

Office of Environmental Management – Grand Junction



Moab UMTRA Project
Records Management Program Plan

Revision 2

September 2016



U.S. Department
of Energy

Office of Environmental Management

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Acronyms and Abbreviations

CBC	Consolidated Business Center
CFR	Code of Federal Regulations
DOE	U.S. Department of Energy
EM	Office of Environmental Management
EPA	U.S. Environmental Protection Act
FOIA	Freedom of Information Act
FRC	Federal Records Center
NARA	National Archives and Records Administration
NRC	U.S. Nuclear Regulatory Commission
RAC	Remedial Action Contractor
RMFO	Records Management Field Officer
SF	Standard Form
TAC	Technical Assistance Contractor
UMTRA	Uranium Mill Tailings Remedial Action
UMTRCA	Uranium Mill Tailings Radiation Control Act
USC	United States Code

Executive Summary

This Records Management Program Plan is a comprehensive resource for the management of Moab, Utah, Uranium Mill Tailings Remedial Action (UMTRA) Project site records (Moab UMTRA Project records). The Plan establishes the U.S. Department of Energy (DOE), the National Archives and Records Administration (NARA), and the DOE Office of Environmental Management (EM) requirements for the creation/receipt, use, maintenance, and disposition of Moab UMTRA Project records.

This Plan proposes roles and responsibilities for records management transition tasks, including post-transition records management activities. The Plan establishes an approach to transfer custody of specific Moab UMTRA Project records maintained by the current contractor to a new contractor, as required, and is designed to facilitate all participants' understanding of what actions must be completed. DOE-EM will work with the contractors to ensure all records transfer activities are accomplished.

1.0 Moab, Utah, UMTRA Project Records

Moab records currently reside in a number of physical locations. These locations include offices of the DOE Office of Environment Management (EM), the Moab Project Remedial Action Contractor (RAC) and Technical Assistance Contractor (TAC) offices in Grand Junction, Colorado, and Moab and Crescent Junction sites in Utah.

Moab UMTRA Project records that have been identified include but are not limited to:

- Site characterization.
- Environmental remediation.
- Ground water.
- Site monitoring and verification.
- Regulatory interface, such as U.S. Nuclear Regulatory Commission (NRC) and the Utah Department of Health.
- Vicinity properties.

NOTE: Records may be paper, photographic, microfilm, or electronic media.

DOE-EM established a policy to preserve official agency records and to provide the public with access to critical documents. Public access has been accomplished through maintaining a reading room in the Grand County Library at Moab, Utah. An additional means of continuing with DOE's "openness initiative" is posting information to the Moab UMTRA Project website at <http://www.gjem.energy.gov/moab/>.

The Moab Federal Project Director will execute the necessary agreements with other offices, agencies, or contractor entities to establish the responsibility, funding, and authority for the management and transfer of site records. Final transfer of records custody will occur when site transition is declared complete. Records custodianship includes the responsibility for responding to records requests, including Title 5 United States Code Chapter 552 (5 USC 552), Freedom of Information Act (FOIA) and 5 USC 552a, Privacy Act, requests and/or 42 USC 7834, "Energy Employees Occupational Illness Compensation Program Act," claims, and any other records requests from other Department elements, other agencies, regulators, and stakeholders.

2.0 History

Uranium ore was mined in significant quantities in the United States for more than 40 years. Initially, the ore was mined and milled by private companies for use in national defense programs by the federal government and as fuel for nuclear power plants. These milling operations created process-related wastes and tailings, a sandy product that contains radioactive materials and other contaminants.

Over time, seepage from the tailings pile resulted in contaminated ground water beneath the uranium ore-processing site. Scientists, community leaders, and public officials became more aware of the potential health risks associated with long-term exposure to uranium mill tailings during the 1970s.

Public concern about potential human health and environmental effects of uranium mill tailings led the U.S. Congress to pass 42 USC 7901, the “Uranium Mill Tailings Radiation Control Act,” (UMTRCA) in 1978 (Public Law 95–604), which required the cleanup of inactive uranium ore-processing sites.

In 1983, the U.S. Environmental Protection Agency (EPA) developed regulations, Title 40 Code of Federal Regulations Part 192 (40 CFR 192), “Health and Environmental Protection Standards for Uranium and Thorium Tailings,” to protect the public and the environment from potential radiological and non-radiological hazards at inactive uranium ore-processing sites.

