

## **Tennessee Oversight Agreement Board of Mayors**

May 16, 2012

Location of meeting: MCLinc Conference Center, Heritage Center

**Members Present:** Tom Beehan, Mayor, City of Oak Ridge; Myron Iwanski, Mayor, Anderson County; Ron Woody, Executive, Roane County;

**Members Absent:** George Thacker, Executive, Rhea County; Garland Lankford, Executive, Meigs County; Jonathan Griswold, Representing Knox County Mayor Burchett; Don Edwards, Morgan County

**Others Present:** Bill Worth, TEMA; Jay Mullis, DOE-OR; John Owsley, TDEC-DOE Oversight; Scott Stout, Roane County OES; Robert W. Wilkinson, Oak Ridge, Amy Fitzgerald, City of Oak Ridge; Leean R. Tupper, The Oak Ridger;

*(A sign-in sheet is attached and on file with the minutes.)*

### **PURPOSE OF MEETING:**

See attached agenda

### **CALL TO ORDER:**

Mayor Tom Beehan called the meeting to order at 2:05 p.m.

### **WELCOME AND INTRODUCTION:**

Mayor Beehan indicated that this was the second meeting of the Oversight Board. Each individual introduced him/herself and stated who they represented.

### **APPROVAL OF MINUTES:**

Woody distributed a copy of the February 22, 2012 minutes to the group. The minutes had been previously emailed to the board members.

**Motion** by Iwanski to approve the minutes as submitted, **second** by Woody. On a voice vote the **motion passed**.

It was requested that the minutes not only be emailed prior to the meeting to members, but also to the regular attendees.

### **REPORTS:**

- **Attorney/Progress report by Robert Wilkinson.**
  - Attorney Wilkinson indicated that the prior LOC appeared to be successfully dissolved and that their personal property, leased space, and records of the organization were being handled as follows:

- Space leased to another 501(c)3
  - Personal property donated to the 501(c)3 in return for the 501(c)3 taking over the building lease agreement
  - Records being reviewed and cataloged either to be maintained by the City Library or destroyed.
- **Fiduciary Report and updates from City of Oak Ridge**
    - A schedule of personal property donated to 501(c)3 will be distributed at next meeting, basically the items were a 10-year old copier, chairs, desks, and cabinets
    - City Librarians are reviewing all records to determine historical value for archiving purposes in the City Library. A number of documents that are duplicates of those maintained by TDEC or DOE will be recycled.
    - Rent on the building is paid through February and then covered by donation of personal property
    - All bills are up to date; however, there could be a few additional outstanding obligations
    - Balance of grant funds for Fiscal 2012 ending June is approximately \$58,000
    - Income tax reports and all W-2's have been filed; Pugh & Associates will be retained to handle required reporting through calendar year 2012.
  - **Grant Scope and 2013 Work Plan**
    - Woody distributed a preliminary budget for 2013 and future years (see attached). Woody discussed the budget as follows:
      - A philosophical change in operations from a hired Director and a Board of Mayors who often change every four years (this causes a Director to have more control and the counties not to be engaged due to the learning curve of new mayors) to not having a Director and having permanent county staff attending and participating in meetings. Under the older organizational structure the local government leadership was not often involved and informed of the organization's activities. Under the new structure the counties and city could have permanent staff assigned to the organization's activities. Further, the organization will have funds available to hire consultants for studies and reports.
      - Consultant/Contract with Government was the larger item in the budget that addresses the above philosophical change. Each county/city would be required to submit a proposal to the Board for prior approval. Funds could be for staff assignments or other approved activities.
      - Ten (10%) percent change for administrative service for the accounting service of approving and writing checks along with account posting and reporting
      - One (1%) Fiscal Agent charge; handling charge of the Trustee/City Treasurer
      - Education and Public Outreach

Members concurred with the approach and that the scope of work proposed from individual organizations would have to comply with the Tennessee Oversight Agreement

**Motion** by Woody, **second** by Iwanski, to approve the 2013 Budget as submitted. The total budget is \$158,226.00. On a voice vote, the **motion passed**.

