

## Oak Ridge Reservation Communities Alliance

Location of Meeting: Tennessee Department of Environment and Conservation, Division of Remediation; 761 Emory Valley Road, Oak Ridge, Tn  
Monday, June 5, 2023 ---2 PM

### MINUTES

**Members Present:** Councilwoman Ellen Smith (proxy for City of Oak Ridge Mayor Warren Gooch), Tim Suter (proxy for Roane County Executive Wade Creswell), Anderson County Mayor Terry Frank

**Others Present:** Sign In sheet attached—Exhibit A

Meeting was called to order at 2:00 p.m. by Mayor Frank.

**Motion** by T. Suter, second by E. Smith to approve March 6, 2023 Minutes. Motion approved unanimously.

**Motion** by E. Smith, Second by T. Suter to enter the Quarterly Report submitted by the City of Oak Ridge to TDEC into the minutes. Motion approved unanimously.

**Budget Amendments:** Following a presentation of proposed budget amendments by Kendahl Moore, City of Oak Ridge, a **motion** was made by T. Suter, second by E. Smith to approve budget amendments. Motion approved unanimously. (Suzanne Sawusch, TDEC, noted that along with our proposed budget amendments, they were submitting a three-month extension request. The extension should also assist with the transfer of fiscal agent status to Anderson County.) Exhibit B

**Intergovernmental Agreement** between City of Oak Ridge and Counties---Mayor Frank noted that the City of Oak Ridge was in process of obtaining signatures.

**Energy Communities Alliance Grant:** Discussion Only. Mayor Frank reported on an Anderson County grant through Energy Communities Alliance that will assist ORRCA with public outreach and information. Grant ends at the end of February, 2024.

**Old Business: Poplar Creek Shoreline Update**—DOE's Mike Koentop had noted via email that he would keep us apprised of work scheduled by a subcontractor to UCOR called Severson Environmental Service. DOE's Roger Petrie gave further background to Severson, and some of the work they had accomplished.

**Other Updates:** DOE's Roger Petrie reported on his attendance at the Energy Communities Alliance Conference focusing on nuclear energy; he also provided updates on two groundwater Records of Decisions that were working through the process.

**Public Comment:** Luther Gibson noted an upcoming Emergency Management training exercise; Mary Anne Koltowich discussed the current public comment period for TVA's Draft Environmental Impact Statement for the proposed retirement and demolition of Kingston Fossil Plant, and the construction of replacement generation. Comment period runs through July 3, 2023.

**Future Meetings:** Mayor Frank will poll members for proposed meeting dates, and discussion affirmed preference for a meeting in approximately two months.

**Adjournment:** There being no objection, the meeting was adjourned at approximately 2:28 p.m.

# Oak Ridge Reservation Communities Alliance (ORRCA) Meeting

## AGENDA

Monday, June 5, 2023 at 2 PM

Location of Meeting: Tennessee Department of Environment and Conservation, Division of Remediation (DOR); 761 Emory Valley Road, Oak Ridge, TN

- I. **Welcome and Introductions** Chairman Terry Frank
- II. **Approval of Minutes from *March 6, 2023* Meeting - Draft Attached**
- III. **Quarterly Report – submitted by the City of Oak Ridge to TDEC. Motion requested to enter the report into the minutes.**
- IV. **Approval of Budget Amendments to include additional funds that TDEC secured as well as move existing money into different budget lines to maximize the ability to spend down grant funds – See Attached – requested by Kendahl Moore, City of Oak Ridge**
- V. **Intergovernmental Agreement between City of Oak Ridge and Counties – Update (see attached documents)**
- VI. **Discussion – Anderson County Energy Communities Alliance education & outreach grant**
- VII. **Old Business – Poplar Creek Shoreline Update**  
  

DOE's Mike Koentop indicated via e-mail recently that there is a company called Severson Environmental Service that is a subcontractor to and have a mentor/protégé relationship with UCOR, and they specialize in maritime work. He noted they are excited to have them part of the team. Mr. Koentop doesn't have a timeline yet for when their other activities will begin, but he will let us know when there is more certainty.
- VIII. **New Business**
- IX. **Discuss Proposed Dates for Next ORRCA Meetings for 2023**
- X. **Other Discussion**
- XI. **Adjournment**

