

# ROCKY FLATS SITE REGULATORY CONTACT RECORD 2025-02

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**Purpose:** Boron evaluation and path forward

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**Contact Record Approval Date:** December 1, 2025

**Site Contacts and Affiliations:** Michelle Franke and Joyce Chavez, U.S. Department of Energy (DOE); Jon Vail and Ryan Wisniewski, RSI EnTech, LLC (RSI)

**Regulatory Contacts and Affiliations:** Brian Walker, Colorado Department of Public Health and Environment (CDPHE); Brandon Nichalson, U.S. Environmental Protection Agency (EPA)

**Date of Consultation Meeting:** July 10, 2025

**Consultation Meeting Participants:** Brian Walker, CDPHE; Brandon Nichalson, EPA; Michelle Franke and Joyce Chavez, DOE; Jon Vail, Ryan Wisniewski, John Boylan, Eric Matynowski, George Squibb, and Caleb Artz, RSI

**Related Contact Records:** Contact Record (CR) 2006-02, CR 2022-02

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## **Introduction:**

The *Rocky Flats Legacy Management Agreement* (RFLMA) Parties met in consultation to evaluate the current and historical boron concentrations at the Present Landfill Treatment System (PLFTS) effluent location PLFSYSEFF and at surface water location NNG01 as identified in CR 2022-02. DOE has reported the data gathered from these sampling efforts, and they are available in quarterly and annual reports for the Rocky Flats Site, Colorado.

The current surface water standard for boron, which is specified in RFLMA, Attachment 2, Table 1 and which applies to PLFTS discharges, is 750 micrograms per liter (total). The RFLMA, Attachment 2, Table 1 boron standard is an agricultural standard and site-specific standard based on the agricultural use protection classification applied to Segment COSPBD05a in Colorado Regulation Number 38. The RFLMA standard is derived to meet “all uses,” even those that may not foreseeably apply to the Rocky Flats Site.

Based on the evaluation of boron concentrations at the PLFTS, the RFLMA Parties agreed to present this issue to the CDPHE Water Quality Control Division (WQCD) and the Colorado Water Quality Control Commission (WQCC) for review and consideration to determine if a change to the boron standard under Colorado Regulation Number 38 for Segment COSPBD05a is appropriate to protect actual uses. This proposed change is only applicable to Segment COSPBD05a and boron concentrations must remain below 750 micrograms per liter (total) at the Walnut Creek Point of Compliance (WALPOC) (Figure 1).

Any potential changes to the boron standard applied to the Segment COSPBD05a drainage resulting from a modification of the boron standard to protect actual uses would allow for stakeholder engagement as part of the WQCC hearing process before it made any final determination.

**Discussion:**

DOE will initiate communication with CDPHE WQCD to review the current Site conditions and identify any potential data needs or initial concerns before requesting a hearing with the WQCC. DOE's intent is to present the topic to the WQCC based on WQCD's input and with assistance from CDPHE's Hazardous Materials and Waste Management Division and EPA Region 8's Superfund and Emergency Management Division as RFLMA Parties. The RFLMA Parties recognize that, due to recent changes in the WQCC hearing process, a hearing or decision on how to most appropriately implement a regulatory use classification may take as long as 2–4 years.

In the interim, while DOE begins discussions with WQCD and petitions for a hearing with the WQCC, DOE will continue to monitor boron on a quarterly basis as required by RFLMA, Attachment 2, Table 2 and report analytical results within the Site quarterly and annual reports. With the approval of this CR, the RFLMA Parties will not apply the RFLMA, Attachment 2, Figure 11, "Groundwater Treatment Systems," flowchart to boron until a later RFLMA consultation determines an appropriate path forward. The RFLMA Parties will still have the ability to consult and redirect the course of action if appropriate during the implementation of this action. DOE will document any significant changes during this action in a later CR.

**Resolution:**

CDPHE, after consultation with EPA, approves this CR.

**Action Complete:**

The actions approved in this CR will continue as part of routine surface water monitoring and reporting, as identified in the sections above and documented within the RFLMA. DOE will document any future changes to these steps separately.

