



**Department of Energy
Office of Legacy Management**

Oct. 19, 2005

Dorian Brown
Director of Public Works
City and County of Broomfield
One DesCombes Drive
Broomfield, CO 80022

Dear Mr. Brown,

The Department of Energy Office of Legacy Management (LM) appreciates your comments on the Draft Post-Closure Community Involvement Plan dated August 2005. (The title of this document has been finalized as the Post-Closure Public Involvement Plan (PCPIP) rather than Community Involvement Plan in the interests of consistency within the document and with CERCLA language).

Legacy Management's position is that the PCPIP is a broad, transitional document that outlines the methods of communication that have been used by DOE at Rocky Flats in the past and how the public will be informed of site conditions and activities during transition and into the future. It is intentionally designed to be as flexible as possible in order to best meet the needs of DOE and the public and is not intended to codify the communication process. Modifications to the plan will be made as appropriate to meet post-closure public involvement needs.

Legacy Management also feels strongly that other documents and agreements, including the Interim and Long Term Surveillance and Maintenance Plans and the Post-Closure Rocky Flats Cleanup Agreement, more appropriately address Broomfield's justifiable need for notifications following specific events or conditions.

Finally, LM agrees that communities and stakeholders play a vital role in the decision-making process at Rocky Flats and believes that the best venue for public participation is through the Local Stakeholders Organization, as mandated by Congress, and of which Broomfield will be a member.

Legacy Management's response to the specific comments you outlined in your letter are below.

1.0 Introduction

1.1 This Post-Closure Public Involvement Plan (PIP) is a broad, transitional document that outlines the methods of communication that are currently being used to inform the public of site activities and addresses plans for public involvement throughout the site transition process and after site closure. As site closure approaches, this plan will be updated as appropriate to focus on post-closure public involvement activities. Future updates will be made as needed, but no more frequently than annually.

2. Interested Community Members, Local, City, and State Elected Officials

2.1 LM believes that the most appropriate method for communicating to the public and stakeholders is through the Local Stakeholders' Organization (LSO). Conditions on site have changed significantly and so will the post-closure communications needs and processes.

2.2 The PIP is not the appropriate document to address the notifications you requested. These notification protocols are formalized in the current Interim Monitoring Plan and will be included in the future Interim Surveillance and Maintenance Plan (IS&MP) and the final Long Term Surveillance and Maintenance Plan (LTS&MP).

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2.3 Any stakeholder or member of the public has the right to ask questions or relay concerns directly to managers or employees of LM. However, the LSO, as mandated by Congress, will be the primary forum for communication between LM and stakeholders and the public.

2.4 See # 2.1.

3. Roles and Responsibilities

3.1 The PIP is not the appropriate document to define security responsibilities.

3.2 Public involvement is an integral part of the LTS&M development process. The process for the IS&MP and the LTS&MP is similar to the IMP process, as required by CERCLA.

4. Public Participation Activities

4.1 See 3.2. Draft documents will be provided to stakeholders and the public as early in the process as possible.

4.2 Time will be reserved during the quarterly and annual meetings for data exchanges and technical issue discussion. LM believes data exchange meetings in addition to the quarterly meetings will not add value. Quarterly monitoring data will be posted to the LM website in advance of the meetings and hard copies will be provided for LSO members.

4.5 See # 4.2

5. Public Reading Room, Administrative Record (AR) and Internet Website

5.1 Full public involvement will be an integral component of the final disposition of the Reading Room.

5.2 EPA regulations mandate that only validated data is released to the public, therefore it is inappropriate to maintain data that is not validated.

The new AR system goes on line Oct. 1 and links to the AR and GEMS data bases will be maintained on the LM Rocky Flats website.

5.3 Hard copies of post-closure CERCLA documents will be provided to LSO members by request. LM, in consultation with the LSO, will reevaluate the need to provide hard copies in the future.

6. Site Tours

6.1 Specific types of tours that will be allowed post-closure have yet to be determined. Individual tour requests will be considered case-by-case and decisions will be based on the purpose of the tour and site conditions.

6.2 Stakeholder participation in site inspections will be addressed in the LTS&MP.

6.3 See #6.1 and #6.2.

6.4 See section #2.

7. Documents for Public Review and Comment

7.1 The public will be provided an opportunity to comment on the draft LTS&MP before it is finalized. Draft documents will be made available to interested parties as is appropriate. The process for developing and implementing the IS&MP and the LTS&MP will follow the process utilized for the IMP.

8. News Releases, Community Advisories and Publications

8.1 Broomfield will be an LSO member and is identified in Appendix A to receive news releases and community advisories directly from LM.

8.2 LM believes that it is inappropriate to specify the methods used to contact local governments, stakeholders and regulators in the PIP.

9. Speakers Bureau

9.1 LM has committed to providing at least one staff person at the site for two years post-closure. Staffing will be reconsidered during the next CERCLA 5-year review at the end of this two year period. LM expects to be an ex-officio member of the LSO and therefore would be committed to be present during the quarterly and annual LSO meetings committed to quarterly data exchanges and reviews.

9.2 LM appreciates Broomfield's support of education and outreach to the public post-closure.

10. Emergency and Contact Lists

10.1 Emergency and contact lists will continue to be updated as needed post-closure.

Again, thank you for your comments and the opportunity to address your concerns. Please feel free to call me at 303-966-3551 if you have any questions.

Sincerely yours,



Scott R. Surovchak
DOE Office of Legacy Management
Rocky Flats Site Manager

