

# STATE OF COLORADO

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Bill Ritter, Jr., Governor  
James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

June 25, 2009

Sharyn Cunningham, Co-Chair  
1614 Grand Ave  
Canon City, CO 81221

Carol Dunn, Co-Chair  
380 Barrett  
Canon City, CO 81212

Dear Ms. Cunningham and Ms. Dunn:

Thank you for copying me on CCAT's April 16, 2009 letter of resignation from the Cotter/Lincoln Park Community Advisory Group (CAG). I am replying on behalf of the Colorado Department of Public Health and Environment at the request of Executive Director Jim Martin. We believe that the CAG has benefited from your participation, and regret that you feel obliged to remove yourselves from that forum.

We hope you realize that the Department has valued your input on Cotter issues over the years, even in situations where we have disagreed and we made decisions contrary to your position. For example, CCAT's participation in the Cotter license appeal process and hearings required significant effort on your behalf, and resulted in additional data and information being brought forward that were no doubt helpful in determining the outcome of the hearing. On an ongoing basis, the questions raised by your members and the persistence of your attention on Cotter and the regulators have kept the decision making process much more transparent. As a result of this input, notification of water conditions to well owners when well ownership changes is an additional ground water use institutional control implemented in November 2008.

Further, the community urged the regulators and Cotter to conduct a new well survey to update well use information. The survey was conducted in 2008 and the results were reported to the community and CAG this year. There were other CAG recommendations for the 5 Year Review incorporated into that document, as well. Finally, CCAT in particular continues to be vigilant in monitoring documents posted to our website. It is your continued need to know, and need to hold us accountable, that has enabled us to have the thorough and comprehensive collection of documents available to the public on the internet.

Ms. Cunningham and Ms. Dunn  
June 17, 2009  
Page 2

There will continue to be opportunities for you to provide input to the decision making process, and we hope you will see them as ways to participate in productive two-way communication with the Department. Your participation in the CAG forum will be missed, but I will continue to hold staff accountable for considering all input to the issues we consider and the future decisions we will make.

Sincerely,

Gary W. Baughman  
Director, Hazardous Materials and Waste Management Division

CC:

Pat Smith, EPA  
Sonya Pennock, EPA  
Carol Rushin, EPA  
Bill Murray, EPA  
Lawrence Grandison, EPA  
James Martin, CDPHE  
Steve Tarlton, CDPHE  
Warren Smith, CDPHE  
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