



Program Update

January–March 2008

Welcome to the January–March 2008 issue of the U.S. Department of Energy (DOE) Office of Legacy Management (LM) Program Update. This publication is designed to provide a status of activities within LM. Please direct all comments and inquiries to LM@hq.doe.gov.

Goal 1

Environmental Justice at the U.S. Department of Energy

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, directed the federal government to make environmental justice a part of the federal decision-making process.

The executive order focused attention on health and environmental conditions in minority and low-income communities with the goal of achieving environmental justice and fostering nondiscrimination in programs that substantially affect human health or the environment. Federal agencies were directed to make environmental justice an integral part of their missions. The U.S. Department of Energy (DOE) is fully committed to including environmental justice and public involvement in its programs, and to creating an open

and accessible decision-making process that results in decisions that are:

- Technically, scientifically, and economically feasible
- Environmentally sound
- Health and safety conscious
- Designed to address public values and concerns
- Readily implemented

Environmental justice means fair treatment and meaningful involvement of all people, regardless of race, ethnicity, culture, income, or education level with respect to development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that racial, ethnic, or socioeconomic groups should not bear a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations, or from the execution of federal, state, or local laws, regulations, and policies.

At the very core of environmental justice is the concept that all stakeholders should have their voices heard. DOE has numerous programs to promote environmental justice and public involvement in its programs.

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Legacy Management Goals

Goal 1: Protect human health and the environment through effective and efficient long-term surveillance and maintenance.

Goal 2: Preserve, protect, and make accessible legacy records and information.

Goal 3: Support an effective and efficient work force structured to accomplish departmental missions and assure continuity of contractor worker pension and medical benefits.

Goal 4: Manage legacy land and assets, emphasizing protective real and personal property reuse and disposition.

Goal 5: Improve program effectiveness through sound management.

See page 8 for a more detailed version of LM's goals.

The State of Environmental Justice in America 2008 Conference

May 21–24, 2008 • Washington, DC

For more information, visit the website—
http://www.LM.doe.gov/env_justice/conference.htm.



Goal 4

U.S. Department of Energy Office of Legacy Management – Uranium Leasing Program Inactive Lease Tracts Bid Solicitation

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) administers the Department's Uranium Leasing Program. LM currently manages 32 lease tracts (25,000 acres) located within the Uravan Mineral Belt in southwestern Colorado. Thirteen of these lease tracts are actively held under lease, and the remaining 19 lease tracts are currently inactive. In March 2008, DOE will extend the 13 active leases for an additional 10-year period and offer the inactive lease tracts to the domestic uranium industry through a web-based competitive bid solicitation. More than 100 interested parties were on the potential bidder's list when the solicitation began. Following the 60-day solicitation period and the subsequent review and evaluation of all bid submittals, new 10-year leases will be executed with the successful bidders.

The lease contract template used for each of the 19 lease tracts and the lease language for the 10-year extensions for the 13 active leases, contains general and specific stipulations resulting from the Programmatic Environmental Assessment that DOE completed with its Finding of No Significant Impact in July 2007. In addition, ongoing discussions with the Bureau of Land Management and state agencies for mining and mine safety, transportation, and wildlife ensure that exploration and mining plans are reviewed and appropriate mitigation is in place prior to environmental impacts and mining activities. Of the 25,000 acres withdrawn from the public domain and under the control of DOE for uranium mining purposes, the 13 active mines have about 300 acres of surface disturbance and the 19 new lease tracts are estimated to have an additional 410 acres of surface disturbance.

Performance bonds built into the DOE lease contracts are established prior to the beginning of mine operations that cover all reclamation activities to close and reclaim the lease tracts at the termination of the leases. These lease contracts provide a base annual royalty, whether mining actually occurs, that will return about \$500,000 per year if all 32 lease tracts are



C-JD-8 Mine Site.

leased. In addition, lessees will pay a production royalty on the uranium and vanadium produced on the dry tons of ore received at the mill. These production royalties are established as a bid-percentage of the fair market value of the ore, which in turn is calculated from the quarterly weighted average price of uranium (derived from the long-term and spot market prices for uranium) and the quarterly average price of vanadium. The uranium production averages about 4 pounds of uranium per dry ton of ore and vanadium averages about 24 pounds per dry ton of ore.

