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# ADVOCATE

## DOE Working with Regulators to Update ORR NPL Boundary

In 1989, the DOE Oak Ridge Reservation, all 37,000 acres, was placed on the National Priorities List for cleanup under the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act. But only a portion of the reservation, approximately less than 20% of the acreage, is contaminated with radioactive or hazardous materials.

DOE-Oak Ridge would like to have the Oak Ridge NPL site boundaries reflect only those areas of the reservation that are contaminated. "If DOE can remove clean parcels from the NPL boundary, we do not have to produce records of decisions of cleanup for each of those parcels, and that will save millions of dollars," said Pat Halsey, Oak Ridge SSAB Federal Coordinator. "And from the public's perspective, they will know that the ORR NPL site contamination is not nearly as onerous as it appears to be and that most of the reservation is not contaminated."

DOE is currently working with EPA and the Tennessee Department of Environment and Conservation on a process that would identify and remove the clean areas and have the NPL accurately reflect the NPL site. Halsey said there are some minor details still to be worked out, but all three parties are in basic agreement on the process. DOE, EPA, and TDEC are the signatories of the DOE Oak Ridge Federal Facility Agreement that spells out the process for cleaning up contaminated areas of the ORR.

Halsey said DOE has submitted a proposal to EPA and TDEC that would modify the FFA to explain the process by which parcels will be removed from the NPL site boundary. "There is nothing in CERCLA or the FFA that explains how to identify the clean areas within the Oak Ridge Reservation," she said.

The process will not change the boundary of the reservation; it will only change the NPL site boundary. In fact, the current NPL boundary extends beyond the ORR boundary in a couple of places, such as outlining the area of a volatile organic compound groundwater plume that extends offsite just east of the Y-12 National Security Complex and the Clinch River.

If the proposed FFA modification is accepted, a number of steps will be taken to exclude unaffected areas of the reservation from the current NPL site boundary.

Based on historical knowledge and limited field activities, areas that are not believed to have been impacted by releases of hazardous substances would be documented as uncontaminated through a no further investigation determination process. The process for obtaining a clean parcel determination for parcels that are intended for transfer from federal to non-federal ownership is found in CERCLA and is the basis for the process being proposed for the no further investigation determination.

If no environmental impacts are discovered for an area, a no further investigation determination will be documented in an environmental baseline survey and submitted to EPA and TDEC for concurrence.

It's also possible that a parcel of land that had been contaminated but has since been remediated could be 'delisted' from the NPL site through a no further action designation. The no further action would be approved by EPA and TDEC if it's determined that the remedial action called for under a record

### IN THIS ISSUE

- GIS System.....2**
- Annual Retreat .....3**
- 5-Year Review Visits .....4**
- Reservation Update .....5**
- Member Profile:**
- Sondra Sarten.....6**
- Recommendations .....7**
- Survey Results.....8**

The Advocate is a publication of the Oak Ridge Site Specific Advisory Board (ORSSAB)—an independent, nonpartisan, volunteer citizens panel providing recommendations and advice to DOE's Environmental Management Program

*continued on page 2*

## NPL Boundary Change

*continued from page 1*

of decision for cleanup was achieved and all hazardous materials have been removed. The no further action area may require continued monitoring for some time to ensure the remediation performed remains effective.

When concurrence is received from EPA and TDEC on the Environmental Baseline Survey supportive of the no further investigation determination, then the FFA Appendices B and C may be modified to reflect the changes. Appendix B describes the ORR in general, and Appendix C lists the areas to be addressed under CERCLA.

Halsey said a new map of the reservation showing the adjusted NPL boundaries will be submitted soon for EPA and TDEC to review to reflect the areas on the reservation that have had Clean Parcel Determinations approved and that have been or will be transferred to non-federal ownership.

ORSSAB will have some input into the process by receiving periodic updates and reviewing environmental baseline surveys. The board will also participate by offering suggestions on how the NPL boundaries will be indicated on the DOE geographic information system currently under development.

