

ROCKY FLATS CITIZENS ADVISORY BOARD

MINUTES OF WORK SESSION

August 7, 1997

FACILITATOR: Reed Hodgin, AlphaTRAC

Tom Marshall called the meeting to order at 6:10 p.m.

BOARD / EX-OFFICIO MEMBERS PRESENT: Alan Aluisi, Susan Barron, Jan Burda, Eugene DeMayo, Mary Harlow, Victor Holm, Sasa Jovic, Bob Kanick, Jim Kinsinger, Beverly Lyne, Tom Marshall, David Navarro, Linda Sikkema, Gary Thompson / Jeremy Karpatkin, Frazer Lockhart, Tim Rehder, Steve Tarlton

BOARD / EX-OFFICIO MEMBERS ABSENT: Tom Clark, Tom Davidson, Tom Gallegos, Paul Grogger, Susan Johnson, Todd Saliman

PUBLIC / OBSERVERS PRESENT: Kenneth Werth (citizen); Mariane Anderson (DOE); John Corsi (K-H); Ray and Eileen Guyer (citizens); Sam Cole (PSR); L. Hankins (citizen); Cody Chudyk (Young Marines); Orlando Montoya (Steelworkers); John Barton (Steelworkers); Mary Jo Strong (DOE); Ken Korkia (CAB staff); Chris Millsaps (CAB staff); Deb Thompson (CAB staff)

DISCUSSION WITH ELGIE HOLSTEIN, CHIEF OF STAFF FOR THE SECRETARY OF ENERGY:, Secretary of Energy Federico Peña was in town this week following a trip to Bolivia, where he was a U.S. delegate at the inauguration of the new Bolivian president. Unfortunately, he was unable to attend CAB's meeting. Elgie Holstein, who serves as chief of staff for Secretary Peña, came to the meeting on his behalf to take comments and questions from members of the public. The Secretary announced earlier in the day that Rocky Flats had been designated an Accelerated Cleanup Pilot Project, along with the Mound and Fernald sites in Ohio. Assuming funding levels remain stable, DOE wants to see an accelerated, safe cleanup of Rocky Flats. Mr. Holstein noted that SSABs are an important part of cleanup and closure. Some citizen boards have greater and some have lesser degrees of disputes, and the process can be difficult, but it is valuable and represents democracy in action. Mr. Holstein was at the meeting simply to listen, and to convey back to DOE-HQ comments and concerns presented by the public. He primarily wants to make sure the Department is responding adequately to concerns of the public. Some statements from the Board and audience included:

ADMIN RECORD

SW-A-005765

- Questions regarding the commitment/plans of DOE regarding accelerated cleanup.
- Soil Action Levels - are local community concerns being brought to the Secretary, or is it filtered?
- No response has been received to a letter sent to the Secretary two months ago, regarding concepts for storage and waste disposal at the site.
- Concern that the performance bonuses for Kaiser-Hill might possibly compromise health and safety, similar to what occurred at Hanford.
- Many problems exist because of barriers between the site's status now and the proposed accelerated closure.
- Preble's Meadow Jumping Mouse, a candidate for endangered species designation - DOE has not done all it can to help protect it. The issue needs to be reviewed in light of lawsuit by the Sierra Club.
- How can DOE protect workers and the public when no epidemiological studies are being done? How do we know we're being protected during cleanup?
- Kaiser-Hill contractors - there are too many and a lack of dedication to safety. The attitude toward safety has changed, and management is too splintered among contractors. Consider returning to M&O contract.
- There needs to be integration between DOE and the workers - to discuss what is really necessary for cleanup and closure, and safety issues.
- Budget issues and remediation - if the budget is cut too much, cleanup will not occur.
- Rocky Flats can't be cleaned up by 2006 or 2010, only to an interim level. Acceleration won't change that.
- Request that DOE-HQ be represented if a meeting to discuss safeguards is setup in the future.
- CAB recommendations requesting independent review of both Soil Action Levels and the performance based contract - hope that DOE-HQ pays close attention to both of these recommendations.

- Disappointed that Federico Peña didn't make the time to meet with the Board, this was an important opportunity; hope he makes time on his next visit to Denver.
- CAB chair Tom Marshall requested a response to the Board in writing to all the comments, questions and concerns raised at the meeting.

