

Rocky Flats Coalition of Local Governments Board Meeting Minutes
Monday, February 26, 2001
8:00 – 11:15 a.m.
Mt. Evans Room in the Terminal Building
Jefferson County Airport, Broomfield

Board members in attendance: Michelle Lawrence* (Director, Jefferson County), Nanette Neelan* (Alternate, Jefferson County), Tom Brunner (Director, Broomfield), Hank Stovall (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Sam Dixon* (Director, Westminster), Mary Harlow (Alternate, Westminster), Lorraine Anderson* (Director, Arvada), Carol Lyons* (Alternate, Arvada), Paul Danish (Director, Boulder County), Lisa Morzel (Director, City of Boulder), Mike Weil (Alternate, City of Boulder), Matt Magley (Alternate, Superior).

*Arrived/Departed at time indicated.

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

Members of the Public: John Corsi (Kaiser-Hill), Dave Shelton (Kaiser-Hill), Jody Giacomini (Kaiser-Hill), Wil Zurliene (Kaiser-Hill), Anna Martinez (DOE), Paul Golan (DOE), Karen Lutz (DOE), Jeremy Karpatkin (DOE), Steve Gunderson (CDPHE), Tim Rehder (EPA), Rob Henneke (EPA), Noelle Stenger (RFCAB), Jerry Henderson (RFCAB), Pete Jacobson (Senator Allard), Theresa Sauer (Governor Owens), Beth Cooper (Congressman Tancredo), Nancy Hunter (Congressman Scheffer), Doris DePenning (Friends of the Foothills), Sonja Groghegan (Citizens Concerned about Nuclear Waste Impacts), Jyoti Wind (Citizens Concerned about Nuclear Waste Impacts), Debbie Feyh (Citizens Concerned about Nuclear Waste Impacts), Paula Elofson-Gardine (Environmental Information Network), Judith Davis (Rocky Mountain Peace and Justice Center), Bob Nelson (citizen), Dan Chesshir (RFSOIU Local #1), John Whitney (RFSOIU Local #1), John Barton (USWA Local Union 8031), James Masingale (USWA Local Union 8031), Anthony DeMaiori (USWA Local Union 8031), Steve Smith (Xcel Energy), Beth Wohlberg (The Daily Camera), George Vancil (Arvada), John Cicak (Rocky Flats Alarms), Dr. Harvey Nichols (CU), Dominic Cargiulo (CU), Brian Kenedy (CU), Becky Roetto (CU), Erin Geegan (citizen), Kep Sharp (citizen), Ryan Fitzgerald (CU), Kathryn Chell (CU), Elizabeth Ciocca (CU), Kaylee Ellingson (citizen), Jan Carry (citizen), Lorena Erinch (citizen), Katie Dorais (CU), Joanna Gibbs (CU), Preston Sowell (CU), Dehan Davis (CU), Lindsay Schumacher (CU), Ann Perrine (CU).

Convene/Agenda Review

Paul Danish 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 motioned to approve the consent agenda. Tom Brunner seconded the motion. The motion passed 7-0.
- 2) **Executive Director's Report** – David Abelson briefly discussed the February 28th Allard-Udall press conference and commented that the changes to the bill the Board had requested were made, and he would circulate the actual bill once it becomes available. He expects the bill to be introduced in both the Senate and the House later in the week. The bill is being cosponsored by all of the Colorado delegation, except for Representative McInnis. David said he had not heard of Representative McInnis having any reservations. He then described the State of the Flats meeting and distributed slides from presentations made by Barbara Mazurowski and Bob Card. David added Bob Card is a possible pick for the DOE under secretary position. David also handed out information from Kaiser-Hill on lab processes and bioassays, and depleted uranium, which the Board had requested at the last meeting. Last, David advised the Board that the Stewardship Working Group has approved a report for submittal to the RFCAB and RFCLOG Boards and he will present it at the next Board meeting.

*Nanette Neelan arrived at 8:40 a.m.

Public Comment

In keeping with the policy of keeping the Board informed, Paul Golan, DOE, described a security violation that occurred in Building 371. In violation of the two person rule, a can of Category 1 special nuclear material (SNM) was moved by only one person between two rooms in the building, and was out of compliance for an hour. The tampering device was intact and all materials were accounted for, but they still shut down all operations since this was a clear procedure violation. Paul confirmed this was not a new employee, DOE conducted a fact finding session last week and will have a follow up meeting on February 28th.

