

# **Joint U.S. Army Corps of Engineers and U.S. Department of Energy Office of Legacy Management Information Transfer/Transition Protocol for the Formerly Utilized Sites Remedial Action Program**

**June 2023**



**U.S. DEPARTMENT OF  
ENERGY**

Legacy  
Management



**US Army Corps  
of Engineers®**

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**Joint U.S. Army Corps of Engineers and U.S. Department  
of Energy Office of Legacy Management Information  
Transfer/Transition Protocol for the  
Formerly Utilized Sites Remedial Action Program  
Document History**

Version No./ Revision No.	Revised	Description of Change
1.0	May 2023	Minor text edits including revision of "guidance" to "protocol" and strengthening purpose statement from "provides guidance" to "memorializes an agreement"  Reissue due to revised signature levels and updates to align with NARA guidance on paper documents. Minor text edits.
0.0	February 2021	Initial issue.

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# Contents

Abbreviations.....	ii
Definitions.....	iii
1.0 Purpose.....	1
2.0 Background of the Joint Data Management Working Group .....	1
3.0 Federal Records.....	3
3.1 Electronic Mail Records .....	3
3.2 Legal Records.....	3
3.2.1 Classified Records .....	3
3.3 Social Media Records.....	4
3.4 Construction Records .....	4
4.0 Administrative and Permanent Records Transfer .....	4
4.1 Public Availability of Records .....	5
4.1.1 FOIA Requests.....	5
4.1.2 Section 508 of the Rehabilitation Act (29 USC 794d), As Amended .....	6
4.1.3 Documents Posted to USACE Websites.....	6
5.0 Environmental and Geospatial Databases .....	6
6.0 Information Transfer .....	7
6.1 Schedule of Records Transfer .....	7
6.2 Electronic Records Transfer .....	7
6.2.1 Scanning Specifications.....	7
6.3 Hard-Copy Records.....	8
6.4 Environmental and Geospatial Data Transfer .....	8
6.5 Transfer Letter.....	8
7.0 References .....	9

## Appendix

### Appendix A Example of a Transfer Letter

## Abbreviations

AR	Administrative Record
ARIMS	Army Records Information Management System
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	<i>Code of Federal Regulations</i>
DOD	U.S. Department of Defense
DOE	U.S. Department of Energy
EDD	electronic data deliverable
EQulS	Environmental Quality Information System
ER	Engineer Regulation
ERPIMS	Environmental Resources Program Info Management System
FOIA	Freedom of Information Act
FSS	final status survey
FUSRAP	Formerly Utilized Sites Remedial Action Program
LM	Office of Legacy Management
LMBC	LM Business Center
MOU	Memorandum of Understanding
NARA	National Archives and Records Administration
PDF/A	PDF archive
PII	personally identifiable information
ppi	pixels per inch
PR	Permanent Record
USACE	U.S. Army Corps of Engineers
USC	<i>United States Code</i>

# Definitions

**Administrative Record (AR).** A collection of documents that establish the basis for the selection of environmental response and removal actions at a site governed by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The AR acts as a vehicle for public participation in selecting the response action. The AR contains correspondence, the Remedial Investigation, the Feasibility Study, the Proposed Plan, the decision document or the Record of Decision, public comments, and other related documents considered or relied upon during the selection of the remedy. The AR follows the requirements of CERCLA and the National Oil and Hazardous Substances Pollution Contingency Plan. The AR is a subset of the Permanent Record (PR).

**data.** Information extracted from records that are often, but not always, stored in a digital relational database. Data elements can be used in the analysis and documentation of a site's condition or extracted from storage repositories and can be formatted into outputs such as reports or spreadsheets.

**exclusion files.** Documents indexed by the U.S. Army Corps of Engineers (USACE) that do not belong in either the AR or the PR. These records will be retained and sent to a Federal Records Center nearest the USACE district that was responsible for the project; they will not be sent to the U.S. Department of Energy Records Management Center. All project exclusion files will be retained in accordance with Army Records Information Management System (ARIMS) guidance.

