

ROCKY FLATS STEWARDSHIP COUNCIL

P.O. Box 17670
Boulder, CO 80308-0670
www.rockyflatssc.org

(303) 412-1200
(303) 412-1211 (f)

Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

December 15, 2006

Honorable [see recipient list]
Colorado State Capitol
200 East Colfax
Denver, CO 80203

Re: Rocky Flats Cleanup and Future Signage

Representative [see recipient list],

As you were a sponsor of H.B. 1389 (“Concerning Information to be Provided to Visitors to Rocky Flats”), sponsored by Rep. McKinley during the 2006 session of the Colorado General Assembly, we are writing to update you on the cleanup and closure of Rocky Flats. The Rocky Flats Stewardship Council had significant concerns with the legislation and opposed the bill, which failed passage in 2006.

On September 30, 2006, the Department of Energy (DOE), the Environmental Protection Agency (EPA) and the Colorado Department of Public Health and Environment (CDPHE) formally certified the cleanup of Rocky Flats, a momentous step for the cleanup project and for our state. As Representative Mark Udall noted in October 2005 when the cleanup activities were completed, “The cleanup of Rocky Flats is a major achievement for which we can all be proud. The success here at Rocky Flats stands as a hopeful symbol that we can tackle the challenges at those facilities and turn bombs to birds, weapons to wildlife, and liabilities into community assets.” Senator Wayne Allard voiced similar support, commenting “Rocky Flats is the best example of a nuclear cleanup success story ever. Words can not completely describe the transformation that has taken place at Rocky Flats.”

How clean is Rocky Flats? The majority of the site, including the refuge lands, is clean enough to support residential development. That’s one of the central reasons why Congress passed “The Rocky Flats National Wildlife Refuge Act of 2001” – to protect Rocky Flats from future development. The rest of the site, which will be managed by DOE and thus will not be part of the refuge, can also host future visitors. However, in order to protect the remedies – landfill caps, groundwater treatment systems and most of the surface water monitoring stations – public access will be restricted.

Nevertheless, because residual contamination remains, DOE, working in close collaboration with the EPA, CDPHE, the U.S. Fish and Wildlife Service (USFWS), and the Board of Directors of the Rocky Flats Stewardship Council, is developing physical and legal mechanisms to protect the treatment systems. These systems are critical to ensuring Rocky Flats remains an asset for our communities – and these systems include signage for Rocky Flats.

USFWS, as the agency charged with managing the vast majority of the 6200-acre site, has also begun taking steps to meet their management responsibilities, which likewise includes informing refuge visitors of the history of Rocky Flats as a nuclear weapons plant and the ongoing wildlife and contaminant management needs. USFWS plans on posting signs at the refuge boundaries (demarcating the federal lands), at all access points, and at the boundary between the refuge and lands retained by DOE, as well as installing information kiosks and interpretative signage.

USFWS is not taking these steps in a vacuum. The agency has been engaged in a public dialogue about the appropriate language for these signs.

As noted in our June 15, 2006, letter to USFWS, we share your desire to inform visitors to the refuge of the history of Rocky Flats. However, we objected to the central notion of H.B. 1389 that signs should serve to warn visitors of the residual hazards posed by visiting Rocky Flats. Visitors should be informed of the history of the site as a nuclear weapons plant (including materials used and released into the environment) and other relevant information regarding residual wastes that may exist, the history of the cleanup, and the long-term stewardship controls to manage these wastes. Warnings, the core message of H.B. 1389, are not necessary and send an inaccurate message about current site conditions. If warnings were necessary, as local elected officials and community leaders closest to Rocky Flats, we would not rely on signs to protect future visitors. Instead, we would work to take our case to the Colorado Congressional delegation and push for a protective cleanup.

As governments and organizations most closely involved in Rocky Flats, we believe legislation mandating signage is unwarranted, because the process to identify and implement all of the post-closure controls continues to move forward. Should you have any questions about the cleanup, closure, long-term protection and future use of Rocky Flats please feel to contact us. If there are issues that warrant further attention, issues that might compel the state legislature to intercede, we welcome discussing those issues with you and your colleagues.

In the meantime enclosed are Senator Allard and Representative Udall's statements on the cleanup of Rocky Flats and the Stewardship Council's June 2006 letter to USFWS on refuge signs. We have also included the Rocky Mountain Peace and Justice Center's proposed revisions to USFWS' draft signs, revisions that track the Stewardship Council's proposed amendments and thus stand in sharp contrast to H.B. 1389. USFWS anticipates finalizing language for their entrance signs in January 2007.

