

STATE OF COLORADO

Bill Ritter, Jr., Governor
Martha E. Rudolph, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

April 15, 2010

Scott Surovchak
LM Site Manager
U.S. Department of Energy
11025 Dover Street, Suite 1000
Westminster, CO 80021-5573

RE: RFLMA Contact Record 2010-02

Dear Mr. Surovchak:

The Colorado Department of Public Health and Environment has reviewed the draft RFLMA Contact Record 2010-02. This contact record allows excavations that would breach all the remaining dams in the Central Operable Unit. This action is acceptable for the same reasons that earlier breaching actions were acceptable; i.e., their presence is not a requirement of the remedy and removal of the ponds provides several advantages that further the environmental restoration at the site. Region 8 of the Environmental Protection Agency has also reviewed this contact record and concurs with these conclusions. The proposed action is in accordance with our regulatory requirements and guidance and this contact record is therefore approved.

Provisions of the final Environmental Assessment related to this action may affect elements of this contact record. All the necessary assessments, approvals, and permits identified in the Environmental Assessment must be completed prior to any earth-disturbing activities. Because some of the dam-breaching actions will not occur for several years, this approval is also conditional on the results of intervening monitoring and other relevant information.

Please let me know if you have any questions regarding this approval.

Sincerely,

Carl Spreng
RFLMA Project Coordinator

cc: Rick DiSalvo, Stoller
Vera Moritz, EPA
Walter Avramenko, CDPHE
Dan Miller, AGO