



Woman Creek Reservoir Authority

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May 3, 2013

Mr. Scott Surovchak
U.S. Department of Energy
Office of Legacy Management
Rocky Flats Site
11025 Dover Street, Suite 1000
Westminster, CO 80021

RE: Proposed Discontinuance of Monitoring, GS01 and GS03

Dear Mr. Surovchak,

I am writing on behalf of the Woman Creek Reservoir Authority (the "Authority"), a political subdivision and public corporation of the State of Colorado created under C.R.S. 29-2-204.2. The Authority is the owner and operator of Woman Creek Reservoir generally located at the intersection of Woman Creek and Indiana Street, immediately adjacent to the historical boundaries of what has been formerly known as the Rocky Flats Plant Buffer Zone. The Reservoir physically separates Standley Lake, the drinking water source for the Cities of Northglenn, Thornton, and Westminster, from surface water leaving the former Rocky Flats site. I am writing to provide comments on the recent Department of Energy (DOE) proposal to remove sampling locations GS01 and GS03 in September 2013.

The DOE, Office of Legacy Management, has proposed to discontinue sampling at Rocky Flats surface water monitoring locations GS01 and GS03, effective September 2013. GS01 and GS03 are at the federal property fence line monitoring locations that sample waters as they exit the eastern edge of the site. This proposal was made as part of a two-year review process of the Surface Water Configuration Adaptive Management Plan (AMP; DOE, 2011). The AMP provides for a monitoring and data evaluation plan during flow-through conditions at the terminal ponds to determine whether to breach the terminal ponds on the current 2018-2020 timeline. This letter expresses the Authority's opposition to the proposed changes.

Issue #1: This proposed change contradicts statements made by DOE regarding intention to operate GS01 and GS03 until terminal dam breach.

Meeting minutes from Rocky Flats Stewardship Council (RFSC) meeting (e.g., August 2010, February 2011, and April 2011) and AMP meetings (e.g., January 2010 and March 2011) record statements by DOE explaining that GS01 and GS03 will be monitored until dam breach. DOE's commitment to long-term monitoring provided reassurance to downstream communities in the AMP development process and during CAD/ROD and RFLMA modifications in recent years that GS01 and GS03 would be monitored until the terminal dams were breached or until highway construction eliminated the sampling location or prohibited access.

One excerpt from the minutes of the RFSC meeting on August 16, 2010 is presented below as an example. This excerpt documents an exchange between Scott Surovchak and members of the RFSC:

Jeannette asked Scott to clarify the timeframe for continued monitoring at Indiana. Scott said that since DOE had modified its dam breach plan based on public input and was now going to operate Pond C-2 in a flow-through configuration, they would continue to operate the Indiana monitoring points. He said this would most likely continue as long as they were operating C-2 in flow-through. ... Lisa Morzel asked Scott for clarification about whether DOE was keeping the Indiana POCs as data points and for how long. Scott said they were keeping them and it would probably be for 7-10 years, or as long C-2 is in flow-through. Shelly Stanley asked where the public would see this in writing. Scott said it would not be a RFLMA change, because it was not related to any regulation, but said it would be added to the Rocky Flats Site Operations Guide.

Issue #2: No technical basis has been presented to justify removal of these stations for the purposes of AMP.

The process for review of AMP monitoring requirements is described in Section 6 of the AMP document. This section states “This review will consider the evaluation of the data and information collected through the AMP monitoring...” DOE has presented no analysis of data to justify removal of GS01 and GS03.

The Authority believes there is a strong technical basis to maintain these locations at this time. Specifically, during the less than two year period of flow-through operations at the terminal dams, there have been no high-intensity runoff events across the site. While some areas might expect lower runoff response due to recent response actions (i.e., wattles installed in the SW027 drainage in response to April 2010 reportable condition), there have been no sharp runoff peaks across the site at any station since initiation of flow through. Such runoff peaks occur in response to a combination of high intensity precipitation events and antecedent moisture conditions in the surface soils. The long-term hydrograph records show that such events have occurred in three of the seven post-closure years. The AMP sampling locations and the flow-through configuration has not yet been tested under such conditions. This is a basis to continue the monitoring at GS01 and GS03 to evaluate concentrations at the federal property fence line relative to the WOMPOC and WALPOC locations in response to such events.

Additionally, there are ongoing reportable conditions of Pu, Am, and U in the Walnut Creek drainage. These reportable conditions in surface water on the site are well above water quality standards for POC locations. DOE is working to identify the sources and transport mechanisms to explain these reportable conditions but has yet to succeed on that front. While downstream POC locations have not yet shown these elevated concentrations, the ongoing uncertainty about transport mechanisms and source areas is a basis for caution. As such, this is further technical basis to continue operation of the downstream-most monitoring locations which measure the quality of water immediately before it enters the properties of downstream communities.

Issue #3: DOE’s timeline for comments seems unnecessarily short and limits the AMP-specified cooperative approach.

Removal of GS01 and GS03 was proposed in an email on April 11, 2013 as a DOE redline of the AMP document. A meeting was held on April 25, 2013 for the first discussion of this proposal. DOE set a deadline of May 3, 2013 (6 work days later) for comments. There seems to be a great urgency to

discontinue this monitoring and limit further discussion in spite of concerns expressed at the April 25, 2013 meeting. Further, this timeline seems to skirt the AMP-specified AMP Group "cooperative approach" to modifications to the AMP. Since the AMP has provisions for review of monitoring on a more frequent basis than every two years, the urgency at this time is unfounded.

Summary

In summary, the Authority is surprised by the DOE proposal to remove sampling locations GS01 and GS03 this year, based on assurances from DOE to the contrary at previous meetings. The Authority also feels there is a technical basis to maintain the federal property fence line sampling locations at this time, in light of the limited range of hydrologic events observed during the flow-through period so far and ongoing uncertainty of sources and transport mechanisms as exemplified by the Walnut Creek drainage ongoing reportable conditions. The Authority therefore requests that DOE promptly withdraw its proposal to remove GS01 and GS03 as AMP locations at this time. The Authority also requests that an AMP meeting be held on May 9, 2013 at 1:00 to further discuss these issues and to establish a cooperative path forward for the AMP 2 year review.

Sincerely,



Ed Lanyon,
President

Woman Creek Reservoir Authority

- cc: Carl Spreng, Colorado Department of Public Health and Environment
Vera Moritz, EPA
David Abelson, Rocky Flats Stewardship Council
Eric Tade, City of Thornton
Bob Briggs, City of Westminster
Joyce Downing, City of Northglenn
Shelley Cook, City of Arvada
Greg Stokes, City of Broomfield
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Faye Griffin, Jefferson County
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