DOE is responsible for surface remediation of the Moab UMTRA Project and for bringing ground water contamination into compliance with EPA standards in 40 CFR 192 Subpart B, “Standards for cleanup of Land and Buildings Contaminated with Residual Radioactive Materials from Inactive Uranium Processing Sites.”

2.1 Site Description

The DOE Moab UMTRA Project site is located approximately 3 miles northwest of the city of Moab in Grand County, Utah, and includes the former Atlas Minerals Corporation (Atlas) uranium ore-processing facility. The site is situated on the western bank of the Colorado River at the confluence with the Moab Wash. The site encompasses 483 acres, and the uranium tailings pile is approximately 130 acres.

The Moab mill was constructed in 1956 by the Uranium Reduction Company, which operated the mill until 1962, when the assets were sold to Atlas. Uranium concentrate, the milling product, was sold to the U.S. Atomic Energy Commission through December 1970. During its years of operation, the mill processed an average of approximately 1,400 tons of ore per day. Atlas operated the site until 1984 under a license and regulatory authority provided by NRC.

When the processing operations ceased in 1984, an estimated 16 million tons of uranium mill tailings and tailings-contaminated soil were present in an unlined impoundment located in the western portion of the property. Atlas placed an interim cover over the tailings pile in 1995 as part of ongoing decommissioning activities conducted between 1988 and 1995.

Atlas proposed to reclaim the tailings pile for permanent disposal in its current location, but declared bankruptcy in 1998 and, in doing so, relinquished its license and forfeited its reclamation bond. Because NRC could not legally possess a site it regulated, NRC appointed PricewaterhouseCoopers as the trustee of the Moab Mill Reclamation Trust and the licensee for the site. The trustee used the forfeited reclamation bond funds to initiate site reclamation, conduct ground water studies, and perform site maintenance activities.

In October 2000, Congress and the President approved the “Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001” (Public Law 106–398). The act stipulated that the license issued by NRC for the materials at the Moab UMTRA Project be terminated and that the title and responsibility for cleanup be transferred to DOE.

The title of the site was transferred to DOE on October 25, 2001. Specifically, the DOE-EM office in Grand Junction now has primary responsibility for the Moab UMTRA Project. The act further designated that the Moab UMTRA Project undergo remediation in accordance with Title I of UMTRCA.

In July 2005, DOE published the *Moab UMTRA Project Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties, Utah, Final Environmental Impact Statement* (DOE/EIS-0355), which presented the preferred alternatives of active ground water remediation and off-site disposal of the tailings pile and other contaminated materials at the Crescent Junction, Utah, disposal site using mainly rail transportation.

The preferred alternatives included cleanup and reclamation of the millsite property and certain off-site properties known as vicinity properties. In September 2005, DOE issued the *Record of Decision for the Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties, Utah* (6450-01-P), which detailed the selection of the preferred alternatives and the basis for that decision. The Record of Decision was amended in 2008 to allow transport of the tailings by either truck or rail.

3.0 Records Program Background

The Federal Records Act of 1950 (42 USC 31) requires agencies to prepare and preserve records that adequately document their organizations, functions, policies, decisions, procedures, and essential transactions. To comply with this act, agencies must establish and maintain programs that control the life cycle of their records, which consists of record creation, maintenance, use, disposal, and preservation.

The National Archives and Records Administration (NARA) assists federal agencies to comply with the requirements of the act by:

- Setting standards and recommending efficient procedures to control the life cycle of records.
- Providing training on effective records management techniques.
- Inspecting records management practices of the agencies.
- Recommending ways for agencies to improve their programs.

The Project may also create and manage important scientific and technical information that provides essential information about remediation and disposal of the Moab tailings. These records are currently maintained by the contractor and, when no longer needed, will be transferred by DOE-EM to the appropriate Federal Records Center (FRC) or other approved records storage facility.

4.0 Responsibilities

4.1 Contractors

The TAC maintains the majority of the Project records and will be responsible for their continued use, maintenance, and disposition. The contractor is responsible for the custody transfer of all Moab UMTRA Project records to a new contractor as required.

DOE-EM will work with the contractors to ensure all records requirements are met during any records transfer or change in custody. The RAC will provide Project records created or received by the RAC to the TAC.

The current TAC has the following roles and responsibilities.

