

STATE OF COLORADO

John W. Hickenlooper, Governor
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Executive Director and Chief Medical Officer

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

February 24, 2011

Mr. George DiCiero
Manager
City and County of Broomfield
One DesCombes Drive
Broomfield, CO 80020

Dear Mr. DiCiero,

Thank you for your letter of February 1, 2011 requesting that the Colorado Department of Public Health and Environment (CDPHE) delay its decision regarding the modifications being proposed for Attachment 2 of the Rocky Flats Legacy Management Agreement (RFLMA). As a party to the RFLMA and as the lead regulatory agency, CDPHE has approval authority for those modifications. As you know, we have not yet made any decision regarding any modifications.

My staff has kept me apprised of the many meetings and conversations that have occurred to work through the issues that have been raised by the communities impacted by Rocky Flats. I know that you and your staff have been actively engaged in these meetings. One series of meetings, the technical working group, has addressed details of the substantive issues with the RFLMA modifications. A separate series of meetings, pursuant to DOE's Adaptive Management Plan process, is addressing concerns related to DOE's proposed changes to pond management at Rocky Flats. I am pleased to learn that both sets of meetings have proven fruitful and have resulted in increased recognition and understanding by all the participants of the concerns, positions, known and unknown facts and legal underpinnings that influence the resolution of the issues. In response to discussions during these meetings, the RFLMA parties are working to revise the originally proposed RFLMA modifications. We expect to share with you the decision on the proposed modifications in the coming weeks.

Sincerely,

Martha Rudolph
Director of Environmental Programs

cc: Doug Young, Governor's Office
Carolyn Boller, Senator Udall's Office
Zane Kessler, Senator Bennet's Office
Andy Schultheiss, Representative Polis' Office
Stuart Feinhor, Representative Polis' Office
Bill Holen, Representative Perlmutter's Office
Dave Geiser, DOE-LM
Thomas Pauling, DOE-LM
Jane Powell, DOE-LM
Scott Surovchak, DOE-LM
James Martin, USEPA
Carol Rushin, USEPA
Larry Svoboda, USEPA
Vera Moritz, USEPA
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
Dan Miller, AGO