



# Program Update

April–June 2010

Welcome to the April–June 2010 issue of the U.S. Department of Energy (DOE) Office of Legacy Management (LM) Program Update. This publication is designed to provide a status of activities within LM. Please direct all comments and inquiries to [LM@hq.doe.gov](mailto:LM@hq.doe.gov).

## Goal 5

### Native American Cultural Awareness Training

The Office of Legacy Management (LM) hosted a Native American Cultural Awareness Training on June 7 and 8, 2010. The training was developed in conjunction with the Navajo and Hopi tribal representatives in an effort to enhance working relationships and understanding. LM maintains a long-standing relationship with both the Navajo Nation and Hopi Tribe.

The Navajo and Hopi tribal representatives traveled to Grand Junction, Colorado, at LM's request to present insights into the culture, organization, policies, and laws of their respective tribes.

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Ray Plienness; Audie Greybear; Debbie Martinez; Levon Benally, Jr.; David Taylor; Stephen Etsitty; and David Geiser at the Native American Cultural Awareness Training.

### Legacy Management Goals

**Goal 1:** Protect human health and the environment through effective and efficient long-term surveillance and maintenance.

**Goal 2:** Preserve, protect, and make accessible legacy records and information.

**Goal 3:** Support an effective and efficient work force structured to accomplish Departmental missions and assure continuity of contractor worker pension and medical benefits.

**Goal 4:** Manage legacy land and assets, emphasizing protective real and personal property reuse and disposition.

**Goal 5:** Improve program effectiveness through sound management.



David Geiser, Danny Joseph, Ray Plienness, Audie Greybear, and Norman Honie at the Native American Cultural Awareness Training.

See page 10 for a map of LM sites.

See page 11 for a more detailed version of LM's goals.



## Goal 4

### Fernald Preserve Expands Education Programs

Education is an important component of the Fernald Preserve's mission, and the Fernald Preserve is expanding its environmental curricula to meet the needs of area teachers. The programs provide hands-on experience for students at all grade levels and introduce them to a variety of subjects related to the natural world. Groundwater, reptiles and amphibians, forest and prairie life, and birds are examples of topics students can explore at the site. The curricula comply with the educational grade-level achievement standards established by the Ohio Department of Education.

Opportunities to gather biological data have drawn schools back to the site for valuable research opportunities. For the third consecutive year, a senior honors seminar class from a nearby high school has been using the Fernald Preserve as an outdoor laboratory. The class members have focused their studies on amphibian populations in mitigated wetlands. Valuable data gathered by these students will be cataloged and added to the site's ecological database. The students will present their findings to the Fernald Preserve staff at the end of their school year.

Since the Fernald Preserve's opening in August 2008, schools have used the nature-based curricula at the site. During the 2009–2010 school year, approximately 900 students from 49 classes took advantage of the educational opportunities offered at the Fernald Preserve. A wide range of students—elementary, high school, and college level—have participated. ❖



*A student from a nearby high school checks a funnel trap during a fieldtrip to the Fernald Preserve. The traps are designed to capture amphibians and macroinvertebrates.*

Feedback from students and educators has been universally positive:

*"This was one of my favorite field trips in ten years of teaching!"*

*"VERY EDUCATIONAL AND HANDS-ON, THIS WILL LEAVE A LONG-LASTING IMPRESSION ON MY STUDENTS."*

*"It was wonderful, educational, and addressed our Ohio standards perfectly!"*



**Goal 1**

**LM Completes the Seep 538 Project  
Near the Former Naturita Processing  
Site, Colorado**

To address a concern expressed by Colorado Department of Public Health and Environment (CDPHE), the Office of Legacy Management (LM) completed a voluntary action to improve the riparian habitat along a short segment of the floodplain that adjoins the San Miguel River in Colorado.

Historically known as Seep 538, the abandoned scour channel was within 50 feet of the San Miguel River, but because it was also hydraulically down gradient from the former uranium processing site near Naturita, the channel received groundwater discharge with elevated uranium concentrations. The level of uranium in the water was typically several times the drinking water standard, and also exceeded the Food and Agriculture Organization of the United Nations' recommended limit for livestock drinking water. The CDPHE was concerned that Seep 538 was a point of exposure because ecological receptors (e.g., horses, wildlife) could access the channel and consume the contaminated water.

