



DEPARTMENT OF ENERGY
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, New Mexico 87544



Mr. J.D. Campbell
Chairman
Northern New Mexico Citizens Advisory Board
1660 Old Pecos Trail, Suite B
Santa Fe, New Mexico 87505

Dear Mr. Campbell:

The Department of Energy's Los Alamos Site Office has reviewed the Northern New Mexico Citizens Advisory Board recommendation 2008-09 – Regarding DOE/LANL Funding Priorities. The Los Alamos Site Office response to this recommendation is provided in the attachment.

If you have any questions or concerns, you may contact David Gregory at (505) 667-5808, or myself at (505) 606-0397.

Sincerely,


for George J. Rael
Assistant Manager
Environmental Operations

EO: 17 JC-006

Attachments

cc w/ attachments:
D. Gregory, EP, LASO
L. Bishop, EP, LASO
J. Casalina, EP, LASO
Records Center, LASO
Official Contract File, LASO

ATTACHMENT

Recommendation No. 2008–09 by Environmental Monitoring, Remediation and Surveillance Committee

Regarding DOE/LANL Funding Priorities

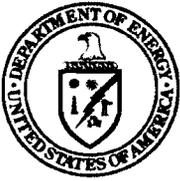
Recommendation

The CAB recommends that DOE provide future funding for the EM Legacy Waste Cleanup Program at LANL at the full level provided in the current 2006 Certified EM Baseline to accomplish the cleanup work in accordance with the terms of the CO and the scheduled completion date of 2015. This full funding must be provided for cleanup as a priority task before consideration is given to initiating new non-EM program activities at LANL. Funding will be sufficient to cover new scope of work required by NMED and to make up for the deficits of the past few years.

Response

The Department of Energy (DOE) is committed to meeting its requirements in the Consent Order. Funding for the cleanup of LANL is a priority in the overall decision process conducted by the Environmental Management (EM) Program at DOE Headquarters. However, EM utilizes a priority process that ranks the highest human health and environmental risk activities across the complex, such as: spent nuclear fuel and high level waste. This process is very important in managing limited budgets that are authorized by Congress.

The cleanup of all DOE sites requires an active interaction and engagement between the local DOE sites and the regulators. This interaction requires technical discussions and negotiations to ensure the cleanup requirements are met and that there is ability and time to obtain additional funding through the federal budget process if scope is added. The DOE sites are required to manage the funding and scope to ensure the highest risk projects/activities are being prioritized. NNM CAB input is part of this prioritization, and we value this input. Attached and included as part of this response is the Fiscal Year 2011 memorandum that describes the DOE budgeting process and where NNM CAB input is requested. We will continue to notify the NNM CAB as to the appropriate time in the budgeting process and ask for input.



Department of Energy
Washington, DC 20585

JUN - 1 2009

MEMORANDUM FOR DISTRIBUTION

FROM: **MERLE L. SYKES** 
**DEPUTY ASSISTANT SECRETARY FOR
PROGRAM PLANNING AND BUDGET
OFFICE OF ENVIRONMENTAL MANAGEMENT**

SUBJECT: **Participation of the Environmental Management Site Specific
Advisory Board, Stakeholders, and Regulators in Environmental
Management Budget Requests**

REFERENCES: **Department of Energy Memorandum, same subject, dated
February 1, 2007, and DOE Memorandum, CLARIFYING
GUIDANCE – same subject, dated February 22, 2008**

This memorandum provides information on the involvement of the Environmental Management (EM) Site Specific Advisory Board (SSAB), stakeholders, and regulators in the EM budget formulation process for fiscal year (FY) 2011 and future fiscal years. Any future guidance and updates on EM SSAB and other stakeholders' involvement will be provided as part of EM's annual spring budget guidance.

Consistent with previous guidance (formal guidance memos referenced above), sites should be engaging the EM SSAB and other stakeholders on their baseline development. Focus should be on the following:

EM Guidance for the Budget Year ¹

- Discussions with EM SSABs and other stakeholders should focus on your site's validated baselines². Sites are not to share funding targets with stakeholders, as they are by their nature internal and deliberative (embarged). Please note that validated baselines are subject to change based on annual appropriations. The EM SSAB and other stakeholders should help identify any deviations from EM's overall risk-based prioritization scheme. For example, decontamination and decommissioning of some particularly high-risk facilities may be recommended as a higher priority, or remediation of a particularly risky groundwater plume.

¹ Budget Year – The year for which funds are being requested.

² EM project baselines have been certified through a process where an Independent Review or an External Independent Review has been conducted to determine the validity of the scope, cost and schedule for the baseline.



- Following issuance of the EM Budget Guidance (January/February), begin scheduling briefings for the EM SSAB and other stakeholders regarding planned accomplishments for the work scope, priorities, schedules/milestones, validated baselines and compliance projections for various prioritized activities. Establish an agreed-upon timeframe to allow the EM SSAB and stakeholders to review and provide input in a timely manner to support the proposed budget submission.
- Submit the EM SSAB's advice, as well as that of other stakeholders, along with the site's recommended course of action, to EM Headquarters (HQ) with the budget submission for the Budget Year (March/April). Provide a copy of the site's recommendation to the EM SSAB and other stakeholders, as the site deems appropriate. *Once the sites submit their budget requests to Department of Energy HQ through the Integrated Priority List, the budget request is EMBARGOED until the President submits the budget to Congress.*

President's (Congressional) Budget Request

- Within 30 days **after** the President's budget request to Congress, provide a briefing to the EM SSAB **and other stakeholders (as appropriate)** outlining planned accomplishments at the President's request level. Provide an assessment of impacts.