The estimated ore reserves on the 32 lease tracts in southwestern Colorado is 13.5 million pounds of uranium, which accounts for less than 2 percent of the nation's known uranium reserves (estimated at almost 900 million pounds). LM manages the DOE Uranium Leasing Program under the authority and in accordance with 10 CFR 760 and in cooperation with the U.S. Bureau of Land Management and the State of Colorado.

For more information, contact Steve Schiesswohl, Realty Officer, at (720) 377-9683, or e-mail at Steve.Schiesswohl@hq.doe.gov.



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Environmental Justice at the U.S. Department of Energy

While some activities are complex and technical, stakeholders should participate as permitted by law. Often small towns, rural areas, and minority and low-income communities are limited in their ability to participate in decisions relating to the environment due to the lack of access to information, technology, expertise, and decision-makers. DOE conducts programs to build the capacity of these communities to participate effectively in the decisions that affect their community. DOE-conducted programs include:

Dr. Samuel P. Massie Chairs of Excellence – a team of world-class scholars, researchers, and educators from nine Historically Black Colleges and Universities (HBCUs) and one Hispanic-Serving Institution (HSI) who conduct research, provide advice and assistance to municipalities, and promote collaboration among federal agencies, the private sector, research institutions, and other HBCUs. The Massie Chairs are key elements of DOE's community capacity building efforts and support Brownfields economic development and environmental projects.

Environmental Justice Classes – produced and conducted to help DOE federal and contractor personnel gain a greater awareness of environmental justice issues, communication styles for various stakeholders, and strategies for incorporating environmental justice concerns in DOE decision-making. The classes—Public Participation, Environmental Justice, and Communicating With the Public—were designed to help personnel communicate more effectively with the public in settings such as public meetings, advisory committee meetings, or briefings. The classes support DOE's goal of having an open, transparent, and inclusive decision-making process. This program supports other DOE sites around the complex.

Building Community Capacity Through Technology – this partnership with Tennessee State University and the National Urban Internet, provides technical assistance to the communities near DOE Oak Ridge and the DOE Savannah River Site. This program distributes excess and surplus computers and creates technology centers. The centers help community

groups, public schools, small towns, and rural communities address energy, environmental, economic, academic, and other challenges. The partnership has donated approximately 5,000 computers to groups to enhance environmental justice.

Medical University of South Carolina (MUSC) – convenes the Community Leaders' Institute to address other environmental justice issues. The Community Leaders' Institute introduces community leaders to resources and information that will help them address environmental and other issues in their communities. While important to all communities, these resources and skills are particularly lacking in small rural, tribal, and environmental justice communities that historically have been subjected to disproportionate levels of environmental risk with comparatively little in the way of recourse or reward.

United Negro College Fund Special Programs Corporation/Department of Energy Mentorship for Environmental Scholars Summer Internship Program (UNCFSP) – DOE provides the UNCFSP finances to support a summer internship/mentorship program for undergraduate students attending minority institutions. DOE entered into a memorandum of agreement with UNCFSP to conduct a program that brings students to DOE laboratories for hands-on mentoring experiences in the fields of environmental science and engineering.

All of DOE's environmental justice activities are designed to meet the demands of Executive Order 12898, and to ensure that our stakeholders have informed participation in decisions that affect their communities.

For more information, contact Melinda Downing, DOE Environmental Justice Program Manager, at (202) 586-7703, or e-mail at Melinda.Downing@hq.doe.gov.

Please take a few minutes to complete the survey referenced on page 7. The survey is accessible online at <http://www.LM.doe.gov/survey>. We value our stakeholders input and want to ensure we are providing the information they want to see included in our publications.



