



*Many Voices Working for the Community*

# Oak Ridge Site Specific Advisory Board

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## Approved March 11, 2015, Meeting Minutes

The Oak Ridge Site Specific Advisory Board (ORSSAB) held its monthly meeting on Wednesday, March 11, 2015, at the DOE Information Center, 1 Science.gov Way, Oak Ridge, Tenn., beginning at 6 p.m. A video of the meeting was made and may be viewed by contacting the ORSSAB support offices at (865) 241-4583 or 241-4584. The presentation portion of the video is available on the board's YouTube site at [www.youtube.com/user/ORSSAB/videos](http://www.youtube.com/user/ORSSAB/videos).

### Members Present

Leon Baker

Richard Burroughs

Alfreda Cook

David Hemelright, Chair

Terri Likens

Jan Lyons, Vice Chair

Donald Mei

Belinda Price

Ed Trujillo

### Members Absent

Jimmy Bell

Lisa Hagy, Secretary

Bob Hatcher

Howard Holmes<sup>1</sup>

Jennifer Kasten

Fay Martin

Greg Paulus

Mary Smalling

Coralie Staley<sup>1</sup>

Scott Stout

Wanfang Zhou<sup>1</sup>

<sup>1</sup>Second consecutive absence

### Liaisons, Deputy Designated Federal Officer, and Federal Coordinator Present

Dave Adler, Department of Energy-Oak Ridge Office (DOE-ORO), Alternate Deputy Designated Federal Officer (DDFO)

Connie Jones, Liaison, Environmental Protection Agency (EPA) Region 4

Melyssa Noe, ORSSAB Federal Coordinator, DOE-ORO

### Others Present

Aditya Chourey, Student Representative

Susan Gawarecki

Spencer Gross, ORSSAB Support Office

Claire Rowcliffe, Student Representative

Pete Osborne, ORSSAB Support Office

Eight members of the public were present.

### **Liaison Comments**

Mr. Adler – Mr. Adler said the recent inclement weather slowed down some of the work being done on the Oak Ridge Reservation (ORR), but there were no major impacts.

Demolition of the K-31 Building at East Tennessee Technology Park is more than half finished.

The next Five-year Review of the effectiveness of cleanup remedies that have been completed on the ORR will be conducted in the next few months for release in 2016. The Five-year Review includes on-site visits to see how remedies are holding up and if they are still performing as intended. Members of the public are allowed to go on those visits. Mr. Adler said DOE-ORO would like for a couple of ORSSAB members to participate. He asked that anyone interested in going on the site visits to contact ORSSAB staff.

Ms. Jones – Ms. Jones also commented on the Five-year Review process saying DOE, EPA, and the Tennessee Department of Environment and Conservation (TDEC) have had planning meetings for conducting site visits and reviewing relevant data. She also encouraged ORSSAB members to go on the site visits.

### **Public Comment**

None.

### **Presentation**

Mr. Adler provided information on the FY 2017 DOE-Oak Ridge EM Program Budget and Prioritization. The main points of the presentation are in Attachment 1. Mr. Adler said the presentation is a preview of a public meeting on the FY 2017 budget that DOE plans to hold April 29 at Pollard Auditorium on the campus of Oak Ridge Associated Universities.

Mr. Adler began by saying at any time DOE-ORO is working on three budgets: the FY 2015 budget that has been appropriated, the President's FY 2016 budget request to Congress, and the FY 2017 planned budget (Attachment 1, page 2).

Mr. Adler showed a chart of the President's FY 2015 budget request to Congress on various EM projects in Oak Ridge and what Congress appropriated (Attachment 1, page 3). It also has a column of the President's FY 2016 budget request, which Congress has not enacted. For FY 2015, the President requested \$385 million for cleanup work in Oak Ridge. Congress appropriated \$431.2 million. Congress appropriated more for transuranic (TRU) waste disposal operations and decontamination and decommissioning (D&D) work. While the President requested \$3 million for technology development, Congress zeroed that request. In all other categories, the President requested and Congress approved the DOE-ORO EM budget for FY 2015.

For FY 2016 the President's request for Oak Ridge is \$365.7 million, which is the figure DOE-ORO EM is planning for.

Attachment 1, page 4 is a chart comparing the Oak Ridge EM budget to other sites around the country. Most of the national EM budget dollars go to the Hanford Site in Washington and the Savannah River Site in South Carolina. The Hanford budget, which combines two separate budgets, is more than \$2.2 billion. The Savannah River budget is about \$1.26 billion. Mr. Adler said that indicates the priorities are to get rid of high-level waste stored in tanks at Hanford and dispose of excess plutonium at Savannah River.

