

NOTICE OF FINAL DECISIONS TO REISSUE HAZARDOUS WASTE MANAGEMENT PERMITS TO EAST TENNESSEE TECHNOLOGY PARK AND THE OAK RIDGE RESERVATION

The Tennessee Department of Environment and Conservation (TDEC) Division of Solid Waste Management (DSWM) has reissued hazardous waste management permits to East Tennessee Technology Park (ETTP) and the Oak Ridge Reservation (ORR). These actions follow a 45-day public comment period that ended on August 31, 2015. DSWM has summarized the comments on the draft permits and all changes made to the permits in the [Responses to Comments](#) documents that are available for public review.

ETTP (EPA ID No. TN0890090004) is located on the ORR in Roane County at the intersection of Highway 58 and Blair Road (Route 327), Oak Ridge, TN 37831. The renewed permit (TNHW-165, formerly TNHW-117) allows ETTP to store a maximum of 4,806,626 gallons of hazardous waste in containers in the following units: K-1065-A, B, C, D, E, F, G and H; K-1423 WSU Repackaging Unit; and Portable Unit No. 1. It also allows ETTP to treat up to 15,021 kg/day of hazardous waste by neutralization, stabilization/inhibiting, deactivation and absorption. These hazardous wastes are generated at ETTP and other DOE facilities. The waste storage units are used to store containers of hazardous and mixed (radiological) wastes prior to treatment and/or disposal.

The ORR permit (TNHW-164, formerly TNHW-121) provides information on the current status of all solid waste management units (SWMUs) and areas of concern (AOCs) at ETTP; the Oak Ridge National Laboratory (EPA ID No. TN1890090003); and the Y-12 National Security Complex (EPA ID No. TN3890090001). ORR includes property in two Tennessee counties: Roane and Anderson. The corrective action conditions require that the SWMUs and AOCs be investigated and, as necessary, remediated.

Both permits are issued under Tennessee Code Annotated, Section §68-212-101 et seq., and Tennessee Rule Chapter 0400-12-01. The permits are effective as of September 15, 2015, and shall remain in effect until September 15, 2025, unless continued, revoked and reissued, or terminated under applicable regulations.

Electronic copies of the permits, including the Responses to Comments, are available online. Visit <http://go.usa.gov/3F4MB> for direct access to this facility. Paper copies are available for review at the Oak Ridge Public Library, 1401 Oak Ridge Turnpike, Oak Ridge, TN 37830 (865-425-3455); the Kingston Public Library, 1004 Bradford Way, Kingston, TN 37763 (865-376-9905); and the DOE Information Center, Building 1916-T1, 1 Science.gov Way, Oak Ridge, TN 37831 (865-241-4780). These materials are also available at the TDEC Knoxville Environmental Field Office, 3711 Middlebrook Pike, Knoxville, TN 37921 (865-594-6035); the TDEC DOE Oversight Division Office, 761 Emory Valley Road, Oak Ridge, TN 37830 (865-481-0995); and the DSWM Central Office, 312 Rosa L Parks Ave, 14th Floor, Nashville TN 37243 (615-532-0780). Normal state office hours are 8 a.m. to 4:30 p.m. on weekdays, excluding legal holidays.

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If you would like to receive notices like this directly, contact the Public Participation Officer in DSWM's Central Office for a Mailing List Request form. Email Solid.Waste@tn.gov or call 615-532-0788.

RIGHTS OF APPEAL

The administrative and judicial review of this final permit is pursuant under the Tennessee Uniform Administrative Procedures Act, T.C.A. Sections 4-5-317 and 4-5-322 and the Hazardous Waste Management Act, T.C.A. §68-212-113 and Tennessee Rule 0400-12-01-.07(7)(k).

NOTICE ISSUED: September 23, 2015

RESPONSE TO COMMENTS

This document has been prepared in accordance with Tennessee Rule 0400-12-01-.07(7)(j). It has resulted from the Tennessee Division of Solid Waste Management's (DSWM) issuance of a draft permit for permit reissuance (renewal) to East Tennessee Technology Park (ETTP). ETTP EPA ID Number: TN0890090004 is located at Blair Road, Tennessee Highway 58, Oak Ridge, Tennessee, 37831. The draft permit conditions allow the operation and maintenance of Container Storage and Treatment Units, at ETTP. The corrective action conditions for the solid waste management units and areas of concern are included in this permit.

Section A of this document describes the efforts made by the Tennessee Division of Solid Waste Management (DSWM) to obtain public input. Section B summarizes and responds to all significant comments received.

A. Public Involvement Opportunities

On December 27 2013, ETTP published a public notice in the Roane County News and The Oak Ridger announcing a meeting to be held on January 29, 2014, at the DOE Information Center, Building 1916-TI. This notice was also distributed to the Solid & Hazardous Waste Management Mailing List. No members of the public attended this pre-application meeting. No comments were received.

