



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

July 29, 2026

Mr. Roger Petrie
U.S. Department of Energy
Oak Ridge Office of Environmental Management
Post Office Box 4067
Oak Ridge, TN 37831

RECEIVED
JUL 31 2026
COUNTY MAYOR'S OFFICE

Dear Mr. Petrie

Re: Explanation of Significant Differences for the Record of Decision for Phase II Interim Remedial Actions for Contaminated Soils and Scrapyard in Upper East Fork Poplar Creek, Oak Ridge, Tennessee: Former New Hope Pond (DOE/OR/01-3029&D1)

The Tennessee Department of Environment and Conservation (TDEC), Division of Land Protection-Remediation Branch, Oak Ridge Office, received the above referenced Federal Facility Agreement (FFA) Explanation of Significant Differences (letter from M. Carden to J. Dawson and E. Marcillo) on June 10, 2026. The document has been reviewed pursuant to the FFA for the Oak Ridge Reservation (ORR). The following comments are relevant to the State's Review:

Specific Comments:

1. **Page 1, Introduction and Statement of Purpose, fourth paragraph, last sentence and Page 7, second bullet**
According to the presentation given on November 10, 2025, the designated end use for New Hope Pond capped area is DOE-controlled industrial to 2 feet (ft). Why did the end-use designated change to DOE-controlled industrial to 0 ft for this document?
2. **Page 3, Site History, Contamination, and Selected Remedy, third paragraph, last sentence**
The 1998 Oak Ridge Reservation End Use Working Group Report also identified this as the end use of the Y-12 facility. Please revise the sentence to include this reference. It is also relevant to note that the controlled industrial end use does not dictate surface water and groundwater cleanup goals. It only impacts Regional Screening Levels (RSL)/Preliminary Remediation Goals (PRG) and depth of soil cleanup for an industrial worker.
3. **Page 5, fifth bullet, first sentence**
Remove "over time" from this bullet. Its meaning in this sentence is not synonymous with its use in the Phase II Interim Record of Decision.

4. **Page 5, Bases for Significant Differences, first sentence**

Change "acknowledge the LUCs" to "select LUCs under CERCLA".

5. **Page 5, Bases for Significant Differences, third sentence**

Change "acknowledging" to "selecting".

6. **Page 7, Description of Significant Differences, first bullet, last sentence**

Please change "will be *addressed in* a future document" to "will be *deferred to* a future document".

7. **Page 7, Description of Significant Differences, third bullet**

Change "*including the* post-closure care requirements" to "*selecting the* post-closure care requirements".

8. **Page 7, Description of Significant Differences, third bullet**

Provided that the cap over the former New Hope Pond is an engineered remedy, TDEC expects the future revision to the East Fork Poplar Creek Remedial Action Report/ Comprehensive Monitoring Plan identified in the text will include survey plat maps identifying the boundary of the cap.

9. **Page 15**

Please change TDEC's signatory to "Steve Sanders, Director, Division of Land Protection".

Review of this request meets the review cycle protocol of 60 days. Questions or comments concerning the contents of this letter should be directed to Cody Juneau at cody.juneau@tn.gov or by phone at (865) 314-2328.

Sincerely



for Eileen Marcillo

FFA Project Manager

Division of Land Protection – Remediation Branch

Oak Ridge Office

ec: Cathy Amoroso – EPA
Jana Dawson – EPA
Alayna Famble – EPA
Jason Poe – EPA
Jon Richards – EPA
Morgan Carden – DOE
Joanna Hardin – DOE
Sam Scheffler – DOE
Alexandra Schenk – DOE
Chloe Ashley – NNSA
Chloe Costanzo – NNSA
Walt Doty – NNSA
Keith Ferrell – NNSA
Howell Estes – CNS
Stacey Loveless – CNS
Tanya Salamacha – UCOR
Sid Garland – UCOR
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Terry Frank – ORRCA
Warren Gooch – ORRCA

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