Goal 4

The Fernald Preserve Visitors Center Emphasizes Protective Real and Personal Property Reuse

On March 4, Mike Owen, Director of the U.S. Department of Energy Office of Legacy Management (LM), along with LM leadership team members, visited the Fernald Preserve for a firsthand look at the progress being made on the Fernald Preserve Visitors Center (FPVC), which is on schedule to open this summer. Implementing the vision of Fernald's neighbors and stakeholders, the FPVC will "tell the story of Fernald" and become an important educational resource for the surrounding area.

The University of Cincinnati's College of Design, Architecture, Art, and Planning conceptually designed all facets of the 10,000 square-foot Visitors Center, including exhibits that will pay tribute to the site's varied history. The exhibits document the Native American presence, settlement and farming, uranium production, environmental remediation, and legacy management periods at Fernald. The building was designed and is being constructed in a manner that will allow the building to receive certification from the U.S. Green Building Council, which sponsors the Leadership in Energy and Environmental Design (LEED) rating system. A key factor in the building achieving LEED certification is the use of a biowetland (another environmentally friendly and educational feature of the building) to treat sanitary wastewater. Typically, the common practice for managing sanitary wastewater is to convey it to a wastewater treatment plant for treatment using chemical and mechanical processes. The wastewater from the FPVC will be treated naturally in a biowetland where water, plants, microorganisms, and the environment interact to treat the wastewater.

In the one year since LM has become the steward of the Fernald property, the Fernald Preserve has become a haven for wildlife. Recently both golden and bald eagles have been seen at the Fernald Preserve as well as a variety of other raptors including red-tailed, broad-winged, redshouldered, coopers, and sharp-shinned hawks. In addition, northern harriers, American kestrels, and merlins have also been spotted at the preserve.



This golden eagle recently took a short respite at the Fernald Preserve.

Top photo: (left to right) Scott Verstandig, Policy Advisor; Glenn Griffiths, Fernald Preserve Visitors Center Project Manager for S.M. Stoller Corporation; and Bob Baney, LM Office of Site Operations Director review the conceptual images of the Visitor Center displays. Bottom: Mike Owen, Director of the Office of Legacy Management discusses the Visitors Center displays with Jane Powell, Fernald Preserve Site Manager.



Goal 1

Environmental Justice 2008 Waste Management Conference Paper Proposes Alternative Energy Consortium

U.S. Department of Energy's (DOE) Environmental Justice Manager, Melinda Downing, presented a paper at the 2008 Waste Management Conference in Phoenix, Arizona. The paper, "Creating a Consortium to Increase Minority and Low-Income Community Participation in Alternative Energy Development, Production, and Management," was written in collaboration with Geraldine Herring, United States Department of Agriculture (USDA), and John Rosenthal, Environmental Justice Conference, Inc.

According to the paper, America's desire for energy independence places a new demand on alternative fuel production. With the federal requirements for environmental justice and public participation, proponents of alternative energy facilities must discuss risk, production, storage, and disposal of hazardous materials and waste matters with low-income and minority communities where these facilities are located, or wish to locate.

The fundamental principal of environmental justice is that all residents should have meaningful and intelligent participation in all aspects of environmental decision-making that could affect their community. Historically, many low-income and minority communities have lacked access to the required resources to make informed decisions with respect to various risks that accompany energy production and hazardous materials management. In order to provide the necessary assistance to these communities, DOE and USDA

have teamed with others to create the Alternative Energy Consortium.

The proposed Alternative Energy Consortium will be a collaboration of nonprofit organizations, federal agencies, Historically Black Colleges and Universities (HBCUs) and Minority-Serving Institutions (MSIs) with the Dr. Samuel P. Massie Chairs of Excellence at the core, and private sector corporations designed to explore and develop opportunities that empower minorities to participate in all aspects of the field of alternative energy. The consortium's primary objectives are to find ways to

- Include minorities in the development and ownership of infrastructure in the alternative energy industry;
- Promote research and education programs to inform the public about risks and benefits of various forms of alternative energy;
- Build a mentor/protégé program between HBCU/MSIs and industry leaders to enhance minority participation in alternative energy production and distribution.

The consortium will work together to create a process whereby minorities and low-income individuals will be recruited, educated, and mentored to maximize alternative energy ownership and job opportunities.

