

**ROCKY FLATS CITIZENS ADVISORY BOARD
MINUTES OF WORK SESSION**

**February 1, 2001
6 — 9:30 p.m.**

**Arvada Center for the Arts and Humanities
6901 Wadsworth Boulevard, Arvada**

FACILITATOR: Reed Hodgins

Jerry DePoorter, the Board's chair, called the meeting to order at 6 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Jeff Allen, Suzanne Allen, Robin Byrnes, Jerry DePoorter, Jeff Eggleston, Tom Gallegos, Shirley Garcia, Mary Harlow, Victor Holm, Paul Jurasin, Jim Kinsinger, Bill Kossack, Tom Marshall, Nancy Peters, Bill Petersen, Earl Sorrels, Markuené Sumler, Bryan Taylor / Steve Gunderson, Rob Henneke, Jeremy Karpatkin, John Rampe

BOARD / EX-OFFICIO MEMBERS ABSENT: Joe Downey, Mary Mattson, LeRoy Moore, Curt Watts

PUBLIC / OBSERVERS PRESENT: Joe Rippetoe (citizen); John Barton (Steelworkers); James C. Masingale (Steelworkers); A. W. DeMaiori (Steelworkers); Tom Stewart (CDPHE); Roman Kohler (citizen); Arnold Ondarra (EPA); Jennifer Labbe (Acculabs); Louise Janson (citizen); Alan Trenary (citizen); Ken Brakken (DOE-RFFO); Ken Korkia (CAB staff); Deb Thompson (CAB staff); Noelle Stenger (CAB staff); Jerry Henderson (CAB staff)

PUBLIC COMMENT PERIOD: No comments were received.

REGULATOR UPDATE — EPA: Rob Henneke attended on behalf of Tim Rehder to give a brief presentation on Rocky Flats issues being monitored by the EPA:

- First, he talked about the decommissioning of the French Drain, which was established in 1992 and first started operating in 1993. Samples taken since 1993 on a quarterly basis have showed recently that there has been no contamination above RFCA Tier II action levels, so it was no longer considered necessary to use the French Drain to collect runoff from the 881 Hillside. To decommission the French Drain, they breached the sump and dug a trench to the South Interceptor Ditch. The ditch was lined and then filled with small rock. They also took out all the electrical pumps and other machinery in the sump of the French Drain. Now it will operate passively, and water will flow by gravity to the South Interceptor Ditch.
- Next, EPA and DOE are considering the use of a "vacuum" type of machinery to clean up the 903 Pad and areas nearby, which is called a Pressure Differential Soil Motivator. This would clean to about one inch beneath the surface. The potential is to create less contaminated byproducts, and produce less soil release to the atmosphere, and not disturb the ecosystem. EPA is involved with this project through the

Superfund Innovative Technology Evaluation program. It is not yet known whether this will be used. First it will be tested offsite prior to using it onsite. The site hopes to receive a demonstration sometime this year, possibly receiving the demonstration onsite.

- Some individuals contacted EPA's national ombudsman office with complaints about public participation at the site, primarily involving the controlled burn. The regional ombudsman office retained a private consultant to assess public participation at Rocky Flats. The report has not yet been finished, but is expected within the next month. However, there were no dramatic findings of problems with public participation at the site. The report will be a public document and released when it is in final form.

PRESENTATION AND DISCUSSION OF WORKER HEALTH AND SAFETY

ISSUES AT ROCKY FLATS: The discussion began with Paul Hartmann (DOE-RFFO) giving a brief status report on DOE's actions following the recent contamination event and criticality infractions. On January 5, Barbara Mazurowski issued a letter to Bob Card detailing DOE's concerns about the recent safety incidents. There has been an increasing trend, in both number and severity, of safety events. DOE's contract with Kaiser-Hill has penalty fee provisions, and violations over the past year included a \$60,000 penalty for ventilation problems in Building 371; \$100,000 in penalties related to material handling incidents; and \$250,000 in penalties because the contractor had inadequate work controls in Buildings 771 and 776. Paul stated that Kaiser-Hill does show some positive safety indications, but DOE felt it needed to address the continuing trend before it became more severe. Bob Card responded to Barbara's letter on January 19, and promised to take corrective actions. DOE has begun responsive actions of its own, including reviews by both Headquarters (EH Division) and the Office of the Inspector General, plus its annual ISM audit. DOE has taken actions to retain facility representatives so there is no lack of individuals to oversee facility issues. In addition, DOE has hired a safety consultant to work onsite, perform a review and analysis, and give recommendations to DOE on improvements needed.

