

# OAK RIDGE SITE SPECIFIC ADVISORY BOARD



# 2001

ANNUAL REPORT

# WELCOME TO THE ORSSAB 2001 ANNUAL REPORT



This was a year marked by accomplishments, challenges, and changes for the Oak Ridge Site Specific Advisory Board (ORSSAB). We made a record number of recommendations and comments on DOE Environmental Management (EM) Program topics at the same time that we were assimilating a large influx of new perspectives. Seven new members joined ORSSAB this year, and considering that seven others had signed on near the end of FY 2000, 14 of the 20 members serving in FY 2001 had been on the Board for just over a year or less. Nonetheless, it was a very productive year.

## Major highlights and accomplishments:

- The Board made 20 recommendations and comments to DOE, the U.S. Environmental Protection Agency, and the State of Tennessee this year on important topics like the DOE budget, long-term stewardship, and the Toxic Substances Control Act Incinerator.
- ORSSAB established a Stewardship Education Task Team to reach out to students and the community at large with long-term stewardship education to help ensure that stewardship issues are understood.
- Seven new members were seated this year, and an extensive education effort was undertaken to bring them up to speed on EM Program issues and ORSSAB operation. Activities included a special orientation meeting, training, and a tour of the Oak Ridge Reservation.
- The Board sponsored a tour of western U.S. disposal sites to educate ORSSAB members about waste disposal practices at locations where EM wastes are being disposed or may be disposed in the future. Sites included Envirocare of Utah near Salt Lake City, Utah; the Waste Isolation Pilot Plant in Carlsbad, New Mexico; and the Nevada Test Site and Yucca Mountain Project near Las Vegas, Nevada.
- Ad hoc committees were established to study and make recommendations on the *FY 2001 Remediation Effectiveness Report/CERCLA 5-Year Review*, EPA's "Draft Public Involvement Policy," DOE-Headquarter's "Revised Public Participation Guidance," and the draft *Public Involvement Plan for CERCLA Activities at the U.S. DOE Oak Ridge Reservation*.
- An ad hoc committee was impaneled to participate in creation of an "Oak Ridge Success Story" document—a concept being developed by a broad coalition of local community, government, and business groups to portray a factual picture of environmental conditions in Oak Ridge. The final product and a decision on ORSSAB endorsement are expected in early 2002.
- Board members participated on the Community Input Team for the ETTP Water Quality Project Phase II, which was established by DOE to determine the historical potential for contamination of ETTP's drinking water and steam systems through cross-connections or other means from fire fighting water, recirculating cooling water, storm drains, and sanitary sewers.
- ORSSAB members participated in a number of meetings and conferences around the nation to learn about EM and waste management policy, gain understanding of relevant technical issues and present technical papers.

If there was a downside to FY 2001, it was losing three charter members who had completed the six-year term of service allowed by ORSSAB bylaws. Through their hard work, leadership, and dedication to ORSSAB's mission, Bill Pardue, Pat Rush, and Lorene Sigal earned the gratitude of all ORSSAB members and the respect of everyone who came to know them both here and throughout the DOE complex. Their achievements set the standard for those of us who continue the Board's mission into FY 2002 and beyond.

Luther V. Gibson, Jr., Chair

A handwritten signature in cursive script that reads "Luther V. Gibson, Jr.".

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*On the cover: ORSSAB members, ex officios, and student representatives. Top row, left to right: John Owsley (TDEC), Kerry Trammell, John Million, Steve Lewis, Scott Vowell, Charles Washington, Steve Kopp, Jake Alexander, Ryan Burton (student representative), Bob McLeod, Pat Hill, Heather Cothron. Bottom row, left to right: Peery Shaffer, Dave Mosby, Donna Campbell, Jeanne Bonner, Luther Gibson, Corkie Staley, Pat Halsey (DOE), Alix King (student representative). Not pictured: Mary Lynn Fletcher, Connie Jones (EPA), John Kennerly, Rod Nelson (DOE), Bill Pardue, Luis Revilla, Pat Rush, E. W. Seals, Lorene Sigal.*

# GENERAL INFORMATION



The Oak Ridge Site Specific Advisory Board (ORSSAB) is a federally appointed citizens' panel that provides advice and recommendations to the U.S. Department of Energy (DOE) on its Oak Ridge Environmental Management (EM)

Program. The group was formed in 1995 and is chartered under the Federal Advisory Committee Act.

The Board is dedicated to providing informed recommendations and advice to the DOE EM Program regarding environmental restoration and waste management, as well as land use and economic development of contaminated areas. Recommendations regarding environmental justice, health and safety issues, and other subjects may be developed at the Board's discretion. The Board is committed to reflecting the concerns of the communities impacted by EM activities at the Oak Ridge Reservation (ORR) and to serving as a communications link between the public and the relevant government agencies, including local governments.

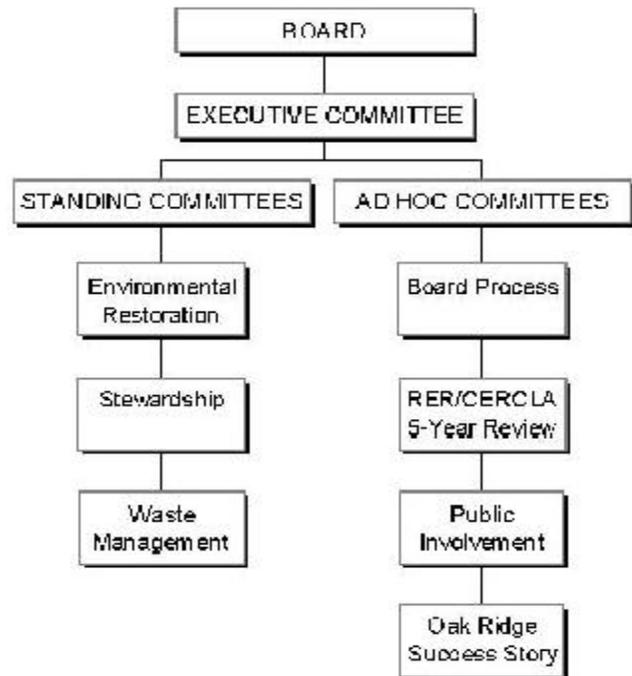
The Board is composed of up to 20 members, chosen to reflect the diversity of gender, race, occupation, views, and interests of persons living near the ORR. Members are appointed by DOE and serve on a voluntary basis, without compensation. The Board currently consists of 20 voting members from five counties: Anderson, Campbell, Knox, Loudon, and Roane. Non-voting members include representatives from the DOE Oak Ridge Operations (DOE-ORO), the U.S. Environmental Protection Agency (EPA) Region 4, and the Tennessee Department of Environment and Conservation (TDEC). These members advise the Board on their respective agency's policies and views. Two non-voting student participants also serve on the Board to represent the viewpoints and concerns of area youth.

ORSSAB provides a number of avenues for the public to learn and express views about DOE-ORO EM work. All Board and committee meetings are open to the public

and are announced in newspaper advertisements, at the Information Resource Center in Oak Ridge, and through the Board's 24-hour information line: 865-576-4750. Board meetings are also advertised in the *Federal Register* and are video recorded and broadcast on local cable television. Copies of the tapes are available for public review. The Board maintains a Web site where other information can be found at [www.oakridge.doe.gov/em/ssab](http://www.oakridge.doe.gov/em/ssab). Information is also available by calling the ORSSAB support office at 865-241-3665 or 1-800-382-4582, Monday–Friday, 8:00 a.m.–5:00 p.m. Eastern Time.

## BOARD MEETINGS

The Board meets monthly to hear presentations by persons working on relevant EM topics, listen to and discuss input from concerned citizens, consider recommendations to DOE developed by the various ORSSAB committees, and conduct other business. The Board conducts its deliberations under Roberts Rules of Order and ORSSAB Bylaws and strives for consensus in reaching decisions. See Appendix A for a listing of Fiscal Year (FY) 2001 Board meetings.



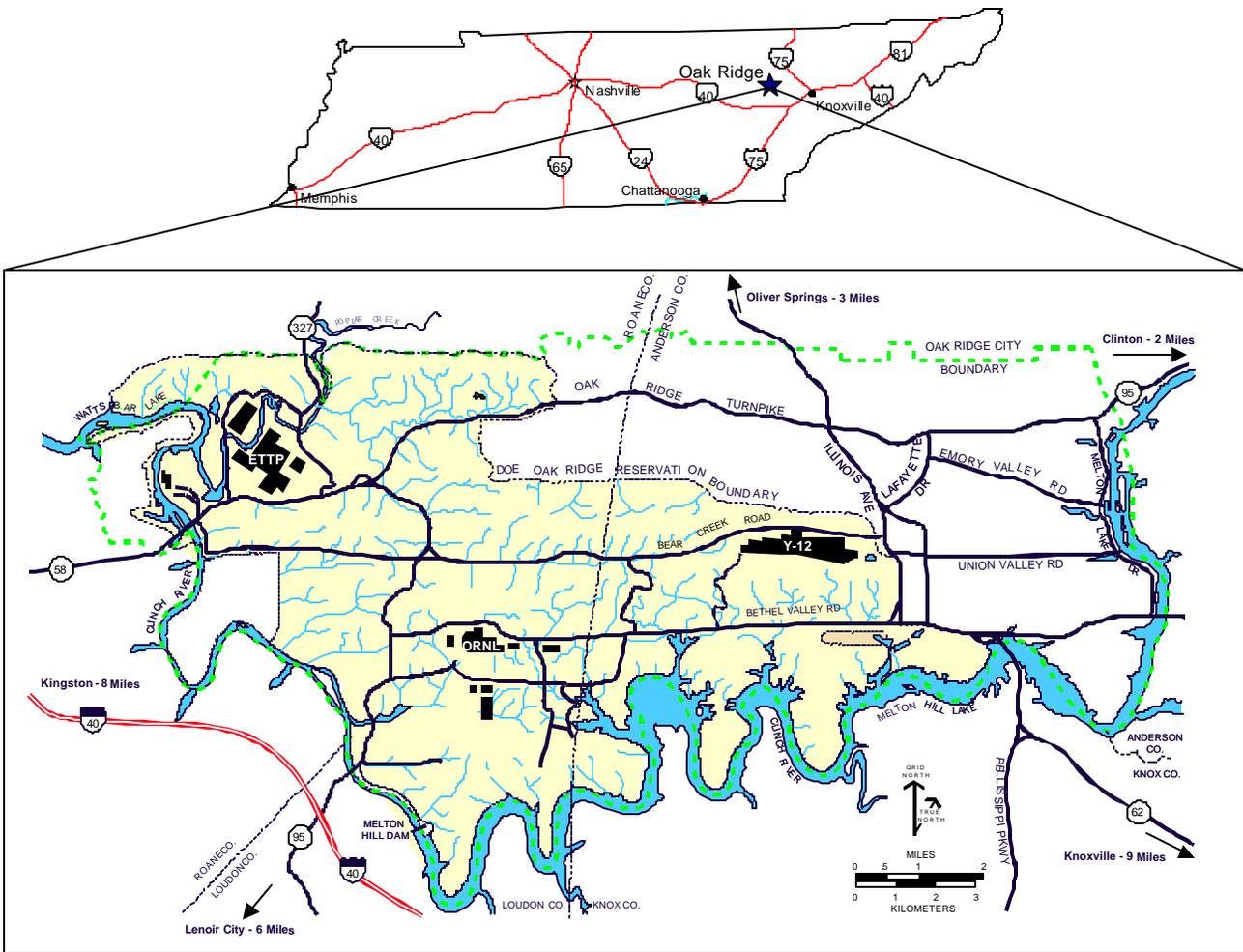
## COMMITTEES

At the start of FY 2001, the Board established the following standing committees to review issues concerning three broad topic areas: Environmental Restoration, Stewardship, and Waste Management. General Board business is handled at the monthly Executive Committee meeting. This committee, which is composed of the elected officers of the Board and the committee chairs, holds general administrative authority to set agendas, coordinate the work of committees, and

transact business as necessary between regular meetings. ORSSAB committees usually meet monthly, and all meetings are open to the public. An ad hoc Board Process Committee meets as needed to address parliamentary matters and other process concerns.

## FY 2001 BOARD OFFICERS

Chair: Luther Gibson; Vice Chair: Dave Mosby;  
Secretary: Corkie Staley.



Map of the Oak Ridge Reservation showing East Tennessee Technology Park [ETTP (formerly the K-25 Site)], Oak Ridge National Laboratory (ORNL), and the Oak Ridge Y-12 Plant (Y-12).

# FY 2001 RECOMMENDATIONS & COMMENTS

In FY 2001 the Board studied a variety of issues related to DOE EM activities. Review of an issue usually begins in the standing committees, which prepare draft recommendations and comments for Board review and approval. The review process often includes detailed briefings in an open forum where Board members may ask questions and discuss their views. All meetings are open to public participation and comment, which is an integral part of the ORSSAB study and recommendation process. Each monthly Board meeting includes time for public input and response, and citizens attending the

meetings are invited to ask questions and express views following technical briefings.

Following is a list of the recommendations and comments submitted to DOE-ORO and other authorities during FY 2001. See Appendix B for text of recommendations and comments; a brief history of each recommendation or set of comments and DOE's response (where applicable) are also included. Complete text of all recommendations is available on the Board's Web site (<http://www.oakridge.doe.gov/em/ssab>).