To eliminate the ecological risk, LM proposed, and CDPHE concurred, filling the scour channel with gravel. In developing a plan for the project, LM consulted with CDPHE, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service. Work in the wetland area was conducted under a Nationwide 404 Permit. The construction was designed to



*LM Site Manager, Mark Kautsky, points to the reclamation of Seep 538 while inspecting the project with personnel from U.S. Army Corps of Engineers and Stoller Corporation.*

minimize disturbance to wetlands and riparian areas and to be completed before the spring runoff began.

Post-construction reclamation of the site included replanting the willow whips that were harvested from the site before construction began, planting desirable species native to North America, and using certified weed-free seed in the upland areas. Construction and reclamation were completed on April 7, 2010, and water levels in the San Miguel river began rising, in response to snow melt, on April 10, 2010. ❖

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**Native American Cultural Awareness Training**

The training included cultural awareness, background, history, and procedures. Many LM employees and staff from its contractor, the S.M. Stoller Corporation, were in attendance and took advantage of the unique awareness training.

Members from the Navajo Nation included:

Mr. Stephen Etsitty  
Executive Director  
Navajo Nation Environmental Protection Agency

Mr. David A. Taylor  
Principal Attorney  
Navajo Nation Department of Justice,  
Natural Resource Unit

Mr. Audie Greybear  
Public Information Officer  
Navajo Nation AML Reclamation/UMTRA Department

Mr. Levon Benally Jr.  
Senior Environmental Engineer  
Navajo UMTRA

Members from the Hopi Tribe included:

Mr. Norman Honie Jr.  
Director  
Office of Mining and Minerals Resources, Hopi Tribe

Danny Joseph  
Office of Mining and Minerals Resources, Hopi Tribe ❖



## Goal 2

### Transition of the Licensing Support Network

The Licensing Support Network (LSN) is a Web-based information system intended to facilitate the Nuclear Regulatory Commission (NRC) Yucca Mountain Repository Project licensing proceeding discovery process. All potential parties involved in the NRC licensing proceeding, including U.S. Department of Energy (DOE) and NRC, place documentary material in the LSN. NRC regulations for the LSN are found in Title 10, *Code of Federal Regulations*, Part 2, Subpart J.

The fiscal year (FY) 2011 President's Budget did not request funding for the Office of Civilian Radioactive Waste Management (OCRWM). As such, the activities related to OCRWM that need to be performed (e.g., records management) after September 30, 2010, must be accomplished by other DOE offices. OCRWM plans to transfer the current Interagency Agreement (IA) with the U.S. Department of Justice to the Office of

Legacy Management (LM). LM will then use the IA to continue a relationship with the automated litigation support contractor, the current organization maintaining the LSN. The automated litigation support contractor will continue to identify and prepare potentially relevant documentary material and load such documents onto the LSN, to the extent that any such material is submitted by DOE to the automated litigation support contractor for such purposes.

During the remaining pendency of the NRC licensing proceeding, DOE expects that it will continue to be required to certify that relevant documentary material has been appropriately identified and made electronically available. The plan is for LM to continue to make LSN material relevant to the licensing proceeding available on the LSN website via the NRC Portal until a final decision is made regarding the license application for the Yucca Mountain site. ❖

## Goal 3

### Funding of Contractor Retiree Benefits at Yucca Mountain

The Office of Legacy Management (LM) is planning to assume responsibility for funding retired contractor benefits for the Yucca Mountain Repository Project in Las Vegas, Nevada.

Beginning in fiscal year 2012, the Yucca Mountain site may become the seventh closure site for which LM will manage and fund the retirement benefits of former contractor workers. DOE is responsible for funding the retirement benefits and will work with the site's contract to ensure the former contractor workers' retirement benefits are met. At this point, USA Repository Services will remain intact as the pension plan sponsor. ❖

## Goal 2

### Legacy Management Reports Track Information Request Trends

The U.S. Department of Energy Office of Legacy Management (LM) responds to information requests under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), Freedom of Information Act (FOIA), and Privacy Act (PA), as well as routine requests from stakeholders. To date, LM has responded to more than 6,800 requests for information. During the third quarter of fiscal year (FY) 2010, 341 requests were processed. Of that total, 248 were EEOICPA, FOIA, and PA requests (228 EEOICPA, 12 FOIA, and 8 PA) and 93 of the requests were routine requests.