**Information and Communications Technology.** Information technology and other equipment, systems, technologies, or processes for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content.

**Permanent Record (PR).** The term for the site project file that contains a broader collection of site records than the AR. A PR includes the AR as a subset of documents, as well as postdecision documents, including those that document the remediation performed, the site closure, and the as-left condition of the site. PR documents may include remediation data, final status survey reports, and waste disposal information. For USACE, all AR and PR records are records that fall under either (1) ARIMS Records Series 1200, "Quality Assurance and Quality Control," Sub-Series 1200C, "Environmental Quality," or (2) ARIMS Records Number 200.1e, "Army Environmental Restoration Administrative Record, or Number 200.1f, "Army Environmental Restoration Project Files."

**records.** Information, regardless of medium, made or received in connection with the transaction of public business and preserved as evidence of the activities of the U.S. government or because of the informational value of data in them. Some records include data, and some records do not include data.

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## 1.0 Purpose

This document memorializes an agreement for transferring information from the U.S. Army Corps of Engineers (USACE) to the U.S. Department of Energy (DOE) Office of Legacy Management (LM) during Formerly Utilized Sites Remedial Action Program (FUSRAP) site transfers. This document is based on decisions that were jointly agreed upon between LM and USACE during the meetings of the Joint Data Management Working Group. This document is intended to complement existing records management regulations, guidance, and FUSRAP protocols for both agencies.

The guidance contained in this document applies to the data and records for all sites managed under FUSRAP that will be transferred from USACE to LM for long-term stewardship. Site-specific records and data processes can be determined for any site in which the stewardship does not transfer to LM.

## 2.0 Background of the Joint Data Management Working Group

USACE and DOE roles and responsibilities in the execution and administration of FUSRAP sites were defined in a March 1999 Memorandum of Understanding (MOU) between DOE and USACE (DOE and USACE 1999). According to the March 1999 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 closeout documents, to DOE for the historical record. This includes all sites determined eligible, whether or not any response action was taken.” The March 1999 MOU states that DOE “shall maintain records of determination of eligibility and other files, documents and records associated with the site.” Following the signing of the March 1999 MOU, USACE and DOE provided further clarification on specific processes that were outlined in the March 1999 MOU regarding the schedule and types of documents being transferred. These processes are captured in letters of agreement between USACE and DOE issued in December 2001 and April 2002.

In addition to the March 1999 MOU and letters of agreement, the agencies are subject to other record management guidance documents and protocols, including the following:

- Title 44 *United States Code* Sections 3101–3107 (44 USC 3101–3107) governs records management by federal agencies. Title 36 *Code of Federal Regulations* Chapter 12, Subchapter B, (36 CFR Chapter 12, Subchapter B), “Records Management,” provides regulations implementing 44 USC 3101–3107.
- 36 CFR Chapter 12, Subchapter B, describes the policies for federal agencies regarding proper records creation, maintenance, documentation, and disposition.
- The *Revised Guidance on Compiling Administrative Records for CERCLA Response Actions* (EPA 2010) sets forth policy and procedures for compiling and maintaining an Administrative Record (AR) in connection with response actions conducted under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, and is consistent

with Subpart I of the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300 et seq.).

