

# ROCKY FLATS CITIZENS ADVISORY BOARD MINUTES OF WORK SESSION July 6, 1995

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**FACILITATOR:** Reed Hodgkin, AlphaTRAC

Linda Murakami called the meeting to order at 6:05 p.m.

**BOARD / EX-OFFICIO MEMBERS PRESENT:** Alan Aluisi, Jan Burda, Lloyd Casey, Chuck Clark, Tom Clark, Ralph Coleman, Eugene DeMayo, Mike Freeman, Tom Gallegos, Kathryn Johnson, Mike Keating, Albert Lambert, Beverly Lyne, Tom Marshall, Linda Murakami, Gary Thompson / Martin Hestmark, Joe Schieffelin, Leanne Smith

**BOARD / EX-OFFICIO MEMBERS ABSENT:** Lorraine Anderson, Stuart Asay, Jim Burch, Tom Davidson, Sasa Jovic, Jack Kraushaar, LeRoy Moore, David Navarro

**PUBLIC / OBSERVERS PRESENT:** Joe Rippetoe (citizen); Michael Konczal (DOE/RFFO); Catherine Conn (RMRS); Chris Dayton (Kaiser-Hill); George Martelon (RFFO/SAIC); Dan Miller (Stoller); James D. Navratil (Rust Federal); Andy Power (RMRS); Rick DiSalvo (RFFO); LizBeth Cone (ASG); Marshall Lee (Lee Technology); Charles Nuckols (citizen); Robert Ellis (Lee Technology); Christine Kay (citizen); Jim Stone (RFCC); William Kemper (RFCC); S. Dover (citizen); Kenneth Werth (citizen); Jill Paukert (Kaiser-Hill); John McMillin (Sentinel); Don Mittlestadt (citizen); Sam Cole (PSR); Sterling Smith (citizen); Melody C. Bell (RFFO)

**FUTURE SITE USE DISCUSSION (Alan Aluisi):** The Alternative Use Planning Committee has prepared a draft recommendation for the Board's review, which reads as follows:

"The CAB endorses the Future Site Use Working Group (FSUWG) recommendations in their entirety, and acknowledges that the Citizens Advisory Board also has a diverse range of opinion on the FSUWG's 'issues without full consensus;' and that while the CAB agrees with the Working Group recommendation relating to cleanup levels, the CAB is pursuing the cleanup levels issue through a more quantitative approach and will submit a recommendation on this issue at a future date.

OPTION #2: "CAB endorses FSUWG recommendations in entirety, with the following additional recommendations . . ."

OPTION #3: "CAB endorses FSUWG recommendations with the following exceptions . . ."

**Comments on Draft Recommendation:**

- Change wording?
- Background levels is fine
  - wording makes it sound like CAB is going to "define" background levels
  - remove mention to E/WM Committee
- Can live with background levels
- Problem with section that says no military use
- Be more clear about CAB intent for background levels
- Concern about E/WM attempting to set cleanup levels
- E/WM isn't going to use quantitative approach
  - are going to develop criteria, matrix
- Concern about restricting military uses
  - response: this is in "non-consensus" section
- Endorse as is

**Straw Poll:**

- 1) Strike at semicolon - yes
  - concerns: strike "in their entirety"
- 2) Add "consensus" before recommendations and strike "in their entirety" - yes

**Action:** The committee will return next month with a final recommendation for Board approval, which states: "The CAB endorses the Future Site Use Working Group (FSUWG) consensus recommendations, and acknowledges that the Citizens Advisory Board also has a diverse range of opinion on the FSUWG's 'issues without full consensus.'"

Comments - FSUWG Recommendation / Cleanup Levels:

Concern about spending lots of \$ on cleanup technologies

Comments - FSUWG Recommendation / Mineral Extraction Rights Acquisition:

There's a lot of gravel on west side of Indiana

--they'll probably want to extract it

EPA doesn't see many roadblocks to permitting

**CLEANUP LEVELS FOR ROCKY FLATS (Tom Gallegos):** The Environmental/Waste Management Committee has prepared a briefing paper which includes a list of questions for DOE, CDPHE, EPA and Kaiser-Hill to begin collecting information on defining cleanup levels. This paper gives some background on CAB, its work plan and what the committee is attempting to accomplish. An interview schedule has been set to get

input on how to define cleanup levels. Other resources are being identified.