### DOE Working to Develop a Public GIS for the ORR

DOE-Oak Ridge is developing a geographic information system for the ORR that will provide the public and other users with a wealth of information about various areas of the reservation, such as where contaminated

areas of the reservation are located and where the clean areas are.

The GIS will have various layers that users can turn on or off to show structures, roads, watersheds, groundwater areas, and even some DOE controls, such as fences and access points. It will also show those areas that are on the NPL that will be or have been addressed by CERCLA decisions. Clicking on an area of the map will bring up references to any decision documents related to that area.

Jannalyn Pontello of REDE, technical information support contractor to DOE, is developing the system for

DOE. “Anyone with access to a computer will be able to bring up the GIS. It will be a public site; no passwords will be needed. We still need a name for the site, so we’re open to suggestions.”

When she discussed the site development with the ORSSAB Stewardship Committee, she was asked about any classified areas around the Y-12 National Security Complex. She said any classified information would not be accessible, and some photographs may be blurred.

Pontello said the system is scheduled to go online this fall.



*Example of the GIS showing clean parcels at ETTP (light gray areas to northeast and southeast) that have been removed from the NPL site.*

# Annual Retreat Sets Tone for New Fiscal Year

Each year ORSSAB holds its annual planning retreat to achieve two main goals: to start the process for work plan development and to review the operations of the board. This year the retreat was held on Saturday, August 21, in Townsend, Tenn., and was facilitated by Lori Isenberg of Northwest Dynamics. Isenberg is the regular facilitator for the Idaho SSAB.

John Eschenberg, who has served as the board’s Deputy Designated Federal Officer since arriving in Oak Ridge this time last year, kicked off the retreat. He remarked that this is the fourth board he’s worked with, and it is perhaps the most active. The priorities he would like to see the

were forwarded to the ORSSAB standing committees for discussion at their September meetings.

Ms. Isenberg led off the ‘review of board operations’ portion of the retreat by discussing the results of the member survey she performed prior to the retreat. She said the survey results show that the board is doing great. “There’s not a train wreck we need to fix, just strengthening of what you’re already doing. You are at the point of going from great to excellent,” she said. And while the board should celebrate what is working well, there are still opportunities for improvements illustrated in the survey results:

- participation on committees,
- measurable goals and objectives,
- follow-up and accountability, and
- public outreach.



The retreat concluded with a clear path forward for the committees to follow in generating their individual work plans for FY 2011. Follow up on overall board issues and other retreat-related items will be done by the board’s Executive Committee.

*Photos. Top right: John Eschenberg. Left: Lori Isenberg. Bottom: (left to right) Sondra Sarten, John Omsley, Connie Jones, Pat Halsey, Dave Adler.*

board focus on in FY 2011 include the budget, out-year prioritization, historic preservation, and long-term stewardship/future land use (especially the energy park initiative).

DOE, EPA, and TDEC liaisons to the board discussed issues provided by their respective agencies for the members to consider incorporating into the board’s FY 2011 work plan. Issues were also provided this year by the Local Oversight Committee’s Citizens Advisory Panel. These issues and others suggested at the retreat were voted on by the members and



## DOE, Bechtel Jacobs, Members of the Public Conduct Site Visits for Five-year Review

DOE-Oak Ridge and Bechtel Jacobs Company recently completed a series of visits to remediating areas on and near the ORR in preparation for the next comprehensive report that evaluates how well selected remedies are working. The report is known as the CERCLA Five-year Review. The review provides DOE, EPA, TDEC, and the public with information on the effectiveness of remediation and if any new information is available that questions the protectiveness of the remedy.

Before the final report is published, EPA and TDEC personnel and members of the public had opportunities to visit the remediating sites. They were briefed by DOE and Bechtel Jacobs concerning what was done and how well remedies are working. Visits began in July and continued through September.