The June 2010 LM requests report shows historical and current trends of various types of requests completed by LM between FY 2007 and the third quarter of FY 2010. The charts depict the requests

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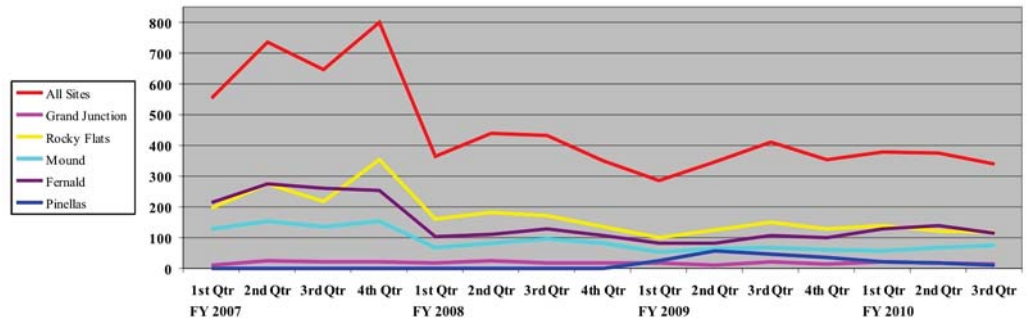
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## Legacy Management Reports Track Information Request Trends

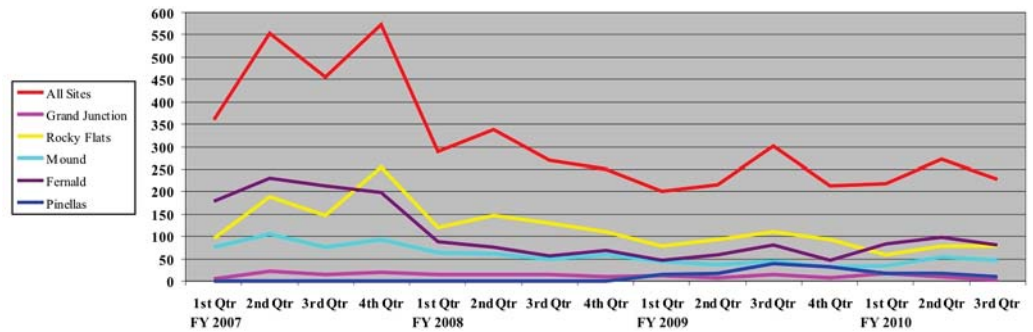
completed for various site record collections in LM custody: Ashtabula, Columbus, Fernald Feed Materials Center, and Mound Plant in Ohio; Grand Junction Site and Rocky Flats Plant in Colorado; and Pinellas Plant in Florida. The chart titled “Total Number of Requests and Claims FY 2007–FY 2010,” provides a cumulative representation of all requests completed by LM. The red line indicates the cumulative total of all completed requests. Subsets of requests associated with Fernald, Grand Junction, Mound, Pinellas, and Rocky Flats site collections are represented by colored lines as defined in the chart legend. The other charts provide a breakout of the requests by type (e.g., EEOICPA, FOIA, PA). Peaks in request numbers usually coincide with a newly transitioned site, public meetings, or legal proceedings.

