D $0.00
2006148295 COVE
12/15/2006 01:55:28 PM 11 Page(s)
Jefferson County, Colorado

This property is subject to an Environmental Covenant held by the Colorado Department of Public Health and Environment pursuant to section 25-15-321, C.R.S.

ENVIRONMENTAL COVENANT

This Environmental Covenant is entered into this 4th day of December, 2006, by the United States of America, acting through the United States Department of Energy ("DOE"), and the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and the Environment ("the Department"), pursuant to § 25-15-320 of the Colorado Hazardous Waste Act, § 25-15-101, C.R.S. ("CHWA"). The Department's address is 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530.

WHEREAS, the United States owns, and DOE has administrative jurisdiction over, certain property commonly referred to as the Central Operable Unit (Central OU). The Central OU is located at the property formerly known as the Rocky Flats Environmental Technology Site ("RFETS") or Rocky Flats, located at 10808 Highway 93, Golden, Colorado. The Central OU is more particularly described in Attachment A, attached hereto and incorporated herein by reference as though fully set forth; and

WHEREAS, the Central OU together with certain engineered structures, is hereinafter referred to as "the Property", and is situated as shown in Attachment A; and

WHEREAS, pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq. ("RCRA"), and CHWA, the Central OU is subject to closure, post-closure and corrective action requirements; and

WHEREAS, pursuant to the Rocky Flats Cleanup Agreement (Federal Facility Agreement and Consent Order, CERCLA VIII-96-21, RCRA (3008(h)) VIII-96-01, State of Colorado Docket #96-07-19-01, as amended) ("RFCA"), the final Corrective Action Decision/Record of Decision for Rocky Flats Plant (USDOE) Peripheral Operable Unit and Central Operable Unit, dated September 2006, which may be found in the CERCLA Administrative Record for RFETS, has been issued ; and

WHEREAS, the final Corrective Action Decision/Record of Decision specifies certain corrective and remedial actions pursuant to CHWA and RCRA, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* ("CERCLA"), and certain closure requirements pursuant to CHWA and RCRA; and

WHEREAS, the purpose of this Covenant is to ensure protection of human health and the environment by preventing intrusion into the Central OU or damage to the various

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WHEREAS, the Central OU together with certain engineered structures, is hereinafter referred to as "the Property", and is situated as shown in Attachment A; and

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WHEREAS, the final Corrective Action Decision/Record of Decision specifies certain corrective and remedial actions pursuant to CHWA and RCRA, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* ("CERCLA"), and certain closure requirements pursuant to CHWA and RCRA; and

WHEREAS, the purpose of this Covenant is to ensure protection of human health and the environment by preventing intrusion into the Central OU or damage to the various

engineered structures on or associated with the Property, and preventing exposure to hazardous wastes and hazardous substances; and

WHEREAS, DOE has placed in the administrative record required under 42 U.S.C. § 9613(k) for the Rocky Flats Site, and filed with the Department and the Jefferson County Planning and Zoning Department a survey plat and record of the wastes that have been disposed in a landfill known as the Present Landfill, which is located in the Central OU, as required by 6 CCR 1007-3 § 265.119(b)(1)(iii); and

WHEREAS, the United States, acting by and through DOE, has previously granted an environmental covenant to the Department that relates to a portion of the Central OU. This covenant was recorded with Jefferson County, Colorado, and bears reception number 2006083738; and

WHEREAS the United States and the Department intend that this covenant shall modify and supersede the covenant described in the preceding clause; and

WHEREAS, the United States, acting by and through the DOE, is prepared to subject the Property to certain covenants and restrictions as provided in Article 15 of Title 25, Colorado Revised Statutes, which covenants and restrictions shall burden the Property and bind DOE and all parties having any right, title or interest in the Property, or any part thereof, their heirs, successors and assigns, and any persons using the land, as described herein, for the benefit of the Department.

NOW, THEREFORE, the United States, acting by and through the DOE pursuant to its authority under the Atomic Energy Act, 42 U.S.C. § 2011, et seq., and CERCLA, hereby grants this Covenant to the Department, and declares that the Property as described in Attachment A shall hereinafter be bound by, held, sold, and conveyed subject to the following requirements set forth in paragraphs 1 through 11, below, which shall run with the Property in perpetuity and be binding on DOE and all parties having any right, title or interest in the Property, or any part thereof, their heirs, successors and assigns, and any persons using the land, as described herein. As used in this Covenant, the term OWNER means the current owner of the Property, as the term owner is defined in § 25-15-101(12.5), C.R.S.