- Army Regulation 25-400-2, *The Army Records Information Management System (ARIMS)* (Army 2007), governs maintenance and disposition of Army information.
- Army Regulation 380-5, *Army Information Security Program* (Army 2022), governs classification, downgrading, declassification, transmission, transportation, and safeguarding of information requiring protection in the interests of national security.
- Engineer Regulation (ER) 25-60-1, *Information Management: Records Management, Records Management Program* (USACE 2021), establishes policies, responsibilities, and procedures for managing the USACE records management program according to federal law and regulations and U.S. Department of Defense (DOD) and USACE recordkeeping requirements.
- ER 200-1-4, *Environmental Quality: Formerly Utilized Sites Remedial Action Program* (USACE 2014), outlines the transmittal procedures for completed sites' data and records as documented by USACE and discusses key steps in transmitting the Record of Decision, the Site Closeout Report, and the AR 90 days before the end of operations and maintenance. It also discusses key enclosures that should be transmitted.
- USACE *FUSRAP Records Management Protocol* (USACE 2022), provides an index of relevant document categories to be used during document coding. It also provides an approach for conducting reviews of privileged information, personally identifiable information (PII), and Privacy Act information for AR files completed by USACE FUSRAP records management contractors.
- The DOD Instruction 5015.02 Chg 1, *DoD Records Management Program*, establishes policy and assigns responsibilities for the management of DOD records in accordance with 36 CFR Chapter 12, Subchapter B, and with 44 USC 29, 44 USC 31, 44 USC 33, and 44 USC 35.
- DOE Order 243.1C, *Records Management Program*, provides the foundation and requirements for establishing and maintaining the DOE Records Management Program. It implements and provides the requirements and assigns responsibilities for creating and preserving DOE records.
- LM *Records and Information Management Transition Guidance* (LM-Guide-4-10.2-1.0) provides guidance for the transfer of records and information to LM from legacy sites.

The decision to form interagency working groups was first discussed at the Joint Program meeting in 2015. The Joint Data Management Working Group was established in early 2017 and held regular meetings from March 2017 through June 2018 to discuss various topics related to the transfer of data and information related to FUSRAP sites (DOE 2017). A need for a centralized guidance document was identified at the Joint Program meeting in 2017. A singular guidance document will ensure that the expectations for every site transfer are consistent.

This guidance document identifies the various types of records that were discussed during the course of the Joint Data Management Working Group meetings and how each type of record will be transferred from USACE to LM. This document establishes the difference between the FUSRAP AR and Permanent Record (PR), describes the transfer of environmental databases, and outlines the general process for transferring electronic data and information from USACE

to LM. It specifies that USACE will be responsible for PII redactions of the AR. However, LM will be responsible for PII review of PR files and any other files (or documents) where a PII review was not performed by USACE.

## **3.0 Federal Records**

This guidance addresses several federal record types to be included in the USACE FUSRAP AR or PR, as applicable.

Federal records are defined in 44 USC 3301 et seq. as “...all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them...”

### **3.1 Electronic Mail Records**

According to USACE ER 25-60-1, *Information Management: Records Management, Records and Information Management Program*, “E-mail messages are official records when they are created or received in the transaction of public business and retained or appropriate for retention as evidence of policies, actions, decisions, or transactions.” If determined to be a record, an email must be included in USACE’s AR and PR in accordance with ER 25-60-1 (USACE 2021).

### **3.2 Legal Records**

The *Revised Guidance on Compiling Administrative Records for CERCLA Response Actions* (EPA 2010) provides direction for managing legal records, potentially responsible party evaluations, and legal agreements. Legal records (e.g., potentially responsible party evaluations, settlement agreements,, and other legal agreements) should be included in the AR only if they were relied upon to select the response action or to demonstrate public participation, and only if the information is not contained elsewhere in the site records. Most legal records are expected to remain with USACE.

#### **3.2.1 Classified Records**

The *LM Records and Information Management Transition Guidance* states that, “Classified material and information systems are not accepted by LM, so transition plans must include the transfer of classified material to an appropriate custodian.” If USACE performs a transfer of classified material, information describing the location of these classified records should be provided to LM. USACE, the U.S. Department of Justice, or another agency that USACE designates will maintain all classified records related to FUSRAP sites, including documents for sites that transfer to LM for long-term stewardship. If LM needs the information included in a classified record in order to perform stewardship at the site, USACE will work with LM so appropriate accommodations can be made.

If classified records are identified by USACE as part of the overall records being transferred, the gaining organization must follow Army Regulation 380-5 and Army Regulation 25-400-2.

### **3.3 Social Media Records**

The National Archives and Records Administration (NARA) Bulletin 2014-02, *Guidance on Managing Social Media Records*, states, “Social media allows individuals to collaborate, create, organize, edit, comment on, combine, and share content, likely resulting in the creation of Federal records” (NARA Bulletin 2014-2). Records that are posted to social media by USACE should be placed in the AR, in accordance with ER 25-60-1 (USACE 2021) if they were used to select the response action, and the records should be included in the PR if they are important to stewardship of the site.

