce groundwater contaminant loading to surface water. The Mound and East Trenches Treatment Systems treat VOCs, and the Solar Ponds Treatment System treats uranium and nitrates.

Central OU surface soil is contaminated with low levels of plutonium-239/240 and americium-241 which could impact surface water quality if soil disturbance causes erosion and mobilizes contaminants. Subsurface soil contaminated with uranium and VOCs contribute contaminants to groundwater, which may impact surface water. Some subsurface areas have VOC contamination at levels that preclude occupied buildings. Contaminated surface soil in some parts of the Central OU poses risk at the low end of the CERCLA acceptable range of  $1 \times 10^{-6}$  to  $1 \times 10^{-4}$  ( $2 \times 10^{-6}$  from plutonium-239/240) to the wildlife refuge worker.

Institutional controls prohibit:

- Soil-disturbing activities that are not appropriately controlled
- Activities that could damage the landfill covers or other components
- Non-remedy-related use of groundwater or surface water

Physical controls consist of signs prohibiting access and listing institutional controls prohibitions. Monitoring includes inspections and maintenance of remedy components and sampling of groundwater and surface water at specified locations and frequencies.

The Five-Year Review team consisted of DOE, DOE's LM contractor, CDPHE, EPA and USFWS staff. The team used EPA's Comprehensive Five-Year Review Guidance, June 2001. The team recapped the site background and chronology, remediation history, and progress since

the first Five-Year Review. They were responsible for focusing on post-closure conditions and final remedy implementation, as closure conditions were achieved in late 2005. The review process included community notice and involvement; document review (remedy selection documents, implementation of RFLMA requirements, ARARs and Comprehensive Risk Assessment (CRA) factors, groundwater and surface water data set for RFLMA locations through December 31, 2006); inspections of the Central OU; review of operation and maintenance costs; and review of new technologies.

The Five-Year Review results in a technical assessment, which is determined through the consideration of a series of questions. Question A: Is the remedy functioning as intended? Answering yes to this question means the remedy is protective. The components of this question include:

- Technical performance of the remedy is consistent with that intended by the CAD/ROD.
- Institutional and physical controls are in place and successfully preventing exposure.
- Monitoring and inspections of remedy components are done per RFLMA requirements.
- No significant items were found that would call into question the protectiveness of the remedy.

The answer to Question A was determined to be ‘yes’.

Question B: Are the exposure assumptions, toxicity data, cleanup levels, and Remedial Action Objectives (RAOs) still valid? The components of this question include:

- The CRA underlying wildlife refuge worker exposure scenarios and parameters remain valid.
- No changes to reference doses or slope factors, or ARARs that would change the protectiveness of the remedy.
- RAOs also remain valid.
  - RAOs for contaminated groundwater are to prevent adverse impacts to surface water quality, prevent exposure to groundwater above MCLs, and restore groundwater to meet surface water standards.
  - RAOs for contaminated soil are to prevent adverse impacts to groundwater and surface water and to prevent unacceptable risk from exposure.

The answer to Question B was determined to be ‘yes’.

Question C: Has any other information come to light that could call into question the protectiveness of the remedy?

- No new information not addressed or anticipated in the CAD/ROD was identified that could call into question the protectiveness of the remedy.

The answer to Question C was determined to be ‘no’.

### ***Issues, Recommendations, and Follow-Up Actions***

#### ***1) GS10 Uranium Concentrations.***

**Issue:** Uranium concentrations above the surface water standard in 2006.

- Surface water discharged from the Central OU meets RFLMA surface water standards.

- Groundwater with predominantly naturally occurring uranium makes up a larger proportion of stream flow at GS10.

Recommendation: Continue to monitor per RFLMA requirements. Perform LANL analysis to see if natural uranium isotopic signatures have significantly changed.

2) *Uranium concentrations at Original Landfill (OLF) wells.*

Issue: In one of the three wells downgradient from the OLF, uranium in groundwater is below the site standards for groundwater but is higher than the surface water standard.

Recommendation: Continue to monitor in accordance with RFLMA requirements. Perform LANL analysis to see if natural uranium isotopic signatures have significantly changed.

3) *Sentinel Well 45605.*

Issue: Sentinel well is in hillside slump south of former B991.

- Well casing has moved out of vertical, and the serviceability of the well is uncertain.

Recommendation: Continue to monitor this well in accordance with RFLMA. If necessary, after movement in the area stops, replace the well after regrading of the hillside has been completed.

4) *Water Quality Standards Changes.*

Issue: Changes to RFLMA surface water standards for arsenic, copper, and uranium may be promulgated by the CWQCC in 2009 triennial review.

- Temporary modifications to nitrates and certain VOCs surface water standards at Rocky Flats are set to expire in 2009.
- Impacts of any changes will depend on the results of continuing remedy implementation.

Recommendation: DOE should actively participate in the triennial review process to identify issues and collect and provide any necessary data to the CWQCC for its decision-making process.

DOE is in the process of petitioning the Colorado Water Quality Control Commission (CWQCC) to review the Rocky Flats site-specific standard for uranium and to do so in January 2008 prior to the triennial review of the Big Dry Creek Basin in 2009. If the standard is not changed, options for managing the exceedances include, 1) treating the water (which is expensive and time-consuming), or 2) pumping the water upstream and holding it in the ponds with hopes it is diluting by rain.

