

Final Report for the Oak Ridge Reservation Communities Alliance (ORRCA)

Grantee: City of Oak Ridge
Contract Edison ID: 49990
Term: 07/01/2016 through 6/30/20
Total Amount: \$705,903

Introduction:

In June 2016, the City of Oak Ridge (the City) and the State of Tennessee (the State), through the Tennessee Department of Environment and Conservation (TDEC) entered into a contract to authorize the Oak Ridge Reservation Communities Alliance (ORRCA) to engage local governments affected by the U.S. Department of Energy (DOE)'s environmental management program in Oak Ridge. The contract relates to both current and legacy clean-up operations. ORRCA members work with representatives from the TDEC DOE, the Tennessee Emergency Management Agency, and the U.S. Environmental Protection Agency to help improve local understanding, benefits and impacts related to environmental studies and mitigation activities.

In November 2018, the DOE, the National Nuclear Security Administration (NNSA) and the State signed a five-year agreement entitled the Oak Ridge Reservation (ORR) Environmental Surveillance Oversight (ESO) Agreement. Through a program of independent environmental surveillance oversight and monitoring, the ESO Agreement is "designed to assure the citizens of Tennessee that DOE's activities in Oak Ridge, Tennessee, are being performed in a manner that is protective of their health, safety, and environment." In carrying out the ESO Agreement, "the Parties will fully cooperate and coordinate with each other, other federal and State agencies and local governments affected by this Agreement. The Parties to this Agreement shall commit to maintaining a direct and open relationship with local governments, such as **engagement with the Oak Ridge Reservation Communities Alliance (ORRCA).**"

In December 2017, the DOE Oak Ridge Office of Environmental Management (OREM) and TDEC executed a Memorandum of Agreement (MOA) regarding the recovery of expenses as described in the Federal Facilities Agreement (FFA) Section XXXV. The MOA addresses recovery of expenses by TDEC for costs specifically related to the implementation of the FFA. The MOA specifies stakeholder and public information liaison with "**the Oak Ridge Reservation Communities Alliance**, hosting public information sessions, and responding to the local governments' and community's concerns, specific to FFA and Environmental Management activities."

As stated in the above referenced agreements, for the purposes of this work plan, the term DOE shall include the National Nuclear Security Administration (NNSA).

The Tennessee Oversight Interlocal Agreement (TOIA) was signed by ORRCA members on June 14, 2016 for a term through June 30, 2021. A revised TOIA was executed in July 2019 by ORRCA members to reflect the new ESO and MOA as described above. The new agreement was extended through June 30, 2023. A copy of the current TOIA is attached.

Program Goals:

The overall program goal is to engage local governments impacted by the DOE's environmental management programs in Oak Ridge. The program to help educate and outreach is vital because the federal and state legal and regulatory frameworks do not require local officials to approve decisions impacting their jurisdictions. An additional goal is to provide accurate information and help educate citizens and other members of the public about the natural environment and national park in the host jurisdictions--- the City of Oak Ridge, Anderson and Roane Counties.

Outcomes:

The following section describes the work performed in support of the program goals.

Scope of Services:

A.2. The Grantee shall support implementation of the Tennessee Oversight Interlocal Agreement (TOIA)

As stated, the new TOIA acknowledges the Oak Ridge Reservation Environmental Surveillance Oversight Agreement (ESO Agreement) between the State, DOE, and the National Nuclear Security Administration, as well as the new Memorandum of Agreement (MOA) between the DOE Oak Ridge Office of Environmental Management (OREM) and Tennessee Department of Environment and Conservation (TDEC).

ORRCA conducted outreach and educational activities to the public and potentially affected local governments to help communicate to the citizens of the affected local governments that the DOE's activities are being performed in a manner that is protective of their health, safety, and environment.

A. 3. The Grantee shall promote local government involvement and public awareness in the continued operations of the Oak Ridge Reservation facilities, including, but not limited to the environmental restoration process.