- **2012 Budget**
  - The board discussed the remaining couple of months budget and the potential eligible costs associated with the organization
- **Updates for Intergovernmental Representation**
  - Beehan filed with the Board Loudon County Commission Resolution #030512-D (attached) which removes Loudon County from the TOA Board of Mayors
- **Discussion and Necessary Action Regarding County/City Priorities**
  - Much of the priorities were discussed with the Scope of Work and Budget presentation along with the DOE-EM Five Near-term Goals of: **(see attached)**
    - **White Paper Recommendation**
      - ♦ Woody distributed information regarding an ORSSAB White Paper along with a TOA Board of Mayors resolution supporting the ORSSAB White Paper. **Motion** by Iwanski, **second** by Woody to approve the TOA Board of Mayor's resolution (see attached). On a voice vote the **motion passed.**
    - **Naming of Interlocal Group**
      - ♦ The Board discussed a preliminary name of Tennessee Oversight Board of Mayors

**ADJOURNMENT:**

The meeting adjourned at 3:10 p.m.

Prepared by: Ron Woody, Roane County Executive



# Board of Mayors 5/16/12

| <u>Name</u>          | <u>OAG</u>             |
|----------------------|------------------------|
| Myron Iwanicki       | Anderson Co. Mayor     |
| Bill WORTH           | TEMA Regional Director |
| Leann Tupper         | The Oak Ridge          |
| Jay Mullis           | DOE-OR                 |
| John Owsley          | TDEC DOE Oversight     |
| Scott Stout          | Roane Co.              |
| Robert W. W. Kinison | Oak Ridge TN           |
| Amy Fitzgerald       | City of OR             |
| Rex Woods            | Rowley Executive       |
| Sam Buh              | over Ridge             |

**Tennessee Oversight Interlocal Agreement  
Board of Mayors/Executive Meeting**

Wednesday, May 16, 2012

2:00 p.m. - 4:00 p.m.

East Tennessee Technology Park  
Building K-1000 "William J. Wilcox" Conference Center  
400 Heritage Center Blvd.  
Oak Ridge, TN 37830

**AGENDA**

- |      |   |                                     |
|------|---|-------------------------------------|
| I.   | Welcome and Introductions   | Mayor Tom Beehan                    |
| II.  | Approval of Minutes   | All                                 |
| III. | Reports   |                                     |
|      | a. Attorney/Progress Report   | Robert Wilkinson                    |
|      | b. Fiduciary Report and updates from<br>City of Oak Ridge                         | City Staff                          |
|      | c. Grant Scope and 2012 Work Plan   | Roane County Executive<br>Ron Woody |
| IV.  | Updates from Intergovernmental Representatives                                    | TBD                                 |
| V.   | Discussion and Necessary Action Regarding<br>County/City Priorities for the Group | All                                 |
|      | a. Roane County Memo and Resolution<br>Supporting White Paper on EM Challenges    |                                     |
|      | b. Naming of Interlocal Group   |                                     |
| VI.  | Adjourn   |                                     |

Inter-Local Budget  
FY 2012-13

| Object  | Object Description                     |     | Budget Amount | Expenditure Description           |
|---------|--|-----|---------------|-----------------------------------|
| 302     | Printing/Advertising                   |     | 6,000.00      | Public Notices or Ads             |
| 309     | Consultants/Contract Government Agency |     | 113,821.14    | Admin Support for 7 Jurisdictions |
| 325     | Fiscal Agent Charge (10%)              | 0.1 | 15,822.60     | City of Oak Ridge                 |
| 355     | Travel/In Service Dev/ Conf            |     | 10,000.00     |                                   |
| 435     | Office Supplies                        |     | 1,000.00      |                                   |
| 510     | Trustee Commission (1%)                | 1%  | 1,582.26      | City of Oak Ridge                 |
| 599-EDU | Public Education/Outreach              |     | 10,000.00     |                                   |
|         |  |     |               |                                   |
|         | Total Budget                           |     | 158,226.00    |                                   |

Grant Total

158,226.00

Risk Assessment/Management (Administrative Support) Budget  
FY 2012-13

|                | Anderson Co.     | Oak Ridge        | Knox Co.         | Meigs Co.        | Morgan Co.       | Rhea Co.         | Roane Co.        | Total             |
|----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| Salary         | 10,000.00        | 10,000.00        | 5,000.00         | 5,000.00         | 5,000.00         | 5,000.00         | 10,000.00        | 50,000.00         |
| Benefits       | 5,000.00         | 5,000.00         | 2,500.00         | 2,500.00         | 2,500.00         | 2,500.00         | 5,000.00         | 25,000.00         |
| Travel/Support | 5,000.00         | 5,000.00         | 2,500.00         | 2,500.00         | 2,500.00         | 2,500.00         | 5,000.00         | 25,000.00         |
| <b>Total</b>   | <b>20,000.00</b> | <b>20,000.00</b> | <b>10,000.00</b> | <b>10,000.00</b> | <b>10,000.00</b> | <b>10,000.00</b> | <b>20,000.00</b> | <b>100,000.00</b> |