**PRESENTATION: KAISER-HILL'S PERFORMANCE MEASURES USED TO DEFINE SUCCESSFUL MANAGEMENT AND CLEANUP OF ROCKY FLATS**  
(Nancy Tuor and Bob Card, Kaiser-Hill):

Representatives gave a presentation on performance measures for Kaiser-Hill, which as of July 1 began serving as the new integrating management contractor at RFETS.

Kaiser-Hill's strategies for managing the site follow:

- **Safety:** Safety is central core value; performers are fully accountable; standards are the basis for work; uncertainty is managed, not ignored; independent oversight will be focused on performance.
- **Special Material Management:** Stabilize plutonium, consolidate, shrink the protected area by 2000; focus on highest risk first; remove source from buildings; provide safe, dependable work environment; provide adequate basis for risk reduction activities; establish credibility with DNFSB.
- **Environmental Restoration:** Establish a risk-based strategy, bring compliance milestones into conformance; focus on IHSSs to accomplish rapid risk reduction; focus risk evaluation on existing populations; quickly reduce current risks then transfer funds to SNM, while maintaining "viable" continuing program.
- **Waste Management:** Reduce ER and process waste; expedite shipment of waste economically disposed of off-site; explore multi-purpose on-site monitored and retrievable storage or disposal.
- **Conversion:** Allocate more resources to D&D where cost-effective; free up uncontaminated buffer zone for use to be determined by DOE and stakeholders.
- **Performance Measure:** Defining element of new contract; focuses on results rather than process; allocate resources to accomplish performance measures. Performance measures are established by: 1) beginning with RFETS strategic plan - integrate with DOE and stakeholder goals; 2) identify "vital few" (10 major) objectives; 3) segregate into categories (critical mission objectives - SNM, ER, conversion; critical support objectives - WM; integrating - safety and health, environmental compliance, management); 4) develop contract duration goal for each objective; 5) establish schedule to achieve the goal; and 6) establish standard and stretch measures. Performance measures will be modified each year by revisiting the strategic plan and budget - with DOE and stakeholder involvement in the development of goals and objectives.

Following are highlights of established goals:

- **Safety and Health:** Establish behavior-based ES&H program resulting in decreased

risks to workers and public; ensure funding allocations and safety considerations are based on rank ordered risks; ensure subcontractors have qualified and verifiable ES&H programs; eliminate criticality safety procedural infractions; reduce incident radiological exposure levels.

- Special Nuclear Materials: Support SNM consolidation; shrink the protected area; enhance safeguards.
- Environmental Restoration: Accelerate environmental restoration to reduce public and worker risk by 90% by FY '98; review cleanup strategy with DOE, regulators and stakeholders
- Site Conversion: Release 4,100 acres of buffer zone for public access (as defined by DOE and stakeholders) by the end of FY '96.
- Waste Management and Risk Reduction: Achieve zero impact on SNM, ER, or conversion due to lack of planned waste management capacity - by FY '96.

### **Q/A to Briefing:**

Question: Who will make the determination as to what is a "common sense" safety measure?

Answer: We're trying to make sure the safety standards in effect for the front line workers aren't also in effect in the T130 trailers. But the performance measures have built-in checks and balances. We have very specific requirements to meet as part of the performance measures.

Question: In addition to focusing on results rather than process, you might consider process improvement.

Answer: That's a good point - and we have brought that capability to the site.

Comment: Regarding reducing the public and worker risk by 90% - isn't this kind of fluff?

Question: How many subcontractors do you have, or expect to have on the job in the next six months or so?

Answer: Over time, the major subcontractors will own the majority of the employees on the site - Kaiser-Hill expects by the end of the year to be self-performing only 8-10% of the work.

Question: Where are you shipping the highly enriched uranium?