Number	Recommendations & Comments	Issued
C10/11/00.1	Comments on the <i>Proposed Plan for Interim Actions in Bethel Valley, Oak Ridge, Tennessee</i>	10/11/00
R10/11/00.2	Support of Compensation for Sick Nuclear Workers as Defined in the FY 2001 Defense Authorization Bill sponsored by Senator Fred Thompson of Tennessee	10/11/00
C12/13/00.3	Comments on the Draft <i>Study on Long-Term Stewardship</i>	12/13/00
R12/13/00.4	Endorsement of the EMSSAB Recommendations on Long-Term Stewardship	12/13/00
C02/14/01.5	Comments on the <i>Proposed Plan for Interim Source Control Actions for Contaminated Soils, Sediments, and Groundwater in the Upper East Fork Poplar Creek Characterization Area</i>	2/14/01
R03/14/01.6	Evaluation of and Recommendations for Stewardship Requirements in CERCLA Documents	3/14/01
R03/14/01.7	Recommendations on the <i>Attainment Plan for Risk/Toxicity-Based Waste Acceptance Criteria</i>	3/14/01
R04/11/01.8	Recommendations on the Draft <i>Public Involvement Plan for CERCLA Activities at the ORR</i>	4/11/01
C04/11/01.9	DOE-Headquarters "Revised Public Participation Guidance"	4/11/01
C04/11/01.10	EPA "Draft Public Involvement Policy"	4/11/01
R05/9/01.11	Recommendation Concerning the State of Tennessee's Position on the Proposed FY 2001 Burn Plan for the U.S. DOE Toxic Substances Control Act Incinerator (TSCAI)	5/9/01
R05/9/01.12	Recommendation Concerning Public Information on the U.S. DOE TSCAI	5/9/01
C05/9/01.13	Comments on the <i>ORR Stewardship Management Plan</i>	5/9/01
R05/9/01.14	Endorsement of EMSSAB Letter to Secretary Abraham on the DOE EM Program Budget	5/9/01
R05/9/01.15	FY 2002 Presidential Budget for the DOE EM Program	5/9/01
R06/13/01.16	Including Language in Documents Regarding How Actions Fit Into Watershed Remediation	6/13/01
R06/13/01.17	Improving Communication Between the Federal Facility Agreement (FFA) Parties and the Public Regarding Watershed Remediation	6/13/01
R06/13/01.18	Recommendations on the <i>FY 2001 Remediation Effectiveness Report/CERCLA 5-Year Review</i>	6/13/01
R07/11/01.19	Letter to Secretary Abraham: ORSSAB Objections to Reductions in the DOE FY 2002 Federal Budget for the ORR EM Program	7/11/01
R07/11/01.20	Letter to Governor Sundquist: ORSSAB Objections to Reductions in the DOE FY 2002 Federal Budget for the ORR EM Program	7/11/01

# OTHER FY 2001 BOARD ACTIVITIES

## PRESENTATION TO THE NATIONAL RESEARCH COUNCIL

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On September 18 and 19, 2001, representatives from the National Research Council traveled to Oak Ridge to identify areas of basic research that might provide new approaches for managing transuranic and mixed wastes. ORSSAB was one of several groups invited to speak about stakeholder concerns regarding these issues. Luther Gibson and Charles Washington attended the event and discussed topics of interest related to the ORSSAB Waste Management Committee.

## EM ADVISORY BOARD (EMAB)

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EMAB was established to provide advice and recommendations on a broad range of issues to DOE's Assistant Secretary for EM. Although not associated with the SSABs, EMAB addresses many of the same issues, and it often attracts SSAB members to its ranks. This year, two ORSSAB members served on EMAB committees. Luther Gibson was appointed to the Alternative Technologies to Incineration Committee in FY 2001, and Lorene Sigal continued her service as a member of EMAB and the EMAB Long-Term Stewardship Committee. Luther's and Lorene's association with EMAB provides them with valuable information and insights that they share with all ORSSAB members.

## ETTP WATER QUALITY PROJECT

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Questions by current and former workers about the quality of ETTP drinking water prompted DOE to complete an evaluation of the current ETTP water system last year. DOE found the drinking water to be safe but elected to conduct a second phase study to evaluate the possibility that water had been contaminated in previous years. The scope of the project, known as SPOT-2, involved assessing ETTP's drinking water and steam systems to determine the historical potential for contamination through cross-connections or other means from firefighting water, recirculating cooling water, storm drains, and sanitary sewers. A Community Input Team was established to provide stakeholder representation on the project, and in October 2000 Luther Gibson was appointed to be the SSAB's representative on the team. Tami Hamby was

appointed to the team and served during her brief tenure on ORSSAB. In August 2001 the project issued a draft report citing various issues but making no firm conclusions. Funding for the project ran out, and the project will be brought to an orderly conclusion.

## COMMUNITY REUSE ORGANIZATION OF EAST TENNESSEE

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Each year an ORSSAB member is appointed to serve on the Community Reuse Organization of East Tennessee (CROET) board. This association provides CROET with stakeholder input and provides ORSSAB with information about CROET activities. Information on CROET is important to the Board because land use and economic development of contaminated areas are key elements of the Board's mission. Reports on CROET activities are included in ORSSAB meeting agendas. In FY 2001, Bill Pardue served as ORSSAB's CROET representative until his retirement from the Board in June. Kerry Trammell assumed the position for the remainder of FY 2001 and will continue to serve in FY 2002.

## TOUR OF ORR WASTE FACILITIES

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On June 18, 2001, the Waste Management Committee sponsored a tour of selected ORR waste management facilities to educate members about topics the committee will address in FY 2002. Sites included TSCAI, the EM Waste Management Facility (EMWMF), the West End Treatment Facility, a Sanitary Sludge Land Application Program site, and the Materials and Energy Corporation facility at the East Tennessee Technology Park (ETTP).

## ANNUAL PLANNING RETREAT

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The Board held its annual planning retreat and annual board meeting on Friday and Saturday, August 3 and 4, 2001, at Rothchild Catering in Knoxville, Tennessee. The purpose of the event was to assess the previous year's work, elect officers for the new Board year, and discuss tasks for FY 2002. Recommendations for committee tasks were provided prior to the retreat by DOE, TDEC, and EPA, by local stakeholders via the Board's Stakeholder Survey, and by ORSSAB members. Twenty-six topics were selected for inclusion in the Environmental Restoration, Stewardship, and Waste Management committee agendas.

# PARTICIPATION IN MEETINGS & CONFERENCES

ORSSAB members took part in several meetings, workshops, and conferences during the year to (1) participate in discussions on EM and waste management policy, (2) gain understanding of relevant technical issues, (3) discuss subjects of mutual interest and develop personal contacts with SSAB counterparts at other sites, and (4) present technical papers on EM-related topics.

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## **SPECTRUM 2000, CHATTANOOGA, TENNESSEE, SEPTEMBER 2000**

Members participating: Bill Pardue, Lorene Sigal. An international conference focused on technology for waste management applications, Spectrum enables an extensive international exchange of information related to deployed, emerging, and advanced technologies. During the session on stakeholder involvement, Mr. Pardue presented a paper titled “SSAB Influence on DOE Waste Management Transportation,” and Ms. Sigal presented “Stakeholder Involvement in Stewardship.”

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## **EMAB MEETING, WASHINGTON, D.C., OCTOBER 2000**

Members participating: Jake Alexander. EMAB was established to provide advice and recommendations on a broad range of issues to DOE’s Assistant Secretary for EM. This meeting involved presentations from standing and ad hoc EMAB committees plus an address from Dr. Carolyn Huntoon, Assistant Secretary for EM.

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## **ENERGY COMMUNITIES ALLIANCE MEETING, IDAHO FALLS, IDAHO, OCTOBER 2000**

Members participating: Charles Washington. The Energy Communities Alliance is dedicated to promoting long-term stewardship, diversifying communities’ economic base, and aiding the federal government in determining land use in communities that may be affected by DOE activities. Meeting topics included transportation, stewardship, and community economic development.

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## **EMSSAB STEWARDSHIP WORKSHOP, DENVER, COLORADO, OCTOBER 2000**

Members participating: Mary Lynn Fletcher, Avalon Mansfield, Peery Shaffer, Lorene Sigal, Corkie Staley, Scott Vowell, Charles Washington. The workshop provided ORSSAB members with an in-depth understanding of long-term stewardship and its status at DOE-Headquarters (DOE-HQ) and across the DOE

complex. It also afforded attendees with the opportunity to discuss long-term stewardship concepts with DOE-HQ staff and members of other SSABs. Recommendations for joint EMSSAB endorsement were developed at the workshop on stewardship funding, roles and responsibilities, timing, information management, and public involvement. ORSSAB endorsed the recommendations on December 13, 2000.

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## **PROGRAM ADVISORY COMMITTEE MEETING ON THE INTERNATIONAL CONFERENCE ON INCINERATION AND THERMAL TREATMENT TECHNOLOGIES (IT3), NEWPORT BEACH, CALIFORNIA, NOVEMBER 2000**

Members participating: Luther Gibson. The purpose of the meeting was to prepare for the May 2001 IT3 conference by reviewing and selecting abstracts, soliciting additional abstracts, organizing papers into sessions, and advising on issues associated with conduct of the conference, including promotion of and participation in the conference.

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## **RESOURCES FOR THE FUTURE: LONG-TERM STEWARDSHIP OF CONTAMINATED SITES—TRUST FUNDS AS MECHANISMS FOR FINANCING AND OVERSIGHT, WASHINGTON, D.C., DECEMBER 2000**

Members participating: Lorene Sigal. Approximately 100 people from government and stakeholder groups gathered to discuss long-term stewardship activities on both private and federally owned sites. The goal of the conference was to stimulate discussion about whether trust funds—be they private, state, or federal—might prove a useful mechanism for ensuring funding and oversight of long-term stewardship at contaminated sites.

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## **LAND TRANSFER AND LONG-TERM MANAGEMENT OF CONTAMINATED FEDERAL FACILITIES, SAN FRANCISCO, CALIFORNIA, DECEMBER 2000**

Members participating: Peery Shaffer. Sponsored by DOE and EPA Region 9, this workshop focused on technology development and transfer between agencies, various agency approaches/solutions, tracking systems for “stewardship” land, and institutional controls to guard the public and the environment in the future. Attendance at this meeting provided the SSAB with an idea of what other agencies are doing about long-term stewardship and land transfer. In addition, meeting with many

different agencies provided a better understanding of what is considered “clean” for contaminated sites.

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**SOUTHWEST DISPOSAL SITE TOUR, FEBRUARY 2001**

Members participating: Shane Bellis, Avalon Mansfield, Peery Shaffer, Coralie Staley, Kerry Trammell, Scott Vowell, Charles Washington. The purpose of the tour was to educate ORSSAB members about waste disposal practices at sites where EM wastes are being disposed or may be disposed in the future. Sites included Envirocare of Utah near Salt Lake City, Utah; the Waste Isolation Pilot Plant in Carlsbad, New Mexico; and the Nevada Test Site (NTS) and Yucca Mountain Project near Las Vegas, Nevada. Tours furnished by site administrations provided information on transportation, required facility licenses/permits, safety, cost efficiency, and growth.

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**SEMIANNUAL SSAB CHAIRS MEETING, LAS VEGAS, NEVADA, FEBRUARY 2001**

Members participating: Luther Gibson, Peery Shaffer, Corkie Staley, Charles Washington. Hosted by the Community Advisory Board for NTS, the meeting provided ORSSAB members with the opportunity to discuss EM projects and policy, gain understanding of relevant technical issues, and develop personal contacts with their counterparts at other sites. Prior to the meeting, several ORSSAB members attended the regular monthly meeting of the NTS Community Advisory Board. The Chairs’ Meeting included a tour of NTS and the Yucca Mountain Project.

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**WASTE MANAGEMENT 2001, TUCSON, ARIZONA, FEBRUARY 2001**

Members participating: Charles Washington. More than 2500 representatives from government, industry, and academia attended this annual conference to discuss technologies for waste management. The conference featured workshops, panel discussions, and presentations on topics related to the storage, treatment, transportation, and disposal of hazardous and mixed waste.

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**DEVELOPING STRATEGIES TO ACCELERATE FEDERAL AGENCY ENVIRONMENTAL CLEANUP, SNOWBIRD, UTAH, APRIL 2001**

Members participating: Luther Gibson, Charles Washington. Contractors, academia, federal officials, state regulators, and stakeholders were present at this

conference to discuss ways to accelerate federal agency environmental cleanup. The conference focused on the path forward for cleanup as well as existing and new cleanup technologies, including treatment alternatives to incineration.

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**INTERNATIONAL CONFERENCE ON INCINERATION AND THERMAL TREATMENT TECHNOLOGIES, PHILADELPHIA, PENNSYLVANIA, MAY 2001**

Members participating: Luther Gibson. This conference is held annually to provide a forum for the exchange of state-of-the-art technology information on thermal treatment technologies. The conference included numerous speakers, field trips, advanced tutorials, and optional courses on thermal treatment basics. Most of the discussions revolved around current technical and regulatory issues in the incineration and thermal treatment technology industry. Mr. Gibson chaired the technical session on trial burns.

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**FOURTH ANNUAL LONG-TERM STEWARDSHIP WORKSHOP, GRAND JUNCTION, COLORADO, AUGUST 2001**

Members participating: Peery Shaffer, Corkie Staley. The workshop was sponsored by the DOE Grand Junction Office, which holds long-term stewardship responsibility for closed DOE sites. The event, which was designed as a hands-on experience in planning a long-term stewardship program, included a special session on science and technology, reviews of case studies, and discussions and problem-solving sessions. Participants were divided into small groups and were given a description of a fictional site for which they were to develop a long-term stewardship program.

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**SEMIANNUAL SSAB CHAIRS MEETING, SANTA FE, NEW MEXICO, AUGUST 2001**

Members participating: Luther Gibson, Corkie Staley. The meeting included a presentation on the DOE “Top-Down Review,” highlights of the FY 2002 budget request, and an overview of how to read waste disposition maps. Most of the meeting was devoted to discussions among the Chairs about issues of concern at their sites, the budget, the sites’ scopes of work and their relationship with DOE, and how DOE responds to the SSABs’ recommendations. The meeting was hosted by the Northern New Mexico Citizens’ Advisory Board.

# ORSSAB PUBLIC OUTREACH

The goal of ORSSAB public outreach is to achieve the Board's mission as it relates to community involvement:

*"The Board is committed to reflecting the concerns of the communities impacted by environmental management of the ORR and to serving as a communications link between the public and DOE.*

ORSSAB invites public participation in Board activities and uses a variety of methods to achieve its outreach goals. Following are some of the methods and materials used by the Board to get the word out about ORSSAB and its activities.

**24-hour information line**—A recorded phone message (at 865-241-4750) offers up-to-date information on ORSSAB meetings and special events.

**800 number**—Stakeholders from outside the local calling area can get in touch with the support office by calling toll free: 1-800-382-6938.

**Advocate newsletter**—Approximately 500 newsletters are mailed out quarterly to inform local stakeholders about ORSSAB activities and maintain an ongoing dialogue with the community.

**Annual report**—The report is sent to state legislators, local media and organizations, and governmental agencies to promote awareness of Board activities.

**Briefings and presentations**—Presentations to local civic, educational, and governmental organizations serve to encourage participation in Board activities, and they are an important way to achieve the Board's educational and communication goals.

**Brochure**—Distributed at meetings, conferences, and presentations, the brochure draws a quick portrait of Board activities and includes a reply card that makes it easy to get more information about the Board.

**Cable TV**—Most Board meetings begin with an EM-related presentation, and this portion of the meeting is broadcast on the local cable station to help educate the public about EM activities.



*DOE-Oak Ridge Operations Manager Leah Dever stops by the display set up by ORSSAB members Charles Washington, Luther Gibson, and Steve Kopp (shown left to right) in the lobby of the Federal Building on December 6, 2000. Outreach to federal workers was added this year to the Board's ongoing effort to communicate with stakeholders.*

**Conference presentations**—Board members regularly make presentations at local and national conferences on EM- and SSAB-related topics.

**Information booklet**—A guide to the SSAB designed for distribution to the public at local libraries and other resource agencies.

**EM Information Resource Guide**—The guide was developed initially as a tool for Board members but is also distributed at Board meetings and presentations to promote the SSAB as an information resource for the public.