The chart also shows that more money is being spent to get the Waste Isolation Pilot Plant in Carlsbad, N.M., operational again to receive TRU waste. The plant has been shut down since February 2014 after a couple of incidents.

In developing a budget request to DOE Headquarters, Mr. Adler said there are three principles for project prioritization:

- Protect human health and environment
- Comply with regulatory requirements
- Support ongoing DOE missions on the ORR.

DOE-ORO EM's near-term priorities (FY 2015-2017) in developing its FY 2017 budget are noted on page 6 of Attachment 1.

Priorities for FY 2018-2021 are noted on page 7 of Attachment 1, and post 2012 activities are on page 8 of Attachment 1.

The steps for developing the FY 2017 budget request to DOE Headquarters are noted on page 9 of Attachment 1. DOE Headquarters will provide guidance to the field offices with projected figures to use in developing budget requests.

DOE-ORO EM will host the public workshop in April to get input on the budget from members of the public, EPA, TDEC, and ORSSAB. Mr. Adler said DOE would like to get a formal recommendation from ORSSAB on the budget request and prioritization.

The budget request will be submitted to Headquarters and then budget deliberations become embargoed. Nothing is shared with the field offices or the public until the President submits his budget request to Congress in February. Mr. Adler said the budget talks are embargoed so the President and his staff can formulate a budget request to Congress without outside influences.

He said DOE-ORO EM is currently running scenarios to determine the impacts on milestones that a \$365 million dollar budget would have on milestones that are premised on about \$420 million a year. The computer models will determine how much longer it would be to finish cleanup of the ORR based on various appropriations. With reduced appropriations some milestones will have to be renegotiated with EPA and TDEC.

After Mr. Adler's presentation a number of questions were asked. Following are abridged questions and answers.

Ms. Cook – A while back we asked for a list of smaller projects that are included in the budget so we can see what was included previously and what may have been eliminated. Will we still be able to see that? Mr. Adler – When the project directors speak at the budget workshop they will talk in more detail about the different steps to achieve cleanup in their projects. They will be able to speak to the general dollar figures associated with the projects.

Ms. Jones – I know you have your guidance from Headquarters, but from EPA's standpoint can the process be more transparent? EPA's position is 'if you don't ask for the money you won't get the money,' which will impact the out-years if you don't get the money. Mr. Adler – Under an executive order we are required to ask for enough money to meet all of our commitments. So we submit a budget that says this is how much we need to honor all of our commitments. But in addition to that request we are required to develop a budget based on the President's guidelines. Ms. Jones – The request for funding to meet current obligations, does that include Appendix E and Appendix J milestones (in the Federal Facility Agreement)? Mr. Adler – We have three years of

enforceable milestones in Appendix E to meet milestones for FY 15, 16, and 17. We must ask for enough money to meet those milestones. Beyond the three-year window we have planning milestones. They are not enforceable, but they matter. They are expectations with dates that have been negotiated with the regulators (EPA and TDEC), and we need to try to meet them. So as a general practice we ask for enough money for both the enforceable milestones and the planning milestones.

Mr. Trujillo – Will ORSSAB look at the priorities you have pre-planned for FY 2017? Mr. Adler – There is not a lot of time to deliberate priorities. I think a useful perspective is this isn't the first discussion we've had about priorities. For several years we've had conversations about what we really have as priorities. I would say those general priorities are largely shared by EPA, TDEC, and DOE. There are some disagreements, but because there is more agreement than disagreement I don't think it is likely that we will make significant changes this year. The list of priorities we came up with a few years ago was the result of a lot of work among DOE, EPA, and TDEC. That list of priorities will take years to work off. Just to accomplish the top five or six things will take 10 years to complete from when we began them. So there is not a need to rethink it every year. Mr. Trujillo – I was thinking about the value-added effort to comment on these priorities. Mr. Adler – It's always helpful to have a reaffirmation of the priorities if that's what the board thinks. But it's OK to question if a priority is still important.

Ms. Gawarecki – There are two parts to this: what Congress is willing to appropriate and what Headquarters will willing to allocate. DOE Headquarters has prioritized tanks at Hanford as the highest risk. And they have prioritized D&D at the bottom. We are automatically at a disadvantage when it comes to funding, which is allocated based on perceived risk at Headquarters. But you should be concerned about issues that are not being discussed before the FY 2020s. Things like the Alpha Buildings at Y-12, which are structures that are deteriorating and are full of radionuclides and mercury. They are right next to one of the country's most important missions of refurbishing nuclear weapons and storing highly-enriched uranium. If one of those buildings collapses there will be releases in this area. It will affect workers and affect the Woodland and Scarboro communities. It's going affect industry in Union Valley and be a huge problem. Some of you may not be aware that in the early 1990s there was a tornado that touched down in Y-12 that did some damage. When we went on the field trip to see the proposed site for the new EM waste disposal facility we saw about 100 acres of blowdown of forest surrounding that area from winds estimated to be 70 to 100 miles per hour. It's only a matter of time before this site has a major emergency whether it's at Y-12 or Oak Ridge National Lab. Our priorities should be raised much higher at Headquarters because we have population densities that other sites don't have, and we missions next to these contaminated and deteriorating facilities. You as individuals, if not a group, should let your elected representatives know about these concerns. We need to get our budgets up so we can address these major D&D projects sooner.