The ORRCA continues to gain recognition, both regionally and nationally, as the key association of local governments affected by environmental and emergency management issues at the Oak Ridge Reservation. Members have participated in numerous meetings, including the DOE's National Cleanup Workshop, the DOE's Annual Intergovernmental Meeting, as well as OOE's Site Specific Advisory Board meetings.

Throughout the grant period, ORCCA collaborated with regional local governments to promote better understanding of the continued operations of the Oak Ridge Reservation facilities, including the environmental management, oversight, and emergency response programs. The most recent quarterly meeting among DOE/TEMA/TDEC/Contractors and Local Governments regarding emergency planning and response activities for the Oak Ridge Reservation was canceled due to the COVID-19 pandemic. However all ORRCA members remained in communication regarding with federal and state partners regarding COVID-19 impacts on ORRCA-related mission and scope.

Regular meetings were held at the TDEC office in Oak Ridge, and were advertised and open to the public. At these meetings, DOE, TDEC, and TEMA were invited to provide updates on their respective projects and programs. The meetings also served as opportunities for citizens to ask questions, and local advisory boards to provide reports on DOE issues. Due to Safer at Home and other emergency orders related to the COVID-19 pandemic, in-person meetings of ORRCA were not held during the final quarter, though communications regarding ORRCA activities were ongoing.

ORRCA member jurisdictions participated in the quarterly DOE/TEMA emergency response planning meetings held at DOE's Joint Information Center. Ongoing communication and cooperation of these agencies with TDEC and ORRCA members is critical to the safe operation of DOE's Oak Ridge facilities.

ORRCA members also participated in a number of local, regional, and national meetings that focused on DOE environmental cleanup and safety-related issues, including but not limited to the following:

- . (FY19) Member jurisdictions have held workshops and public meetings on the proposed EMDF landfill, where numerous concerns were raised by residents and other stakeholders.
- . (FY19) Members participated in Homeland's Security's regional two-day training held in Knoxville, as well as courses offered through the local Safety Fest event in Oak Ridge.
- . (FY20 Q2) ORRCA members attended DOE's annual Intergovernmental Meeting, held in Nashville, and which had the highest number of participants to-date. Numerous topics related to ORRCA's mission were discussed, including emergency response planning, environmental cleanup, cultural resource management, and public education.
- . (FY20) Members participated in the planning for the DOE's annual Intergovernmental Meetings, led by the National Governor's Association. ORRCA members participated in detailed planning for DOE's annual Intergovernmental Meetings. This year's meeting is to be held in November 2020. The meeting will be "virtual," and will continue to be organized by the National Governor's Association.
- . (FY20) ORRCA members participated in planning for the 2020 National Cleanup Workshop to be held on September 16th, 2020. Most ORRCA members will participate in the meeting, which will be held virtually this year due to the COVID-19 pandemic.
- . (FY20) Members participated in the DOE's National Cleanup Workshop, with particular interest in sessions on risk-based end state concept, workforce development and succession planning, and replacement of aging infrastructure to support the DOE's EM mission.
- . (FY20 Q1) Members participated in meetings and tours in Oak Ridge with DOE, the National Park Service, Los Alamos, and Hanford representatives related to the Manhattan Project National Historical Park.
- . Members participated in monthly Board and other subcommittee meetings of the Energy Communities Alliance, with focus on environmental management and monitoring activities. During the 3rd quarter of the FY20 period, members attended the annual meeting of Energy Communities Alliance, with focus on environmental management and monitoring activities.

- (FY20 Q3) Members have also attended TDEC meetings, including the open house held on the proposed Environmental Management Disposal Facility (EMDF) in Oak Ridge.
- (FY20 Q2) Members attended meetings of the Tennessee Historical Commission, which met in Oak Ridge to tour facilities in the Manhattan Project National Historical Park. Members participated in meetings with the National Park Service and member communities to discuss Manhattan Project National Historical Park (MAPR) status and plans. Members discussed options to commemorate the 5th Anniversary of MAPR, which will be in November 2020.

