



RECOMMENDATION #2002-03

Recommendations on Public Access to Information Following Site Closure

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Presented to: Gary Stegner, U.S. DOE, Fernald Site Office

Source of Recommendation:

- Full Board
 Stewardship Committee

Type of Recommendation:

- Initial
 Follow-on to Recommendation

Response Requested by: January 18, 2002, ongoing coordination also desired

In October 2002, the Fernald Citizens Advisory Board (FCAB) completed a feasibility study that examined the need for public access to information after closure of the Fernald Environmental Management Project. Overall, the study began to paint a picture of an integrated approach to long-term site management that directly involves the people living and working near the Fernald site. In this approach, DOE supplies the public with the tools it needs to provide continued oversight of site management and sustain a community memory of the site's rich history. The FCAB has coined the term Community-Based Stewardship to describe this approach.

A well-informed and aware Fernald community will be fundamental to the continued protection of human health and the environment and the successful implementation of Community-Based Stewardship. The FCAB and members of its Stewardship Committee undertook this study because they felt that it was important to identify the actions that are necessary to ensure public access to information during long-term stewardship of the Fernald site.

Based on the findings of this study, the FCAB offers the following recommendations.

Actions to Be Taken at the Fernald Site

Because DOE guidance for long-term stewardship has emphasized site-specific planning, the responsibility to provide public access to information also falls at the site level. At each step of the way, the public should have an opportunity to provide input and shape specific products. To ensure public access to needed information, the following measures should be taken by DOE at the Fernald site.

1. Commit to Supporting Public Access to Site Information on an Ongoing Basis.

Community-Based Stewardship is critical to the overall effectiveness of long-term stewardship, which in turn, is critical to maintaining the effectiveness of the implemented remedies. Because public access to information is an important institutional control and facilitates the enforcement of other controls at the site, the DOE commitment to implement stewardship and provide information to the public should be formalized in a legal document. Perhaps the most logical way to accomplish this is in a Record of Decision focused on stewardship obligations.

2. Manage Site Records in a Way that Meets Community Needs for Information. Fernald needs to establish a clear system to ensure that information with value to the public is being preserved and archived. This is critical because Fernald is beginning to cull the substantial number of records currently stored at the Records Center and photographs stored at the Graphics Center. Fernald's contractor has already promised to provide the public with lists of records to be destroyed and to set up safeguards to prevent the destruction of needed information. Managing site records will require that information be identified, indexed, organized, and put in a database. The database should be searchable using a list of key words that have been developed with community input.

3. Prepare Stewardship Information with Community Needs in Mind. As the site prepares information that will be required for long-term stewardship activities, it should consider public needs in choosing information and how it will be managed. The kinds of information that will be prepared for the post-closure site steward will almost certainly parallel many of the information needs cited by the Fernald community. In addition, the site stewards must determine how they will provide up-to-date information to the community on an ongoing basis. The Fernald community needs access to current environmental conditions at the site, monitoring reports, and any inconsistencies between monitoring results and requirements mandated by the CERCLA Records of Decision.

4. Develop Information Resources that are Specific to Community Needs. The public has identified a substantial number of topic areas for which it needs access to information. The public has also indicated that it needs information to be translated into a user-friendly format. This means that information should be presented in plain language and alternate visual formats where possible. Special attention should be given to developing graphics, measures, and timelines that can be updated as stewardship proceeds. Transforming technical information into these formats will require an investment of time and energy. Once information is in user-friendly formats, the media that will be used to communicate the information must be selected. The use of electronic media continues to increase in our society; however, attention must be given to maintenance costs and the rapidity of changing technology. The Fernald community has shown a strong interest in constructing a multi-use education facility at the site, which would provide on-site availability of information.

5. Establish an Outreach Program to Communicate to the Community What Information Resources are Available. In order for information to be truly accessible, there must be an awareness within the community that information exists and that the information is relevant to their lives. This will be of particular importance as new residents move into the area and future generations mature. A means to accomplish ongoing community outreach must be included in any plans for long-term stewardship. One major component of this outreach must include the integration of site education in local schools.

6. Identify a Long-Term Manager of Public Information and Solidify a Funding Source for Information-Based Activities. A long-term information manager is needed to ensure access to information, because new information will be generated throughout long-term stewardship, media and access points may require maintenance, and public outreach will be required. This manager may or may not be the same entity as the site steward. The community has suggested universities, government agencies, or nonprofit organizations to fulfill this role. Likewise, these activities will require a long-term funding source. The magnitude of funding needs will depend on other variables, such as media, access points, and outreach.

Steps that Need to Be Taken at a National Level

The Fernald community does not believe that it needs instantaneous access to site records that have been archived off site. However, the community needs a clear path to access these records in a reasonable amount of time. DOE Headquarters must ensure ongoing public access to these archived records, as well as committing long-term support for other information programs that will occur at a site level. The following actions should be taken by DOE Headquarters.

7. Commit to a Long-Term Funding Strategy for Long-Term Stewardship Activities.

Ensuring long-term access to information at or near the Fernald site and keeping those information sources up-to-date will require adequate funding over the long term. However, like other long-term stewardship activities, DOE has not clarified its funding commitment. Without this commitment, it is difficult for the individual sites or communities to plan for funding needs. Fernald staff and the community are being forced to plan in a partial vacuum, with the 2006 closure date approaching rapidly. One author who writes about the potential pitfalls of institutional controls notes that "...the current method of year-to-year funding of an organization has a high probability of failure when projected over centuries or millennia." (Jarvis 2002).

8. Develop a Searchable National Database of Records from Closure Sites. The Long-Term Stewardship Study (DOE 2001) states that, in order to better meet its long-term information management needs: "A system should be developed to enable a person with limited knowledge to DOE sites to be able to easily search, find, and understand relevant information." DOE needs to develop a system that can help the public identify what records exist for any closed site, search for specific records or keywords, locate where that record is stored, and follow easy steps to retrieve a copy or electronic file of the record. DOE should involve members of the public in designing this system and developing a list of keywords. The database currently managed by the DOE Grand Junction Office's Long-term Surveillance and Maintenance Program may serve as a valuable model or instrument for creating a comprehensive closure site database.

9. Correlate NARA Retention Schedules and Guidelines with Long-Term Stewardship Needs. Under NARA, many environmental records and the CERCLA administrative records are not considered permanent records and have been assigned retention schedules of up to seventy-five years in length. This is simply not suitable to the needs of long-term stewardship. An additional category of permanent records needs to be established to protect the information needed for effective long-term stewardship. Furthermore, NARA guidelines for the retention of audiovisual records (e.g., photographs) may not fully consider recent advances in long-term storage technologies or the needs of preserving information only found in digital formats. If NARA schedules cannot be tailored to the needs of closure sites, DOE should develop a redundant archive, preserving copies of the most vital records in perpetuity.

10. Collaborate with Closure Sites to Provide Access to In-Depth Information Resources.

Fernald stakeholders need a clear path to reach more in-depth information about the site, which may be held in records archived at locations remote from the site. In order to achieve this, DOE Headquarters must collaborate with closure site communities and site stewards to ensure that in-depth information is available to the public on an ongoing basis. This will require cooperating with closure-site stewards to provide outreach regarding the types of information that are available and how they can be accessed.