

**RFCA Stakeholder Focus Group
Attachment B**

Title: August 16, 2000 Meeting Minutes

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ADMIN RECORD

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Introduction

Paul Hartmann of the U.S. Department of Energy (DOE) opened the meeting with welcoming remarks and introduced Reed Hodgkin and Christine Bennett of AlphaTRAC, Inc. Reed Hodgkin will act as Facilitator and Process Manager for the Focus Group; Christine Bennett will act as Administrator for the Focus Group.

Paul offered copies of the RFCA Radionuclide Soil Action Levels (RSALs) review summary, and stated that anyone could sign up to be on the RSAL review mailing list.

Reed led introductions of all participants at the meeting. A participants attendees list is included as Attachment A to these minutes. Reed then reviewed ground rules for the Focus Group and summarized the Agenda for the evening. The Agenda as issued in the meeting packet included the following topics:

- Introduction and agenda review,
- Review of regulatory timeline,
- Discussions on remedial action objectives, and
- Review of syllabus for upcoming meetings.

Reed also presented a set of meeting guidelines that he will use for each focus group meeting.

Problem with Waste Shipment to Waste Isolation Pilot Plant (WIPP)

John Rampe of DOE announced that a waste shipment from the Rocky Flats Environmental Technology Site (RFETS) to the WIPP had developed a crack in the trailer in the unit and was stopped at an inspection point south of Pueblo, Colorado. He stated that there was no indication of any risk to the integrity of the shipping containers and indicated that additional information will be made available as it is known.

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Facilitation and Administrative Process

Reed Hodgkin next made a presentation and entertained questions and comments concerning the process of the RFCA Stakeholder Focus Group, with an emphasis on facilitation and administration. Topics treated included:

- Purpose,
- Participants,
- Core Policy Discussion,
- Scope
- Policy-oriented questions,
- The big issues, and
- Facilitation / administrative support.

There was a discussion among members of the Focus Group concerning the specific expectations for the Focus Group by the sponsoring agencies (Colorado Department of Public Health and Environment (CDPHE), U.S. Environmental Protection Agency (EPA), and DOE. There was also a request for information on how Focus Group deliberations would be used in cleanup decision-making at RFETS.

Joe Goldfield submitted three documents to the Focus Group:

- Comments on Proposed Water Interim Measures / Interim Remedial Action Plan 903 Pad, Mound, and East Trenches,
- 881 Hillside Cleanup Exposure of Workers and the Community, and
- Quantity of Plutonium 239/240 in a Portion of 903 Pad Soil.

He asked that DOE provide a response concerning the mass of plutonium in the 903 Pad area.

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Review of Regulatory Timeline

Dave Shelton of Kaiser-Hill presented a conceptual regulatory timeline for cleanup of RFETS. His key point was that it is currently very early in the decision-making process for cleaning up Rocky Flats. He emphasized that the Focus Group has been established and is taking part in policy discussions at this early stage so that the community is fully involved in and informed about the decision-making process throughout.

Discussions on Remedial Action Objectives

John Rampe of DOE presented an overview of remedial action objectives for groundwater, surface water onsite, surface water offsite, surface soil, and subsurface soil. He related remedial action objectives to CERCLA's nine decision criteria. He also addressed the relationship between the CERCLA decision criteria and RSALs. He stated that when soil concentration levels exceed Tier 1 criteria, remedial action must be taken. No remedial action is necessary if soil concentrations are below Tier 2 levels. He indicated that soil concentrations greater than Tier 2 but less than Tier 1 represent a region where discretion may be applied in identifying and taking remedial actions. It is in this area that the nine CERCLA criteria will be used to guide the discretionary decision-making.

A discussion on remedial action objectives and CERCLA criteria followed. The questions, answers, and comments are summarized below.

Q: Are the nine CERCLA criteria applied sequentially to remedial action decision-making (are the nine criteria listed in priority order)?

A: Yes, the first two decision criteria are the essential criteria: 1) overall protection of human health and environment; 2) compliance with ARARs. Criteria 3 through 9 are considered balancing criteria and are applied after the first two criteria are evaluated.

Q: What process was used to evaluate remedial technology for the 903 Pad cleanup?

A: A search was made for available technologies. Not a lot of available technologies were found. The technologies that were identified were reviewed to determine if

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their development and application would be consistent with a 2006 timeframe. This process led to the current options of remedial technologies.

