

ROCKY FLATS STEWARDSHIP COUNCIL
Monday, September 8, 2014, 8:30 AM – 12:00 PM
Rocky Mountain Metropolitan Airport, Terminal Building, Mount Evans Room
11755 Airport Way, Broomfield, Colorado

Board members in attendance: Mark McGoff (Director, Arvada), Sandra McDonald (Alternate, Arvada), Tim Plass (Alternate, City of Boulder), Deb Gardner (Director, Boulder County), Megan Davis (Alternate, Boulder County), Mike Shelton (Director, Broomfield), Sharon Tessier (Alternate, Broomfield), David Allen (Alternate, Broomfield), Laura Weinberg (Director, Golden), Faye Griffin (Director, Jefferson County), Pat O'Connell (Alternate, Jefferson County), Shelley Stanley (Alternate, Northglenn), Chris Hansen (Alternate, Superior), Emily Hunt (Alternate, Thornton), Bob Briggs (Director, Westminster), Cathy Shugarts (Alternate, Westminster), Jeannette Hillery (Director, League of Women Voters), Sue Vaughan (Alternate, League of Women Voters), Roman Kohler (Director, Rocky Flats Homesteaders), Arthur Widdowfield (Alternate, Rocky Flats Institute & Museum), Nancy Newell (citizen).

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

Attendees: Vera Moritz (EPA), Carl Spreng (CDPHE), Karen Reed (DOE-LM), Linda Kaiser (Stoller), Bob Darr (Stoller), John Boylan (Stoller), Jeremiah McLaughlin (Stoller), David Ward (Stoller), Shirley Garcia (Broomfield), Art Burmeister (citizen), James Cookinham (citizen), Mike DiPardo (citizen).

Convene/Agenda Review

In the absence of the both the Chair and Vice Chair, Board Treasurer Deb Gardner served as Chair for this meeting and convened the meeting at 8:33 a.m. She noted that the groundwater briefing was not ready for this meeting, and would be rescheduled. The acting Chair also noted that an Executive Committee meeting was held on August 18, 2014. Meeting attendees included the Executive Committee along with David Abelson. The purpose was to develop an agenda for this meeting. These meetings are open to public, and are usually held at the Boulder Municipal Building.

Bob Briggs moved to approve the June 2, 2014 Board minutes and the checks. The motion was seconded by Tim Plass. The motion to accept the minutes and checks passed 14-0.

Executive Director's Report

David began his updates by reporting on a media tour of Rocky Flats which he attended along with DOE, EPA and CDPHE. David said it was an interesting opportunity to gauge the level of understanding among this group of people and that tours such as these should be planned in the future.

Next, David provided his reflections on the recent events at the Arvada Center commemorating the 25th anniversary of the raid on Rocky Flats. He noted that the attendees were comprised mostly of former Rocky Flats workers and activists who had been involved in issues over the years. He said there were some people in attendance that would be considered 'general public', although this was a much smaller group. He noted that good information and perspectives were presented. However, he also noted that a great deal of misinformation was aired. He said some of the inaccuracies included claims that there were nuclear reactors at the site, and that there was a lack of available information about historic activities. David said that at the end of the weekend, he was conflicted and somewhat troubled because of this ongoing need among some stakeholders to distort facts. He did add that the Arvada Center made a great effort to keep the information and presentations balanced, and that the panelists did good job.

Mark McGoff noted that he also was troubled by some of the questions. He agreed that the panels were adequately designed, and that it was the questioners that took discussions off-topic. He said this was reflective of a separate agenda among that group of attendees. He added that former Rocky Flats worker Ken Frieberg did a great job of explaining many of the facts. Murph Widdowfield noted that a lot of people wanted to talk about rumors about the site and its history. He felt that the museum display leaned very heavily towards the protest movement. He added that the panels did not seem to be very well monitored. Murph said that Ken Frieberg had asked, Jon Lipsky, the former FBI agent who led the raid if he had known then what he knows today, whether he would have still have gone forward with the raid. The agent replied with 'no comment'. Bob Briggs noted that former Governor Romer and former Congressman Skaggs met former FBI agent Jon Lipsky met for first time just prior to panel. At the time of the raid, they were each operating from their own sources of information which was not being shared. Shelley Stanley pointed out that the event was very well attended, with visitors numbering about 200-300. She commented that this showed that there was still a lot of interest in Rocky Flats among the public. She also noted that the format was not conducive for getting into the technical aspects of discussions. Most of the attendees lacked the background to fully understand some of the complex issues related to cleanup. Shelley said she applauded the Arvada Center for putting on this great event.

Nancy Newell said that she was not able to attend, but based on the comments, she was wondering if there were other or better ways to address the misinformation and share more factual information. She said she was thinking about local or state agencies, hospitals, or the like. David noted that when the Visitor Center is built at the Rocky Flats National Wildlife Refuge, it will be a changing paradigm. He said that the Rocky Flats Institute and Museum could do this as well.