Sincerely,

/s/
Lorraine Anderson
City of Arvada
Chairman

/s/
Karen Imbierowicz
Town of Superior
Vice Chairman

/s/
Jeannette Hillery
League of Women Voters
Secretary/Treasurer

Jim Congrove
Jefferson County

Ben Pearlman
Boulder County

Lori Cox
City and County of Broomfield

Shaun McGrath
City of Boulder

Chuck Baroch
City of Golden

Sheri Paiz
City of Northglenn

JoAnn Price
City of Westminster

Kim Grant
Rocky Flats Cold
War Museum

Roman Kohler
Rocky Flats Homesteaders

Ken Foelske
Citizen

Cc: Representative Wes McKinley
Representative Andrew Romanoff
Representative Mike May
Senator Wayne Allard
Senator Ken Salazar
Representative Mark Udall
Representative-elect Ed Perlmutter
Governor-elect Bill Ritter
Scott Surovchak, DOE
Mark Aguilar, EPA
Carl Spreng, CDPHE

Recipient List

Representative Michael Cerbo
Representative Jerry Frangas
Representative Jack Pommer
Representative Paul Weissmann
Representative Mike Merrifield
Representative Gwyn Green
Representative Cheri Jahn
Representative Debbie Benefield
Representative Mary Hodge
Representative Val Vigil
Representative John Soper
Representative Morgan Carroll
Representative Dorothy Butcher
Representative Buffie McFadyen
Representative Rafael Gallegos



10/13/2005

UDALL APPLAUDS FINAL CLEANUP OF ROCKY FLATS

Westminster, CO—Congressman Mark Udall (D-Eldorado Springs) released the following statement regarding Kaiser Hill's announcement that it has completed the physical work to clean up and close Rocky Flats:

"The cleanup of Rocky Flats is a major achievement for which we can all be proud. I want to especially note the efforts of the workers and their dedication not only the security of this country, but their dedication to performing a safe and extensive demolition and decommissioning. This was very complicated and difficult work involving dangerous and toxic materials. The fact that it was done decades ahead of predictions and at a cost vastly less than expected is a testament to all those involved.

"Getting to this day has been long and fraught with obstacles. But the Colorado congressional delegation worked hand-in-glove with the local communities, DOE and the contractors to work through those obstacles. This nation continues to face daunting cleanup challenges at other sites in South Carolina, Tennessee, and Washington. The success here at Rocky Flats stands as a hopeful symbol that we can tackle the challenges at those facilities and turn bombs to birds, weapons to wildlife, and liabilities into community assets.

"There is still more to do here at Rocky Flats and we must remain vigilant to make sure this site is secure and that any residual contamination is contained and controlled. We have an obligation to make sure that workers' benefits are carried forward and that they are compensated for any work-related health problems. Although that is not insignificant, the fact that all buildings, wastes and infrastructure are down means that we can return this landscape to the wildlife of the open, high prairie environment and how it might have appeared to our ancestors and Native Americans.

"Walking through this site provides a remarkable view. You have the feeling of big, western skies. This is where the prairie meets the mountains.

"I look forward to the next major chapter--the future opening of the Rocky Flats National Wildlife Refuge--so that people can enjoy the open spaces and abundant wildlife at this site."



U . S . S E N A T O R ★ C O L O R A D O

WAYNE ALLARD

<http://allard.senate.gov>

CONTACT: Laura Condeluci 202-224-5944

October 13th, 2005

Contact: Phone:

Contact: Steve Wymer Phone: 202-224-6207

SENATOR ALLARD PRAISES OUTSTANDING PERFORMANCE OF WORKERS AS ROCKY FLATS CLEANUP PROJECT DECLARED COMPLETE

WASHINGTON, D.C. — U.S. Senator Wayne Allard (R-Colorado) on Wednesday had words of praise for workers at the U.S. Department of Energy's Rocky Flats cleanup project following notification from the contractor, CH2MHill, that remediation of all contamination at the site, including the hot spots discovered last summer, has been completed.

"Rocky Flats is the best example of a nuclear cleanup success story ever," Senator Allard said.

"Words can not completely describe the transformation that has taken place at Rocky Flats. The workers at Rocky Flats have gone far above and beyond their assignment, and accomplished this cleanup under budget and ahead of schedule," Senator Allard continued. "I also want to commend the contractor, CH2MHill, for their painstaking, efficient management of this massive project."

