

Rocky Flats Coalition of Local Governments Board Meeting Minutes
April 3, 2000
8:00 – 11:00 a.m.
Westminster City Hall

Board members in attendance: Sam Dixion (Director, Westminster), Tom Brunner (Director, Broomfield), Hank Stovall (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Lorraine Anderson (Director, Arvada), Ken Fellman (Alternate, Arvada), Carol Lyons (Alternate, Arvada), Lisa Morzel (Director, City of Boulder), Paul Danish (Director, Boulder County), Carolyn Dulchinos (Alternate, Boulder County), Jeff Holwell (Alternate, Superior), Michelle Lawrence (Director, Jefferson County).

*Arrived/Departed at time indicated

Coalition staff members and consultants in attendance: David Abelson (Executive Director), John Marler (Technical Advisor), Katie Ewig (Program Assistant), and Barb Tenney (Icenogle, Norton, and Seter, P.C.).

Members of the Public: John Corsi (Kaiser-Hill), Russell McCallister (DOE-RFFO), John Rampe (DOE-RFFO), Steve Tarlton (CDPHE), Doug Young (Congressman Udall), Frank Stewart (DOE-Golden), Jeff Baker (DOE-Golden), Bob Tresher (DOE-Golden), Chris Powers (DOE-Golden), Theresa Benda (Gov. Owens), Janice Sinden (Senator Allard), Pete Jacobson (Senator Allard), Keary Mullins (NW Metro Chamber), Rob Henneke (EPA), Doris DePenning (Friends of Foothills), Hildegard Hix (Sierra Club), Bob Nelson (Golden), Matt Magley (Superior), Ken Korkia (RFCAB), Steve Smith (Public Service Co.).

Convene/Agenda Review

Michelle Lawrence called the meeting to order at 8:15 a.m. There were no proposed changes to the agenda.

Business Items

- 1) **Motion to Approve Consent Agenda** – Lisa Morzel noted a mistake in the March draft minutes under the Cleanup and Closure section. She asked that the sentence “Lisa asked if the Kriging maps are 2 or 3 dimensional” be eliminated and replaced with language noting her desire to see a three-dimensional cross section of the site showing the distribution of different elements and toxins. Lorraine Anderson motioned to approve the consent agenda with Lisa Morzel’s correction to the minutes, Tom Brunner seconded the motion. The motion passed 7-0.
- 2) **Executive Director Report** – David Abelson described the Coalition’s mid-March Washington D.C. lobbying trip as a success. He said the most striking message they heard while lobbying was that local government support for cleaning and closing Rocky Flats by 2006 cannot waver. If support begins to waver, money will go to other sites where DOE faces other pressing challenges. Another message that was stressed was the importance of

the local governments working together. David then passed out the National Defense Authorization Act Long-Term Stewardship Report prepared by Rocky Flats in response to a congressional mandate. David informed the Board that he wrote a memo to Tom Lukow, the main stewardship contact at Rocky Flats, asking for clarification and additional information on several items in the report. He urged the Coalition members to read the report and tell him their thoughts. David also announced that the Health Department grant had been renewed. In addition David distributed to the Board a draft letter to the Colorado Congressional delegation urging their support for the continued funding of the Office of Worker and Community Transition. In closing, David asked for Board input on making the Jefferson County Airport the permanent location for the Coalition Board meetings. After a few minutes of discussion, it was agreed by general consensus that Jefferson County Airport would be the permanent location, and that funds for providing breakfast would be taken out of the local government funds. Michelle Lawrence asked that a press release be put out announcing the new location and listing the next several Board meeting dates.

Round Robin

Arvada – Ken Fellman updated the Board on matters related to various local government comments about Arvada made in recent newspaper articles. Ken told the Board that Arvada officials had spoken with Westminster City manager Bill Christopher and Westminster Mayor Nancy Heil and they had apologized for misrepresenting Arvada in the press. Ken said they had a good, frank discussion that allowed them to work things out. Ken, Paul Danish, and Michelle Lawrence also met and had a frank discussion. Ken said he felt positive about the talk and that Paul Danish committed to raise any concerns he has about Arvada in public and in Coalition meetings.

Boulder County – Paul Danish replied that Ken’s description of their meeting was fairly accurate and that in the future he would raise any concerns about Arvada at the Coalition Board meetings. Paul stated that if a reporter asked his opinion, he would give it. Paul added that Boulder County is in the process of drafting a letter to DOE about the prescribed burn at Rocky Flats.