ACCELERATING CLEANUP: FOCUS ON 2006 (John Rampe, DOE-RFFO): John gave a presentation on this National Discussion Draft document recently released. The 2006 Plan sets goals at both a national and site level for DOE to achieve cleanup by the year 2006. Enhanced program performance goals are expected to help achieve this goal, such as reducing support costs to 30 percent of total budget; achieving a 3.5 percent annual productivity improvement in pure projects (such as actual construction), and a six percent annual improvement for operational projects (e.g., running a waste treatment facility). Success of the closure is dependent on DOE-HQ decisions in the near term on such issues as plutonium residue and scrub alloy treatment, plutonium disposition, and intersite shipments of waste and materials.

The draft document assumes:

- Planning budgets of \$5.5 billion per year (low case) up to \$6 billion per year (high case) This funding level is separate from the capital portion of privatization projects.
- Using only existing environmental management inventories and facilities.
- Newly generated waste management responsibility will go to generating programs by FY2000.

Through the National Governors Association and group meetings held to discuss the plan, the affected states have submitted the following comments to DOE:

- The data base used for developing the plan needs significant improvement (DOE-HQ review for quality assurance; sending and receiving pairs don't match; no data exists to allow comparisons with other efforts)
- Concerns regarding a document called the Contractor Integration Report (politics are a factor and must be considered; don't change the existing regulatory structure; DOE needs to decide on a strategy for follow-on)
- Efficiency targets (too heavy a reliance on targets - may be setting itself up for failure; put more effort on life cycle baselines and return on investment; explain the downside if requested funding doesn't come through)

- Concerns that DOE will use the national dialogue to put off making cleanup and closure decisions
- Do not believe \$6 billion is adequate for compliance and closure activities; also, what is the bottom line needed to complete The 2006 Plan
- Compliance issues (don't consider regulatory relief to close sites; too much reliance on efficiencies to maintain compliance; plan doesn't address what DOE will do if things don't go well)
- DOE must be the lead regarding selection of disposal options - don't expect the states to make those decisions
- DOE needs to prepare a map showing what waste goes where, to help achieve equity; and DOE needs to show how that configuration will work

Key documents and decisions to be made prior to finalizing the plan:

- Final WIPP Supplemental EIS (8/97), and Record of Decision (9/97)
- Plutonium Disposition EIS (Facilities Siting Draft - 1/98; final EIS - 8/98; Record of Decision - 9/98)
- Residue EIS (draft - 9/97; final EIS - 12/97; Record of Decision - 1/98)
- Waste Management PEIS Records of Decision (TRU treatment and storage - 9/97; hazardous waste treatment - 12/98; high-level waste storage - 3/98; low-level and low-level mixed waste treatment and disposal - 6/98)

Q&A Session:

Question: Ray Guyer: Yesterday it was announced that there will be a reduction in force. The budget figures show more money, but without oversight I fear the contractor's safety record will get even worse.

Answer: Harold Armenta: They are contemplating a reduction in force right now, based on budget figures. DOE/federal employees are funded from a separate line item, and the funds are not allowed to be mixed.

Question: Gary Thompson: There is only a difference of \$500 million between the cases.

I wonder if that is sufficient to achieve compliance and perform any work. The low case must only be for compliance.

Answer: Frazer Lockhart: Not at Rocky Flats, it doesn't represent just compliance. Risk was also considered. John Rampe: In either case, you see a lot more improvement in the schedules when Headquarters' efficiencies are a part of that.

Comment: David Navarro: In the list of stakeholders defined in the plan, nowhere are employees listed, which is a glaring omission. That needs to be corrected. Also, many D&D projects had to be cancelled because of funding issues. We need to be more aware, because these projects could help to reduce the mortgage.

Question: Kenneth Werth: Is this the total budget for cleanup and for keeping the site open? I've heard it takes over \$400 million just to keep the plant open. That doesn't leave much for cleanup.

Answer: Harold Armenta: Yes, this is the total funding for FY98.

Question: Tom Marshall: The comments from the states, where did they come from?

Answer: John Rampe: They were presented to Al Alm at a meeting a couple of weeks ago. I have a more detailed writeup of the comments, and can send it to the office. I believe it was at a specific meeting on 2006.

Question: Tom Marshall: At the video conference with Al Alm, he insisted the site could be cleaned up by 2006, and yet the site's plan goes beyond that. He indicated that efficiencies would bring us to 2006. I haven't seen those defined anywhere.