## LOUDON COUNTY COMMISSION

### Resolution 030512-D

**A RESOLUTION OF THE LOUDON COUNTY COMMISSION DECLINING TO JOIN THE PROPOSED TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT FOR IMPLEMENTING THE TENNESSEE OVERSIGHT AGREEMENT ON ISSUES RELATED TO THE U.S. DEPARTMENT OF ENERGY'S ENVIRONMENTAL MANAGEMENT PROGRAM AND EMERGENCY MANAGEMENT ACTIVITIES AT THE OAK RIDGE RESERVATION**

**WHEREAS,** The Tennessee Oversight Agreement (TOA) was established between the State of Tennessee (State) and the U.S. Department of Energy (DOE) in May 1991 to assure the citizens of Tennessee that their health, safety and environment are protected by DOE; and

**WHEREAS,** The Oak Ridge Reservation Local Oversight Committee, Inc. (LOC), a 501(c)(3) organization, was established in 1992 to act as a liaison initially with the counties of Anderson, Meigs, Rhea, Roane, and the city of Oak Ridge, with the counties of Knox, Loudon, and Morgan added later, on DOE or State activities requiring local government action or participation; and

**WHEREAS,** The LOC Board of Directors, by a resolution, dissolved the Oak Ridge Local Oversight Committee, Inc. effective January 9, 2012 (a copy of the resolution is attached as Exhibit A); and

**WHEREAS,** A Proposed Tennessee Oversight Interlocal Agreement (Proposed TOIA) between the Counties of Anderson, Knox, Loudon, Meigs, Morgan, Rhea, Roane and the City of Oak Ridge has been drafted for the local governmental entities to meet on a regular basis regarding DOE or State activities requiring local government action or participation through June 30, 2016 (a copy of the Proposed TOIA is attached as Exhibit B); and

**WHEREAS,** After thoroughly reviewing and discussing the Proposed TOIA, Loudon County declines to join or become a party to it.

**NOW, THEREFORE, BE IT RESOLVED** that Loudon County through this Resolution hereby formally declines joining or becoming a party to the Proposed TOIA attached hereto as Exhibit B.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be recorded upon the minutes of this meeting and Loudon County authorizes the Mayor or her representative to submit a copy of it to Mayor Thomas Beehan of Oak Ridge, Mayor Myron Iwanski of Anderson County, Mayor Tim Burchett of Knox County, Mayor Garland Lankford of Meigs County, Mayor Don Edwards of Morgan County, Mayor George Thacker of Rhea County and County Executive Ron Woody of Roane County informing them of Loudon County's decision not to join the Proposed TOIA.

This Resolution adopted this the 5<sup>th</sup> day of March, 2012.