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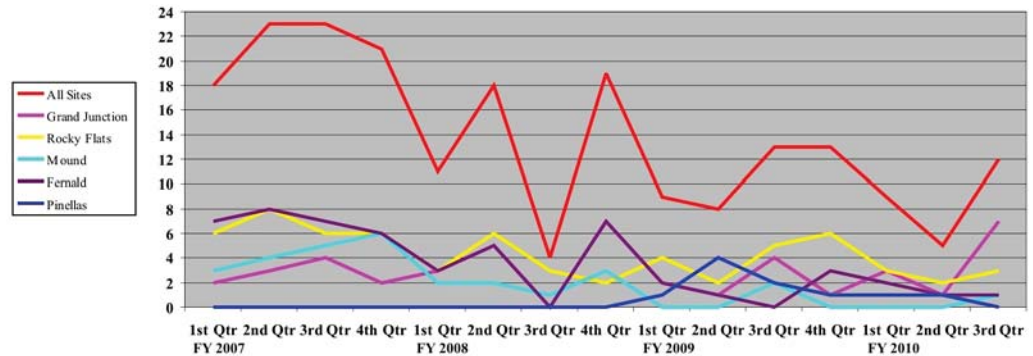
### Total Number of Requests and Claims FY 2007 – FY 2010



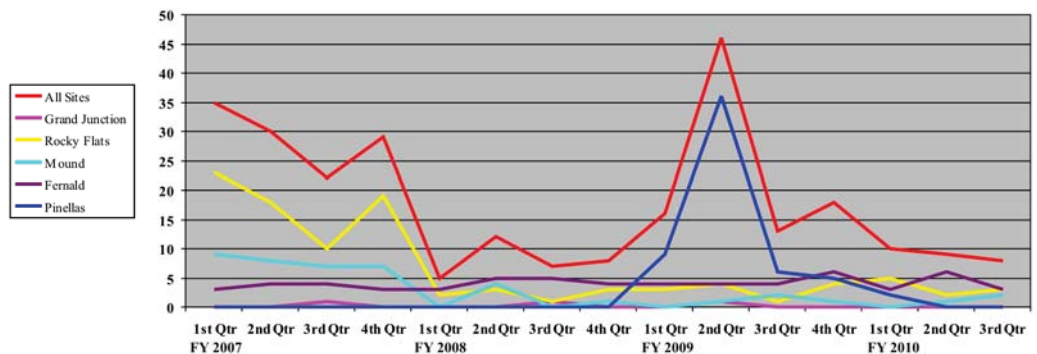
### Total Number of EEOICPA Claims FY 2007 – FY 2010



### Total Number of FOIA Requests FY 2007 – FY 2010



### Total Number of PA Requests FY 2007 – FY 2010





## Goal 5

### Office of Legacy Management Welcomes New Employees

#### *April VanCamp Gil*

Dr. April VanCamp Gil joined the Environment Team of the Office of Legacy Management on June 6, 2010. She came from the Office of Civilian Radioactive Waste Management where she started her career in radioactive waste management on the Yucca Mountain Project in 1989. April has a bachelor's and a master's degree in geology from the New Mexico Institute of Mining and Technology and a doctorate in environmental science from the University of Nevada, Las Vegas. April spent a year as a legislative fellow for then-Congressman Tom Udall, when she first became interested in the health and societal impacts of uranium mining and mill tailings as the Congressman's liaison to the Navajo uranium miners.

April is the site manager for Shiprock, Ambrosia Lake, Ambrosia Lake West, Bluewater, and L-Bar, New Mexico, and the Riverton, Wyoming sites. ❖

#### *Deborah Wentling*

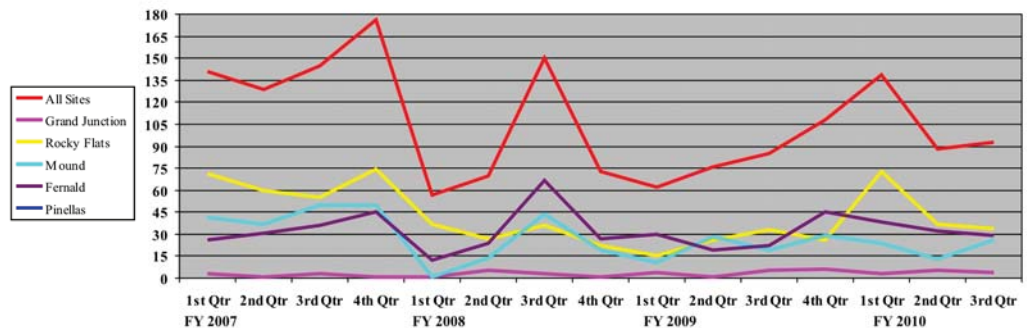
Deborah Wentling joined the Office of Legacy Management on May 23, 2010, as the Planning, Budget, and Acquisition Team Leader. She has nearly 20 years of experience in a broad variety of organizations (Federal and private sector) dealing with budgets, financial management, acquisition, security, logistics, information management, and human resource management. She has worked for the Office of Naval Intelligence, Department of Homeland Security, Defense Security Service, U.S. Army Corps of Engineers, Department of the Army, Department of the Treasury, Department of Health and Human Services, and Department of the Air Force. ❖