### **3.4 Construction Records**

Included in the PR will be electronic copies of records held by USACE’s Construction Division that are relevant to long-term stewardship at the FUSRAP sites. LM needs records such as construction figures, as-built drawings, waste manifests, and waste disposal certificates to perform site stewardship and to respond to stakeholder inquiries. Construction records will be transferred in the appropriate file type, including computer-aided drafting or geospatial formats along with Federal Geographic Data Committee-compliant metadata. Additional detail on the transfer of these records will be evaluated on a site-by-site basis.

## **4.0 Administrative and Permanent Records Transfer**

USACE maintains an AR for each FUSRAP site to document the response actions conducted under CERCLA. USACE also maintains a PR for each FUSRAP site. The PR typically contains a broader collection of documents than the AR and includes technical reports and information about the remediation and ongoing site maintenance activities.

USACE will be responsible for PII redactions of the AR during the time when the site is their responsibility but not for the PR. Redactions will be performed by in accordance with the Privacy Act of 1974 and with the Freedom of Information Act (FOIA) (5 USC 552), as amended, along with DOD and USACE regulations, as applicable.

USACE will provide LM:

- An electronic original and a redacted copy of the AR.
- An electronic unredacted copy of the PR.<sup>1</sup>

In addition to the AR and PR, USACE maintains exclusion files, which include documents relevant to the site that do not belong in either the AR or the PR. The exclusion files will not be transferred to LM.

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<sup>1</sup> When an AR is redacted, the redacted version of the AR is placed in the PR. USACE redacts files included in the electronic AR, not the hard-copy AR or PR.

LM will be responsible for any PII review of the PR files and any other files where PII was not performed by USACE. DOE will assume ownership and custody of all records transferred to LM and manage them in accordance with applicable federal and departmental regulations and policies.

## **4.1 Public Availability of Records**

LM will not maintain hard-copy ARs at libraries or local reading rooms unless deemed necessary by stakeholders or site regulators pursuant to the “Revised Guidance on Compiling Administrative Records for CERCLA Response Actions,” 40 CFR 300.805(c), as amended. Upon site transfer from USACE, FUSRAP electronic ARs will be available on the LM AR webpage and linked on the LM sites’ webpages.

Key documents from the FUSRAP electronic PRs will also be posted to the LM site webpages. Before posting any PR documents to the LM webpages or releasing them in response to a FOIA request, LM will perform appropriate reviews and redaction.

Key PR documents include the following:

- Site Closeout Report and declaration of site completion
- Final status survey (FSS) reports
- National Priorities List deletion letters
- License termination letters
- Regulator concurrence letters
- Remedial Action final report
- Operations and maintenance plans and reports, such as:
  - Long-term monitoring reports
  - Annual inspection reports
  - Land use control plans
  - Site Management Plans
  - Institutional control plans
  - Five-Year Review reports

### **4.1.1 FOIA Requests**

After LM takes possession of the transferred project site records, LM must produce all relevant documents when presented with a FOIA request. Congress established nine exemptions from disclosure categories for certain types of information to protect against certain harms, such as an invasion of personal privacy or harm to law enforcement investigations. FOIA authorizes agencies to withhold information if agencies reasonably foresee that disclosure would harm an interest protected by these exemptions. The applicability of these exemptions would be at the discretion of the DOE Headquarters FOIA office. Documents labeled by USACE to safeguard a document (e.g., “for official use only”) will be considered during the FOIA determination in accordance with 36 CFR 1231.16, which allows that “Restrictions imposed by agency

determination must also continue, unless the restrictions are removed by agreement between the agencies concerned.”

#### **4.1.2 Section 508 of the Rehabilitation Act (29 USC 794d), As Amended**

USACE will implement a consistent approach to Information and Communications Technology including ensuring that software, applications, websites, videos, and electronic documents that are transferred to LM are in compliance with the requirements of Section 508 of the Rehabilitation Act of 1973, as amended. Under Section 508, agencies must give disabled employees and members of the public access to information that is comparable to the access available to others (29 USC 794d).