Mr. Adler – It is correct that DOE puts sites other facilities at a higher priority. D&D in Oak Ridge is not as big a priority as taking care of the plutonium and the tanks. Those projects cost a lot of money, and if they get stretched out they cost a lot more money. DOE is trying to get some big expensive projects done quickly. So Headquarters has a tough budgeting process.

### **Committee Reports**

EM & Stewardship – no report. The committee did not meet in February because of inclement weather.

Executive – Mr. Hemelright reported that ORSSAB will be hosting the Spring 2016 EM SSAB Chairs' meeting. The Garden Plaza Hotel in Oak Ridge has been booked as the meeting location.

In the committee meeting Board member Corkie Staley asked if Mr. Hemelright had asked other boards about making a recommendation about extending member terms beyond the three-term limit. Mr. Hemelright has not had a chance to talk to the other boards, but he said Mr. Adler had spoken with Ms. Noe and Susan Cange, the board's Deputy Designated Federal Officer. He said Ms. Cange would talk with DOE Headquarters about term extensions. Mr. Hemelright said extensions were used to fill specific demographics on boards, but any member who requests an extension would be considered.

Mr. Hemelright said that Ms. Cange looked at the board's meeting schedule and felt some of the presentations were unnecessary given changes that have taken place with EM projects. For instance, the mercury cleanup presentation scheduled for April will not be appropriate at that time and could be scheduled later in the year. In another instance, DOE and the regulators have decided to postpone a decision on Trench 13 until next year, so that would preclude a May presentation on the topic.

With those changes the April has been cancelled and members are asked to attend the April 29 workshop on the FY 2017 Oak Ridge EM budget and prioritization.

Ms. Staley asked if a proposed tour of the mercury sites at Y-12 would still be scheduled. Mr. Adler proposed going forward with that plan even though the presentation has been postponed.

For May, Ms. Cange proposed a dinner meeting with Oak Ridge city officials and for them to discuss EM-related issues with the board. Oak Ridge City Manager Mark Watson has indicated his intention to attend that meeting.

Regarding public outreach, staff will handle most of those projects, like the board's newsletter, but will involve board members who wish to participate in public outreach activities. Ms. Cook will continue to work with staff on updating the board's exhibit at the American Museum of Science and Energy. Mary Smalling will serve as the contact for Earth Day and Secret City festivals. Ms. Lyons will be the contact for the board's public environmental survey and historical features for the newsletter. Mr. Hemelright will be the lead for outreach presentations. Ms. Lyons will be the overall contact for public outreach activities.

Earth Day will be Saturday, April 25 at Bissell Park in Oak Ridge. Mr. Hemelright asked for volunteers to staff the ORSSAB booth.

Mr. Hemelright asked for suggestions of issues or accomplishments to take to the EM SSAB Chairs' meeting. There were no suggestions, but Mr. Hemelright said the topic is an agenda item for the March 18 EM & Stewardship Committee meeting.

#### **Announcements and Other Board Business**

The board will not meet in April.

ORSSAB's next scheduled meeting will be Wednesday, May 13, 2015 at a site to be determined. The topic will be Priorities, Concerns, and Operations of the City of Oak Ridge Related to DOE EM Activities.

Aditya Chourey and Claire Rowcliffe were recognized for their service on the board as student representatives for FY 2014-15.

**Federal Coordinator Report**

Ms. Noe said an appointment packet for three additional members is being prepared to send to Headquarters for review. She thought new members would be approved by the end of June.

Noel Berry has resigned from the board.

**Additions to the Agenda/Open Discussion**

Although there was not a quorum to vote on recommendations, Mr. Hemelright asked Ms. Cook to discuss the proposed recommendation on the Final Proposed Plan for Soils in Zone 1 at East Tennessee Technology Park for the benefit of those present.

Ms. Cook reviewed the draft recommendation (Attachment 2). After reviewing the draft Ms. Cook asked if any board members had comments or concerns about the recommendation.