Next, Mark Spears with Kaiser-Hill briefed the Board on Kaiser-Hill's efforts to improve safety. Following the Building 707 criticality safety infractions, Kaiser-Hill is developing a site wide safety improvement and comprehensive corrective action plan. The final draft of that plan will be submitted to Barbara Mazurowski by February 6. Kaiser-Hill placed work temporarily on hold until corrective and safety improvement actions are completed. Work will not resume until DOE concurs with the action plan. All material handling personnel were briefed on their individual responsibility. The procedure for packing 10-gallon drums is being revised to specifically define operator actions to ensure criticality safety compliance and to add additional verification prior to placing items in the drums. Lessons learned from the event will be developed and presented to personnel who package fissile materials, and a root cause analysis team has been established to evaluate what happened. In Building 707, all Material Access Area (MAA) closure activities will be restarted on an activity-by-activity basis; Kaiser-Hill has received permission to restart inline container inspections and is expected to restart two additional activities this week. In Building 771, an investigation team continues their work. Building work has restarted with workers using respirators and additional air sampling in place. They have not yet identified a single event that caused the contamination, but are looking at the possibility of a chronic low-level exposure that had not previously been detected.

The following United Steelworkers of America Local 8031 representatives then joined

Mark Spears: Tony DeMaiori (president), John Barton (vice president), and James Masingale (union safety representative). All four individuals responded to questions and comments directed by both the Board and members of the public present. Some of the questions, comments, and responses are summarized below:

- Board member: Do individuals working with these materials have criticality training? How could these events happen if that training occurred? There should be no "interpretation" as to whether criticality procedures have been violated. Kaiser-Hill: Both the workers and management share in the responsibility for these events. They had all received training in criticality matters. Union: The crew had a question on the work, but relied on the supervisor's interpretation rather than their own readings. But they are trained to shut the work down prior to proceeding.
- Board member: There should be a higher alert status in Building 707 after all these incidents. Yet there have been other issues, not criticality events but problems with RCTs using equipment that had not been calibrated correctly, and one RCT entering a posted area without proper respiratory protection. Kaiser-Hill: The calibration issue was a training problem, and the procedure has been corrected. As for the individual who entered the posted area, that was due to an inattention to detail. Union: The site is stressing more individual responsibility. The individual who entered the posted area has been disciplined and retrained. On the positive side, no contamination of that individual occurred.
- Board member: Apparently not enough changes have occurred over the last year. There were fines to Kaiser-Hill since last February (noted above); have you learned from those events? What assurance do we have? Kaiser-Hill: It is unrealistic to think there won't be any safety events. The events which led to penalties were in different areas; changes were made, retraining was performed, and there has been no resurgence in those type of events. Union: Part of Kaiser-Hill's contract includes a joint company/union safety committee, which has had an increased membership over the past year. There is an improved listening ability on the part of Kaiser-Hill when the safety committee or union comes forward with problems. Yet, some workers are still uncomfortable stopping work and are afraid of pushing safety issues too far. The union wants to make sure the site maintains a safety culture and standard for a nuclear weapons facility, rather than switching to the safety standards and culture of a construction site.
- Board member: There seems to be a correlation between the increased work pace and the number of safety problems; safety is being given a "back seat" to work pace. Bob Card's letter does not address a safety culture. What about the effect of non-union workers? Kaiser-Hill: Safety systems were put in place early last year, but they did not measure up to the pace of activity employees were being asked to do. It was a management failure in setting procedures. The work safety culture will be addressed in the site wide plan, but will be difficult. It is easier to set policies than to change behaviors. Union: Steelworker employees are the minority. The union files 90% of safety concerns, and salaried workers file only about 2%. It raises the question of whether those employees are concerned about retaliation. The Steelworkers Union has chosen to take the role of watchdog at Rocky Flats.
- Public comment: Safety is important. The fines being given aren't high enough. The problems would be stopped if every time something happened it cost more money.
- Public comment: Millions of dollars were spent making weapons, yet DOE plans to close the site too quickly. Developers are interested in the area around Rocky Flats, that's why the closure project is such a rush. The site is in a hurry to get this done and to say it's safe, but it won't ever be safe.