Answer: John Rampe: Hypothetically, if you looked at dropping our support costs to 30%, and if you are able to free up another \$100 million or \$200 million a year, it gets us a lot closer to 2006. Whether that can be done remains to be seen. But what leads to the 30% has not yet been defined.

Comment: Jeremy Karpatkin: The congressional appropriations committees do not allocate money specifically to Rocky Flats. They allocate money to programs. This represents our best intuitive judgment as to what Congress thinks they want DOE to do based on the broad programmatic line item. Even if we got the final numbers, it's still up to EM to decide how Rocky Flats gets its allocation.

Question: Eugene DeMayo: Can you explain what the closure fund is, and what meaning it has that all the funding fell into that instead of environmental management? Can any of this be done if the program direction is cut, or if you don't have the funding for personnel?

Answer: John Rampe: Responding to your second question, we don't think it can be done. We hope the House action for program direction translates into a minimal impact on the level of staffing at Rocky Flats. But there will be an incremental impact. The closure fund is an extension of a pot of money available last year that was ascribed for specific purposes for projects that would accelerate closure or cleanup at various sites. The performance has been sufficiently good that the House wanted to take that money, and consider Rocky Flats and Fernald as closure projects in total and provide the money without regard to barriers, and to bring the closure schedules closer. It is a management structure that would bring all that money to the site for project management for closure. Also, the closure fund helps to eliminate stovepiping. Frazer Lockhart: The closure fund is something we see as progress. We used to get money from about five different sources. We were able in recent years to get most of our money through environmental management, and some in defense programs. The House action was rolling those two together and unfencing two pots of money.

Question: Susan Barron: What are some of the miscellaneous national programs?

Answer: John Rampe: That has to do with EM-50, technology development, health studies, etc.

Question: Tom Marshall: Is there House language that specifies this funding should go to Rocky Flats in the closure fund?

Answer: John Rampe: Yes, the committee report is very specific. Jeremy Karpatkin: The bill talks about how much is in the closure fund and which sites are entitled to it, but the report says how it should be divided between Fernald and Rocky Flats.

JULY 24 ACTIVATION OF EMERGENCY OPERATIONS CENTER AT ROCKY FLATS (Delmar Noyes, DOE-RFFO): On July 24, the Emergency Operations Center at Rocky Flats was activated due to a power outage, as well as a loud noise and smoke coming from a manhole cover near Building 779. The noise and smoke was the result of failed electrical components, which failed while a ground rod was being installed north of Building 779. When power was restored to the area, an electrical outage occurred. The power outage caused criticality alarm systems in Buildings 707 and 776 to sound. After investigation, it was determined that the alarms had sounded because of the power failure, and not due to an actual criticality incident. Five affected buildings were evacuated, and the Protected Area was locked down. DOE and Kaiser-Hill are currently investigating the incident, to gather information and develop "lessons learned" from what occurred. On August 4, a similar incident occurred, with the EOC being activated due to a weather-related disruption of power when a substation was tripped off-line due to a lightning strike.

Several Rocky Flats workers attending the meeting expressed their concerns with how the incident on July 24 was handled. They were concerned that the fire in the manhole was investigated prior to the possible criticality incident; that workers were kept inside the protected area four hours; and that a test of the alarm system was not performed until the next day, following phone calls and pressure from representatives of the Steelworkers Union. CAB requested that DOE continue the investigation, and conduct a review that involves the work force and all parties involved in the incident. The Board would like DOE to report back on the results of that investigation and review at CAB's next meeting on September 4.

PUBLIC COMMENT PERIOD:

Comment: Eileen Guyer: I wish that Mr. Holstein had stayed, because he would have learned a lot. I don't mean anything personal against who gave the presentation, but what I heard is the same old story. Nobody knows what they're doing. This is a good opportunity for DOE to have a lesson learned in how it does its presentation. You didn't convince me; you caused me to have even more concerns. DOE should have stood up and said, we are taking the corrective action to see this does not happen. Instead, DOE is just trying to defend its position.

Response: Frazer Lockhart: We are still collecting information on this incident. It was brought up that some people have been excluded, and Delmar acknowledged that he wasn't aware that was the case and would look into it. We are still midstream in the investigation, and there is a little bit of condemnation before we are even to the end of the process.

