

Comment #



Response to Colorado Advanced Research Institute Letter # 1



Tim Rohrer
<coari@coari.org>
05/10/2006 12:04 AM

To: rockymountainarsenal@fws.gov
cc:
Subject: Public comment on proposed signage at Rocky Flats Wildlife Refuge

To whom it may concern:

1-1

I found the proposed signage misleading and not forthcoming about what happened at Rocky Flats.

For example you repeatedly engage in grammatical gymnastics to avoid saying "nuclear weapons," the components of which are what was built at Rocky Flats. If you just write short clear sentences instead of trying to please everyone by heaping clause upon clause, perhaps it can sound less like evasive bureaucratese.

1-2

You also fail to mention the 1989 environmental raid by the FBI and EPA which led directly to today's conversion and clean up of the old nuclear weapons site. Without it, the cleanup and conversion to a wildlife refuge would never have happened.

You should not be hiding these facts. Simply tell the plain truth.

1-3

Specific suggestions:

(1) "buffer zone of the old Rocky Flats Plant"

1-4

-- should be "the former Rocky Flat Nuclear Weapons Plant"

-- naming the former facility truthfully should make it clear what happened here, and why there was a need for a "buffer zone."

(2) "For nearly four decades thousands of women and men worked here, building nuclear components for the United States' deterrent weapons that held the former Soviet Union at bay."

1-5

-- Wouldn't it be simpler to just say: "For nearly four decades, thousands of women and men worked here building components of nuclear weapons. These weapons formed one cornerstone of the U.S. policy of deterrence toward the former Soviet Union during the Cold War."

--As it now reads, this sentence is grammatically awkward, overburdened with three comma clauses plus a relative clause, and should be reworded as two separate sentences as I have done above.

(3) "Beginning in 1995, ... conducted an enormously complex cleanup ..."

1-6

--This is simply not true. Cleanup was only undertaken after the historic 1989 raid by the FBI and EPA exposed what many of us in the local community had been documenting for years--that there were serious problems with radioactive and chemical contamination of the environment and workplace at Rocky Flats Nuclear Weapons Plant.

--I would suggest: "After the 1989 raid by the FBI and EPA exposed serious environmental contamination issues, many of the same Cold War veterans conducted an unprecedented and enormously complex cleanup project..."

--While I understand your effort to mention that some of the same "cold warriors" who built the weapons also cleaned up the mess, we already know what they built at the plant by this point in the story. You should omit that clause about "building deterrent weapons" here. I would also observe that this sentence as it stands is also too comma- and clause-laden as well.

--It is also crucial to explain that they only began to clean up the

1-1. Thank you for your comments.

1-2. The Service acknowledges that all aspects of the history of Rocky Flats are not addressed in the language for this sign. One of the Service goals stated in the Comprehensive Conservation Plan (CCP) is to provide information on refuge wildlife, habitat, safety, cultural resources, and an accurate history of the site. This will be accomplished with a variety of methods including interpretative signage, displays, printed materials, outreach, and the Refuge website.

1-3. See response to comment 1-2.

1-4. The Department of Energy (DOE) and most other official references utilize the name Rocky Flats Plant for the site instead of Rocky Flats Nuclear Weapons Plant.

1-5. Thank you for your comments.

1-6. See response to comment 1-2.

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1-7

site AFTER the 1989 raid. There was an EXTERNAL impetus that caused the plant to shut down and be cleaned up. That impetus came from the FBI and EPA, as well as from the local community. We locals knew what was happening because it was our milk that was being condemned and seized, our groundwater wells that were being contaminated, our children that were at risk during the plutonium-laden fires in the 50s. The FBI and EPA finally came in because of our concerns and to protect us. My revisions above at least acknowledge the raid, though you might want to also acknowledge the local community. Again, use multiple sentences rather than multiple clauses as you do so.

Thank you,

Dr. Tim Rohrer, Ph.D.
Colorado Advanced Research Institute

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(continued)

1-7. See response to comment 1-2.