- Board member: Air sampling systems in the buildings should be set to make sure something like this doesn't happen. Do we have similar problems in other plutonium buildings? Kaiser-Hill: Workplace monitoring systems are set up to detect low levels, but can only go so low. We have found a negative bioassay rating in other buildings, which gave assurance that it wasn't a chronic problem in other buildings.
- Board member: Last April the Board received a presentation on worker safety with a chart that showed incidents had declined since Kaiser-Hill took over, until last January. After that incidents were on the rise. A decline was expected in April following new changes in management structure. Is the trend now continuing because of the increased speed of cleanup, and understaffing? Kaiser-Hill: The worker injury statistics had reached record low levels last year, but there was an upturn in October. There may have been morale problems because of the rejection of the bargaining unit proposal and worker stress. There were 20 injuries in December, the highest number in three years, but only seven in January. A new contract with the union was signed January 3. Kaiser-Hill will provide an updated chart to the Board.
- Board member: Is the union satisfied with the reviews being conducted? Are there more incidents with Steelworker employees than others? What is the morale like now? Union: We are thrilled to have Barbara as manager, she is receptive to our needs and has opened the door to us. The work force is returning to a more vigorous work schedule with dangerous work, and the schedule is a concern. Steelworkers may have more occurrences, but they have more people doing the work and they do more self-reporting. Kaiser-Hill: Steelworker incidents are actually lower on a percentage basis.
- Board member: Communication is obviously a problem. Consider reconstructing events verbatim, the exchanges that take place, so you can understand how communication contributes to the problem. Kaiser-Hill: For every event we have a fact-finding meeting and attempt to decipher what was said. Union: Whenever there is a chance to lose a job or lose money, you might not get all the facts.

UPDATE AND DISCUSSION ON RADIONUCLIDE SOIL ACTION LEVEL

REVIEW ISSUES: Karen Reed, on behalf of Tim Rehder (EPA Region 8), gave a short presentation on the second draft of the Task 1 Report for the RSAL Review, regarding Regulatory Analysis. Following a brief background of the RSALs and regulatory issues, Karen discussed a few outstanding issues such as the potential for conflict between the NRC rule and Superfund regulations, land use assumptions, and the difference between an RSAL and the actual cleanup level. Karen noted that the proposed framework is for surface soils only (the top six inches of soil). An action level for subsurface soils (below six inches) will be developed later. She also reminded the Board that the RSAL is not meant to be protective of surface water. DOE will have to take additional actions to meet water quality standards.

Next, the Board spent a good deal of time discussing each individual member's understanding of the status of the RSAL Review process, possible scenarios, timing, assessments, and analyses. Each gave their perception and views of their values and the Board's values that should be considered in the process.

The Environmental Restoration Committee is tasked with preparing recommendations on the RSAL Review, and must consider the Board's concerns and issues during that process. The committee will examine each task report to determine whether it addresses the Board's concerns and values, and to see if the recommendations from Risk Assessment Corporation's study have been incorporated. Recommendations will be submitted to the

Board for approval, based on the second draft of each RSAL Review report.

Upon reviewing the Task 1 Report, the committee found no deficiencies worthy of a recommendation. Instead, the committee had developed a pair of discussion topics related to regulatory analysis: the selection of exposure scenarios and the selection of a value within the CERCLA risk range. The topics were chosen because they speak to the issue of community values. However, the Board had discussed exposure scenarios extensively after Karen Reed's update, and there was not enough time left in the meeting to address the issue of risk. Therefore, the committee asked the Board for instructions on how to proceed.

The general feeling of the Board was that the committee should take some time to analyze the scenarios in more detail in order to identify key features of the scenarios that the regulators may have missed. At the March meeting, the committee will present their findings, along with a draft recommendation if necessary.

EXECUTIVE COMMITTEE PROPOSAL TO SEND BOARD REPRESENTATIVES TO CHICAGO FOR TRAINING ON THE RESRAD COMPUTER MODEL:

The Executive Committee proposed sending two Board members and one staff member to Argonne National Laboratory in Chicago for training in the use and application of the RESRAD computer model. Estimated cost of the trip is \$2,200. A majority of the Board approved the plan for the travel and training, with four Board members standing aside.

NEXT MEETING:

Date: March 1, 2001, 6 - 9:30 p.m.

Location: Jefferson County Airport Terminal Building, Mount Evans
Room, 11755 Airport Way, Broomfield

Agenda: Quarterly update by DNFSB; update on D&D issues at Rocky Flats; update by the Environmental Restoration Committee; update on EMSSAB chairs meeting

ACTION ITEM:

**ASSIGNED
TO:**

None

MEETING ADJOURNED AT 9:45 P.M. *

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

RESPECTFULLY SUBMITTED:

Jeffrey Eggleston, 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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