Board members David Martin and Maggie Owen went on several of the trips. Members of the Local Oversight Committee's Citizens Advisory Panel also participated.

"For me, participating in the CERCLA visit was an opportunity to gain a personal understanding of the locations, challenges, and administrative controls required to maintain the remediating sites," said Owen. "The opportunity to ask questions while observing the areas was an invaluable experience."

"It is important for members of the community to visit these sites and talk with the men and women responsible for the short-term stewardship for these remediating areas," said Martin. "Letting stakeholders see firsthand that the sites are maintained and controlled adds another layer of credibility to the program."

Similar reviews are done annually and published as DOE Remediation Effectiveness Reports. "While the annual report evaluates if a remedy is working as planned, the Five-year Review evaluates whether the remedy is still appropriate under today's conditions," said Jason Darby, DOE program manager for developing the reports.

Site visits were conducted at a number of remediating areas at ETTP, ORNL, and Y-12, notably the K-1070-A Burial Grounds at ETTP; Bethel and Melton valleys at ORNL; and the EM Waste Management Facility, Boneyard/Burnyard, and White Wing Scrap Yard at Y-12. Visits were also made to Upper and Lower East Fork Poplar Creek.

This will be the third Five-year Review for the ORR. When the report is published in 2011, a meeting will be held to provide citizens with the results.



*ORSSAB member David Martin, foreground, gets an explanation of some of the finer points of the White Oak Creek Embayment during one of the site visits performed recently in preparation for the CERCLA Five-year Review.*



*Chair of the ORSSAB Public Outreach Committee, Maggie Owen, and student representative Brianna Goodlin were among the seven board members and students who staffed the board's booth at the annual Oak Ridge Secret City Festival in June.*

# Reservation Update

## Work Continues to Resolve Disputes Between DOE and Its Regulators

With the rush to get Recovery Act projects underway now behind them, DOE, EPA, and the state are battling over out-year budgets and priorities in a way not seen for some time.

As reported in the April issue of the *Advocate* ([www.oro.doe.gov/em/ssab/Publications/Advocates/4-10.pdf](http://www.oro.doe.gov/em/ssab/Publications/Advocates/4-10.pdf)), DOE went into informal dispute with the state and EPA earlier this year over its inability to meet its FFA deadlines on several projects, and the state has denied multiple requests to modify the milestones.

At the September 8 ORSSAB meeting, EM manager John Eschenberg reported that for a variety of reasons DOE has now missed seven FFA milestones. DOE, EPA, and TDEC met September 2 for their quarterly meeting and agreed to work together to define project prioritization principles, the goal of which is to define cleanup priorities and how that affects the budget. No deadline was given, however, for resolving the deadlock.

## LATA-Sharp Prepping for K-33 Demolition

Demolition of one of the largest Cold War era buildings at E'TTP will start in earnest soon, as the contractor awarded a \$51 million dollar Recovery Act contract begins work at the site.

“LATA-Sharp is mobilized and has all their necessary paperwork in place,” said EM program manager John Eschenberg recently. “They’re going to start removing transite panels in the next two to three weeks. And I would anticipate by year’s end you’ll see more yellow iron out there, and they’ll start munching the building. The schedule is that it will be razed to the ground, and

if possible to get the slab up as well by January 2012.”

The work is not without a bit of controversy, however. Congressman John Duncan, Jr., of Knoxville has questioned why the contract was awarded to LATA-Sharp, the highest bidder for the work. Duncan sent a letter to DOE Secretary Chu saying the “LATA-Sharp contract smacks of being a sweetheart, insider deal.” Duncan went on to say that he understood the contract award to be almost twice the next highest bidder’s and that LATA-Sharp later approached those bidders to act as subcontractors for some of the work.

DOE Assistant Secretary for EM Inés Triay responded that “In determining the best value to the government, all evaluation criteria, other than price, when combined, were considered significantly more important than price.”

