

Comment #



Board of County Commissioners

June 20, 2006

Jim Congrove
District No. 1
J. Kevin McCasky
District No. 2
Dave Auburn
District No. 3

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

Dear Mr. Rundle:

11-1 Thank you for the opportunity to comment on the United States Fish and Wildlife Services' proposed entrance signs to the Rocky Flats National Wildlife Refuge (Step Down Plan for Site History/Safety Signs). We appreciate your efforts to engage the public at this early stage in the process.

11-2 As you know, Jefferson County is a member of the Board of Directors of the Rocky Flats Stewardship Council. Jefferson County supports the revised language as submitted by the Stewardship Council. Proposed revisions ensure that the language is objective while providing brief information on the history of the site and clean up, the hazardous materials that were used and released on the site, and the remaining Department of Energy lands.

11-3 We encourage additional signage that will provide visitors with detailed information and look forward to participating in the review of these signs.

11-4 Thank you for your continued commitment to work with the local jurisdictions and the Stewardship Council on Rocky Flats issues.

Sincerely,

BOARD OF COUNTY COMMISSIONERS


J. Kevin McCasky, Chairman


Dave Auburn


Jim Congrove

BCC/mm

c: Jim Moore, County Administrator
Nanette Neelan, Deputy County Administrator
Lombard & Clayton
David Abelson, Rocky Flats Stewardship Council

100 Jefferson County Parkway, Golden, Colorado 80419
(303) 279-6511
<http://jeffco.us>

Response to Jefferson Board of County Commissioners Letter # 11

11-1. Thank you for your comments.

11-2. The Service has carefully reviewed the comments provided by the Rocky Flats Stewardship Council, and provided comments to their recommendations in Letter #14 below.

11-3. The Service agrees that additional information will need to be provided for visitors. See response to comment 1-2.

11-4. The Service looks forward to continuing work with the local jurisdictions. Thank you for your comments.

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Administration

DEPARTMENT OF PUBLIC WORKS

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Response to Jefferson Board of County
Commissioners Letter # 13

June 9, 2006

Dean Rundle
Fish and Wildlife Service
Rocky Mountain Arsenal National Wildlife Refuge
Building 111
Commerce City, CO 80022-1748

Re: Draft Refuge Step-Down Management Plan for Site History/Safety Signs

Dear Mr. Rundle:

13-1

The City and County of Broomfield appreciates the opportunity to provide comments to the *Draft Step-Down Management Plan for Site History/Safety Signs*, dated May 2006. We are pleased with your open communication process with the development of signage and associated language at the Rocky Flats National Wildlife Refuge (RF NWR). We understand the signs will be posted at refuge access points to address site history, clean-up, and restrictions. We thank you for proceeding with a public process to allow Broomfield an opportunity to review and comment on such an important aspect of the refuge and the Department of Energy's (DOE) role at the site.

13-2

Broomfield looks forward to connecting our trails at an appropriate time in the future to the trails at the Rocky Flats National Wildlife Refuge, and we believe it is important to inform our community about the site's history and safety considerations. Broomfield, as a downstream community, will continue to be involved in any activity that may have a potential to impact downstream surface water quality. Quotes or titles from the draft step-down plan are italicized in this letter to distinguish draft language from Broomfield's comments and recommendations. We have general comments associated with the draft step-down plan.

1. Page 2, Section 1.1 *Refuge Overview* – The document states: *The Refuge Act provides that following the environmental remediation of Rocky Flats by the U.S. Department of Energy (DOE), and following certification that all necessary response actions have been completed by the U.S. Environmental Protection Agency, DOE will transfer primary administrative jurisdiction over the majority of the site to the Department of the Interior (DOI), as RF NWR.*

13-1. Thank you for your comments.

13-2. The Service anticipates providing a number of access points for Rocky Flats in the future. The Service looks forward to the ongoing participation and involvement by Broomfield.

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Mr. Dean Rundle
June 9, 2006
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Response to Jefferson Board of County
Commissioners Letter # 13
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- 13-3 Clarify if certification is synonymous with delisting the site from the National Priority List.
2. Page 3, Section 1.2 *Purpose and Need for this Plan* - Per the Comprehensive Conservation Plan (CCP), maps and interpretive signs will be located at all trailheads to inform visitors about the site's history, clean-up, and access restrictions.
- 13-4 Broomfield has yet to receive or has had an opportunity to review a map of the final proposed boundaries between the DOE retained lands and the RF NWR. Please add an attachment to the document that identifies the final boundaries of the site. Also include the controls that will identify how the boundaries between the two distinctive areas will be constructed.
- 13-5 3. Page 3, Section 1.3.2 Goals - *Goal 3 Safety* states: *Conduct operations and manage public access in accordance with the final Rock Flats' clean-up decision documents to ensure the safety of Refuge visitors, staff, and neighbors.*
- Revise the step-down plan to identify the specific documents the above statement is referring to that will include access controls and operations. We understand the final clean-up decision documents will supersede this plan if there are any inconsistencies.
- 13-6 4. Page 4, Section 2.0 *Site Description* - See comment number 2. It is important to have a map delineating the boundaries of the RF NWR and the DOE retained lands.
- 13-7 5. Page 5, Section 4.0 *Interpretive Signs about Site History, Clean-up, and Access Restrictions* - The plan states: *Over the course of decades, there were accidents.*
- The statement may be interpreted that there were nuclear accidents. Revise the statement to clarify the accidents were environmental accidents. Rephrase the sentence to state: *Over the course of decades, there were environmental accidents. Also add that during the complex clean-up project most of the contaminated buildings and soils were removed.*
- 13-8 6. Page 5, Section 4.0 *Interpretive Signs about Site History, Clean-up, and Access Restrictions* - Worker involvement is a crucial aspect of the site's history.
- Thank you for adding the value of the workers associated with the activities at Rocky Flats. The wording as stated in the draft plan reflects the dedication of the workers.
7. Page 5, Section 4.0 *Interpretive Signs about Site History, Clean-up, and Access Restrictions - Is the Refuge Safe?* The step-down plan states: *The levels of*