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05/16/2006 15:44 3032709697

BAROCH



City of
Golden

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May 16, 2006

Mr. Dean Rundle
Refuge Manager
US Department of Interior
Rocky Mountain Arsenal National Wildlife Refuge
Commerce City, CO 80022

Dear Mr. Rundle:

I have reviewed the "Rocky Flats National Wildlife Refuge Step-Down Plan for Site History/Safety Signs" document dated May 2006. For the most part, the document is very good. My only concern is that very few people know what plutonium is and what hazards might be associated with the low level contamination on the site. Would it be possible to state that plutonium is a radioactive metal and for the most part is essentially harmless unless ingested? One shouldn't be concerned about the low level contamination on the site.

Sincerely,

A handwritten signature in cursive script that reads "C. J. Baroch".

Charles J. Baroch
Mayor

Response to City of Golden Letter # 2

2-1. Thank you for your comments and participation.

2-2. The Service relies on the Environmental Protection Agency (EPA), Colorado Department of Public Health and the Environment (CDPHE) to define what hazards are associated with low level residual contamination, and what is acceptable risk on the site. The Service supports the conclusion reached by the EPA and CDPHE after extensive evaluation that refuge land will be safe for all the proposed Refuge management activities.

2-1

2-2



**Response to Rocky Mountain Peace
and Justice Center Letter # 3**

22 June 2006

US Fish and Wildlife Service
Refuge Manager
Bldg. 111 – RMA
7200 Quebec Street,
Commerce City, CO 80022.

Re: Public comment on the Step-Down Plan

Dear Mr. Rundle,

3-1

The Rocky Mountain Peace and Justice Center is a membership supported not-for-profit organization that has followed the activities at the Rocky Flats nuclear weapons facility for over twenty years. We represent a large number of people living in the Front Range of Colorado. On behalf of the RMPJC and our membership, I submit the following comments and suggestions to the US Fish and Wildlife Service (USFWS) for consideration with regards to its proposed "Step-Down Plan."

3-2

The Rocky Mountain Peace and Justice Center believes that the suggested language for the trail head signs is inadequate and inappropriate at times. The USFWS states that the "sole purpose of this plan is to specify language...to inform visitors about the site history and safety considerations." We do not believe that the USFWS has met this purpose.

3-3

"1.1 Refuge Overview"

In this section the US FWS states, "[t]he Service finalized the CCP, following an extensive public process in April, 2005." The RMPJC feels that it important to note for the public record that the public process mentioned above for the Draft Environmental Impact Statement/Comprehensive Conservation Plan (DEIS/CCP) of 2005 did not result in the USFWS making decisions based on the preferences of the community.

In fact, when analyzing the comments made by members of the public, if one eliminates duplications and includes only those who wrote formal comments or made oral comments at the public hearings, 65% of the public favored no public access to the RFNWR. If one includes the petitions and form letters signed and submitted as comment, 88% of the commenting public favored no access. The USFWS has decided to open the site for recreation, despite overwhelming opposition from the commenting public. Attached to these comments is the analysis of public comments on the Draft Environmental Impact Statement/CCP that shows that the overwhelming majority of those who commented were against the idea of recreation at the RFNWR.

"1.2 Purpose and Need for this Plan"

A. The USFWS admits that, "many members of the public expressed concern regarding the cleanup of the site and the safety of future visitors." Yet nowhere in the proposed signs' language does the USFW mention this or reference the well documented

3-1. Thank you for your comments.

3-2. The Service acknowledges that all of the site history and safety concerns cannot be addressed on one sign. See response to comment 1-2.

3-3. The Service received over 5,000 comments on the Draft CCP/Environmental Impact Statement from the four public comment hearings that were held, as well as letters, email, and petitions on wide variety of views on number of issues and concerns. The purpose of the National Environmental Policy Act process is to solicit public input and participation in the decision making process, but it is not a voting system. Of those who indicated a specific preference for a management alternative, 63% supported the Service's proposed alternative. This alternative emphasizes wildlife and habitat conservation and a moderate amount of wildlife dependent use. The National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668DD-668EE). Defines the mission and six priority public uses for wildlife refuges. These are; hunting, fishing, wildlife observation, photography, environmental education and interpretation.

