

Department of Energy



**Environmental Management
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June 1, 2015

Dr. LeRoy Moore
Rocky Mountain Peace and Justice Center
P.O. Box 1156
Boulder, CO 80306

EMCBC-OCC-0031-15

Dear Dr. Moore:

LETTER TO STEVEN CROLEY DATED APRIL 1, 2015

We are in receipt of your letter dated April 1, 2015, to Mr. Steven Croley, General Counsel for the Department of Energy (DOE). Your letter resumes questions of whether the Rocky Flats Stewardship Council (the Stewardship Council) is operating as a Local Stakeholder Organization (LSO) or as an Advisory Committee pursuant to the Federal Advisory Committee Act (FACA), Public Law 92-463.

The Stewardship Council was established, pursuant to Section 3118 of Public Law 108-375, to be the Rocky Flats Site LSO. DOE's expectations of the Rocky Flats Stewardship Council remain the same as they have been since the Stewardship Council was established: the Stewardship Council is a conduit for communications between DOE and the public and Stewardship Council members. Communications to DOE must be passed through unedited and without comment. DOE has not solicited advice from the Stewardship Council with respect to the tentative plans for a Multi-Purpose Facility at the Refuge, nor can it do so. Therefore, the Stewardship Council continues to be a Local Stakeholder Organization and will remain in that status as DOE and the Fish and Wildlife Service (FWS) continue to develop plans for the Multi-Purpose Facility.

DOE receives numerous comments and questions through the Stewardship Council, as well as directly from other organizations, individual citizens, local governments and others. DOE does not respond to each comment and question individually since this is not the most efficient means of reaching the public. Therefore, DOE uses the Stewardship Council as a conduit for dissemination of information to the public. DOE also holds public meetings on specific issues as needed and to comply with various legal requirements. DOE cannot direct the Stewardship Council with respect to management of their website or drafting the minutes of their meetings. Perhaps you can follow up with the Stewardship Council regarding your suggestions about their website and meeting minutes.

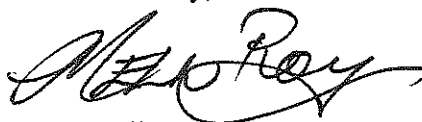
Your primary question derives from discussions at a recent Stewardship Council meeting that related to tentative, conceptual plans of DOE to work with the FWS to develop a Multi-Purpose Facility (previously known as Visitor Center) for the Rocky Flats Wildlife Refuge. The Rocky

Flats National Wildlife Refuge Act allows the DOE Secretary to establish a Rocky Flats Museum. The Secretary is authorized to consult with the City of Arvada, other local communities and the Colorado Historical Society on the development, siting and other issues related to the development and construction of the museum. DOE will work with the Stewardship Council, as it has in the past, to disseminate information regarding potential development of the DOE displays as part of the Multi-Purpose Facility, and to receive information from individuals and the communities as planning for the Multi-Purpose Facility progresses.

The former Central Operable Unit has not been removed from the National Priority List or released for general use by the Environmental Protection Agency and the State of Colorado. Without these actions taking place, the Multi-Purpose Facility cannot be located on the DOE land at Rocky Flats. At this time, DOE expects to proceed in compliance with the authority granted to it with respect to the Museum in the Rocky Flats National Wildlife Refuge Act. Planning for the Multi-Purpose Facility is at a very preliminary stage. Planning for public participation in the development of the Multi-Purpose Facility is also in the preliminary stages and no decisions have been made with respect to how public participation will take place. DOE cannot speak for the FWS and is not privy to its intentions concerning the Rocky Flats Stewardship Council.

Please contact me at (513) 246-0585, if further information on this matter is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Mell Roy", written in a cursive style.

Mell Roy
Chief Counsel
Office of Chief Counsel