1) <u>Use restrictions.</u>

   a) The construction and use of buildings that will be occupied on a permanent or temporary basis (such as for residences or offices) is prohibited. The construction and use of storage sheds or other non-occupied structures is permitted, consistent with the restrictions contained in use restrictions (b) and (c), below, and provided such use does not impair any aspect of the response action at the Central OU.

b) Excavation, drilling and other intrusive activities below a depth of three feet are prohibited, except for remedy-related purposes and routine or emergency maintenance of existing utility easements in accordance with pre-approved procedures.

c) Grading, excavation, digging, tilling, or other disturbance of any kind of surface soils is prohibited, except in accordance with an erosion control plan (including Surface Water Protection Plans submitted to the U.S. Environmental Protection Agency [EPA] under the Clean Water Act) approved by the Department or EPA. Any such soil disturbance will restore the soil surface to preexisting grade.

d) Surface water may not be used for drinking water or agricultural purposes.

e) The construction or operation of groundwater wells is prohibited, except for remedy-related purposes.

f) Digging, drilling, tilling, grading, excavation, construction of any sort (including construction of any structures, paths, trails or roads) and vehicular traffic are prohibited on the covers of the Present Landfill and the Original Landfill, except for authorized response actions.

g) Activities that may damage or impair the proper functioning of any engineered component of the response action, including but not limited to any treatment system, monitoring well, landfill cap or surveyed benchmark, are prohibited.

2) Modifications and Termination This Covenant runs with the land and is perpetual, unless modified or terminated pursuant to this paragraph. OWNER may request that the Department approve a modification or termination of the Covenant. The request shall contain information showing that the proposed modification or termination shall, if implemented, ensure protection of human health and the environment. The Department shall review any submitted information, and may request additional information. If the Department determines that the proposal to modify or terminate the Covenant will ensure protection of human health and the environment, it shall approve the proposal. No modification or termination of this Covenant shall be effective unless the Department has approved such modification or termination in writing. Any approved modification or termination shall be recorded as required in § 25-15-321(3). Information to support a request for modification or termination may include one or more of the following:

a) a proposal to perform additional remedial work;
b) new information regarding the risks posed by the residual contamination;
c) information demonstrating that residual contamination has diminished;
d) information demonstrating that an engineered feature or structure is no longer necessary;
e) information demonstrating that the proposed modification would not adversely impact the remedy and is protective of human health and the environment; and
f) other appropriate supporting information.

3) Conveyances OWNER shall notify the Department at least fifteen (15) days in advance of any proposed grant, transfer or conveyance of any interest in any or all of the Property.

4) Notice to Lessees OWNER agrees to incorporate either in full or by reference the restrictions of this Covenant in any leases, licenses, or other instruments granting a right to use the Property.

5) Notification for proposed construction and land use OWNER shall notify the Department simultaneously when submitting any application to a local government for a building permit or change in land use.

6) Inspections The Department shall have the right of entry to the Property at reasonable times with prior notice for the purpose of determining compliance with the terms of this Covenant. Nothing in this Covenant shall impair any other authority the Department may otherwise have to enter and inspect the Property.

7) No Liability The Department does not acquire any liability under State law by virtue of accepting this Covenant.

8) Enforcement This Covenant may be enforced as provided in § 25-15-322, C.R.S., consistent with state and federal laws.

9) Owner's Compliance Certification OWNER shall submit an annual Report to the Department, on the anniversary of the date this Covenant was signed by DOE (or other date agreed to between DOE and the Department), detailing OWNER's compliance, and any lack of compliance, with the terms of this Covenant.

10) Notices Any document or communication required under this Covenant shall be sent or directed to:

Federal Facilities Corrective Action Unit Leader
Solid and Hazardous Waste Program
Hazardous Materials and Waste Management Division
Colorado Department of Public Health and the Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

11) This document is an approved modification of the Environmental Covenant between DOE and the Department, dated May 22, 2006, and recorded at Jefferson County, Colorado, reception number 2006083738 ("the Present Landfill covenant"). As of the date the Department signs this covenant, it supersedes the Present Landfill covenant, and the Present Landfill covenant no longer has any independent force or effect.

U.S. Department of Energy has caused this instrument to be executed this 4th day of December, 2006.