Westminster – Sam Dixon announced that she had been selected as the new Chair of the Energy Communities Alliance (ECA). Sam said that the ECA conference and lobbying trip were well attended and successful. She also stated that Westminster continues to get letters about the prescribed burn, and that Westminster City Council passed a resolution regarding the burns.

Boulder - Lisa Morzel stated that she will recommend to the Boulder City Council that Boulder join the ECA. She also announced that Boulder had sent a letter to DOE asking them to delay the burn until DOE does additional sampling and analysis of the land. She said that Boulder has urged DOE to look into alternatives to doing a prescribed burn as well. Lisa was displeased that information about the burn was not forthcoming from DOE and she hopes that this will not continue.

Broomfield – Tom Brunner urged the Coalition to start thinking about alternate sources of funding other than the Office of Worker and Community Transition. Hank Stovall stated that the Rocky Flats Coalition of Local Governments

recent Soil Action Level meeting was well attended and productive. He said the highlight of the trip to D.C. was that DOE wants to work towards achieving a reasonable soil action level. DOE is currently reviewing Till's work. Hank also stated that although Broomfield City Council has not yet passed a resolution about the burn, they agree that more monitoring should be done to ensure the fire will not suspend or re-suspend particulate matter.

*Carolyn Dulchinos arrived at this time.

Public Comment

Doug Young announced that Congressman Udall had written another letter to DOE asking that they provide the results from the test burn to an independent agency for their review.

John Rampe stated that the earliest the test burn could take place would be Wednesday April 5th, and that the burn would be confined to no more than 50 acres and would up to one hour. John added that because of new growth, a spring burn might be unachievable.

*Carolyn Dulchinos left at this time.

Cleanup and Closure Issues

Steve Tarlton made a presentation on behalf of CDPHE and the other RFCA parties on the development of the RFCA soil action levels. He began his presentation by explaining the action level concept. An action level is a numerical level that, when exceeded, triggers an action. What specific action is appropriate is decided through an approval process under RFCA. Steve explained that soil action levels are needed in order to proceed with the cleanup. Once a soil action level is set, the site will be able to identify and prioritize areas that require action to reduce risk.

Important to establishing a soil action level is the EPA's draft Radiation Site Cleanup Regulation. This gives two numbers for exposure limits: in the Buffer Zone, the maximum dose is 15 mrem/yr to an open space user and 85 mrem/yr to a hypothetical future resident and assuming institutional controls fail. In the Industrial Area, the maximum dose is 15 mrem/yr to an office worker and 85 mrem/yr to a hypothetical future resident and assuming all institutional controls fail.

In 1996, as part of the RFCA, the RFCA parties (DOE, CDPHE, and EPA) set interim soil action levels. They chose the most conservative action levels based on exposure scenarios, dose, institutional control assumptions, and major pathways. Interim soil action levels are subject to annual review by the RFCA parties, and must undergo a five-year review if contamination will be left in place (under caps for example). When the interim soil action levels were set in 1996, there was considerable controversy within the community. Ultimately this led to the funding of an independent assessment of the interim levels and the process used to derive them. The Risk Assessment Corporation (RAC), led by John Till, was selected to perform the review.

The RAC issued its final report in March of 2000, which recommends a substantially lower soil action level number than the current interim level. Now the RFCA parties must analyze the RAC's findings. The RFCA RSAL process will begin in Spring/Fall 2000 and its scope will include evaluating a full range of new regulations, science, inputs and other public input and concerns, including results of the 1998 RFCA review and the RAC report. In addition, in April/May 2000 DOE will conduct an internal review of science, policy, regulatory guidance, and DOE practices. The RFCA parties will submit a draft report to the public in Fall/Winter 2000 and then issue a final decision on the appropriate soil action level for Rocky Flats.

Questions to be answered include: what standard to use, what land use scenario to use, what dose conversion to use, what analytical approach to use, and what dust resuspension factor to use.

Hank Stovall asked Steve if the regulators have agreed to use institutional controls. Steve replied that the RFCA does provide for the use of institutional controls, and also presumes the land use at Rocky Flats will be open space in the Buffer Zone, and industrial in the Industrial Area. Hank expressed concern that community values and input were not taken into account since the assumptions and standards in the RFCA were established behind closed doors. Hank asked if there would be a more robust public involvement process this time around. Steve stated that it is the intent of the RFCA parties to design a good public involvement process and he welcomes suggestions. Paul Danish replied that there are two guidelines to use when trying to design the process: common sense and a proper respect for the history of the site.

