

December 7, 2006

Sheila Dillard
U.S. Department of Energy
Office of Legacy Management
LM-10/FORS
1000 Independence Avenue, SW
Washington, DC 20585

Re: *The Draft U.S. Department of Energy Office of Legacy Management Strategic Plan, dated October 2006*

Dear Ms. Dillard:

The City and County of Broomfield appreciates the opportunity to review and provide comments to the abovementioned document. As stated in the executive summary of the document, the primary goals of Legacy Management (LM) are to address the protection of the environmental and human legacy impacts of the Cold War era of more than 100 sites. Broomfield, as a downstream community, also has a similar goal to protect environmental impacts from the site to our community and support the continuity of pension and medical benefits for the ex-Rocky Flats workers.

Broomfield strongly supports LM's goals and appreciates language in the strategy that includes processes to ensure close coordination with local governments and other public members. Rocky Flats as a closed site that contains residual contamination will need to have an effective long-term surveillance and maintenance plan for the life of the residual contaminants. The process in the Strategic Plan allows LM to carry out its responsibilities and address issues and concerns with impacted communities. We look forward to working with LM to continue our collaborative partnership to protect surface water quality.

As a community that is directly impacted by Rocky Flats, we also appreciate the approach LM has taken to meet the site-specific needs of our community. It is reassuring to see language in the document that states LM will *consult with affected parties on legacy management issues*. Broomfield acknowledges it was the workforce that contributed to the successful and safe closure of Rocky Flats. We support the language in the document to fund the promised pension and medical programs. The City and County of Broomfield has some general comments pertaining to the Strategic Plan. Words in italics are direct quotes from the document.

ADMIN RECORD

PD-A-000002

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Goal 1. Protect Human Health and the Environment Through Effective and Efficient Long-Term Surveillance and Maintenance

One of the success strategies for long-term surveillance and maintenance of custodial sites is to communicate with other stakeholders and work with local governments to share lessons learned and technologies. The City and County of Broomfield, as an entity that has downstream water quality obligations, appreciates the language in the document to include local governments in the communication process to share lessons learned and technologies. We hope the spirit of the strategy is to have meaningful discussions with LM and Rocky Flats downstream governments.

LM should work with impacted downstream communities in the event in-place remedy components and/or controls may need replacement or other corrective actions are warranted. As remedial decisions are made today, we clearly understand there may be future technological development and/or modifications to the Long-term Surveillance and Maintenance (LTS&M) plan. Revisions are crucial to ensure an effective plan is sustainable, reduces costs, and ensures protection of human health and the environment. We ask to be apprised of draft revisions prior to final implementation to allow for discussion between our government and LM.

We support the employed practices of the International Standard Organization 14001 and Environmental Management Systems to continuously improve work processes and site controls. However, the document is silent on the process to evaluate the success indicators and implementation of the employed practices. As this process is developed, we ask to be apprised of the evaluation process and its criteria.

Goal 2. Preserve, Protect, and Make Accessible Legacy Records and Information

Site LM personnel have worked diligently to provide an electronic Administrative Record for Rocky Flats. We support the use of E-Government initiatives to access information and communicate with LM. Broomfield wants to emphasize that if the Administrative Record and any Rocky Flats information is solely available electronically, the information has to be accessible, operable, and available at all times to the impacted downstream communities and the general public. It is very important for us to access both historical and current data and documents to evaluate site conditions and in the event we need to determine the source of a contaminant. The electronic record needs to be fully functional prior to determining the fate of the College Hill Reading Room. The Reading Room still continues to have visitors that utilize the room for information about the site. In addition, students utilize the Reading Room as a resource to draft class papers.

We would like to raise an issue pertaining to maps that were scanned into the electronic system in black and white with associated legends that contain crucial information. Black and white copies of maps do not provide any information to the person accessing the map because they cannot discern the differences of the areas in correlation to the information in the legend. We have asked that the maps be replaced in the electronic system in "color" to allow us the capability to retrieve and evaluate information. This

information is valuable to our community. We have raised this issue, and a solution has yet to be identified. Please clarify how this issue will be resolved.