- The TAC is responsible for Project records created for the Moab Project in accordance with established federal regulatory requirements and DOE-published policy, procedures, and guidance.
- The TAC will post documents of stakeholder interest to the Moab Project website as appropriate.
- Sharing information with the public, as well as local, state, and other federal government entities, will be accomplished to the fullest extent possible unless the information is exempt from mandatory public disclosure pursuant to one or more of the exemptions of FOIA or other applicable statutes
- The TAC will retain all records involving litigation. Once the litigation has been settled, if appropriate, the records will be transferred to the FRC or other approved records storage facility; at site closure, copies of the transfer documents will be provided to DOE-EM.
- Contractor employees who have continuing responsibilities for creating and managing active records will work with the Records Management staff to reach the necessary agreements and establish target dates to disposition their records or their transfer of records to a new contractor.
- The Project does not have custody of any classified records. If any documents are found, they will be given to the responsible security group.
- The contractor will, as requested in support of contract transition, provide DOE-EM with all finding tools used by the contractor to create, retrieve, or store Project records.
- Until cleanup activities are completed and all contractual obligations are met and closed out, the contractor is responsible for the active use, retention, and disposition of all records associated with these activities.
- The TAC provides a records management training or awareness program that will provide appropriate training to contractor employees so as to ensure the management of Project records in accordance with applicable legal requirements.

4.2 DOE-EM

For the purposes of this Plan, the following responsibilities are those of the Moab Federal Project Director.

- DOE-EM is responsible for responding to all requests for access to or copies of records consistent with appropriate and approved DOE practices. These include, but are not limited to FOIA requests, Privacy Act requests, and other external requests for records.
- DOE-EM will post initial FOIA/Privacy Act contact information.
- When necessary, DOE-EM will use established methods and ensure protection of an employee's privacy for any sensitive records being retrieved, used, or provided to a requestor.
- DOE-EM will review this Records Management Program Plan.

5.0 Specific Records Management Topics

5.1 Contract Close-out Plan

An inventory identifying all Moab Project records will be provided to DOE-EM for transfer to a follow-on contractor. A copy of any NARA Standard Form (SF) 135s for Project records transferred to an FRC will be provided. A walkthrough of the active file area with the follow-on contractor will also be completed and documented. The final records transfer will be formally documented and approved.

5.2 Disposition and Destruction of Records

As remediation of the site progresses, more records will have reached the end of their retention period. Federal regulations that govern the destruction of records are codified at 36 CFR 1228, "Disposition of Federal Records."

DOE-EM is responsible for confirming records have reached their retention period and for approving their destruction.

All records destruction documentation will be provided to DOE-EM.

NOTE: Temporary records stored at an FRC or approved facility will be destroyed by the FRC or approved storage facility when the retention period has been met.

5.3 DOE-EM Moab Federal Project Director Role

The DOE-EM Moab Federal Project Director will evaluate all requests to destroy records. The requests should include identification of the records to be destroyed, a description of the records series, inclusive dates, media type, and disposition schedule authorization. Upon approval of the request, forms will be forwarded to EM Consolidated Business Center (CBC) Small Sites Records Management Field Officer (RMFO) for destruction approval.

The FRC will notify the EMCBC RMFO that these records are eligible for destruction 90 days before the end of the retention period. Once the approval has been received, the FRC must ensure the records are appropriately destroyed.

- **Scheduled Records:** The DOE-EM Moab Federal Project Director will ensure NARA-approved schedules are used to schedule and preserve all Project records. Permanent records will be transferred to NARA at the appropriate time.
- The Moab Records Management Program ensures Project records are maintained and protected throughout the life cycle of the record. Project records retention schedules and disposition are accomplished in accordance with the requirements of 36 CFR 1220, Subchapter B, "Federal Records; General, Agency Records Management Responsibilities," which is in alignment with current DOE practices and NARA guidance.
- Sharing information with the public and local, state, and other federal government entities, will be accomplished to the fullest extent possible unless the information is exempt from mandatory public disclosure pursuant to one or more of the exemptions of FOIA or other applicable statutes.

5.4 Radiological Dose Records

These records contain the occupational radiation dose records of the Moab Project employees being monitored for internal and external radiation exposure. The records include exposure information to extremities (e.g., head, arms, legs), whole body, radon progeny (e.g., lungs), and internal doses from other radioisotopes. Former employees can request copies of their exposure records through the Privacy Act.

