

Formerly Utilized Sites Remedial Action Program (FUSRAP)—Efficiencies Realized Through Interagency Working Groups – 21068

Nicki Fatherly*, Cliff Carpenter**, Rebecca Roberts***

*US Army Corps of Engineers

**US Department of Energy

***Navarro Research and Engineering, Inc.

ABSTRACT

The US Department of Energy Office of Legacy Management (LM) recognizes that close collaboration with its US Army Corps of Engineers (USACE) partners is essential to accomplish the Formerly Utilized Sites Remedial Action Program (FUSRAP) mission in an effective and efficient manner. This collaborative environment is most notable with the formation of joint working groups. Each working group is dedicated to a specific topic with goals that focus on (1) exchanging subject information, (2) arriving at a consensus, and (3) defining a path forward. Since 2016, the two agencies have established four specific working groups, with more anticipated in the future.

The Real Property Working Group was established in 2016. The group has successfully completed its objectives to develop a common understanding about real property issues as they apply to FUSRAP programmatic documents for site transition and transfer and to develop checklists to inventory the real property assets of active FUSRAP sites. The checklists will be periodically updated by USACE so LM can update the Facilities Information Management System database.

The Data Management Working Group was also established in 2016. The group established a common understanding of LM and USACE records practices as they apply to FUSRAP site transition and transfer. The outcome of this working group is a guidance document that ensures LM and USACE district-specific data, records practices, and requirements applicable to FUSRAP documents for site transition and transfer are clearly understood. The guidance document establishes methods for accurate and complete information and data transfer between the agencies. Consistent and comprehensive methods are key to transferring project information and knowledge as the FUSRAP sites transition from USACE to LM.

The FUSRAP Environmental Data Management Systems Working Group was established in 2020 and focuses on how to centrally store, manage, and transfer the environmental and geospatial databases for the FUSRAP active sites as they transfer. A goal of this working group is to define the types of data required for import into LM databases for stewardship purposes versus what data should be archived and stored. This environmental data includes geologic and geochemical data; groundwater elevation data; site boring log and well completion data; environmental measurement information data; and site-related documents. Other important topics will be the requirements for metadata and logistical transfer.

The Inaccessible Soils Working Group was chartered in 2020 with the goal of defining how inaccessible soils will be handled after the sites have transferred from USACE to LM. A main goal of this working group will be to define a quantity of soil that LM could perform minor maintenance activities on without having to refer the site back to USACE for remedial actions. Maintenance activities would be used to assist the landowner or the utility company with the planned or unplanned removal of soils determined to be a risk when they become accessible, either during an emergency excavation or during planned work. Another goal will be for USACE to provide updated estimates for the amounts of inaccessible soil that will remain at the sites after they transfer. This information will assist LM in updating life-cycle baselines and risk profiles. A kickoff for the Inaccessible Soils Working Group is planned for mid-2021.

INTRODUCTION

The US Department of Energy (DOE) established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from US Army Corps of Engineers (USACE) Manhattan Engineer District, or Manhattan Project, and early US Atomic Energy Commission operations. A Memorandum of Understanding (MOU) between USACE and DOE was established in March 1999 to define the roles of each agency in administering and executing FUSRAP [1]. USACE has responsibility for FUSRAP sites designation and remediation. USACE then retains responsibility for the site for a 2-year transition period after cleanup. DOE is responsible for identifying the eligibility of new FUSRAP sites and for long-term stewardship of the remedy after the transition period.

USACE has transferred long-term stewardship responsibilities for nine FUSRAP sites to the DOE Office of Legacy Management (LM) since it was established in 2003. It is anticipated that USACE will complete remedial activities and transfer stewardship responsibilities for seven additional FUSRAP sites to LM by the end of fiscal year 2026 (Latty Avenue Properties, Iowa Army Ammunition Plant, Tonawanda Landfill Site, Middlesex Sampling Plant, Maywood Chemical Superfund Site, St. Louis Downtown Site, and DuPont Chamber Works). Stewardship responsibilities for many of these incoming sites will be greater than those for the FUSRAP sites currently under LM stewardship.