Success indicators are identified in section 2.B. One of the bulleted items states there will be *no release of custodial records to unauthorized sources*. Does this statement refer to personnel records or does it also include LTS&M?

Broomfield views the portion of the Records Management System pertaining to the LTS&M of site to be the institutional memory of Rocky Flats activities. LM has assumed an enormous undertaking, and we appreciate the efforts made to provide records to our staff in a timely manner as the site was transitioned and closed.

Prior to the College Hill Library Rocky Flats Reading Room being closed, we ask to be informed of the closure. In the event hard copies currently located in the Reading Room are to be discarded, we ask for the opportunity to have the hard copies, which are of interest to us, transferred for our retention.

Goal 3. Support an Effective and Efficient Workforce Structured to Accomplish Departmental Missions, and Ensure Worker Pension and Medical Benefits

We agree the Department should ensure the continuity of the work force's pension and medical benefits. Our community contains several Rocky Flats ex-workers, and we want to ensure continuity of the workforce's pension and medical benefits.

Goal 4. Manage Legacy Land and Assets, Emphasizing Protective Real and Personal Property Reuse and Disposition

The City and County of Broomfield appreciates the efforts LM, the regulators, and State Representatives made to ensure funding was made available to purchase mineral rights at Rocky Flats. With the collaborative effort of the abovementioned parties and surrounding communities, the Rocky Flats Wildlife Refuge will have several hundred acres supporting sustainable ecological communities. With the increased number of acres transferred, the public will be able to enjoy additional lands for recreation along with the ability to enjoy the valuable natural resources and vistas that have been preserved these past 50 years.

Goal 5. Improve Program Effectiveness through Sound Management

Legacy Management has clearly recognized the need to maintain an institutional knowledge base with qualified and diverse customer-oriented employees at Rocky Flats. We would like to thank LM for maintaining skilled employees with institutional knowledge to address surface water topics and our issues as a downstream community.

The success indicators for evaluating LM performance are based on:

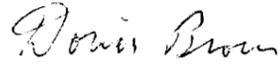
- *Full "green" scorecard on all Presidential Management Agenda Initiatives and Joule measures.*
- *Compliance with time-phased commitments in the LM HPO Quality Assurance Plan.*

- *Develop and implement competency-based performance plans.*

The indicators are based on some initiatives and measures we are not familiar with. Please clarify where or how we can access the abovementioned documents.

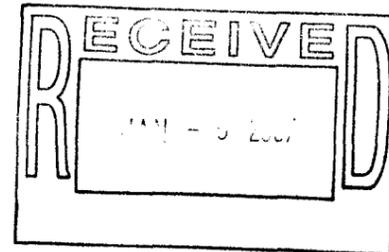
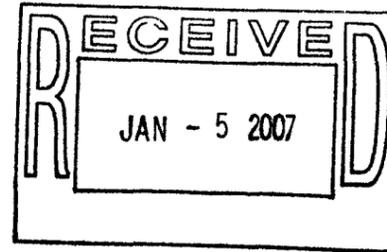
Thank you for the opportunity to comment on this document. As a downstream community, we have a unique position to be informed and allowed to participate in discussions pertaining to LTS&M activities. We look forward to working with DOE to create a comprehensive collaborative post-closure approach to ensure protection of human health and the environment. If you have any questions, please feel free to call Shirley Garcia, of my staff, at 303-438-6329.

Sincerely,



Dorian Brown
Director of Public Works

pc: Lori Cox, City and County of Broomfield Council
Mike Bartleson, City and County of Broomfield
Kathy Schnoor, City and County of Broomfield
Shirley Garcia, City and County of Broomfield
Joann Price, City of Westminster Council
Ron Hellbusch, City of Westminster
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