  
Darlene Russell, County Court Clerk

  
Estelle Herron, Mayor

  
Roy Bladsone, Chairman



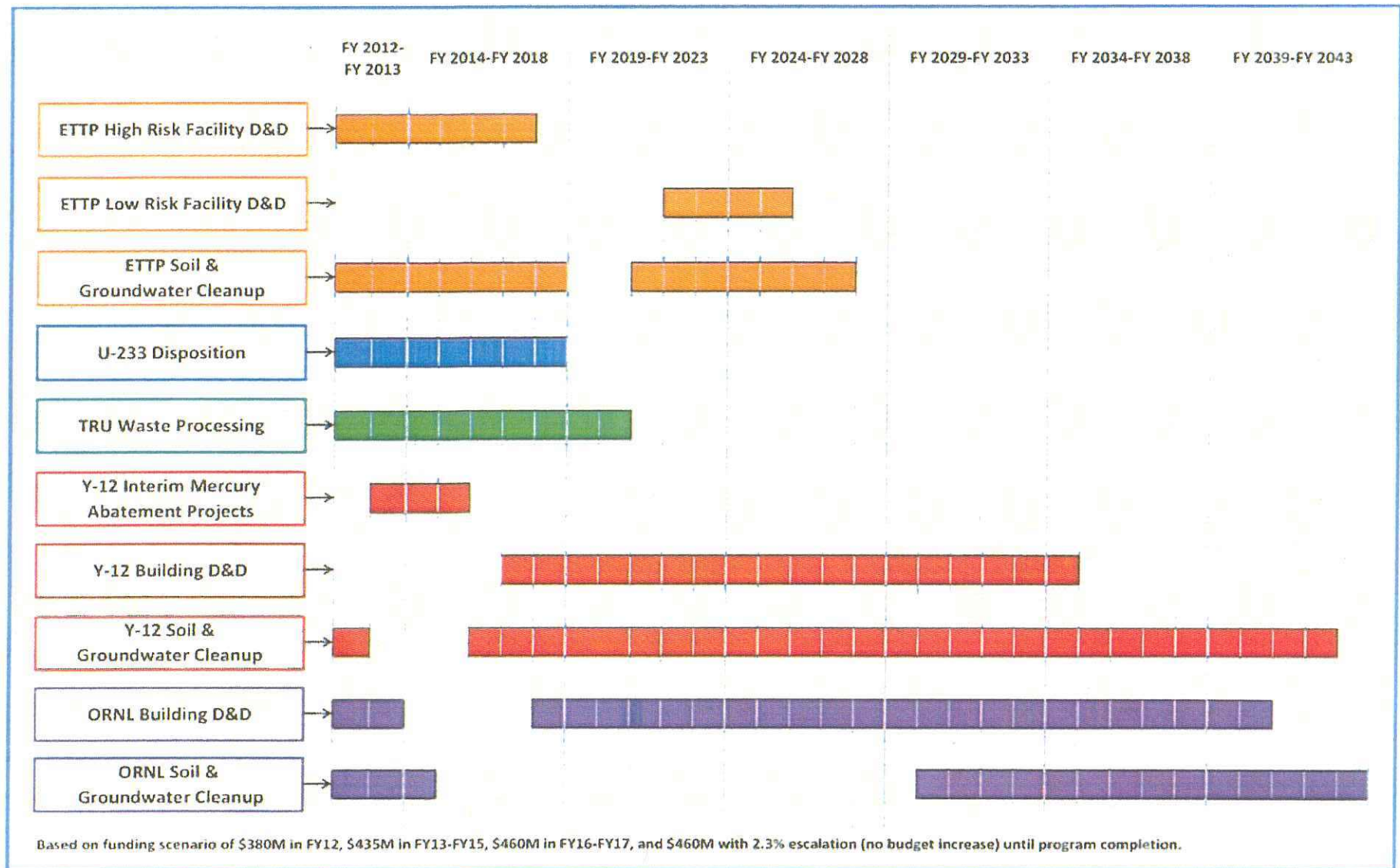
# Oak Ridge has Five Near-term Goals

- Complete demolition of Buildings K-25 and K-27 at the East Tennessee Technology Park
- Continue to identify ways to address mercury releases at the Y-12 site including reducing mercury in surface waters, characterizing potential sources and preparing facilities for demolition
- Remove half of the U-233 inventory at the Oak Ridge National Laboratory (ORNL), and make final decisions on remaining nuclear materials
- Continue processing Transuranic waste (debris) and prepare for construction of a new sludge processing facility
- Reduce risks in the ORNL Central Campus by removing excess nuclear/radiological materials, addressing groundwater contamination and demolishing facilities





# Oak Ridge's Plan for the Future





**Interlocal Agreement of  
Anderson, Knox, Loudon, Meigs,  
Morgan, Rhea and Roane Counties  
and the City of Oak Ridge, Tennessee**

January 25, 2012

County Mayors/Executives of Anderson, Knox, Loudon, Meigs, Morgan, and Rhea Counties  
Mayor, City of Oak Ridge

SUBJECT: White Paper on Environmental Management's Challenges on the Oak Ridge Reservation

Dear Mayors/Executives:

With the recent dissolution of the Local Oversight Committee (LOC), Roane County has pledged to take a more active role in our involvement in the DOE Reservation management, both current and legacy clean-up operations of DOE and the related contractors.

On January 11, 2012, Mr. Scott Stout of our Office of Emergency Services and I attended the Oak Ridge Site Specific Advisory Board meeting (ORSSAB). The ORSSAB discussed and approved a White Paper entitled "Balancing Environmental Management Challenges with the Complexity of the Oak Ridge Reservation". As we heard the White Paper presentation and discussion related to same we agreed with their analysis and conclusion.

