

Frequently Asked Questions

What is the PEIS Settlement Agreement?

In June 1989, the Natural Resources Defense Council, Inc. (NRDC) and other organizations filed suit against the Department of Energy's (DOE's) Secretary James Watkins over the Department's failure to prepare a Programmatic Environmental Impact Statement (PEIS) regarding its environmental management and weapons modernization activities. In October 1990, a settlement was reached which called for the development of two PEIS's, one covering the nuclear weapons complex's future configuration and one for the Environmental Restoration and Waste Management (ER/WM) Program.

In 1995, DOE modified the scope of the ER/WM PEIS to exclude environmental restoration activities. In 1997, the NRDC, acting on behalf of itself and 38 non-governmental groups, filed suit against DOE and several DOE officials, alleging that DOE violated the 1990 consent order by failing to prepare a Programmatic Environmental Impact Statement (PEIS) for the Department's environmental restoration program, and that this constituted contempt of court. On December 12, 1998, DOE and NRDC settled through an official settlement agreement.

What are terms of the PEIS Settlement Agreement?

The Settlement Agreement reached by NRDC and DOE avoided further litigation by mandating that DOE take three major actions to enhance public understanding of the multi-billion dollar cleanup of DOE's nuclear weapons complex. The terms of the Settlement Agreement require DOE to accomplish three major tasks:

1. Develop and deploy an integrated database containing available information on waste, facilities, and contaminated media for which DOE has responsibility;
2. Conduct a study on long-term stewardship for DOE sites; and
3. Establish a \$6.25 million fund for technical and scientific reviews.

Why is DOE holding a National Forum and what will it address?

Under the terms of the Settlement Agreement, DOE must sponsor at least two National Stakeholder Forums to address issues relating to the database (hereinafter referred to as the Central Internet Database) stipulated in the settlement agreement. The purpose of this first stakeholder forum is for DOE representatives and stakeholders to review the proposed outline, structure, and linkages of the database required by the terms of the Settlement Agreement. DOE will conduct the second National Stakeholder Forum no sooner than one year after the date on which DOE announces that the Central Internet Database is operational. The subject of the second forum will be the operation of the Central Internet Database, including its structure and linkages to other databases. DOE is required to maintain the database for a minimum of five years

following the second National Stakeholder Forum. Upon plaintiffs' request, DOE will sponsor a third National Stakeholder Forum before the expiration of the five-year period to consider the issue of whether DOE will maintain and operate the Central Internet Database beyond the required five-year period.

What specific requirements must DOE satisfy with the Central Internet Database?

The Settlement Agreement requires DOE to:

- Establish a central database, available to the public over the Internet, which will contain information in the following categories:
 - Contaminated environmental media, contaminated facilities, and waste managed by the DOE Environmental Management (EM) program.
 - Contaminated facilities and waste generated or managed by the DOE Offices of Defense Programs (DP), Science (SC), and Nuclear Energy (NE).
 - DOE-managed domestic, and foreign research reactor spent nuclear fuel; spent fuel from commercial reactors is excluded.
 - Sites governed by Section 151(b) of the Nuclear Waste Policy Act (NWPA), as amended, upon the transfer of those sites to DOE ownership.
 - Sites managed as part of the Formerly Utilized Sites Remedial Action Program (FUSRAP), if they have been returned to DOE for management.
- For each of the categories listed above, DOE will maintain the following information in the database:
 - Location of site/radioactive material
 - Volume or mass of radioactive material
 - Chemical constituents
 - Radioactivity of materials
 - Generator of waste or contaminated materials
 - Waste disposition plans and waste transfers

The PEIS Settlement Agreement requires that the Central Internet Database include only data that are available and currently collected by DOE on a national level, or that are already planned to be collected in the future by DOE on a national level. The Central Internet Database will not include any information that is classified, controlled, or proprietary. DOE must make the database available to the public over the Internet through a web-based reporting tool

(e.g., web site) that provides the capability to generate standard reports and perform searches and queries.

Who from DOE will be attending the forum?

Representatives from the DOE Offices of Environmental Management (EM), Defense Programs (DP), Science (SC), and Nuclear Energy (NE) and General Counsel (GC) will be attending the forum, some of whom will present information and participate in forum sessions.

