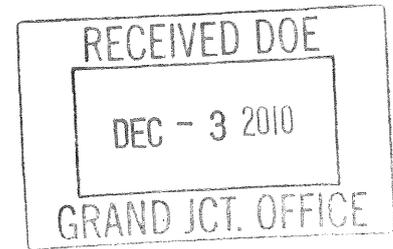


November 30, 2010

Sent via Email and Standard Mail

Ms. Martha Rudolph, Executive Director
Colorado Department of Public Health and the Environment
4300 Cherry Creek Drive South
Denver, CO 80246



Mr. Thomas Pauling, Director of Site Operations
Office of Legacy Management
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Mr. James Martin, Regional Administrator
Environmental Protection Agency
1595 Wynkoop Street
Denver, CO 80202

RE: Rocky Flats Technical Work Group Meetings

Dear Ms. Rudolph, Mr. Pauling, and Mr. Martin:

The Department of Energy, Office of Legacy Management (DOE-LM) has noticed a public meeting for December 9, 2010 regarding Implementing Adaptive Management in the proposed Rocky Flats Surface Water Configuration. The undersigned agencies strongly advocate for a more productive and beneficial approach for all the parties by addressing the proposed modifications to the *Rocky Flats Legacy Management Agreement (RFLMA) Attachment 2 – Legacy Management Requirements* and the *Draft Rocky Flats Surface Water Configuration Environmental Assessment (EA)* concurrently during these meetings.

Both the Colorado Department of Public Health and Environment (CDPHE) and DOE have agreed to technical work group meetings to address concerns related to the proposed actions. While we are anxious to begin technical discussions on an Adaptive Management Plan (AMP) for the April 2010 Draft EA, we do not believe that DOE's approach adequately addresses our written requests to establish a technical work group since it excludes discussion of the proposed changes to RFLMA. Approving either action separately and independently of the other undermines the integrity of open communications and the public involvement process. Both actions are interrelated and must be evaluated in a comprehensive manner.

*Sent via e-mail Powell, Pauling, Surovchak RFS 515.20(A)
12/3/10*

For these reasons we are requesting that CDPHE, DOE-LM and EPA, as signatory parties to the RFLMA, support our position so the development of an AMP for the EA and the changes to the RFLMA can be openly discussed with the parties who provided written comments. We want to reiterate that no approvals or final decisions on the EA or RFLMA amendments should be made until the work group has had the opportunity to reach a consensus on the purpose, need, timing, and scope of the proposed changes.

As stated in previous meetings and written correspondence, we are committed to working with DOE-LM, CDPHE, and EPA in a cooperative manner. The formation of a technical work group will allow the interested parties to provide open and direct communication with each RFLMA signatory, and ensure that the long-term performance of the remedy continues to remain protective of human health and the environment.

In order to initiate the technical work group at the December 9, 2010 meeting with agreement from all parties that the scope be expanded to include the proposed modifications to RFLMA, please provide us with a written response of your support of our request by Tuesday, December 7, 2010. Thank you and we look forward to continuing to work in a cooperative manner to address the issues.

Sincerely,



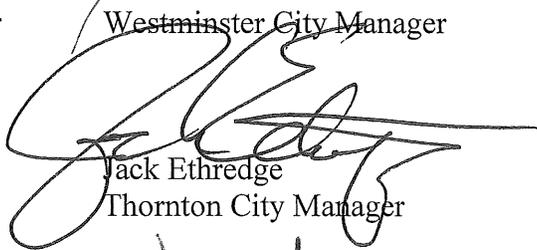
George Di Ciero
Broomfield City and County Manager



J. Brent McFall
Westminster City Manager



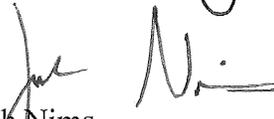
William Simmons
Northglenn City Manager



Jack Ethredge
Thornton City Manager



Dr. Mark Johnson
Executive Director
Jefferson County Public Health



Josh Nims
President
Woman Creek Reservoir Authority

cc: Doug Young, Senator Udalls' Office
Zane Kessler, Senator Bennet's Office
Andy Schultheiss, Representative Polis' Office
Bill Holen, Representative Perlmutter's Office

Rocky Flats Technical Work Group Meetings

November 30, 2010

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Dave Geiser, DOE-LM
Jane Powell, DOE-LM
Scott Surovchak, DOE-LM
Carol Rushin, USEPA
Larry Svoboda, USEPA
Vera Moritz, USEPA
Howard Roitman, CDPHE
Joe Schieffelin, CDPHE
Gary Baughman, CDPHE
Carl Spreng, CDPHE
Steve Berendzen, USFWS
John Watson, Esquire, Berenbaum Weinshienk PC
Lori Cox, Broomfield Councilmember
Jeff Stoll, Broomfield Public Health Officer
David Allen, Broomfield Deputy Director of Public Works
Mike Smith, Westminster Director of Public Works
David Willett, Northglenn Director of Public Works
Bud Elliot, Thornton Deputy City Manager – Infrastructure
David Abelson, Rocky Flats Stewardship Council