Answer: That's the issue - it would have gone to Oak Ridge; we're hoping they get back in business. There are three possibilities: 1) Oak Ridge; 2) Nuclear Fuel Services in Irwin,

Tennessee; 3)Ékeeping it at Rocky Flats.

Question: Does that include treating it?

Answer: It would include blending it.

Comment: The public is in favor of funding responsible cleanup; we seem to have a problem in Congress.

Question: Is Kaiser-Hill open to having its contract reviewed for quality control by a group like CAB and/or other outside groups, and whether you are willing to assign someone from the site to help with that - perhaps someone like Melinda Kassen.

Answer: We won't let our contract drive insensible behavior. We would be willing to sit down at any time to have a discussion of the goals and measures, to discuss the logic. And it's important to have appropriate checks and balances. We would love an opportunity to sit down and discuss it - to make sure the measures don't have a negative effect somewhere else. We would like to have your support and understanding about what we're doing. The goals/measures are negotiated annually. Within the next 90 days we will be evaluating with the contractor the FY'96 performance measures. Contact either Jeremy Karpatkin or Mike Konczal, they should be able to help set that up.

Question: On your safety strategy - what is the independent oversight you mention?

Answer: Kaiser-Hill will be performing only 8-10% of the work, so we are an oversight contractor to out subcontractors. We have a measure of independence the M&O contractor didn't have. In turn, DOE reviews us to make sure we are behaving in the right way. Also, there is an independent safety organization that's been set up on-site, to perform independent oversight and review of environmental safety and health.

Comment: Independent oversight doesn't mean people you hire to look at yourself.

Question: Have you received permission and begun construction on a storage disposal cell?

Answer: No.

Comment: You might consider Frank Smith's suggestion of using missile silos.

Question: Have you determined what the risk of Rocky Flats is to the public and workers alone?

Answer: We have a professional judgment risk model. We are working with CDPHE and EPA to refine that to an acceptable level. It would probably cost \$10-\$20 million in 3-4 years to do a complete, integrated, definitive risk assessment of Rocky Flats. By then, we'd know what it was but there would be no money left to do anything about it. The approach we want to take is to determine what is the probable risk - and when we find out the right number how many IHSSs are needed to get down to that level.

Question: What exactly is the role of BNFL going to be, and how and when can we get some performance records that have not yet been provided?

Answer: I'm not aware of any request. Let Chris Dayton know what you would like to see. BNFL's role is they are a joint owner of Rocky Mountain Remediation Services (RMRS). RMRS has a primary scope of responsibility for ER/WM on-site. Our subcontract is with RMRS, and RMRS is owned (jointly with Morrison-Knudsen) by BNFL. Comment: They supposedly performed D&D on a building in England to greenfield levels. They have not, nor has anyone else, been able to provide any documentation regarding the work that was done there. Comment: The words "liability" and "risk reduction" are used so generically that it has become very difficult to understand what they really mean - that's one thing EPA is trying to address with DOE and Kaiser-Hill.

Question: This states that all financial rewards are tied to strategic performance measures and cost savings. Are those separate or somehow tied together - that you have to achieve a performance measure with a cost saving?

Answer: We have specific performance measures in place to achieve cost savings. When we put money back in the site's pocket, we share in that outcome. And half of what we get in cost savings is shared with the work force on a per capita basis.

Question: Regarding some of the workers lost in the transition - how were the reductions determined - was there a skills assessment done?

Answer: Yes, we did a skills assessment that was sent out by HQ. We polled subcontractors and asked them to identify what they needed in the way of skills to complete their scope of work. A target was identified (of numbers of employees needed in each position); offers were made during the voluntary separation process.

Question: Weren't some people notified incorrectly of termination?

Answer: A handful of people, yes.

Question: How many people are coming in to work through the subcontractors?

Answer: We are bringing about 200-210 people on-site.

Comment: You're still talking about releasing some of the buffer zone land to the public; a lot of the land hasn't been checked yet to see if it's contaminated.

Response: That wording is still in our performance measures because we haven't made an official agreement with DOE on how this will be reworded. And about the contamination, let's use an equal risk model for determining what the appropriate boundary is.