U.S. Department of Energy

By: [signature]

Title: Manager, Rocky Flats Project Office

STATE OF Colorado)
) ss:
COUNTY OF Jefferson)

The foregoing instrument was acknowledged before me this 4th day of December, 2006 by [signature] on behalf of the U.S. Department of Energy

ELAINE GREUNKE
NOTARY PUBLIC, STATE OF COLORADO

Notary Public

Address

My commission expires: My Commission Expires March 24, 2008

Accepted by the Colorado Department of Public Health and Environment this 11th day of December, 2006.

By: Gary W. Baughman

Title: Director, HMWMD

STATE OF COLORADO)
) ss:
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 11 day of DECEMBER, 2006 by GARY BAUGHMAN on behalf of the Colorado Department of Public Health and Environment.

Claudette M. Ferris
Notary Public

4300 Cherry Creek Dr So
Address

Denver, CO 80246

My commission expires: October 21, 2007

ATTACHMENT A
DESCRIPTION OF THE CENTRAL OPERABLE UNIT

CENTRAL OPERABLE UNIT DESCRIPTION

A PARCEL OF LAND LOCATED IN PARTS OF SECTIONS 2, 3, 9, 10, 11, 14, 15, AND 16, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 AS ASSUMED TO BEAR S00°04'20"E BETWEEN A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, NW 1/4, SW 1/4 SEC. 10, POT 2W, 1951 AT THE EAST QUARTER CORNER OF SAID SECTION 9 AND A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, SE COR, SEC. 9, PT1, 1951 AT THE SOUTHEAST CORNER OF SAID SECTION 9 WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE SOUTH 83°30'34" EAST, A DISTANCE OF 781.01 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING THIRTY–FIVE (35) COURSES AND DISTANCES;

1) NORTH 00°47'30" WEST, 486.22 FEET;
2) NORTH 77°03'40" EAST, 1859.46 FEET;
3) NORTH 00°15'35" EAST, 1490.32 FEET;
4) NORTH 62°19'38" WEST, 31.77 FEET;
5) NORTH 00°14'56" EAST, 1398.25 FEET;
6) NORTH 47°18'38" EAST, 955.47 FEET;
7) NORTH 47°56'20" EAST, 1969.68 FEET;
8) NORTH 55°35'10" EAST, 453.84 FEET;
9) NORTH 89°08'50" EAST, 1630.09 FEET;
10) SOUTH 11°59'19" EAST, 648.68 FEET;
11) NORTH 76°40'22" EAST, 5466.70 FEET;
12) SOUTH 07°34'38" EAST, 1335.72 FEET;
13) SOUTH 29°54'39" WEST, 1192.66 FEET;
14) SOUTH 05°10'44" WEST, 4152.31 FEET;
15) SOUTH 05°13'45" EAST, 358.96 FEET;
16) SOUTH 11°29'21" EAST, 111.31 FEET;
17) SOUTH 25°06'30" EAST, 54.39 FEET;
18) SOUTH 38°14'48" EAST, 255.02 FEET;
19) SOUTH 56°45'28" WEST, 583.89 FEET;
20) NORTH 43°53'26" WEST, 885.97 FEET;
21) NORTH 84°29'30" WEST, 2098.82 FEET;
22) SOUTH 88°39'54" WEST, 577.74 FEET;
23) SOUTH 82°25'57" WEST, 657.96 FEET;
24) NORTH 77°49'49" WEST, 47.05 FEET;
25) NORTH 63°43'37" WEST, 22.82 FEET;
26) SOUTH 28°04'58" WEST, 21.35 FEET;
27) SOUTH 73°43'41" WEST, 969.12 FEET;
28) SOUTH 72°06'47" WEST, 873.68 FEET;
29) NORTH 79°28'51" WEST, 228.77 FEET;
30) NORTH 83°23'48" WEST, 2400.13 FEET;
31) NORTH 53°05'27" WEST, 176.84 FEET
32) SOUTH 87°05'20" WEST, 539.50 FEET;
33) NORTH 60°00'49" WEST, 390.82 FEET;
34) SOUTH 88°36'06" WEST, 697.23 FEET;
35) NORTH 74°46'56" WEST, 281.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 57, 009, 784 SQUARE FEET OR 1,308 ACRES, MORE OR LESS

I, JOHN B. GUYTON, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

_____
JOHN B. GUYTON
COLORADO P.L.S. #16406
PRESIDENT, FLATIRONS, INC.

_____
DATE
FSI JOB NO. 06–51,569

Flatirons, Inc.
3825 IRIS AVENUE, SUITE 100
BOULDER, CO 80301
PHONE: (303) 443–7001
FAX: (303) 443–9830
www.flatsurv.com

LAND SURVEY PLAT

A PARCEL OF LAND LOCATED IN PARTS OF SECTIONS 2, 3, 9, 10, 11, 14, 15, AND 16, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO.

