

Rocky Flats Coalition of Local Governments

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August 1, 2005

Mr. Frazer Lockhart
Manager, Department of Energy
12101 Airport Way, 3rd Floor
Broomfield, CO 80021

Dear Frazer,

As you know, the Board of Directors of the Rocky Flats Coalition of Local Governments has long supported the accelerated remediation and closure of Rocky Flats. We believe the ongoing relationship between DOE and the Coalition has been central to developing and maintaining community support for the closure project.

The Coalition's work on independent verification over the past 12 months has focused on the elements of the cleanup that we believe are of greatest interest to our constituents. The countless hours we have spent on this issue highlight the importance for us of bringing in an additional set of experts to confirm that the remedial actions DOE and its contractor, Kaiser-Hill, have taken meet or exceed the regulatory standards. In doing so, we hope to be able to provide an additional basis to ensure for our constituents that the cleanup is protective of human health and the environment. We know from DOE's commitment in hiring ORISE and providing \$25,000 to the Coalition to hire MACTEC that DOE understands the value of this independent review process.

The Coalition has been vigorously tracking the various and numerous issues through use of a matrix. This matrix, which has been broadly shared with the Rocky Flats community, identifies the key issues that the Coalition believes warrant further explanation and/or action. Attached is the latest draft of the matrix. Of the forty-nine items on the matrix, three remain open, seventeen are resolved awaiting final documentation, and twenty-nine are closed.

As we discussed at our July 11, 2005, meeting which you attended, "Resolved Awaiting Final Documentation" denotes the Coalition has asked a question which has been answered. In many cases, however, DOE cannot make a final decision until the CAD/ROD for the site is signed. While we do not want DOE to make any pre-decisional commitments, we request that you respond in writing to each of these issues and explain DOE's commitment (including post-closure monitoring commitments), timeline for making a final decision, and the document that DOE anticipates will capture the answer.

In addition, at this time we would like DOE to formally respond to the first three items on the matrix. We request DOE provide a formal written response to the issues raised and any additional information that may assist the Coalition in understanding DOE's position to help us determine whether the issue has been adequately resolved.

In particular, the first item on the matrix is an issue raised by the Coalition's soil consultant, MACTEC. MACTEC strongly recommends that ORISE expand its mini-MARSSIM soils review to include soils adjacent to 1 or 2 production buildings in the Industrial Area. MACTEC believes expanding this part of ORISE's review would add important information and would serve to strengthen the argument that ORISE is conducting a thorough independent review. We endorse MACTEC's recommendation.

DOE has provided an initial response to MACTEC's recommendation, informing Coalition staff that this request will not be granted. We appreciate the timeliness of DOE's response, but without further explanation beyond what was included in the attached email, we are not prepared to accept this reasoning at this time. DOE's response appears to suggest that Kaiser-Hill's schedule is driving its decision. The Coalition has always supported a timely closure. However, we worry that the accelerated schedule appears to be unwisely undermining what we believe is a reasonable and necessary request.

If you have any questions about the issues in the matrix please let us know. We would welcome clarifying any issues prior to your issuing the letter.

Many thanks for your continued support of our efforts.

Shaun McGrath
Chairman

Cc: Mark Aguilar, EPA
Carl Spreng, CDPHE
Dave Shelton, Kaiser-Hill
Rocky Flats Citizens Advisory Board