

Rocky Flats Coalition of Local Governments

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June 6, 2005

Mr. Michael Owen
Director, Office of Legacy Management
Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. Owen,

The Board of Directors of the Rocky Flats Coalition of Local Governments has been discussing the development of the post-closure Local Stakeholder Organization (LSO) for Rocky Flats.

As elected officials from the seven municipal governments that border the Department of Energy's Rocky Flats site, the Coalition takes seriously its congressionally-mandated responsibility to work with DOE to develop the LSO. While final decisions about the make-up of the LSO rest with DOE, we recognize that DOE's own guidance vests great responsibility in and deference towards local governments to identify appropriate membership for the LSO.

As you know, Section 3118 of the Fiscal Year 2005 National Defense Authorization bill provides the LSO shall be composed of "elected officials...or their designees." Senators Allard and Salazar and Representatives Udall and Beauprez stated in their April 26, 2005, letter to Secretary Bodman that the legislative language should be construed to allow for non-elected officials to be granted membership on the LSO. They further state local governments "should be a significant majority" of the LSO and some, but not all, of these non-elected officials should be granted full voting rights.

Their letter does not define what constitutes a "significant majority." All seven Coalition governments have indicated they remain interested in serving on the LSO. We therefore believe three or four would be the appropriate number of non-elected community members to serve on the LSO board. While the congressional letter suggests some, but not all, of these non-elected officials be granted voting rights, the Coalition believes these three or four members should have full voting rights. We do not support having two classes (voting and non-voting) of citizen representatives on the LSO.

To ensure some degree of accountability for non-elected members, the Coalition would propose the following appointment process: (1) The Coalition will work to identify potential LSO members; (2) interested parties would apply to the Coalition Board for inclusion on the LSO; and (3) after reviewing these applicants and conducting interviews, the Coalition would forward names to DOE for its approval. This process, we believe, follows DOE's guidance which provides "the appointment of members to the LSOs will be the responsibility of the local elected officials with concurrence by DOE." The Coalition hopes to work with the Rocky Flats Citizens Advisory Board and other interested parties to identify the appropriate groups to draw from for membership on the LSO. Potential groups would include former workers, who we believe should serve on the LSO, conservation organizations, and user groups. Additionally, we believe the relevant state and federal regulatory agencies (i.e., DOE, USFWS, EPA CDPHE) should serve as *ex officio* members.

The Coalition recognizes that other municipal governments may be interested in serving on the LSO. In mid-April we wrote the mayors from seven neighboring municipalities who are currently not members of the Coalition inquiring into their interest in serving on the LSO. To date, only the City of Golden has formally indicated to RFCLOG their interest in serving on the LSO. We believe their inclusion is appropriate.

Finally, the aforementioned congressional letter also suggests defining "closure" for the purposes of compliance of the LSO as regulatory closure, not physical completion of site remediation activities. We support this approach and agree with their position that we must reach conclusion on all outstanding issues at the earliest possible date.

Thank you for considering our thoughts on this matter. The Coalition remains committed to partnering with DOE in developing this important organization.

Sincerely,

/s/

Shaun McGrath
Chairman

Cc: Senator Wayne Allard
Senator Ken Salazar
Representative Mark Udall
Representative Bob Beauprez
Frazer Lockhart, DOE
Rocky Flats Citizens Advisory Board