Looking forward to continue the work laid out by ORRCA, members met with the State of Tennessee's grant management team to discuss a new grant application process for FY21-23. Briefings for ORRCA members were held. Members continued to meet with the State of Tennessee's grant management team to prepare and submit the grant application for FY21-23. Authorization for the City of Oak Ridge to continue management of the grant was approved unanimously by the Oak Ridge City Council on May 11th, 2020. Updating briefings for ORRCA members were held; the State of Tennessee approved the ORRCA grant application.

A.4. The Grantee shall disseminate accurate and information concerning present or proposed activities related to continued operations of the Oak Ridge Reservation facilities.

The ORRCA website (www.orrca.tn.gov) continues to develop as an additional tool for education and information, with ORRCA meeting materials, reports, and correspondence posted on a regular basis.

ORRCA members routinely assist local officials, citizens, and the public with information about the ORR by directing stakeholders to DOE's Information Office in Oak Ridge, as well as the TDEC website, including the excellent repository of information available on the agency's EMDF webpage.

During FY18, particular emphasis was placed on the K-25 Overlook restoration/remodeling project and exhibits and construction at the K-25 History Center to be located in Oak Ridge Fire Station 4 at the East Tennessee Technology Park.

Efforts to disseminate information during the 2019 fiscal year were hampered by the lack of publicly available information related to the proposed EMDF, including waste acceptance criteria, site characterization and mitigation of socioeconomic impacts. This is an area of particular concern to the public.

ORRCA members have disseminated information about the reindustrialization prospects at the East Tennessee Technology Park, including the availability of property for beneficial reuse. ORRCA members have considered the input of citizen advisory boards and other local and regional organizations.

A.5. The Grantee shall identify local concerns and issues relevant to the operation of the Oak Ridge Reservation and environs and present concerns to the State of Tennessee and the Department of Energy during the selection of annual work and budget priorities.

ORRCA engaged with the State and DOE to improve understanding of local government and community concerns throughout the life of the grant. ORRCA members identified numerous significant issues and concerns; among them include:

FY2017

- . Continued emphasis on reducing/mitigating/eliminating off-site impacts
- . Modernization of infrastructure needed to support the ongoing environmental management mission and to complete the reindustrialization of ETTP
- . Potential impacts associated with delays in disposal of Transuranic Waste due to the closure of the WIPP facility in New Mexico
- . Storage and disposal of mercury contaminated waste and soils
- . Expediting studies related to treatment and reduction of mercury
- . Risk Communication, including signage and other written communications
- . Environmental Management activities that will help facilitate and expedite interpretation of historic properties
- . Transfer of excess/underutilized property for economic and community development
- . CERCLA's Natural Resources Damages Assessment study and mitigation for the ORR

FY2018

- . Changes to emergency response grant requirements may reduce the ability of some affected local governments from participating in training, exercises, and response related to the continued operation of the Oak Ridge Reservation
- . The Manhattan Project National Historical Park interface with DOE's Environmental Management and Legacy Management Programs, and desire to expedite public access; balancing national park activities with ongoing environmental restoration work.
- . Improving communication among the Federal Facilities Agreement parties and with ORRCA members as discussed at DOE's Annual Intergovernmental meeting in November 2017
- . The need for a comprehensive and updated like-cycle cost analysis that examines long term costs to ORCCA members of additional onsite radioactive and hazardous waste disposal
- . Comprehensive and longer site characterization at the proposed landfill site
- . Continued emphasis on reducing/mitigating/eliminating off-site impacts, particularly groundwater issues
- . Modernization of water and wastewater infrastructure needed to support the ongoing DOE missions on the Oak Ridge Reservation
- . Participation in site planning to complete the reindustrialization of ETTP
- . Recertification of Transuranic Waste and schedule for shipments to the WIPP facility in New Mexico and disposition of the majority of the U-233 inventory
- . Storage and disposal of mercury contaminated waste and soils
- . Expediting studies related to treatment and reduction of mercury
- . Risk Communication, including signage and other public communications
- . Environmental Management activities that will help facilitate and expedite interpretation of historic properties
- . Transfer of excess/underutilized property for economic and community development
- . CERCLA's Natural Resources Damages Assessment study and mitigation for the ORR

