

ROCKY FLATS CITIZENS ADVISORY BOARD**MINUTES OF WORK SESSION****June 3, 1999**

FACILITATOR: Reed Hodgins, AlphaTRAC

Jim Kinsinger called the meeting to order at 6:05 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Ray Betts, Shawn Burke, Eugene DeMayo, Gerald DePoorter, Joe Downey, Tom Gallegos, Mary Harlow, Victor Holm, Jim Kinsinger, Bill Kossack, LeRoy Moore, David Navarro, Lesley Taufer, Bryan Taylor / Steve Gunderson, Tim Rehder, John Schneider**BOARD / EX-OFFICIO MEMBERS ABSENT:** Susan Barron, Tom Davidson, Tom Marshall, Mary Mattson, Linda Sikkema / Anna Martinez**PUBLIC / OBSERVERS PRESENT:** Kenneth Werth (citizen); Leo Fessler (citizen); Will Neff (RFCLG); John Schneider (DOE); Doris DePenning (citizen); Joe Rippetoe (citizen); Jack Hoopes (K-H); Bruce Dahm (City of Broomfield); John Barton (citizen); Larry Hankins (citizen); Alan Trenary (citizen); John Titus (citizen); Alan Rodgers (K-H); Mike Stenhouse (Monitor Scientific); Ken Korkia (CAB staff); Erin Rogers (CAB staff); Deb Thompson (CAB staff); Brady Wilson (CAB staff)**PUBLIC COMMENT PERIOD:**

Comment: John Barton: Mr. Barton and a couple RFETS site workers attended the meeting to inform RFCAB about an event at Rocky Flats they were concerned about. Mr. Barton distributed information stating that about 9,225 cubic meters of pondcrete was shipped in violation of 49CFR173. Low level waste metal coffins were designed and tested per this regulation with 48 bolts installed and torqued. The tests included dropping on each corner of the metal coffin from one foot high; dropping from a distance of four feet; leak, vibration, pressure and stack testing. According to Mr. Barton, the work force on this project was directed to only use six bolts, with no torquing of the nuts. About 2,474 metal coffins were shipped to both Envirocare and NTS. Approximately 103,909 bolts were left off the coffins that were shipped. Modification to the testing requirements to ensure the six bolts were adequate was never done. Mr. Barton expressed many concerns with what occurred, and asked the Board for its assistance. Apparently some workers have filed reports with Kaiser-Hill about the event, and are following procedure in reporting this incident.

Response: Jim Kinsinger: RFCAB will ask Kaiser-Hill and RMRS to respond to these concerns expressed at the Board meeting and follow up with written responses by the next Board meeting. EPA and CDPHE have also been asked to check into this incident and report back to the Board. Colburn Kennedy: A safety concern was received by Kaiser-Hill that morning, and that is being addressed. He offered to have an update for RFCAB in detail at the next meeting. He also agreed to provide information on the assessments and

evaluations that were done to justify going ahead with the shipment using fewer bolts on the containers. He did state that Kaiser-Hill met both CDOT and DOT requirements, and that the waste was shipped safely with no incident.

Comment: Jack Hoopes: The first WIPP shipment from Rocky Flats is scheduled to occur on June 15.

Comment: Kenneth Werth: Responding to RFCAB's general opposition to storing low level waste at Rocky Flats — he read an article about the Deer Trail facility and that it will not apply for a permit to allow storage of low level radioactive waste from Rocky Flats. Mr. Werth submitted a proposal for a pyramid-type storage facility at Rocky Flats, which he feels would be an alternative. The Board has not responded to his idea.

Response: Jim Kinsinger: RFCAB gave Mr. Werth an opportunity to present his idea to the Board. DOE is aware of the proposal and it is up to them to decide whether it is feasible

REGULATOR UPDATE (CDPHE): Steve Gunderson with CDPHE gave some highlights of projects the department is tracking related to Rocky Flats issues.