The CWQCC will decide this month whether to start the formal rule-making process in 2008 or wait until 2009. Rocky Flats discharges should not affect any downstream standards. There is a meeting to discuss these issues Wednesday at 1:00 and everyone is welcome. The Commission wants public concerns aired early in process.

Mike Bartleson asked if the site can continue to track man-made uranium. Rick said it is a possibility they can talk about. David Allen asked why the site wants to accelerate the process even though they do not have much post-closure monitoring data. Rick said they are already

looking at ways to treat if they have need to discharge at above-standard levels. Since treatment is not simple or cheap, going to commission is more cost-effective at this point. Rik Getty clarified that the current Rocky Flats standard is 10 pCi/l, while the state standard is 30 mg/l, which equates to 20 pCi/l. Rick DiSalvo said the site does not anticipate ever hitting 20 pCi/l. Chuck Baroch said that natural uranium concentrations around the country vary greatly, and asked if there are different standards based on this natural variation. Rick answered that there are different standards for different stream segments and that the State does not have one standard. Shelley Stanley asked what the site used for speciation data. Rick said it was 1997-2005. She asked if the 30 mg/l standard is an instant reading. Rick said it was a 12-month rolling average, but since there is no past data, it essentially is instantaneous.

#### 5) *OLF Cover.*

Issue: Historical seeps and small areas of slumps and slides on the OLF cover need to be addressed and repaired as necessary to continue to meet cover design criteria.

Recommendation: Continue to inspect and repair the OLF cover in accordance with RFLMA and OLF M&M Plan so that design criteria continue to be met. Complete engineering evaluation to identify possible causes and approaches to address the causes.

#### 6) *Solar ponds Treatment System Treatability Study.*

Issue: Routine maintenance for this system is difficult and inefficient.

Recommendation: Complete a treatability study to determine whether and less management-intensive system could be designed and installed. Based on the results, a proposed modification should be developed in accordance with RFLMA.

#### Additional Issues

The RFLMA requires an evaluation of actions that could reduce the need to rely on institutional controls. The reviewers surveyed new technologies that might reduce groundwater contamination faster and more efficiently than the current remedy. None were identified for further investigation at this point. The RFLMA also specifies that the inspection frequency of the final cover and stormwater management systems for the OLF and PLF be evaluated. The reviewers recommend that the frequency be reduced to quarterly for the PLF.

For the next Five-Year review, Central OU contaminants are expected to remain at levels that do not allow unlimited use or unrestricted exposure. Also, the Central OU will require continued remedy implementation for the foreseeable future. A third five year review will be required.

Chuck asked how many years the site will have to be monitored and whether this is specified anywhere. Rick said it is not specified or known at this point. They will have to monitor until they meet the Remedial Action Objectives and the site is removed from the NPL. Chuck asked which controls are in place to keep people off of the site. Rick said this was ensured through signage, security, personnel, and, if necessary, the Jefferson County sheriff can come onsite to address problems. Mark Aguilar clarified that the entire site was cleaned up to refuge worker standards.

## **Public Comment**

There was none.

## **Updates/Big Picture Review**

The next Stewardship Council meetings are scheduled for:

- October 1, 2007. Topics include an initial review of the 2008 budget; annual review of Stewardship Council activities; beginning discussions on the 2008 work plan; and the DOE petition to the Colorado Water Quality Control Commission regarding uranium standards.
- November 5, 2007: Topics include: budget hearings for the 2008 budget; 2008-09 the Stewardship Council membership/interviews; review the Stewardship Council communications and outreach; host LM quarterly public meeting; and approve 2008 Work Plan.
- February 4, 2008: Elect 08 officers; host LM public meeting; DC briefing materials; meet with USFWS; and DOE FY09 budget briefing.

David Abelson explained that the Stewardship Council was set up so that non-government members are appointed for two-year terms and are then allowed to re-apply. The initial terms expire this winter. The February 2008 meeting will be the transition to the new membership. The Stewardship Council needs to get applications out to new and re-applying members. The government members on the Board will interview and then select the new members. Applications will be distributed in mid-September, will be due in mid-October, and will be approved at the November meeting. David suggests vetting the application through the Executive Committee, and then placing an ad in paper. The Board agreed with this path forward.

David next explained that the Board will need to amend its bylaws in order to carry out the process as defined. The bylaws require 9 votes to approve a motion, which includes both governmental and community representative votes. However, DOE guidance states the member governments shall appoint the community representatives. The bylaws will therefore need to be amended to clarify that all nine government shall appointment the community members. The Stewardship Council can amend the bylaws to clarify this process, but they will need two meetings. A proposed amendment will be presented in October, and will be voted on at the November meeting. Once the bylaws have been amended, the Board will be able to approve membership appointments at the end of the same meeting.

Lorraine asked if the Stewardship Council could look at communications and outreach with respect to ongoing communication with the newer government representatives that do not have any historical knowledge about Rocky Flats. David said he could prepare a standard briefing packet that can be distributed and kept updated over time. He will start working on that. It may be 3-5 pages long, bulleted, with some quick facts at the beginning.

The meeting was adjourned at 11:27 a.m.

*Respectfully submitted by Erin Rogers.*