"Eight years ago when we began this journey, I was one of only a few individuals who believed it would be possible to accomplish so much so fast, and stay within budget as well," Senator Allard added. "These workers labored tirelessly to cleanup and close one of the most dangerous sites in America, demonstrating that the impossible is possible when people cooperate in order to meet a common goal."

According to the cleanup contract, the Department of Energy (DOE) has 90 days to formally accept the cleanup work. If necessary, DOE can provide a list of items that must be addressed by the contractor during this time to help ensure DOE's acceptance of the cleanup declaration. After DOE accepts the cleanup, the EPA and the State of Colorado begin the process of verifying that the cleanup is in accordance with federal cleanup laws and the Rocky Flats Cleanup Agreement.

Since his election to the U.S. Senate in 1996, Senator Allard has worked successfully to roll back the target date for the cleanup to be completed from 2070 to 2005. In 2001, Congress passed legislation by Senator Allard to make Rocky Flats upon cleanup and closure a National Wildlife Refuge. The legislation requires the Department of Energy to transfer most of the Rocky Flats Environmental Technology Site to the Department of Interior for the purpose of creating a wildlife refuge to preserve Colorado's unique Front Range habitat once cleanup of the site is complete.

Rocky Flats manufactured components for nuclear weapons for the nation's defense until 1992. The mission of the plant was to complete the environmental and waste management cleanup, and decommissioning by December 2006. The industrial complex of more than 100 buildings was located in the center of about nine square miles of undeveloped land 16 miles northwest of downtown Denver.

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June 15, 2006

Mr. Dean Rundle
Rocky Mountain Arsenal National Wildlife Refuge
Building 111
Commerce City, Colorado 80022-1748

Re: Step Down Plan for Site History/Safety Signs

Dear Mr. Rundle,

Thank you for the opportunity to review United States Fish and Wildlife Services' proposed language for entrance signs to the Rocky Flats National Wildlife Refuge. The Board of Directors of the Rocky Flats Stewardship Council remains committed to helping ensure that future visitors to the refuge understand the history of the Site as a nuclear weapons plant and the ongoing wildlife and contaminant management needs.

The Stewardship Council recognizes USFWS does not typically develop this type of step-down plan at this point in the planning process but rather reserves such decisions for the visitor step-down plan. Given the history of Rocky Flats we support USFWS' decision to take this additional step.

Without doubt, USFWS, working in close collaboration with the Department of Energy, must provide objective information to interested community members. Such information should include a summary of the hazardous materials that were used and released at the site when it was in operation, the history of the cleanup, and any relevant information regarding residual wastes, including information on the long-term stewardship controls that will be utilized to manage those residual wastes. A critical step in meeting this obligation is through signage at the Rocky Flats National Wildlife Refuge.

We understand the visitor step-down plan will include interpretative signage for both wildlife resources and additional information about the history of Rocky Flats. The Stewardship Council supports such additional signage but in order for such signage to be effective it must be layered and, at times, redundant. Signs should be posted at the refuge boundaries (demarcating the

boundary), at all access points, along trails, and at the boundary between refuge lands and lands retained by DOE.

While USFWS and DOE are charged with different management responsibilities at Rocky Flats, as federal agencies jointly charged with managing Rocky Flats, your efforts must be compatible and complementary. The Rocky Flats Cleanup Agreement parties' decision to clean up Rocky Flats to a level that is protective of future users and to off-site interests was predicated on, among other things, the development and implementation of a comprehensive long-term stewardship plan. Signs for Rocky Flats, which are integral to this plan, serve two purposes: (1) to inform visitors of the history of the site, and (2) to inform visitors of the ongoing management needs (both wildlife and contaminant management).

One of the benefits of allowing people onto the refuge (as opposed to cordoning it off) is that visitors are a captive audience and thus present an important opportunity by which the federal government can continue to educate the community about the long-term stewardship needs and related responsibilities. While that onus is the primary responsibility of DOE, any signage USFWS will place on the refuge is critical in ensuring the federal government meets this long-term responsibility. The signs USFWS plans to utilize at the access points should not be the primary means to inform visitors; however, when coupled with additional signage UFSWS and DOE are intending to utilize these signs become very important. In meeting this obligation it is important that any signage utilized or information provided to future visitors serves to discourage (and not encourage) visitors from entering the lands DOE will retain.