FY2019

- . Changes to the DOE/State/TEMA agreements may have regional and local impacts by reducing local government and public involvement in decisions affecting the cleanup and operation of the ORR.
- . Similarly, changes to emergency response grant requirements may reduce the ability of some affected local governments from participating in training, exercises, and response related to the continued operation of the Oak Ridge Reservation
- . Continued emphasis on reducing/mitigating/eliminating off-site impacts, particularly groundwater issues. Members requested that TDEC investigate an off-site property in Roane County for remediation.
- . Members requested the DOE host a public meeting to address questions on the proposed EMDF landfill prior to issuing a draft Record of Decision, and that representatives from TDEC and EPA participate.

- . Modernization of water and wastewater infrastructure needed to support the ongoing DOE missions on the Oak Ridge Reservation
- . The Manhattan Project National Historical Park interface with DOE's Environmental Management and Legacy Management Programs, and desire to expedite public access; balancing national park activities with ongoing environmental restoration work.
- . Complete the reindustrialization of ETTP, including transfer of excess/underutilized property for economic and community development
- . Prioritize shipments of Transuranic Waste and schedule to the WIPP facility in New Mexico
- . Storage and disposal of mercury contaminated waste and soils
- . Expediting studies related to treatment and reduction of mercury
- . Risk Communication, including signage and other public communications
- . Environmental Management activities that will help facilitate and expedite interpretation of historic properties
- . CERCLA's Natural Resources Damages Assessment study and mitigation for the ORR

A.6. The Grantee shall prepare special studies and reports, as needed, to educate local officials and further public information.

FY2017

- . Review and assessment of projects related to the cleanup of the Oak Ridge Reservation and related offsite activities such as restoration of groundwater and fish
- . Communications regarding natural and community assets in the Oak Ridge area
- . Continue to provide input into how financial performance bonds are assessed on companies which store and treat DOE waste
- . Legislative and Administrative activities at the Federal and State levels related to the temporary storage and permanent disposal of nuclear waste

FY2018

- . Graduate student Intern report that examined the East TN Technology site, particularly outfalls and potential for additional mixed use.
- . Technical reviews of DOE's draft feasibility studies for the proposed landfill, issues related to interagency disputes, and analyses of site data.

FY2019

- . Recreational use of waterways adjacent to the East Tennessee Technology Park
- . Technical reviews of DOE's Proposed Plan and technical studies related to the proposed EMDF landfill, water management issues related to the existing landfill, and issues related to interagency disputes.
- . An examination of Community Acceptance Issues, one of nine CERCLA criteria that a consideration in the decision-making process.

FY2020

- . Review and assessment of projects related to the cleanup of the Oak Ridge Reservation and related offsite activities such as restoration of groundwater and fish
- . Providing a local government mechanism for input into DOE's budgetary and programmatic priorities
- . Continue to provide input into how financial performance bonds are assessed on companies which store and treat DOE waste
- . Legislative, Regulatory, and Administrative activities at the Federal and State levels related to the storage, transportation and permanent disposal of nuclear waste

FY20 (from quarterly reports)

Members reviewed progress and issues related to the State's monitoring of DOE activities, including environmental sampling and progress toward FFA milestones.

Members continued to monitor studies and activities related to DOE's on the agency's proposed plan for the Environmental Management Disposal Facility (EMDF).

Member jurisdictions continued to monitor and review the studies and issues surrounding the proposed EMDF low level radioactive waste facility.

Member jurisdictions continued to monitor information pertaining to DOE's proposed interpretation of the high-level radioactive waste definition. This issue could have implications for waste disposal across the DOE complex.

Members participated in the review of the Section 106 process for the construction of the K-25 History Center and reviewed reports regarding Section 106 of the National Historic Preservation Act compliance meetings related to the K-25/East Tennessee Technology Park.

ORRCA members reviewed TDEC's annual environmental monitoring report.

Members began reviewing DOE's draft Environmental Assessment on the Oak Ridge Enhanced Technology and Training Center (ORETTC), which will train and serve emergency responders.

