

# ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670  
Boulder, CO 80308-0670

(303) 412-1200  
(303) 412-1211 (f)

Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder  
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior  
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

## Monthly Status Report – March 2006

### Board meeting summary:

Prior to the convening of the newly-formed Stewardship Council Board, the Board of Directors of the Rocky Flats Coalition of Local Governments took the following three actions:

- Unanimously approved a resolution assigning the Coalition's rights, obligations, and liabilities to the Stewardship Council;
- Unanimously approved a Bill of Sale transferring Coalition assets to the Stewardship Council; and,
- In the final Coalition action, unanimously approved the termination of the Coalition.

The Stewardship Council Board of Directors was then seated and oaths of office were passed out. At this time the Stewardship Council elected Lorraine Anderson (Arvada) to serve as Chair, Karen Imbierowicz (Superior) to serve as Vice-Chair, and Jeannette Hillery (League of Women Voters) to serve as Secretary/Treasurer.

Staff from Senators Allard and Salazar read statements on behalf of the Senators expressing support for past Coalition work and optimism for future Stewardship Council activities. Representative Mark Udall then addressed the Stewardship Council and expressed a spirit of excitement and accomplishment concerning the closing of the site and future opening of the wildlife refuge. He affirmed the role the Stewardship Council will take providing future oversight. He wrapped up his statements by saying ---“If we can accomplish what we did here, we can certainly work on other issues facing Colorado.”

David Geiser, DOE's Office of Legacy Management (LM) in Washington, D.C. provided a few short comments welcoming the Stewardship Council and stated that LM wants to establish a good working relationship with the Stewardship Council. He stated Rocky Flats is the biggest and most important site of the 70 that Legacy Management oversees.

The Stewardship Council then approved:

- A resolution to accept the Coalition's assignment of rights, obligations, and liabilities;
- A resolution indemnifying the Stewardship Council Board;
- A motion approving the Stewardship Council Bylaws; and,

- A motion establishing a regular quarterly meeting schedule for the first Monday of the second month of the quarter (Feb/May/Aug/Nov) at 8:30 A.M. at the Jefferson County Airport.

Dan Miller of the State Attorney General's office briefed the Stewardship Council on long-term stewardship (LTS) at Rocky Flats. Dan is considered by many across the nation to be an expert on state environmental enforcement issues. He has taken lead in drafting most elements of the post-closure regulatory agreement. Dan discussed the five main elements of LTS):

- Institutional controls - restrictions on use of or access to, land and water;
- Information management - gathering storage retrieval, dissemination;
- Monitoring, operation, and maintenance of implemented remedies;
- Periodic reevaluations of remedies; and,
- Research and development – particularly important with groundwater issues.

Dan discussed the legal framework for LTS as well as implementing the laws which govern LTS, especially CERCLA regulations. Dan also went into detail discussing the state of Colorado's environmental covenant as it applies to LTS at Rocky Flats, and concluded his briefing by touching on enforcing LTS at the site including the roles DOE, EPA, CDPHE, and local governments will play.

The Stewardship Council meeting ended with discussions on the following topics:

- Developing the draft work plan and budget for review at the May 1, 2006, meeting;
- Developing simplified procurement policies while still being compliant with DOE grant requirements; and,
- Forming a committee to explore future staffing needs.

### Legacy Management site inspection summary:

During March Legacy Management developed and circulated two weekly updates. As explained in the February 2006 update, LM's reports are organized into the following activities:

- General project management;
- Environmental (includes groundwater monitoring, surface water monitoring, ecology, and the three passive groundwater treatment systems – Mound site plume, Solar Evaporation Ponds plume and East Trenches plume);
- Site monitoring (landfill inspections, site maintenance, and site security);
- Public Affairs
- Records Management (includes CERCLA Administrative Records, Freedom of Information Act requests, searches for information relating to former worker health issues, and other general requests).

During March inspections and maintenance activities were comparable to those reported in the February update. Water samples were collected, landfills inspected, erosion control measures inspected and repaired as required, routine maintenance of the 3 groundwater plume treatment systems occurred, and general site maintenance such as fence repairs were performed. In addition, LM is in the process of awarding a site security surveillance contract. The security contractor will perform inspections around the site when field crews are not working. These periods of time would typically be at night and on weekends.

### Congressional update:

Senator Ken Salazar and Congressman Mark Udall released a joint letter to Department of Labor Secretary Elaine Chao, Department of Health and Human Services Secretary Michael Leavitt, and Office of Management and Budget Director Joshua Bolten expressing their disappointment with the Administration's proposal to reduce benefit payments under the Energy Employees Occupational Illness Compensation Program Act. This program compensates nuclear weapons workers who became sick due to working with hazardous materials during the Cold War – like those at Rocky Flats. Salazar and Udall requested prompt response to a series of questions they have raised on the decrease in benefit payments.

### Other issues:

#### *Summary of LM quarterly update meeting*

LM presented their quarterly update meeting on March 21<sup>st</sup> at the Broomfield City Hall. The agenda consisted of the following presentations for the last quarter of CY 2005:

- 45 minute training demo on the GEMS database by LM contractor
- groundwater monitoring data presented by LM contractor
- surface water monitoring data presented by LM contractor
- air monitoring data presented by LM contractor
- ecological monitoring data presented by LM contractor
- site ops and maintenance discussion presented by LM contractor
- CDPHE air monitoring data
- City and County of Broomfield surface water monitoring data
- City of Westminster surface water monitoring data

After the presentations discussion focused on the role of the LM quarterly update and the new Stewardship Council meetings. In the past DOE has hosted quarterly data exchange meetings where the site, CDPHE, EPA, and local communities exchange monitoring data. These meetings are typically technical in nature and offer an informal atmosphere where technical issues can be discussed. LM has decided to discontinue this practice and wants the LM quarterly update meetings to be part of the Stewardship Council meetings. This change was not acceptable to many members of the local communities who attended the March 21<sup>st</sup> meeting. There was no resolution of this issue and so a request has been made for the Stewardship Council to take this topic up at the May 1<sup>st</sup> Stewardship Council meeting. The draft agenda is in the process of being adjusted to accommodate the new topic for discussion.

### Agency update:

The EPA and CDPHE are continuing to work with DOE in addressing issues with the draft RI/FS report. The agencies hope to have this important regulatory closure document approved in April or May. As you recall after the release of the regulator-approved RI/FS, DOE will release the draft Proposed Plan for public comment.

### Site document update:

Nothing to report for March.

### Stewardship Council update:

Rik has contacted new Stewardship Council Board members and staff concerning meeting with them individually to provide overviews of the site's past operations, cleanup, regulatory closure process, post-closure surveillance/maintenance, and wildlife refuge planning. In addition he is working on setting up a site tour for those interested.