## Y-12 Receives Additional Recovery Act Funding

In August it was reported that Y-12 has received an additional \$29 million in Recovery Act funding for EM projects, bringing its total to \$245 million. So far, seven projects are underway or have been finished, but no new work with the additional funding has been scheduled so far.

The Recovery Act funds at Y-12 are part of \$755 million received by DOE-Oak Ridge. A total of 49 buildings across the Oak Ridge Reservation are scheduled for demolition using Recovery Act money. A variety of non-demolition projects are also being undertaken, from tank and soil remediation, to capping of old burial grounds, and expansion of the EM waste disposal facility in Bear Creek Valley.

## Nevada Test Site Renamed

The site to which DOE-Oak Ridge sends most of the cleanup waste that’s

bound for offsite disposal now has a new moniker.

In late August, the National Nuclear Security Administration announced that the name of the Nevada Test Site, northwest of Las Vegas, is being changed to the Nevada National Security Site. The reason given is that the new name better reflects the diversity of nuclear, energy and homeland security activities being conducted there.

According to a news release, by renaming the site, the National Nuclear Security Administration says it is recognizing the expanding, critical and diverse role the site plays in national security. “In addition to the critical work the site does in support of the nation’s nuclear security agenda, other government agencies have come to increasingly rely on the inherent capabilities and remote location of the Site to support all of our Nation’s nuclear, energy, and homeland security efforts.”

## Historic Preservation Report Due Soon

At the September 8 ORSSAB meeting, DOE’s Dave Adler reported that he had just received a 40-page draft study from Mac West on general mitigation measures for historic preservation at E'TTP and general mitigation measures for the reservation. “It will go through internal review for a couple of weeks,” he said, “then very quickly we’ll be putting it out to the public for review.”

The Mac West report is one of two evaluations being performed to help DOE decide what to do about historic preservation at the reservation, and particularly for the historic K-25 building.

The second report is an engineering study being done by Lorig Wyllie of San Francisco to provide an independent assessment of the

*continued on page 6*

# ORSSAB Gives Area Native Sondra Sarten a Way to Influence DOE's Long-term Plans

Sondra Brashears Sarten was born in Oak Ridge and raised in Lenoir City. She is the principal owner and founder of RS Construction and Fabrication, Inc. She is a working mother who raised three daughters. The oldest, Sondra Renee, works at Y-12. Stephanie is a senior at East Tennessee State University, and Jessica is a sophomore at Tennessee Tech University. Sondra is married to Steve Sarten, who is employed at Y-12 as a construction engineer.

Sondra is a 4-H adult volunteer and is active in the community as well as in the church.

She enjoys horseback riding, traveling, various other outdoor activities, and spending quality time with her family.

Sondra and Steve started RS Construction and Fabrication in 1998 as a company founded on honest principles and moral character. The company has maintained

the same clientele since its beginning, which has assisted in the growth of RS into a general construction and maintenance service provider.

RS clients include Manufacturing Sciences Corporation, RMS Properties, Tennessee State Parks, British Nuclear Fuels, EnergySolutions, National Oceanic and Atmospheric Administration, federal prisons, Loudon County

Schools, Seco Tools, and various other contractors and developers.

RS Construction and Fabrication is listed as a small, woman-owned-and-operated business and has been recently awarded a statewide contract to provide electrical maintenance services with the State of Tennessee.

Sondra has served on ORSSAB for four years and has served as the ORSSAB Stewardship Committee chair and co-chair. She has presented papers at the Waste Management Conference in Phoenix for the past three years. She



*In March 2010, ORSSAB member Sondra Sarten participated in a poster session at the Waste Management Symposium in Phoenix. Her subject was "Environmental Legacy of U.S. Nuclear Weapons Production...Where Is It Now?"*

also presented one of these papers at the Environmental Justice Conference at Howard University in Washington, D.C., in 2009.