# ORRCA

Oak Ridge Reservation Communities Alliance



June 5, 2023

**PLEASE SIGN IN:**

|                    |                  |                               |
|--------------------|------------------|-------------------------------|
| Suzanne Sawusch    | DoR. OR - TDEC   | Suzanne Sawusch@tn.gov        |
| LUTHER GIBSON      | RETIRED          | LUTHER.GIBSON@COMCAST.NET     |
| MaryAnne Koltowich | RCERB            | kolsmithma@gmail.com          |
| Eileen Marcillo    | TDEC             | eileen.marcillo@tn.gov        |
| Dana Casey         | TDEC             | dana.casey@tn.gov             |
| Roger Petric       | DOE              | roger.petric@oem.doe.gov      |
| Travis Solomon     | COR Fire         | tsolomon@oakridgetn.gov       |
| Brice Kidwell      | Anderson Co. EMA | BKidwell@AndersonCountytn.gov |
| Tim Suter          | Roane EMA        | tim.suter@RoaneCountytn.gov   |
| Elen Smith         | City of OakRidge | esmith@oakridgetn.gov         |
| Kendahl Moore      | COR              | kmoore@oakridge tn. gov       |
| Terry Frank        | And. co          | tfrank@andersoncountytn.gov   |
|                    |                  |                               |
|                    |                  |                               |
|                    |                  |                               |

Oak Ridge Reservation Communities Alliance  
FY 2023 Quarterly Report for the Period  
January 1, 2023 thru March 31, 2023

Many activities in support of the ORRCA grant scope of work took place during this **third quarter** of the FY23 grant period.

**Q3 Activities in Support of the Scope of Services:**

- (1) Members held an ORRCA meeting on January 25, 2023 at which the FY24 work plans for FFA and ESOA grants were approved. Members discussed the upcoming grant renewal process and ongoing concerns related to reimbursement of expenses that had previously been allowed. Public notice of the meeting was provided, and the meeting was held at the TDEC Office on Emory Valley Road in Oak Ridge.
- (2) Members held an ORRCA meeting on March 6, 2023 at which the Five-Year work plans for the new FFA and ESOA grants were approved. Public notice of the meeting was provided, and the meeting was held at the TDEC Office on Emory Valley Road in Oak Ridge.
- (3) City staff met with Anderson County Mayor and staff to provide historical review and documentation and offer assistance as Anderson County considers serving as the Fiscal Agent for the next five-year grant beginning July 1, 2023.
- (4) Members continued to review the draft legal settlement released in August 2022 regarding the Natural Resources Damages Assessment. The Oak Ridge City Council adopted a resolution at their October 2022 meeting transmitting comments to the Tennessee Department of Environment and Conservation requesting additional information, a pause in the process to allow the consultation with the affected jurisdictions and expressing opposition to the proposed legal settlement.
- (5) Members met with DOE/NNSA officials and participated in the dedication of the Y-12 Emergency Operations Center.
- (6) Members continued to participate in meetings and planning for the proposed Oak Ridge Airport to be located at the East Tennessee Technology Park.
- (7) Members met with various DOE officials to discuss environmental management issues.