SHEET 1 OF 1

Central Operable Unit Parcel Description

(Prepared by Flatirons Inc., at the request of the client)

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2) NORTH 77°03'40" EAST, 1859.46 FEET;
3) NORTH 00°15'35" EAST, 1490.32 FEET;
4) NORTH 62°19'38" WEST, 31.77 FEET;
5) NORTH 00°14'56" EAST, 1398.25 FEET;
6) NORTH 47°18'38" EAST, 955.47 FEET;
7) NORTH 47°56'20" EAST, 1969.68 FEET;
8) NORTH 55°35'10" EAST, 453.84 FEET;
9) NORTH 89°08'50" EAST, 1630.09 FEET;
10) SOUTH 11°59'19" EAST, 648.68 FEET;
11) NORTH 76°40'22" EAST, 5466.70 FEET;
12) SOUTH 07°34'38" EAST, 1335.72 FEET;
13) SOUTH 29°54'39" WEST, 1192.66 FEET;
14) SOUTH 05°10'44" WEST, 4152.31 FEET;
15) SOUTH 05°13'45" EAST, 358.96 FEET;
16) SOUTH 11°29'21" EAST, 111.31 FEET;
17) SOUTH 25°06'30" EAST, 54.39 FEET;
18) SOUTH 38°14'48" EAST, 255.02 FEET;
19) SOUTH 56°45'28" WEST, 583.89 FEET;
20) NORTH 43°53'26" WEST, 885.97 FEET;
21) NORTH 84°29'30" WEST, 2098.82 FEET;
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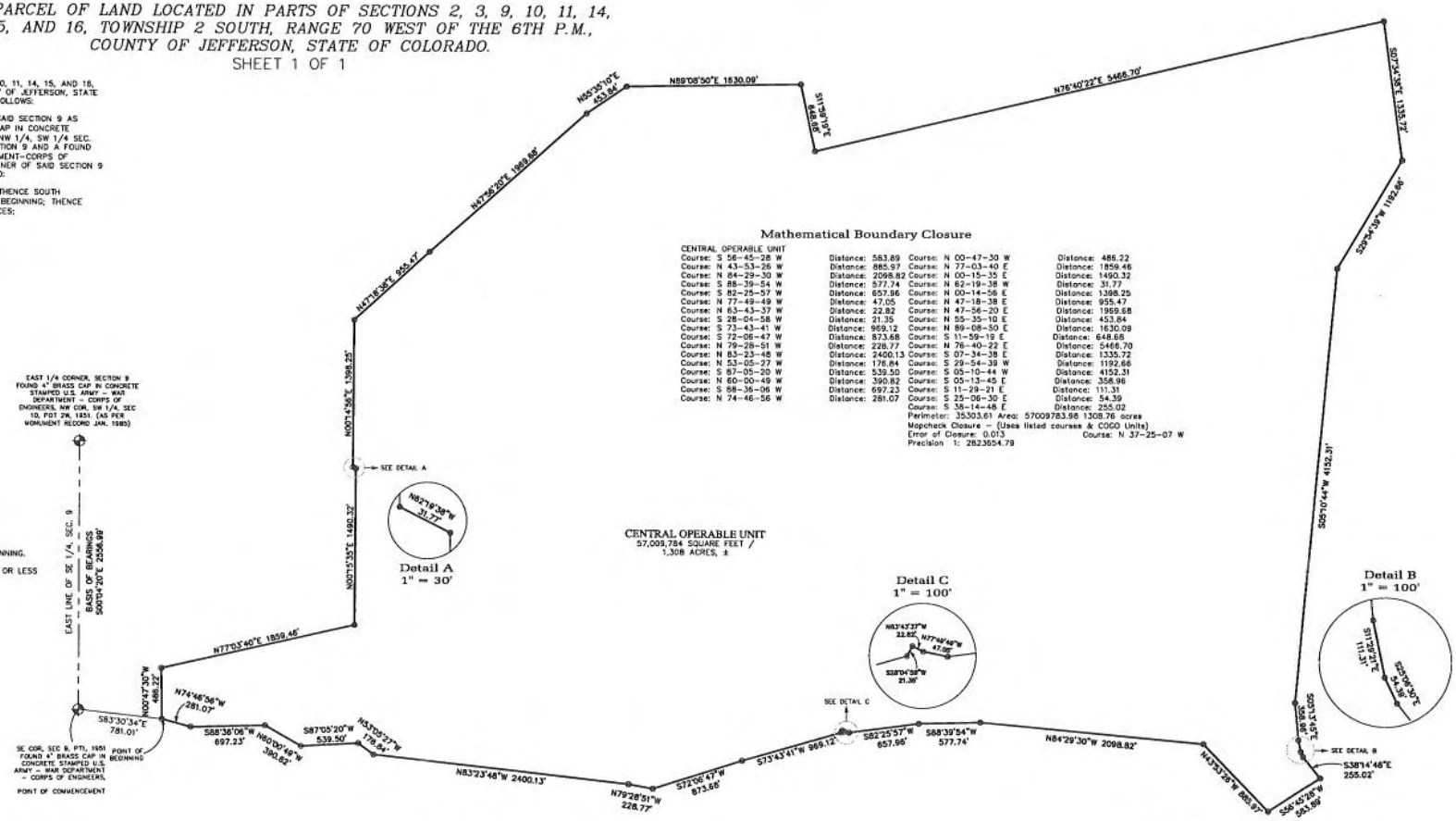