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Response to Rocky Mountain Peace and
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3-4 opposition to the positions of the USEPA or CDPHE with reference to the cleanup efforts conducted at Rocky Flats. This opposition is important with respect to possible health risks (addressed below) as well as with respect to the democratic process and the desires of affected local people.

The communities surrounding Rocky Flats overwhelmingly rejected the Rocky Flats Cleanup Agreement (RFCA) that was adopted in 2003 because they felt it was insufficient and that a better and more protective cleanup could be accomplished. I have attached for the public record an analysis of the public comments made on the Revised RFCA of 2003. It shows that more than 86% of those who commented on the RFCA rejected it as insufficient.

3-5 **B.** The USFWS also states, “[b]ased on the best available scientific data and unequivocal determinations by the EPA and Colorado Department of Public Health and Environment (CDPHE) that the extensive cleanup program resulted in a landscape that is safe for refuge workers and visitors, the CCP provides for future public use of the site for a variety of compatible wildlife-dependent recreational activities.” The RMPJC rejects this statement as inaccurate. The best available data suggests that because there is associated danger and risk due to exposure to long-lived radionuclides, even in very small amounts, responsible parties should take a precautionary approach to all activities at sites like Rocky Flats. A precautionary approach would not have included access to the RFNWR by the public.

3-6 The most recent information from the official report by the National Research Council’s Committee to Assess Health Risks from Exposure to Low Levels of Ionizing Radiation: Biological Effects of Ionizing Radiation (BEIR VII) asserts in the strongest possible terms that any exposure to ionizing radiation is potentially harmful. In addition, the British Committee Examining Radiation Risk of Internal Emitters in 2004 concluded that elements like plutonium may be 10 times more harmful than previously realized. This information was available to the USFWS before they made a final decision on access at RFNWR.

1.3.2 Goals The USFWS states that the goal for public use is, “[t]o provide an understanding and appreciation of fish and wildlife ecology and man’s role in his environment...” The signs proposed in this plan do not seem sufficient to satisfy this goal. We suggest more detailed interpretive signs that could better address “man’s role in his environment.” Additional signs could discuss human responsibility to as well as effects on the environment.

“4.0 Interpretive Signs”

3-7 **A.** The RMPJC objects to the use of the word “deterrent” and phrases like “cold war veterans” and “held the Soviet Union at bay.” This language choice is inflammatory and inappropriate. Instead of using “deterrent weapons” and “deterrent arsenal,” the USFWS inappropriately implies that the weapons were benign. It is far more accurate and appropriate to simply describe what these weapons were: nuclear weapons. It is not the responsibility of the USFWS to editorialize when it comes to the history of the site. It is

3-4. The Service does not have regulatory authority over cleanup actions on the Flats. The EPA and CDPHE have the lead regulatory authority on cleanup efforts at Rocky Flats, and have determined the project is compliant with regulations found in Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (Superfund Act), Resource Conservation and Recovery Act (RCRA), and the Colorado Hazardous Waste Act (CHWA). The Service supports the conclusion reached by the EPA and CDPHE after extensive evaluation that refuge land will be safe for all the proposed Refuge management activities.

3-5. See response to comment 3-4.

3-6. The service agrees that additional interpretive information on ecology and the environment will be important. See response to comment 1-2..

3-7. Thank you for your comments. The Service revised the sign wording to clarify the text of the information.