- (8) Members met with Los Alamos and Hanford officials to discuss a joint meeting with DOE and the National Park Service on the Manhattan Project National Historical Park.
- (9) Members continued to monitor congressional appropriations for FY23, which included funding to develop a roadmap using technology development to help solve some of EM's most challenging problems. Members also looking for DOE's FY24 budget proposal.
- (10) Members prepared the second quarter grant reports and financial statements and submitted them to TDEC in support of the ORRCA scope as described in ORRCA's approved work plan and the Tennessee Oversight Interlocal Agreement.
- (11) Members participated in local meetings regarding the reindustrialization of DOE property for new nuclear projects.
- (12) Members participated in educational meetings with the Nuclear Regulatory Commission and TDEC to become better educated about the federal/state regulatory framework.
- (13) Members continue to monitor DOE's decision-making process regarding storage of elemental mercury.
- (14) ORRCA members participated in follow up evaluations of DOE's annual Intergovernmental Meeting, which was held November 29-December 1, 2022 in New Orleans. Preliminary planning for the 2023 annual meeting is underway.
- (15) Members reviewed DOE and TEMA proposed public documents and revised sector maps for emergency response exercises.
- (16) Member staff participated in working meetings of the DOE Environmental Management Advisory Board, the Federal Advisory Committee Act (FACA)-chartered organization that helps stakeholders better engage in the work of DOE's EM program.
- (17) Staff from member jurisdictions continued to meet to collaborate on public education and outreach activities.
- (18) Members continue to review and monitor final plans for the remainder of K-25 interpretation pursuant to the National Historic Preservation Act. The Oak

Ridge City Council adopted the revised Memorandum of Agreement (MOA) that finalizes the commitments at their June 2021 business meeting; DOE finalized the MOA in August 2021.

- (19) Members participated in meetings with DOE, Energy Communities, and intergovernmental groups on topics that impact DOE's programs in Oak Ridge.
- (20) Members reviewed progress and issues related to the State's monitoring of DOE activities, including environmental sampling and progress toward achieving Federal Facilities Agreement milestones.
- (21) Member jurisdictions continued to monitor DOE's proposed interpretation of the high-level radioactive waste definition. This issue could have implications for waste disposal across the DOE complex.
- (22) Members participated in emergency response planning activities related to the Oak Ridge Reservation, including work toward updating disaster recovery plans and annual emergency response exercise.

Revised ORRCA FY23 Budget  
7/1/22 to 6/30/23

| EXPENSE OBJECT LINE-ITEM CATEGORY          | FFA<br>Current Budget | Proposed<br>Change | FFA<br>Proposed Budget | ESOA<br>Current Budget | Proposed<br>Change | ESOA<br>Proposed Budget | Totals               |
|--|-----------------------|--------------------|------------------------|------------------------|--------------------|-------------------------|----------------------|
| <b>SALARIES, BENEFITS, &amp; TAXES</b>     |                       |                    |                        |                        |                    |                         |                      |
| Grant Admin & Salary Reimbursement         | \$ 38,500.00          |                    | \$ 38,500.00           | \$ 45,500.00           | \$ (7,000.00)      | \$ 38,500.00            | \$ 77,000.00         |
| Intern                                     | \$ 5,000.00           | \$ (5,000.00)      | \$ -                   | \$ 5,000.00            | \$ (5,000.00)      | \$ -                    | \$ -                 |
| Salaries Total                             | \$ 43,500.00          |                    | \$ 38,500.00           | \$ 50,500.00           |                    | \$ 38,500.00            | \$ 77,000.00         |
| <b>PROFESSIONAL FEE, GRANT &amp; AWARD</b> |                       |                    |                        |                        |                    |                         |                      |
| Emergency Management Contract              | \$ -                  |                    | \$ -                   | \$ 10,000.00           |                    | \$ 10,000.00            | \$ 10,000.00         |
| Technical Review                           | \$ 20,000.00          | \$ (3,192.00)      | \$ 16,808.00           | \$ -                   |                    | \$ -                    | \$ 16,808.00         |
| Professional Total                         | \$ 20,000.00          |                    | \$ 16,808.00           | \$ 10,000.00           |                    | \$ 10,000.00            | \$ 26,808.00         |
| <b>SUPPLIES</b>                            |                       |                    |                        |                        |                    |                         |                      |
| Supplies Total                             | \$ 2,500.00           |                    | \$ 2,500.00            | \$ 8,438.00            | \$ (5,938.00)      | \$ 2,500.00             | \$ 5,000.00          |
| <b>TRAVEL, CONFERENCES, MEETINGS</b>       |                       |                    |                        |                        |                    |                         |                      |
| Travel, Conferences, Meetings Total        | \$ 7,500.00           | \$ 5,130.00        | \$ 12,630.00           | \$ 7,500.00            | \$ 5,000.00        | \$ 12,500.00            | \$ 25,130.00         |
| <b>OTHER NON-PERSONNEL</b>                 |                       |                    |                        |                        |                    |                         |                      |
| Memberships ans Subscriptions              | \$ 5,000.00           | \$ 10,000.00       | \$ 15,000.00           | \$ 10,000.00           | \$ 8,000.00        | \$ 18,000.00            | \$ 33,000.00         |
| Public Education/Outreach                  | \$ 6,808.00           | \$ 4,192.00        | \$ 11,000.00           | \$ 10,000.00           | \$ 4,938.00        | \$ 14,938.00            | \$ 25,938.00         |
| Other Non-Personnel Total                  | \$ 11,808.00          |                    | \$ 26,000.00           | \$ 20,000.00           |                    | \$ 32,938.00            | \$ 58,938.00         |
| Unallocated                                | \$ 11,130.00          | \$ (11,130.00)     | \$ -                   |                        |                    |                         |                      |
| <b>Grand Total</b>                         | <b>\$ 96,438.00</b>   | <b>\$ -</b>        | <b>\$ 96,438.00</b>    | <b>\$ 96,438.00</b>    | <b>\$ -</b>        | <b>\$ 96,438.00</b>     | <b>\$ 192,876.00</b> |