"I became involved with the board in 2006," she says, "because of the region I live in. I live very close to the White Oak Dam area, and I grew up in the Melton Hill area. I have become interested in the DOE's long-term

stewardship plans as a way to see that my family will be protected in the future. My goal is to have an influence on the stewardship of the Oak Ridge Reservation by providing DOE with a citizen's point of view."

## Reservation Update

*continued from page 5*

viability for preservation of various portions of the K-25 building. Wyllie is a highly regarded structural engineer who has been associated with a number of organizations across the country that are interested in the preservation of historically significant buildings.

Adler said he and Wyllie recently toured the east wing of K-25, and Wyllie's initial assessment was that there are portions of the remaining building where rehabilitation is possible, if cost is not a factor.

Wyllie's report is expected this fall. The West and Wyllie reports will be evaluated together by DOE to determine the ultimate fate of the remaining portions of K-25.

## Well Drilling Complete Across from Melton Valley

M&W Drilling has completed work on the series of 16 wells on the west side of the Clinch River, and sampling is set to begin soon.

Several of the monitoring wells are new, and others were retrofits of private wells. The wells are being installed to monitor for possible contamination coming from Melton Valley under the Clinch River and into groundwater on private property on the west side of the Clinch. The work was funded through the Recovery Act.

# Recent Recommendations & Comments

Complete recommendation text can be found on the ORSSAB web site at [www.oakridge.doe.gov/em/ssab/recc.htm](http://www.oakridge.doe.gov/em/ssab/recc.htm).

## Recommendation Regarding the Request for Proposals for ETRP

In May DOE-Oak Ridge issued a draft request for proposals for a cleanup contract for ETRP. The scope of the contract is to decontaminate and decommission the major facilities at ETRP, including the remainder of the K-25 building, the K-27 building, and K-1037. It also includes the remediation of associated media and the continuation of EM activities underway at ORNL and the Y-12 National Security Complex.

ORSSAB formed an ad hoc committee to review the draft RFP. The board also invited Jay Mullis, DOE, who is working with DOE EM on procurement activities, to appear at its June meeting to discuss the main points of the draft RFP. The board also heard from Ellen Smith of the Oak Ridge City Council, who provided comments that city officials had made to DOE on the draft RFP.

From the study of the RFP by the ad hoc committee and the information provided by Mullis and Smith, ORSSAB developed a number of recommendations for the RFP.

The recommendations referred to several sections of the RFP that the board felt needed clarity. The board was also concerned that there was no mention in the RFP regarding technetium contamination in the K-25 building. The draft RFP indicated that surveillance and maintenance of facilities and environmental monitoring was the responsibility of the contractor. The board felt that was inappropriate and the responsibility should be DOE's.

A final RFP was issued later in June. DOE said in its response to ORSSAB that "it appears that a number of the advisory board's recommendations were incorporated into the final RFP."

## Recommendations and Comments on the Draft 2010 Remediation Effectiveness Report

The Remediation Effectiveness Report is published annually by the DOE Oak Ridge EM program to assess the effectiveness of each completed remedy on and around the DOE ORR.

The ORSSAB Stewardship Committee reviewed the 2010 report and developed a number of recommendations on the document that were approved by the board at its June meeting.

The recommendations suggested a number of editorial comments and noted that mercury in fish tissue is still an issue. The board asked that a description of possible offsite mercury sources that may contribute to the problem be included in the report.

The board asked that the release of uranium from Bear Creek Burial Grounds be recognized as a high-priority issue for annual budget allocations. Another high priority for budget allocation was the completion of equipment removal from the Alpha 5 and Beta 4 buildings at Y-12.

The report noted that a lack of groundwater monitoring wells in Zone 2 at ETRP makes it impossible to precisely track contaminated groundwater. The board recommended that DOE develop a plan to place additional monitoring wells in Zone 2.