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- the responsibility USFWS to describe with accuracy and straight-forward language the history and the potential risks to visitors of the lands which they will manage.
- 3-8 **B.** The RMPJC objects to using the word “safe.” This is inaccurate (for reasons stated above), and all visitors have a right to know that there exists a risk to their health, regardless of the size of that risk. True informed consent is the only acceptable way to allow for public access.
- 3-9 **C.** The RMPJC objects to the omission of the presence of residual contamination from the list of potential hazards at RFNWR. Not only is this omission tantamount to hiding the truth, it almost mocks the concern that so many community members share. The “potential for trips, slips, and falls” is incomparable to the longevity and potential for harm that exists due to the remaining contaminants at RFNWR and the adjacent DOE retained lands.
- 3-10 **D.** The USFWS makes no reference to the fact that contaminated land at the center of the wildlife refuge is off limits to refuge visitors and will be managed by the Department of Energy. It is very important for potential visitors to know why an area is closed to the public. It should be noted that surface and subsurface contamination by radionuclides and other hazardous material still exists in significant quantities in the DOE retained lands. At the very least, the public should be told that the off-limits areas are still considered Superfund lands.
- E.** Below is a suggestion for how the signs’ language might be improved to address some of the concerns of the RMPJC and its members. Words and phrases within parentheses should be omitted, and words and phrases in all CAPS and underlined should be added.
- “What Happened Here?”
- 3-11 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).
- 3-12 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.
- 3-13 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.

Response to Rocky Mountain Peace and Justice Center Letter # 3

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- 3-8. The Service revised the sign wording to include information on the risk level calculated by EPA.
- 3-9 See response to comment 3-8.
- 3-10. The Service revised the sign wording to reflect that the Department of Energy (DOE) retained area is off limits to the public. In addition, DOE has included the Service’s recommendation for the construction of a barbed wire fence and signage around the DOE retained lands in their Corrective Action Decision/ Record of Decision (CAD/ ROD) for remedy.
- 3-11. The DOE and most other official references utilize the name Rocky Flats Plant for the site instead of Rocky Flats Nuclear Weapons Plant.
- 3-12. The Service revised the sign wording to clarify the context of the information.
- 3-13. The Service feels that it is important to mention the enormous effort by the many former plant workers who were an integral part of the cleanup effort.

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4

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

3-14

(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.)

3-15

Thank you for the opportunity to comment on this important issue.

Sincerely,



Erin E. Hamby
Coordinator Rocky Flats/ Disarmament Action Collective
Rocky Mountain Peace and Justice Center
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303.444.6981 x1
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P O Box 1156
Boulder, CO 80306

3-14. See response to comment 3-8.

3-15. Thank you for your comments.

Comment #

To: Dean Rundle
Manager, Rocky Flats National Wildlife Refuge
From: LeRoy Moore, Ph.D.
Rocky Mountain Peace and Justice Center
RE: Comments on proposed interpretive signs for the RFNWR
Date: May 20, 2006

4-1 Thank you for the opportunity to comment on the Step-Down Plan for signs for the Rocky Flats National Wildlife Refuge. These comments, offered on behalf of the Rocky Mountain Peace and Justice Center, will be supplemented by additional comments from the organization.

Below is a copy of the text from the Draft Step-Down Plan's Section 4.0, with suggested changes presented in the form of edits to the text, with interspersed explanatory comments.

4.0 INTERPRETIVE SIGNS ABOUT SITE HISTORY, CLEANUP and ACCESS RESTRICTIONS

Signs with the following language will be erected at all trailheads and other public access points to RF NWR prior to the opening of those access points to visitors:

"What Happened Here?"

4-2 *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 Nuclear Weapons Plant that operated from 1951 until 1989. For nearly four decades, thousands of women and men worked here, building the fissionable core for every nuclear weapon in the United States' arsenal, throughout the period of the Cold War. (maybe add: between the U.S. and the former Soviet Union.)*

4-3 *(Comment: This section needs to explain clearly that this was a nuclear bomb factory and, if space allows, to say clearly that this is where the plutonium pit or fissionable core of every weapon was made. Regarding the phrase about holding the Soviet Union "at bay" the reality is that the policy of Mutual Assured Destruction (MAD), as it was often referred to on both sides, deterred both superpowers, or in your language, held both "at bay" throughout the period of the Cold War.)*