In October 2015, LM and USACE attended the first annual joint program meeting in Omaha, Nebraska. This event set the cornerstone for increased collaboration between USACE and LM. It was at this meeting that newer LM FUSRAP team members began fostering relationships with USACE project managers and the formation of working groups was first discussed. The fifth annual joint program meeting was held virtually in November 2020.

With 55 FUSRAP sites, 21 active sites being remediated by seven USACE districts, and 34 completed sites under LM stewardship in 16 states across the country, the agencies recognize that close collaboration is essential to accomplish the FUSRAP mission in an effective manner. This collaborative environment is most notable with the formation of joint working groups.

Although the decision to form interagency working groups was first discussed at the 2015 Joint Program Meeting between USACE and LM, it was not until 2016 that the two agencies formed the first working group. Since this time, the two agencies have established four, specific working groups. Each is dedicated to discussing a specific topic, including real property, records management, environmental data management, and inaccessible soils, with goals that focus on (1) exchanging subject information, (2) arriving at a consensus, and (3) defining a path forward.

REAL PROPERTY WORKING GROUP

Real property includes land and anything permanently affixed to it, such as buildings, fences, and building fixtures (e.g., lights, plumbing, heating, and air conditioning). Complete and accurate information on real property holdings is critical to the federal government for managing facilities and reporting to the General Services Administration, Office of Management and Budget, Congress, and taxpayers.

The Real Property Working Group was established in 2016 to ensure all real property and real property interest requirements are properly documented by LM at the time of site transfer. The primary goals of the Real Property Working Group were to:

- Identify USACE and LM real property roles and responsibilities described in the MOU.
- Define real property terms related to the transition and transfer of the FUSRAP sites.
- Develop a real property inventory checklist for active FUSRAP sites.

The Real Property Working Group held regular meetings from December 2016 through April 2017 to discuss concepts and processes related to real property. By spring of 2017, the group had successfully completed its objectives to develop a common understanding about these issues as they apply to FUSRAP programmatic documents for site transition and transfer and to develop checklists to document real property assets at active FUSRAP sites. The checklists will be periodically updated by USACE so LM can update the Facilities Information Management System (FIMS) database.

FIMS is LM's enterprise database for real property as required by DOE Order 430.1C, Real Property Asset Management. The system provides an accurate inventory and management tool that assists with planning and managing all DOE real property assets (buildings, trailers, other structures, and land).

DATA MANAGEMENT WORKING GROUP

One of LM's primary goals during and after the transfer of a site is to preserve, protect, and share legacy records and information. As part of this long-term legacy mission, LM assumes ownership and custody of the records (with exceptions addressed on a site-by-site basis) from the completed FUSRAP sites [2]. USACE and DOE roles and responsibilities in the execution and administration of FUSRAP sites were defined in a March 1999 MOU between DOE and USACE [1]. Following the signing of this MOU, USACE and DOE provided further clarification on specific processes regarding the schedule and types of documents being transferred. These processes are captured in letters of agreement to the MOU issued in December 2001 and April 2002 [1].

In accordance with the MOU, USACE is responsible for the following: "Upon completion of FUSRAP activities, shall provide a copy of surveys, findings, decision documents, and access agreements for property not owned by the government, as well as close out documents, to DOE for the historical record. This includes all sites determined eligible, whether or not any response action was taken." The MOU states that DOE "shall maintain records of determination of eligibility and other files, documents and records associated with the site" [1].

The Data Management Working Group (DMWG) was established in 2017 to establish consistent methods for accurate and complete information and data transfer between USACE and LM. The primary goals of the DMWG were to:

- Develop a common understanding of LM and USACE district-specific data, records practices, and requirements as they can be consistently applied to FUSRAP programmatic documents for site transition and transfer.
- Establish methods to ensure accurate and consistent data transfer.
- Develop a timeline for data and records transfer.

The DMWG held regular meetings from March 2017 through June 2018 to discuss the topics related to the transfer of data and information related to FUSRAP sites. A need for a centralized guidance document was identified at the Joint Program Meeting in 2017, to ensure that the expectations for every site transfer are consistent.