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### Legacy Management Reports Track Information Request Trends

LM endeavors to complete all information requests in a timely manner according to regulation and statute. To ensure timeliness, incoming requests are tracked on a daily basis. These daily statistics are then compiled to create weekly, monthly, and year-end reports to keep senior management informed of activity levels and progress. ❖

Total Number of Routine Requests FY 2007 – FY 2010





## Goal 1

### 2010 Long-Term Surveillance and Maintenance Conference

*Managing Today's Change,  
Protecting Tomorrow's Future—  
A Global Perspective on LTS&M*

November 16–18, 2010

Two Rivers Convention Center,  
Grand Junction, Colorado

[http://www.LM.doe.gov/ltsm\\_conference/](http://www.LM.doe.gov/ltsm_conference/)

The conference will provide technical information, education, and networking opportunities for representatives from government agencies, regulatory agencies, political offices, Tribal Nations, and other stakeholders involved in long-term surveillance and maintenance (LTS&M) of remediated sites and facilities. LTS&M includes activities necessary to protect human health and the environment following cleanup and disposal of radioactive and chemical wastes.

This forum is intended for participants interested in presentations and discussions about LTS&M issues including:

- Planning for LTS&M during remediation
- Site transition
- Using technology for successful LTS&M
- Property management issues
- Institutional controls
- Political and stakeholder perspectives
- Regulatory issues
- Information management and accessibility
- Renewable energy initiatives
- International perspective

For more information contact:

Deborah Sullivan  
(702) 295-1636 • [dsullivan@LM.doe.gov](mailto:dsullivan@LM.doe.gov)

Judy Miller  
(970) 248-6363 • [jmiller@LM.doe.gov](mailto:jmiller@LM.doe.gov)

## Goal 1

### SAVE THE DATE

*Upcoming Environmental Justice Conferences,  
Training Sessions, and Workshops*

#### • National Environmental Justice Advisory Council

Public Meeting, Fairfax at Embassy Row,  
Washington, DC, July 27 through 29, 2010

Location: Fairfax at Embassy Row  
2100 Massachusetts Avenue NW  
Washington, DC 20008

Time: 9:00 a.m., Tuesday, July 27, 2010

Agenda Items/Discussion Topics: TBD

Registration Deadline: July 16, 10:00 a.m. EST

To Register:

Online: Complete the form

By e-mail: Send an e-mail to

[Meetings@AlwaysPursuingExcellence.com](mailto:Meetings@AlwaysPursuingExcellence.com) with  
"Register for the July NEJAC Meeting" in the subject  
line. Please provide your name, organization, e-mail  
address, and telephone number for future follow-ups  
as necessary.

By fax: Print the webpage containing the registration  
form and fax the form to (877) 773-0779.

By phone: Please call (877) 773-0779. Non-English  
speaking attendees wishing to arrange for a foreign  
language interpreter also may make appropriate  
arrangements using these numbers.

#### • Teaching Radiation Energy and Technology (TREAT) Workshop, Savannah River Site, South Carolina, July 27 through 29, 2010

#### • Environmental Justice Training, Savannah River Site, South Carolina, July 29, 2010

#### • Community Leaders Institute, Tougaloo College, Tougaloo, Mississippi, August 19 through 20, 2010

#### • Congressional Black Caucus 40th Annual Legislative Conference, Environmental Justice Braintrust, Walter E. Washington Convention Center, Washington, DC, September 15 through 18, 2010

#### • Creating a Presence Minority Serving Institutions Technical Assistance and Capacity Building Conference, Dallas, Texas, September 20 through 23, 2010



## Goal 1

### The State of Environmental Justice in America 2010 Conference

The State of Environmental Justice in America 2010 Conference brought together participants from Federal agencies, academia, business and industry, non-profit organizations, local community activists, and citizens to dialogue on achieving equality of environmental protection. This conference focused on green jobs, clean energy, succession planning, health disparities, environmental health in disadvantaged communities, and environmental justice considerations in sustainable development and other issues.