David noted that the University of Denver had a continuing education class coming up, and that he and Rik would be presenting about Rocky Flats. Bob Briggs said that he was recently at the Rocky Mountain Arsenal, which does have an existing visitor center, as well as certain areas onsite that are off-limits to the public. Going back to the Arvada Center event, David noted that Governor Romer was really on the spot at the time and that the raid was designed on the premise that they were doing illegal burning in Building 771. There was footage from a flyover that investigators thought was smoke, but was actually just steam. David noted that former FBI

investigator Lipsky said during the event that the Stewardship Council was a great mechanism for accountability on Rocky Flats issues.

Public Comment

None

DOE Quarterly Update

Overview – John Boylan

John Boylan began the review of activities that took place during the first quarter of 2014. Activities included surface water monitoring, groundwater monitoring, ecological monitoring, and site operations (inspections, maintenance, etc.). All reports available on the Rocky Flats website.

He began with a quick review of the regulatory requirements for quarterly monitoring and reporting at Rocky Flats. This program is detailed in the Rocky Flats Legacy Management Agreement (RFLMA) and was designed to document that the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remedy continues to be protective.

The primary goal is protection of surface water. Response actions were developed under the final remedy in order to meet this goal. The response actions include the following requirements:

- Maintain two landfill covers
- Maintain four groundwater treatment systems
- Surface water and groundwater monitoring
- Physical controls
 - Signage
 - Restricted access
- Institutional controls
 - No building construction or occupation
 - Restrictions on excavation and soil disturbance
 - No consumption or agricultural use of surface water
 - No groundwater wells except for monitoring
- Protection of landfill covers and engineered remedy components

Surface Water Monitoring – John Boylan

John first showed a map of the monitoring locations onsite. He then summarized quarterly performance monitoring at the Original Landfill (OLF) and Present Landfill (PLF). At the OLF, all sampling results met water quality standards during the quarter. At the PLF, the fourth quarter calendar year (CY) 2013 sampling result for vinyl chloride was 0.21 µg/L, exceeding the standard of 0.2 µg/L, and triggering an increase in sampling frequency. The following three sample results (one in the 4th quarter, two in the 1st quarter) were also above the standard (0.29, 0.28, and 0.21 µg/L), triggering sampling of the former PLF Pond area (NNG01). NNG01 was sampled on March 26, 2014. Vinyl chloride was not detected in that sample and routine quarterly sampling was resumed.

John next spoke about Point of Compliance (POC) and Point of Evaluation (POE) monitoring. Reportable 12-month rolling average values for americium and plutonium at GS10 were observed during the quarter. All plutonium and americium results since August 2013 have been below the 0.15 pCi/L standard. Additional sampling continues to be conducted downstream of GS10. As of September 30, 2013, uranium was no longer reportable.

Reportable, 30-day average values for uranium at the Walnut Creek Point of Compliance (WALPOC) were first observed during December 2013. The 12-month rolling average remains below 16.8 µg/L. Additional sampling is being conducted upstream of WALPOC.

David Allen asked if the site was thinking about taking any actions if the 12-month average at WALPOC were to be exceeded. John said that a report will lay out what needs to be done. They are currently looking at compliance metrics, and are working with CDPHE and EPA. He added that given that this is related to a 100-1000 year event, they do not want to overreact to an anomaly. David asked if the levels were staying elevated. John said that they had been down since the May-June timeframe. David asked if they are anticipating higher than average flows. John said this question would need to be directed to George Squibb. David asked if they were thinking about postponing flow-through in the terminal ponds until they get more information. John said he was not able to answer this.

Groundwater Monitoring – John Boylan

John began by noting that the first quarter is a light quarter in terms of sampling requirements. RCRA wells at the PLF and OLF were sampled. Statistical evaluation of the results will be included in the annual report for 2014.

Non-RFLMA monitoring was conducted at the treatment systems:

- Mound Site Plume Treatment System (MSPTS): air stripper evaluations and optimization
- East Trenches Plume Treatment System (ETPTS): air stripper evaluations and optimization
- Solar Ponds Plume Treatment System (SPPTS): microcells and lagoons.

Activities at the treatment systems included:

- The MSPTS air stripper was cleaned, nozzles were reconfigured, ventilation fans were replaced, and samples were taken.
- The ETPTS air stripper was cleaned and samples were taken.
- At the SPPTS, there was continued microcell and pilot-scale lagoon tests. Samples were taken at this location as well.

Another topic John covered was the ETPTS Reconfiguration Project. This project will convert the system from a ZVI-based treatment to an air stripper-based treatment. The design was completed in January 2014. It will use existing solar/battery power, with minor additions and revisions. It will consist of a commercial air stripper in small enclosure built over the existing vault, and is scheduled to be completed late 2014.