**Newspaper ads**—An ad is placed in local papers each month to meet the goal of informing and involving the public in Board activities. Ads are also used to advise the public of special events.

**News releases**—Releases are developed on newsworthy topics, such as appointments to the Board, public meetings sponsored by ORSSAB, and special presentations at Board meetings.

**Poster**—The poster holds ORSSAB brochures and is posted at the library, visitors’ bureau, DOE site buildings, and other locations.

**Special mailings and posters**—The Board advertises special presentations and events by sending out special mailings to local civic and EM stakeholder groups. Posters are also used, when appropriate, to get the word out about these activities.

**Stakeholder survey**—The annual survey is the primary means through which the Board evaluates its effectiveness in communicating with the public. The survey is sent out to persons and organizations on the Board’s mailing lists and is available on the Board’s web site.

**Web page**—(<http://www.oakridge.doe.gov/em/ssab>). The web site serves several purposes: it provides information about the Board to the

public, it serves as a one-stop information resource about the DOE EM Program, it helps the Board evaluate its effectiveness via the stakeholder survey, and it provides up-to-date information about meetings and special events.



Getting the word out involves getting out into the community, into meetings of other organizations, and into the sites where EM work takes place. This year, Board members made a number of presentations and contacts with area stakeholders and organizations. Following is a list of those activities.

Organization	Date	Members Participating
Roane State Community College (televised from Harriman campus to all Roane State satellites)	11/8/00	Pardue
Roane State Community College (Oak Ridge campus)	11/9/00	Cange
ETTP Cafeteria	11/29/00	Gibson, Washington
Pellissippi State	12/4/00	Sigal
DOE Federal Building	12/6/00	Gibson, Kopp, Washington
<i>Knoxville News-Sentinel</i> Oak Ridge Bureau	1/26/01	Gibson
Oak Ridge High School (presentations to two advanced placement environmental sciences classes)	5/11/01	Kopp

# STANDING COMMITTEES

## EXECUTIVE



*Committee members, clockwise from top left: Dave Mosby, Jake Alexander, Luther Gibson, Peery Shaffer. Not pictured: Steve Kopp, Lorene Sigal (served through June 2001), Corkie Staley.*

General Board business is handled by the Executive Committee. The committee, which is composed of the elected officers of the Board and the committee chairs, holds general administrative authority to set agendas, coordinate the work of committees, and transact business as may be necessary between regular meetings. The Executive Committee presents all recommendations other than administrative ones to the Board for action.

### PARTICIPATION IN MEETINGS & CONFERENCES

- Jake Alexander, EMAB Meeting, Washington, D.C., October 2000
- Charles Washington, Energy Communities Alliance Meeting, Idaho Falls, Idaho, October 2000
- Luther Gibson, Peery Shaffer, Corkie Staley, Charles Washington, Semiannual SSAB Chairs Meeting, Las Vegas, Nevada, February 2001
- Luther Gibson, Corkie Staley, Semiannual SSAB Chairs Meeting, Santa Fe, New Mexico, August 2001

## ENVIRONMENTAL RESTORATION



*Committee members, standing, from left: Jake Alexander, Steve Lewis, Charles Washington, Dave Mosby, Pat Rush. Seated, from left: Kerry Trammel, Heather Cothron, Bob McLeod. Not pictured: Bill Pardue.*

The mission of this committee is to:

1. Develop an understanding of DOE's ORR EM projects and facilitate public participation in providing feedback to DOE on these decisions.
2. Evaluate DOE's implementation of ongoing ORR EM projects, and document any significant observations and concerns.
3. Identify and evaluate "cross-cutting" issues (such as cleanup criteria for contaminated soil and management of demolition rubble) associated with ongoing and anticipated ORR EM projects.
4. Consider public outreach, health and safety, and environmental justice issues related to EM activities.

### RECOMMENDATIONS & COMMENTS

- Comments on the *Proposed Plan for Interim Source Control Actions for Contaminated Soils, Sediments, and Groundwater (Outfall 51) Which Contribute Mercury and PCB Contamination to Surface Water in the Upper East Fork Poplar Creek Characterization Area* (DOE/OR/01-1839&D2)
- Comments on the *Proposed Plan for Interim Actions in Bethel Valley* (DOE/OR/01-1795&D3)
- Letter to Governor Sundquist: ORSSAB Objections to Reductions in the DOE FY 2002 Federal Budget for the ORR EM Program
- Letter to Secretary Abraham: ORSSAB Objections to Reductions in the DOE FY 2002 Federal Budget for the ORR EM Program

## STEWARDSHIP



*Committee members, standing, from left: John Million, Donna Campbell, Scott Vowell, Alix King. Seated, from left: Peery Shaffer, Corkie Staley, Mary Lynn Fletcher. Not pictured: Lorene Sigal, Bill Pardue, Ryan Burton.*

The goal of the Stewardship Committee is to serve as a forum for discussion of topics relevant to the long-term stewardship of the ORR and to act as liaison between DOE and the community at-large regarding stewardship issues. Stewardship Committee objectives to achieve its goal are to ensure that DOE takes steps toward an effective stewardship program for the ORR, promote local involvement in stewardship for the ORR, and further a national commitment to stewardship across DOE sites. The committee also considers public outreach, health and safety, and environmental justice issues related to stewardship activities.

### HIGHLIGHTS

- Established a Stewardship Task Force to help ensure that stewardship issues are understood throughout the community and the region. The Task Force's goals are to create a stewardship fact sheet, develop a speakers bureau, establish a video library and web sites related to stewardship, and work with local high school students to develop executive summaries for the ORSSAB *Stakeholder Report on Stewardship, Volumes 1 and 2.*

- Developed comments on the Tennessee section of the *National Defense Authorization Act Report on Long-Term Stewardship for DOE Sites*

### RECOMMENDATIONS AND COMMENTS

- Comments on the *ORR Stewardship Management Plan*
- Evaluation of and Recommendations for Stewardship Requirements in Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Documents
- Comments on the *Proposed Plan for Interim Source Control Actions for Contaminated Soils, Sediments, and Groundwater (Outfall 51) Which Contribute Mercury and PCB Contamination to Surface Water in the Upper East Fork Poplar Creek Characterization Area (DOE/OR/01-1839&D2)*
- Endorsement of the EMSSAB Recommendations on Long-Term Stewardship
- Comments on the draft *Long-Term Stewardship Study of October 2000*
- Comments on the *Proposed Plan for Interim Actions in Bethel Valley (DOE/OR/01-1795&D3)*

### PARTICIPATION IN MEETINGS & CONFERENCES

- Lorene Sigal, Spectrum 2000, Chattanooga, Tennessee, September 2000
- Mary Lynn Fletcher, Avalon Mansfield, Peery Shaffer, Lorene Sigal, Corkie Staley, Scott Vowell, Charles Washington, EMSSAB Stewardship Workshop, Denver, Colorado, October 2000
- Lorene Sigal, Resources for the Future: Long-term Stewardship of Contaminated Sites—Trust Funds as Mechanisms for Financing and Oversight, Washington, D.C., December 2000
- Peery Shaffer, Land Transfer and Long-Term Management of Contaminated Federal Facilities, San Francisco, California, December 2000
- Peery Shaffer, Corkie Staley, Fourth Annual Long-Term Stewardship Workshop, Grand Junction, Colorado, August 2001

## WASTE MANAGEMENT



*Committee members, standing, from left: Peery Shaffer, Jeanne Bonner, John Million, Luther Gibson, E.W. Seals. Seated, from left: Steve Kopp, Charles Washington, Pat Hill. Not pictured: Jake Alexander, John Kennerly, Luis Revilla.*

The mission of the Waste Management Committee is to study and make recommendations concerning off-site waste disposal options; transportation issues; TSCAI permitting, emissions, and public acceptance; and EMWMF. The committee also considers public outreach, health and safety, and environmental justice issues related to its mission topics.

### HIGHLIGHTS

- Sponsored a tour of selected ORR waste management facilities to educate members about topics the committee will address in FY 2002. Sites included TSCAI, EMWMF, the West End Treatment Facility, a Sanitary Sludge Land Application Program site, and the Materials and Energy Corporation facility at ETTP

### RECOMMENDATIONS & COMMENTS

- Recommendation Concerning Public Information on TSCAI
- Recommendation on the State of Tennessee's Position on the Proposed FY 2001 TSCAI Burn Plan
- Recommendations and Comments on the *Attainment Plan for Risk/Toxicity-Based Waste Acceptance Criteria at the ORR* (DOE/OR/01-1909&D1)
- Letter to Governor Sundquist: ORSSAB Objections to Reductions in the DOE FY 2002 Federal Budget for the ORR EM Program
- Letter to Secretary Abraham: ORSSAB Objections to Reductions in the DOE FY 2002 Federal Budget for the ORR EM Program

### PARTICIPATION IN MEETINGS & CONFERENCES

- Bill Pardue, Spectrum 2000, Chattanooga, Tennessee, September 2000
- Luther Gibson, IT3 Program Advisory Committee Meeting, Newport Beach, California, November 2000
- Shane Bellis, Avalon Mansfield, Peery Shaffer, Coralie Staley, Kerry Trammell, Scott Vowell, Charles Washington, Southwest Disposal Site Tour, February 2001
- Charles Washington, Waste Management 2001, Tucson, Arizona, February 2001
- Luther Gibson, Charles Washington, Developing Strategies to Accelerate Federal Agency Environmental Cleanup, Snowbird, Utah, April 2001
- Luther Gibson, IT3, Philadelphia, Pennsylvania, May 2001

# AD HOC COMMITTEES

## BOARD PROCESS

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*Committee members: Mary Lynn Fletcher, Dave Mosby (Chair), Peery Shaffer, Lorene Sigal, Corkie Staley.*

The purpose of this committee is to serve as the Board's forum for initial debate on issues involving Board process. The committee's scope includes bylaws, standing rules, special rules of order, Board meeting structure, process for staff interface (including handling requests for technical assistance), standards and formats for submitting recommendations and comments to DOE, new member training, retreat planning, and process for preparation of the Board's work plan. The committee met several times throughout FY 2001 and recorded many accomplishments:

- Developed extensive revisions to ORSSAB Bylaws, Standing Rules, and Special Rules of Order
- Planned the Board's annual retreat, and created materials in support of the event
- Developed criteria to be used for approval of Board member travel
- Refined the process for bringing recommendations to the Board for consideration
- Created an orientation plan for new Board members
- Developed an ORSSAB meeting evaluation form to identify opportunities to improve meeting content and function

## REMEDIATION EFFECTIVENESS REPORT/ CERCLA FIVE-YEAR REVIEW

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*Committee members: John Million (Chair). Public members: Tyler Johnson, Roger Macklin, Bert Schappel.*

The Board formed an ad hoc committee to review how ORSSAB recommendations on the *FY 2000 RER/CERCLA Five-Year Review for the DOE ORR* were addressed in the FY 2001 report. The committee drafted several recommendations and comments on the 2001 document, which were approved by the ORSSAB membership on June 13, 2001.

## PUBLIC INVOLVEMENT DOCUMENTS

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*Committee members: Luther Gibson, John Million, Peery Shaffer, Lorene Sigal (Chair).*

The Board established this ad hoc committee to review the following public involvement documents:

- EPA "Draft Public Involvement Policy"
- DOE-Headquarters "Revised Public Participation Guidance"
- Draft *Public Involvement Plan for CERCLA Activities at the U.S. DOE ORR* (DOE/OR/01-1950&D0)

The committee made recommendations on each document, and all recommendations were approved by the ORSSAB membership on April 11, 2001.

## "OAK RIDGE SUCCESS STORY"

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*Committee members: Donna Campbell, Steve Kopp (Chair), Luther Gibson, Dave Mosby, Lorene Sigal.*

In October 2000, the East Tennessee Environmental Business Association requested assistance in writing a white paper on the Melton Valley Record of Decision (ROD) process—an idea first suggested by Earl Leming, who was then director of the TDEC DOE-Oversight Division. A broad coalition of local community, government, and business groups was formed to work on the idea, and the project scope was broadened to a more generic Oak Ridge remediation "success story" concept. An ORSSAB ad hoc writing committee was formed to work on the project, and members wrote two sections of the document: stewardship and public outreach. The final document and a decision on ORSSAB endorsement are expected in early 2002.

# MEMBERSHIP



*ORSSAB members, ex officios, and student representatives. Top row, left to right: John Owsley (TDEC), Kerry Trammell, John Million, Steve Lewis, Scott Vowell, Charles Washington, Steve Kopp, Jake Alexander, Ryan Burton (student representative), Bob McLeod, Pat Hill, Heather Cothron. Bottom row, left to right: Peery Shaffer, Dave Mosby, Donna Campbell, Jeanne Bonner, Luther Gibson, Corkie Staley, Pat Halsey (DOE), Alix King (student representative). Not pictured: Mary Lynn Fletcher, Connie Jones (EPA), John Kennerly, Rod Nelson (DOE), Bill Pardue, Luis Revilla, Pat Rush, E. W. Seals, Lorene Sigal.*

## JAKE ALEXANDER

Jake is a regulatory compliance manager with British Nuclear Fuels, Ltd., in Oak Ridge and a member of the adjunct faculty with the University of Tennessee's Engineering Graduate School. He serves on the Oak Ridge Health Agreement Steering Panel and is a former member of the Oak Ridge Environmental Quality Advisory Board. Jake is the chair of the Environmental Restoration Committee.

## JEANNE BONNER

Jeanne is employed by UT-Battelle, LLC, at Oak Ridge National Laboratory (ORNL). She has a degree in chemical engineering and experience in facility D&D, radiochemical processing, hazardous waste operations, and emergency response. An Oak Ridge resident, Jeanne is an active member of the PTA, Society of Women Engineers, and Delta Sigma Theta Sorority, Inc.

## RYAN BURTON

Ryan is a senior at Roane County High School, where he maintains a 3.6 grade point average. His course work includes advanced placement calculus, chemistry, and physics—subjects that figure into his plans for a career in either the medical or environmental field. Ryan's extracurricular activities include serving as treasurer of the school's Art Club and spending free time outdoors, hiking, camping, and boating.

## DONNA CAMPBELL

Donna was a charter member of the Board and served two terms (1995–1999) in addition to her current term, which began in July 2001. She is a librarian for Foster Wheeler Environmental Corporation in Oak Ridge and holds undergraduate and graduate degrees in biology and library science. A Harriman resident, Donna is a preschool teacher and active in the jail ministry at First Baptist Church of Kingston. She also volunteers with local public libraries and is a member of the Special Libraries Association.

## HEATHER COTHRON

Heather is employed by Science Applications International Corporation as an engineer and project manager at ORNL. She holds a B.S. degree in biology and an M.S. degree in chemical engineering and is a certified Project Management Professional. From 1997 to 1999 she was the DOE representative on the FUSRAP community/stakeholder group, and she formerly worked as a regulator with TDEC. Heather is a resident of Oliver Springs.

