



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

RECEIVED
JAN 27 2025
COUNTY MAYOR'S OFFICE

January 23, 2025

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

U.S. Department of Energy Letter Dated January 17, 2025: Rescission of the Remedial Action Work Plan for the Disposal of Oak Ridge Reservation Comprehensive Environmental Response, Compensation, and Liability Act of 1980 Waste, Oak Ridge, Tennessee (DOE/OR/01-1874&D5)

Dear Mr. Petrie

The Tennessee Department of Environment and Conservation (TDEC), Division of Remediation – Oak Ridge Office (DoR-OR) seeks to clarify a key point in response to the subject letter from the U.S. Department of Energy (DOE), herein referred to as the *DOE letter*. The DOE letter states:

Since the dispute over EMWMF radiological discharge limits will be resolved in the ESD, the dispute on the RAWP will be closed, and an updated version of the RAWP will be submitted after the ESD is approved.

The U.S. Environmental Protection Agency (EPA) [initiated a dispute](#) regarding a [revision of the Remedial Action Work Plan \(RAWP\)](#) that DOE submitted on [February 19, 2014](#). One reason for the dispute was the need for milestones for DOE to document and meet protective limits for discharging radionuclides from the Environmental Management Waste Management Facility (EMWMF) to Bear Creek. The parties to the [Federal Facility Agreement for the Oak Ridge Reservation \(FFA\)](#)—DOE, EPA, and TDEC—have made considerable progress, including [resolution](#) of a [dispute](#) regarding the [second draft \(D2\)](#) wastewater management Focused Feasibility Study (FFS). The parties are working to establish protective discharge limits for EMWMF wastewater in accordance with that decision.

Despite the progress, key issues highlighted in EPA's 2014 dispute letter will remain unresolved until the FFA parties approve 1) an Explanation of Significant Differences (ESD) that adds legal requirements, known as Applicable or Relevant and Appropriate Requirement (ARARs), for landfill wastewater management to the EMWMF Record of Decision (ROD) [and](#) 2) a revised

RAWP that implements protective wastewater discharge limits that comply with those ARARs. It is premature to declare the 2014 RAWP dispute resolved before the FFA parties approve the revised document. During a September 25, 2024, project team meeting, the FFA parties agreed the RAWP "will continue to be in informal dispute until concerns are resolved." Therefore, TDEC expects the project team will collaborate to resolve the informal dispute, including review and approval of the revised RAWP.

Questions or comments concerning the contents of this correspondence should be directed to Brad Stephenson at the above address, by phone at 865-352-1235, or by email at brad.stephenson@tn.gov.

Sincerely

Randy Young Digitally signed by Randy Young
Date: 2025.01.23 09:53:01 -05'00'

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

ec: Dennis Mayton, DOE
Brian Henry, DOE
Sam Scheffler, DOE
Erin Sutton, DOE
John Sayer, EPA
Samantha Urquhart- Foster, EPA
Sid Garland, UCOR
Tanya Salamacha, UCOR
Dana Casey, TDEC
Ethan Sweet, TDEC
OREM Mailroom
ORSSAB

xc: Wade Creswell, ORRCA
Amy Fitzgerald, ORR
Terry Frank, ORRCA
Warren Gooch, ORRCA

COPY