- **Kaiser-Hill 2006 Site Closure Baseline.** DOE received the draft report on May 24, and will perform a cursory review over the next few weeks. A more detailed validation by DOE and regulators will occur over the summer.
- **GAO Report.** The report, titled *Accelerated Closure of Rocky Flats: Status and Obstacles*, was released the week of May 17. This report questions whether closure by the end of 2006 is achievable due to a variety of obstacles such as the availability of sites to receive Rocky Flats waste.
- **NPDES Permit.** The Water Quality Control Commission approved a temporary modification of the radionuclide stream standards in the Walnut Creek retention ponds. This removes a major legal hurdle for the state in certifying the NPDES permit issues by EPA. However, changes to the site's Pond Operations Plan still need to be agreed upon by the parties involved.
- **Rocky Flats TRU Waste Shipments to WIPP.** DOE plans its first shipment to WIPP on June 15. Shipments from Los Alamos to WIPP continue, about one per week. Rocky Flats hopes to ship graphite molds to WIPP, the same waste form that was shipped to WIPP from Idaho in late April.
- **Status of Residues Order.** This defines how to manage and process residues at the site. Draft Consent Order language has been exchanged; meetings will be held in early June to finalize the language. A draft Residue Tank Management Plan has also been exchanged; however, there are several substantive issues remaining. This plan will have enforceable dates for emptying all remaining residue tanks. Treatment of the residues will be covered in the Site Treatment Plan. Initially, treatment milestones will not be enforced by CDPHE, but rather by DNFSB. CDPHE retains the option to make the dates enforceable if it believes DNFSB is not providing adequate oversight of the program. Shipping residues offsite will be covered under RCRA.
- **Building 374 Order.** The draft Consent Order language is still being reviewed by CDPHE. A monetary penalty is associated with this order; the amount has not yet been finalized but will be substantial. This Consent Order was precipitated by repeated and uncorrected problems in Building 374 regarding the management of permitted hazardous waste storage tanks.
- **Building 779 D&D.** All gloveboxes have been removed and size reduced. One glovebox is still present and will be shipped for use at another DOE site. Piping and

ventilation systems are being stripped out. Final rad surveys will begin in July as the rooms are stripped. Demolition by September 30 is questionable right now, but possible. The Building 729 plenum building has been decontaminated and is now determined to be clean; demolition of this smaller building is halfway completed.

- **Building 776/777 D&D.** Regulatory agencies are reviewing the draft DOP, which should be out for public review this summer.
- **Building 788 D&D.** Located in the Protected Area near the Solar Ponds, this small building was demolished over the past month under CDPHE RCRA oversight. It housed the clarifier tank, which stored RCRA waste liquids.
- **Building 771 D&D.** About 10 out of 38 mixed residue tank systems have been tapped and drained. There have been problems encountered such as characterization problems (the result of depending almost exclusively on historic process knowledge); contamination control; and other unanticipated problems. There are several performance measures tied to this activity. So far, deactivation activities have been fairly successful. Of the 10 drained tank systems, piping removal is complete on about six. The tanks themselves will not be removed until around 2003. Again, problems have occurred such as radioactive contamination control, liquid releases during strip-out and size reduction, and the inability to access hundreds of feet of pipe in the building — piping which is buried in the ceiling or otherwise blocked.
- **Solar Ponds Plume.** Public comment period for the decision document on this plume ends this week. A subcontract for construction of the groundwater collection and treatment system has not yet been awarded.
- **East Trenches Plume Remedial Action.** Recent rains have slowed installation of the collection system. Storm waters that accumulated in the excavated trench were temporarily pumped to Pond B-2. A total of 560 feet of the trench has been excavated with 34 of the collection barrier panels in place.
- **Industrial Area Strategy.** An outline of the Industrial Area Characterization and Remediation Strategy document has been developed and revised to account for comments by the agencies. Data is being compiled from environmental restoration documents, soil disturbance permits, interviews with building managers, etc. The outline will be distributed to the public focus group for comments.

DOE STEWARDSHIP DECISION-MAKING AND CAB PARTICIPATION

DISCUSSION: John Schneider (DOE-RFFO) gave a brief presentation on the site's plans for public participation in a long-term stewardship decision-making process. The site's goal is to recognize and incorporate any long-term protection implications in its closure and stewardship planning process. The public will be asked to participate in discussions where answers are needed on how to proceed with long-term protection issues. Many factors will influence those future decisions, such as the results of the Actinide Migration Studies and Soil Action Level Studies, recommendations of the Future Site Use Working Group, and the agreement recently entered into for the Rock Creek Reserve, among others. The site has developed a long-term protection estimate, which is included in its FY2001 budget request. The components include operations, physical controls, institutional controls, information systems, project management, and contract worker benefits. A preliminary estimate has been made for about \$11 million per year to be spent on stewardship, one-half of which will focus on items in the information systems area such as long-term storage of information, litigation records, declassification, records retrieval, and electronic records management. A contingency of approximately \$2 million per year has also been built into the estimate. Contract worker benefits is a separate item, and comprises anywhere from \$25 to \$35 million per year.