This idea of USFWS helping DOE meet its obligations is consistent with USFWS' request of DOE that any fence DOE uses to demarcate its boundary allow for the safe passage of wildlife. So it is therefore not unprecedented for one agency to assist the other agency in meeting its long-term management responsibilities. For that reason, we encourage USFWS and DOE to continue to partner so that a consistent and comprehensive message is conveyed.

The language USFWS has proposed is a good start but changes are needed. Attached is language the Stewardship Council Board of Directors unanimously supports. Member governments might also provide additional proposed language. We ask that you likewise give their proposal due credence.

Towards this end, in your letter to the community dated May 5, 2006, you note one of the purposes of the proposed signs is to "address site history, cleanup and restrictions." USFWS' draft language addresses the history of the site and cleanup, but is virtually silent on access restrictions to DOE lands other than to say please observe "Area Closed" signs. We anticipate one of the regulatory restrictions DOE, the Environmental Protection Agency, and the Colorado Department of Public Health and the Environment will require for Rocky Flats is for lands DOE will retain to remain off-limits to the general public. In such a case we believe visitors to the refuge should be first informed of the access restrictions at all access points to the refuge and not simply at the interior refuge boundary. Asking visitors to observe "Area Closed" signs does not rise to the level of informing visitors about the reason for access restrictions. Consistent with the aforementioned idea of layering signs, the bulk of the message/information should be reserved

for visitor kiosks and interpretative signage, but the foundation is established in these entrance signs.

Finally, in recent months when debating Colorado House Bill 1389 sponsored by Rep. Wes McKinley two camps have emerged: those who believe the purpose of any signage should be to inform and those who believe signage should serve to warn visitors of the residual risks. As a body charged with overseeing the long-term protection of Rocky Flats, we believe warnings are not simply unnecessary but would, importantly, send the wrong message about the cleanup. If the cleanup is certified as meeting or exceeding the regulatory standards – and we expect such a certification to be forthcoming – then there is no need to issue warnings.

Nevertheless, while the Stewardship Council represents a broad segment of the community, there are various perspectives in the community regarding appropriate signage. As the DOE-designated Local Stakeholder Organization for Rocky Flats, the Stewardship Council encourages USFWS to continue to consider all points of view and to discuss as appropriate such issues with DOE, EPA, and CDPHE.

Thank you for your continued commitment to work with the Stewardship Council and others on this important issue.

Sincerely,

/s/

Lorraine Anderson
Chairman

Cc: Senator Wayne Allard
Senator Ken Salazar
Representative Mark Udall
Representative Bob Beauprez
Frazer Lockhart, DOE
Scott Surovchak, DOE
State Representative Wes McKinley
State Representative Paul Weissmann
State Representative Debbie Benefield
State Representative Dorothy Butcher
State Representative Morgan Carroll
State Representative Mike Cerbo
State Representative Jerry Frangras
State Representative Rafael Gallegos
State Representative Gwyn Green
State Representative Mary Hodge
State Representative Cheri Jahn
State Representative Gary Lindstorm
State Representative Liane McFadyen

State Representative Michael Merrifield
State Representative Jack Pommer
State Representative Ann Ragsdale
State Representative John Soper
State Representative Val Vigil
State Senator Lois Tochtrop

USFWS DRAFT LANGUAGE FOR ENTRANCE SIGNS TO THE ROCKY FLATS NATIONAL WILDLIFE REFUGE

REVISED LANGUAGE PROPOSED BY THE ROCKY FLATS STEWARDSHIP COUNCIL

June 5, 2006

What Happened Here?

The land you are about to enter, Rocky Flats National Wildlife Refuge, is an historic Cold War site. Refuge lands are part of the buffer zone of the old Rocky Flats Plant that operated from 1951 until 1989, when it was closed. For nearly four decades, thousands of women and men worked here, building nuclear components for the United States' weapons arsenal. In 2001, Congress approved legislation establishing The Rocky Flats National Wildlife Refuge, thus preserving the land and preventing development or other intensive uses.

Deleted: deterrent

Deleted: that held the former Soviet Union at bay

Weapons production at the plant involved plutonium and other radioactive and hazardous materials. Over the decades, some materials were spilled, dumped, and buried in accordance with the accepted waste handling practices of the time. These actions resulted in releases of plutonium and other contaminants into the air and water on and adjacent to Rocky Flats.

Deleted: The work was dangerous and secret.