I would like to submit to the City/County Mayors and County Executives that we should also show our support of the ORSSAB White Paper "Balancing Environmental Management Challenges with the Complexity of the Oak Ridge Reservation." I will be sending a request to Roane County's Environmental Review Board for their support as well.

Attached please find a copy of the ORSSAB White Paper. Also attached please find a resolution which will be submitted at our next Interlocal government meeting for our consideration.

Sincerely,

Ronald B. Woody  
Roane County Executive

RBW:sl

Attachments (2)

cc: Roane County Environmental Review Board  
ORSSAB  
Roane County Commission  
Scott Stout, Roane County Office of Emergency Services

An Organization working with the Department of Energy, the Tennessee Department of Environment and Conservation, and the Tennessee Emergency Management Agency in administering the Tennessee Oversight Agreement



## Balancing Environmental Management Challenges with the Complexity of the Oak Ridge Reservation

### Introduction

For years, many have recognized the extreme complexity of the Oak Ridge Reservation (ORR) with regard to environmental management (EM) activities and challenges. The complexity includes a diversity of waste products disposed of and treated in a myriad ways in a setting where there is abundant rainfall and nearby population centers. This situation is further complicated by the highly complex geology of the site and the resulting hydrologic conditions. This document is intended to elucidate aspects of the complexity and to demonstrate this complexity with specific examples and statements. Indeed, the ORR is the most complex of any Department of Energy (DOE) sites with regard to EM activities.

### Specific Aspects of the Complexity

- 1) **Waste Types.** Virtually all types of radioactive and hazardous wastes have been disposed of on the ORR, starting in 1943. At Oak Ridge National Laboratory (ORNL), high-level liquid waste and low-level solid wastes have been generated, characterized by fission products (e.g., strontium-90, cesium-137), uranium, transuranium elements (e.g., plutonium), and decay daughter products (e.g., polonium). In contrast, at Y-12 National Security Complex the dominant waste types include uranium (40 million pounds), mercury (> 2 million pounds), and hazardous organics, often dense non-aqueous phase liquids (DNAPLs) (e.g., carcinogenic trichloroethylene). At East Tennessee Technology Park (formerly known as K-25), wastes include uranium, hexavalent chromium, technetium-99, and a diversity of hazardous organic materials.

In some instances waste is in storage for later disposal. For instance, about 450 kilograms of uranium-233, now considered to be a waste product, is embedded in two metric tons of uranium and stored in Building 3019 in the central campus of ORNL. Should there be an accidental release of radiation, operations of the lab would be in jeopardy, costing millions in lost work time and decontamination.

- 2) **Disposal Methods.** A wide variety of disposal methods were employed throughout the ORR over the years; over 6 million curies of activity were disposed of across the ORR. These include shallow-land burial for low-level and uranium wastes (140 acres); engineered landfills for low-level waste; seepage ponds, pits and trenches for liquid wastes (radioactive and organic); direct disposal (diluted) of liquid wastes into the Clinch River; disposal of reactive metals in flooded quarries; and deep well injection (hydrofracture) for highly radioactive liquid wastes. Also, liquid radioactive wastes have been stored for decades in underground tanks for decay of shorter-lived radionuclides; tank wastes were treated in various ways (injection, seepage, etc.) for final disposal. Injected wastes were generally mixed with cement grout and forced under pressure into subsurface strata (hydrofracture), and pits and trenches were filled with liquid wastes, which were allowed to seep into groundwater and ultimately surface water.
- 3) **Remediation Technologies.** Many technologies have been used to remediate (clean up, immobilize) the disposed wastes. Included are excavation and shipment of wastes to engineered landfills or off site (Waste Isolation Pilot Plant, Nevada National Security Site); compaction and *in situ* immobilization using cement or polyacrylamide grouts; open-atmosphere burning of waste materials in trenches and uranium metal; groundwater diversion systems; *ex situ* bioremediation of groundwaters; land farming; surface impoundments for mercury removal; and *in situ* vitrification (experimental).
- 4) **ORR Geology.** The ORR is underlain by a complex assemblage of sedimentary rocks (carbonates, sandstone, shale) that have undergone an intense deformation during the formation of the Appalachians. Resulting from this deformation is a series of folded, tilted and faulted strata containing highly developed fracture systems that extend both laterally and to thousands of feet in depth. The geology of the ORR is widely known as the most complex of any DOE site.