In a letter from Jessie Roberson dated June 2, DOE-RFFO proposed that CAB and the Rocky Flats Coalition of Local Governments (RFCLG) begin to work jointly to continue and expand the long-term protection public dialogue. By March 2000, the site would like to achieve the following objectives:

1. Develop recommendations for a process of continuing community involvement to address post-closure maintenance and protection issues; and
2. Review Rocky Flats assumptions regarding post-closure maintenance and protection, and make recommendations regarding their appropriateness, completeness, and consistency with stakeholder objectives.

The Board intends to include this issue as a part of its work plan for next year, and will begin discussions with RFCLG on how best to set up a process for working together. CAB agreed to send a letter to Jessie Roberson notifying her of the Board's intent to be involved in the process. Staff will draft the letter for approval by the Board at the July 1 meeting.

APPROVE LETTER TO SECRETARY RICHARDSON CONCERNING ROCK CREEK RESERVE DECISION-MAKING: On May 17th, during a visit to Rocky Flats, Secretary of Energy Bill Richardson along with other officials announced the development of a management plan for 800 acres of the Rock Creek Drainage in the Rocky Flats Buffer Zone, which will be called the Rock Creek Reserve. This area will preserve a habitat for the future and protect threatened and endangered wildlife. A letter to Secretary Richardson was approved at this meeting, and will be sent expressing CAB's concerns about the lack of community involvement in DOE's decision to enter into this agreement. The Board believes this action sets a precedent for future land use decisions, as this was the first major land use management decision at the site and it was made without consultation with any area stakeholders. CAB asked that the Board and other community and stakeholder groups be involved in the process for any future decisions related to the site, and also requested a response explaining how this situation occurred.

REPORT ON SSAB TRANSPORTATION SEMINAR: Board members Jerry DePoorter, Bryan Taylor, Shawn Burke and Victor Holm attended the SSAB Transportation Seminar held in Cincinnati, Ohio from May 20-23. Each Board member gave a brief overview of their thoughts and impressions from the seminar. At the workshop, all participants separated into four breakout groups, each responsible for developing two statements related to a particular area of focus. The breakout groups were: 1) Routing, Mode and Cost; 2) Packaging, Safety and Risk Assessment; 3) Stakeholder Involvement, Communication and Education; and 4) Notification and Emergency Response. All participants then reviewed the statements that were prepared. Participants approved the statements, only as individuals and not specifically representing their respective boards. These statements do not represent a consensus of the SSABs, but are merely the work product of the seminar. Each individual board has been asked to review and consider what they would like to do with those statements.

Staff will initiate an email discussion between Board members on the statements produced at this seminar. First, staff will do an analysis of these statements to a previous Board recommendation on waste transportation issues; the Board will then be asked which of the statements they can or cannot accept. CAB agreed to spend some time at a future meeting reviewing the statements developed, and at that time will determine which statements, if any, it agrees to forward as a recommendation to DOE-HQ from the Board.

PUBLIC COMMENT PERIOD:

Comment: Doris DePenning: Ms. DePenning is a resident of Coal Creek Canyon. She noted that her community was pleased about the announcement about the Rock Creek Reserve; however, they too were surprised and concerned about the lack of public involvement. A big concern is that other decisions may be made in a similar manner. Generally her community supports open space continuing in the area, but the agreements are being made with 2-3 entities without public input. More decisions will be made about the industrial area and stewardship, and she hopes that the open space will remain.

Comment: Leo Fessler: Mr. Fessler lives in the Countryside subdivision of Westminster. He opposes Broomfield's plans to build a detention facility near the Great Western Reservoir location. He has collected more than 1,300 signatures and will bring the petition to Broomfield. The concerns are about health, safety and property values. He also stated some concerns about the amount of contamination from Rocky Flats since its opening, and still there is little data available. The phases of cleanup at Rocky Flats are proceeding, and Broomfield is making plans to build in an area with possible contamination. Mr. Fessler is also concerned about the site's accelerated cleanup schedule, and assumptions that are being made and whether there is enough information to base those assumptions.

Comment: Joe Rippetoe: Regarding transportation, he is concerned with the movement of waste from Rocky Flats. The statements prepared by participants at the SSAB Transportation Workshop should have been in place a long time ago.

