



Many Voices Working for the Community

Oak Ridge Site Specific Advisory Board

April 15, 2002

Mr. David Geiser
Director, Office of Long-Term Stewardship
EM 51 Forrestal
Office of Environmental Management
U.S. Department of Energy
Washington, D.C. 20585

Long-Term Stewardship Issues in the Review of the Environmental Management Program Dated February 4, 2002

Dear Mr. Geiser:

The Oak Ridge Site Specific Advisory Board (the Board) reviewed the February 2002 "Review of the Environmental Management Program." The Board agrees with the majority of the findings and recommendations of the Top-To-Bottom Review Team, and we support the accelerated risk-based cleanup and closure approach to environmental management. However, the Board does have concerns with several of the Review Team's findings and recommendations.

With regard to item 6, Long-Term Stewardship, we find that the issue statement does not realistically reflect conditions that are likely to be found at major DOE sites following remediation. DOE needs to plan adequately for a long-term stewardship program to ensure protection of public health and the environment at sites where remediation is complete but residual contamination remains. DOE's draft Long Term Stewardship Strategic Plan identified these issues, but the Top to Bottom Review seems to back away from DOE's responsibility for seeing them through; this is neither legally nor morally acceptable. DOE must not discount the risks that are managed through the effective implementation of long term stewardship. Failure to plan for, fund, and maintain remediation effectiveness through time will likely result in on-and off-site risk to future generations.

As noted in the background material, there is no set of regulatory guidelines for long-term stewardship (i.e. postclosure remedial operations, maintenance, and monitoring.) Thus, it is imperative that DOE Headquarters establish a long-term stewardship strategy and develop policy

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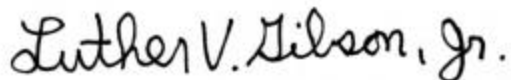
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and guidance for its implementation. Such guidance must be flexible enough to allow for various state requirements and site circumstances and it should emphasize that planning for long-term stewardship is an integral part of planning for remediation. Funding and information management must be part of this upfront planning for long-term stewardship.

Other issues such as sustainability, land transfers, and required custodianship are less straightforward activities that DOE must address soon because remediation is complete or soon to be completed for 58 sites with more to follow. These activities are subject to political changes and agency understanding and acceptance of long-term stewardship responsibility. Through the near future, EM and its contractors are the custodians of knowledge of what and where contaminants remain on site, what is likely to be required to maintain remediation effectiveness through time, and where all the necessary information may be found. Effective transfer to a new custodian will have to be planned and executed with great care, or remediation will fail over time. Significant but avoidable rework costs would then be required.

We thank you for the opportunity to provide feedback on this report and look forward to continuing to work closely with DOE to implement this important work.

Sincerely,



Luther V. Gibson, Jr.
Chair

Cc: Mr. Gerald Boyd, DOE/ORO, Assistant Manager for EM
Ms. Martha Crosland, DOE/HQ, Director, Office of Intergovernmental and Public
Accountability
Ms. Pat Halsey, DOE/ORO, ORSSAB Federal Coordinator
Ms. Connie Jones, EPA Region 4, Program Manager
Ms. Jessie Roberson, DOE/HQ, Assistant Secretary for EM
Mr. John Owsley, TDEC, Director
Mr. Justin Wilson, State of Tennessee, Deputy to the Governor for Policy