

Dr. Mark S. Watson
Oak Ridge City Manager

Statement on proposed onsite disposal facility to aid
DOE's environmental cleanup on the Oak Ridge Reservation
May 17, 2022

Representatives of the Department of Energy (DOE), Environmental Protection Agency (EPA) and Tennessee Department of Environment and Conservation (TDEC).

Since 2014, the City of Oak Ridge has actively pursued a resolution to the siting of a second landfill in the Bear Creek Valley. Each of your agencies has assisted and cooperated through a series of meetings, responses and sharing of information critical to the City of Oak Ridge. We must thank you for representing the local interests of 31,500 people that live adjacent to the Department of Energy reservation. The City would like to respond to the following:

Site Groundwater Characterization Fact Sheet

According to the fact sheet, existing data show groundwater elevations in the highest parts of the knoll in the area where Cells 1 and 2 would be constructed. Thus, the City concurs with the approach to conduct a field demonstration over at least two wet seasons at this location to gather real-time data. The fact sheets states that adjustments would be made if there are unusual amounts of rainfall but does not state what those adjustments would be.

The Waivers and Exemptions section of the fact sheet on Page 4 state that "the robust engineered liner system DOE designed that fulfills the intent of the requirements to prevent and rapid release of contamination." The fact sheet should explain how and who will test and maintain this system, since it will be in place for hundreds of years.

Similarly, the fact sheet states that limits on waste contaminant acceptance will reduce the impact of potential future releases but does not describe how that process will work. Oversight and strict documentation are needed to promote public and community acceptance of the proposed landfill.



Waste Acceptance Criteria

Many of the public's comments have revolved around the need to have Waste Acceptance Criteria (WAC) in place prior to a final Record of Decision (ROD). What are the criteria that have not been agreed to among the agencies?

What is the definition of "unacceptable risk," and how is that determined? Upon what standards is risk determined, and how does the 5% of the total radiological activity that will be disposed on-site factor into WAC? It would be helpful to have more information about how these analyses are completed.

Water Quality Protection for Bear Creek

This fact sheet acknowledges the existing impaired condition of Bear Creek. The fact sheet states that DOE will treat all contaminated wastewater and leachate from EMDF prior to discharge into Bear Creek but does not address how stormwater will be managed. A robust stormwater management system is important to the City, as the creek system continues to flow through the City into East Fork Poplar Creek, Poplar Creek and enters the Clinch River.

The fact sheet states that fishing does not occur due to the "low number and small size of the fish." Fishing is prohibited due to contamination. The fact sheet should explain what measures are and will be taken in the future to reduce the contaminants so that the State's posting signs can eventually be removed.

Page 4 discusses Mercury Discharge Limits. The comprehensive mercury strategy under discussion among DOE, EPA and TDEC should include not only an "evaluation" of factors causing methylation, but a program of investment by DOE into technology that will expedite the restoration of the stream. OREM and the State should partner with the Oak Ridge Innovation Institute and ORNL that has just received \$80 million in state funding that could help support this vital research to improve public health and the environment in Tennessee. The warning signage posted along the waterways in Oak Ridge are a major source of negative public perception about Oak Ridge.

Finally, the City of Oak Ridge should be noted as supportive of continuing the environmental work of DOE. The economics of our community is unique with many "ups and downs" as businesses change and adapt to new missions of the federal government. The actions taken by the three agencies to consider a new landfill have taken our comments into consideration. We look forward to working with you as a strong "host" community.

A handwritten signature in cursive script that reads "Mark S. Watson".

Mark S. Watson