



July 25, 2011

Mr. Steve Tarlton, Manager  
Radiation Management Unit  
Hazardous Materials and Waste Management Division  
Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530

Subject: Suspension of Performance Objective PO D3

References: Cotter Corporation, RML No. 369-01 - LC 28.1.2 and CDPHE letter dated February 10, 2010 - *Suspension of the requirement for submission of a Semiannual Performance Objective Report*

Dear Mr. Tarlton,

Based on discussions with members of your staff, we are requesting suspension of the requirement for maintaining the pH of the Primary Impoundment at 4 or greater. As demonstrated by the pictures and evaluation provided to the RMU, it is now unsafe to measure the pH of the pool.

As you are aware, the pool of water in the impoundment has diminished by evaporation to the extent that only the addition of base material has maintained the pool and consequently the head. In addition, introduction of base material to the pool has become inefficient and we have no means to improve the delivery.

Cotter implements a Waterfowl Management Program in conjunction with the Colorado Division of Wildlife through the Safety/Security Department to discourage waterfowl presence at the Primary Impoundment as well as Pond 3.

If you have questions or would like to discuss this request, please contact me at (719) 275-7413 ext. 212 or by email at [jim.cain@cotterusa.com](mailto:jim.cain@cotterusa.com).

Sincerely,

Jim Cain,  
Environmental Coordinator/  
Radiation Safety Officer

JC: lkb

cc: Edgar Ethington  
Phil Egidi  
John Hamrick