

ROCKY FLATS STEWARDSHIP COUNCIL

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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 – August 2007

Board meeting summary:

Approval of Letter Supporting Re: Worker Compensation

The Board ratified its May 23, 2007, letter to the Advisory Board on Radiation and Worker Health. In its letter the Board reaffirmed its support for granting special exposure cohort to all former Rocky Flats workers. In mid-August the Secretary of Health and Human Services, Michael Leavitt, endorsed the Advisory Board's recommendation to deny status to all workers with the exception of those who should have been monitored for neutron exposure from 1952-1966. This action stands in contrast to the Board's position. (More below)

Legacy Management (LM) Quarterly Update

The Stewardship Council hosted the LM annual update for the first quarter of 2007. Updates included:

- groundwater monitoring
- surface water monitoring
- air monitoring
- ecological monitoring
- surveillance, maintenance and site operations

The meeting minutes, which include a detailed summary of the report, will be posted on the Stewardship Council's website following the October board meeting.

CERCLA Five-Year Review Briefing

Under CERCLA regulations, EPA is required to review the remedies at Superfund sites where hazardous substances remain at levels that potentially pose an unacceptable risk. The DOE-retained lands at Rocky Flats have residual contamination resulting in use restrictions, so a periodic review is required by CERCLA. EPA guidance provides reviews must be conducted at least every five years and may be conducted more frequently if necessary to ensure the protectiveness of the remedy. The last review was approved by the EPA in September 2002 at the height of the site's cleanup activities; the next review must therefore be approved by the EPA in September 2007.

In late July DOE submitted the draft review to the EPA for approval. Approval will likely be granted no later than the end of September. The draft review found the remedies are working as designed but identified six items that bear watching.

1. GS10 uranium concentrations – increase in concentrations is believed to be from naturally-occurring uranium.
2. Uranium concentrations in the Original Landfill wells – uranium analytical results are below the groundwater standard but higher than the surface water standard in one of three downgradient wells.
3. Sentinel Well 45605 – 991 hillside is slumping causing well casing to no longer be vertical. Well will likely be replaced once slumping stops and hillside is stabilized.
4. Changes to water quality standards – DOE will petition Colorado Water Quality Control Commission to allow changes in standards for arsenic, copper and uranium during Commission's 2009 review of the Big Dry Creek Basin. In the case of uranium, DOE wants to drop the site-specific standard in lieu of adoption of the state standard.
5. Original Landfill cover – historical seeps and small areas of slumps and slides on the landfill cover need to be addressed and repaired as necessary to continue to meet cover design criteria.
6. Solar Ponds treatment system – studies need to continue to determine whether a less management-intensive system could be designed and installed. Based on the results, a proposed modification should be developed in accordance with RFLMA.

Legacy Management monthly site inspection summary:

Since the July Stewardship Council update was devoted entirely to the Rocky Flats National Wildlife Refuge, this update includes a summary of DOE's June and July site reports.

- DOE drafted a petition to submit to the Colorado Water Quality Control Commission (CWQCC). The petition seeks to change the site standard for uranium in surface water from 10 picocuries per liter uranium to about 20 picocuries per liter uranium, which is the statewide basic standard as well as the drinking water standard. The CWQCC will take the petition up during the 2009 triennial review of the Big Dry Creek Basin.
- DOE will send some surface water and groundwater samples to Los Alamos National Laboratory for uranium isotopic analysis. This effort will help support DOE's petition to the CWQCC by helping determine if the natural uranium component in the site's waters has changed from pre-closure levels.
- The draft CERCLA Five-Year Review was submitted by DOE to EPA for their review and approval.
- A three-phase plan to address Original Landfill seeps and slumps was approved by CDPHE. Phase 1, which involves performing near-term repairs, has commenced. Phase 2 will consist of a geotechnical investigation and Phase 3, if necessary, will be long-term fixes.
- Groundwater modeling of post-closure conditions is continuing and nearing completion.
- DOE has revised and distributed the Operation and Maintenance Manual for the site's three groundwater treatment systems.
- The final survey of Rocky Flats was completed and recorded in Jefferson and Boulder counties. This survey was completed prior to DOE transferring administrative jurisdiction of 4000 acres of the former buffer zone to the USFWS for inclusion in the Rocky Flats National Wildlife Refuge.
- The solar ponds treatment system treatability study continues and initial results show that nitrate removal via microbial action has commenced. DOE and CSU researchers, who are conducting the study, hope the study will demonstrate an effective treatment system that can be used to replace the current treatment system.

Fieldwork included:

- discharge of terminal ponds A4 and B5 in July
- maintenance on roads and both landfills
- maintenance on groundwater treatment systems
- replacement of erosion control systems damaged by sunlight, winds, and precipitation especially at the original landfill
- re-seeding in numerous areas of the site
- spraying of noxious weeds
- collection of water samples
- landfill inspections

Rocky Flats Special Exposure Cohort Petition:

As previously reported Senator Salazar and Representatives Udall and Perlmutter have introduced legislation to grant special exposure cohort status to Rocky Flats workers. Committee hearings on the bill have not yet been scheduled. The House Judiciary Committee, which has jurisdictional authority over the bill, is awaiting the results of a General Accountability Office study regarding implementation of the implementing legislation, the Energy Employees Occupational Illness Program Compensation Act (EEOIPCA). One concern that will likely affect passage of either bill is the cost associated with granting status nationwide, estimated to be in the hundreds of millions.

Congressional update:

Congress is on recess until early September. Two keys bills Congress will need to take up when the session resumes are the annual Defense Authorization Act, which covers among other things Department of Energy programs, and the Energy and Water Appropriations bill. Both have passed the House and are awaiting Senate approval before the two chambers can go to conference. As previously reported one of the items directly affecting Rocky Flats is the House proposal to place DOE's Office of Legacy Management under the Office of Environmental Management. This provision was not in the Senate Committee bill.

Agency update:

Effective September 30, 2007, the Regional Office of the Environmental Protection Agency will disband its Rocky Flats unit. Staff scientists remain responsible for regulating Rocky Flats, but the focused attention that was an essential part of the cleanup is being lessened.

Site document update:

As reported above, the draft CERCLA Five-Year Review has been submitted 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 evaluate the ongoing effectiveness of the remedy and to make sure the cleanup remains protective of human health and the environment. The draft report can be found at:

http://www.lm.doe.gov/land/sites/co/rocky_flats/documents_stakeholder.htm

Stewardship Council update:

In September the Board will begin soliciting applicants for the four community seats on the Board of Directors. The four community representatives that currently serve on the Stewardship Council board – League of Women Voters, Rocky Flats Cold War Museum, Rocky Flats Homesteaders and Ken Foelske – were appointed to two-year terms that expire in February 2008. Each is eligible to apply for reappointment.

In soliciting applications the Stewardship Council will:

1. place an ad in the local paper
2. post notice on our website
3. email our distribution list
4. ask people to forward notice of the application to their friends, colleagues and members
5. send letters to organizations that have previously shown interest in Rocky Flats, notifying them that the Stewardship Council is seeking applicants for board seats

Appointments will be made at the November 5, 2007, Board meeting. Terms start at the February 2008 meeting.