5.5 Electronic Records

DOE-EM will ensure any electronic tools developed for the Moab Project will meet all electronic initiatives established by the federal government (i.e., E-Gov) and that PDF images identified as records meet NARA archival format requirements.

5.6 Epidemiological Records

The TAC maintains responsibility for the health-related information contained in epidemiological records aimed at discovering relationships among the various factors determining the frequency and distribution of diseases, if any, related to occupational or environmental hazards. Epidemiological records are scheduled as appropriate. Epidemiological records are identified in DOE records schedules.

5.7 File Plans and Procedures

- File plans are developed and maintained for the Moab Project.
- The *Moab UMTRA Project Records Management Manual* (DOE-EM/GJ1545).

5.8 Litigation Holds

The DOE-EM Moab Federal Project Director who receives notification from the Office of Chief Counsel will direct the contractor to identify and hold records that are needed or foreseen to be needed for litigation.

5.9 Project Records

Aids to find records in collections consist of:

- The Moab Department of Energy Records Management System; Moab Project records are currently managed in this electronic information system.
- The Moab Site File Plan provides file parameters and metadata attributes such as file number, location, retention, and disposition criteria (see Appendix A).
- A hard-copy index in each box of records transferred to the FRC or other storage area that identifies the contents of each box.
- SF-135 forms for paper records that identify the locations of records that have been dispositioned to the FRC.
- Destruction certificates, if any.

These aids will be turned over to DOE-EM.

5.10 Vital Records

Vital records are essential records needed to meet operational responsibilities under national security emergencies, disaster conditions (e.g., emergency operating records), or to protect the legal and financial rights of the government and those affected by government activities (i.e., legal and financial rights records). These records will be annotated in the Moab Site File Plan, and a duplicate record copy will be maintained at the remote site.

5.11 Quality Records

The Project's Quality Assurance Program follows the American Society of Mechanical Engineers National Quality Assurance NQA-1 Standards. Project quality records will be managed as this standard requires.

5.12 Email Records

Email is a form of correspondence. If an email message contains information meeting the definition of a record, the email, the metadata, and any attachments will be managed as a record.

6.0 Moab Records Storage Facilities

6.1 NARA

NARA is a federal agency that preserves the nation's history and oversees the management of all federal records. NARA enables individuals to inspect government records, allows officials and agencies to review their actions, and helps citizens hold the agencies and officials accountable for those actions. NARA ensures continuing access to essential evidence that documents the rights of United States citizens and the actions of federal agencies. Only permanent records are held by NARA.

6.2 FRC

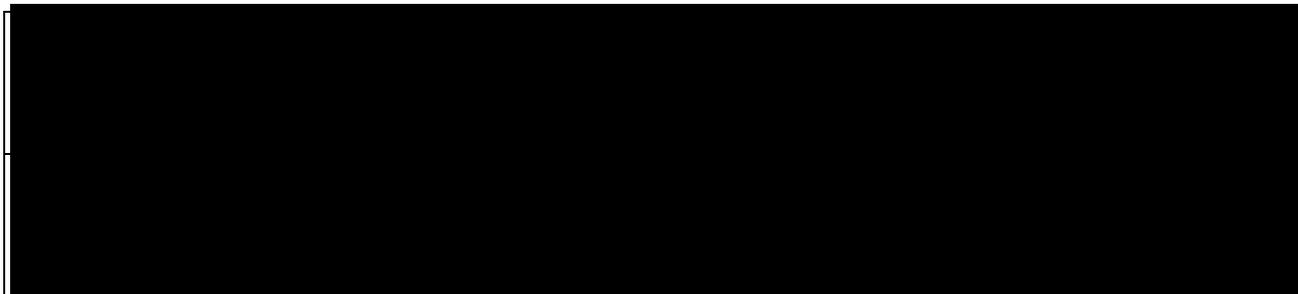
The FRC serves as a Records Center, storing records from federal agencies. Their records are still in the custody of the federal agency, and records access, retrieval, storage costs, and activity charges remain the responsibility of the transferring agency.

7.0 Records Program Transition and Continuity Tasks

During any contract transition, DOE-EM will continue to process any FOIA and Privacy Act requests that are in progress. When the contractor accepts custody of all Moab Project records, DOE-EM will provide the contractor with the following: (1) the status of any ongoing FOIA and Privacy Act actions, (2) the status of any litigation requests received in the previous 12 months with estimated response times, (3) estimated volumes of records at turnover, and (4) any backlog of active records in process.