Receipt of Appropriation

- Within 30 days **after** receipt of an appropriation (including amounts received under a Continuing Resolution) provide a briefing to the EM SSAB **and other stakeholders (as appropriate)** on the appropriation, funding allocations or Continuing Resolutions and potential impacts. This briefing should also include a synopsis of the previous year's performance to include information such as carryover amounts, actual versus planned expenditures, and baseline performance metrics.

American Recovery and Reinvestment Act (ARRA)

- While specific American Recovery and Reinvestment Act (ARRA) projects have already been identified, progress and performance will determine the ultimate amount of funding provided to a site. The EM SSAB and other stakeholders' input into ARRA project determination is relevant and should have been solicited as part of the initial ARRA project determinations. The EM SSAB and other stakeholders can still provide input on what projects they think need to be funded. In addition, given that ARRA projects have been pulled from both the Outyear Planning Estimate Range and the Near Term Baselines, the EM SSAB and other stakeholders can identify projects that could be used to fill any "gaps" in FY 2011.

A timeline for the EM SSAB and other stakeholder's involvement in the EM budget process is attached. This timeline will apply for FY 2011 and future fiscal years. **Please note:** This timeline is subject to change due to situations out of EM's control (i.e., changes in Administration, etc.). Any changes in the budget formulation schedule will be updated in EM's annual spring budget guidance to the field sites.

This guidance does not supersede any existing legal agreements. Field sites are to continue to involve the EM SSAB and other stakeholders in accordance with existing agreements. No additional actions are required if existing agreements meet the intent of this guidance.

If you have any further questions please contact Ms. Connie Flohr, Acting Director for the Office of Budget, at (301) 903-0393 or Ms. Melissa Nielson, Director for the Office of Public and Intergovernmental Accountability at (202) 586-0356.

Attachment

cc:

Richard B. Provencher, Deputy Manager, Idaho Operations Office (ID)

Thad T. Konopnicki, Associate Administrator for Infrastructure and Environment, NA-50

Steve McCracken, Assistant Manager, Oak Ridge Office (OR)

bcc:

Inés R. Triay, Assistant Secretary for Environmental Management, EM-1

James Owendoff, Chief Operations Officer, EM-3

James Fiore, Acting Director, Office of Communications and External Affairs, EM-5

James Fiore, Director, Office of Management Analysis, EM-6

Frank Marcinowski, Deputy Assistant Secretary for Regulatory Compliance, EM-10

Mark A. Gilbertson, Deputy Assistant Secretary for Engineering and Technology, EM-20

Merle Sykes, Deputy Assistant Secretary for Program Planning and Budget, EM-30

Diane Cochran, Deputy Assistant Secretary for Human Capital and Business Services, EM-40

John Surash, Deputy Assistant Secretary for Acquisition and Project Management, EM-50

Dae Chung, Deputy Assistant Secretary for Safety Management and Operations, EM-60

Distribution

David A. Brockman, Manager, Richland Operations Office (RL)
Shirley Olinger, Manager, Office of River Protection (ORP)
Jeffrey M. Allison, Manager, Savannah River Operations Office (SR)
David C. Moody, Manager, Carlsbad Field Office (CBFO)
William E. Murphie, Manager, Portsmouth/Paducah Project Office (PPPO)
Jack Craig, Director, Consolidated Business Center Ohio (CBC)
Michael Moore, Acting Director, Office of Small Sites Projects
Fred Butterfield, Acting Director, Office of Site Support
Tom Vero, Acting Director, Brookhaven Federal Project Office (BNL)
Richard Schassburger, Director, Oakland Projects Office
John Rampe, Director, Separations Process Research Unit (SPRU)
Bryan Bower, Director, West Valley Demonstration Project Office (WVDP)
Donald Metzler, Director, Moab Federal Project Office (MOAB)
Dennis Miotla, Acting Manager, Idaho Operations Office (ID)
Gerald Boyd, Manager, Oak Ridge Office (OR)

EM SSAB and Stakeholder Involvement In DOE EM Budget Process

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB
<p>Issuance of EM Budget Guidance</p> <p>Schedule meetings with EM SSAB and stakeholders</p>		<p>EM SSAB and stakeholders submit advice to sites</p> <p>Sites submit budget request to EM HQ, along with EM SSAB and stakeholder's advice and the site's recommended course of action</p> <p>EM BUDGET REQUEST BECOMES EMBARGOED</p>			<p>EM prepares budget submission to CFO</p>			<p>CFO/EM prepares Budget submission to OMB</p>					<p>1st Mon. in Feb., DOE submits President's Budget to Congress</p> <p>↓</p> <p>Within 30 Days of Budget submission to Congress, provide briefing to EM SSAB and stakeholders</p> <p>↓</p> <p>Within 30 Days of Appropriation provide briefing to EM SSAB and stakeholders</p>
<p>EM budget deliberations between the sites, DOE management, CFO, and the Office of Management and Budget</p>													