The Conference started on Wednesday, May 12, 2010, at the Howard University School of Law in Washington, DC. A diverse panel representing communities, academia, business, and government discussed green jobs, clean energy, planning succession, and other topics. This lively conversation kicked off a conference where leaders from various sectors engaged in 3 days of free exchange of new ideas and new approaches to environmental justice.

This conference was an interactive training event that featured voices of experience, research, discussions, and thought-provoking dialogue. The program format addressed the needs and challenges of communities, governments, municipalities, tribes, faith-based organizations, and others with an interest in environmental matters and environmental justice. Conference participants were provided examples of approaches that produce positive results through innovation and collaboration. The Conference highlighted programs and collaborations that work, as well as initiatives that were not successful.

Thursday's opening keynote address was delivered by Dave Geiser, Director, U.S. Department of Energy (DOE) Office of Legacy Management. Mr. Geiser welcomed all participants to the conference and discussed the importance of Environmental Justice to the Obama Administration, DOE, the Federal government, and all Americans. He gave a summary of the Wednesday evening opening conversation and , including Community Capacity Building Through



*Roundtable discussions were conducted during lunch presentations by representatives from Department of Justice and Department of Agriculture.*



*Howard Law School Moot Court law students attended the opening session of the conference.*

re-emphasized the need for green jobs, clean energy, and effective planning to replace an aging workforce with trained and talented federal workers. He also spoke about various DOE capacity-building projects, including Community Capacity Building Through Technology, a partnership effort with the U.S. Department of Agriculture and Tennessee State University that provides computers, training, and technical assistance to small towns and rural communities to support their ability to obtain reliable information and increase their capacity to participate in environmental decision-making. He discussed the award-winning Community Leaders Institute, a partnership with the Medical University of South Carolina that conducts training and technical assistance workshops across the country and of the need for expanded use of partnerships and greater federal collaboration on environmental justice initiatives.

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## The State of Environmental Justice in America 2010 Conference

This year’s conference paid specific attention to students and community initiatives. For example, Augusta State University students gave a presentation entitled “The History and Potential Future of Hyde Park, Augusta, Georgia.” Students from the University of Arkansas gave a presentation on efforts to revitalize a minority and low-income section of Little Rock, Arkansas. A George Washington University student team presented the results of their research into management issues associated with former uranium milling sites within the Navajo Nation. A fourth student team from Columbia University gave a presentation entitled “Evaluating Environmental Justice Strategies in Federal Agencies.” There were additional presentations from students attending Tennessee State University, San Jose State University, Savannah State University, and Tufts University. All of the student research and projects focused on working with stakeholders for improved community environmental conditions. The Conference also focused attention on Historically Black Colleges and Universities (HBCUs) and other Minority Serving Institutions (MSIs) and their access to federal programs and their ability to provide technical assistance and other services to communities seeking environmental justice.

In a concluding session facilitated by Dr. David Rivers of the Medical University of South Carolina, Congresswoman Donna Christensen and Congressman Donald Payne led a discussion of the health challenges affecting environmental justice communities and efforts in the United States Congress to overcome these challenges. A spirited question-and-answer period followed the Congressional presentation.

The State of Environmental Justice in America 2011 conference will take place in April 2011. ❖



From left to right: Loretta Sutton, Department of Interior (DOI) Office of Environmental Policy and Compliance; Pat Carter, DOI U.S. Fish and Wildlife Service; Gerri Watkins, DOI U.S. Fish and Wildlife Service.

### Goal 1

## Environmental Justice Training and Visit to Capitol Hill

The Environmental Justice Program conducted a workshop for the April 2010 participants of the DOE intern course, Changing Dimensions of DOE. The 1-hour workshop, Introduction to Environmental Justice (EJ), covered the history of EJ in the Federal government, the *Environmental Justice Strategy*, and the *Environmental Justice Five-Year Implementation Plan*. The workshop also included an environmental justice case study and allowed time for questions and answers.

