

Office of Legacy Management: A High Performing Organization Effectively and Efficiently Managing the Department of Energy's Legacy Responsibilities

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ABSTRACT

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is a designated high performing organization (HPO) that currently manages about 80 legacy sites across the country. LM achieved its HPO status through efforts that included reducing federal staffing levels by staff reassignment rather than reduction in force, reassigning federal staff to locations closer to the sites for which they are responsible, maintaining a higher-than-average diversity level, and reducing program direction requirements. The HPO achievement will save taxpayers about \$15 million over 5 years; at the same time, LM will increase its program responsibilities and its efficiency of operations. The increased program responsibilities include managing over 100,000 cubic feet of physical records and 6 terabytes of electronic information, managing contractor pension plans and other long-term benefits, monitoring formerly contaminated sites to verify that remediation continues to be protective of human health and the environment, accepting new sites as they transfer into LM, and effecting the transfer or beneficial reuse of sites that no longer support an ongoing DOE mission. By the end of fiscal year 2008, LM will manage about 60,000 acres of federal property.

INTRODUCTION

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is now a high performing organization (HPO) in its lead role of monitoring DOE's investments at about 80 sites across the country to ensure that our environmental remedies are working and will continue to protect future generations. When the Office of Management and Budget designated LM as an HPO, LM was only the second agency in the entire federal government to have received this designation. DOE first established LM as a stand-alone office in December 2003 to strengthen its commitment to reduce adverse environmental consequences of past actions and to expedite the cleanup of its sites. LM has control and custody for legacy land, structures, and facilities and is responsible for maintaining them at levels suitable for their long-term use. LM's primary goals are to:

- 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 DOE missions and ensure continuity of 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.

A HIGH PERFORMING ORGANIZATION

Several factors contributed to LM achieving its HPO status, including:

- Reduced our federal staffing levels from 81 to 58.
- Improved our supervisor to employee ratio from 1:7 to 1:12.
- Reassigned 10 federal staff members to place them closer to the sites for which they are responsible, including reassigning staff to work at or near the major closure sites: Rocky Flats, Colorado; and Fernald and Mound, Ohio.
- Reduced the federal grade structure.
- Maintained our diversity at a level higher than the DOE average for every category except one.
- Reduced our program direction requirements by \$3 million from the fiscal year (FY) 2006 level.

The LM HPO represents a 28 percent reduction from the original plan for federal staffing and will save the taxpayer approximately \$15 million over 5 years. We have become a more effective and efficient organization and are managing a larger scope of work with fewer federal employees.

REQUESTED BUDGET

Along with the increased responsibility for activities associated with transition of additional major sites, LM has requested \$194 million in FY 2008, up from \$77.8 million in FY 2007. Although a major portion of the budget increase is for pension plans and post-closure benefits for former contractor employees at the Rocky Flats, Colorado; and Fernald, Ohio, sites, approximately \$17 million of the increase is for long-term surveillance and maintenance at those sites and the Nevada Offsites (eight locations in five states where DOE conducted underground nuclear tests).

PROTECT HUMAN HEALTH AND THE ENVIRONMENT

DOE's environmental legacy responsibilities stem primarily from historical activities of DOE and its predecessor agencies, particularly during World War II and the Cold War. By the end of FY 2009, LM will be responsible for long-term surveillance and maintenance activities at approximately 94 sites where active environmental remediation has been completed. The majority of the sites under LM responsibility are either Uranium Mill Tailings Radiation Control Act (UMTRCA) sites or sites associated with the Formerly Utilized Sites Remedial Action Program (FUSRAP).

In addition, LM currently has responsibility for five additional sites regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or the Resource Conservation and Recovery Act (RCRA): the Weldon Spring site in St. Charles County, Missouri; the Monticello site in Monticello, Utah; the Laboratory for Energy-Related Health Research at the University of California, Davis; the Maxey Flats site in Kentucky; and the

Young-Rainey Science, Technology, and Research (STAR) Center at the former Pinellas Plant site in Largo, Florida. Fig. 1 shows the LM sites projected through 2009.