4-4 *Weapons production at the plant involved plutonium and other radioactive and hazardous materials. The work was dangerous and secret. Over the course of decades, many accidents plus some waste handling practices as well as routine operations resulted in releases of plutonium and other contaminants.*

(Comment: It is misleading not to mention that major accidents occurred at the site as well as to assert that the only problematic waste handling practices occurred in the early decades (Rockwell pled guilty to illegal waste handling practices right up to the time production halted in 1989). And certainly routine operations that resulted in constant releases of contaminants to air, soil, and water throughout the years of production should not be ignored. Finally, the

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Response to Rocky Mountain Peace and Justice Center Letter # 4

4-1. Thank you for your comments. See response to comments 3-2 through 3-12 that address the same remarks in the Rocky Mountain Peace and Justice Center letter dated 6/22/06.

4-2. See response to comment 3-11. The Service revised the sign wording to clarify the context of the information.

4-3. See response to comment 3-11. The Service revised the sign wording to clarify the context of the information.

4-4. The Service acknowledges that all of the site history and safety concerns cannot be addressed on one sign. See response to comment 1-2. The Service revised the sign wording to clarify the context of the information.

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Response to Rocky Mountain Peace and Justice Center Letter # 4

(continued)

4-5

adjective "accepted" in reference to waste handling practices is misleading. DOE and its predecessor agencies often looked the other way, in effect condoning bad practices of the contractors. Secrecy allowed this to happen, but eventually federal environmental law began to be applied for waste that contained non-radioactive materials, at which point illegal waste-handling activities at the plant were prosecuted, most notably in the final decade of production. FWS's draft needs to be rewritten to reflect this reality.)

Beginning in 1995, many of the same Cold War veterans who had built America's deterrent arsenal, conducted an unprecedented and enormously complex cleanup project to remove or try to contain contaminated buildings and soil from the landscape. They accomplished that difficult job in 2005, leaving the land as open space for future generations of Americans.

Is the Refuge risk free?

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 on refuge land were low and met established state and federal cleanup standards. The Refuge itself surrounds a more highly contaminated area of about 1200 acres [cite correct number] that is not part of the Refuge and remains under the control of the U.S. Department of Energy. Both EPA and CDPHE have determined that

the land meets their standards for acceptable risk for public recreation and refuge workers. (Comment: The FWS draft misuses the word "safe." No one knows the meaning of "safe." The BEIR VII [Biological Effects of Ionizing Radiation] study, recently completed by the National Academy of Sciences asserts in the strongest possible terms that any dose of ionizing radiation is potentially harmful. It thus is inaccurate to say that a site contaminated to some extent with radionuclides like plutonium is "safe." FWS needs to speak openly and honestly about the risk, which according to present understandings is admittedly small but is not non-existent. I belong to two committees of the National Council on Radiation Protection and Measurements [NCRP], a body that studies radiation health effects and makes recommendations to government agencies regarding standards for permissible exposure. At any of NCRP's recent meetings some of the eminent scientists in this body stated repeatedly that in discussing radiation risk with the public they would never use the term "safe." To do so, they said, would violate scientific integrity and undermine credibility. It is much better, they said, to emphasize uncertainty and risk. Having been present for this discussion, I continue to be amazed and actually shocked at the willingness of spokespersons for various government agencies that deal with Rocky Flats to call the cleanup and the condition of the site "safe." This highly irresponsible use of language is no credit to individuals and agencies that aspire to credibility with the affected public.)

There are hazards involved in any form of wildland recreation. Hazards at Rocky Flats, in addition to risks associated with residual contamination, 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.

Deleted: an asset

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4-6

4-5. The refuge lands will not be managed as open space, but rather for the conservation of fish, wildlife, and native plant communities and compatible wildlife-dependent public use.

4-6. It is not possible to eliminate all of the risks in any form of outdoor recreation. The Service supports the conclusion reached by the EPA and CDPHE after extensive evaluation that refuge land will be safe for all the proposed Refuge management activities.

The Service revised the sign wording to clarify the information on risk levels.