Changing Dimensions of DOE is a course designed to provide the participant with knowledge of DOE’s changing priorities and to provide an opportunity for

### Goal 1

## Online Environmental Justice Training

The Department of Energy’s Environmental Justice online training is being developed and will be implemented in fall 2010. ❖

active participation in DOE’s future. Topics for the sessions include managing for results in DOE, quality focus, environmental priorities, organizational initiatives, laboratory relationships, public policy process, Congressional policy perspectives, exploration of Capitol Hill, performance management,

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## Anticipated LM Sites Through FY 2015



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### Environmental Justice Training and Visit to Capitol Hill

techniques for positive change in DOE, and developing action plans. Workshops include: Preparing for Change, Planning for Change; and Group Feedback.

The Changing Dimensions course is offered to DOE interns who are also aspiring DOE leaders. The training is offered in the spring and fall of each year. In addition to the environmental justice workshop, the environmental justice presentation included a trip to Capitol Hill for a meeting with House Majority Whip Congressman James E. Clyburn. Twenty-five DOE interns were afforded a briefing on the role of the Whip.

The Congressman's Policy Director and other staff members gave a brief overview of the budget process and how legislation is passed. Other discussions included environmental justice and the partnership with the Medical University of South Carolina (MUSC). MUSC's Outreach Director, Dr. David Rivers, discussed the role of the University and how these partnerships support the policy to promote vibrant and sustainable communities where people can live, raise families, and prosper without fear for their health and well being. ❖



## Legacy Management Goals



**Goal 1: Protect human health and the environment through effective and efficient long-term surveillance and maintenance.** This goal highlights DOE's responsibility to ensure long-term protection of people, the environment, and the integrity of engineered remedies and monitoring systems.

**Goal 2: Preserve, protect, and make accessible legacy records and information.** This goal recognizes LM's commitment to successfully manage records, information, and archives of legacy sites under its authority.



**Goal 3: Support an effective and efficient work force structured to accomplish Departmental missions and assure continuity of contractor worker pension and medical benefits.** This goal recognizes DOE's commitment to its contracted work force and the consistent management of pension and health benefits. As sites continue to close, DOE faces the challenges of managing pension plan and health benefits liability.

**Goal 4: Manage legacy land and assets, emphasizing protective real and personal property reuse and disposition.** This goal recognizes a DOE need for local collaborative management of legacy assets, including coordinating land use planning, personal property disposition to community reuse organizations, and protecting heritage resources (natural, cultural, and historical).



**Goal 5: Improve program effectiveness through sound management.** This goal recognizes that LM's goals cannot be attained efficiently unless the Federal and contractor work force is motivated to meet requirements and work toward continuous performance improvement.

As environmental stewards, LM is continually seeking opportunities to protect tomorrow's future. One simple step we can take toward improving environmental consciousness is to distribute the *Program Update* newsletter via e-mail instead of sending a printed copy.

Please send your e-mail address and your first and last name to [LM@hq.doe.gov](mailto:LM@hq.doe.gov) so that we can update our database.

Thank you for your assistance.



1000 Independence Avenue, SW  
Washington, DC 20585



U.S. Department of Energy  
Office of Legacy Management

## Program Update

**Please help reduce mailing costs.** In order to reduce mailing costs, please provide your current contact information, including your e-mail address, so that we may update our files and provide documents and other LM information electronically. To remove your name from the *Program Update* mailing list, send your request to the address or fax number specified below. Thank you.

### LM Public Information Update

Name \_\_\_\_\_  
Organization \_\_\_\_\_  
Position \_\_\_\_\_  
Street Address \_\_\_\_\_  
City, State, and Zip Code \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Fax Number \_\_\_\_\_  
E-Mail Address \_\_\_\_\_

### Documents Requested

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

**Mail:** Ms. Brenda Waters  
U.S. Department of Energy Office of Legacy Management  
1000 Independence Avenue, SW  
Washington, DC 20585

**Fax:** (202) 586-1540  
**E-Mail:** [LM@hq.doe.gov](mailto:LM@hq.doe.gov)