Mathematical Boundary Closure

CENTRAL OPERABLE UNIT

Course: S 56–45–28 W	Distance: 583.89	Course: N 00–47–30 W Distance: 486.22
Course: N 43–53–26 W	Distance: 885.97	Course: N 77–03–40 E Distance: 1859.46
Course: N 84–29–30 W	Distance: 2098.82	Course: N 00–15–35 E Distance: 1490.32
Course: S 88–39–54 W	Distance: 577.74	Course: N 62–19–38 W Distance: 31.77
Course: S 82–25–57 W	Distance: 657.96	Course: N 00–14–56 E Distance: 1398.25
Course: N 77–49–49 W	Distance: 47.05	Course: N 47–18–38 E Distance: 955.47
Course: N 63–43–37 W	Distance: 22.82	Course: N 47–56–20 E Distance: 1969.68
Course: S 28–04–58 W	Distance: 21.35	Course: N 55–35–10 E Distance: 453.84
Course: S 73–43–41 W	Distance: 969.12	Course: N 89–08–50 E Distance: 1630.09
Course: S 72–06–47 W	Distance: 873.68	Course: S 11–59–19 E Distance: 648.68
Course: N 79–28–51 W	Distance: 228.77	Course: N 76–40–22 E Distance: 5466.70
Course: N 83–23–48 W	Distance: 2400.13	Course: S 07–34–38 E Distance: 1335.72
Course: N 53–05–27 W	Distance: 176.84	Course: S 29–54–39 W Distance: 1192.66
Course: S 87–05–20 W	Distance: 539.50	Course: S 05–10–44 W Distance: 4152.31
Course: N 60–00–49 W	Distance: 390.82	Course: S 05–13–45 E Distance: 358.96
Course: S 88–36–06 W	Distance: 697.23	Course: S 11–29–21 E Distance: 111.31
Course: N 74–46–56 W	Distance: 281.07	Course: S 25–06–30 E Distance: 54.39
		Course: S 38–14–48 E Distance: 255.02

Perimeter: 35303.61 Area: 57009783.98 1308.76 acres
Mapcheck Closure – (Uses listed courses & COGO Units)
Error of Closure: 0.013 Course: N 37–25–07 W
Precision 1: 2823654.79

Legend

- FOUND ALIQUOT MONUMENT AS DESCRIBED
- SET #5 REBAR W/ 3 1/4" CAP "FLATIRONS SURV. LS 16406"

NORTH

GRAPHIC SCALE

500 0 500 1000 2000

(IN FEET)
1 inch = 500 ft.

Notes

1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND DOES NOT CONSTITUTE A TITLE SEARCH BY FLATIRONS, INC. TO DETERMINE TITLE OR EASEMENTS OF RECORD. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND–USE REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

2) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

3) THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE OFFICE OF OFFICE OF LEGACY MANAGEMENT, U.S. DEPARTMENT OF ENERGY, ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.