Site Operations – Jeremiah McLaughlin

Jeremiah began by reporting on one of the physical controls required by RFLMA, which is a quarterly inspection of signs around the site. All signs were found to be in good condition.

At the Original Landfill (OLF), three monthly inspections were performed, as well as weekly inspections of slumping areas. Eight settlement monuments and seven inclinometers were monitored. Movement was within expected ranges. No significant cracking was noted within the landfill boundaries during the first quarter. Cracking and slumping were noted on the east side of the East Perimeter Channel, outside of the landfill boundary. The cracks were filled as required by the monitoring and maintenance plan.

Jeremiah next reported that one quarterly inspection was performed at the Present Landfill (PLF) and annual surveys of nine settlement monuments were completed in December 2013. The next surveys will be completed in December 2014. Shelley Stanley asked how much material they had to bring in for repairs. Jeremiah said it was about a half yard at a time, as the cracks were very small. She also asked if they were seeing any more movement in area where they found holes around the buried building stairwell. Jeremiah said they were not.

Board Review of Stewardship Council Activities for 2014 and Initial Review of 2015 Work Plan

The 2014 Stewardship Council work plan provides that the Board shall review its work for the year. The review is a first step the Board will take in approving the 2015 work plan. The Board will also review and edit the draft 2015 work plan. Formal approval of the work plan will take place at the October 27th meeting.

David began by explaining that there were three things planned for this discussion: 1) How the Board has done over the past 12 months, 2) review proposed changes, and 3) identify any additional questions to tackle.

David asked Board members to discuss the past year of activities, whether it was working well and if it made sense to continue along the same lines. Emily Hunt said she thought it was a good idea to get everyone up to speed, at a base level of knowledge, and then be ready to react to events that come up. She believes the Board is doing a good job of this. Jeannette Hillery agreed that it was good that the Board had these information sessions, especially for newer members. She said it was great how David and Rik keep them ahead of the curve on things that were coming up. Mark McGoff suggested that it would be helpful during Quarterly Reports for DOE to present a 'bottom line' conclusion based on what happened during the quarter (i.e. 'what should I take away from this?'). He said this would help those who did not have the technical knowledge needed to interpret the significance of various activities, events or monitoring results. David Abelson said that he and Rik could create a background document for activities, which could incorporate a trend analysis. Megan Davis said that this would be very helpful.

Emily Hunt said that the actinide migration briefing really brought everything together for her in terms of understanding cleanup and monitoring/maintenance issues. Laura Weinberg noted that it would be helpful to have a higher level description of the issue, which would also be helpful in terms of communicating the information to others. David Allen suggested developing a rotating

two or three year schedule of briefings so that everyone could stay on top of the issues. Tim Plass gave the example of the Board being notified when there is an exceedance of a particular monitoring standard and how important it is for the Board and others to understand the context and relevance of such an occurrence. David Abelson said that DOE should be able to set the stage in their briefings, add context and a higher level description and then get into more of the specifics. David Allen said that it may also help to compare new information to other events that have occurred in past.

Emily Hunt clarified that her problem was not that too little information was available, but too much of it. David Abelson explained that he and Rik were always trying to layer information, since some may want or need much more in-depth analysis than others. He suggested staff could put together a briefing book with one-page snapshots for each area or treatment system important to the stewardship of Rocky Flats. Tim Plass recommended including an Executive Summary at the beginning of any longer memos. Laura said she was looking for a year-over-year analysis of Stewardship Council activities (results of Board efforts) as well as Rocky Flats issues which highlights any significant changes. Mike Shelton likened these briefing book summaries to a 'change log', documenting changes as they occur. Megan Davis referred back to the existing fact sheets on the Stewardship Council website, and wanted to make sure people knew they were there.

David Abelson directed the Board to page three of the draft work plan – '2015 Activities'. Tim Plass said that he would like to see a real effort to get out ahead of public information regarding a possible prescribed burn by USFWS on Refuge lands. Mark McGoff suggested adding more detail to the work plan item about the prescribed burn, specifically about the need to be very proactive on this issue. Megan Davis said that she would like to hear from USFWS about their plans and requirements, and also from DOE about their plans. Murph Widdowfield said that on the tour in June, they heard about the possibility of trails being put in some time soon. He said that the Board should get more information about this.

David also noted that there seemed to be more momentum behind building a visitor center at the Refuge. He said that the Board would have an opportunity to discuss parameters for developing the visitor center, and how the story of Rocky Flats will be told. He would like to add this to the workplan. Tim Plass said that the Board should address the overall issue of the purpose of the visitor center. He recommended looking at other DOE sites and their visitor centers. Chris Hanson asked about item #14 related to tracking the development of the proposed Jefferson County Parkway, and wanted to know what this would entail. David Abelson clarified that the only Board discussions would relate to questions about potential contamination in these areas and presenting factual information as needed.