Sam Dixon commented that it takes a long time for the public to understand the complex science behind radionuclides and soil action levels, but that members of the public are interested and want to become more educated. Lisa Morzel stated that it is important that the RFCA parties involve the public and give them the information they request. She said that in the case of the prescribed burn, she has not received the necessary information to tell the citizens of Boulder with confidence that the burn is safe. Lisa then asked about the sources of contamination of the several hot spots in the Buffer Zone. She expressed concern that the site may not have been adequately characterized because different operators at Rocky Flats over the years may not have fully disclosed the amount and extent of contamination. Ken Fellman agreed with Lisa that it is hard for the public to understand the complexity of soil action levels. He recommended that the RFCA parties come up with a report for the public detailing the science behind their decision, what the different expert opinions were, and why they made the choice they did.

National Renewable Energy Laboratory (NREL) presentation

Frank Stewart, the manager of the DOE-Golden Field Office, gave a presentation on NREL's proposal to use some portion of the buffer zone and the industrial area for its wind turbine testing and energy demonstration projects. Frank stated that the lab is a government owned but contractor operated facility. The three current contractors are Midwest Research Institute, Battelle Memorial Institute and Bechtel National, Inc. The lab consists of approximately 1,000 leading renewable energy scientists from around the world. Current projects at NREL include development of photovoltaic cells, concentrating solar light to produce electricity, and research into wind power.

Wind power is the fastest growing energy generation capacity, and is most relevant to the plans at Rocky Flats. The proposed idea, which does not yet have the DOE-Rocky Flats or DOE-Headquarters endorsement, would reconfigure the wind turbine testing site to include portions of the Buffer Zone near the Rock Creek Reserve. NREL currently operates on behalf of DOE-Golden Field Office the National Wind Technology Center (NWTC) on 280 acres outside the Buffer Zone but adjoining the Rock Creek Reserve. DOE-Golden Field Office's short-term proposal would redraw the boundaries of the Reserve to include 10 acres of watershed which is important for Prebles mouse habitat and exclude areas of high mesa (about 40 acres) which NREL would use for testing of additional wind turbines. This proposal, over the long term, would use another 300 to 400 acres of Buffer Zone land to conduct environmentally focused research into clean energy technologies, such as solar power, wind turbines, and hydrogen generation and storage. Buildings 130, 130 A, and 131 would be used as offices and research facilities.

After concluding the presentation, Frank opened the floor for questions. Paul Danish asked how many people would work on Rocky Flats land if the NREL expansion occurred and Frank replied no more than 250. Paul also asked what Buildings 130, 130A, and 131 are currently used for, and John Corsi answered that they are just administrative office buildings. Steve Tarlton remarked that during the Future Site Use Working Group discussions NREL has said that they would be gone from the area in 20 years. Steve asked what had happened to change that prediction. Frank replied that they have had more success than they originally anticipated and that the goals for the technology have changed. If they can continue to decrease the cost of wind power (through the design and testing of new blades and turbines), wind power will soon be competitive with natural gas and coal.

Ken Fellman asked what the timeline is for NREL's proposal. Frank stated that a dialogue is starting now between the higher ups at NREL and DOE's Field Management Office. Sam Dixon asked how much digging would have to be done to install the turbines, and Jeff Baker replied that the digging would be minimal. Sam also asked what utilities they would need to operate buildings 130 and 131, and Jeff answered that they would need natural gas and electricity. Tom Brunner thanked Frank Stewart for coming to the Coalition meeting and stated that he thinks the wind turbine testing and energy research would be a feasible future use for part of Rocky Flats. Frank said that he would like to come back and dialogue with the Coalition as the proposal develops, and he offered the Board a tour of the NREL/NWTC facilities.

Public Comment

There was no public comment at this time.

At 10:40 a.m. Tom Brunner motioned to move into Executive Session for the purposes of discussing personnel issues and receiving legal advice on such issues. Lorraine Anderson seconded the motion. The motion passed 7-0.

Upon motion, second, and unanimous vote, the Board approved the renewal of the employment letter agreement with David Abelson as the Executive Director, including the addition of a provision to incorporate the performance of services consistent with the job description

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developed by the Board, and to increase the annual salary to \$62,400, and directed legal counsel to revise the agreement with the approved changes for signature. The Board, having reconvened from Executive Session confirmed that no action was taken during executive session.

The meeting was adjourned at 11:00 a.m.