DSWM published a public notice announcing its intent to issue this permit in the July 15, 2015, edition of the Roane County News and The Oak Ridger. This notice was also distributed to the Solid & Hazardous Waste Management Mailing List. Several (30-second) announcements of the action, referencing the notice published in the newspaper, were also aired over two local radio stations: WIVK (107.7 FM) and WOKI (98.7 FM).

The notice established a 45-day public comment period (ending August 31, 2015) and described how interested persons could comment in writing on the proposed actions or request a public hearing. Copies of the permit application, draft permit, fact sheet and public notice were made available for public inspection at six locations announced in the notice: the Oak Ridge Public Library, 1401 Oak Ridge Turnpike, Oak Ridge, TN 37830; the Kingston Public Library, 1004 Bradford Way, Kingston, TN 37763; the DOE Information Center, Building 1916-TI, 1 Science.gov Way, Oak Ridge, TN 37831; the TDEC Knoxville Environmental Field Office, 3711 Middlebrook Pike, Knoxville, TN 37921; the TDEC DOE Oversight Division Office, 761 Emory Valley Road, Oak Ridge, TN 37830; and the DSWM Central Office, 312 Rosa L Parks Ave, 14th Floor, Nashville TN 37243. Electronic copies of the permit applications, draft permits, fact sheets and the public notice were made available online on the Solid Waste Dataviewer; visit <http://go.usa.gov/3F4MB> for access.

B. Public Comment/Response Summary

DSWM did not receive any comments from the public during the 45-day comment period. The comments received were from ETTP and DSWM. This section indicates how each was addressed below.

ETTP Comments

1. Comment: On page 2.1-2, in Attachment 2.1, under Physical and Chemical Characteristics of the Waste, change the sixth bullet to add “RCRA contaminated solvents, metals and corrosive materials, such as spill cleanup residue, will be managed within these units.”

Response: The change has been made.

2. Comment: On page 2.1-2, in Attachment 2.1, under Physical and Chemical Characteristics of the Waste, change the seventh bullet to add “RCRA regulated commercial chemicals products, etc., such as spill cleanup residue, will be managed within these units.”

Response: The change has been made.

3. Comment: On page 2.2-1, in Attachment 2.2, Waste Analysis Plan, the seventh bullet, change “Waste acceptance requirements for storage and disposition,” to “Waste acceptance and disposition requirements.”

Response: The change has been made.

4. Comment: On page 2.2-2, in Attachment 2.2, under Generator Characterization, move the fourth and fifth paragraphs to a new section titled “Waste Characterization.”

Response: The change has been made.

5. Comment: On page 2.2-3, in Attachment 2, add a new section titled “Packaging Requirements” to read “Packaging of waste is typically performed by the generator. No waste should be repackaged by UCOR prior to off-site transport. All packaging, including bulk and labpack, must meet DOT and EPA requirements. Packaging, labeling, container type/size, and packaging material must meet the receiving facilities’ waste acceptance criteria. Void space must be minimized to the extent reasonably achievable.”

Response: The change has been made.

6. Comment: On page 6-1, in Attachment 6, Contingency Plan, change the second bullet, “Attachment 6.2 Preparedness and Prevention,” to “Attachment 6.2 Preparedness and Prevention Requirements.”

Response: The change has been made.

7. Comment: On page 7-5, in Attachment 7, under Decontamination of Equipment and Structures, change the word “be” to “been” in the second paragraph. It now reads “If evidence of radioactivity has been detected, or evidence of leaks/spills are present, or have been documented [...]”

Response: The change has been made.

8. Comment: On page 7-7, in Attachment 7, under Procedures for Decontaminating Closure Equipment add a new bullet point, which reads “Industrial floor scrubber.” “Air powered jackhammers (or equivalent) to break the concrete” is now sixth in this list.

Response: The changes have been made.

9. Comment: On page 8-1, in Attachment 8, Container Management and Treatment, change the first bullet, “Attachment 8.1 Container Management,” to “Attachment 8.1 Container Storage Management and Treatment.”

Response: The change has been made.

10. Comment: On page 8.1-3, in Attachment 8.1, Basic Design Parameters, Dimensions, and Materials of Construction, change the text in section K-1065-A WSU starting with the fifth sentence from “The unit has approximate dimensions of 193 ft. x 226 ft. The unit has the capacity to store 1,011,436 gallons of hazardous wastes and is subdivided into three separate diked areas” to “The unit has approximate dimensions of 193 ft. x 149 ft. The unit has the capacity to store 667,941 gallons of hazardous wastes and is subdivided into two separate diked areas.”

Response: The change has been made.