13-3. Certification of the site cleanup and closure by EPA is terminology used by Congress in the 2001 Refuge Act, (P. L. 107 – 107). Delisting of DOE lands from the National Priorities (Superfund) List is regulatory process required before the land can be accepted by the DOI. Certification is a non-regulatory action where EPA submits documentation to the DOI verifying that cleanup has been completed. Certification will not proceed delisting

13-4. The map for the boundary between the DOE retained land and refuge land, as well as details on institutional and physical controls are included as part of the CAD/ROD.

13-5. Access control and operations information can be found in the RI/FS, and CAD/ROD.

13-6. See response to comment 13-4.

13-7. The Service revised the sign wording to clarify the nature of accidental releases and extent of cleanup.

13-8. The Service agrees that worker involvement is a crucial part of site history and cleanup process. See response to comment 3-13.

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Response to Jefferson Board of County Commissioners Letter # 13
(continued)

contamination on refuge land were low and met conservative state and federal cleanup standards

13-9

Change the word "were" to "are" and "met" to "meet." The refuge area still contains very low levels of residual contamination. The purpose of the signs is to reflect both the history of the site and current physical conditions. It is germane to emphasize that the current conditions are safe for refuge activities.

13-9. The Service revised the sign wording to clarify the context of the information.

8. Page 5, Section 4.0 *Interpretive Signs about Site History, Clean-up, and Access Restrictions – Is the Refuge Safe* – EPA and CDPIE are identified as contact numbers for more information about the site's history, contamination, clean-up, or site safety issues at Rocky Flats.

13-10. The Service modified the wording to include contact information for DOE Office of Legacy Management.

13-10

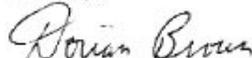
Revise the document to include Legacy Management as a contact. It is very important to have someone available to address current site conditions.

13-11. The Service looks forward to continuing to work with the City and County of Broomfield. Thank you for your comments.

13-11

The City and County of Broomfield expects that we will continue to be involved, informed, and allowed to participate and comment on any future RF NWR step-down plans. We want to thank you for making this plan a public document to accept comments from the surrounding communities. Broomfield offers our assistance to help provide outreach and education to the general public to inform them of our role in the clean-up of Rocky Flats. We are also eager to share our community's vision and goals of our open space plan and integration with the RF NWR trailheads. Our common vision and goals will only serve to compliment wildlife, habitat, and public use at the RF NWR. If you have any questions, please feel free to call Shirley Garcia of my staff, at 303-438-6329.

Sincerely,



Dorian Brown
Director of Public Works

Pc: Lori Cox, City & County of Broomfield City Council
Vincent Buzek, City & County of Broomfield City Council
Mike Bartleson, City & County of Broomfield
Kathy Schnoor, City & County of Broomfield
Shirley Garcia, City & County of Broomfield
JoAnn Price, City Councillor, City of Westminster
Ron Hellbusch, City of Westminster
Al Nelson, City of Westminster
Carl Spreng, Colorado Department of Public Health and Environment
Dave Kruchek, Colorado Department of Public Health and Environment
Mark Aguilar, Environmental Protection Agency
Scott Surovchak, Legacy Management
Rocky Flats Stewardship Council

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Response to Rocky Flats Stewardship
Council Letter #14

ROCKY FLATS STEWARDSHIP COUNCIL

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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

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,

14-1

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.

14-2

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.

14-3

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

14-1. Thank you for your comments. The Service is committed to ensuring visitors understand the site history and management needs.

14-2. Complete information on hazardous materials used and released on site during operation, cleanup, residual waste, and long term stewardship controls can be found in the reports and documents provided by DOE: RI/FS, Historical Release Report (HRR) CAD/ROD.

All of this information could not be contained on a sign. See response to comment 1-2.

14-3. See response to comment 1-2.

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- 14-4 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).
- 14-5 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 USFWS 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.
- 14-6
- 14-7 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.
- 14-8
- 14-9 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.
- 14-10 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

**Response to Rocky Flats Stewardship
Council Letter #14**
(continued)

- 14-4. DOE has stated in the Proposed Plan currently out for review that they will install signs along the perimeter of the Central Operable Unit (OU).
- 14-5. See response to comment 1-2.
- 14-6. The Service revised the sign language to reflect that public access will not be allowed on DOE retained land.
- 14-7. DOE has stated in the Proposed Plan that it will be responsible for the construction of a barbed wire fence around the Central OU.
- 14-8. The Service looks forward to continuing to work with DOE on providing information for visitors.
- 14-9. Thank you for your comments. The Service revised the sign wording to clarify the context of the information.
- 14-10. The Service revised the sign language to reflect that public access will not be allowed on DOE retained land.

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

14-11 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.

14-12 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.

14-13 Thank you for your continued commitment to work with the Stewardship Council and others on this important issue.

Sincerely,



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 Benfield
- 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

Response to Rocky Mountain Peace and Justice Center Letter # 3

(continued)

14-11. While the Service does not have regulatory authority for the certification of the cleanup, 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, and that there will not be a need to issue warnings.

14-12. The Service values the participation and perspectives of the Rocky Flats Stewardship Council, and will continue to consider the points of view of the communities, stakeholders, and regulatory agencies.

14-13. The Service appreciates the commitment of the Stewardship Council. Thank you for your comments.