Steve Smith, Excel Energy, requested the Board's support for work related to the proposed transmission line on Rocky Flats property, three-quarters of a mile west of Indiana Street. Four alternative transmission line routes have been identified and are being evaluated to identify a preferred route. He reminded the Board of their initial approval last summer of the soil sampling program. Since that time, DOE has advised Excel they must use Kaiser-Hill to do the sampling, due to administrative and contractual obligations. In order to begin construction by December 2001, they must begin soil sampling in March and complete it by May 15th. Excel has submitted their schedule and payment arrangements to DOE Headquarters. Steve asked the Board to lobby for commitments from DOE HQ and RFFO, and a commitment from Kaiser-Hill this will be a

priority schedule. In response to several Board questions, John Rampe, DOE, confirmed this schedule is reasonable, and that HQ has already approved RFFO to expand the accounts receivable cap from one company from \$10,000 to \$60,000. Lisa Morzel asked for a copy of the soil sampling methodology and results. Answering questions from members of the public, Steve also explained that the power line needs to be located onsite since it is the most direct route and other routes create conflicts with FAA flights and an eagle management area.

*Sam Dixon arrived at 8:50 a.m.

Protected Area Closure Plan Briefing

Jody Giacomini, Kaiser-Hill, described the Protected Area (PA) reduction. She began by explaining it will result in risk reduction and cost savings and is a key closure strategy. All attractive SNM would be consolidated into Building 371, which is the most physically robust building onsite and also easier to protect than a complex of buildings. There would be direct savings of \$10 million per year and indirect savings as a result of greater D&D access and efficiency. These savings have already been accounted for in the Project Baseline. Jody then showed a map of the planned reconfiguration and noted that moving materials out of the 700 area would not be an unprecedented action. She also explained that the 1983 security system was designed to protect Category 1 SNM from theft but it was never designed for contamination control. Jody then described security programs that would still be in place in the 700 area, including Limited Protected Areas, radiological controls, waste management controls, and existing sitewide security. She described a Limited Area as a security area for protection of less attractive SNM or classified materials where internal controls are used to prevent access by unauthorized persons. A Limited Area has the following controls: requires an "L" clearance and uncleared personnel must be escorted; access controlled by badge reader and PIN or personnel; locks and alarms or patrols; holdup areas under daily checks; and random searches. Jody also described details of radiological controls and waste management, noting that these controls are independent of location. In explaining sitewide security, Jody said there would still be routine patrols of the 700 complex, random vehicle and personnel searches, access controls at the Site boundaries, and employee involvement. There will still be controlled areas in place after the PA is reduced. Jody concluded by reiterating that consolidation of plutonium into a reduced PA is a positive risk reduction activity and key to achieving closure by 2006. She again emphasized security controls will remain in place outside the new PA. The floor was opened for questions.

Mary Harlow asked if CDPHE had reviewed the plan. Steve Gunderson said it is not a State regulatory issue, but from their perspective it would make work more efficient and the ability to close far easier. Hank Stovall noted his concern that safety awareness levels may drop as barriers are brought down. Jody said awareness training inside and outside the PA will still be key to success. Next several workers raised issues: 1) Dan Chesshir still believes removing the checks and balances of metal detectors and scanners increases risk; 2) Bruce Massengil relayed his fear that guns couldn't be detected if the metal detectors are removed; 3) John Barton asked to see the inventory of plutonium originally in the buildings compared to what is moved to Building 371; 4) John Whitney said it would be possible to reduce the PA, but still keep the

scanners and streamline the process in order to prevent items being hand carried out; and 4) Tony DeMaiori cited concerns over lowered standards and uncleared workers with access to tools and holdup. Theft was a major concern to all workers. Paul Golan clarified all areas have security at the appropriate level for that area, and the security for the PA is appropriate for protecting Category 1 SNM. He also noted that 75% of the Site currently does not have to go through a metal detector. In reference to John Whitney's comments, Lisa Morzel asked if the Site could present other alternatives. Jody said the streamlined process still would not prevent the type of theft the workers cited. Lorraine Anderson suggested employee education to prevent theft and Jody explained an employee can't leave the building without being scanned due to the radiological control program. Wil Zurliene, Kaiser-Hill, added employees go through training prior to accessing these buildings and it is the same training program with the same security controls no matter the building. He also said they survey check buildings on an annual basis and every building is surveyed for tooling or other removable items. Wil stated he did not believe there is a large problem with people taking materials offsite.