Comment: Jack Hoopes: Kaiser-Hill is in the process of reviewing the 2006 Baseline, which was delivered to DOE on May 21. He offered to have someone give a presentation to RFCAB and brief the Board on the scope of the 2006 Baseline document.

REVIEW OF THE DRAFT CAB LOW LEVEL WASTE CONTAINMENT

CRITERIA RECOMMENDATION: Over the past couple of weeks, CAB members reviewed and commented via email on a draft of its Vision section covering low-level waste containment criteria. This was developed based on the Board's preliminary concept of its preference for waste management, which states that low level waste must be contained in a manner that is isolated, monitored, retrievable, and secure. At this meeting, the Board began to refine its definition of that type of containment. Draft language follows:

- Isolated: Low level waste will be isolated geographically from humans, and, through the use of containment technologies, from the environment.
- Monitored. Any breach of containment will be detected through an active program of monitoring in time to ensure that the low level waste remains isolated from the environment.
- Retrievable. The low level waste containment system will be designed and operated so that the low level waste shall be managed and/or removed if necessary in the event of leaks or the development of better technologies to treat the waste.
- Secure. The containment system will be sufficiently protected so that the waste is not accessible to those wishing to cause harm. The containment system will be sufficiently marked/identified so that future generations will not encounter or release contaminants inadvertently.
- Stewardship. CAB agreed to add another section to the statement, which covers stewardship issues for the waste being contained. Following are the preliminary additions to this section:

- Funding to ensure long-term effectiveness of the containment system shall be provided for throughout the life of the containment system.
- Affected communities shall participate as partners in decisions about and management of the containment system.

Reed Hodgin, the Board's facilitator, will work with staff to refine a few more statements covering the Board's desire that the containment system be designed for intervals of no more than 200 years, and to incorporate other Board member concerns about onsite storage or above-ground storage. Staff will finalize the statement in time for the Board's final review and approval at its July 1 meeting.

DISCUSS FUTURE OF VISION DEVELOPMENT PROCESS: CAB is nearing the end of developing a Vision for Rocky Flats closure. Staff briefed the Board on its progress and what items need to be addressed in order to complete the process. The Board still needs to address such issues as building rubble, the TRU Waste EA, what CAB feels should be done with orphan wastes, the use of protective caps, and to further define its phases for cleanup that were developed early in the process (regulatory cleanup and cleanup to background). Long-term stewardship will be covered through the community involvement process now in the early stages of being defined by the site, CAB and RFCLG.

Other issues not addressed by the Board included some areas such as D&D, special nuclear materials, and a reuse designation. Staff will summarize previous recommendations in those specific areas and submit information for the Board to determine whether support for including those issues in the Vision still exists.

Staff will draft a Vision document for the sections already completed and also will summarize previous recommendations related to Vision topics. That information will be presented to the Board at its meeting on July 19. The Board agreed to set up short-term focus groups to address the RFCA Standard Operating Protocol (RSOP) for building rubble, as well as another to study the TRU Waste EA. Those focus groups will provide specific recommendations for Board approval based on review of those documents — following the public comment period for each. A final draft Vision statement will be prepared for the Board's review and comment at its August meeting, and will be finalized for approval in September.

NEXT MEETING:

Date: July 1, 6 - 9:30 p.m. (work session)

Location: College Hill Library, Front Range Community College, 3705 West 112th Avenue, Westminster

Agenda: Approve ComRad contractor selection and contract; approve RFCAB work plan process; approve low level waste containment vision statement; begin discussion of cleanup phases end-state definitions

ACTION ITEM SUMMARY: ASSIGNED TO:

1. Draft letter to Jessie Roberson stating RFCAB's interest in participating in RFETS stewardship discussions for Board's review and approval at July 1 meeting - Staff

2. Revise and send letter to Secretary Richardson expressing RFCAB's concern about Rock Creek Reserve decision-making process - Staff
3. Prepare analysis of RFCAB recommendation on transportation issues and compare to SSAB Transportation Workshop results; initiate email discussion with Board members on the topics addressed at the workshop - Staff
4. Finalize RFCAB low level waste containment criteria statement for Board review and approval at July 1 meeting - Staff
5. Prepare draft vision document for Board's review; and summarize previous recommendations related to the RFCAB vision for Board review and discussion at July 19 meeting - Staff

MEETING ADJOURNED AT 9:40 P.M. *

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

RESPECTFULLY SUBMITTED:

Mary Harlow, Secretary
Rocky Flats Citizens Advisory Board

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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