- C: Stakeholders in the community wish to have input to the selection of technologies for remediation of the 903 Pad.
- Q: Is a presumed land use selected before establishing remedial action objectives or are remedial action objectives established first, leading to land use choices?
- A: In the current RFCA decision-making process, presumptions must first be made about land use to start the cycle.
- C: The relationship between land use and remedial action objectives—which one drives the other—is a key policy issue for cleanup at RFETS.
- C: Perhaps remedial action objectives should be developed against the CERCLA decision criteria assuming residential (unrestricted) land use first. Then, if achievable remedial action objectives cannot be developed for residential land use, institutional controls could be examined.
- Q: Does the RFCA prohibit the use of institutional controls?
- A: No. RFCA allows institutional controls and the discretionary decision-making in the area between Tier 1 and Tier 2.
- C: An ideal is to try for the best cleanup period, then work backward from there to the best achievable cleanup. It appears that RFCA allows this approach.
- C: It appears that the stewardship process could be linked to CERCLA through the nine decision criteria. The stewardship process could be directly related to criteria 3 (Long-term effectiveness and permanence), with balancing influences from decision criteria 7, 8, and 9 (Cost, State acceptance, and Community acceptance).
- C: It should be noted that land use is not one of the nine CERCLA decision criteria.
- C: An idea: Could we get maximum cleanup at Rocky Flats by applying the CERCLA decision criteria independent of land use, with a focus on Criteria 1 (Overall

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protection of human health and the environment); 3 (Long-term effectiveness and permanence); and 4 (Reduction of toxicity, mobility, or volume)?

- C: We need a methodology for ranking CERCLA criteria and choosing remediation approach based on results of applying CERCLA criteria.
- C: It would be useful to apply the CERCLA criteria to each of a range of land use options and examine the outcome.
- C: It should be our desire to cleanup RFETS for any use (unrestricted) unless such cleanup cannot be accomplished.
- Q: What organization administers each of the nine CERCLA decision criteria?
A: Responsible organizations are addressed as part of the CERCLA process and identified in the Record of Decision (ROD).
- Q: Why is there such a large area of discretionary decision-making between Tier 1 and Tier 2?
A: As the soil contamination level (and therefore the health risk) goes down, more options are available to produce the level of protection desired.
- Q: Are the nine CERCLA decision criteria and the remedial action objectives considered minimum requirements for cleanup at RFETS?
A: The remedial action objectives define the overall objectives for cleanup, considering all requirements and needs. CERCLA decision requirement 1 (Overall protection of human health and the environment) and (Compliance with ARAR), are considered the minimum requirements under CERCLA. Decision criteria 3 through 9 are considered balancing criteria. Additional minimum requirements for cleanup are specified in the RFCA.
- C: How CERCLA decision criteria 9 (Community acceptance) will be effectively accomplished needs to be fleshed out.
- C: The RSAL links only to decision criteria 1 on the CERCLA list of nine. The RSAL is considered a separate criterion designed to trigger remedial action based on risk.

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- C: A policy question: Should the RSAL be developed independently of land use? We could start by developing most restrictive RSAL criteria and then work back to less restrictive values as necessary.
- C: It is important to remember that protection of surface water must be evaluated as its own issue, separate from the RSALS.

Topic for Next Meeting

The Focus Group decided to discuss the policy issues associated with water quality protection at the August 30, 2000 meeting.

The following potential agenda and / or packet items were identified for this discussion:

- Application of the surface water quality standard onsite at RFETS,
- Identification of areas on the site where water quality will drive cleanup,
- Range of options for protecting surface water quality,
- The technical / regulatory framework for water quality protection (stream flows, monitoring methods, etc.)
- A summary of the current discussion among the agencies on water quality standards.

Actions

The following actions were identified by the Focus Group:

- Response from DOE to 903 Pad Pu calculation (DOE)
- Kaiser-Hill contract language concerning onsite water quality (DOE / Kaiser-Hill)
- Map showing areas of site where water quality will drive cleanup (DOE)
- Summary of water quality exceedances and explanations, including back to 0.05

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standard (if possible) (DOE)

- Regulatory framework for surface water protection, water flow patterns, and surface water monitoring program (DOE / Kaiser-Hill)
- Implications of cleaning up to 35 pCi (DOE / Kaiser-Hill)
- Basis and intent of RSALs (Tier 1 and Tier 2) (DOE)

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