

January 15, 2004

Robert Card  
Undersecretary for Energy, Science, and Environment  
Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585-0104

Dear Mr. Card:

### **Recommendations on Funding of SSABs and the Transition of Sites from Environmental Management to Legacy Management**

The Chairs of the DOE Site Specific Advisory Boards (SSABs) have a keen interest in the transition of sites from the Office of Environmental Management to other DOE organizations. At the SSAB Chairs meeting held this past September in Paducah, Kentucky, we discussed some of our main concerns regarding the transition of closure sites to the recently formed Office of Legacy Management. These issues are of immediate relevance to sites that are slated for closure over the next several years.

DOE often characterizes site closure as an end of cleanup, with a transition to Legacy Management marking the beginning of long-term surveillance and monitoring (LTSM). As members of the public, however, we view this transition as part of the larger continuum of DOE management of a contaminated site. Although large volumes of high-risk materials will be removed from sites or placed into a safer configuration prior to closure, the properties cannot be returned to a pristine state, and contaminants left on site will continue to pose some degree of risk to communities. While the distinction between Environmental Management and Legacy Management is significant within DOE, for the average citizen living near a contaminated DOE facility, such a distinction appears arbitrary. To maintain trust that these risks are being properly managed, the transition from Environmental Management to Legacy Management should be seamless. This will require active and clearly focused coordination between Environmental Management and Legacy Management.

One area that currently requires greater coordination is public participation. Over the past decade, Environmental Management has established a track record of productive interactions with the public, of which the SSABs have been a major component. We believe that public involvement in both the planning and the implementation of long-term stewardship are essential to ongoing community support and acceptance of risk-based remedies. We are fully aware, however, that the current SSABs are chartered to Environmental Management, and thus, have no immediate standing with Legacy Management. The institutional knowledge developed within the current SSABs would be a tremendous benefit to DOE during the transition to LTSM and the years immediately following the transition. **As such, the SSAB Chairs request that Environmental Management and Legacy Management formalize the collaborative management of the current boards or determine how management of and support to the boards will also transfer to Legacy Management.**

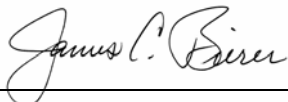
At sites facing closure within the next few years, DOE has already begun to dramatically reduce funding and other organizational support for SSABs. It is our contention that this is actually counter to the workload and level of importance of the SSABs during this period of transition. At Rocky Flats and Fernald, for example, the number of decisions and issues requiring public input has been at historically high levels in recent months, and this is expected to continue. Key

decisions being made in the final years and months of cleanup will have dramatic long-term impacts on surrounding communities. In addition, if SSABs are to play a significant role in the transition to LTSM, they will need adequate support to fulfill this mission. **Thus, we request that Environmental Management 1) reverse the dramatic cuts it has made to closure-site SSAB budgets, 2) collaborate with Legacy Management to adequately fund SSABs throughout the transition from cleanup to stewardship, and 3) work with communities and the SSABs to determine the appropriate role and support for citizen involvement in long-term stewardship itself.**

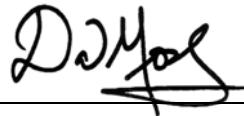
These are our immediate concerns for closure sites transitioning to Legacy Management. We also recognize that similar needs will arise at non-closure sites, where we expect other offices (e.g., National Nuclear Security Administration, Nuclear Energy, etc.) to pick up the LTSM mission. When that time comes, similar transition initiatives will also require attention.

We appreciate your consideration of our concerns and look forward to your response.

Sincerely,



James Bierer, Chair, Fernald Citizens Advisory Board



David Mosby, Chair, Oak Ridge Site Specific Advisory Board



Todd Martin, Chair, Hanford Advisory Board



Bill Tanner, Chair, Paducah Citizens Advisory Board



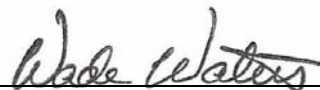
Monte Wilson, Chair, INEEL Citizens Advisory Board



Victor Holm, Chair, Rocky Flats Citizens Advisory Board



Charles Phillips, Chair, Community Advisory Board for Nevada Test Site Programs



Wade Waters, Chair, Savannah River Site Citizens Advisory Board



James Brannon, Chair, Northern New Mexico Citizens Advisory Board

cc: Jessie Roberson, DOE Office of Environmental Management  
Michael Owen, DOE Office of Legacy Management  
David Geiser, DOE Office of Legacy Management