## MARY LYNN FLETCHER

Dr. Fletcher is a public health scientist who is retired from the U.S. Public Health Service. While working as the Director of the Rural Health Research Program, she placed clinics in medically under served rural areas and

later became the Executive Assistant to the Surgeon General. She is currently a board member of several organizations and is a former member of the Loudon County Chamber of Commerce. She has served as the director of various groups related to advancing technology into rural areas for persons with disabilities and as a consultant to several corporations and foreign countries on healthcare and the rights of persons with disabilities. Dr. Fletcher lives in Loudon County.

**LUTHER V. GIBSON, JR.**

Luther works in the BWXT Y-12 Analytical Chemistry Organization and holds an M.S. degree in chemical engineering. He has worked for DOE contractors for 25 years on environmental technologies. He was 1998-99 chair of the East Tennessee Chapter of the Air and Waste Management Association, and he is the current ORSSAB Chair.

**PATRICIA H. HILL**

Pat is an artist and teacher who has worked as an art director for the Boys & Girls Clubs of Knoxville, as a graphic artist at the *Knoxville News-Sentinel*, and as a teacher at the Apostolic Christian School in Knoxville. She is a resident of Knoxville and a former member of the East Tennessee Cherokee Indian League.

**JOHN KENNERLY**

John is a retired chemical engineer who worked for Lockheed Martin Energy Systems. He has broad experience in EM technology areas, such as environmental restoration, waste management, permitting, and planning. He is a member of the Sierra Club, the American Institute of Chemical Engineers, the American Society of Testing and Materials, and the Board of Directors for Tennessee Wesleyan College. John is a Knoxville resident.

**ALIX KING**

Alix is a senior at Oak Ridge High School, where her course work includes world history, physics, and advanced placement statistics. Her career interests include genetically modified food and marine biology. She works part time for SAIC in the Environmental Project Management area, and she is an avid sports enthusiast, lettering in track and participating in an indoor soccer league.

**STEVE KOPP**

Steve manages the environmental compliance, nuclear facility safety, training, and quality assurance programs for WESKEM, LLC. He is an attorney with more than 25 years of experience in the environmental, health, and safety regulatory field. Steve served as ORSSAB Chair in FY 2000.

**STEVE LEWIS**

Steve is an environmental compliance associate at ORNL and is a trained environmental sampling technician with 12 years experience on the ORR. Steve is a member of the Melton Hill Lake Users Association and a Knox county resident.

**ROBERT MCLEOD**

Robert is a Registered Professional Engineer and Registered Professional Geologist with Robert S. McLeod and Associates. He has more than 30 years experience in engineering management and environmental work and has managed numerous DOE projects, including two remedial investigation/feasibility studies and the program to implement the DOE Hazardous Waste Remedial Actions Program. From 1988 to 1996 he managed the Oak Ridge office of Parsons Engineering Science, Inc. Robert resides in Oak Ridge.

**JOHN MILLION**

John is a retired chemist who worked at the K-25 site, now known as ETTP. A resident of Oak Ridge since 1957, John has a high interest in the well-being of the community. He is a member of the Woodland Neighborhood Association, which is in close proximity to the Y-12 Plant.

**DAVID MOSBY**

Dave is a project manager with BWXT Y-12, where he manages multi-discipline facility support projects at the Y-12 Plant. He is a community representative for the NAACP and a member of Oak Ridge City Council. Dave was a member of the Oak Ridge Regional Planning Commission where he chaired the zoning committee.

**BILL PARDUE\***

Bill is retired from the nuclear research and development field but is currently consulting for the environmental industry. He is a member of the East Tennessee Environmental Business Association and is a former member the DOE Community Leaders Network. Bill served as ORSSAB Vice Chair in FY 1997 and as Chair in FYs 1998 and 1999. \*Bill retired from ORSSAB in June following six years of Board service.

**LUIS REVILLA**

Luis is Captain of the Fire Department at the Y-12 National Security Complex. He is a certified paramedic, fire fighter, fire inspector, and hazardous materials technician. He holds an Associate of Arts degree and is a graduate of the Donnellson Law Enforcement Academy. Luis lives in Knoxville, where he serves as assistant coach of the Farragut community baseball team and is involved in church activities.

**PAT RUSH\***

Pat served on the City Charter Commission in FY 1985 and on Oak Ridge City Council from 1987 to 2000. She was leader of the ETTP Project Committee in FY 1997 and is a member of the Altrusa Club of Oak Ridge. Pat holds a degree in physics and mathematics. \*Pat retired from ORSSAB in June following six years of service.

**E.W. SEALS**

E.W. is a machinist with UT-Battelle at ORNL. He is treasurer of the Atomic Trades and Labor Council, which represents some 2000 bargaining unit employees. By serving on the Board E.W. hopes to help those in the community without technical or scientific backgrounds understand the environmental issues on the ORR. E.W. lives in Lenoir City.

**PEERY SHAFFER**

Peery is the Health and Safety Representative for the Paper, Allied-Industrial, Chemical, and Energy Workers Union in Oak Ridge and has worked in operations and maintenance at the DOE K-25 Site (now known as ETTP) for over 25 years. Peery is a Campbell County resident and is the current chair of the ORSSAB Stewardship Committee.

**LORENE SIGAL\***

Lorene retired from ORNL, where she worked as an ecologist. Lorene served as leader of the Budget and Prioritization Committee in FYs 1998 and 1999, as leader of the Stewardship Working Group in FY 1999, and as leader of the ORSSAB Stewardship Committee in FYs 1999, 2000, and 2001. \*Lorene retired from ORSSAB in June following six years' service.

**CORALIE (CORKIE) STALEY**

Corkie is an elementary school teacher in Oak Ridge and holds an M.S. degree in curriculum and instruction. She is the current president of the Oak Ridge Education Association and is a member of the Tennessee Education Association and the National Education Association. She has lived in Oak Ridge for 17 years.

**KERRY TRAMMELL**

Kerry holds an M.S. degree in health planning and administration and works for NHC Healthcare. An Oak Ridge resident, he has served two terms on the Oak Ridge Chamber of Commerce and is currently president of the Anderson County Health Council.

**JEFFREY (SCOTT) VOWELL**

Scott is a qualified emergency medical and hazardous materials technician and is employed as a manager/coordinator for the Fire Department at the Y-12 Plant. Scott lives in the City of Clinton and is on the Clinton City Commission and the 911 Board of Directors. He also owns the Golf Driving Range in Clinton.

**CHARLES WASHINGTON**

Charles retired from the Y-12 Plant, where he worked for 27 years as an environmental engineer. He holds B.S. and M.S. degrees in chemistry and has won many scientific awards and commendations. Charles is interested in the impacts of DOE's activities on the Afro-American community, and he is the current chair of the Waste Management Committee.

The Board wishes to acknowledge the participation of the following members who resigned from ORSSAB in FY 2000: Jeff Cange, Tami Hamby, Kevin Shaw, and Darryl Srdoc.

# APPENDIX A: FY 2001 BOARD MEETINGS

The tasks facing DOE-ORO EM are varied and complex, and the numerous programs involved in cleanup work are constantly evolving to meet EM needs. Keeping up with all those programs and activities is a challenge in and of itself, and one way ORSSAB does so is by devoting time during each monthly Board meeting

for presentations by individuals who play key roles in cleanup and management of the ORR. Following is a list of FY 2001 presentations and a sampling of photos from Board meetings. Video tape recordings of meetings may be viewed by calling the ORSSAB support office at 865-241-3665.

Date	Presentation	Speaker
October 11, 2000	Update on EMWMF	William Cahill, DOE-ORO
November 8, 2000	ORNL Facilities Revitalization Project	Tim Myrick, UT-Battelle
December 13, 2000	Proposed Plan for ETTP Zone 1	Jim Kopotic, DOE-ORO
January 10, 2001	Upper East Fork Poplar Creek (UEFPC) Watershed and Proposed Plan	John Michael Japp, DOE-ORO
February 14, 2001	Status of Management and Integration Contractor Activities	Paul Clay, Bechtel Jacobs Company LLC
March 14, 2001	FY 2001 Budget Planning Process and 3-year Budget Cycle	Barbara Brower, DOE-ORO
April 11, 2001	Overview of the <i>2001 RER/CERCLA Five-Year Review for the U.S. DOE ORR</i>	Jason Darby, DOE-ORO
May 9, 2001	Panel Discussion of the Watershed Approach to Remediation of the ORR	Martha Berry, EPA; Doug McCoy, TDEC; Myrna Redfield, DOE-ORO
June 13, 2001	Overview of the Depleted Uranium Hexafluoride Program	Wendy Cain, DOE-ORO
July 11, 2001	Overview of the DOE EM Program	Rod Nelson, DOE-ORO
August 3-4, 2001	Annual Planning Retreat & Annual Meeting	None



*Paul Clay, Vice President and General Manager of Bechtel Jacobs Company LLC, gives an overview of management and integration contractor activities at the February 14, 2001, Board meeting. Bechtel Jacobs Company LLC is DOE-ORO's prime contractor for cleanup activities in Oak Ridge, Portsmouth, Ohio, and Paducah, Kentucky. Each year the contractor provides a review of progress and a look ahead at activities in the year to come. In addition to support staff, Bechtel Jacobs supplies a liaison for each of the standing ORSSAB committees so that they will benefit from an ongoing, open dialog with the people who are actively engaged in cleanup work on the reservation.*



*On April 11, 2001, Jason Darby of DOE-ORO presented an overview of the 2001 RER/CERCLA Five-Year Review for the U.S. DOE ORR. The dual purposes of the review are to determine whether remedies are protective of human health and the environment and to evaluate implementation and performance of those remedies. This is the first five-year review for the ORR. The triggering event was the anniversary of the first remediation action, which took place at the United Nuclear Corporation site in 1991.*



*In 2001 the Board became concerned that decision-making by the FFA parties had moved away from the watershed concept, which was a basic tenant of the recommendations developed by the End Use Working Group (an independent citizens' panel set up by ORSSAB in 1997 to make recommendations on future uses for contaminated areas of the ORR). ORSSAB asked TDEC, EPA, and DOE to meet with the Board about these concerns. Here (left to right), Myrna Redfield, DOE-ORO, Martha Berry, EPA, and Doug McCoy, TDEC, discuss the watershed concept at the Board's May 9, 2001, meeting.*



*The DOE EM budget has always been an area of interest for ORSSAB—particularly so this year with the release of final budget numbers delayed by many weeks. On March 14, 2001, Barbara Brower of DOE-ORO presented the FY 2001 budget planning process and 3-year budget cycle, which was important to helping the many new ORSSAB members understand the complex budget process. The Board made a record four recommendations on budget issues in FY 2001.*



*John Michael Japp, DOE Project Manager for Upper East Fork Poplar Creek, gave a presentation on the watershed and touched on components of the watershed's proposed plan at the January 10, 2001, Board meeting. Briefings from DOE watershed project managers serve as an important source of information for the Board and members of the public who attend ORSSAB meetings. The question-and-answer period following presentations is a key opportunity for in-depth exchange on issues relating to cleanup of the Oak Ridge Reservation.*



# COMMENTS ON THE *PROPOSED PLAN FOR INTERIM ACTIONS IN BETHEL VALLEY*

## BACKGROUND

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The proposed plan identifies the preferred alternative to remediate waste units and contaminated media in two areas in Bethel Valley at ORNL. The plan proposes an interim remedial action designed to control sources of contamination. These source actions will also result in some decreases in groundwater contamination. ORSSAB made comments on the technical aspects of the document plus the following abridged statements.

## RECOMMENDATION (DATED 10/11/00)

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In general, we found that the proposed plan adequately describes the strategic decisions required as remediation proceeds. When used in conjunction with the remedial investigation/feasibility study, it explains the alternatives well enough to allow thoughtful decisions, and it reflects input received from the public at meetings and from informal reviews of preceding documents.

SSAB reviewers recognize that DOE Order 451.1A [National Environmental Policy Act (NEPA) Compliance Program; approved 06/05/97] requires only that certain NEPA “values” (i.e., analysis of cumulative, off-site ecological and socioeconomic impacts) be incorporated, to the extent practicable, in DOE CERCLA documents. These NEPA values are meant to supplement the required CERCLA evaluation criteria. We find the proposed plan discussion of the issues and concerns previously identified in the remedial investigation/feasibility study as NEPA values to be consistent with the findings stated in the remedial investigation/feasibility study.

While the DOE presentation at the public hearing indicated that stewardship issues would not be covered in the current interim ROD, the plan does include sections directly relevant to stewardship. Since it is not really known that a final ROD will occur, and the preferred alternatives will often require ongoing stewardship activities, ORSSAB believes the Bethel Valley interim ROD should cover the general principles that guarantee effective stewardship. The following paragraphs provide some detail for this request.

- Clarity is needed that maintenance of remedial structures and land use control activities are included at least for the period until a final ROD is adopted.

- Maintenance of caps, trenches, and treatment facilities is described as a “continuing” activity, with no indications of criteria for adequacy or what the word “continuing” means in context. The ROD must be explicit on this matter.
- Land use controls are briefly listed, with reference to the Land Use Control Action Plan (LUCAP). (Paragraph 2.5 of that LUCAP states that the proposed plan and ROD must contain an adequate description of the land use controls along with conditions for their use “to allow evaluation of each land use control under remedy selection criteria contained in CERCLA and the National Contingency Plan.”) The various types of land use controls are listed only by title. The ROD should at least meet the requirements of the LUCAP in this matter.

Other essential stewardship activities that will need to be carried out during the interim remediation should be listed in the ROD. The important record keeping, public education, and surveillance functions should be listed in the ROD. There is concern that ongoing activities not specifically mentioned in a ROD will not endure, and this plan would be the public’s only opportunity to comment on the remediation program for Bethel Valley. At a minimum, we believe the following points should be included in the ROD:

- The essential classes of records to be maintained should be listed.
- A public education program should be specified to include at least a public annual progress meeting (that could also include other areas of the reservation).
- The aspects of Bethel Valley remediation that will require routine surveillance should be listed.

## RESPONSE

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In his response to ORSSAB dated May 8, 2001, Rod Nelson stated that “Your comments were considered and incorporated if appropriate into the D1 ROD. All public comments and DOE’s responses were also incorporated into the responsiveness summary and attached to the ROD. As part of the Regulators’ review, they will evaluate the public’s comments and DOE’s responses to ensure that the comments have been handled appropriately.”