- 5) **Rainfall.** The climate of the ORR area is temperate and humid, with average annual rainfall about 55 inches.
- 6) **Hydrology.** As a result of the fracture systems, high rainfall, noted above, and karst development, the hydrology is exceptionally complex. Most groundwater flow is controlled by the fracture systems, which are exceedingly difficult to understand and predict as pathways for groundwater and waste movement; conventional mathematical modeling of these transport mechanisms is not applicable here. In addition, carbonate units are often characterized by solution development (karst) where groundwater can rapidly flow great distances. There is close interaction between surface water and groundwater, and contaminants carried by groundwater generally end up in the surface water, principally the Clinch River, which flows to the southwest into the Tennessee River.
- 7) **Population Centers.** Because of the interaction of surface water and groundwater, special attention must be given to the water usage in communities downstream from the ORR. In fact, the population density in the immediate vicinity of the ORR is higher than any other DOE site in the complex. The population in the counties immediately surrounding Oak Ridge is more than 815,000 people.

For instance, communities like Kingston, Rockwood, Dayton, Spring City, and as far as Chattanooga draw water supplied from the Clinch and Tennessee Rivers (fortunately most insoluble contaminants in the river systems are covered by "clean" sediment, but the possibility persists that this could be upset by man-induced or natural causes). The City of Oak Ridge lies adjacent to the Y-12 National Security Complex, and surface drainage from Y-12 in the Poplar Creek system that flows through Oak Ridge carries potentially dangerous amounts of mercury; the creek is posted for this reason. To the northeast of Y-12, off the ORR, groundwater is contaminated with carcinogenic organic chemicals; private drilling for groundwater in this commercial area is prohibited. Although unconfirmed at present, the possibility exists that there may be affected rural areas southwest of ORNL across the Clinch River where contaminants may have spread in the groundwater.

#### Overview

The information presented above demonstrates the extreme complexity of the ORR with respect to EM activities. Many more examples can be cited, but it is hoped that the reader will agree with the fundamental tenet of this short statement, based on the information presented. No attempt is made herein to compare the ORR to other DOE facilities, each of which has its own set of complexities and challenges. Other sites *do* demonstrate complexity of one or more of these aspects (e.g., Hanford has fracture flow in its bedrock and large amounts of liquid high-level waste, but it has sparse rainfall and is remote with respect to large population centers; the Savannah River Site has relatively close smaller population centers, but lacks the diversity of waste types and disposal methods). In no case, however, does any other DOE site display the spectrum of characteristics described here for the ORR.

Indeed, it can be stated that the complexity of the ORR from a variety of factors, related to EM interests, is the greatest of any DOE site.

Resolution #120101

**A Resolution supporting the Oak Ridge Site Specific Advisory Board's white paper on "Balancing Environmental Management Challenges with the Complexity of the Oak Ridge Reservation".**

**WHEREAS**, the County/City Mayors and County Executives of Anderson, Knox, Loudon, Meigs, Morgan, Rhea and Roane and the City of Oak Ridge, Tennessee are partners in an Interlocal agreement to administer a portion of an agreement, known as the Tennessee Oversight Agreement {TOA}, between the United States Department of Energy and the State of Tennessee; and

**WHEREAS**, the portion of the TOA related to the local governments deals with local governments' role in providing a clear and unified position on environmental issues and public concern related to the Oak Ridge Reservation; and

**WHEREAS**, the local governments recognize the importance of the Department of Energy's funding of Environmental Management of all DOE sites; and

**WHEREAS**, the local governments express our desire to have environmental projects funded based on community risk; and

**WHEREAS**, the Oak Ridge Reservation is known as a complex site due to waste types, prior disposal methods, remediation technologies, geology, rainfall, hydrology and population centers;

**NOW THEREFORE BE IT RESOLVED** that the local governments herein support the Oak Ridge Site Specific Advisory Board's white paper titled: 'Balancing Environmental Management Challenges with the Complexity of the Oak Ridge Reservation', see attached.

**BE IT FURTHER RESOLVED** that the local governments herein request that the Department of Energy consider the findings of the white paper for future budget considerations.

UPON MOTION of \_\_\_\_\_, second by \_\_\_\_\_, the following  
\_\_\_\_\_ voted Yes:

The following \_\_\_\_\_ voted No:

The following \_\_\_\_\_ passed:

THEREUPON the Chairman announced that the Resolution had received a constitutional majority and ordered same spread of record.

\_\_\_\_\_  
Chairman