The Board then discussed the possibility of theft and contaminated items in the community. Paul Danish wanted it known he believes reducing the PA is reckless and a bad idea. Sam Dixon motioned for the Board to send the Site a letter listing safety and security requirements. Lisa Morzel seconded the motion. Lorraine Anderson suggested listing the safeguards expected rather than micromanaging by citing methodology. Tom Brunner said the Board did not have enough information, including fiscal impacts, to tell the Site exactly what to do. Matt Magley and Michelle Lawrence both agreed with Tom and Lorraine. Sam agreed to amend her motion to state Board concerns, but allow the Site to find the solution. David asked which concerns the Board specifically wanted to list. The Board agreed they want the appropriate levels of security to ensure no SNM or other materials leave the Site. There is concern that reduced detection capabilities may result in increased risk. The motion passed 7-0.

*Lorraine Anderson arrived at 9:10 a.m.

Controlled Burns Briefing

John Rampe, DOE, began by explaining the Site had proposed a prescribed burning program last year to reduce Buffer Zone fuel loads and to enhance native prairie habitat. He provided the Board with a map from the Vegetation Management Plan, which outlines burn plans for the next 10 years. John said that in planning for prescribed burns the Site consulted with federal and state land managers, the USFWS, and contracted with the U.S. Forest Service to prepare a burn plan and conduct the burn. They also received a permit from CDPHE. After public input they modified their original plans to include additional sampling and a test burn, which took place April 6, 2000. John explained the test burn covered 48 acres, took less than an hour, and was monitored by DOE, EPA, and CDPHE. Additionally, lightning sparked a grass fire in the eastern Buffer Zone on July 10, 2000 in an area containing plutonium soil contamination in the range of 1-10 picocuries per gram. John said the fire burned approximately 12 acres and was put out within an hour. No specific air monitors were deployed, but two of the Site's perimeter air samplers intercepted the smoke plume. John stated no evidence of airborne radiological

contamination was found as a result of either fire, including personnel and equipment monitoring, site-specific air monitoring, and perimeter air monitoring. Wind tunnel data are still being analyzed. John explained the fuel loads for the prescribed burn area were reduced by 77% and should remain reduced for the next five to seven years. Also, in spite of a dry season, prairie growth in the burned area was noticeably enhanced, with tall grass species increasing from 44% to 50%. John said these results have led the Site to the conclusion that with the appropriate controls prescribed burning is a safe and effective means of reducing fire danger and enhancing habitat at Rocky Flats. In describing current prescribed burn status, John said the Site will most likely resume burning next spring, and they are still waiting for guidance from HQ as well as a Federal interagency group. Rocky Flats is now a signatory to the State's smoke management Memorandum of Understanding, which has requirements similar to those last April. John said they had submitted an Equivalent Planning Document pursuant to SB 99-145, and they intend to follow that plan when burning is resumed. John added that prior to resuming burning they will again secure a State burn permit, prepare a detailed burn plan, and seek outside assistance as appropriate. In closing, John discussed issues still open, including the appropriate amount of environment sampling, public outreach, and alternatives to burning. The floor was opened for questions.

Lorraine Anderson asked what were the alternatives to burning, and added she doesn't care for herbicides since they also can drift into the community. John said that in a broad vegetation management program herbicides are one way of reducing weeds, and work well in unison with burning. However, for burning thatch and reducing wildfire risks there are not many good alternatives. John listed raking and haying, and grazing by goats or bison, all of which have their own negative impacts. John added fire recycles nutrients, and removes thatch so that rain can permeate and help the prairie grow. Lisa Morzel asked about vegetation management after this 10 year plan, and John said the plan should cycle and continue. Lisa then asked about the dispersal of fine ash. John replied the results of the wind tunnel studies, expected within the next couple of weeks, will supply data on how much contamination can be mobilized. Lisa referred to a resolution passed by the City of Boulder that requested a series of burn experiments conducted in a controlled environment, and asked if they had been done. John explained the Site was not planning on conducting these small indoor experiments since contamination levels are so low in areas slated for burning, and especially since monitors right in the smoke in the larger burns detected no airborne radionuclides. Lisa said it would not cost them much to conduct a small series of experiments in order to gain greater public confidence. She also asked for more information on alternatives since Rocky Flats is not a pristine prairie but a nuclear weapons complex. Sam Dixon asked if erosion was greater with the reduction of thatch. John said data from the prescribed burn did show some effect, but within a matter of weeks emissions were down to nonburn levels. He added the long-term effect is positive since there is a general increase in vegetation cover after the burn. Hank Stovall asked if John believed the isotopic sampling data was reflective of what was actually released, or if there was the potential for missing some contaminated smoke. John stated the Site is very comfortable with the data and have confidence that nothing escaped. He also confirmed there were no known plumes in the lightning strike burn area. Mary Harlow mentioned concern over burns creating their own weather patterns and asked if they had reviewed other site's lessons learned. John explained they