The annual Waste Management conference draws some 2,000 persons from throughout the world. Its

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Goal 1

Office of Legacy Management Participated in the 2008 Annual Waste Management Conference

The Office of Legacy Management (LM) participated in the 2008 Annual Waste Management Conference in Phoenix, Arizona, February 24–February 28. LM's participation included submission of papers and oral presentations as part of a panel session that focused on long-term stewardship. The presentations provided an overview of LM and its long-term surveillance activities. In addition, the session provided discussions on the use of ecological restoration principles to achieve remedy protection at the Fernald Preserve and Weldon Spring Site; monitoring the performance of an alternative landfill cover at the Monticello, Utah, Disposal and Processing Sites; long-term surveillance and maintenance at Rocky Flats; and post-closure land jurisdiction transfer to the U.S. Fish and Wildlife Service at Rocky Flats.



Goal 5

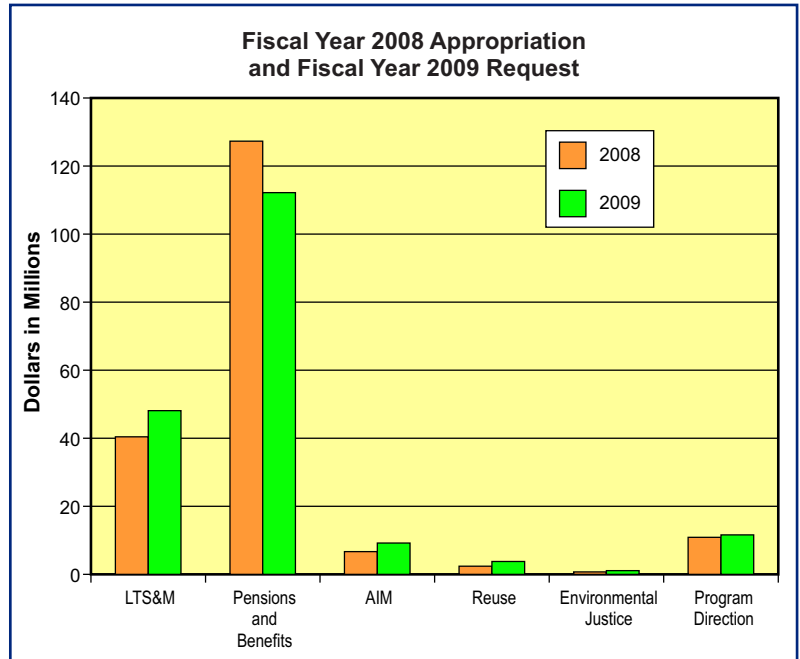
President's Budget for Fiscal Year 2009 Requests \$186 Million for Legacy Management

On Monday, February 4, 2008, the fiscal year (FY) 2009 budget for the U.S. Department of Energy was sent to Congress. The Office of Legacy Management (LM) portion included a request for \$186 million. The FY 2009 request, in a departure from past years, was submitted under only one appropriation.

The FY 2009 appropriation will provide funding for the 86 sites LM is scheduled to be managing at the end of FY 2008, including the closure sites of Fernald and Rocky Flats, which were transferred in the FY 2008 appropriation. The request is very similar to the FY 2008 appropriation with two exceptions: (1) the long-term surveillance and maintenance request is almost \$8 million greater than the FY 2008 appropriation due to a one-time need for deep wells at the Central Nevada Test Area Site; and (2) the request for pension and benefit continuity was substantially reduced by the use of carryover funds.

The FY 2009 budget request will allow LM to fully fund its program needs while reducing its carryover.

To date, Mike Owen, Director Office of Legacy Management, has testified on the FY 2009 budget at a hearing before the House Energy and Water Development Subcommittee of the House Appropriations Committee. No other hearings are scheduled.



