

STATE OF COLORADO

Roy Romer, Governor
Patti Shwayder, Acting Executive Director

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

4300 Cherry Creek Dr. S.
Denver, Colorado 80222-1530
Phone (303) 692-2000

Laboratory Building
4210 E. 11th Avenue
Denver, Colorado 80220-3716
(303) 691-4700



Colorado Department
of Public Health
and Environment

May 16, 1996

Florence J. Phillips, Esq.
Senior Counsel
Kaiser-Hill Co., L.L.C.
Rocky Flats Environmental Technology Site
Building 111, Room #134
P.O. Box 464
Golden, CO 80402-0464

Dear Ms. Phillips:

This letter follows our meeting on Friday, May 10, 1996, during which we discussed the various access restrictions and limitations that exist at the Rocky Flats facility in Jefferson County, Colorado.

The security measures that exist to restrict access to DOE nuclear weapons production facilities, including the Rocky Flats facility (the Facility), are obviously extensive and rigidly enforced, and need not be recited in detail here. It is apparent that there are few, if any, facilities in the country with security measures and access restrictions as onerous as those found at the Facility. It is also relevant that buildings on the Facility are generally farther than one mile from any air space that can be accessed by the general public without restriction or limitation.

After reviewing the limitations and restrictions that exist at this time, for purposes of direct applicability of Regulation 8, Part B, as a matter of independent state authority, the Air Pollution Control Division (APCD) has determined that the Facility is not an area of public access as defined in § 25-7-502(1), C.R.S. This determination does not include any building(s) outside the boundary fence encircling the whole Facility, outside the Buffer Zone. The APCD also notes that open public tours are not offered at the Facility, and that family and friends of persons authorized to enter to the Facility do not themselves have unrestricted access to the Facility. The APCD's determination may change if the relevant restrictions are altered in the future.

Finally, we discussed during our meeting that certain provisions in Regulation 8, Part B, apply to asbestos abatement and building demolition regardless of the area of public access distinction, and there are also federal requirements applicable to

ADMIN RECEIVED

Florence Phillips, Esq.
May 16, 1996
Page 2

asbestos abatement and building demolition. The Asbestos Unit is available at any time to assist you with issues that may arise regarding abatement or demolition.

Please do not hesitate to contact me with any questions or comments (692-3164).

Sincerely,

COLORADO DEPARTMENT OF PUBLIC HEALTH
AND ENVIRONMENT



Steve D. Fine
Senior Industrial Hygienist
Supervisor, Asbestos Unit
Stationary Sources Program
Air Pollution Control Division

cc: P. Tourangeau