# SUPPORT OF COMPENSATION FOR SICK NUCLEAR WORKERS AS DEFINED IN THE FY 2001 DEFENSE AUTHORIZATION BILL SPONSORED BY SENATOR FRED THOMPSON

## BACKGROUND

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In late Summer 2000, the U.S. House and Senate agreed to provide thousands of sick weapons plant workers at Oak Ridge and elsewhere with at least \$150,000 each plus full coverage of future medical expenses. The plan, part of the Defense Authorization Bill, calls for compensating workers or their survivors in cases where individuals contracted diseases related to radiation or certain toxic metals used in weapons production. An earlier plan by Senator Fred Thompson of Tennessee and Senator Jeff Bingaman of New Mexico was to give the workers \$200,000 in a lump sum or a percentage of lost wages for disability plus full medical coverage. The Thompson-Bingaman plan passed the full Senate in June but not in the House, requiring a House-Senate panel to work out the resulting compromise. Because the legislation had yet to be enacted, ORSSAB members thought it important to voice their support for the compromise measure. Following is the Board's letter to Secretary of Energy Richardson.

## RECOMMENDATION (DATED 10/11/00)

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At its regularly scheduled October 11, 2000, meeting ORSSAB endorsed the compensation for sick nuclear workers as defined in the FY 2001 Defense Authorization Bill sponsored by Senator Fred Thompson of Tennessee.

The ORSSAB commends you, your staff, Senator Fred Thompson, and the area Tennessee Congressional Delegation in the bipartisan effort to compensate sick nuclear workers whose exposure to radiation and other pernicious chemicals has left them with debilitating conditions. These serious debilitating conditions are costly, life threatening, and disruptive to the workers' quality of life.

We are extremely pleased that Senator Thompson, along with many others, was able to work out a compromise with the House of Representatives to assist these workers. The Administration's support, as well as that of others within the Tennessee Congressional delegation, made this not only a bipartisan effort but also one that has broad support.

Even though the legislation employs scientific standards established by the National Institutes of Health's National Cancer Institute, we are concerned that no lead agency has been identified to administer these funds or benefits. We therefore strongly urge that an agency be chosen immediately, such as the Labor Department, or an agency with broad experience in administering both compensation and health care benefits to "at risk" workers. While we recognize that the selection of an "appropriate agency" has many complicated factors to be considered, we urge that the chosen agency be one with a short learning curve to expedite dispersing benefits. Many workers are critically ill and have little time for bureaucratic processes. We believe, for many workers, time is of the essence.

We extend our gratitude to you, your staff, and the Tennessee Delegation for bringing defining clarity to chaos for one of the most disquieting issues ever faced by Oak Ridge and other DOE nuclear site communities.

## RESPONSE

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No specific response was requested. However, the Board received correspondence dated December 19, 2000, from Dr. David Michaels, Acting Director of the Office of Worker Advocacy in the DOE-Headquarters Department of Environment, Safety, and Health. In his letter, Dr. Michaels reported that President Clinton had signed legislation on October 30 providing certain workers with monetary compensation plus reimbursement for future medical costs. He further stated that "Sick worker compensation is one of the Administration's highest priorities, and it is an accomplishment of which I am very proud. Nothing, however, would have been possible without the strong support and involvement of groups like yours, the atomic weapons workers, and their families across the Nation."

# COMMENTS ON THE DRAFT *STUDY ON LONG-TERM STEWARDSHIP*

## BACKGROUND

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The draft DOE *Study on Long-Term Stewardship* was prepared in accordance with the terms of a 1998 settlement agreement that resolved a lawsuit brought against DOE by the Natural Resources Defense Council and other plaintiffs. The study examines the institutional and programmatic issues facing DOE as it completes environmental cleanup across the DOE complex. It also informs decision-makers and the public about the long-term stewardship issues and challenges facing DOE and potential options for addressing those challenges. Following are abridged ORSSAB comments.

## RECOMMENDATION (DATED 12/13/00)

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This report is an excellent effort to illuminate the large issues for DOE long-term stewardship and to indicate the available broad policy directions. We did not detect a major point that is not covered somewhere at least by implication. A few ideas, however, were treated too lightly or indirectly to command the future attention they deserve.

Citizen requests for better long-term stewardship coverage in proposed plans and RODs are dismissed with an argument based on a flawed statement of the request. Nobody expects a detailed stewardship plan in a ROD that would locate signs, fenceposts, the exact width of buffer zones, or list the botanical and biological species that will be monitored forever. Yet the impossibility of including such detail has been given as the reason for not including meaningful stewardship discussions in the crucial decision documents that describe the whole remediation strategy for an area. How can stewardship be considered in remedy selection if these documents do not clearly commit to maintaining a level of remediation through time that is sufficient to achieve the chosen remedial action objectives? We believe that a post-ROD document, to which the public has no formal input, is no place to be defining high-level goals for long-term stewardship.

The authors of the study acknowledge that persons outside the originally contaminated area are protected from hazards primarily by “engineering controls” designed to stabilize the contaminants, rather than by “institutional controls” that keep people away from hazards. However, the rest of the report dwells far too

much on the latter type of remedy. Unless contaminated properties are transferred to owners who prove to be complacent and uncooperative, the engineering controls and their maintenance will be the more important for DOE sites. Where hazardous contamination will be left in place at weapons sites, engineered physical controls will be added. We believe the study should emphasize long-term stewardship for “engineering controls.”

The authors indicate the fragility and possible uselessness of land use control measures such as deed restrictions. Mary English, your Reference 49, indicates that easements and other deed restrictions have been found to fail over time unless the owner that originates the restrictions (here usually the federal government) consistently enforces the restrictions in the civil courts. This finding is very important, and suggests a strong and difficult condition for the usefulness of deed restrictions. If Ms. English is correct, this consistent enforcement caveat needs emphasis.

Please mention the significance of cost inflation to the considerations involving trust funds. The trust described for stewardship of the ORR EMWMF can succeed only if the terms of agreement are broadly interpreted to include using a portion of the trust income to increment the principal. This reinvestment would counteract the expected gradual increase over time in the dollar cost of maintenance and monitoring.

The likely importance of continuing local public involvement for effective long-term stewardship is introduced in the sidebar on page 91. We applaud those comments, but would go farther. We think some sort of citizen stewardship board will be needed at the highly contaminated sites.

## RESPONSE

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Letitia O'Connor, Long-Term Stewardship Study Program Manager, responded in a letter dated February 12, 2001, that DOE had incorporated comments “to the extent practical in the final study. Where site-specific comments address general issues for long-term stewardship, the Department has attempted to communicate these issues in the study. We have forwarded site-specific comments to long-term stewardship representatives at the appropriate sites.”

# ENDORSEMENT OF EMSSAB RECOMMENDATIONS ON LONG-TERM STEWARDSHIP

## BACKGROUND

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The recommendations were generated at the EMSSAB Stewardship Workshop in Denver, Colorado, on October 25–27, 2000, and were transmitted to the SSABs that participated in the workshop for formal consideration. The recommendations were endorsed by ORSSAB on December 13, 2000. Following endorsement by the other SSABs, the recommendations were transmitted to DOE-HQ on April 19, 2001.

## RECOMMENDATION (DATED 12/13/00)

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*Preamble*—The nationwide EMSSABs recognize that the U.S. government faces an enormous challenge. Radioactive and toxic legacy wastes and contamination related to past government practices affect many communities. Some of these materials will pose a threat to human health and the environment for a very long time. Therefore, the EMSSABs recommend that DOE take the following steps to ensure that Long-Term Stewardship (hereafter referred to as “stewardship”) for contaminated sites is a major focus for the Department.

*Funding*—Make guaranteed funding for stewardship a national priority, removed from the annual Congressional appropriations process, and maintained off-budget Stewardship funds must be protected from the demands of other programs. Stakeholders must be involved in the development of a fair allocation process. To meet these objectives, DOE must develop authorizing legislation for submittal to Congress.

*Roles & Responsibilities*—Issue a stewardship policy by December 2001 that addresses: legal basis (law), ongoing review, allowance for site-specificity, continuing research and development, and funding stakeholder involvement. Expedite the issuance of policy, orders, guidance and training to institutionalize and implement the stewardship commitment. Require all sites to develop and issue stewardship plans, with the involvement of all stakeholders, no later than June 2002. The plans must identify specific roles and responsibilities for all parties that will be involved in implementation.

*Timing of Stewardship*—Make stewardship part of the remediation selection process and enforceable in decision documents. Due to the long-term nature of stewardship, remediation decisions must be revisited periodically to

evaluate new technologies, changing land use, changing risk evaluation, and information needs. In areas where it was not previously considered, stewardship should be added to existing decisions. Consider stewardship in ongoing site operations and plans for new facilities.

*Information Management*—Identify in each site stewardship plan, with stakeholder involvement, the information required by current and future generations to effectively manage stewardship. Include the preservation and dissemination of historical and cultural information as required components of cleanup and stewardship.

*Public Involvement*—Provide education and communication activities to encourage and facilitate early, informed and regular involvement of stakeholders and State, Tribal, and Local Governments in all stewardship decision-making processes. Respond in an effective, factual, and timely manner to questions and concerns submitted by stakeholders and State, Tribal, and Local Governments.

## RESPONSE

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The following response was received from Carolyn L. Huntoon on June 15, 2001.

DOE appreciates the significant effort of the local EMSSABs in developing these recommendations on long-term stewardship. The DOE will continue to consider these, and past recommendations, in our implementation of the long-term stewardship program.

As part of the 1999 EMSSAB meeting in Oak Ridge, Tennessee, individual EMSSAB members and stakeholders jointly produced comments (within *Next Steps for Stewardship*) on the scope of the Department’s National Study on Long-Term Stewardship. The Final National Study (expected for release by June 2001) draws upon those recommendations, discusses the national and programmatic long-term stewardship issues, and is intended to inform and assist environmental cleanup decision makers. Many issues related to your 2001 EMSSAB recommendations are also discussed in the National Study and these issues, and your recommendations, will continue to be addressed as the long-term stewardship program matures.

# COMMENTS ON THE *PROPOSED PLAN FOR INTERIM SOURCE CONTROL ACTIONS* *IN THE UPPER EAST FORK POPLAR CREEK CHARACTERIZATION AREA*

## BACKGROUND

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The plan identifies the preferred alternative for interim source control actions for remediation of mercury and PCB-contaminated soils, sediments, and groundwater which contribute to contamination of surface water within the UEFPC characterization area at the Y-12 Plant. The Board made extensive comments on the document, which included global, general, and specific comments; stewardship and land-use controls comments, including a “Stewardship Activities Table” for UEFPC; and various documents, charts, and tables on CERCLA/NEPA integration and incorporation of NEPA values into CERCLA actions. Following are selected global and general comments.

## RECOMMENDATION (DATED 2/14/01)

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### *Global Comments*

ORSSAB is on record as supporting the watershed approach to remediation. We believe that a comprehensive watershed approach to remediation planning is more effective than a unit-by-unit approach. The watershed approach to remediation has been applied successfully to Bear Creek Valley, Melton Valley, and soon to Bethel Valley, but it appears to have met a roadblock with regard to UEFPC and ETPP.

Our review of the UEFPC Proposed Plan highlights what we believe are issues related to the breakdown of the watershed approach. These include:

- lack of an overall approach to cleanup levels and development of a range of cleanup criteria,
- lack of an implementation strategy for remedial actions,
- fragmentation of analysis (i.e., the UEFPC Proposed Plan describes only the effects of mercury and PCB contamination on surface water),
- lack of an overall approach to stewardship, and
- lack of a satisfactory approach to and discussion of cumulative impacts.

Previous UEFPC documents presented a holistic approach to UEFPC remediation. However, regular review and approval of the UEFPC Feasibility Study is incomplete. Nevertheless, the public has been presented with an addendum to the unapproved document. Thus, it appears that with publication of the D3 UEFPC

Proposed Plan, DOE, EPA, and TDEC are renegeing on their commitment to a watershed strategy. We ask that DOE, EPA Region 4, and TDEC provide their specific reasons for not taking the watershed approach to UEFPC. In addition, we are requesting a public meeting with DOE, EPA, and TDEC to discuss and resolve these issues. Furthermore, we expect the transcript of the meeting and a summary of the meeting to be included in the CERCLA Administrative Record.

### *General Comments*

More justification is needed for development and selection of a mercury treatment technology that involves capturing mercury from a vent stream, either in the case of proposed water treatment or treatment of sediments to meet EMWMF WAC. The proposed plan lacks sufficient information on how the proposed water treatment scheme was developed and the extent to which it has been demonstrated.

Some modeling is claimed to have been performed that demonstrates that mercury levels in air emissions from the air stripper will be below a risk-based hazard index of 1 for the remediation workers. Air emissions from CERCLA projects fail to receive sufficient evaluation to address all concerns that may be raised by personnel in proximity to remediation efforts. A case could be made that air emissions from CERCLA waste treatment could have more potential impact to these individuals than a hypothetical “no action” alternative. Additional effort is needed to communicate current information about the status of remediation projects, particularly the schedule for field work and types of operations. The regulators involved in the CERCLA decisions may need to give more consideration to performance standards similar to maximum achievable control technology for permanent facilities and to emissions sampling or monitoring beyond which meets minimum regulatory requirements but is reasonable and feasible.

## RESPONSE

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ORSSAB comments were addressed in a 9-page responsiveness summary incorporated into the UEFPC ROD. EPA and TDEC, as part of their review, will evaluate comments and DOE's responses to ensure that the comments have been handled appropriately.

# EVALUATION OF AND RECOMMENDATIONS FOR STEWARDSHIP REQUIREMENTS IN CERCLA DOCUMENTS

## BACKGROUND

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The ORSSAB Stewardship Committee reviewed the stewardship sections of six CERCLA documents to determine their adequacy with regard to numerous ORSSAB recommendations on the topic. The committee concluded that these documents do not adequately describe stewardship requirements and prepared the following recommendation (abridged).

## RECOMMENDATION (DATED 3/14/01)

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Because stewardship is a long-term activity, a general statement describing the responsibility for, the elements of, and funding for stewardship must be written into legally enforceable decision documents so that future generations will understand and have recourse if the federal government reneges on its obligation to protect human health and the environment. We recommend inclusion of the following statement in CERCLA proposed plans, RODs, and action memoranda:

“Radioactive and hazardous contaminants will remain in the \_\_\_\_\_ following the remedial actions described in the Proposed Plan and subsequent ROD. This residual contamination will require monitoring, maintenance of containment structures, land use controls, and restriction of access for \_\_\_\_\_ years, in order to protect the public’s health and the environment. The implementation and funding of these activities is acknowledged to be the responsibility of the federal government, through its designated contractors or agents, until the hazards and risk are negligible. The federal government will provide for public involvement in the oversight of stewardship and land use control activities by supporting a citizens’ group and by ensuring public input to all CERCLA documents and subsequent reviews of contaminated areas until the site is suitable for unrestricted use.”

When remediation depends on stewardship and land use controls, we recommend that analysis of the remedial action alternatives include the strategies set out in the ORR LUCAP and Memorandum of Understanding, and EPA Region 4 Land Use Controls Policy. We understand that watershed- or reservation-wide stewardship will be addressed at some future time when remediation is

complete, but in the meantime, the partial remedial actions are final for specific units. Thus, we believe that it is appropriate during the remedy selection process to factor stewardship into the technical feasibility analyses of the remedial action alternatives.