**Contact Record Prepared by:**

Ryan Wisniewski, RSI

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**Distribution:**

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Rocky Flats Contact Record File

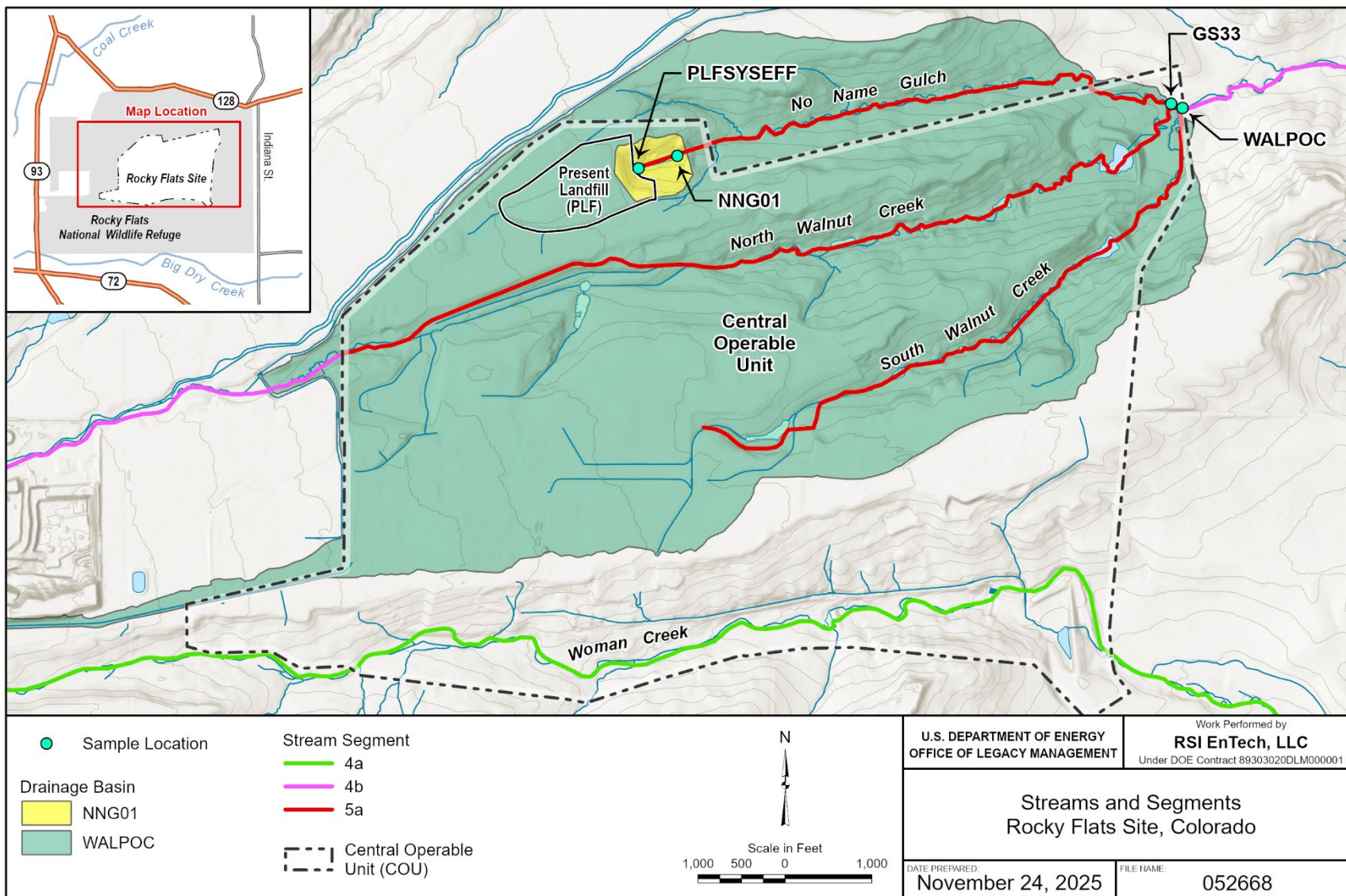


Figure 1. Stream and Segment Locations