Comment: Orlando Montoya?: Congress will set the total dollar value for site funding. Certain things are funded and others are not. If the item is not funded, how can you find money in July to fund something that wasn't funded when the budget is overdrawn to start with and then give it to someone? We've got a radio system that is unfunded, but we want to give a company a \$55,000 contract to do PMOs on a radio system that's unfunded. Where did the money come from?

RECOMMENDATION ON HIGHLY ENRICHED URANIUM

VULNERABILITIES (Mary Harlow): In spring 1996, a Highly Enriched Uranium Vulnerabilities Study was performed by Rocky Flats. CAB's Plutonium and Special Nuclear Materials Committee has reviewed the results of that study, and noted that the site has made significant progress in reducing vulnerabilities. However, many issues still remain. CAB reviewed a draft recommendation which states:

- The remaining HEU vulnerabilities should be given priority and funding in order to be addressed and closed as soon as possible. CAB asked for information on how

DOE would determine such priorities.

- CAB recommended on May 1 that DOE review the performance based contract between DOE and Kaiser-Hill. CAB now would like to add to the scope of that review to include problems with accountability, communication, safety and lack of training resulting from multiple layers of subcontractors at the site. CAB would like to see an integrated program of safety and employee training developed, standard through all levels of subcontractors.
- A criticality data base should be developed to retain institutional memory for processes and procedures conducted at the site during production, such as information on material storage and handling that could result in a criticality. Also, streamlined procedures should be developed to evaluate and prioritize requests for criticality reviews.
- In order to reconstruct much of the institutional memory that has been lost, CAB recommends all levels of DOE management be required to review existing historical information data bases and pertinent videos that have been produced in the past. Worker morale and safety training also should be high management priorities.
- A new system should be developed to describe actions take on the vulnerabilities. The word "closure" should be used only to describe situations where the risk has been eliminated.
- The Authorization Bases for all site buildings must be completed as soon as possible.
- Due to a lack of priority and funding, safety of workers in Building 881 is compromised. CAB recommends that characterization of the holdup of unknown quantities of HEU in that building be achieved as soon as possible.
- In addition, characterization and physical inspection of drums in Building 881 should proceed as soon as possible. The risk to workers is not acceptable.
- To address fire safety vulnerabilities:
 - walkdowns of site buildings to determine fire hazards should be completed as soon as possible
 - fire alarm systems must be upgraded

- installation of valve covers in Building 371 for its pressure flow control valves, requires immediate attention
- CAB recommends a high priority be given to removing excess materials in Room 101 of Building 886

*Decision: Approve revised recommendation, incorporating changes made by Board.
APPROVED BY CONSENSUS.*

LETTER CONCERNING USE OF THE NEW NRC STANDARDS AT ROCKY FLATS (Tom Marshall): Board members again reviewed a revised draft letter from CAB to DOE, EPA and CDPHE discussing NRC's recently issued cleanup standards regarding the closure of nuclear facilities. However, the Board was unable to agree on wording for the letter, and even whether it should be sent.

Decision: Table this item. Board members concerned about the language and necessity of the letter will attempt to work on a rewrite of the letter, and bring it back to the Board in the future. APPROVED BY CONSENSUS.

NEXT MEETING:

Date: September 4, 1997, 6 - 9:30 p.m.

Location: Westminster City Hall, lower-level Multi-Purpose Room, 4800 West 92nd Avenue, Westminster

Agenda: CAB work plan discussion and public input; presentation on D&D planning activities; recommendations on: Actinide Migration Study, waste transportation, and 2006 Plan; draft letters regarding NRC standards and safeguards/security

ACTION ITEM SUMMARY / ASSIGNED TO:

1. Respond in writing to the Board on questions posed to the Secretary - Elgie Holstein
2. Provide CAB with copy of detailed writeup of comments made by states on 2006 Plan - John Rampe
3. Report back to CAB on status of investigation into EOC activation - DOE representative

4. Revise and forward recommendation on HEU vulnerabilities - Ken Korkia
5. Provide revisions/proposed language and participate in discussion of rewrite of draft letter to NRC - Board members

MEETING ADJOURNED AT 10:15 P.M. *

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

RESPECTFULLY SUBMITTED:

Tom Gallegos, Secretary
Rocky Flats Citizens Advisory Board

10/10