

Rocky Flats Coalition of Local Governments

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Ms. Barbara Mazurowski
U.S. Department of Energy
Rocky Flats Field Office
10808 Highway 93, Unit A
Golden, CO 80403

Mr. Doug Benevento
CDPHE
4300 Cherry Creek Dr. South
Denver, CO 80246

Mr. Jack McGraw
EPA
999 18th Street, Suite 500
Denver, CO 80202

Dear Ms. Mazurowski, Mr. Benevento, and Mr. McGraw:

The Board of Directors of the Rocky Flats Coalition of Local Governments has been discussing the question of soil action levels, water quality protection, and final cleanup levels for the Rocky Flats site. As the RFCA parties proceed with their review of the soil action levels and embark upon a conversation with the community on how best to integrate environmental restoration decisions, the Board offers the following observations and recommendations.

The Coalition represents approximately 800,000 people, many of whom live within close proximity to the site. The Coalition governments share the goal of cleaning up and closing down Rocky Flats in a safe and secure manner to protect our communities for generations. The Board remains firmly committed to the goal of a 2006 closure, but as we have previously stated, cleanup, whether completed in 2006 or beyond, must protect human health and the environment both now and into the future, even if that results in additional cleanup costs and takes longer to complete.

The Board naturally worries about long-term costs to the community as a result of an inadequate or incomplete cleanup of Rocky Flats. We therefore applaud the RFCA parties' commitment to work with the Coalition and others on integrating environmental restoration decisions, and trust that you will continue to involve the Coalition in a

collaborative role as decisions are formulated and policies are implemented. Part of involving the Coalition necessitates substantively incorporating community values into the development of Site remediation objectives, the setting of soil action levels, and the adoption of final cleanup levels.

The Board likewise supports a timely resolution of the soil action levels issue as environmental restoration planning needs to continue. Central to achieving a safe and secure cleanup is the question of soil action levels for radiological and hazardous materials. The Board shares the RFCA parties' commitment that the setting of soil action levels be technically sound and robust, and it is in this light that we offer the following recommendations.

1. The RFCA parties need to explain how the soil action levels align with the Site's remediation objectives, and explain how the nine CERCLA cleanup evaluation criteria will be applied in arriving at soil action levels and in implementing the final remediation of the Site.
2. In addition to protecting future users on the Site, the Coalition remains concerned about protecting water quality and neighboring communities, as both will be affected by residual radiological and hazardous chemical contamination at Rocky Flats. The Coalition understands that while soil action levels are solely designed to protect the future user on-site, there are additional regulatory mechanisms that protect water quality and neighboring communities. Therefore, regardless of the final soil action levels, the cleanup must ensure the final site condition protects the current RFCA water quality standards for on-site and off-site surface and ground water, and for neighboring communities.
3. Given the long-lived nature of the contaminants, the effectiveness of soil action levels and final cleanup levels must be measured for the life of the contaminants. The recently released National Research Council report on long-term stewardship concludes stewardship controls are often difficult to maintain and enforce, thereby raising questions about the long-term effectiveness of remedy selections that rely on stewardship controls. The Coalition therefore believes the RFCA parties must develop cost estimates for both soil action levels and final cleanup levels that take into account both short-term and long-term stewardship needs and associated costs for a given remediation action. Likewise, as the Coalition represents the communities that could be affected by the migration of contamination off-site, source removal must be a key priority so that the final site configuration minimizes the need for stewardship controls.
4. The RFCA soil action levels review must build on the work done by the Radionuclide Soil Action Level Oversight Panel. The Risk Assessment Corporation (RAC) raises important technical and policy issues that must be addressed in any reconsideration of the current interim soil action levels.
5. For example, during their calculation of Rocky Flats soil action levels, RAC found a significant amount of uncertainty associated with key model parameters used in RESRAD. The best way to reduce this uncertainty is to collect site-

specific data to support assumptions made regarding the key parameters. The current database is inadequate. We request a more comprehensive and consistent sampling and analysis of real data. The Coalition recognizes that there may not be enough time or money to produce such site-specific data. For parameters where this situation is the case, the RFCA parties should incorporate a reasonable amount of conservatism in their calculation such that the resulting soil action levels will be both technically sound and robust.

6. In addition, events such as fire, flood, and drought were not taken into account when the current interim soil action levels were developed. Any review of these soil action levels should consider these phenomena. Central to modeling these events is using an appropriate measure of soil resuspension. Because this process is difficult to quantify, the Coalition recommends every effort be made to collect site-specific resuspension data. If generating site specific data is not feasible, conservative values should again be used for resuspension parameters.
7. The Coalition understands that current regulations guide the determination of an acceptable annual exposure limit a user could receive. However, because our increased understanding of the effects of radiation on human health and the environment has led to a decrease in the annual dose a worker could receive, good public policy suggests when deciding on an acceptable annual dose, the RFCA parties should be duly cautious and use a conservative number.
8. Over time, new data and new scientific findings will necessitate reexamination of the soil action levels for Rocky Flats. The RFCA parties must commit that the five-year review will be technically sound and substantively involve the Coalition governments, among others.

Due to uncertainties such as which cleanup level or levels will protect water quality, the Coalition is not prepared at this time to support any numeric cleanup value. The Board requests that prior to releasing draft documents, the RFCA parties brief the Board and others on their proposed conclusions. The Board reserves the right to comment further should it disagree with either the technical data or proposed policy decisions contained in the report.

Thank you for considering our thoughts on the matter. We look forward to continuing to work with you and other interested community members on the complex question of how to best protect human health and the environment during cleanup and into the future.

Sincerely,

/s/
Michelle Lawrence
Chairman

/s/
David Abelson
Executive Director