

quarter of 1995. This document will constitute the formal "Proposed, IM/IRA/EA DD". There has been no attempt to "slide" the proposed closure of the ponds past the public on a regulatory technicality or otherwise, as you indicated in your report.

- o The closure of the ponds is subject to regulation; however, regulations are not by nature one-directional. The regulations that govern these DOE activities also afford opportunities for DOE to propose actions that it believes are effective, protective and reliable with respect to human health and the environment. CDPHE in its role as an "authorized state" for RCRA cannot arbitrarily deny DOE the opportunity to propose a closure action or reject the proposal without good cause. Therefore, "regulatory technicalities" provide the basis for the regulator to evaluate the proposed action in an objective and unbiased manner.
- o DOE and EG&G managers made a presentation of the proposed closure action to the full CAB in August and to your committee on October 20. In these meetings numerous questions were raised which were answered either by representatives of DOE, EG&G or CDPHE. In your committee report, you presented the questions of the CAB and your committee as having been "unanswered", when it appears you were expressing your personal disagreement with the answers you received.

Over one year ago the CAB was formed to provide input on a variety of proposed activities at the Rocky Flats Environmental Technology Site. During that time, DOE and the regulators have received insight on various topics of interest and concern to the community. Although opposing positions are held and have been espoused from the diverse membership of the Board, they have been presented in a balanced manner allowing individual expressions of varied points of view. We do not feel this was accomplished by your committee report on November 3.

As the CDPHE continues to seek input from the CAB and its committees, it is anticipated that individual members will continue to raise issues of particular interest and concern to themselves or the organizations they represent. However, we urge those members serving as committee chairs to objectively convey information to the full CAB membership. We believe that such objectivity, within the context of varied issues and positions, will enhance the role of the CAB in representing community interest on Rocky Flats activities.

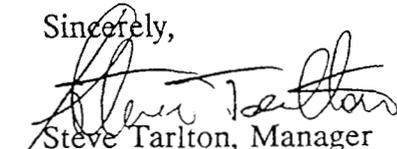
W. Gale Biggs and Tom Gallegos, Co-Chairs

November 10, 1994

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Please contact me if you have any questions or comments.

Sincerely,



Steve Tarlton, Manager
Rocky Flats Program

cc: Linda Murakami, Chair
Lisa Hansen, Administrator