David Abelson asked if there were other questions the Board should address. Megan Davis suggested looking at the CCP for the Refuge at some point, and how activities might be sequenced upon opening of the Refuge. David Abelson said that they would get USFWS to come in and provide an update. He said it might be worth a special meeting, and will look at the Board's schedule before determining how best to move forward with this.

David Abelson summarized the requests he had been hearing, including a briefing book as background information, expanding Board memos to include executive summaries, asking DOE to tweak their presentations (history, trend analysis, why we care about it, etc), addressing a visitor's center, asking DOE, CDPHE, and USFWS to brief on the proposed prescribed burn, and asking USFWS to brief on its plans for the Refuge.

FY 15 Budget – Initial Review

The Board was next asked to review and modify as necessary, the draft FY 15 budget. Formal budget hearings and adoption of the 2015 budget will take place at the October 27th meeting.

The Board's attorney, Barb Vander Wall, explained that since the Stewardship Council is organized under Colorado statutes as a unit of local government, it is subject to the same laws. These requirements include that a notice be published to advertise a public budget hearing, and then the Board must approve and adopt the budget. After the budget is adopted (must be by December 31), it will be filed with state (by January 15).

David Abelson explained that the Board has always chosen to overbudget by about 20% in order to be prepared for any unplanned budget needs. Mark McGoff said that this concept of overbudgeting was unfamiliar to him, and asked for more information. David Abelson explained that part of the reason for this was the infrequency of Board meetings. If there were a need for additional funding to be allocated during the year, they would have to schedule a supplemental budget hearing. This over-budgeting helps decrease the chances that this additional process would be needed. Tim Plass asked that an additional column be included in the draft budget—projected actual expenses vs. projected budget for 2015.

IGA Triennial Review – Initial Review

David introduced this agenda item by noting that every three years, each member government re-affirm its intent to continue as a party to the IGA. Barb Vander Wall explained that each government will need to pass a resolution expressing its commitment to participate for another three years. All resolutions must be approved no later than February 13, 2015. There was a draft resolution in the Board packet. She said the resolution was intentionally written as simply as possible, so that all entities could pass the same language. She added that her law firm would be sending this draft to the relevant parties within each entity, including the city/county attorneys, clerks and Board members.

Public Comment

There was none

Member Updates

Bob Briggs announced an open house related to the redevelopment of Westminster Center, which is in the location of the old Westminster Mall. He also mentioned a lecture series and an upcoming presentation on the history of a 'ghost' in the historic Westminster University building

at 84th & Federal. He said the building would be open for visitors to climb the stairs to the highest point in Denver and take in the expansive views. Faye Griffin reminded everyone to make sure they were registered to vote. Murph Widdowfield reported that the Rocky Flats Institute and Museum had no current funding and was being supported solely by volunteers. Sandra McDonald noted that Old Town Arvada will be changing drastically over the next few months and will include a new RTD station. Mark McGoff spoke about plans south of Rocky Flats, known as the Candelas development with several hundred homes planned. There will be two trails just south of the Rocky Flats National Wildlife Refuge fence, with three possible access points to Rocky Flats trails. Roman Kohler reported on changes in the health plans for former Rocky Flats workers, which will affect everyone 65 and older. The new insurance will be secondary to Medicare, and require more out of pocket expenses. Workers have attempted to get support from a wide range of elected officials, with no response. Tim Plass noted the one year anniversary of severe flooding in the Boulder area. He also mentioned a couple ballot items for Boulder having to do with the creation of a municipal broadband service and addressing the City Council's limited ability to hold executive sessions. Chris Hanson noted that Superior's new highway interchange was moving along well, and will be completed next year. Deb Gardner also spoke about the events pertaining to commemorating the one year anniversary of the flooding. Events were planned throughout the week. She also noted that there were large discrepancies between how the storm impacted different people, as some were not very impacted, while many were impacted tremendously. Jeannette Hillery shared information from the League of Women Voters about a panel coming up at the new St Anthony's focusing on behavioral health in Colorado.

Updates/Big Picture Review

October 27, 2014 (4th Monday)

Potential Business Items

- Approve 2015 budget and work plan
- Continue IGA triennial review

Potential Briefing Items

- DOE quarterly update
- DOE groundwater briefing

February 2, 2015

Potential Business Items

- Elect 2015 officers
- Adopt resolution re: 2015 meeting dates

Potential Briefing Items

- DOE quarterly update
- TBD

Issues to watch:

- Americium, plutonium and uranium levels upstream of pond B-3 and U levels at WALPOC
- AMP sampling
- Original landfill

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

Respectfully submitted by Erin Rogers.