



*Many Voices Working for the Community*

# Oak Ridge Site Specific Advisory Board

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## *Monthly Meeting of the Oak Ridge Site Specific Advisory Board*

### **Approved June 14, 2023 Meeting Minutes**

The Oak Ridge Site Specific Advisory Board (ORSSAB) held its monthly meeting virtually via Zoom and in person at 1 Science.gov Way on Wednesday, June 14, 2023 at 6 p.m. Copies of referenced meeting materials are attached to these minutes. A video of the meeting was made and is available on the board's YouTube site at [www.youtube.com/user/ORSSAB/videos](http://www.youtube.com/user/ORSSAB/videos).

#### **Members Present**

Kris Bartholomew  
Mary Butler  
Harold Conner, Jr.  
Paul Dill  
Amy Jones

Noah Keebler  
Harriett McCurdy  
Michelle Lohmann  
Mike Mark  
Christine Michaels

Michael Sharpe  
Leon Shields  
John Tapp

#### **Members Absent**

Atilio Anzellotti  
Rosario Gonzalez

Thomas McCormick  
Bonnie Shoemaker

Tom Tuck<sup>1</sup>

<sup>1</sup>Third consecutive absence

#### **Liaisons, Deputy Designated Federal Officer, and Alternates Present**

Melyssa Noe, ORSSAB Deputy Designated Federal Officer (DDFO), OREM  
Roger Petrie, ORSSAB Alternate DDFO, OREM  
Kristof Czartoryski, Tennessee Department of Environment and Conservation (TDEC)  
Samantha Urquhart-Foster, EPA

#### **Others Present**

Bob Gelinas, UCOR  
Shelley Kimel, ORSSAB Staff  
Heather Lutz, TDEC  
Eileen Marcillo, TDEC  
Brian Murray, Pro2Serve  
Sara McManamy-Johnson, ORSSAB Staff

Abby Newberry, OREM  
Belinda Price, Pro2Serve  
Sam Scheffler, OREM

Six members of the public were present.

### **Liaison Comments**

**Ms. Noe** – Ms. Noe told members the DOE had held two public comment meetings about two separate groundwater Records of Decision (RODs) for the East Tennessee Technology Park (ETTP). She said public comment periods for both documents were closed as of the prior Monday, and DOE will proceed to work with EPA and TDEC to move those forward. She said the documents are very important in that they allow DOE to plan the remaining work to complete cleanup work at ETTP. She then said crews continue to make steady progress at the Oak Ridge National Laboratory (ORNL) with the demolition of the Low-Intensity Test Reactor in the central campus scheduled for completion in the summer. She said that will mark the second reactor removed in the span of a year. She said removing those structures both eliminates risks, but also gives crews the space needed to take down another larger reactor nearby.

She next told members that DOE had officially broken ground on the K-25 Viewing Platform at ETTP. She said Geiger Brothers was awarded the contract for construction, and DOE plans to hold a celebration at its completion next year.

Ms. Noe then said UCOR and Tennessee Technological University (TTU) recently signed an agreement that will create more internship opportunities for students. She said UCOR is also providing resources and expertise as the school prepares to launch a nuclear engineering program in Fall 2024, which can have great benefits for DOE's workforce development efforts in the future.

**Mr. Czartoryski** – No comments.

**Ms. Urquhart-Foster** – Ms. Urquhart-Foster said EPA and DOE recently signed an interagency agreement stating that DOE will provide funding for up to three additional EPA staff members to work on groundwater at ETTP. She said that will allow EPA to turnaround document reviews faster.

### **Presentation**

Ms. Jones introduced OREM's Roger Petrie to present on OREM's ETTP K-31/K-33 Groundwater Proposed Plan.

Mr. Petrie said members would likely recognize much of the presentation from the presentation on the Main Plant Groundwater Proposed Plan (May meeting) because a lot of the basic information, such as how the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) works, is the same. He then gave members an overview of the background on the K-31/K-33 proposed plan. He said its purpose is to give the public an idea of what DOE's preferred alternative is for remediation of the site and to give the public the opportunity to provide feedback. He said for this area, the preferred alternative is monitored natural attenuation (MNA) with land use controls, including deed restrictions prohibiting any use of groundwater on the property. He said that deed restriction is not limited to ETTP; it applies to any property DOE has released.

Next, Mr. Petrie gave members an overview of the cleanup strategy and timeline at ETTP, from the Tri-party Federal Facility Agreement signing in 1991, through early actions in the 1990s, the Watershed Interim ROD signing in the 2000s, ETTP building demolitions and soil remedial activities through the present, and the current focus shift to groundwater at ETTP.

He said ETTP groundwater RODS apply to three geographical areas: K-31/K-33, Main Plant, and Zone One. He said the scope of the K-31/K-33 Proposed Plan is limited, with contaminants detected in a

limited number of groundwater monitoring wells. He added that overall concentrations have exhibited a downward trend since monitoring began in the late 1980s. He said the good news is that recent sampling results show concentrations are currently above drinking water standards. In the last comprehensive sampling round for the K-31/K-33 Remedial Investigation and Feasibility Study, only 2 of the 21 wells yielded samples with constituents slightly above drinking water standards.