Goal 4

Rocky Flats Cold War Museum Board Receives Appropriation

The Rocky Flats Cold War Museum board, a volunteer group of former Rocky Flats workers and community members interested in developing a museum to document the history of Rocky Flats and its role in the Cold War, received a \$492,000 appropriation in the 2008 Energy and Water Appropriations Bill. Senator Wayne Allard (R-CO) included the funding in an earmark at the board's request. Board members have stated that they intend to use the funds to develop exhibits featuring Rocky Flats artifacts that the board obtained during the cleanup project and to seed additional fundraising activities. DOE will disburse the funding to the museum board.

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Environmental Justice 2008 Waste Management Conference Paper Proposes Alternative Energy Consortium

purpose is to provide a forum for discussing and seeking solutions to the safe management of radioactive waste and radioactive materials.

For more information, contact Melinda Downing, DOE Environmental Justice Program Manager, at (202) 586-7703, or e-mail at Melinda.Downing@hq.doe.gov.



Office of Legacy Management

Program Update Survey

The Office of Legacy Management has a continuing interest in improving the usefulness of the information that is provided to our stakeholders. It is our goal to make the Program Update as responsive as possible. Your assistance will help us accomplish our goals. Please take a few minutes to complete the survey. It is anonymous and will only take a few minutes to complete.

You may complete the survey online at: <http://www.LM.doe.gov/survey>

Alternatively, you may complete the survey below and

Fax the survey to: (202) 586-1540,
E-mail the survey to: LM@hq.doe.gov, or
Mail the survey to: Ms. Sheila G. Dillard
U.S. Department of Energy Office of Legacy Management
1000 Independence Avenue, SW, Washington, DC 20585

1. Is the Program Update presented in a manner that is easy to read and understand?
 Yes
 No
 Undecided
2. Do you understand the Department of Energy Office of Legacy Management Goals identified for each article?
 Yes
 No
 Undecided
3. Do you feel the Program Update effectively provides information important to the overall objective of your community or organization?
 Yes
 No
 Undecided
4. Is the Department of Energy communicating effectively with stakeholders on Environmental Justice activities and programs that are in place within the Department?
 Yes
 No
 Undecided
5. Does the Department's integration of Environmental Justice adequately address stakeholder issues and concerns?
 Yes
 No
 Undecided
6. Do you feel that Department of Energy employees are aware of their Environmental Justice obligations?
 Yes
 No
 Undecided
7. Is general information sharing adequate?
 Yes
 No
 Undecided
8. How satisfied are you with the timeliness of the information presented in the Program Update?
 Very Satisfied
 Somewhat Satisfied
 Satisfied
 Somewhat Dissatisfied
 Dissatisfied
 Undecided
9. What, if any, information or sections would you like to see included in the Program Update in the future?

10. How satisfied are you with the overall content and design of the Program Update?
 Very Satisfied
 Somewhat Satisfied
 Satisfied
 Somewhat Dissatisfied
 Dissatisfied
 Undecided

Thank you.



Legacy Management Goals



Goal 1: Protect human health and the environment through effective and efficient long-term surveillance and maintenance.

This goal highlights the Department's responsibility to ensure long-term protection of people, the environment, and the integrity of engineered remedies and monitoring systems.

Goal 2: Preserve, protect, and make accessible legacy records and information.

This goal recognizes Legacy Management's commitment to successfully manage records, information, and archives of legacy sites under its authority.



Goal 3: Support an effective and efficient work force structured to accomplish departmental missions and assure continuity of contractor worker pension and medical benefits.

This goal recognizes the Department's commitment to its contracted work force and the consistent management of pension and health benefits. As sites continue to close, the Department faces the challenges of managing pension plan and health benefits liability.

Goal 4: Manage legacy land and assets, emphasizing protective real and personal property reuse and disposition.

This goal recognizes a Departmental need for local collaborative management of legacy assets, including coordinating land use planning, personal property disposition to community reuse organizations, and protecting heritage resources (natural, cultural, and historical).



Goal 5: Improve program effectiveness through sound management.

This goal recognizes that Legacy Management's goals cannot be attained efficiently unless the federal and contractor work force is motivated to meet requirements and work toward continuous performance improvement.



Office of Legacy Management Program Update

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