Deleted: there were accidents

Deleted: Those accidents and some of the accepted waste handling practices of the early decades

Beginning in 1995, the United States Department of Energy contracted with private cleanup firms and conducted an unprecedented and enormously complex cleanup project to remove virtually all of the contaminated buildings and soil from the landscape. The project was completed in 2005.

Deleted: many of the same Cold War veterans who had built America's deterrent arsenal,

Deleted: They accomplished that difficult job in 2005, leaving the land as an asset for future generations of Americans.

Is the Refuge Safe for Public Recreation?

We believe it is. An extensive evaluation of contamination at Rocky Flats was conducted by the U. S. Environmental Protection Agency (EPA) and the Colorado Department of Public Health and Environment (CDPHE). The levels of contamination detected on the Refuge were low and met conservative state and federal cleanup standards. EPA, CDPHE, and independent studies have determined the Refuge is safe for public recreation, refuge workers, and resident wildlife.

Deleted: Yes.

Deleted: land

Deleted: Both

Deleted: and

Deleted: and

The refuge is open daily during daylight hours. Unless otherwise posted, please stay on trails. Please observe "Area "Closed" signs. Pets are not allowed on the Refuge. The interior portion of the site remains under the jurisdiction of the Department of Energy and is closed to the public. For more information about their ongoing contaminant management program please see the visitor kiosks or go to www.xxx.gov

Deleted: ¶
There are hazards involved in any form of wildland recreation. Hazards at Rocky Flats include inclement or extreme weather conditions, the potential for trips, slips and falls; poisonous snakes; and unreasonable or illegal acts by other persons. ¶

Still have questions? For more information about the history, contamination, cleanup, or site safety issues at Rocky Flats, please call EPA at (XXX) XXX-XXXX or CDPHE at (XXX) XXX-XXXX. For more information about the refuge contact (XXX) XXX-XXXX.

Rocky Mountain Peace and Justice Center
Proposed Amendments to USFWS Signs

Words and phrases within parentheses should be omitted, and words and phrases in all CAPS and underlined should be added.

“What Happened Here?”

The land you are about to enter, Rocky Flats National Wildlife Refuge, is an historic Cold War site. Refuge lands are part of the buffer zone of the (old) FORMER Rocky Flats NUCLEAR WEAPONS Plant that operated from 1951 until 1989. For nearly four decades, thousands of women and men worked here, building nuclear components for the United States’ (deterrent) NUCLEAR weapons ARSENAL (that held the former Soviet Union at bay).

Weapons production at the plant involved plutonium and other radioactive and hazardous materials. The work was dangerous and secret. Over the course of decades, there were accidents AND MAJOR FIRES. Those accidents and some of the accepted waste handling practices of the early decades resulted in releases of plutonium and other contaminants TO THE EXTERNAL ENVIRONMENT.

Beginning in 1995, THE DEPARTMENT OF ENERGY UNDERTOOK (many of the same Cold War veterans who had built America’s deterrent arsenal, conducted an unprecedented and) AN enormously complex cleanup project to remove THE MOST contaminated buildings and soil from the landscape. They accomplished that difficult job in 2005, leaving A PORTION OF THE LANDS TO BE MANAGED for future generations of Americans AS A WILDLIFE REFUGE.

(Is the Refuge Safe?) WHAT IS THE RISK TO A REFUGE VISITOR

(Yes. An e) Extensive evaluation of contamination at Rocky Flats was conducted by the U. S. Environmental Protection Agency (EPA) and the Colorado Department of Public Health and Environment (CDPHE). The levels of contamination on refuge land were low and met conservative state and federal cleanup standards. Both EPA and CDPHE have determined that the (land is safe) LOW LEVEL OF RISK IS ACCEPTABLE for public recreation and refuge workers. There are hazards involved in any form of wildland recreation. Hazards at Rocky Flats include inclement or extreme weather conditions, the potential for trips, slips and falls; poisonous snakes; and unreasonable or illegal acts by other persons.

The refuge is open daily during daylight hours. Unless otherwise posted, stay on trails. Please observe “Area Closed” and other regulatory signs. Pets are not allowed on the refuge.

Still have questions?

For more information about the history, contamination, cleanup, or site safety issues at Rocky Flats, please call EPA at (XXX) XXX-XXXX or CDPHE at (XXX) XXX-XXXX.” For information about the refuge contact (XXX) XXX-XXXX.

(Note: Appropriate phone numbers will be determined when signs are fabricated.)