



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

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

RECEIVED
FEB 25 2025
COUNTY MAYOR'S OFFICE

February 21, 2025

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: Time-Critical Removal Action White Wing Scrap Yard (Waste Area Grouping 11), Oak Ridge Reservation, Oak Ridge, Tennessee

The Tennessee Department of Environment and Conservation (TDEC), Division of Remediation-Oak Ridge Office (DoR-OR), recognizes the U.S. Department of Energy (DOE) will proceed with Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) clean-up of soil, sediments, and/or surface water at the White Wing Scrap Yard (WWSY) under a time-critical removal action (TCRA) to facilitate early property transfer of the WWSY for beneficial reuse. As such, the Remedial Investigation Work Plan (RIWP) for White Wing Scrap Yard (DOE/OR/01-2970&D1) will be rescinded to allow for the removal action (RmA) process to proceed.

TDEC supports the potential future property transfer of WWSY. Given that DOE has elected to proceed under a TCRA, TDEC would like to reiterate its May 16, 2024, comments on the RIWP, and our November 26, 2024, comments on DOE's response to comments pertaining to threatened and endangered (T&E) species. TDEC strongly encourages DOE to consider those comments while moving through the TCRA process.

Specifically, DOE should conduct a survey and accounting of threatened, endangered, or rare species prior to clearing of vegetation to ensure any investigation or RmA activities are completed in accordance with applicable or relevant and appropriate requirements (ARARs) concerning T&E species.

- ARARs should include relevant state and federal regulations for protection of T&E species, as well as species listed "in need of management."
 - While ARARs are not yet finalized for final CERCLA actions at the WWSY, the timing of the TCRA makes it important to address T&E and listed species during site characterization prior to initiation of the RmA.

- Biological surveys for T&E and sensitive species should be scheduled to:
 - Avoid periods of inactivity of state and federal listed species (e.g., hibernation or dormancy), or adjust survey protocols to account for winter phenology, to maximize the likelihood of documenting these species if they are present; and,
 - Allow time for mitigation to minimize impacts to listed and sensitive species where possible.
- Though no T&E or sensitive species have previously been documented within WWSY, natural resource surveys should be completed to confirm their absence.
 - Multiple state-listed species from multiple taxonomic groups have been documented in the general vicinity of WWSY in the past, but the level of effort dedicated to characterizing the flora and fauna communities is inconsistent, as documented in the 2023 Annual Site Environmental Report.
 - Surveys with greater levels of effort may be needed to confirm the absence of a rare or uncommon species, such as state and federal T&E species.

TDEC understands that Oak Ridge National Laboratory (ORNL) has recently conducted a survey of WWSY and looks forward to having the opportunity to review ORNL's findings in relation to state and federal T&E species and hearing more about the result of the consultation process.

Questions or comments concerning the contents of this letter should be directed to Eileen Marcillo at the above address or by phone at (865) 985-2397.

Sincerely

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

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