



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
Federal Facility Agreement Manager
Oak Ridge Office of Environmental Management
U.S. Department of Energy
Post Office Box 2001
Oak Ridge, Tennessee 37831

TDEC Review: Update to the Administrative Record for the Record of Decision for Comprehensive Environmental Response, Compensation, and Liability Act Oak Ridge Reservation Waste Disposal at the Environmental Management Disposal Facility, Oak Ridge, Tennessee (DOE/OR/01-2794&D2/R1)

Dear Mr. Petrie

The Tennessee Department of Environment and Conservation (TDEC), Division of Remediation-Oak Ridge Office approves the list of documents incorporated to date in the subject Administrative Record Index. This includes the latest update (dated December 12, 2023) submitted with the U.S. Department of Energy (DOE) letter dated [December 20, 2023](#).

However, consistent with TDEC letters dated [September 14, 2022](#), and [March 6, 2023](#), and Section XXXIII of the Federal Facility Agreement (FFA) for the Oak Ridge Reservation, TDEC recommends inclusion of additional public records listed in the enclosure to this letter. TDEC supports openness with regard to public records that were considered in selecting the Environmental Management Disposal Facility (EMDF) as an onsite waste disposal remedy under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Questions or comments should be directed to Brad Stephenson at the above address, by email at brad.stephenson@tn.gov, or by phone at (865) 352-1235.

Sincerely

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

Enclosure

ec:	Dennis Mayton, DOE	xc:	Wade Creswell, ORRCA
	Samantha Urquhart- Foster, EPA		Amanda Daugherty, ORRCA
	Carl Froede, EPA		Amy Fitzgerald, ORRCA
	John Sayer, EPA		Terry Frank, ORRCA
	Sid Garland, UCOR		
	Tanya Salamacha, UCOR		
	Sam Scheffler, DOE		
	Erin Sutton, DOE		
	ORSSAB		
	OREM Mailroom		
	Ethan Sweet, TDEC		
	Chris Thompson, TDEC		
	Colby Morgan, TDEC		

Documents Recommended by TDEC for Addition to the EMDF Administrative Record

March 2024

Hyperlinks in the following list indicate documents that appear to be absent from, and should be added to, the proposed Administrative Record. Items *without* hyperlinks are headings for the supporting documents listed below them.

Remedial Investigation (RI) / Feasibility Study (FS) & Site Characterization

[Acoustic Survey of Bats at the Proposed EMDF Site](#), February 2017 ([transmitted](#) February 28, 2017)

Focused Feasibility Study (FFS) for Landfill Wastewater Management

[D2 FFS](#), February 2016
transmitted February 23, 2016

[Southern Environmental Law Center \(SELC\) letter to EPA Administrator](#), May 26, 2021

[D3 FFS](#), June 2021
transmitted June 23, 2021

[Southern Environmental Law Center \(SELC\) letter to EPA Administrator](#), August 2, 2021

[Southern Environmental Law Center \(SELC\) letter to EPA Administrator](#),
November 4, 2021

[D4 FFS](#), June 2022
transmitted June 1, 2022

[EPA Comments](#) (Final), July 13, 2022

DOE Performance Assessment (PA) & Composite Analysis (CA)

[TDEC Letter re EMDF Composite Analysis Issues](#), April 17, 2019

Community Acceptance

[Public Involvement Plan for CERCLA Activities at the U.S. Department of Energy Oak Ridge Site and Community Outreach Plan for the Environmental Management Disposal Facility \[2016 Update, Replaces Previous Versions\]](#), January 20, 2017

[EPA Approval: Community Outreach Plan for the EMDF](#), March 9, 2017

[City of Oak Ridge Letter: Request to Postpone D1 ROD](#), April 2, 2019

[TDEC Letter: Response to City of Oak Ridge Request to Postpone D1 ROD](#), April 15, 2019

[DOE Response to Oak Ridge Reservation Communities Alliance \(ORRCA\) Letter: Request for Public Meeting Before Draft \(D1\) ROD](#), July 19, 2019

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[City of Oak Ridge Letter: Request for Public Meeting Before Draft \(D1\) ROD](#), July 12, 2019

[Southern Environmental Law Center \(SELC\) Letter: Request for Meaningful Opportunities for Public Comment](#), August 1, 2019

[Advocates for the Oak Ridge Reservation \(AFORR\) Letter & Fact Sheet: Support for the Hybrid Alternative](#), August 26, 2019

Notes: Date in letter (2009) is a typographical error; it should be 2019. In the interest of privacy, this copy omits the petition with approximately 174 names.

[Southern Environmental Law Center \(SELC\) Letter: New Information Regarding the Proposed Landfill Site](#), October 1, 2019

[Letter from Sierra Club & Advocates for the Oak Ridge Reservation \(AFORR\)](#), April 8, 2021

[Community Outreach Plan for the Environmental Management Disposal Facility](#), provided to Oak Ridge Site Specific Advisory Board June 1, 2021

[Letter from Rev. Derrick Hammond and Scarboro Community Leaders](#), November 29, 2021

[City of Oak Ridge Statement on Proposed disposal facility](#), May 17, 2022

Record of Decision (ROD) Milestone Extensions

In the interest of consistency within the Administrative Record Index, TDEC recommends including *or* omitting all ROD extension requests, approvals, and acknowledgements. The updated Index provided to TDEC and EPA on December 20, 2023, already includes letters associated the extensions indicated below.

[ROD Milestone Extension #1](#)

[ROD Milestone Extension #12](#)

[ROD Milestone Extension #15](#)

[ROD Milestone Extension #18](#)

The EPA approval letter is included in the index.
The index omits the DOE letter and the TDEC letter.

[D2 ROD Schedule Extension #4](#)

[D2 ROD Schedule Extension #5](#)

[D2 ROD Schedule Extension #6](#)

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However, the index omits some or all of the letters associated with the other extensions, as indicated and hyperlinked below.

All three letters (DOE, EPA, TDEC) missing from Administrative Record Index.

[ROD Milestone Extension #2](#)

[ROD Milestone Extension #3](#)

[ROD Milestone Extension #4](#)

[ROD Milestone Extension #5](#)

[ROD Milestone Extension #6](#)

[ROD Milestone Extension #7](#)

[ROD Milestone Extension #8](#)

[ROD Milestone Extension #9](#)

[ROD Milestone Extension #10](#)

[ROD Milestone Extension #11](#)

[ROD Milestone Extension #13](#)

[D2 ROD Schedule Extension #1](#)

DOE letter missing from Administrative Record Index; EPA & TDEC letters are included.

[ROD Milestone Extension #14](#)

TDEC letter missing from Administrative Record Index; DOE & EPA letters are included.

[ROD Milestone Extension #16](#)

[D2 ROD Schedule Extension #3](#)

EPA letter missing from Administrative Record Index; DOE & TDEC letters are included.

[ROD Milestone Extension #17](#)

EPA letter is now included in the revised Administrative Record Index, but searching for Order number F.0615.031.0221 in the DOE Information Center returns an unsigned document. TDEC's link here connects to a signed version. The Index should reference the signed version of this letter.

[D2 ROD Schedule Extension #2](#)

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As of February 2, 2024, DOE has not corrected this in the DOE Information Center. TDEC provided a signed version to DOE.

DOE & TDEC letters missing from Administrative Record Index; EPA letter is included.

[D2 ROD Schedule Extension #7](#)