In its response, DOE, for the most part, agreed with the board's input, while clarifying the comment about mercury in fish. It said the board's

comment referred to Lower Watts Bar Lake, but the page number referenced Lower East Fork Poplar Creek. DOE said mercury is still a concern in the creek, but not in Lower Watts Bar.

## Recommendations for Agenda Topics for the Long-term Surveillance and Maintenance Conference

The DOE Office of Legacy Management is planning a long-term surveillance and maintenance conference for November in Grand Junction, Colo. Because the conference has stewardship implications, the ORSSAB Stewardship Committee drafted some suggested topics for the conference agenda. They include:

- Roles and responsibilities of stewards
- Transition of remediated areas from EM to other landlords
- Funding for long-term stewardship
- Community involvement in stewardship
- Information on remediated sites
- Commitment of DOE-Headquarters to stewardship

The recommendation was approved by the board and sent to DOE-Headquarters. The recommendations were accepted and forwarded to the DOE Office of Legacy Management as suggested agenda items for the conference.



**Comments? Suggestions?**

Send them to us via our web site at [www.oakridge.doe.gov/em/ssab/comments.htm](http://www.oakridge.doe.gov/em/ssab/comments.htm)

# Annual Survey Reflects the Public's Concerns About Environmental Issues

Each year ORSSAB conducts a survey of people who live in communities adjacent to the ORR to learn about their concerns regarding the environmental cleanup activities taking place or that will need to be addressed by the DOE EM program.

The Public Environmental Survey is mailed to about 800 area residents and distributed at various locations and at the many presentations the board's Public Outreach Committee gives to community groups.

This year's survey was conducted in late July and early August, just in time for the board's annual planning retreat. The results were provided to board members so they could take the public's concerns into consideration as

they went about their task of creating a work plan for FY 2011, which begins October 1.

Twenty-four percent of the 230 survey respondents said their top priority was long-term stewardship of radioactive contamination and waste placed in the EM program's CERCLA disposal facility in Bear Creek Valley.

Coming in second in the survey ratings with 22% was the need to continue and/or expand the monitoring for groundwater and continue actions that will reduce contamination leaving DOE property.

In third place, noted by 17% of respondents, was support for demolition of several hundred buildings at Y-12

and ORNL, followed by economic development at ETTP, which was selected by 10%.

Rounding out the results were:

- Historic preservation at Y-12, ORNL, and ETTP (8%)
- Educating students and the public about the history of the DOE reservation and contamination at the site (7%)
- Cleanup of the Bear Creek Burial Grounds (7%)
- Transportation of radioactive and chemically contaminated waste on public roads and highways (6%)

The survey is available and can be submitted any time through the board's website at [www.oro.doe.gov/em/ssab/publicsurvey.htm](http://www.oro.doe.gov/em/ssab/publicsurvey.htm).

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## ABBREVIATIONS

CERCLA — Comprehensive Environmental Response,  
 Compensation, and Liability Act

DOE — Department of Energy

EM — Environmental Management

EPA — Environmental Protection Agency

ETTP — East Tennessee Technology Park

FFA — Federal Facility Agreement

NPL — National Priorities List

ORNL — Oak Ridge National Laboratory

ORR — Oak Ridge Reservation

ORSSAB — Oak Ridge Site Specific Advisory Board

TDEC — Tennessee Dept. of Environment & Conservation

## UPCOMING MEETINGS

All meetings are held at the DOE Information Center, 475 Oak Ridge, Turnpike, Oak Ridge, Tenn.

### Board Meetings

- October 13, 6:00 pm

### Committee Meetings

- October 19, 5:30 pm – Stewardship
- October 20, 5:30 pm – EM

To add your name or remove it from our mailing list, or to advise us of an address change, call the ORSSAB offices at (865) 241-4583 or 241-4584.  
**Web address: [www.oakridge.doe.gov/em/ssab](http://www.oakridge.doe.gov/em/ssab)**