While the signatories to the ORR FFA acknowledge that the LUCAP “...does not carry the force of law as is established through rulemaking,” we believe that inclusion of LUCAP requirements in the legally enforceable CERCLA documents will provide recourse to the courts if stewardship is compromised. The LUCAP description should include sufficient detail to allow evaluation under the remedy selection criteria contained in CERCLA and the National Contingency Plan.

We recommend that LUCAP Appendix C language be applied at the proposed plan stage so that the public has an opportunity to understand and comment on DOE’s plans for stewardship and land use controls. In addition, we recommend that CERCLA decision documents clearly identify roles and responsibilities for implementing stewardship activities.

We recommend that a summary table of stewardship activities for the preferred alternative be a part of each proposed plan and ROD.

## RESPONSE

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The following response was received from Rod Nelson in correspondence dated May 25, 2001. “Thank you for the recommendations regarding stewardship language in CERCLA documents. A number of potential legal and policy issues were raised, so the document was forwarded to the DOE-ORO Office of Chief Counsel for review. Even so, efforts are underway to implement some of the recommendations you provided. There will be an ongoing dialogue regarding stewardship issues among DOE, regulators, and stakeholders in a continuing effort to resolve these and any other issues that may arise. Oak Ridge stakeholders have been very active in bringing local and national stewardship issues to national prominence. The DOE staff associated with the Stewardship Program will continue to work with you and others in the community to ensure long-term protection of human health and the environment in Oak Ridge.”

# RECOMMENDATIONS AND COMMENTS ON THE *ATTAINMENT PLAN* FOR *RISK/TOXICITY-BASED WASTE ACCEPTANCE CRITERIA AT THE ORR*

## BACKGROUND

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Following years of planning, public debate, and negotiations with regulatory agencies, work began in FY 2001 on DOE's EMWMF in East Bear Creek Valley. The landfill will cost about \$50 million, and the schedule calls for construction to be completed in November 2001. Operations will run from November 2001 to December 2014. Ninety percent of the waste generated by cleanup activities at local DOE operations will be disposed in the landfill. The waste will be made up mostly of soil and building debris contaminated by radioactive, hazardous, and mixed wastes.

In January 2001 DOE released the Waste Acceptance Criteria (WAC) Attainment Plan, which identifies key processes, roles, and responsibilities for the EMWMF WAC. The plan discusses how DOE will

- analyze and certify waste lots,
- establish acceptability of waste treatment processes over and above any needed to meet provisions,
- calculate WAC concentrations for new radionuclides or chemicals not currently identified in the waste inventory,
- determine acceptability of each waste lot for disposal,
- perform necessary waste treatment over and above any needed to meet provisions,
- schedule waste disposition,
- perform quality control measures, and
- prepare and maintain records.

Following are abridged ORSSAB comments on the plan. The Board also made recommendations on "information needs" that the Board requested DOE fulfill and make available to the public so they may better understand the complex concepts and issues concerning the WAC.

## RECOMMENDATION (DATED 3/14/01)

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ORSSAB has identified three key issues of potential public interest regarding the Attainment Plan: (1) planning assumptions, (2) sum of fractions methodology, and (3) roles and responsibilities for setting WAC and ensuring WAC attainment.

### *Planning Assumptions Used in Establishing WACs*

- DOE is not anticipating any levels of enriched uranium in the EMWMF high enough to raise nuclear criticality safety concerns because the WAC limit that potential. However, the acceptance of classified wastes into the EMWMF necessitates addressing this issue, and the Board recommends that a chapter be added to the plan to discuss the issue of potential criticality.
- Redundant hard copy lists of materials disposed in the EMWMF will be maintained in the same manner as other CERCLA documentation on the ORR. The Board recommends that this procedure be noted in the WAC Attainment Plan.
- DOE needs to develop clear and readily understandable public information that explains how analytic WAC are calculated and how key assumptions were selected.

### *Sum of Fractions Approach to Calculating WAC Attainment*

- DOE needs to develop clear and readily understandable public information that explains the sum of fractions approach and how it will be implemented.

### *Division of Responsibilities and Accountability for Setting WAC and Ensuring WAC Attainment*

- DOE needs to develop clear and readily understandable public information that explains the roles and responsibilities of all parties and how the disposal facility will be operated and compliance with WAC assured.

## RESPONSE

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ORSSAB comments were addressed in a 6-page responsiveness summary incorporated into the UEFPC ROD. EPA and TDEC, as part of their review, will evaluate the public's comments and DOE's responses to ensure that the comments have been handled appropriately.

## RECOMMENDATIONS AND COMMENTS ON THE DRAFT *PUBLIC INVOLVEMENT PLAN FOR CERCLA ACTIVITIES AT THE U.S. DOE ORR*

### BACKGROUND

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Both CERCLA and the FFA require DOE-ORO to publish a community relations plan. The *Public Involvement Plan for the ORR*, DOE/OR/01-1552&D1, was issued in January 1997 to fulfill that requirement and support the goals of the DOE "Public Participation Policy," DOE P1210.1 (since updated as DOE P 141.A, "Public participation and Community Relations"). The plan communicates the opportunities available to the public to participate in remediation decision-making regarding the ORR, and it provides information about CERCLA EM activities, the ways in which that information is distributed, and where and how it can be found and accessed.

Because the Public Involvement Plan had become out of date, the Board made a recommendation at its July 5, 2000, meeting that DOE revise the plan. DOE responded by asking ORSSAB, the Citizens' Advisory Panel of the Local Oversight Committee (LOC), and the Oak Ridge Environmental Quality Advisory Board to provide input to the revision.

ORSSAB members Lorene Sigal and Charles Washington met with the revision core team in January, and DOE sponsored a brown bag session on the document later that month. An ORSSAB ad hoc committee was empaneled at the February 14 Board meeting to work on the document, and the committee met in March to generate comments on revision of the plan. Following is the text of the letter transmitting the committee's comments, contained in a marked-up version of the plan.

### RECOMMENDATION (DATED 4/11/01)

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On behalf of ORSSAB, I want to thank you for your timely response to our July 2000 request for revision of the DOE-ORO Public Involvement Plan. We particularly appreciate that members of the ORSSAB, the Citizens' Advisory Panel of the LOC, and the City of Oak Ridge Environmental Quality Advisory Board were invited to participate in drafting the document.

At our April 11 Board meeting, the ORSSAB voted to endorse the revisions to the DOE draft document. This revised draft provides a useful introduction to public involvement in CERCLA activities on the ORR. The Board trusts that these revisions will be incorporated into the final document without substantive changes.

### RESPONSE

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The following response was received from Rod Nelson in correspondence dated April 30, 2001.

Thank you for your comments and suggested revisions to the subject document. DOE and its contractors have worked closely with an ad hoc committee consisting of some ORSSAB members and other members of the public in the process of drafting this report. Most of the committee's suggestions and comments were incorporated into the latest draft.

The document is currently undergoing internal DOE review. Upon completion of DOE review the document will be transmitted on May 31, 2001, to EPA and TDEC for review and comment as a primary document. This D1 document will then be available at the Information Resource Center.

# COMMENTS ON DOE-HEADQUARTERS “REVISED PUBLIC PARTICIPATION GUIDANCE”

## BACKGROUND

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In July 1994, DOE issued its Public Participation Policy (DOE P1210.1), which was in the form of an internal directive that provided policy guidance for DOE officials. Because DOE’s Directives System requires that all documents must be reviewed periodically for currency and appropriateness, a task force was convened in 2000 to review the policy. The task force proposed several revisions to clarify and update the policy to reflect current practices and the lessons of six years’ experience with public participation. Additional revisions were proposed to incorporate the findings and recommendations of the Secretary of Energy Advisory Board’s Openness Advisory Panel on improving relations between DOE facilities and their host communities. The panel identified full, open, timely communication; the building of positive personal relationships; and accountability on the part of DOE managers as keys to community relations success.

Under the proposed revised Public Participation and Community Relations Policy, public participation is defined as open, ongoing two-way communication, both formal and informal, between DOE and its stakeholders concerning DOE’s missions and activities. The policy recognizes that effective public participation is at the core of good community relations, which are essential for DOE facilities to achieve their missions. The goals of the policy are as follows:

1. DOE will actively seek to identify stakeholders, consider public input, and incorporate or otherwise respond to the views of its stakeholders in making its decisions.
2. The public will be informed in a timely manner about and empowered to participate in DOE’s decision-making processes. Such processes will be open, understandable, and consistently followed. Managers will define clear access points for public input from the earliest stages of a decision process and will provide adequate time for stakeholders to participate.
3. Credible, effective public participation processes, including active community outreach, will be consistently incorporated into DOE program

operations, planning activities, and decision-making processes at Headquarters and in the field. Federal and contractor employees will share responsibility for promoting and improving public participation and community relations.

4. DOE will conduct periodic reviews of its public participation and community relations efforts.

The proposed revised policy was released to the public for comment in January 2001. Following are the Board’s comments on the policy, which were addressed to the DOE Nevada Operations Office, Office of Public Affairs and Information.

## RECOMMENDATION (DATED 4/11/01)

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ORSSAB reviewed the DOE “Revised Public Participation Policy Guidance,” as referenced in the *Federal Register* notice of January 26, 2001, and offers the following comments:

- Generally, the guidance has insufficient detail to be useful.
- In addition to Federal and contractor employees simply sharing responsibility for promoting and improving public participation and community relations, we expect that DOE contractor and subcontractor organizations will be responsive to the information needs of informed public participation and allocate resources for community outreach related to their activities in support of DOE missions.
- Public involvement activities need to be scheduled at times and places which will facilitate attendance and participation by the affected public.
- Adequate information resources related to proposed actions need to be available and readily accessible.
- The guidance needs to address the role of advisory committees.
- The guidance needs to address provision of technical or financial assistance to members of the public to facilitate involvement.

## RESPONSE

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No specific response was requested.

# COMMENTS ON EPA “DRAFT 2000 PUBLIC INVOLVEMENT POLICY”

## BACKGROUND

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EPA released the “Draft 2000 Public Involvement Policy” in December 2000 and accepted public comments on it through July 2001 (the original public comment period ended April 27, 2001, but was extended so that EPA could host an Internet-based public discussion on the draft policy July 10–20, 2001). The policy was developed to provide guidance and direction to EPA officials on effective means to involve the public in its regulatory and program decisions. The draft policy was developed based on recommendations in the *Engaging the American People: A Review of EPA’s Public Participation Policy and Regulations with Recommendations for Action*.

The purposes of the policy are to:

- strengthen EPA’s commitment to early and meaningful public involvement,
- ensure that environmental decisions are made with an understanding of the interest and concerns of affected people and entities,
- promote the use of a wide variety of techniques to create opportunities for public involvement in EPA decisions, and
- establish clear and effective procedures for conducting public involvement activities in EPA’s decision-making processes.

When final, the policy will apply to all EPA programs, including such activities as rule-making for significant regulations, permit issuance or modification, selection of plans for cleanup of hazardous waste sites, and other significant policy decisions. The policy will not replace public participation requirements established by existing laws or regulations but will supplement those requirements and enable EPA to implement them in the most effective ways.

All EPA programs and regional offices will implement the policy when it is finalized. In the interim, EPA will be applying the policy as internal guidance.

The new draft policy is based on an earlier policy issued in 1981 that was never fully implemented. The new policy parallels the old one, except that it addresses many changes that have occurred since 1981. These include EPA’s additional responsibilities under new statutes,

regulations, and Executive Orders; new and expanded public participation techniques; new options for public involvement through the Internet; EPA’s emphasis on achieving compliance through partnerships, technical assistance, and public access to information; increased capacity of states, tribes, and local governments to carry out delegated programs; and new government-wide administrative procedures and public involvement requirements.

Following are ORSSAB comments on the policy, addressed to Patricia A. Bonner of the Office of Policy, Economics, and Innovation at EPA Headquarters.

## RECOMMENDATION (DATED 4/11/01)

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ORSSAB reviewed EPA’s “Draft Public Involvement Policy,” as referenced in the *Federal Register* on December 28, 2000, and offers the following comments.

The policy is extremely well written and sufficiently detailed to be useful; however, in the Board’s opinion, EPA has made only limited implementation of its public participation policy in the Oak Ridge area.

Of particular concern is EPA’s lack of a resident field representative in Oak Ridge, which seems at odds with the significance of the ORR’s environmental remediation projects. A number of stakeholder groups and ORSSAB committees meet regularly throughout the month to discuss ongoing remediation projects, plans, and decisions. Although the ORSSAB monthly meeting is attended by a representative from EPA Region 4, long-distance communication with these other groups and committees is not a satisfactory substitute for face-to-face meetings with stakeholders.

Additionally, although EPA is routinely copied when comments are solicited by DOE (pursuant to the *FFA for the ORR*), EPA does not respond directly to the comments, which is clearly an expected action implied in the draft policy.

## RESPONSE

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No specific response was requested.

# RECOMMENDATION CONCERNING THE STATE OF TENNESSEE'S POSITION ON THE PROPOSED FY 2001 BURN PLAN FOR THE DOE TSCAI

## BACKGROUND

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In February 2001, the State of Tennessee disallowed import of selected out-of-state wastes for treatment at TSCAI included in the proposed *DOE FY 2001 Burn Plan for TSCAI*. Several reasons for the disapproval were given: the perceived inequity of accepting out-of-state wastes while certain Oak Ridge wastes could not be transferred to other DOE sites for disposal, the State's concerns about disposing uranium gaseous diffusion converters in EMWMF, a lack of commitment from DOE to reduce Oak Ridge legacy wastes, and a lack of resolution of issues detailed in the *Statement of Principles* signed by Tennessee Governor Sundquist and Secretary of Energy Richardson on September 10, 1999.

## RECOMMENDATION (DATED 5/9/01)

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ORSSAB is writing to provide feedback to your letter dated February 23, 2001, to Dr. Carolyn L. Huntoon, DOE Acting Assistant Secretary for EM. In that letter, you approved liquid wastes from several sites, and you agreed to evaluate solid wastes from these sites, from NTS, and from Los Alamos National Laboratory on a case-by-case basis. However, you disapproved wastes from ORO facilities located in Kentucky and Ohio, as well as from Rocky Flats and other defense closure sites. The letter also cited a lack of commitment on the part of DOE to resolve legacy waste issues and encouraged DOE to investigate alternatives to incineration of mixed and PCB containing waste streams.

In her reply, Dr. Huntoon highlighted that in FY 1999 and FY 2000, Oak Ridge disposed of over 300,000 cubic feet of mixed low-level waste at an out-of-state disposal facility and that in FY 2001 Oak Ridge is projected to ship over 400,000 cubic feet of low-level waste to the NTS for disposal—the largest amount from any site in the DOE complex. Also, over 800,000 cubic feet of low-level waste are planned for out-of-state commercial disposal this FY.