An overview for the coverage of electronic content in [Section 508](#) (<https://www.section508.gov/manage/laws-and-policies>) of the Rehabilitation Act states that “...the updated 508 Standards apply to a federal agency’s full range of public-facing content, including websites, documents and media, blog posts, and social media sites. The final rule also specifically lists the types of non-public-facing content that must comply. This includes electronic content used by a federal agency for official business to communicate: emergency notifications, initial or final decisions adjudicating administrative claims or proceedings, internal or external program or policy announcements, notices of benefits, program eligibility, employment opportunities or personnel actions, formal acknowledgements or receipts, questionnaires or surveys, templates or forms, educational or training materials, and web-based intranets.”

Checklists on how to create accessible digital products including PDF documents can be found here: <https://www.section508.gov/create>. Items to consider when making a PDF document compliant with Section 508 include the following:

- Ensuring that optical character recognition has been performed
- Making sure that all internal links function correctly
- Filling out all document properties to include title, author, subject, and keywords

#### **4.1.3 Documents Posted to USACE Websites**

Upon site transfer, the USACE FUSRAP AR will be posted on the LM AR webpage (<https://www.energy.gov/lm/administrative-record-ar>) and on the LM site’s webpages. At that time, USACE will be able to remove all project documents from the USACE website and provide a link to the LM website.

## **5.0 Environmental and Geospatial Databases**

LM’s FUSRAP-specific data needs are documented in the LM *Records and Information Management Transition Guidance*.

If geospatial data are available, USACE will provide these data to LM, including FSS data, coordinates, geodatabases, shapefiles, and boundary files for the FUSRAP sites.

Whenever possible, USACE will design the site environmental databases to differentiate between DOE historical, preremediation (characterization) data, remediation data, and FSS data before transfer. USACE and LM will work toward standardizing the databases used to store data and make data transfer a more seamless process (i.e., using Environmental Resources Program Info Management System [ERPIMS] or Environmental Quality Information System [EQUIS]).

## **6.0 Information Transfer**

### **6.1 Schedule of Records Transfer**

The letters of that followed the March 1999 MOU between USACE and DOE state that USACE will provide LM with a copy of the AR 90 days before site transfer. The PR (including data files) should be provided to LM upon site transfer. If the AR or PR is available earlier, LM will accept early transfer of the data and records.

While the site is undergoing remediation, LM appreciates USACE's willingness to provide courtesy copies of USACE documents as they are issued, as this allows LM to gain a better understanding of the sites.

The methods of information transfer are described further in Section 6.2 through Section 6.5.

### **6.2 Electronic Records Transfer**

The preferable method for transferring electronic copies of the AR and PR documents is on external hard drive, CD, or DVD mailed directly to the LM Business Center (LMBC) at Morgantown, West Virginia, in conjunction with the hard-copy records.

The electronic copies of the AR and PR that are transferred from USACE to LM should be searchable PDF archive (PDF/A) or native formats of data files with an index linking the PDF image to a line entry in a Microsoft Excel spreadsheet (i.e., hypertext link to target file). The file index should be transmitted to LM on the same media as the AR and PR files. The index will be based on the *FUSRAP Records Management Protocol*, "Relevant Document Categories."

#### **6.2.1 Scanning Specifications**

NARA has issued revised guidance for permanent electronic records. Although FUSRAP AR and PR files do not have permanent retention requirements as defined by NARA, they are of significant value, and LM recommends considering following NARA Bulletin 2018-01, *Updating NARA Bulletin 2014-04, Format Guidance for the Transfer of Permanent Electronic Records* (NARA Bulletin 2018-01) when producing PDF scans.

In accordance with NARA Bulletin 2018-01, black-and-white scans should be between 300 and 600 pixels per inch (ppi) (600 ppi preferred). When files need to be scanned using color, 300–400 ppi should be used (400 ppi preferred). NARA also recommends that grayscale be used for documents with halftone images or poor print quality. Grayscale scanning should be between 300 and 400 ppi (400 ppi preferred). Offices digitizing these records should institute a quality assurance process to ensure that all records have been digitized appropriately.