Comment: Simply assuming it's not contaminated because you never tested it, and it doesn't seem like the wind doesn't blow that way, isn't good enough.

Comment: When you consider that there's about 15,000 acres of vacant land around Rocky Flats, the only reason there's any demand for that land is some people are thinking they may get some free land. If you put a commercial price on that land, the demand for it would dry up immediately.

**DOE HEADQUARTERS BUDGET RECOMMENDATION (Linda Murakami):** A draft letter to Tom Grumbly from CAB was submitted for review by the Board. The letter requests an increase in funding of an additional \$30 million to pay for a newly-required contingency fund for Building 371 activities.

**Recommendation:** Send the letter to Tom Grumbly, with an amendment to second to last paragraph, third sentence, to begin: "We object to the requirement . . ."

**Action:** Motion to accept as amended. APPROVED.

**ER '95 CHAIR ROUNDTABLE DISCUSSION (Linda Murakami):** ER '95 is being held in Denver at the Convention Center on August 8-13. CAB has a complimentary booth; a sign-up sheet was passed around for Board members to volunteer to staff the booth. Linda Murakami and John Applegate, chair of the Fernald Board, will co-convene a roundtable with SSAB chairs. CAB members were asked to brainstorm and give ideas on issues that affect SSABs nationwide.

### Comments:

- Waste disposal, transportation, budget
- Special nuclear materials disposition
- How groups are dealing with outside community; what to do about outreach
- Federal Facilities Compliance Act
- Cleanup levels
- Establishing and exerting influence at the DOE-HQ level for adequate funding
- How does Dollars and Sense Committee at Hanford operates, and whether that's

happening at other sites - whether it's something each of the boards might want to look at

**EXECUTIVE COMMITTEE (Linda Murakami):**

The Executive Committee recommends that the Board bylaws section regarding voting procedures be revised to add clarification to that section.

**Recommendation:** Revise Board bylaws regarding voting procedures.

**Action:** Motion to accept. APPROVED.

A proposal was submitted by the Executive Committee asking the Board to reverse its decision to retain a fifth member on the Executive Committee, which was voted on at the 6/25 Board retreat. Some Board members who are interested in discussing this issue were not present at tonight's meeting.

**Recommendation:** Table this recommendation, and hold off discussion until a future Board meeting when all interested parties will be present.

**Action:** Motion to accept. APPROVED.

**EXECUTIVE SESSION: FACILITATION CONTRACT RENEWAL (Linda Murakami):**

**Recommendation:** Renew contract for facilitation for one year with Reed Hodgins/AlphaTRAC.

**Action:** Motion to accept. APPROVED.

**NEXT MEETING:**

Date: August 3, 1995, 6 - 9:30 p.m.

Location: Westminster City Hall, Multi-Purpose Room

Agenda: Presentation by Colorado Lieutenant Governor Gail Schoettler and Attorney General Gale Norton on RF issues; Future Site Use - final recommendation; presentation by Kaiser-Hill on disposal cell; discussion - consolidation of plutonium and special nuclear materials

**ACTION ITEM SUMMARY: ASSIGNED TO:**

- 1) Finalize Future Site Use recommendation / bring to August Board meeting- Alt. Use Committee
- 2) Forward letter on budget increase to Tom Grumbly - Staff
- 3) Update Board bylaws, section on voting procedures - Staff
- 4) Discuss recommendation on fifth member of Executive Committee - Board members - (at a later meeting)
- 5) Renew contract with facilitator - Staff

**MEETING ADJOURNED AT 9:15 P.M.**

\* Taped transcript of full meeting is available in CAB office.

**MINUTES APPROVED BY:**

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Secretary, Rocky Flats Citizens Advisory Board

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**PUBLIC COMMENT PERIOD:**

Comment: Kaiser-Hill is to be commended on their aggressive program. But about the time you've been given the ball and told to run with it, Mr. Silverman has initiated his third or fourth restructuring - they're playing musical chairs.

Response: We had tremendous support from DOE, so if they're in turmoil it isn't apparent to us.