4) BASIS OF BEARINGS: CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 AS ASSUMED TO BEAR S00°04'20"E BETWEEN A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, NW 1/4, SW 1/4 SEC. 10, POT 2W, 1951 AT THE EAST QUARTER CORNER OF SAID SECTION 9 AND A FOUND 4" BRASS CAP IN CONCRETE STAMPED U.S. ARMY–WAR DEPARTMENT–CORPS OF ENGINEERS, SE COR. SEC. 9, PTI, 1951 AT THE SOUTHEAST CORNER OF SAID SECTION 9 WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

5) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC. 18–4–508.

6) THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

7) AT THE REQUEST OF THE CLIENT, NO EASEMENTS ARE SHOWN HEREON.

8) DATES OF FIELD WORK: 11/10/2006 TO 11/13/2006.

Surveyor's Statement

I, JOHN B. GUYTON, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATIRONS SURVEYING, INC., TO OFFICE OF LEGACY MANAGEMENT, U.S. DEPARTMENT OF ENERGY, ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, DEPARTMENT OF ENERGY, THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON NOVEMBER 13, 2006; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. SEC. 38–51–106 "LAND SURVEY PLAT".

JOHN B. GUYTON
COLORADO P.L.S. #16406
PRESIDENT, FLATIRONS, INC.

DATE
FSI JOB NO. 06–51,569

Depositing Certificate

DEPOSITED THIS _____ DAY OF _____ 200__ AT ____ O'CLOCK __M.
IN BOOK _____ OF LAND SURVEY PLATS AT PAGE _____
RECEPTION NUMBER _____
OF THE RECORDS OF JEFFERSON COUNTY, COLORADO.

SIGNED: _____

TITLE: _____

BY: _____

Land Survey Plat
PREPARED FOR
OFFICE OF LEGACY MANAGEMENT, U.S. DEPARTMENT OF ENERGY, ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE
SHEET 1 OF 1

DRAWN BY: B.SWIFT	*Flatirons, Inc. - Surveying & Engineering*	BDS	11/21/06
DATE: NOVEMBER 16, 2006	3825 IRIS AVENUE, #100 BOULDER, CO 80301 PH: (303) 443-7001 FAX: (303) 443-9620 www.flatirons.com	INT:	DATE:
FSI JOB NO. 06-51,569	655 FOURTH AVENUE LONGMONT, CO 80501 PH: (303) 776-1733 FAX: (303) 776-4355 Established 1983	REVISIONS:	
		CHECKED BY: JBLOW	

COPYRIGHT 2006 FLATIRONS, INC.

ATTACHMENT B
RECORD OF WASTES DISPOSED IN THE PRESENT LANDFILL

WASTES DISPOSED AT THE PRESENT LANDFILL, ROCKY FLATS SITE

The Present Landfill was placed into service in August 1968 for the disposal of solid waste, including office trash, paper, rags, personal protective equipment (PPE), construction and demolition debris, scrap metal, empty waste containers, used filters, and electrical components.

Although originally planned as a sanitary landfill, routine operations at the Present Landfill included disposal of materials containing polychlorinated biphenyls (PCBs) (i.e., used fluorescent light ballast); combustible materials contaminated with small amounts of beryllium particulate matter; containers partially filled with paints, solvents, and foam polymers; kimwipes and rags contaminated with paints, solvents and foam polymers; used filters; and metal cuttings and shavings (documented as primarily stainless steel). Wastes with hazardous constituents ceased to be disposed of in the landfill by the fall of 1986, by tightening of administrative procedures and the implementation of findings of the Waste Stream Identification and Characterization Reports (produced by Weston in 1986 and 1987). In addition, sludge from the Building 995 sanitary waste treatment plant was routinely disposed at the Present Landfill from August 1968 through May 1970 and may have contained low levels of plutonium and depleted uranium.

Nonroutine wastes disposed in the Present Landfill included tear gas powder; a tank containing Mercaptan™ (an odor additive to natural gas); a drum of solidified polystyrene resin used in fiberglassing operations; soil contaminated with approximately 700 gallons of diesel fuel; wood contaminated with chromium and aluminum oxide; unknown chemicals; and unknown reactive chemical residues.

Beginning in 1985, asbestos-containing material (ACM) was disposed in designated 10-foot-deep pits, one located northeast and another one southeast of the Present Landfill. The ACM was wrapped in heavy plastic bags, placed in the pit, and covered with soil. Site records indicate that disposal of ACM continued until April 1990. The contents of the eastern-most portion of both asbestos pits were removed during construction of the final cover so that all remaining asbestos is beneath the cover.