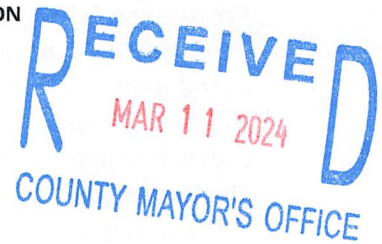




STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Remediation, Oak Ridge Office
761 Emory Valley Road
Oak Ridge, Tennessee 37830



March 7, 2024

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

RE: Submittal of Proposed Changes to the Federal Facility Agreement Enforceable Appendix E Milestones

The Tennessee Department of Environment and Conservation (TDEC), Division of Remediation-Oak Ridge Office, received the above referenced submittal on February 29, 2024. The submittal has been reviewed pursuant to the Federal Facility Agreement (FFA) for the Oak Ridge Reservation.

Due to contract negotiations between the U.S. Department of Energy (DOE) and their remediation contractors over the past two years, the FFA parties have been challenged to maintain momentum within the remediation program due to an incomplete list of planning milestones within the Appendix E while simultaneously attempting to compress project schedules. The following comments are intended to assist both remediation planning and project schedules:

- The apparent *deletion* of both the East Tennessee Technology Park (ETTP) Main Plant Area Final Record of Decision (ROD) project and the current Remedial Investigation Work Plan (RIWP) milestone in April 2024 does not support progress for groundwater remediation within Zone 2 at ETTP. In addition to the project team's continued discussions to implement this work in the upcoming year, the ETTP Main Plant Area Final ROD project supports agreements made by the tri-parties when finalizing completed Covenant Deferral Requests at ETTP. The project and RIWP milestone should be added back to Appendix E to satisfy both past agreements and current plans for groundwater decision making within Zone 2.
- Consistent with recent tri-party agreements developed within an Emerging Issues Team subgroup, the multiple ETTP Zone 2 Soils ROD milestones scheduled for the same day in Fiscal Year 2024 (FY24) should be staggered beginning in June or July.

- Because of the ROD commitment and current project schedules showing development near the end of FY24, the Environmental Management Disposal Facility (EMDF) Waste Acceptance Criteria (WAC) Compliance Plan should have a milestone within Appendix E.
- Other Environmental Management Waste Management Facility/EMDF milestones such as the Remedial Action Work Plan (RAWP) Sampling and Analysis Plan (SAP)/Quality Assurance Project Plan (QAPP) and Baseline Characterization Report should be added within timelines which are consistent with current plans for their development.
- The Y-12 Alpha 2 project needs to include a milestone to address the principal threat waste in the soils underneath the facility which will likely become saturated when the sump is temporarily turned off during building D&D. TDEC interests include preventing the continued release of mercury into groundwater and surface water from the mercury source underneath Alpha 2.
- The following milestones have been deleted with no new milestones added. The Oak Ridge National Laboratory (ORNL) project team status report confirms extensions will be requested for the Phased Construction Completion Reports (PCCRs), but no date has been proposed at this time. Appropriate documentation for moving the following milestones is needed:
 - o 3026-D Facility PCCR (9/30/24)
 - o 3001 Support Facilities D&D PCCR (9/30/25)
 - o Isotope Facilities Demolition PCCR (9/30/25)
 - o 3038 D&D PCCR (9/30/26)
- A milestone for the ORNL Building 3010 D&D PCCR (9/30/24) is included in DOE's proposal although the document was submitted and approved last year. This milestone should be corrected.
- Though a new milestone has been proposed for the ORNL Building 3042 RAWP, the milestone should also include a Remedial Design Report (RDR). In addition, a milestone for the 3042 Waste Handling Plan (WHP) is needed to support this planned work.
- A milestone is needed for the ORNL Building 3544 D&D WHP.
- A milestone is needed for the ORNL Bethel Valley ROD change to manage building sump management during ROD implementation. The FFA Managers agreed to this approach in January.
- Milestones for the planned ORNL Liquid and Gaseous Waste Operations 2600 Piping Upgrade RAWP/WHP Addendum and PCCR Addendum should be added to Appendix E.
- The milestone for the Y-12 Beta-4 Remedial Action Start (9/30/26) has been dropped from Appendix E. The FFA parties should discuss this deletion along with possible milestones for the Beta-4 RDR/RAWP and WHP.
- Milestones should be added for any planned Y-12 Ancillary Facilities subprojects (e.g., Steam Plant and Alpha-5 Ancillary Facilities). Milestones for RDR/RAWPs, WHPs, and PCCRs should be identified.
- Milestones are need for the Alpha-5 RDR/RAWP and WHP.

Historically, the FFA parties have successfully produced annual Appendix E planning milestones to reflect the interests of all stakeholders. TDEC looks forward to working with DOE to again develop an approvable Appendix E which reflects the scope of work being planned in the project team meetings. Questions or comments concerning the contents of this letter should be directed to Randy Young at the above address or by phone at (865) 310-1157.

Sincerely

Randy Young

Digitally signed by Randy
Young
Date: 2024.03.07 13:39:44
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Randy C. Young
FFA Project Manager
Division of Remediation – Oak Ridge Office

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