Question: Many organizations are pitching in to make sure the budget is not cut. How can we be so firm on the budget when plans for the cleanup are as vague as they are? The five year estimate for Rocky Flats is \$3.75 billion - that's about the cost of DIA. And I don't understand this new method of compensation - is the cost based on paying all the people, contractor and subcontractor teams? There seems to be a lot of duplication.

Answer: Maybe you could have talked about plans being vague last year, but starting with the Strategic Plan all that has changed. DOE worked hard, along with Kaiser-Hill, to find what the highest liability reduction activities are and then turned those into projects. Also, there's a difference in the standard of care between a nuclear facility and an airport.

Question: If you have a subcontractor that's not performing, do you have a mechanism in your contract to deal with that?

Answer: Yes. If there is non-performance, they're gone. But also with the major subcontractors, we also gave them overlapping scopes of work to increase competition.

Question: Could Rocky Flats utilize the Arsenal waste incinerator to burn its chemical waste?

Answer: Technically it's feasible, but it wouldn't be economically practical. There isn't that much volume of non-rad hazardous waste at Rocky Flats. We don't see that as an option right now.

Question: I work at Hunter-Douglas near the site, and I have no idea what the actual risks are from Rocky Flats. What happens if there is an accident at Rocky Flats? In L.A., every household knows what to do in case of an earthquake. But there is no information about Rocky Flats here.

Answer: We have a group in charge of coordinating the Emergency Planning Zone around Rocky Flats. There is a defined zone and defined actions that will take place given certain different types of accidents that may occur. Local municipalities are involved, so is the National Guard. It's a very sophisticated system that is set up.

Comment: The bottom line is if there's a serious nuclear accident at Rocky Flats, we're in trouble. They're not going to be able to evacuate everyone out of the way. Contrary to what you've said, the plans I've heard about don't seem very sophisticated to me. The community has not been informed in a reasonable way about what to do if there's a serious accident at Rocky Flats that might threaten them.

Question: Dr. Iggy Litaor did a study this spring and found that because of the heavy spring rain, plutonium had moved eastward - possibly off-site. I now understand he was let go with the transition. Do you know what will happen now with that study?

Answer: There is no evidence that plutonium was released off-site; he believes there is some evidence of possible movement on-site. We are looking at that; Dr. Litaor has given us a proposal for consolidating the data on that over the next year - we're evaluating that right now. We're also looking at bringing in a panel of plutonium migration scientists to look at the phenomena. We hope to be able to have an answer as to what to do by July 21. Also, we're looking at how much we want to spend - to either spend money finding out if it's true, or spend money on the solution.

Question: The problem is groundwater running over saturated ground, which does not normally occur here. How is that something you can fix?

Answer: You can pave it over, or dig it up. There's a number of things you can do, but not too many obvious ways to fix it that would gain public acceptance.

Question: The study has been stopped?

Answer: It's been suspended. However, the data is collected.

Question: This past weekend two buildings were eliminated, Buildings 100 and 900. Reportedly the removal of these two buildings was over a half million. Is that right?

Answer: I don't think so, although I don't know what the real cost was. I've heard people

quote numbers from \$80,000 to \$800,000. We can get you the exact number if it's important.

Comment: Regarding the statement that the buffer zone has never been tested - there is a van that tests for radiation, and there are groundwater monitoring wells all around to the southwest and northwest and on the other side of Standley Lake.

Response: I was referring to soil sampling testing, which a lot has been done. I didn't mean to insinuate that the site has not been tested - it has. But there are large areas that have not been tested mainly because it's unlikely that they're contaminated - so the assumption has been made that they're not.

Question: Rocky Flats has a budget of \$3.5 billion over five years - what happens if Kaiser-Hill achieves its target over one year and is short of money - can they tap into next year's budget and is the entire \$3.5 billion going to be given to them over five years?

Answer: We began negotiating the contract at \$3.5 billion, and Congress has cut back in FY'96. Congress watches for carryover, spend rate, and authorization and appropriation. We will get only FY'96 dollars in FY'96. Congress may pull back some of our carryover for FY'95 if we have not responsibly committed it to work activities.

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The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

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