



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Remediation - Oak Ridge  
761 Emory Valley Road  
Oak Ridge, Tennessee 37830

RECEIVED  
MAR 28 2023  
COUNTY MAYOR'S OFFICE

March 24, 2023

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

Dear Mr. Petrie

**RE: DOE's Transmittal of the Federal Facility Agreement Proposed Appendix J**

The Tennessee Department of Environment and Conservation (TDEC), Division of Remediation-Oak Ridge Office (DoR-ORO), has reviewed the above referenced submittal pursuant to the Federal Facility Agreement (FFA) for the Oak Ridge Reservation (ORR). The document was received on March 14, 2023.

Both ongoing contract negotiations and the transition of the Department of Energy Environmental Management focus from East Tennessee Technology Park (ETTP) D&D to projects at Oak Ridge National Laboratory (ORNL)/Y-12 have contributed to current FFA milestones which are not inclusive of all work plans being developed within the FFA project teams. Though TDEC agrees with most of the outyear, non-enforceable planning milestones presented within the proposed Appendix J, TDEC has identified additional milestones to better represent FFA project team discussions and are more representative of Department of Energy (DOE)'s upcoming work priorities.

In following the prescribed FFA process for proposing and finalizing changes to Appendix J, TDEC offers the following comments for discussion. Some of the following milestones are within the Fiscal Year (FY) to FY+2 timeframe and must be addressed in the FFA Appendix E. TDEC presents them in this submittal to provide a clearer transition between near-term, enforceable scope (Appendix E) and the outyear planning milestones (Appendix J).

The FFA parties should discuss opportunities to update Appendix E such that all FFA milestones are representative of current tri-party discussions and to ensure the appendices are consistent with one another. The proposed TDEC milestones below relate directly to projects DOE has already initiated or projects with existing, upcoming milestones. Any proposed dates for milestones below are primarily based on information discussed during FFA project team meetings. TDEC is willing to work with DOE to establish actual dates which are consistent with updated plans and schedules.

ETTP Groundwater projects:

- ETTP Main Plant Area Groundwater Plumes Interim Record of Decision (IROD)
  - o Remedial Design Work Plan (RDWP) (6/25/24) and adjust the Remedial Action Work Plan (RAWP) and Remedial Action Report (RAR) dates
- ETTP Main Plant Area Groundwater Plumes Final Record of Decision (ROD) (project not currently included in Appendix E)
  - o Remedial Investigation Work Plan (RIWP) (3/28/25)
  - o Remedial Investigation (RI) Report (2027)
  - o ROD (2031)
- K-31/K-33 Groundwater ROD
  - o Remedial Design Report (RDR)/RAWP (9/30/24)
  - o RAR
- Zone 1 Groundwater Plumes ROD
  - o RI Report (4/11/25) and adjust the current Appendix J RI/Feasibility Study (FS) milestone to an FS milestone
  - o Proposed Plan (2027)
  - o ROD (2029)
  - o RAR

ORNL/Y-12 D&D projects:

- Building 3042
  - o RDR/RAWP & Waste Handling Plan (WHP) – prior to 9/30/26 which is the Phased Construction Completion Report (PCCR) milestone date
- Building 3515
  - o RDR/RAWP & WHP – prior to FY28 (PCCR milestone date)
- Building 3544
  - o RDR/RAWP & WHP – prior to FY28 (PCCR milestone date)
- Building 5505
  - o RDR/RAWP & WHP – prior to 9/30/27 (PCCR milestone date)
- Building 3028
  - o RDR/RAWP, WHP, & PCCR – a Data Quality Objective (DQO) meeting occurred in March 2022
- Building 3517
  - o RDR/RAWP, WHP, & PCCR – a draft RDR/RAWP was reviewed in late 2020/early 2021
- Building 7500
  - o RDR/RAWP, WHP, & PCCR – a DQO meeting occurred April 2022
- Alpha 2
  - o Pre-Demo PCCR
  - o Demo WHP
- Beta 1
  - o Pre-Demo PCCR
  - o Demo WHP
- Bldg. 9720-17
  - o Removal Action Work Plan (RmAWP), WHP, PCCR
- Bldg. 9213
  - o PCCR – a DQO has been shared with the regulators

- Beta 4
  - o WHP – sometime before the Remedial Action (RA) Start milestone of 9/30/26
- Alpha 5
  - o WHP – sometime before the RA Start milestone of 2028

Environmental Management Waste Management Facility /Environmental Management Disposal Facility

- Explanation of Significant Differences (ESD) for inclusion of Clean Water Act Applicable and/or Relevant and Appropriate Requirements (ARARs)
- ESD for landfill wastewater discharge limits
- RDR update for haul road modification

ORR

- Five-year review milestones should be specific for watersheds being covered to reflect tri-party agreement on the annual five-year reviews

As DOE notes in the transmittal letter of the proposed Appendix J, TDEC expects the tri-parties will follow the FFA Appendix I-16 process and looks forward to discussing and establishing a more complete set of milestones. Questions or comments concerning the contents of this letter should be directed to Randy Young at (865) 220-6584.

Sincerely

Randy C Young

Digitally signed by Randy C Young  
Date: 2023.03.24 15:26:13 -04'00'

Randy C Young  
FFA Manager  
Division of Remediation – Oak Ridge Office

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