



Many Voices Working for the Community

Oak Ridge Site Specific Advisory Board

June 9, 2011

John Eschenberg
Assistant Manager for Environmental Management
DOE-Oak Ridge Office
P.O. Box 2001, EM-90
Oak Ridge, TN 37831

Dear Mr. Eschenberg:

Recommendation 199: Recommendation to Remove Uncontaminated Areas of the Oak Ridge Reservation from the National Priorities List

At our June 8, 2011, meeting the Oak Ridge Site Specific Advisory Board approved the enclosed recommendation regarding removal of uncontaminated areas of the Oak Ridge Reservation from the National Priorities List.

The Board recommends that DOE-Oak Ridge work with the other signatories of the Oak Ridge Federal Facility Agreement to redraw the National Priorities List boundaries of the reservation to include only contaminated areas and revise the Federal Facility Agreement to reflect those boundary changes.

We look forward to receiving your response to this recommendation by September 8, 2011.

Sincerely,

Ron Murphree, Chair, PE, CPE
rm/rsg

Enclosure

cc/enc:

Dave Adler, DOE-ORO
Cate Brennan, DOE-HQ
Fred Butterfield, DOE-HQ
Pat Halsey, DOE-ORO
Connie Jones, EPA Region 4
Local Oversight Committee
Myron Iwanski, Anderson County Mayor
Melissa Nielson, DOE-HQ
John Owsley, TDEC
Mark Watson, Oak Ridge City Manager
Ron Woody, Roane County Executive



Oak Ridge Site Specific Advisory Board Recommendation 199: Recommendation to Remove Uncontaminated Areas of the Oak Ridge Reservation from the National Priorities List

Background

In 1989 the Oak Ridge Reservation (ORR) was placed on the Environmental Protection Agency's (EPA) National Priorities List (NPL), identifying that the reservation was to be cleaned up under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The ORR encompasses about 34,000 acres, all of it within the Oak Ridge city limits. However, only about 10 percent of the reservation has contamination from work that has been done over the years since the 1940s. Some of the contamination has been remediated in place; other areas have contamination that still needs to be addressed by cleanup actions.

Even though all of the ORR is on the NPL, EPA policy specifies that while a site may be described in terms of geographical boundaries or property markings, for the purpose of an NPL listing only those areas that are contaminated are considered to be part of the NPL site.¹ This policy was re-stated in 1995 clarifying that "NPL sites include only contaminated areas. Clean portions are not included even if the site name implies that the entire facility is listed" and "sites are not based upon property boundaries, but rather the areas of contamination."²

Discussion

In 2009 a white paper was drafted³ describing the process used by the ORR Federal Facility Agreement (FFA) parties, the Department of Energy-Oak Ridge Office (DOE), EPA, and the Tennessee Department of Environment and Conservation, to more clearly document areas of the ORR that are excluded from the NPL as well as areas that are part of the NPL. The subsequent boundaries would be documented in the FFA based on completed site inspection and assessment, environmental investigations, and response actions conducted under CERCLA.

The white paper describes the methods for documenting DOE ORR parcels determined to be clean and not part of the NPL.

The white paper has been presented to and discussed among the FFA project managers, but they have not taken actions yet to implement the provisions described in the white paper.

The Oak Ridge Site Specific Advisory Board believes the FFA parties should follow EPA guidelines and take steps outlined in the 2009 white paper to redraw the NPL boundaries to include only the contaminated areas of the reservation. Reducing the area of the NPL could be beneficial in presenting a more positive image of the ORR and the Oak Ridge community as not being as extensively contaminated as is often perceived.

¹ EPA 1991, Federal Facility Site Definition, Memo from George Wyeth to Suzanne Wells, August 13, 1991.

² EPA 1995, Clarification of NPL Listing Policy, Memo from Stephen D. Luftig to Distribution, August 3, 1995.

³ National Priorities List Site Boundary Definition at the Oak Ridge Reservation, Draft December 9, 2009

Recommendation

The Oak Ridge Site Specific Advisory Board recommends that DOE-Oak Ridge work with the other signatories of the ORR FFA to redraw the NPL boundaries of the ORR to include only contaminated areas and revise the FFA to reflect those boundary changes.