ORSSAB is concerned that the State's position on treatment of out-of-state wastes at TSCAI may undermine the ability to effectively remediate the ORR. TSCAI plays a key role in the interdependency of sites in the DOE complex attempting to achieve a common goal of cleanup of the environment. For a number of years,

ORSSAB has based its recommendations on the principle that a balance among sites and states was required to remediate the DOE complex and realize our goals for the ORR. TSCAI's ability to treat wastes at Oak Ridge while shipping treatment residuals to other states for disposal is illustrative of this equity principle. The State's position does not appear to acknowledge a number of equity issues involving disposal of DOE wastes from Oak Ridge at out-of-state commercial facilities nor is an equivalent equity concern apparent regarding out-of-state wastes being shipped for treatment in Tennessee at commercial facilities. Without TSCAI, other states may begin to limit this much-needed capacity for ORR wastes. Furthermore, out-of-state waste streams are essential to maintaining the cost-effective operation of TSCAI. Cessation of these streams will result in an early close to TSCAI, and the ORR will be forced to stockpile these wastes on site.

The Governor of Tennessee's Independent Panel concluded that emissions from the incinerator stack were far below permitted levels and that transportation of hazardous wastes to the incinerator involves risks well within those accepted on a daily basis for the transportation of other hazardous materials, such as gasoline.

ORSSAB recognizes that trial burns and risk assessments are underway or planned that should provide more information about TSCAI emissions and the associated impacts. This additional information, as well as the ability to meet Maximum Achievable Control Technology standards in 2002, will provide an opportunity to reassess previously reached conclusions. We trust that the State's position will be adjusted according to those findings to allow TSCAI to serve as a national resource.

## RESPONSE

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In correspondence dated May 29, 2001, Justin Wilson replied that the State had approved the burn plan "based on our understanding of a path forward for continued dialog on remaining issues and a commitment by DOE to ship Legacy Low-Level Waste to the NTS this FY. It is unlikely that the State would approve receipt of out-of-state waste in future years if Tennessee Legacy Low-Level Waste Streams do not continue to be shipped for disposal at a satisfactory rate."

# RECOMMENDATION CONCERNING PUBLIC INFORMATION ON THE DOE TSCAI

## BACKGROUND

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TSCAI is the only active incinerator in the DOE complex, although it, too, is scheduled to be shut down at the end of September 2003. The incinerator has been an ORSSAB topic of study and debate almost since the Board's inception. Because public interest in the incinerator is high, the ORSSAB Waste Management Committee reviewed public information materials available on TSCAI and determined them to be inadequate or out of date. The committee developed the following recommendation, which was approved by the ORSSAB membership on May 9, 2001.

## RECOMMENDATION (DATED 5/9/01)

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ORSSAB is recommending that DOE improve the scope and format of the public information on TSCAI to make it more current and understandable to stakeholders without a technical background. It is recommended that DOE develop the following materials:

*Improved and Updated Fact Sheet*—The current TSCAI fact sheet from November 1999 entitled "Treating Toxic Waste with the TSCA Incinerator" is now out of date. While it provides somewhat of a detailed process narrative, the lack of figures and diagrams make it difficult to follow. It also does not contain any information regarding the Governor's Panel and how community issues and concerns are being addressed. A new fact sheet is needed that provides an easy-to-understand overview of TSCAI and examines the many key issues that are currently being addressed.

*Current Update to the Governor's Panel*—The most recent update on the status of recommendations from the Governor's Panel is dated June 1999. The organization of the update is generally effective, outlining each of the recommendations and providing a current status. However, most of the status comments refer to future events whose dates have long since passed. Also needed is a brief overview of the purpose, goals, and history of the Governor's Panel.

*Information on Current Activities at TSCAI*—There is a need to convey that technical issues are currently being addressed at TSCAI. There is a great deal of work ongoing with trial burns and risk assessments and no

ready source of public information. The public needs to clearly understand what is happening, why it is being done, what the results mean, and what will happen next. Other examples of information that would be useful to the public include comparative performance of similar waste treatment facilities and advances in emissions monitoring technology. More information on these and related issues should be disseminated to interested stakeholders. That TSCAI had completed tests and evaluations and has continuous emission monitors and samplers is true but somewhat misleading in that there are some parameters monitored continuously, some pollutants sampled and analyzed off-line in a laboratory, and some only measured during trial burns and other regulatory tests. This needs to be more clearly explained. The opportunity to provide input to the radiological and non-radiological on-site risk assessments plans needs to be publicized. A web site should be created with more current information on the TSCAI incinerator, with the opportunity for stakeholders to submit questions or material for posting.

ORSSAB would like to play a role in reviewing draft materials and providing guidance to DOE in developing final materials for public use. DOE should also consider soliciting feedback from stakeholders on the understandability of information related to TSCAI and to anticipate additional issues that may be raised from elevation of information to a public awareness level.

## RESPONSE

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The following response was received from Rod Nelson in correspondence dated October 22, 2001.

Thank you for your recommendation concerning improving the scope and format of information available to the public on the TSCA Incinerator. As recommended, we will update the TSCA Incinerator fact sheet and develop a web site providing current information on the incinerator. These actions will be completed by December 14, 2001. Also, as recommended, we have updated the status of recommendations from the 1998 Governor of Tennessee's Independent Panel to Review the Operation of the TSCA Incinerator. The update is enclosed, together with a brief overview of the purpose, goals, and history of the Governor's Panel.

# COMMENTS ON THE *ORR STEWARDSHIP MANAGEMENT PLAN ANNOTATED OUTLINE*

## BACKGROUND

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The *ORR Stewardship Management Plan Annotated Outline* was developed by DOE with input from the ORSSAB Stewardship Committee. The issues below were organized by the elements proposed in the outline.

## RECOMMENDATION (DATED 5/9/01)

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*1.0 Ensure the necessary legal authority exists for performing all stewardship activities*—Provide a detailed statement of commitment to stewardship. Identify all interested parties and all statutory authority granted to parties. Evaluate the degree to which existing authority structures address all foreseeable long-term stewardship requirements and identify possible actions to address any requirements that are not currently covered. Clearly identify all recourse for stakeholders to take action.

*2.0 Provide sustainable funding for stewardship activities*—Identify each stewardship activity that will require long-term funding. Define the estimated duration of each activity for which a funding requirement exists. Estimate funding needs for specific activities. Recognize need for better forms of funding for stewardship, and identify potential strategies for obtaining sustainable funding.

*3.0 Define roles and responsibilities for stewardship activities*—Define roles and responsibilities at the time when remediation is complete. Identify which entities are suited to fulfill each role. Develop transition plans that move the current organization of stewardship roles to the preferred future organization. Identify performance measures for current stewardship responsibilities.

*4.0 Perform operations, inspection, surveillance, and maintenance functions for the engineering and institutional controls selected as part of the remedy*—Identify the list of controls. Develop a table that lists these controls and identifies key elements. Identify all remediation activities on the ORR and their associated stewardship requirements. Include a clear statement of need for future planning and integration of stewardship activities once all remediation decisions are complete. Identify a system for triggering action and the associated contingency plans required when monitoring results are outside of the acceptable limits. Determine the most efficient management system. Integrate the common tasks into a transition plan to the preferred future.

*5.0 Maintain information management systems*—Develop a comprehensive approach to information management that will identify what information is needed, how the information will be captured, how the information will be organized, how the information will be preserved and how the information will be made available.

*6.0 Perform research to reduce the costs and risks associated with stewardship and to identify more effective ways of managing residual hazards*—Elaborate on research needs and ensure that generic research objectives are included in this version of the Stewardship Management Plan.

*7.0 Ensure appropriate public involvement in all stewardship activities*—Develop strategies to effect broader public involvement. Provide for a citizens board for stewardship. Identify procedures for membership, responsibilities, and initiation. Recognize current role of ORSSAB Stewardship Committee transition from the committee to a formal board at future date.

*8.0 Educate the stakeholders on stewardship activities, needs, and basis*—Demonstrate why stewardship is important to the Oak Ridge community. Identify the appropriate methodologies to educate stakeholders. Incorporate education into appropriate public involvement plans. Identify the scope of needed programs, courses, workshops, and materials that describe the reservation, the location and type of contamination and its associated risk, and current and future stewardship activities to contain/control contamination.

*9.0 Document stewardship decisions and activities*—Identify which documents relating to stewardship contain legally enforceable elements. Establish documentation process for stewardship decisions and activities that includes provisions for routine review by an independent reviewer. Integrate documentation processes into the transition plan to the preferred future. Identify the need to include stewardship decisions/activities in CERCLA decision documents. Develop a system for reporting key stewardship activities.

## RESPONSE

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No specific response was requested.

# ENDORSEMENT OF JOINT EMSSAB LETTER TO SECRETARY ABRAHAM ON THE DOE EM PROGRAM BUDGET

## BACKGROUND

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Development of this letter was proposed at the February 2001 SSAB Chairs' Meeting as a joint effort to state the concerns of all SSABs about the DOE budget to Secretary Abraham. The letter was endorsed by ORSSAB on May 9, 2001. Following endorsement by other SSABs across the DOE complex, the letter was transmitted to DOE-HQ on July 23, 2001.

## RECOMMENDATION (DATED 5/9/01)

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Dear Secretary Abraham:

We congratulate you on your appointment as Secretary of Energy. We represent the DOE's EMSSABs. Our boards represent the citizenry around DOE's sites across the complex in providing independent advice on environmental cleanup, stabilization and disposition of radioactive and hazardous materials and waste, and long-term stewardship at the Department's nuclear facilities. We recognize that DOE faces a complicated and demanding task of cleanup of legacy nuclear waste and contamination. The magnitude of this cleanup effort transcends individual Administrations and is guided by DOE's pledge to the States and citizens to take appropriate actions. We are concerned that the EM budget will be inadequate to fulfill environmental obligations across the complex.

We acknowledge that you are under tremendous pressure to reduce DOE spending. We submit, however, that federal spending for nuclear waste cleanup should not be considered discretionary. In most cases, legally binding cleanup commitments are in place with state and federal environmental regulators. Even where they are not, DOE should fund those actions necessary to reduce current and future risks in accord with the values and needs of local communities. Individual businesses would not be permitted to avoid their environmental responsibilities simply because they had other funding priorities. The federal government should do no less than it demands of all citizens, on behalf of us all.

The SSABs stand united in making this request for adequate funding across the entire complex. Each of us is understandably concerned about the adequacy of funding for our respective sites; however, we note that parochial attitudes are no longer appropriate. Now that DOE has achieved intersite integration in many programs, delays caused by funding shortfalls at any particular site will have consequences throughout the system. The EM program has reached a point where all facilities rely on others elsewhere in the complex to reach the milestones involving waste storage, treatment, and disposal. We are linked through a series of interdependent activities. Adequate budgets at all sites will allow DOE to achieve cleanup and disposal of hazardous and nuclear wastes and materials complex-wide in a manner that is protective of workers, the public, and the environment.

We urge you to continue to be an advocate for adequate funding to meet the Department's responsibilities as good stewards for the land, air, and water. We look forward to having an opportunity to meet with you at any time you have the occasion to visit our respective sites.

## RESPONSE

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No specific response was requested.

# RECOMMENDATION ON THE FY 2002 PRESIDENTIAL BUDGET FOR THE DOE EM PROGRAM

## BACKGROUND

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The DOE EM budget has always been an area of interest for ORSSAB, and in past years, the Board has received regular briefings on the budget and the resulting EM project prioritization. This year, however, DOE-ORO was unable to share specifics while negotiations took place at the federal level. Concerned that Oak Ridge funds might be shorted, the Board made the following request for a detailed briefing on the status of the FY 2002 DOE-ORO budget.

## RECOMMENDATION (DATED 5/9/01)

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ORSSAB has recently become aware of a general outline of the FY 2002 Presidential Budget for the DOE EM Program. Details of this submission to Congress are not sufficiently available to permit an understanding of the impact on the ORR program. While the total Oak Ridge Operations EM budget does not appear to sustain a significant decrease compared to FY 2001, the amounts proposed for the ORR seem to represent a significant reduction; and therefore, are a major concern to stakeholders.

In order to allow the ORSSAB and other members of the public to understand the situation and react intelligently, we request an early public presentation on the details of the budget. This presentation should be in sufficient detail to permit a full understanding of this budget. This would include actual proposed budget information on

the ORR, separate from budgets for Portsmouth, Paducah, and Weldon Spring. For example, it would appear that a significant increase in Portsmouth costs could lead to a large decrement in Oak Ridge funding.

We are interested in detailed information including, but not limited to, impact on major program milestones, waste disposal schedules, regulatory driven commitments, consent decrees, and impact on all cleanup activities.

In short, we believe stakeholders should be able to understand the full implications of the currently proposed EM budget.

## RESPONSE

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DOE response is forthcoming.

# RECOMMENDATION ON INCLUDING LANGUAGE IN DOCUMENTS REGARDING HOW ACTIONS FIT INTO WATERSHED REMEDIATION

## BACKGROUND

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ORSSAB has long been in favor of the watershed concept as a tool for speeding remediation of contaminated sites on the ORR. The watershed concept was a basic tenant of the recommendations developed by the End Use Working Group, which was empaneled by ORSSAB in January 1997 to study future uses for contaminated areas on the ORR. Early in 2001 the Board became concerned that decision-making by the parties to the FFA had moved away from the watershed concept. This concern was based on the perceived fragmentation of decision-making evidenced in the RODs that had been issued for discrete portions of various watersheds.

ORSSAB asked TDEC, EPA, and DOE to meet with the Board at its May 9, 2001, meeting to discuss the watershed concept and whether it had been abandoned as a remediation concept. At that meeting the agencies unanimously asserted that the watershed concept had not been discarded. The problem, they said, was that as the EM Program has moved through watershed remediation, the data are simply not available to make wholesale decisions on entire watersheds. In some cases the agencies have adequate information; in other areas they do not. This appears to be fragmentation, but, according to the agencies, this is just the natural evolution of the process as different types of situations are encountered. Each watershed will have two to four RODs, and that's just a necessity of the process.

The problem for the public, however, is that they do not receive this level of information about remediation decision-making. To resolve this issue, the Board asked at the meeting that the FFA parties spell out in these interim documents how they fit into the watershed remediation strategy. The Board later codified this verbal request in the following written recommendation.

## RECOMMENDATION (DATED 6/13/01)

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At the May 9, 2001, meeting of ORSSAB, we made a verbal request that language be included in CERCLA documents that reflects how the interim or phased remedial actions fit into the strategy for remediation of the entire watershed.

As the watersheds originally defined by DOE and state and federal regulators are broken into smaller units and actions to address contamination in some media types are deferred (e.g., groundwater) it appears that the watershed is being ignored. Thus, we recommend that a brief summary of past, ongoing, and planned actions for the watershed be included in each document, from the remedial investigation/feasibility study through the ROD, in order to provide stakeholders with an overall understanding of remediation planning for the ORR.