Members reviewed appropriations bills for FY2020, which contained funding for Oak Ridge DOE programs.

Successes:

The program has been successful in better educating the DOE's and State's primary stakeholders affected by environmental management decisions on the Oak Ridge Reservation. The program has progressively become more effective, as numerous stakeholders attend the quarterly meetings of ORRCA for information and updates.

In particular, the program has been effective in engaging ORRCA in the reindustrialization of the former K-25 site (East Tennessee Technology Park). DOE's Vision 2020 to complete the bulk of work conducted at the site is culminating. The new K-25 History Center opened in February 2020, and planning for the proposed Oak Ridge airport at the site is proceeding.

Another success story is the work conducted by ORRCA's education and outreach partners. These local tourism and marketing professionals have been instrumental in developing and disseminating accurate information about the Oak Ridge area, which helps offset the negative public perceptions about the environment that have persisted for many years. Additional benefits will accrue as the Manhattan Project National Historical Park continues to develop.

The program has also improved local stakeholders' ability to engage experts on issues related to socioeconomic, environmental, environmental justice, and other issues that may have long-term

impacts on ORRCA jurisdictions.

Setbacks:

The most significant “setback” in the program has been the series of impacts associated with the COVID-19 pandemic. Much of the DOE EM work was halted for several months due to federal directives and the Tennessee Governor’s “Safer at Home” orders. As a result, some of the FFA schedule milestones were renegotiated by DOE, EPA, and the State. DOE’s and TEMA’s emergency management meetings and mock exercises were postponed. Although ORRCA members continued the work required under the contract, members have not been able to meet in-person at the TDEC office in Oak Ridge.

Benchmarks and Indicators:

Successful completion of a number of FFA milestones demonstrate the program is effective. ORRCA members have been particularly concerned that the volume of transuranic waste located on the Oak Ridge Reservation be successfully packaged and shipped to the WIPP facility in New Mexico. Ongoing engagement on this issue has made it a high priority for the parties. ORRCA’s engagement on issues related to the management and removal of elemental mercury, as well as the treatment and disposal of mercury-contaminated waste has been instrumental in the decision-making process. These efforts will be continued.

Attachment

Tennessee Oversight Interlocal Agreement
signed July 2019

TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT (TOIA)

Among the Counties of Anderson, Knox, Morgan, Roane, along with the City of Oak Ridge, to Cooperate on Issues Related to the U.S. Department of Energy's Environmental Management Program and Emergency Management Activities, and to be recognized as the Oak Ridge Reservation Communities Alliance

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 being protected by DOE; and

WHEREAS, the Tennessee Oversight Agreement expired on November 30, 2017; and

WHEREAS, a new agreement between the State and DOE, including the National Nuclear Security Administration (NNSA), entitled the Oak Ridge Reservation Environmental Surveillance Oversight Agreement (ESO Agreement) was signed in November 2018 for a term to expire on June 30, 2023. The ESO Agreement states that the DOE and the State commit to maintaining a direct and open relationship with local governments, such as engagement with the Oak Ridge Reservation Communities Alliance (ORRCA); and

WHEREAS, the affected local governments which comprise ORRCA for the purpose of ESO Agreement implementation are the counties of Anderson, Knox, Morgan, Roane, and the City of Oak Ridge; and

WHEREAS, although each jurisdiction fully reserves the right to pursue its own interests, through communication, cooperation, and joint utilization of resources, the Mayors and County Executives of the affected local governments comprising ORRCA desire to meet on a regular basis regarding DOE or State activities requiring local government action or participation pursuant to the ESO Agreement and related environmental management and emergency management activities.

I. PURPOSE

This **Tennessee Oversight Interlocal Agreement (TOIA)** is established among the affected local government jurisdictions for the purpose of implementing the ESO Agreement and related environmental management and emergency management activities. The affected local governments constitute the Oak Ridge Reservation Communities Alliance (ORRCA). The objective of the Tennessee Oversight Interlocal Agreement is to provide:

- A. A mechanism for ongoing review and study of DOE's current and planned environmental programs at the Oak Ridge Reservation (ORR);
- B. A forum for local governments and citizens to communicate about environmental issues and public concerns related to the ORR;
- C. A forum to enhance emergency management planning and training related to the ORR;
- D. Position statements, as needed, pertaining to policies, projects, issues and studies related to the ORR.

