

rec'd
9-15-10

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

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado

Laboratory Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

August 26, 2010

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

Vera Moritz
USEPA Region 8
EPR-F
1595 Wyncoop
Denver, CO 80202-1129

RE: Dam breaching and Points of Compliance issues

Dear Mr. Surovchak and Ms. Moritz:

Yesterday, CDPHE met with representatives of four downstream cities: Broomfield, Northglenn, Thornton, and Westminster. The intent of the meeting was to allow senior officials from our department to meet with elected officials of the cities and to hear and understand their concerns. We also wanted the cities to better understand the regulatory framework we have for decision making regarding these issues.

We clearly heard again that the time since closure is not yet sufficient for the cities to feel comfortable with the proposed changes and that the process should slow down. The cities said they have heard the concessions DOE has made in response to issues the cities have raised but they reiterated that those concessions are not in writing and are not captured in the documents they have reviewed.

We feel that progress can be made toward a mutually satisfactory outcome by the RFLMA parties meeting again with the representatives from the cities' staffs. The purpose of the meeting(s) would be to clearly identify the issues of greatest concern, and come to a mutually satisfactory solution, issue by issue. We would like to discuss with you some ideas for a phased process that would allow certain elements of the proposed ideas to be established and observed for a period of time before other elements are put into place.

Please let me know at your earliest convenience when we could meet to outline a path forward.

Sincerely,



Carl Spreng
RFLMA Project Coordinator

cc: Ray Plieness, DOE-LM
Rick DiSalvo, Stoller
Dan Miller, AGO