DOE-EM and the contractor will prepare this Plan and will specify the records ownership requirements for their disposition or transfer to the new custodians, records storage locations, resources to be provided, and resources needed for follow-on records management responsibilities.

Table 1. Points-of-Contact



8.0 References

36 CFR 1220 (Code of Federal Regulations), “Federal Records; General.”

36 CFR 1228 (Code of Federal Regulations), “Disposition of Federal Records.”

40 CFR 192 (Code of Federal Regulations), “Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings.”

5 USC 552 (United States Code), “Freedom of Information Act.”

5 USC 552a (United States Code), “Privacy Act.”

42 USC 7384 (United States Code), “Energy Employees Occupational Illness Compensation Program.”

42 USC 7901 (United States Code), “Uranium Mill Tailings Radiation Control Act,” (Public Law 95-604).

44 USC 31 (United States Code), “Federal Records Act of 1950.”

DOE (U.S. Department of Energy), *Moab UMTRA Project Records Management Manual* (DOE-EM/GJ1545).

DOE (U.S. Department of Energy), *Moab UMTRA Project Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties, Utah, Final Environmental Impact Statement* (DOE/EIS-0355)

DOE (U.S. Department of Energy), *Record of Decision for the Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties, Utah* (6450-01-P).

Public Law 106-398, “Floyd D. Spence National Defense Authorization Act.”

Appendix A.
Sample EM Moab Site File Plan

Appendix A. Sample EM Moab Site File Plan

File Number and Title	Record Custodian	File Station	Transfer Requirements	Retention Schedule	Disposition Authority	Annotations
MOA 20.0 HEALTH AND SAFETY (H&S)						
20.1	Reserved					
20.2	Correspondence on H&S					
20.2.1	Contractor Internal H&S Correspondence	HS	MRC	2yr	U-98.7.b	N
20.2.2	Contractor to DOE/Others H&S Correspondence	HS	MRC	Permanent or 2yr	U-98.7.a U-98.7.b	L
20.2.3	DOE/Others to Contractor H&S Correspondence	HS	MRC	Permanent or 2yr	U-98.7.a U-98.7.b	L
20.3	Emergency Response <i>NOTE: See MOA 5.3 for Emergency Response Memorandum of Understanding</i>					
20.3.1	Emergency Response Correspondence	HS	MRC	3yr	ADM-18.28	N
20.3.2	Emergency Response Exercise Reports	HS	MRC	3yr	ADM-18.28	N
20.3.3	Emergency Response Event	HS	MRC	3yr	ADM-18.28	N
20.4	H&S Checklists and Daily Logs					
20.4.1	Task Awareness Worksheet, (TAW), Daily Pre-Check, Task Awareness Score Card (TASC)	HS	MRC	5yr	ADM-18.36.1	N
20.5	H&S Log Books	HS	MRC	75yr	ADM-1.21.3.c	N
20.6	H&S Instrument Calibration Records (non-radiation)	HS	MRC	5yr	ENV-4.b.9.b	N
20.7	Industrial Hygiene					
20.7.2	Industrial Hygiene Air Sampling Data Sheets	HS	MRC	NLN	ADM-1.21.3.a.3	After data verified N
20.7.3	Industrial Hygiene Analytical Reports	HS	MRC	75yr	U-98.10	N
20.7.4	Industrial Hygiene Inspections	HS	MRC	75yr	U-98.10	N
20.7.5	Industrial Hygiene Survey Map	HS	MRC	75yr	U-98.10	N
20.7.6	Noise Surveys (personal and equipment)	HS	MRC	75yr	U-98.10	N
20.7.7	Real Time Monitoring Record (except those included in Confined Space Case File)	HS	MRC	75yr	U-98.10	N
20.7.8	Confined Space Case Files	HS	MRC	75yr	U-98.10	N
<i>Case files will be maintained for those documents supporting Confined Space Permits. File may include</i>						
<i>– Confined Space Entry Permit</i>						
<i>– Confined Space Evaluation</i>						
<i>– Real Time Monitoring Record</i>						
20.7.8.1	Confined Space Logs	HS	MRC	75yr	U-98.10	N
20.7.8.2	Confined Space Annual Review	HS	MRC	75yr	U-98.10	N
20.8-10	Reserved					