## 6.3 Hard-Copy Records

In accordance with NARA's memorandum, M-19-21, to the greatest extent possible, paper records should be digitized before custodial ownership of records and information. By December 31, 2022, all permanent records in federal agencies will be managed electronically to the fullest extent possible for eventual transfer in an electronic format.

## 6.4 Environmental and Geospatial Data Transfer

The preferable method for transfer of data is external hard drive, CD, or DVD mailed directly to the LM site manager or to the LMBC.

Geospatial data should be transferred with Federal Geographic Data Committee-compliant metadata as described by the U.S. Geological Survey. Metadata describe information about a dataset, such that a dataset can be understood, reused, and integrated with other datasets. Information described in a metadata record includes where the data were collected, who is responsible for the dataset, why the dataset was created, and how the data are organized. Metadata generally follow a standard format, making it easier to compare datasets and to transfer files electronically.

Environmental databases should be transferred with a data dictionary, entity relationship diagram, and/or other database structure document. If sampling location coordinates are not contained in the environmental database, the coordinates and method to link them to the samples should be provided. LM EQuIS mapping documents are available to aid in the transfer of environmental data. The LM EQuIS electronic data deliverable (EDD) file provides information necessary to correctly populate the EDD so that data can be migrated to the EQuIS database format. The ERPIMS description file provides information necessary to correctly populate the EDD file so data can be migrated from the ERPIMS database format to the EQuIS format.

## 6.5 Transfer Letter

At a minimum, USACE will include language regarding the status of the following in the transfer letter for all FUSRAP information transfers:

- Statement regarding whether the AR file completed a PII review and redactions during the compilation of the AR
- Statement verifying that no classified material is being transferred
- Inclusion of metadata
- Statement of prior public release

An example transfer letter is included in Appendix A of this document and can be used as a guide for future information transfers from USACE to LM. This letter was based on the letters that USACE provided to LM when transferring electronic copies of the ARs for the Combustion Engineering Site (Windsor, Connecticut, Site), Shpack Landfill (Attleboro, Massachusetts, Site), and Linde Air Products (Tonawanda, New York, Site).



An electronic copy of the Site Closeout Report, transfer letter, and a list of files that were transferred will be placed in the ARMIS records system to document completion of this action by USACE.

## 7.0 References

36 CFR Chapter 12, Subchapter B. “Records Management,” *Code of Federal Regulations*.

36 CFR 1231 et seq. “Transfer of Records from the Custody of One Executive Agency to Another,” *Code of Federal Regulations*.

40 CFR 300 et seq. “National Oil and Hazardous Substances Pollution Contingency Plan,” *Code of Federal Regulations*.

5 USC 552. “The Freedom of Information Act,” *United States Code*.

29 USC 794d. “Electronic and Information Technology,” *United States Code*.

44 USC 3101 et seq. “Records Management by Agency Heads; General Duties,” *United States Code*.

Army (Department of the Army), 2007. *The Army Records Information Management System (ARIMS)*, Army Regulation 25-400-2, October 2,  
[https://armypubs.army.mil/epubs/DR\\_pubs/DR\\_a/pdf/web/ARN22388\\_R25\\_400\\_2\\_admin\\_FIN.AL.pdf](https://armypubs.army.mil/epubs/DR_pubs/DR_a/pdf/web/ARN22388_R25_400_2_admin_FIN.AL.pdf).

Army (Department of the Army), 2022. *Army Information Security Program*, Army Regulation 380-5, March 25,  
[https://armypubs.army.mil/epubs/DR\\_pubs/DR\\_a/ARN31725-AR\\_380-5-000-WEB-1.pdf](https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN31725-AR_380-5-000-WEB-1.pdf).

Department of Defense Instruction 5015.02 Chg. 1, *DoD Records Management Program*, August 17, 2017.

