



Department of Energy

Washington, DC 20585

June 15, 2001

Mr. Luther Gibson:
Oak Ridge SSAB
P.O. Box 2001-EM-90
Oak Ridge, TN 37831

Dear Mr. Gibson:

This is in response to the local *Environmental Management Site-Specific Advisory Boards (EMSSAB) Recommendations on Long-Term Stewardship*, dated April 19, 2001. The Department of Energy (DOE) appreciates the significant effort of the local EMSSABs in developing these recommendations on long-term stewardship. The DOE will continue to consider these, and past recommendations, in our implementation of the long-term stewardship program.

As part of the 1999 EMSSAB meeting in Oak Ridge, Tennessee, individual EMSSAB members and stakeholders jointly produced comments (within *Next Steps for Stewardship*) on the scope of the Department's National Study on Long-Term Stewardship. The Final National Study (expected for release by June 2001) draws upon those recommendations, discusses the national and programmatic long-term stewardship issues, and is intended to inform and assist environmental cleanup decision makers. Many issues related to your 2001 EMSSAB recommendations are also discussed in the National Study and these issues, and your recommendations, will continue to be addressed as the long-term stewardship program matures.

Enclosed is our response to the recommendations and a brief discussion of our ongoing efforts in each area that you identified. The Department looks forward to continuing to work with you on these issues. If you have any questions, please contact Mr. Gerald Boyd, Acting Director, Office of Long Term Stewardship at (202) 586-6382.

Sincerely,

Carolyn L. Huntoon
Acting Assistant Secretary for
Environmental Management

Enclosure

**The Department of Energy Office of Environmental Management
Response to the April 2001 Environmental Management
Site-Specific Advisory Boards
Recommendations on Long-term Stewardship**

Below is a discussion of the Department's response to the joint EMSSABs' recommendations along with a brief discussion of our on-going efforts regarding long-term stewardship in each of the areas addressed by the recommendations.

Funding

The joint EMSSAB recommendations direct DOE to develop legislation to guarantee funding for long-term stewardship activities and to examine alternatives to the Congressional appropriations process. The Department agrees that understanding the challenges that the present budgeting and appropriations process presents for long-term stewardship is a critical need of the program. Alternatives such as maintaining funding for long-term stewardship "off-budget" and protecting funding "from the demands of other programs" while continuing to involve stakeholders in budget development and program direction will provide challenges and opportunities for the program.

The Department is currently working to identify appropriate funding mechanisms. DOE recently sponsored a report and workshop from Resources for the Future entitled *Long-term Stewardship of Contaminated Sites: Trust Funds as Mechanisms for Financing and Oversight*. We are also looking into legislative options that would allow the Department to retain funds transferred to the Department for the long-term surveillance and maintenance of uranium mining and milling sites. In addition, the Department is working to refine the cost estimates of specific long-term stewardship activities.

On January 19, 2001, Assistant Secretary Huntoon required all sites to begin the process of initiating the planning and budgeting necessary to establish the operating baselines for site long-term stewardship activities. Each site where Environmental Management is the landlord shall prepare a long-term stewardship plan and incorporate long-term stewardship activities into the site's budget by FY 2004 (or sooner when practicable) and each site is strongly encouraged to incorporate input from regulators, stakeholders, and local officials (see attachment, January 19, 2001, Memorandum for Distribution, Long-Term Stewardship Responsibility). We are developing guidance to sites on how to more accurately identify these activities and costs, and on how to incorporate them into the site's operating baseline. Our next steps will include implementing the most effective funding mechanism for those identified long-term stewardship costs.

Roles and Responsibilities for, and Timing of, Long-term Stewardship

The joint EMSSABs' recommendations request that DOE "(e)xpeditate the issuance of policy, orders, guidance and training to institutionalize and implement the stewardship commitment." The Department, through the Office of Long-term Stewardship and the

Idaho Field Office, continues to support the development of a strategic plan for long-term stewardship. The strategic plan will be developed cooperatively by the DOE field offices, sites, stakeholders, regulators and Tribal Nations and will serve to coordinate the activities (e.g., policy, planning and guidance) necessary to ensure the continued successful implementation of long-term stewardship. The Department continues to pursue opportunities to incorporate long-term stewardship considerations into key cleanup, siting and operation decisions in a timely manner. We are working with the responsible Departmental elements to incorporate long-term stewardship thinking into, for example, the DOE Life Cycle Asset Management Order, Facility Information Management Systems, and the Pollution Prevention Order. We have teamed with DOE's Office of Site Closure, Environment Safety and Health and National Environmental Training Office to provide training to DOE and contractor headquarters and site personnel on long-term stewardship.

Further, the Department agrees that the development of site specific long-term stewardship plans, with the involvement of stakeholders, regulators and affected Tribal Nations, is an important near term goal for the program. The Department is continuing to implement the December 15, 2000, policy memorandum by the Deputy Secretary regarding the responsibility for long-term stewardship at sites with continuing non-Environmental Management missions. This memorandum requires, among other things that, all sites prepare scope cost and schedule baselines for long-term stewardship. The baseline development process will provide the Department an opportunity to incorporate long-term stewardship considerations into key cleanup and operations decisions.

Information Management

The joint EMSSAB recommendations request that the Department identify the information required by current and future generations to effectively manage long-term stewardship, including the preservation and dissemination of historical and cultural information. The Department agrees that we must understand the role of, and management of, information for an effective long-term stewardship program. The Department has experience with the identification and maintenance of records necessary for long-term stewardship through the long-term surveillance and maintenance program managed by the Grand Junction Office in Colorado. However, the requirements for record identification and management will increase as the complexity of the sites transferred into long-term stewardship also increases. We will continue to work with the DOE Field Offices and the Chief Information Officer, and draw on the experts at DOE laboratories, and outside groups such as the National Archives, and others, to develop a path forward on this issue.

Public Involvement

The joint EMSSAB recommendations ask the Department to "(p)rovide education and communication activities to encourage and facilitate early, informed, and regular involvement of stakeholders and State, Tribal, and Local Governments." Clearly, many long-term stewardship issues need to be addressed. Developing and implementing a long-

term stewardship program will require the active involvement of the States, other Federal agencies, local governments, academia, Tribal Nations, stakeholders and others. The Office of Intergovernmental and Public Accountability and the Office of Long-term Stewardship continue to ensure coordination with national stakeholder groups on resolving long-term stewardship issues. The National Governors' Association, the National Association of Attorneys General, the State and Tribal Government Working Group, and the Interstate Technology and Regulatory Cooperation Workgroup, and others have formed special subcommittees to identify and resolve many of the roadblocks to ensuring successful long-term stewardship. In addition, the Department continues to sponsor work by the recent Energy Communities Alliance and the Environmental Law Institute on the role of local governments in long-term stewardship. We will continue to engage these national organizations and encourage their efforts to promote efficient and effective long-term stewardship. In addition, we will continue to encourage the DOE Field Offices, through mechanisms such as the guidance to the field on the preparation of site-specific long-term stewardship plans, to engage Site-Specific Advisory Boards and local stakeholders to address site-specific information management issues. The advice and involvement of the local EMSSABs on this issue has been, and continues to be, crucial to the success of the long-term stewardship program.