**Department of Energy**
Washington, DC 20585
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MEMORANDUM FOR DONALD ERBSCHLOE
CHIEF OPERATING OFFICER
OFFICE OF SCIENCE

DR. INÉS R. TRIAY
CHIEF OPERATING OFFICER
OFFICE OF ENVIRONMENTAL MANAGEMENT

FROM: RAYMOND L. ORBACH
DIRECTOR
OFFICE OF SCIENCE

JAMES A. RISPOLI
ASSISTANT SECRETARY FOR
ENVIRONMENTAL MANAGEMENT

SUBJECT: Terms and Conditions for Site Transition

Please distribute the attached document, entitled *Office of Science (SC) and Office of Environmental Management (EM) Terms and Conditions for Site Transition,* to each of your respective sites. This document represents a collaborative effort between EM and SC to define strategy and guidance for transition of sites with enduring Departmental missions from EM to SC. The document addresses the major areas of activity that must be resolved prior to site transfer, including budget, records management/IT, workforce restructuring, and real property; and provides guidance for any contingencies that cannot be identified and resolved prior to transfer.

Please recognize that this document is a framework for site transition, i.e., it is not meant to be all-encompassing or to precisely define roles and responsibilities. EM and SC acknowledge that each site transfer will have its own special set of circumstances that must be addressed. This document, however, provides transitional direction for sites as they progress toward transfer.

In the next few months, we will provide more specific information and guidance on development of site transition plans. If you have any questions concerning the *Terms and Conditions for Site Transition,* please contact Dr. Robert Goldsmith, EM-23, at (301) 903-4954, or Mr. Arnold Edelman, SC-31.1, at (301) 903-5145.

Attachment

Printed with soy ink on recycled paper

**Office of Science and Office of Environmental Management**
**Terms and Conditions for Site Transition**

This document outlines the terms and conditions for managing and funding site transition activities between the Office of Environmental Management (EM) and the Office of Science (SC).

**Planning/Process**

- EM and SC will conduct the site transition process in accordance with the applicable regulations and Department of Energy (DOE) Orders (mainly *DOE O. 430.1B Real Property Asset Management* and *DOE O. 413.3 Program and Project Management for Acquisition of Capital Assets*).

- EM and SC will work together to develop planning documents and cost estimates for the management of post-closure activities at the site(s).

- EM Federal Project Director and the SC Site Office Manager will submit a joint quarterly progress report on transition activities to EM and SC Headquarters. The quarterly progress report should address such items as: site conditions, regulatory requirements, budget, personnel, public outreach, work scope, assumptions, issues, and lessons learned.

- EM and SC will jointly develop the Site Transition Plan (STP).

- EM will lead development of the Critical Decision-4 (CD-4) Package with support from SC for those portions of CD-4 Package that address activities to be transferred to SC.

- EM and SC will jointly develop a Long-Term Surveillance and Maintenance Plan (LTS&M Plan) or equivalent.

- A transition readiness assessment will be conducted by EM and SC; findings and corrective actions will be addressed in the CD-4 Package. EM and SC will provide an appropriate level of staff support to the review teams.

**Budget Responsibility**

- The budget formulation responsibility for a site remains with EM until the target transfer to Science is made. The Office of Science budget execution responsibility begins once an appropriation that reflects the target transfer is in place.

- EM will develop and provide a life-cycle baseline (including costs related to records management, expected surveillance and maintenance, public outreach, state funding, etc.) and supporting basis of cost estimates for the first five years of *post-completion* management in time for the preparation of the Corporate Review Budget for the proposed FY of transfer. This baseline will be the basis for the 5 year funds transfer in the Program Budget Decision and be reflected in the STP.

- EM and SC will jointly develop the functional transfer document for approval by the Chief Financial Officer (CFO).

- EM will develop the DOE environmental liability estimate in accordance with Departmental policies and procedures. Responsibility for developing the environmental liability estimates will transfer to SC on the first day of the fiscal year (FY) following site transfer.

- Funding for and management of the following activities will be the responsibility of EM until they are completed or as stated below:
  - Litigation regarding EM cleanup or other EM activity;
  - The closeout of contracts associated with cleanup and closure of the site.
  - Records of Decisions, Remedial Action Reports, closeout documentation, and other EM related documents. SC is responsible for associated 5 year reviews and delistings.

**Work Force**

- EM will retain responsibility for open Worker Compensation claims under the state workers compensation system.

**Records Management/Information Technology**

**EM will:**

- Plan, budget, and provide qualified resources to manage federal and contractor record inventories and information technology (IT) systems in accordance with all Federal, National Archives and Records Administration (NARA), and DOE Orders (Draft *DOE O. 243.X Records Management Program, DOE O 200.1 Information Management Program, 36 CFR, and 44 USC*) through programmatic transfer.

- Ensure that each STP addresses Information and Records Management.

- Transfer all remaining records inventories; both federal and contractor held, to a SC approved record storage facilities prior to program transfer. Prior to disposition in approved records storage facilities, all records inventories shall meet NARA storage requirements.

- Ensure that agreements are in place to disposition records, prior to program transfer, for those records that do not transfer to SC (i.e., current contract close-out records, ongoing litigation and FOIA/Privacy Act requests, transuranic waste-related records, and classified records).

- Responsible for the disposition of all classified records to authorized facilities and identify long-term custodian prior to programmatic transfer.

- Transfer all applicable IT system/application licenses to SC that are required. EM is responsible for disposition of all IT applications/systems not needed by SC.

- Provide electronic conversion of environmental and record data for post-*completion* management and support services.

- Provide exports of databases and program source code for Information Systems being migrated to SC for stewardship operations and services.

- Responsible for formatting associated with IT applications/systems in order to transition data to SC.

**SC will:**

- Define the records, data, and format (electronic and hard copies) that are needed for post-*completion* management of the site.

- Provide, when requested by EM during site transition, records management services for frequently accessed, short-term records that are agreed to be transferred prior to physical site transfer.

- Provide renewals of all IT system/application licenses that are required to maintain post completion activities.

- Identify IT applications needed for post-completion management of and support services for the site.

- Specify the system and data content and format requirements for the IT applications needed for post-closure management and support.

- Integrate monitoring data for clean up into the appropriate laboratory management systems.

**Contracts and Grants**

- For contracts and/or grants that are transferring to SC, EM will provide copies of procurement documents to SC and work with EM to identify points of contact in appropriate business centers.

**Real Property**

- For real property transferring to SC, EM will develop and provide: real property records including access agreements for off-site wells or land parcels required for LTSM.

- The DOE Site Office will modify financial information management system at the time of program transfer to reflect any real property transfers.

- EM will initiate the documentation to transfer real property from EM to SC and coordinate the finalization with SC and the Office of Management (MA).

**Unanticipated Cost and Scope:**

- EM is responsible for unanticipated costs and scope related to EM commitments made prior to the transfer and identified during the 1st FY following transfer.

- Unanticipated costs and scope related to the EM clean up, discovery of legacy contamination, or failure of installed remedies will be coordinated between SC and EM. If agreement on responsibility cannot be reached, EM and SC will raise the issue to the Under Secretary for resolution.

Raymond L. Orbach FEB 09 2006 — JA Rispoli 2-5-2006

Dr. Raymond L. Orbach — Date
Director, Office of Science

James A. Rispoli — Date
Assistant Secretary for
Environmental Management