II. **PARTIES TO THE AGREEMENT**

The Parties to the Agreement shall be the local governments most directly affected by the implementation of the ESO Agreement and related environmental management and emergency management activities. These are: (1) Anderson County; (2) Knox County; (3) Morgan County; (4) Roane County; and (5) the City of Oak Ridge. Collectively, these local governments shall constitute the Oak Ridge Reservation Communities Alliance (ORRCA).

III. **ORGANIZATION**

A. Board of Mayors/Executives

Upon the execution of this agreement, a Board of Mayors/Executives is herein created (Board). This Board consist of the Mayors of each affected local government and the Roane County Executive and the Morgan County Executive.

B. Officers

There shall be a Chairperson and Vice-Chairperson elected from among the Board to serve one-year terms effective January 1 of each year.

IV. **OPERATION**

- A. The Board shall meet annually to approve a budget and work program for the coming year, and at least once per quarter thereafter, and at other times as needed. Meetings shall be open to the public.
- B. The Board shall take recommendations and establish agenda items from their respective local government jurisdictions, including Environmental Review Boards and the public.
- C. The Board shall work with the Tennessee Department of Environment and Conservation (TDEC) the Tennessee Emergency Management Agency (TEMA), DOE, member governments, and other agencies and local government jurisdictions on matters related to health, safety, the environment, and emergency management preparedness.
- D. The Board may establish subcommittees from time to time to study and report on issues.
- E. Each Board Member has an equal vote on all issues. Each Board Member shall be entitled to appoint a proxy as needed in the event of his/her absence at a meeting. Should a Board Member or proxy be unable to attend a meeting in person, an electronic vote, or other written or voice communication from the Board Member or proxy may be accepted as a valid vote of the Board Member.

V. **ADMINISTRATION**

The Board shall appoint a Fiscal Agent (FA), which shall be a governmental entity. The FA shall:

- A. Receive a fee for management of the grant(s) related to implementation of the TOIA, as approved by the Board;
- B. Receive, distribute, and report financial activities related to the grant(s) to the Board, State, and public;
- C. Disburse funds under the direction of an annual budget and/or approval of the expenditures by the Board;
- D. Assist in the preparation and maintenance of all minutes and records of the Board;
- E. Assist with meeting logistics and distribution of materials.

VI. **DURATION OF THE AGREEMENT**

This agreement shall be effective when signed by the participating jurisdictions and shall continue through June 30, 2023. The term of this agreement may be extended thereafter with the written approval of the participating jurisdictions.

VII. **AMENDMENT**

This Agreement may be amended by a majority vote of the Board.

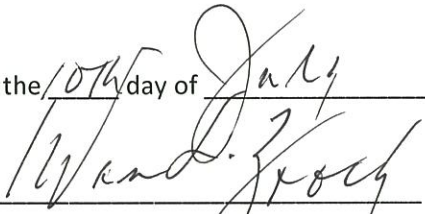
VIII. **WITHDRAWAL**

At any time a local government jurisdiction may withdraw from this agreement by providing written notification to the Board.

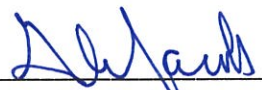
This Interlocal Agreement is signed by the Agreed Parties this the 10th day of July, 2019.



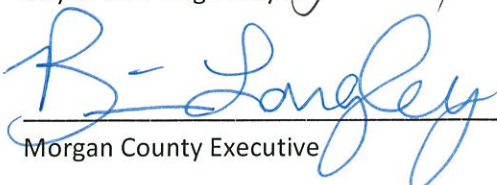
Anderson County Mayor



City of Oak Ridge Mayor



Knox County Mayor



Morgan County Executive



Roane County Executive