## 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 2017. 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 consists 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, 2028. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Anderson County Mayor

  
\_\_\_\_\_  
City of Oak Ridge Mayor

\_\_\_\_\_  
Knox County Mayor

\_\_\_\_\_  
Morgan County Executive

\_\_\_\_\_  
Roane County Executive

**RESOLUTION**

A RESOLUTION AUTHORIZING AN EXTENSION OF THE TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT BETWEEN THE CITY OF OAK RIDGE AND THE FOLLOWING COUNTIES: ANDERSON, KNOX, MORGAN, AND ROANE, 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 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 DOE is protecting their health, safety, and environment; and

WHEREAS, the Tennessee Oversight Agreement includes a provision to provide a better understanding by the local governments and the public of the past and present operations at DOE's Oak Ridge Reservation (ORR), including impacts on human health and/or the environment; and

WHEREAS, by Resolution 11-101-11, City Council adopted the Tennessee Oversight Interlocal Agreement (TOIA) for the purpose of implementing the local government provisions of the Tennessee Oversight Agreement; and

WHEREAS, the local governments participating in the TOIA are collectively recognized by DOE and the State as the Oak Ridge Reservation Communities Alliance (ORRCA); and

WHEREAS, by Resolution 4-23-2016, City Council authorized an extension of the TOIA through June 20, 2021 and by Resolution 7-69-2019, City Council adopted modifications to the TOIA and extended the term through June 30, 2023; and

WHEREAS, ORRCA members desire to extend the term of the TOIA for the period July 1, 2023 through June 30, 2028; and

WHEREAS, the Interim City Manager recommends the extension of the term of the TOIA for the period July 1, 2023 through June 30, 2028.


NOW, THEREFORE, BE RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

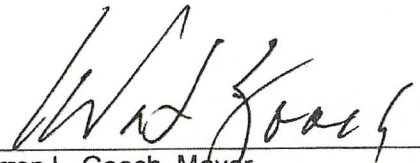
That the recommendation of the Interim City Manager is approved, and an extension of the Tennessee Oversight Interlocal Agreement between the City of Oak Ridge and the Counties of Anderson, Knox, Morgan, and Roane for the term July 1, 2023 through June 30, 2028 is approved.

BE IT FURTHER RESOLVED that the Mayor and/or Interim City Manager are hereby authorized to execute the appropriate legal instruments to accomplish the same.

This 8th day of May 2023.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Tammy M.D. Rackard, City Attorney

  
\_\_\_\_\_  
Warren L. Gooch, Mayor

  
\_\_\_\_\_  
Mary Beth Hickman, City Clerk