Ms. Lyons was concerned about the proximity of the river. She wondered about flooding, rivers changing course and undercutting the bank, erosion, and so on. Ms. Cook said the area Ms. Lyons referenced is where old storage tanks containing asbestos had been located. The asbestos was removed and buried anywhere between 2 and 6 feet. Ms. Lyons asked if excavation was restricted between 2 and 6 feet or down to 10 feet. Ms. Cook said this is where the proposal is to bring in another 2 feet of soil to cover the area. Ms. Lyons said even if the area is capped with additional soil it is next to a moving water source than can flood or change course or undercut the stream bank regardless of how much soil has been brought in.

Mr. Adler said it is an area that had above grade fuel tanks wrapped in asbestos insulation. The tanks and attached asbestos were removed, but some of the asbestos came loose and fell on the ground leaving traces of asbestos in the soil. Ms. Jones said some soil was removed but the deeper the soil was removed more asbestos contamination was found. Since it is mixed with the soil there is no area that is primarily asbestos.

Ms. Lyons asked if there was any residual contamination remaining in the soils from the demolition of the old S-50 Plant. Mr. Adler said in the area of S-50 everything was dug up and removed that exceeded regulatory levels. In the tanks area there was discussion of whether to remove soil. He said the risk in the soil in that area is only a concern if the asbestos becomes airborne. He went on to say if digging goes very deep it goes into the river because of the elevated water table. Because of those factors DOE prefers to manage the soil in place and make sure the asbestos does not become airborne. But he said that topic is open for comment. Ms. Lyons said the soil could still erode and wash downstream on the river bank and become airborne. Mr. Adler said at that point it would be wet asbestos in concentrations so low as to not be a hazard. Mr. Hemelright agreed that asbestos must be airborne to be a health hazard.

Ms. Cook said the focus of the recommendation was that any area that had contamination less than 10 below the surface would have restrictions to prevent use, either industrial or recreational. Mr. Adler explained that much work was done around Zone 1 to ensure that the top 10 feet of soil was free of contamination in most areas. There are some areas where there are restrictions about digging below 2 feet.

Mr. Adler said his understanding of the recommendation was there would be prohibition of any use of land with contamination above 10 feet, while DOE proposes such as areas could be used with restrictions. Ms. Cook agreed with that view. She said there were parts of the draft proposed plan that had areas designated for recreational use with contamination below 2 feet. She said the concern was eventual erosion of soil that could result in a health hazard. She said if the area can't be used safely then DOE should make sure people cannot access the area.

Mr. Adler said what DOE wants to do is take institutional and engineered measures that ensure a safe end state for the area, but not overly engineer the area to preclude end state land uses. He said DOE proposes to manage a fly ash pile in place with restrictions. He said some future owner might want to dig up the fly ash, replace it with clean dirt, and build something on the site. Prior to excavation DOE requires a tenant to go through an excavation permitting process that would ensure a safe disposition of the fly ash. He said that is different from complete prohibition of use as the stated in the draft recommendation. He said land use control implementation plans would have more detail on how lands could be used.

Ms. Cook asked if the implementation plans would be part of the proposed plan. Mr. Adler said a summary would be included, and they would be part of the binding regulatory agreements.

Mr. Trujillo said he was concerned about the last bullet point in the discussion section of the recommendation. He asked if groundwater was a significant issue. For the most part groundwater does not appear to be an issue, said Mr. Adler. He said that is not true for the entire site and there are some areas outside of Zone 1 where contaminated groundwater could migrate. For those reasons DOE has prohibited any groundwater use. Ms. Cook asked what happens with groundwater when previously remediated areas are disturbed. Mr. Adler said soil cleanup guidelines ensure surface users would be safe and also the soil column above 10 feet did not represent a threat to groundwater. If there was soil contamination that would be a threat to groundwater the soil would have to be removed.

Ms. Gawarecki commented that ETTP has been promised to the community as an industrial site. It concerns her that portions of the site have a 2 foot excavation restriction. She said those restrictions break up mega-sites, which would be attractive to major manufacturers. She said DOE doesn't have the money to clean the entire site to a 10-foot excavation limit. She said the 2-foot limit in some places commits DOE to indefinite long-term stewardship, which she believes is more expensive over the long-term than cleanup to 10-foot depths. She believes the process of Zone 1 soil remediation is progressing without adequate input from the City of Oak Ridge and Roane County.

### Motions

Lacking a quorum there were no motions.

The meeting adjourned at 8:02 p.m.

### Action items

Attachments (2) to these minutes are available on request from the ORSSAB support office.

I certify that these minutes are an accurate account of the March 11, 2015, meeting of the Oak Ridge Site Specific Advisory Board.

*Dave Hemelright*

Dave Hemelright, Chair  
Oak Ridge Site Specific Advisory Board  
DH/rsg

June 11, 2015