The group established a common understanding of LM and USACE district-specific records practices and requirements as they apply to FUSRAP site transfer. The outcome of this working group is the *Joint U.S. Army Corps of Engineers and U.S. Department of Energy Office of Legacy Management Information*

Transition Guidance for the Formerly Utilized Sites Remedial Action Program, a guidance document that ensures LM and USACE district-specific data, records practices, and requirements applicable to FUSRAP documents for site transfer are clearly understood by both parties [3]. The guidance document establishes methods for accurate and complete information and data transfer between the agencies. Consistent and comprehensive methods are key to transferring project information as the FUSRAP sites transition from USACE to LM.

ENVIRONMENTAL DATA MANAGEMENT SYSTEM WORKING GROUP

For seamless stewardship of the FUSRAP sites, an effective method for electronic transfer of environmental data must be coordinated between LM and USACE. Methods and an inventory of electronic monitoring and survey data needed to generate site stewardship documents (e.g., drawings, tables, and maps), databases, and software should be developed for the transfer site.

The Environmental Data Management Systems Working Group was chartered in 2020, and activities between the members of the working group are expected to begin in 2021. The primary goals of the Environmental Data Management System Working Group are to:

- Define how to centrally store, manage, and transfer the environmental and geospatial databases for the FUSRAP active sites as they transfer from USACE to LM.
- Define the types of data that are required for import into the LM database for stewardship purposes versus what data should be archived and stored for retrieval.
- Establish requirements for metadata and logistical transfer requirements.

The environmental data discussed as a part of this working group include site analytical data; geologic and geochemical data; site groundwater measurement data; site boring log and well completion data; site environmental measurement information data; and site documents. The expected outcome of this working group will be consistent practices to manage data within the USACE districts and divisions and a consistent method to transfer environmental data between USACE and LM.

INACCESSIBLE SOILS WORKING GROUP

In some instances, contamination may be left in place at a FUSRAP site if it poses no unacceptable risk, the benefit of remediation is not commensurate with the cost of removal, or damage would be caused by removing it. USACE conducts remediation in accordance with the processes described in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the National Oil and Hazardous Substances Pollution Contingency Plan. Typically, any contamination left in place would invoke CERCLA provisions for periodic review to ensure the remedy remains protective. The MOU stipulates that this responsibility rests with DOE [1].

Ensuring protectiveness relies on preservation of knowledge to ensure that residual contamination on a site is properly managed, where needed. The current owner or tenant of a site must remain aware of contamination left in place to ensure that it is not disturbed. If the contamination is disturbed or becomes accessible, LM must be informed to reevaluate risk and, if necessary, properly manage the material.

The Inaccessible Soils Working Group was chartered in 2020 to address preservation of knowledge and management of sites with inaccessible soil as the sites transfer from USACE to LM. The primary goals of the Inaccessible Soils Working Group are to:

- Define how inaccessible soils will be handled after the sites have been transferred from USACE to LM.

- Define a quantity of soil that LM could perform minor maintenance activities on without having to refer the site back to USACE for remedial actions. Maintenance activities would be used to assist a landowner with the planned or unplanned removal of soils determined to be a risk when they become accessible, either during an emergency excavation or during planned work.
- Provide updated estimates for the amounts of inaccessible soil that will remain at the sites when they transfer to LM for stewardship.

The expected outcome of this working group will be a better understanding of the amount of inaccessible soil that will be present on the FUSRAP sites at the time of transfer to LM and a cohesive strategy for the handling of these soils if they become accessible. The information provided as a part of the working group will also assist LM in updating life-cycle baselines and site risk profiles. Working group activities are expected to kick off in 2021.

CONCLUSIONS

To accomplish the FUSRAP mission in an effective and efficient manner, close collaboration between LM and USACE is essential. A main form of collaboration has been the four interagency working groups, which cover topics relating to real property, records and data management, and inaccessible soils. These working groups provide stakeholders from both organizations with a better understanding of each agency's requirements in these areas and provide tools and guidance that will allow for a more streamlined site transfer between USACE and LM. The working groups will continue to be used as a tool to enhance FUSRAP and execute common mission goals between the two agencies.

REFERENCES

1. US Department of Energy and US Army Corps of Engineers, *Memorandum of Understanding Between the U.S. Department of Energy and the U.S. Army Corps of Engineers Regarding Program Administration and Execution of the Formerly Utilized Sites Remedial Action Program (FUSRAP)*, March 1999.
2. US Department of Energy Office of Legacy Management, *Records and Information Management Transition Guidance*, November 2017.
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