



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

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

February 17, 2022

Mr. Roger Petrie
DOE FFA Project Manager
Oak Ridge Office of Environmental Management
U.S. Department of Energy
Post Office Box 2001
Oak Ridge, Tennessee 37831-2001

Federal Facility Agreement (FFA) Extension Request (February 7, 2022) for Environmental Management Disposal Facility (EMDF) Record of Decision (ROD) (DOE/OR/01-2794&D2) and Remedial Design Work Plan (RDWP)

Dear Mr. Petrie:

The Tennessee Department of Environment and Conservation (TDEC) reviewed the request cited above pursuant to the FFA for the Oak Ridge Reservation. The State concurs with the six-week (42-day) extension requested by the U.S. Department of Energy (DOE) for delivering the second draft (D2) ROD, as well as the resulting seven-month (217-day) extension for the first draft (D1) RDWP.

The additional time supports DOE and U.S. Environmental Protection Agency efforts to reach agreement regarding radiological discharge limits for landfill wastewater from the Environmental Management Waste Management Facility (EMWMF) and the proposed Environmental Management Disposal Facility (EMDF). The extension is also intended to accommodate additional public engagement and allow DOE time to respond to regulatory and public comments in the D2 ROD. As requested by DOE, the new submittal date for the D2 ROD will be April 5, 2022, and the new date for the D1 RDWP will be November 8, 2022.

TDEC supports ongoing efforts by DOE and EPA to resolve remaining concerns about the landfill wastewater management Dispute Resolution Decision issued by the EPA Administrator in 2020. TDEC will also continue supporting DOE efforts to develop Waste Acceptance Criteria (WAC) demonstrated to be protective under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Please direct any questions or comments regarding this letter to Brad Stephenson at 865-220-6587 or Randy Young at 865-310-1157.

Sincerely

A handwritten signature in black ink, appearing to read "Randy C. Young". The signature is fluid and cursive, with the first name "Randy" being the most prominent.

Randy C. Young
TDEC FFA Manager

ec: Carl Froede, EPA
Samantha Urquhart-Foster, EPA
Sam Scheffler, DOE
Dennis Mayton, DOE
OREM Mailroom
John Patterson, UCOR/Strata-G
Sid Garland, UCOR
Tanya Salamacha, UCOR
Chris Thompson, TDEC
Colby Morgan, TDEC

xc: Amanda Daugherty, ORRCA
Amy Fitzgerald, ORRCA
Ron Woody, ORRCA
Shelley Kimel, ORSSAB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

February 10, 2022

VIA ELECTRONIC MAIL

Mr. Roger Petrie
Federal Facility Agreement Manager
Oak Ridge Office for Environmental Management
Department of Energy
Post Office Box 2001
Oak Ridge, Tennessee 37831

Dear Mr. Petrie:

The U.S. Environmental Protection Agency has reviewed the Department of Energy's (DOE) request to extend the Federal Facility Agreement (FFA) milestone submittal date for the revised *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&D1). Your February 7, 2022, letter was received by EPA electronically on the same date.

Your letter stated that the extension is necessary under FFA Section XXX.B.5 to allow the EPA to hold interactions with select members of the public and then reach agreement regarding radiological discharge limits. All of this activity will then be followed by public engagement on three topics covered by DOE Fact Sheets, which includes the radiological discharge limits. The extension would change the Environmental Management Disposal Facility (EMDF) D2 Record of Decision submittal date from February 22, 2022, to April 5, 2022.

Additionally, the DOE requested to extend the EMDF D1 Remedial Design Work Plan (RDWP) submittal date by seven months. The additional time is needed under Section XXX.B.5 to obtain approval of the ROD prior to completion and submittal of the D1 RDWP. The extension would change the D1 RDWP submittal from April 14, 2022, to November 8, 2022.

The EPA approves the DOE's request to extend the milestones and looks forward to continued dialog on the Environmental Management Disposal Facility. If you have any questions, please contact Carl Froede, Jr. at (404) 562-8550 or Froede.Carl@epa.gov, or me at (404) 909-0839 or Urquhart-Foster.Samantha@epa.gov.

Sincerely,

Samantha Urquhart-Foster, FFA Project Manager
Restoration & DOE Coordination Section
Superfund & Emergency Management Division

cc: Brian T. Henry, DOE
Dave Adler, DOE
Dennis Mayton, DOE
Melyssa Noe, DOE
Sam Scheffler, DOE
Randy Young, TDEC
Brad Stephenson, TDEC
DOCSSP-EM@orem.doe.gov
ORSSAB



Department of Energy

Oak Ridge Office of Environmental Management
P.O. Box 2001
Oak Ridge, Tennessee 37831

February 7, 2022

Ms. Samantha Urquhart-Foster
Superfund and Emergency Response Division
U.S. Environmental Protection Agency
Region 4
Atlanta Federal Center
61 Forsyth Street
Atlanta, Georgia 30303-8960

Mr. Randy C. Young
State of Tennessee
Department of Environment and Conservation
Division of Remediation – Oak Ridge
761 Emory Valley Road
Oak Ridge, Tennessee 37830-7072

Dear Ms. Urquhart-Foster and Mr. Young:

SUBMITTAL OF FEDERAL FACILITY AGREEMENT EXTENSION REQUEST FOR 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&D1)

In accordance with the *Federal Facility Agreement for the Oak Ridge Reservation*, Section XXX.B.5, *Extensions: additional work agreed to by the parties*, the *Federal Facility Agreement for the Oak Ridge Reservation* parties agreed previously to extend the submittal of the D2 Record of Decision (ROD) subject document to February 22, 2022.

The U.S. Department of Energy is requesting to extend the D2 ROD submittal date by an additional six weeks (or 42 days). The additional time is needed under Section XXX.B.5 to allow the U.S. Environmental Protection Agency to hold interactions with select members of the public and then reach agreement regarding radiological discharge limits. All of this activity will then be followed by public engagement on established topics, which include the discharge limits. The extension would change the submittal date to April 5, 2022.

Also, the U.S. Department of Energy is requesting to extend the Environmental Management Disposal Facility Remedial Design Work Plan submittal date by an additional approximate seven months (or 217 days). The additional time is needed under Section XXX.B.5 to obtain approval of the ROD prior to completion and submittal of the Remedial Design Work Plan. The extension would change the submittal date to November 8, 2022.

SUBMITTAL OF FEDERAL FACILITY AGREEMENT EXTENSION REQUEST FOR *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&D1)*

If you have any questions or if we can be of further assistance, please contact Roger Petrie at (865) 316-0463 or Brian Henry at (865) 241-8340.

Sincerely,

Brian Henry

Digitally signed by Brian
Henry
Date: 2022.02.04
08:49:56 -05'00'

Brian T. Henry
Portfolio Federal Project Director

**ROGER
PETRIE**

Digitally signed by
ROGER PETRIE
Date: 2022.01.31
16:33:52 -05'00'

Roger B. Petrie
Federal Facility Agreement Project Manager

cc:

Carl Froede, EPA Region 4

Sidney Garland, RSI

SSAB

Brad Stephenson, TDEC, Oak Ridge

Jennifer Linton, UCOR

Annette Primrose, UCOR

Tanya Salamacha, UCOR

ETTPDMC@orcc.doe.gov

Dave Adler, EM-94

Dennis Mayton, EM-921

Sam Scheffler, EM-942