February 4, 2011

TO: Scott Surovchak, DOE-LM,

David Abelson, Executive Director, RFSC

Board Members, Rocky Flats Stewardship Council

FROM: Mary (Mickey) Harlow, Citizen City of Arvada

I have reviewed the November 8, 2010 Council Board of Directors meeting minutes and offer the following comments regarding the 2011 Work Plan:

1. I agree with Councilwoman Lisa Morzel, City of Boulder, that it is important to keep reminding the community about the importance of Rocky Flats. Bill Fisher, Councilor, City of Golden also made some important comments regarding the fact that updates to City Councils by elected members might not be enough to keep awareness high enough in the community over the long term. Posting upcoming meeting information in City Clerk Offices in local government offices is not enough. I think it was ten years ago when I went to the Clerk's Office in Arvada. The "Neighborhood Hub," which is inserted into the Denver Post every Wednesday, reaches many households. The Stewardship Council only meets every couple of months and putting ad in the Hub the week before a meeting would not be that costly.
2. I am very happy to hear that the Board will be attaching public statements to minutes and will set up a new area on the current website for posting this type of comment. I read the letters from David Geiser, Director of LM and the letter sent to Doctor Moore by Susan Beard, Assistant General Counsel for General Law, stating that citizens comments be posted even if they aren't sound. Although both of these letters from DOE Hq. were posted May 10, 2010 there is still no location on the Stewardship Council Board Website for citizen comments. I note that the issue was discussed at the November meeting and no action has been taken to date. **Question: Will DOE be including the Boards response to the items outlined in the letter from LM Director Geiser in the upcoming review of the Council?** I request that my comments be posted on the site

ADAPTIVE MANAGEMENT PLAN FOR FLOW THROUGH FOR PONDS

I have some serious concerns related to implementing the Adaptive Management Plan for the C and B series ponds planned flow through configuration. After doing some research I have not been able to locate any nuclear cleanup site in the Complex that has residual plutonium in the soil that has adopted an Adaptive management Plan for a remedy. I therefore believe that DOE is setting a precedent at the site. The Department of Interior uses Adaptive Management quite frequently for wetlands, swamp lands etc. **DOE has not established a formal guidance on implementing adaptive management.**

Question: Will a formal directive stating how and when this type of management can be used be issued by Director Geiser's office before going forward with the pond removal? I think that it is

important for DOE to obtain a scientific review of the application of this type of management to a plutonium contaminated site like Rocky Flats. Again, I would ask DOE to err on the side of caution There is no reason to think that Adaptive management will work smoothly and that it will be easy to coordinate. (EcologyandSociety.org/vol3/issue2.)

ROCKY FLATS LONG TERM MANAGEMENT PLAN

The Adaptive Management Plan will be a change to the Rocky Flats Long Term Management Plan and therefore a public involvement process is required for this change. Removal of the B and C series dams are not considered part of the remedy. Excavating deeper than three feet except for remedy related purposes is not allowed. This prohibition is an institutional control found in the CAD/ROD, RFLMA and the Environmental Covenant with the State of Colorado. DOE, CDPHE, EPA agree that prohibition of excavating below 3 feet was never intended to keep DOE from remedy excavation work deeper than three feet. DOE states in the EA that they desire to remove the dams to return the site to its natural flow through state, to reduce the cost of maintaining the dams and to end the costly purchasing replacement water from the City and County of Broomfield. **Question: Based on this information, how does DOE, EPA, CDPHE define this action as a remedy? Please define the word remedy as viewed by the regulators.**

NEW STUDY ON THE MOVEMENT OF PLUTONIUM IN THE ENVIRONMENT

"**Researchers Will Study Plutonium Underground for Energy Department." November 14, 2010, found at www. Pollutiononline.com date January 20, 2011.** Brian Powell Assistant Profession of Environmental Engineering and Earth Science is the principal investigator of the project.

> Environmental scientists at Clemson University have received a three year $1.2M grant from the U.S. Department of Energy to study how Plutonium interacts with soil. The research has implications for nuclear cleanup issues and could help the DOE more accurately estimate the risk posed by long-term nuclear waste disposal. The article further states that Plutonium contamination in soils can be transported in groundwater away from the site and possibly contaminate drinking water supplies for populated areas. The researchers are trying to find a way to predict how much and how fast plutonium moves through groundwater by looking at the dominant geochemical process that controls plutonium's behavior in the subsurface. Rainwater may carry plutonium through the ground. As it moves it sticks to the soil and is removed from the water. How much sticks is being investigated. The researchers are trying to figure out what happens between plutonium and soil underground. As we all know there is a lot of groundwater and plutonium contamination under Rocky Flats, and there are many seeps. **Question: Why can't DOE put off removal of the ponds until this study and its results are available? DOE needs to err on the side of caution.**