11. Comment: On page 8.1-3, restore section 1065-B, -C, -D, and -E WSUs which was inadvertently omitted from the draft. The section reads, “K-1065-B, -C, -D, and -E WSUs – These units are container storage units located on the west side of the facility. These WSUs are protected from precipitation because they are totally enclosed in buildings. These units have an 8-in. reinforced concrete floor and each is equipped with concrete curbing that provides secondary containment for the unit. The floor and curbing have been sealed with an epoxy coating. The units have approximate dimensions of 193 ft. x 226 ft. The units each have the capacity to store 1,011,436 gallons of hazardous wastes and are subdivided into three separate diked areas. The engineering drawings of these storage units are shown in Attachment 8.3.

Calculations illustrating the adequacy of the secondary containment systems is provided in Attachment 8.2.”

Response: The change has been made.

12. Comment: On page 8.1-4, under the section Portable Unit No.1, change the word “are” to the word “is.” It now reads, “The portable unit was constructed off-site by a commercial company and delivered ready-to-use and is not....” In the second paragraph, change the words “Walls were” to “The walls are constructed of 2-hour....”

Response: The changes have been made.

13. Comment: On page 8.1-5, under Portable Secondary Containment Systems, change the word “places” in the seventh sentence to “placed” to read “The container to be placed inside the secondary containment....”

Response: The changes have been made.

14. Comment: On page 8.1-8, in Attachment 8.1, under Management Practices, add the word “barcode” in the fourth paragraph before the word number.

Response: The change has been made.

15. Comment: On page 8.2-1, in Attachment 8.2, the title “Container Calculations” change to “Container Management Calculations.”

Response: The change has been made.

16. Comment: On page 8.3-1, in Attachment 8.3, change the title “Attachment 8.3 Engineering Drawings” to “Attachment 8.3 Container Management Engineering Drawings.”

Response: The change has been made.

DSWM Comments

17. Comment: On page I-1, I.A the paragraph has been changed to the current Rule Tennessee Rule 0400-12-01-.07(8)(g)3, the “, any” was replaced with “or” before the word “invasion” and “other” was deleted before “State” to read “Issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.”
18. Comment: On page I-3, I.C.9 the first sentence has been changed to delete the word “and” after the word “land.” At the end of the second sentence deleted the word “them” and added the words “the aforementioned.”

19. Comment: On pages I-9, I-10 has been changed to add the following words “to the Commissioner” to clarify where the reports must be submitted to as follows:
- a. I.D.11.(f)(i) First line after “The permittee shall report”
 - b. I.D.11.(f)(iii) First line after “A written submission shall also be provided”
 - c. I.D.11.(i) First line after “...An annual report must be submitted...”
 - d. I.D.11.(j) First line after “ The permittee shall report...”
20. Comment: On page I-11, I.E. the paragraph has been changed by adding the words “may assert a claim of confidentiality when submitting” to clarify the wording.
21. Comment: On page II-3, II.E.2 the first sentence has been changed to delete the word “which” and move the word “that” in front of the word “ensures” to read “The permittee shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule that ensures.....”
22. Comment: On page II-9, II.I.3(e) the paragraph has been changed to add at the end of the first sentence the word “an” before the word “evacuation.”
23. Comment: On page II-9, II.I.4 the paragraph has been changed at the beginning of the first sentence to add commas after the words “maintain” and “facility” and to add the word “and” after the word “Plan.”
24. Comment: On page II-9, II.I.5(c) the paragraph has been changed to delete the word “in” after the word “change” and to delete the (-) after the words “changes” and “circumstances.”
25. Comment: On page II-11, II.I.7(e) at the end of the sentence the word “release” has been changed to “released.”
26. Comment: On page 2-1, in Attachment 2, the title “Waste Analysis” has been changed to read “Waste Analysis Plan.”

RESPONSE TO COMMENTS

This document has been prepared in accordance with Tennessee Rule 0400-12-01-.07(7)(j). It has resulted from the Tennessee Division of Solid Waste Management's (DSWM) issuance of a Draft Hazardous Waste Management Corrective Action Permit for the entire Oak Ridge Reservation, which includes the East Tennessee Technology Park (EPA ID TN0890090004), the Oak Ridge National Laboratory (TN1890090003) and the Y-12 National Security Complex (TN3890090001). The corrective action permit identifies the known solid waste management units (SWMUs) and areas of concern (AOCs) at the Reservation, and details how releases to the environment are required to be investigated and remediated. The Reservation is owned by DOE and the National Nuclear Security Administration (NNSA) and operated jointly by UCOR, Consolidated Nuclear Security, LLC, Navarro Research and Engineering, Inc., UT-Battelle, LLC and Wastren Advantage Inc. The Reservation includes property in two Tennessee counties: Roane and Anderson. The draft renewal permit was issued as part of the process to replace existing permit TNHW-121.

Section A of this document describes the efforts made by the Tennessee Division of Solid Waste Management (DSWM) to obtain public input. Section B summarizes and responds to all significant comments received.

A. Public Involvement Opportunities

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B. Public Comment/Response Summary

During the 45-day comment period, the DSWM did not receive comments from the public, other state or federal regulatory agencies, or internal comments from DSWM. Thus, no changes were made to the draft permit.