

QUESTIONS FOR LONG-TERM STEWARDSHIP PANELISTS
2004 INTERGOVERNMENTAL MEETING WITH THE U.S. DEPARTMENT OF ENERGY
DECEMBER 9, 2004

Terminology:

- What terminology does DOE prefer: long-term stewardship; long-term surveillance and maintenance; perpetual institutional control; something else?

Roles & Responsibilities:

- What roles do you see for States, Tribes, and local governments for **oversight** at DOE Long-Term Stewardship sites? For **implementation**? How should these responsibilities be determined?

Status of Implementation:

- To what extent are NNSA, NE, and SC reaching out for assistance or guidance from LM regarding long-term stewardship at the sites for which they are landlord?
- How well is LM's *Site Transition Framework* working to date – from an LM and from an NNSA, NE, and SC point of view? Which *Site Transition Plans* have been submitted so far? Have NNSA, NE and SC worked on any *Site Transition Plans*? If not, how are you planning to implement LTS policies and/or conduct site transitions?

Institutional Controls:

- Under what circumstances, if any, is DOE considering 'federal ownership of the land' as an institutional control for a site with residual contamination?
- "Defense in depth," is a design principle recommended by the National Academy of Sciences. Is DOE using this design principle in any of its planning for LTS?

Funding:

- In future budget requests to Congress, how can/will DOE-LM and other DOE offices (NE, NNSA, SC) emphasize the importance of adequate and uninterrupted funding for long-term stewardship measures?

Oversight & Monitoring:

- Many states and tribes¹ would like to conduct oversight monitoring or share monitoring responsibilities at specific sites. Does DOE plan to share monitoring responsibilities with the states and tribes? If so, how might that be accomplished?

Policy:

- The Department of Defense seems to have embraced the Uniform Environmental Covenants Act. Has DOE been considering UECA in its plans related to LTS sites? If not, has DOE been considering something similar to UECA?
- Could you discuss what “rolling stewardship” is and how it affects DOE-LM’s LTS activities? Has NE, SC or NNSA considered the idea of “rolling stewardship”? If so, in what context?

IC Data Standard:

- Did DOE comment or take a position on the Institutional Controls Data Standard—proposed by the Environmental Data Standards Council—that went out for public comment on August 3, 2004?

Lead Regulator:

- We know that at Rocky Flats, the state is going to be the lead regulator. Is DOE currently looking at having a state serve as lead regulator for the post-closure period at any other sites (i.e., in cases where EPA supports the state serving in this role)?

¹ Tribes will have a major role in monitoring LTS activities by DOE – with a role equal to or greater than in some cases to states and local governments. Tribes have a government – to – government relationship with DOE and DOE has a Trust Responsibility to Tribes as well as a need to meet Treaty Obligations.