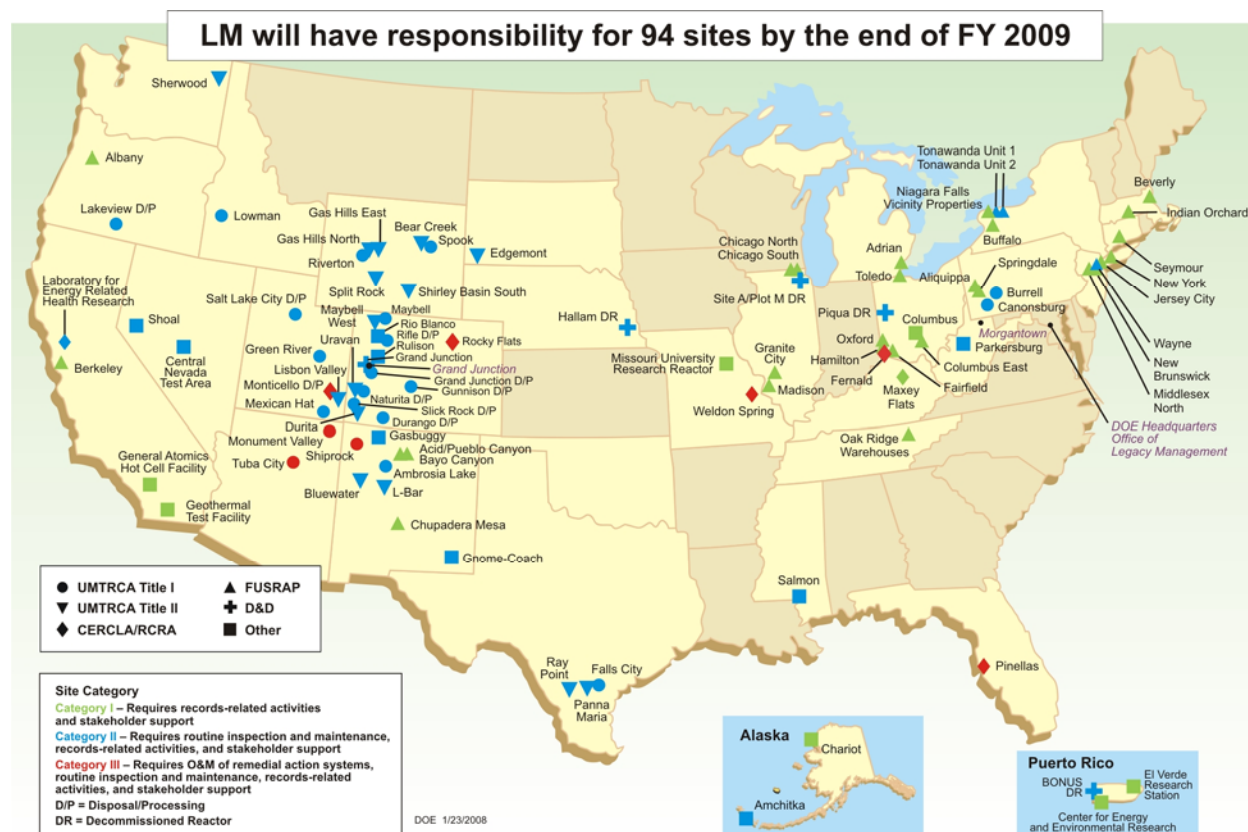


Fig. 1. LM sites through 2009.

LM has made steady progress 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, Ohio, sites from DOE’s Office of Environmental Management (EM) as well as three FUSRAP and 11 UMTRCA Title II sites over the next two years. Because of the Continuing Resolution for FY 2008, activities at sites proposed for transfer from EM to LM in FY 2008 (Mound and Columbus, Ohio) will be funded by EM, but the legacy activities will be managed by LM federal staff and contractors. LM’s FY 2008 request includes funding for all sites transferred to LM in FY 2008.

RECORDS AND INFORMATION TECHNOLOGY

Preservation and protection of records and information are integral to the cleanup and closure of sites. LM has developed a plan for accepting and maintaining all legacy records. These records include historical site records, cleanup and long-term surveillance and maintenance records, and former contractor personnel and medical records. LM manages these records in compliance with legal and regulatory requirements, using the National Archive and Records Administration and DOE guidance.

By the end of FY 2008, LM will manage more than 100,000 cubic feet of physical records and 6 terabytes of electronic information. LM's information management program is expanding to include over 100 different applications and databases necessary to support our long-term mission needs. In addition to the physical records collection, LM will manage a smaller collection of special media that includes x-rays, photographs and negatives, video and audio tapes, and architectural drawings that require special environmental controls to maintain the integrity of the materials. LM will also process over 2,500 requests for information under the Privacy Act, Freedom of Information Act, Energy Employees Occupational Illness Compensation Program Act, and other inquiries.

CONTRACTOR WORKFORCE

The completion of missions at certain DOE sites also affects former contractor employees at the sites. After the completion of site cleanup, the contractor is no longer on site to administer contractor pensions and other long-term benefits. To meet DOE's objective of avoiding benefit interruption or inconvenience to plan participants, the administration of pensions and benefits at closed sites was either transferred to other DOE contracts or retained by modifying the current contract.

LM and DOE leaders have been developing a course of action to maintain the quality of post-retirement benefits for contractor workers at closure sites as well as at active sites across the DOE complex. In the case of the closure sites that have transferred or will transfer to LM, we have been working to ensure a seamless transition of post-retirement benefits to the former contractor employees.

LM has DOE-wide policy responsibility for implementing section 3161 of the National Defense Authorization Act for Fiscal Year 1993. Section 3161 was enacted to mitigate the impacts of the end of the Cold War on employees of defense nuclear facilities.

The number of contractor separations within the DOE complex has decreased significantly over the past few years. As a result, 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 has not requested section 3161 funding since that time. LM has used appropriated funds from prior years to ensure limited enhanced benefits, such as outplacement, educational, and relocation assistance to former workers of the closure sites.

REAL PROPERTY TRANSFER

LM is also responsible for the transfer or reuse of sites that no longer support an ongoing DOE mission and for the possible disposal of properties for beneficial reuse. LM works with other agencies and organizations to transfer real property from DOE and supports other DOE organizations in reviewing transition plans and closure plans to facilitate transfer of real and personal property assets to other agencies and private organizations. LM's current priority is to transfer or lease portions of federal properties associated with the Weldon Spring site in Missouri; the Canonsburg site in Pennsylvania; the Mound site in Ohio; the New Brunswick site

and the Wayne site in New Jersey; the Rocky Flats site in Colorado; and the Hanford site in Washington.

Through these efforts, LM is trying to reduce DOE's "footprint" by transferring property back into productive uses such as grazing, conservation, forestry, or reindustrialization. By the end of FY 2008, LM will manage approximately 60,000 acres of federal property.

CONCLUSION

LM welcomes the opportunity to perform its critical function in a manner consistent with its designation as an HPO. As part of this effort, LM has tied specific performance measures to each of the five goals discussed in the Introduction. 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.