DOE (U.S. Department of Energy), 2017. *FUSRAP Working Group for FUSRAP Data Management*, U.S. Army Corps of Engineers and U.S. Department of Energy Office of Legacy Management, May.

DOE (U.S. Department of Energy) and USACE (U.S. Army Corps of Engineers), 1999. *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 17,  
[https://www.energy.gov/sites/default/files/2017/04/f34/FUSRAP\\_MOU.pdf](https://www.energy.gov/sites/default/files/2017/04/f34/FUSRAP_MOU.pdf).

DOE Order 243.1C, *Records Management Program*, February 7, 2022.

EPA (U.S. Environmental Protection Agency), 2010. *Revised Guidance on Compiling Administrative Records for CERCLA Response Actions*, September 20, <https://www.epa.gov/sites/default/files/2013-11/documents/admin-record-mem-rev.pdf>.

NARA (National Archives and Records Administration) Bulletin 2014-2. *Guidance on Managing Social Media Records*, October 25, 2013, <https://www.archives.gov/records-mgmt/bulletins/2014/2014-02.html>.

NARA (National Archives and Records Administration) Bulletin 2018-01. *Updating NARA Bulletin 2014-04, Format Guidance for the Transfer of Permanent Electronic Records*, August 30, 2018, <https://www.archives.gov/records-mgmt/bulletins/2018/2018-01>.

*Records and Information Management Transition Guidance*, LM-Guide-4-10.2-1.0, continually updated, prepared by the U.S. Department of Energy Office of Legacy Management, <https://www.energy.gov/lm/sites/additional-information/guidance-reports-and-documents>.

USACE (U.S. Army Corps of Engineers), 2014. *Environmental Quality: Formerly Utilized Sites Remedial Action Program*, ER 200-1-4, August 29, [https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER\\_200-1-4.pdf](https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER_200-1-4.pdf).

USACE (U.S. Army Corps of Engineers), 2021. *Information Management: Records Management, Records and Information Management Program*, ER 25-60-1, December 2, [ER 25-60-1, Record and Information Management Program \(army.mil\)](https://www.army.mil/Portals/76/Publications/EngineerRegulations/ER_25-60-1).

USACE (U.S. Army Corps of Engineers) 2022. *FUSRAP Records Management Protocol*.

## **Appendix A**

### **Example of a Transfer Letter**

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[Date]

Department of Energy  
Office of Legacy Management  
Attn: [LM POC]  
99 Research Park Road  
Morgantown, WV 26505

**Re: Transfer of Electronic Administrative and Permanent Records  
for [Site Name] FUSRAP Site:**

Dear [LM POC]:

The U.S. Army Corps of Engineers (USACE) is providing to the U.S. Department of Energy Office of Legacy Management (LM) the enclosed hard drive containing electronic Administrative Records (ARs) and Permanent Records (PRs) for the following FUSRAP sites:

An index is provided for each record collection along with a full set of images in PDF archive (PDF/A) format. All images were successfully converted to PDF/A and are in compliance with Section 508 of the Rehabilitation Act of 1973, 29 *United States Code* 794d (29 USC 794d) as amended in 1998.

**The enclosed hard drive is encrypted. A separate notification will be provided to you with the hard drive password.**

Please note that the AR images and a limited number of PR documents transferred were redacted in accordance with the Privacy Act of 1974; the Freedom of Information Act (5 USC 552), as amended by Public Law 104-231, 110 Statute 3024; and U.S. Department of Defense and USACE regulations. Documents previously released on USACE public websites have been noted on the provided index. Before posting these files to a public domain or releasing them to the public in response to a FOIA request, a full review by LM should be performed. There are no classified records included in this transfer.

If you have any questions regarding the deliverable, please feel free to contact me via telephone at (xxx) xxx-xxxx or via email at [xxx@xx.xx.com](mailto:xxx@xx.xx.com).

Sincerely,

USACE  
Project Manager

cc  
USACE National FUSRAP Business Line Manager  
USACE Division FUSRAP Program Manager  
LM Team Supervisor  
DOE FUSRAP Program Manager

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