## RESPONSE

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The following response was received from Rod Nelson, DOE-ORO Assistant Manager for EM, in correspondence dated October 22, 2001.

In response to the ORSSAB request of June 14, 2001, that the DOE provide additional information in the pre-decision documents, the EM Program is proposing the following:

- An additional section will be added to the annotated outlines of the Engineering Evaluation/Cost Assessment, Feasibility Study, Proposed Plan, and ROD to ensure that details concerning how the scope of the work being addressed within that project relates to the watershed.
- Information concerning the CERCLA project and its place in addressing the watershed issues will be factored into the presentation materials that are developed and discussed at the CERCLA project public meeting.

We appreciate your interest in the watershed approach and value your advice and recommendations.

# RECOMMENDATION ON IMPROVING COMMUNICATION BETWEEN THE FFA PARTIES AND THE PUBLIC REGARDING WATERSHED REMEDIATION

## BACKGROUND

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This recommendation was formulated in the same way as “Including Language in Documents Regarding How Actions Fit Into Watershed Remediation.” During the May 9, 2001, meeting to discuss the watershed concept, the Board asked TDEC, EPA, and DOE to do a better job of informing the public about remediation decision-making. This verbal request was then set down in the following written recommendation.

## RECOMMENDATION (DATED 6/13/01)

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At the May 9, 2001, meeting of ORSSAB, we made a verbal request to the three parties to the *FFA for the ORR* to improve communication between the Parties and the public regarding watershed remedial decision-making. As explained at that meeting, we perceive that important decisions regarding watershed remediation are being made between the Parties and are not being communicated to the public in a timely or effective manner.

Because the discussions taking place in FFA Project Managers’ Meetings are a crucial element in the remediation of the ORR, we feel strongly that stakeholders must be informed about issues and decisions related to the remediation strategy. Thus, we recommend that the Parties provide:

- written summaries of FFA Project Managers’ Meetings for publication in the ORSSAB monthly notebooks, and
- quarterly updates on FFA Project Managers’ Meetings, to be provided in person at ORSSAB meetings by the FFA Project Managers’ Meeting participants.

We appreciate your consideration of our recommendation and look forward to your written response.

## RESPONSE

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The following response was received from Rod Nelson, DOE-ORO Assistant Manager for EM, in correspondence dated October 22, 2001.

To improve communication between the parties to the FFA and the public regarding watershed remedial decision-making, DOE is offering the following proposals to the recommendations made by ORSSAB:

- *Provide written summaries of the FFA Project Managers Meetings for publication in the ORSSAB monthly notebooks.* DOE began providing these summaries in July 2001.
- *Provide quarterly update on FFA Project Managers Meetings—to be provided in person at ORSSAB meeting by the FFA Project Managers Meeting participants.* The first meeting was held on October 10, 2001, attended by Myrna Redfield, DOE-ORO; Martha Berry, EPA Region 4; and Doug McCoy, TDEC. Future attendance at these meetings will involve one or more of these FFA Project Managers.

# RECOMMENDATIONS AND COMMENTS ON THE FY 2001 REMEDIATION EFFECTIVENESS REPORT/CERCLA 5-YEAR REVIEW

## BACKGROUND

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The purposes of the *2001 RER/CERCLA Five-Year Review for the DOE ORR* are to (1) determine whether a remedy is protective of human health and the environment and (2) evaluate implementation and performance of remedies. ORSSAB formed an ad hoc committee to review how ORSSAB recommendations on the *FY 2000 RER/CERCLA Five-Year Review for the DOE ORR* were addressed in the FY 2001 report. The committee made a number of specific comments on the 2001 document plus the following general statements (here abridged).

## RECOMMENDATION (DATED 6/13/01)

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The SSAB believes that the RERs and the Five-Year Reviews are the most important and useful documents for current and future stakeholders and regulators. As such, *we recommend that each RER and Five-Year Review include appendices that list completed actions, actions that while completed require monitoring and maintenance, ongoing projects, and future projects.*

This refers to several reference levels for toxic substances. Stakeholders will likely assume that observations are compared to the least conservative available standard whether or not it is appropriate. Readers will also not know whether the standard relates to acute or chronic exposures. Since the EPA is an FFA party, *we recommend that EPA standards be used, and if others are more appropriate an explanation be given in a footnote.*

Since the SSAB review committee was unclear about the content of future RERs and the date of the next Five-Year Review, *we recommend that each document provide a statement of the content of the current document, what to expect in the next document, and when to expect its release.*

While a list of acronyms is provided in the document, *we recommend that acronyms be spelled out when used the first time and when separated by many pages from first use.*

Oak Ridge stakeholders have continually voiced their concerns about clearly marking and describing the locations of the DOE contaminated areas on and off the Reservation. *We recommend that the DOE, in cooperation with the State of Tennessee and the City of Oak Ridge, initiate development and implementation of a GIS system*

*that identifies and locates by coordinates all of the DOE areas subject to CERCLA actions on and off the Reservation. Furthermore, we recommend that these areas be marked with stelaes similar to those used by surveyors to identify property lines.*

To preserve some of the understanding and experience gained during the Five-Year Reviews, *we recommend a lesson learned summary be included in the next 5-year review report that addresses the following questions:*

- *How are you applying the lessons learned from the first 5-year review to the annual RERs?*
- *How will you apply your experience and lessons learned to the next 5-year review?*
- *Which items in the Five-Year Review summary present the most problems during a 5-year review and how can the table be revised to facilitate the review process?*

Review of the questions asked on the 2001 RER Five-Year Review Site Visit/Site Manager Interview Form and the responses provided on the forms by the site visit teams often bore no relationship to one another. *We recommend that future site visit teams be briefed on the intent and required/desired content of the form.*

The SSAB believes that the RER/Five-Year Review reports could be useful when establishing the Stewardship Management Archival/Retrieval Tool (SMART) web-based information system for long-term stewardship requirements. *We recommend coordination of the SMART initiative and the development of a GIS system with the Remediation Effectiveness and Five-Year Reviews.*

The SSAB believes that information gathered during the Remediation Effectiveness and Five-Year Reviews must be factored into the development of the long-term stewardship life-cycle baselines. *We recommend that these long-term requirements be given priority during the Five-Year Review cycle and that the results be provided to the people charged with preparation of life-cycle baselines.*

## RESPONSE

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ORSSAB comments on the D1 RER were addressed in the D2 version, and a 15-page responsiveness summary was transmitted in correspondence from Rod Nelson, dated October 16, 2001.

# LETTER TO SECRETARY ABRAHAM: ORSSAB OBJECTIONS TO REDUCTIONS IN THE DOE FY 2002 FEDERAL BUDGET FOR THE ORR EM PROGRAM

## BACKGROUND

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With no answer to the Board's request for a detailed briefing on the status of the FY 2002 budget, the fiscal health of the DOE EM Program continued to be an area of concern for ORSSAB. At the Board's June 13 meeting, Susan Gawarecki, LOC Executive Director, expressed her concern about EM budget issues. She said that she had gleaned from discussions with Justin Wilson, Deputy to the Governor for Policy, and participants at the Tennessee Valley Corridor Economic Summit that even if additional money for 2002 is provided, the ORR may only receive half of a projected \$90M shortfall. The State, she said, needs to hear from stakeholders that they want DOE to meet milestone agreements and that 2002 milestones should not be renegotiated so that cleanup progress can continue unabated. Of particular concern to her were impacts to the budgets of TDEC and the LOC because monitoring by the State is a health and safety issue and should not be cut.

In response to Ms. Gawarecki's suggestion that stakeholders speak up about DOE-ORO budget concerns, the Board agreed to write a letter to DOE-Headquarters and the State about maintaining adequate funding for DOE-ORO. Following is the Board's letter to Secretary of Energy Abraham. A letter to

Governor Sundquist was approved as a separate recommendation.

## RECOMMENDATION (DATED 7/11/01)

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Honorable Secretary Abraham:

ORSSAB recently received the enclosed budget summary. This summary suggests that only minimal funding will be made available to continue ongoing ORR EM remediation activities and no funding will be provided in the FY 2002 budget to pay for any of the new initiatives necessary for DOE to continue to comply with the milestones specified in the FFA for the ORR.

These budgetary actions will have severe negative impacts on the ORR remediation activities and constitute a serious betrayal of the trust placed in DOE by the Oak Ridge community. The ORSSAB recommends full funding for the ORR EM Program for FY 2002.

## RESPONSE

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No specific response was requested.

# LETTER TO GOVERNOR SUNDQUIST: ORSSAB OBJECTIONS TO REDUCTIONS IN THE DOE FY 2002 FEDERAL BUDGET FOR THE ORR EM PROGRAM

## BACKGROUND

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See background for “Letter to Secretary Abraham: ORSSAB Objections to Reductions in the DOE FY 2002 Federal Budget for the ORR EM Program” on page 38.

## RECOMMENDATION (DATED 7/11/01)

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Honorable Governor Sundquist:

Based on the best available current information, proposed funding for the DOE-ORO EM Program for FY 2002 (enclosed) has been cut significantly from FY 2001 levels. These cuts threaten the effectiveness of the TDEC DOE Oversight Division and would necessitate the renegotiation of FFA cleanup milestones.

We believe that State oversight of DOE activities is essential in assuring the residents of Oak Ridge and neighboring communities that independent monitoring is occurring on and off site. Therefore, Oak Ridge area stakeholders are opposed to these budget reductions and would ask the State to hold firm and not let DOE back off on its previous commitments to its FY 2002 remediation goals.

We urge you to insist that the \$91 million taken from the ORR’s EM budget be restored to allow projects planned in FY 2002 to continue. We also ask that you request adequate funding of the TDEC DOE Oversight Division and the Tennessee Emergency Management Agency in order for those agencies to perform this essential work.

## RESPONSE

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No specific response was requested. However, the Board received responses from two officials who were sent copies of Governor Sundquist’s letter: U.S. Representative John J. Duncan, Jr. and Tennessee State Senator

Randy McNally. In his letter, Senator McNally wrote that he had contacted Justin Wilson, Deputy to the Governor for Policy, and “...expressed to him my concern regarding the reductions in the fiscal commitment to the program. I am continuing to work with him and others to see that some funding could be restored or to see that next year’s funding level is better.”

Representative Duncan wrote that: “...I am extremely concerned with the level of funding currently proposed for EM projects. Like you, I view these projects to be a critical aspect of DOE’s work undertaken in Oak Ridge. As you know, the Cold War efforts undertaken at ORNL, Y-12 and K-25 nuclear facilities played an instrumental role in our Nation’s security, and I firmly believe helped to bring an end to this era of tension. These efforts, however, did not come without a price.”

“Today, many of these facilities are faced with a legacy of nuclear waste and other environmental hazards that must be dealt with. We cannot truly put the Cold War behind us until we have settled this final chapter. It is the responsibility of the DOE to ensure that cleanup activities proceed as expeditiously and as efficiently as possible. I will continue to work with members of the Tennessee delegation in both the House and Senate to see that DOE has adequate funds to accomplish this.”

# APPENDIX C: ABBREVIATIONS

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CROET	Community Reuse Organization of East Tennessee
DOE	U.S. Department of Energy
DOE-HQ	DOE-Headquarters
DOE-ORO	DOE-Oak Ridge Operations
EM	Environmental Management
EMAB	Environmental Management Advisory Board
EMSSAB	Environmental Management Site Specific Advisory Board
EMWMF	Environmental Management Waste Management Facility
EPA	U.S. Environmental Protection Agency
ETTP	East Tennessee Technology Park
FFA	Federal Facility Agreement
FY	fiscal year
IT3	International Conference on Incineration and Thermal Treatment Technologies
LUCAP	Land Use Control Action Plan
LOC	Local Oversight Committee
NEPA	National Environmental Policy Act
NTS	Nevada Test Site
ORNL	Oak Ridge National Laboratory
ORR	Oak Ridge Reservation
ORSSAB	Oak Ridge Site Specific Advisory Board
RER	Remediation Effectiveness Report
ROD	Record of Decision
SSAB	site specific advisory board
TDEC	Tennessee Department of Environment and Conservation
TSCAI	Toxic Substances Control Act Incinerator
UEFPC	Upper East Fork Poplar Creek
WAC	waste acceptance criteria

# THANKS FOR THE MEMORIES

After 6 years, 70 board meetings, and an untold number of committee sessions, 3 charter members of the Board called it quits on June 13, 2001.

Bill Pardue, Pat Rush, and Lorene Sigal had served on ORSSAB since its inception in August 1995. They are the only charter members to have remained on the Board for the entire six years of service allowed by ORSSAB bylaws.

Awards of service were presented to the retiring members by DOE-ORO Manager Leah Dever at the June 13 ORSSAB meeting. The board presented the outgoing members with a cake during the meeting break.

“It’s from the bottom of my heart that I want to thank Lorene Sigal, Bill Pardue, and Pat Rush for their service,” said Dever.

“We really appreciate the time, effort, and hard work they have put into this program.”

Bill Pardue served as ORSSAB Vice Chair in 1997 and as Chair in 1998 and 1999. He is retired from the nuclear research and development field but is currently consulting for the environmental industry. He is a member of the Oak Ridge Reservation Health Effects Subcommittee, and he has served on several environmental and economic development boards at the local and national level.

“I believe the SSAB has made significant contributions to the EM Program,” Pardue said of his experience on the Board. “It was a unique opportunity to interact with many fine people, both members of the public and government employees.”

Pat Rush was the leader of the ORSSAB ETTP Remediation and Reindustrialization Team in 1998 and co-chair of the Environmental Restoration Committee in 2001. Pat served on the City Charter Commission in 1985–86 and was a member of Oak Ridge City Council from 1987 through 2001.

Lorene Sigal served as leader of the ORSSAB Budget & Prioritization Committee in 1998 and 1999, as leader of the Stewardship Working Group in 1999, and as leader of the ORSSAB Stewardship Committee in 1999, 2000, and 2001. Lorene retired from ORNL, where she worked as an ecologist. Her background includes work with the DOE Office of NEPA Oversight.

All three served on numerous ORSSAB committees, which are the crucibles where most

ORSSAB recommendations and comments are formed. During their six years of service, the Board made more than 80 recommendations and comments to DOE, the State of Tennessee, and EPA concerning various aspects of the DOE EM Program.

Ms. Dever concluded her comments by saying that “We (DOE) have been able to make some tremendous improvements in the Environmental Management Program over the past six years, and it’s largely through the help of this group.”

It’s also been largely through the excellent leadership provided by Bill, Lorene, and Pat that the ORSSAB has been able to produce such high-quality recommendations and advice over the past 6 years. Thanks!



*Leah Dever, DOE-ORO Manager (far left), presented awards of service at the June 13, 2001, ORSSAB meeting to retiring members (left to right) Bill Pardue, Lorene Sigal, and Pat Rush.*