STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Remediation - Oak Ridge
761 Emory Valley Road
Oak Ridge, Tennessee 37830

January 5, 2023

Mr. Roger Petrie
Oak Ridge Office of Environmental Management
U.S. Department of Energy
Post Office Box 2001
Oak Ridge, Tennessee 37831

Dear Mr. Petrie

TDEC Comment Letter Addendum to the Action Memorandum for the Y-12 Facilities Non-Time Critical Removal Action Deactivation/Demolition Project, Oak Ridge, Tennessee (DOE/OR/01-2462&D2/A1)

The Tennessee Department of Environment and Conservation, Division of Remediation-Oak Ridge Office, received the above referenced submittal on December 5, 2022. The document has been reviewed pursuant to the Federal Facility Agreement for the Oak Ridge Reservation. The following comments are relevant to that review:

1. **Page 1, 1st paragraph, and Page 2, 2nd paragraph.**
   Please remove all references to the Liquid and Gaseous Waste Operations (LGWO) as a treatment facility option. On December 16, 2022, TDEC's Division of Water Resources issued a modified NPDES permit to the LGWO which excluded limits for mercury. Therefore, this facility is not regulated for mercury discharges and is not a suitable treatment option for mercury contaminated wastewater, as the protection of the receiving waters from CERCLA waste cannot be assured.

2. **Page 1, 1st paragraph, and Page 2, 2nd paragraph.**
   When referencing the use of other wastewater treatment facilities, please include language specifying that wastewater will only go to facilities which have discharge limits for the applicable COCs in the wastewater.

3. **Page 1, 3rd paragraph.**
   Please revise the last sentence as follows: *...to wastewater transferred to another wastewater treatment facility, hereby including treatment at other wastewater treatment plants as an option under this AM.*

4. **Page 2, 2nd paragraph.**
   Please add the following as the second sentence: *40 CFR 122.4(i) is being added as ARAR to ensure that no new discharges, however small, will "cause or contribute" to ongoing violation of the ambient water quality standards.*

5. **Page 2, 2nd paragraph.**
   Please revise the last sentence as follows: *While some projects may release mercury and PCBs which are contributing to the impairment of the streams, other actions at Y-12 (such as mercury and PCB source removal actions) are reducing concentrations of these contaminants in the stream and will offset any temporary increases in loading. Overall, once remediation is complete in UEFPC, the water quality in the stream will be significantly improved.*

6. **Page 2, 2nd paragraph.**
   Mercury and PCB loading reductions must be greater than the loading resulting from the discharge of treated wastewater. Please explain more specifically how 40 CFR 122.4(i) will be met and add the following: *Enforceable commitments will be made into FFA milestones in Appendix E and Appendix J in removal and remedial actions as necessary to ensure a plan is in place to reduce loading to the creek sufficient to result in decreases of fish tissue concentrations for bioaccumulative pollutants to below the regulatory levels, e.g., .3 mg/kg methylmercury.*

7. Considering overall concerns about the potential for contaminated stormwater to runoff into UEFPC, TDEC requests language be included committing to adequate Best Management Practices for stormwater controls.

Review of this document meets the review cycle protocol of 30 days. Questions or comments concerning the contents of this letter should be directed to Angel Perkey at the above address or by phone at (865) 220-6559.

Sincerely

Randy C
Young

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Randy C. Young
FFA Project Manager

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