would only burn in 30 to 50 acre increments, in a fish-tail pattern that overlaps, and would not set more on fire than they could extinguish at a time. Tom Brunner asked if the Site had reviewed data from within the weapons complex, and John said that data is being reviewed in the HQ guidance.

At this time, eighteen members of the public provided comments about their general dismay over the burn, lack of alternative information, sampling methods, levels of contamination and overall trust in DOE's data. They also asked questions to which John provided the additional following information, not previously explained: he is not aware of any air samples from NCAR or NOAA; air quality is analyzed on a year-to-year basis according to State criteria; the Site believes they can prevent a fire from reaching areas with open materials; all of the Site's air sampling was consistent, thus John has no explanation for the Environmental Information Network's radiological monitoring results; next year they plan to burn areas in the southern Buffer Zone; the Site would allow anyone with the proper credentials and technology onsite to monitor; there is a well-defined distribution of plutonium in the soil along the east/southeast corridor east of the 903 Pad, but there are low levels of plutonium contamination in other areas of the Buffer Zone; the Buffer Zone is pristine in the ecological sense; the fire department has a wildfire management plan; although the Site did incorporate several public comments, they will work to do more, including more information on why the alternatives were not chosen. Several members of the public, including Sonja Groghegan, Jyoti Wind, Dr. Harvey Nichols, and Judith Moling, requested an independent panel of scientists to review the burn plan and data, as well as a formal public hearing and investigation by EPA Omnibusman, Robert Martin. Sonja and Jyoti distributed letters and fact sheets to the Board.

Tom Brunner thanked the public for their testimony and said the Board needed time to digest all of this information before burns are resumed. Mary Harlow said Westminster has reviewed the Vegetation Management Plan and has concerns over risks not only related to a prescribed burn, but risks related to herbicides, resuspension, and lightning strikes. She said Westminster wants to make sure the community understands the issues. Lisa Morzel motioned for the Board to invite EPA Ombudsman, Robert Martin, to conduct a public hearing on the prescribed burn for information gathering purposes, and for the Board to request that DOE convene a panel of independent scientists and citizens to evaluate unanswered questions and come up with recommendations for vegetation management. Sam Dixon seconded the motion. Tom Brunner said he would like to review Lisa's recommendations in writing to determine if they are valid, since he isn't ready to vote on this today. Michelle Lawrence agreed with Tom and noted Arvada was not present to vote. Sam and Paul also agreed it would be best to wait until the next Board meeting to draft a motion.

*Carol Lyons left at 9:55 a.m.

*Lorraine Anderson left at 10:50 a.m.

*Nanette Neelan left at 11:00 a.m.

Finalize Washington, D.C. Lobbying Packet

David Abelson distributed copies of the revised lobbying packet and noted he had already discussed the changes with most everyone individually. He also circulated copies of their Washington D.C. schedule and maps. The Board agreed to the changes.

*Michelle Lawrence left at 11:10 a.m.

Round Robin

Due to a lack of time and Board members present, there were no Round Robin comments.

Public Comment

Bob Nelson confirmed the Site does have a wildfire plan.

Review Big Picture

David reviewed the big picture. At the April 2nd meeting the Board will review a burn resolution and review the Stewardship Working Group report. The next several meeting will also focus on D&D issues.

The meeting was adjourned by Paul Danish at 11:15 a.m.

Respectfully submitted by Kimberly Chleboun, Program Assistant