



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF REMEDIATION - DOE OVERSIGHT OFFICE
761 EMORY VALLEY ROAD
OAK RIDGE, TN 37830

May 4, 2016

Mr. John Michael Japp
Federal Facility Agreement Manager
Department of Energy
Oak Ridge Operations Office
PO Box 2001
Oak Ridge TN 37831

Dear Mr. Japp

Tennessee Department of Environment and Conservation Comments on the Department of Energy (DOE) Fiscal Year 2018 Budget Request

The Tennessee Department of Environment and Conservation (TDEC), Division of Remediation Oak Ridge Office (DoR-ORO), has reviewed and discussed DOE's Fiscal Year 2018 (FY18) budget priorities presented in both meetings with the FFA parties and meetings with the Oak Ridge Site Specific Advisory Board (SSAB). The State has serious concerns with DOE's priorities and urges DOE-Oak Ridge to include these concerns pursuant to Section XXXVIII.B. of the Federal Facility Agreement (FFA) as unresolved issues in any communication regarding the FY18 budget request to DOE-HQ. While these additional activities may well constitute a level of funding above target guidance, the activities are needed under Appendix J to require work at the pace set by milestones in Appendix J established under the FFA to get to a final completion date.

To ensure the continued implementation of FFA work priorities in Oak Ridge, the FY18 budget request should address the following issues:

- The FY18 DOE-OR planning case of \$391M does not support the negotiated and approved FFA Appendix J schedules. The current schedules are based on a \$420M budget through 2018 with the appropriate escalation through to the completion of clean-up. Furthermore, the \$420M budget level (with escalation) is required to comply with the FFA Appendix J completion date of 2047. In reality, annual shortfalls of \$30M will extend the life of the DOE-OR cleanup program for decades. For example, the reduced annual funding has recently caused the planned end date for completion of remediation to be extended from 2047 to 2064 (this schedule slippage has not yet been documented in the FFA). For DOE to unilaterally decide to modify these negotiated and approved FFA schedules are inappropriate and inconsistent with the process of establishing and negotiating schedules described in the FFA. The FY18 budget request should include the \$420M to satisfy the FFA Appendix J schedules without creating a "bow-wave" of unfunded work which will ultimately cause major schedule adjustments.

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- The current DOE budget does not provide sufficient funding to implement the necessary groundwater program to ensure adequate characterization, better understanding, and development of proper remediation plans for numerous groundwater plumes on the ORR. In 2014, the FFA parties finalized an ORR groundwater strategy which listed 30+ known groundwater plumes and identified the need to begin characterization work on those plumes. Currently, the reduced Oak Ridge Environmental Management budget has prevented DOE-OR from including these identified projects in their baseline, because funding is not available to develop the appropriate levels of work scopes. Without the funds to include these projects in the Oak Ridge baseline, DOE-OR has very limited plans during the next 30 years to address these known groundwater plumes (i.e. the plumes that will continue to migrate). The relatively small annual commitment of \$1M to DOE-OR's entire groundwater program for full characterization/remediation of known groundwater problems on the ORR will take several decades. The FY18 budget request should include the necessary funding to implement a meaningful groundwater program in Oak Ridge to implement the characterization/remediation process on several groundwater projects.

Questions or comments concerning the contents of this letter should be directed to Randy Young at (865) 481-0995.

Sincerely



Randy C. Young, FFA Manager

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