



CITY OF ARVADA

MAYOR AND CITY COUNCIL
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September 13, 2006

Mr. Frazer Lockhart
United States Department of Energy
Rocky Flats Environmental Technology Site
12101 Airport Way, Unit A
Broomfield, CO 80021-2583

Transmitted Via email: comments@rf.doe.gov

RE: Proposed Plan Comment

Dear Mr. Lockhart:

On behalf of the Arvada City Council, we would like to thank you for the opportunity to comment on the Proposed Plan for the final remedy for the Rocky Flats Environmental Technology Site. We commend the work of the Department of Energy (DOE), the Environmental Protection Agency (EPA) and the Colorado Department of Public Health and Environment (CDPHE) on the Proposed Plan. The City looks forward to continuing to work with all parties on the regulatory closure of Rocky Flats.

First, the City supports the direction of the Proposed Plan and Alternative 2, as outlined in the Plan. DOE, EPA, CDPHE, the local communities and stakeholders have worked hard to ensure a safe cleanup for future users and the environment. The City is confident that the proposed final remedy is appropriate.

Although the City supports the proposed final remedy, the City shares concerns with the Rocky Flats Stewardship Council on several issues:

Solar Ponds Groundwater Treatment System

The issues and problems surrounding the Solar Ponds Groundwater Treatment System have been well documented and discussed in public forum. Arvada appreciates the steps that DOE, EPA, and CDPHE have taken to try to address and resolve these problems. However, we have serious concerns that, despite the fact that the treatment system has not demonstrated compliance with the requirements of the Rocky Flats Cleanup Agreement or the goals described in the Proposed Plan, it is still considered to be meeting all applicable regulation.

It is imperative that DOE make a strong commitment to meeting the action levels set in the Rocky Flats Cleanup Agreement adopted to protect surface water quality on-site. Conversely, if it is not the intent of DOE to meet these requirements, this issue should be

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addressed in the Proposed Plan, not ignored. The City is confident that DOE will be making its best efforts to comply with all regulations; however, if the Solar Ponds Groundwater Treatment System is not currently working as intended, it does not make sense for the Proposed Plan to imply otherwise.

Fencing of DOE Retained Land

The City supports Alternative 2 of the Proposed Plan in which it is contemplated that the perimeter of the DOE retained land will be posted with signage to inform both wildlife refuge workers and visitors that they are at the boundary of the DOE property (Central OU). The City does support the use of a three-strand fence (also known as a cattle fence) to delineate between Refuge and DOE properties for land management purposes. In addition, a fence will add value as a tool for visitors and workers to more easily identify the property they are on.

Additional Controls

The City of Arvada generally supports the Proposed Plan's outline of necessary physical and institutional controls. One issue that needs to be addressed in the Plan is the necessity for DOE to develop physical and institutional controls relative to monitoring stations outside of the DOE retained land. Although on Refuge land, these stations will be the responsibility of DOE and should be addressed in the Plan.

Terminal Pond Management and Testing

The City would like to acknowledge and support the position of the Woman Creek Reservoir Authority and its members as well as the Stewardship Council with regard to testing the water in the terminal ponds at least once per year, regardless of releases. The Proposed Plan indicates testing of water from the terminal ponds only upon a release of that water. With the strong possibility that water may not be discharged some years, it makes sense to test the water at least annually. This is a prudent practice to identify any problems associated with new flows into the pond or contaminants not captured by the upstream monitoring programs.

Thank you for your time and consideration in these matters. The City of Arvada very much appreciates your continued willingness to work with us and other affected stakeholders. We look forward to continuing to work with you in the future.

Sincerely,

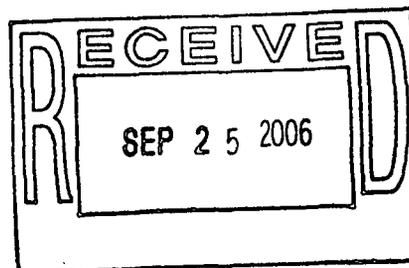


Ken Fellman, Mayor



Lorraine Anderson, Council District 3

cc: City Council
Rocky Flats Stewardship Council



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