

**Office of Legacy Management Organized to Ensure Effective and Efficient Management of  
Department of Energy Legacy Responsibilities**

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**ABSTRACT**

To further demonstrate its commitment to reducing the environmental consequences of past actions and expedite the cleanup of its sites, the U.S. Department of Energy (DOE) created the Office of Legacy Management (LM) as a stand-alone office in December 2003. LM is entrusted with playing a lead role in a Department-wide approach to monitor the investments at over one hundred sites across the country. To fulfill this role successfully, LM has established programmatic goals, which include assuming responsibility for records and information technology, restructuring the LM contractor workforce, and managing real property, some of which will be transferred to nonfederal, beneficial reuse.

**GOALS OF THE OFFICE OF LEGACY MANAGEMENT**

LM has adopted the following as its five main goals:

- Protect human health and the environment through effective and efficient long-term surveillance and maintenance.
- Preserve, protect, and make accessible legacy records and information.
- Support an effective and efficient workforce structured to accomplish Departmental missions and ensure contractor worker pension and medical benefits.
- Manage legacy land and assets, emphasizing protective real and personal property reuse and disposition.
- Improve program effectiveness through sound management.

Many DOE facilities cannot be remediated to levels that allow for unrestricted use because of technical or economic limitations, or worker health and safety challenges. These facilities are, or will be, required to meet regulatory standards, ensuring that engineered and institutional controls employed as part of the remedy maintenance integrity are protective of human health and the environment. LM will ensure that these controls remain effective. Given the long-term nature of radionuclides and other residual hazards, it is reasonable to assume that long-term surveillance and maintenance will be required for hundreds or even thousands of years at some facilities.

The Department recognizes that, as its environmental remediation efforts are accelerated and facilities are cleaned and closed, its long-term surveillance and maintenance responsibilities will increase, requiring a comprehensive and effective management approach. This effort will be

accomplished by using sound project management, engineering, and scientific principles; conducting monitoring and maintenance; evaluating and improving the effectiveness of long-term surveillance and maintenance strategies; ensuring that contingency plans are in place and that adequate funds are available; complying with all applicable requirements and regulations; and communicating with stakeholders.

Commensurate with the increased responsibility for activities associated with the transition of additional major sites, LM's budget will increase significantly in FY 2007 to \$201 million, up from \$77.8 million in FY 2006. Although the budget increase is due primarily to retired contractor pension plans and post-closure benefits responsibilities for Rocky Flats and Fernald, approximately \$19.1 million of the increase is for long-term surveillance and maintenance at Rocky Flats, Fernald, and the Nevada Offsites (eight locations in five states where the Department detonated nuclear devices underground).

LM has made major strides in positioning itself to manage increased program responsibilities while meeting the administration's goals for reducing costs and increasing efficiency. In addition to the recent transfers of Rocky Flats, Fernald, and the Nevada Offsites, LM is also expecting to receive the Mound and Ashtabula sites from the Office of Environmental Management as well as three Formerly Utilized Sites Remedial Action Program (FUSRAP) and nine Uranium Mill Tailings Radiation Control Act (UMTRCA) Title II sites over the next two years.

### **Records and Information Technology**

LM will assume responsibility for all records inventories and information systems associated with the closure sites.

LM manages the Department's closure site records in compliance with legal and regulatory requirements, using the National Archive and Records Administration and DOE guidance. As sites are identified for mission closure, remediated, and transferred into LM's authority, associated site records and information will be transferred to LM's custody as well. Ultimately, this will be an enormous and costly undertaking that will include managing the records for more than 100 sites across the country. For example, following transfer closure of Mound, Fernald, and Rocky Flats sites, LM became the custodian of more than 105,000 cubic feet of records and nearly 8 terabytes of information.

The records that LM receives from closure sites will support the office's mission in a number of ways:

- The records contain information on the cleanup processes employed at the sites, which will be instructive to LM's long-term surveillance and maintenance activities.
- The records contain data on compliance with regulatory requirements and the technical remedies for cleanup of the sites, assuring regulators that these sites do not pose an unacceptable risk to human health or the environment.
- The records include information on work activities and health data of site personnel, information crucial to assuring workers the continuity of their medical and pension benefits.

- The records will also ensure that the public has access to information on government operations.

LM's records and information program will protect, preserve, improve, and provide appropriate access to records and information systems. In addition, the program will provide the structure and solutions for effectively and efficiently identifying, collecting, and disseminating information from record sources to internal and external users. LM will work closely with the public, ensuring that information needs are met and that stakeholder issues are incorporated into LM's processes and future decisions.

### **Contractor Work Force Restructuring**

Since 1993, more than 50,000 contractor personnel have been separated without work disruptions at the sites or legal action. Through this work force reduction the Department has realized annual savings of almost \$4 billion. Section 3161 of the National Defense Authorization Act for Fiscal Year 1993 was enacted to mitigate the impacts of the end of the Cold War on employees of defense nuclear facilities.

The number of DOE contractor separations across the complex has decreased significantly over the past few years. Consequently, the need for section 3161 funding has diminished to the point that FY 2004 was the last year funds were appropriated for that purpose. DOE made no request for 3161 funding in FY 2006 and FY 2007. LM has used appropriated funds from prior years to ensure that appropriate enhanced separation benefits, such as outplacement, educational, and relocation assistance, are available for separating employees.

### **Real Property Transfer**

As part of its responsibility, LM will manage more than 50,000 acres of federal property and complete the transfer of three properties for nonfederal, beneficial reuse, including the Wayne Site and the New Brunswick Site, both in New Jersey. When the Wayne Site was declared clean under FUSRAP and final verification samples were taken, DOE transferred the property in September 2006 to Wayne Township, New Jersey, through the National Park Service Land to Parks Program for the construction of four ball fields.

After the New Brunswick Laboratory was cleaned to industrial standards under FUSRAP, the City of New Brunswick requested the right to purchase the property to house the city's public works facilities. DOE expects the sale of the property to take place by February 2007.

### **CONCLUSION**

LM is committed to meeting its various responsibilities in a most effective and efficient manner, evident by tying specific performance measures to each of the five goals, which will measure the organization's performance. LM also recognizes that its mission can only be achieved through close coordination of its activities with stakeholders, Congress, regulators, and state, tribal, and local governments.