As part of the process, he said, DOE must evaluate different alternatives, including what would happen if no action were taken, although that alternative is never selected. For the K-31/K-33 Area, DOE evaluated three alternatives, including Alternative 1, no action; Alternative 2, monitored natural attenuation and land use controls; and Alternative 3, pump and treat for specific locations with monitored natural attenuation and land use controls. He said the preferred alternative was Alternative 2, monitored natural attenuation with land use controls, and he gave an outline of the CERCLA decision criteria used to analyze the three alternatives. These criteria included threshold criteria such as overall protection of human health and the environment and compliance with applicable or relevant and appropriate requirements; balancing criteria such as long-term effectiveness and permanence, reduction of toxicity, mobility or volume through treatment, short-term effectiveness, ability to implement, and cost; and modifying criteria such as state acceptance and community acceptance.

Mr. Petrie then went into further detail about DOE's preferred alternative. He said monitored natural attenuation is an EPA-approved groundwater remediation approach that involves careful monitoring of natural processes that reduce concentrations of contaminants in groundwater. The process involves continuous monitoring of groundwater conditions to measure and evaluate progress toward achieving remedial action objectives and until cleanup levels are attained. He said natural attenuation processes are applicable to chromium, nickel, and other inorganic contaminants in the K-31/K-33 area.

The first step of the remedy is to develop a Remedial Action Work Plan that defines monitoring, evaluation, and reporting. Monitoring will be quarterly for the first two years, then semi-annually, with monitoring results reported annual to EPA and TDEC along with an assessment of progress toward groundwater restoration. He said land use controls related to groundwater use and potential exposures to contaminated groundwater have been implemented with monitored natural attenuation actions forthcoming.

Mr. Petrie said existing monitoring wells will be a key part of the preferred alternative, and DOE will work with EPA and TDEC to determine if additional wells are needed. He said accessing existing wells for sampling or installing new wells will not impact current or future land uses or redevelopment.

Next, Mr. Petrie discussed the remedial action objectives for the K-31/K-33 area: restoration of groundwater to federal and state drinking water standards; prevention of exposure to or consumption of contaminated groundwater while cleanup goals are pursued; and prevention of adverse impacts to surface water from the migration and discharge of contaminated groundwater into surface water.

Board members asked the following questions:

- Ms. Michaels asked for clarification on what groundwater uses in the area would be permitted under land use controls. Mr. Petrie said the groundwater could not be used at all, regardless of purpose.

- Ms. McCurdy asked how the location of a monitoring well is selected. Mr. Petrie said piezometers are used throughout the site to determine the groundwater flow pattern, which then helps determine most efficient placements.
- Mr. Bartholomew asked when DOE expects the water constituent levels to reach minimum drinking water standards. Mr. Petrie said if the data stays consistent, those levels have already been reached. He said there are three quarters of testing data showing chromium and nickel levels in those wells in the target range.
- Mr. Tapp asked whether land use controls would allow groundwater usage for industrial purposes such as lawn care. Mr. Petrie said they would not; no usage is allowed.

### **Questions from the Public**

- Mr. Luther Gibson asked where the monitoring results will be reported and available. Mr. Petrie said the data from the Remediation Effectiveness Reports (RERs) will be included in the ROD and each ROD will eventually have a Remedial Action Report (RAR), which is essentially a closing document, and the data will also be reported there in some format.

### **Public Comment**

- Public Comment #1 – Mr. Luther Gibson shared comments on the board’s activities and plans for future activities. (See attached)

### **Board Business/Motions**

- Mr. Shields asked for a motion to approve meeting minutes.
  - 6.14.23.1 Motion to approve May 10, 2023 meeting minutes  
Motion made by Ms. Jones and seconded by Ms. McCurdy. Motion passed.
- Mr. Shields announced upcoming FY 2024 officer vacancies and elections. He encouraged members to actively participate and asked them to notify staff if interested.

### **Responses to Recommendations & Alternate DDFO Report**

Ms. Noe told members that OREM received the board’s budget recommendation and she forwarded it to the DDFO and those responsible for budget at headquarters. She said the board’s membership package is more than halfway through the process, having completed 8 out of 15 steps. Next, Ms. Noe told members the Annual Planning Meeting would be held Wednesday, August 9 from 6-8 p.m., following the same format as the one used in October because most members wanted the reduced two-hour format.

### **Committee Reports**

Executive – None. Next meeting to be scheduled.

EM & Stewardship – Ms. McCurdy said the groundwater issue group has a rough idea for a groundwater recommendation, and Ms. Butler said the issue group had decided to draft one groundwater

recommendation, as opposed to two separate K-31/K-33 Area and Main Plant Area recommendations, and she volunteered to compile the issue group discussion into a draft document. Next meeting June 28 at 6 p.m.

**Additions to the Agenda & Open Discussion**

None.

**Action Items**

None

The meeting adjourned at 7:05 p.m.

I certify that these minutes are an accurate account of the June 14, 2023, meeting of the Oak Ridge Site Specific Advisory Board.



Leon Shields, Chair



Michelle Lohmann, Secretary

August 9, 2023

Oak Ridge Site Specific Advisory Board

ML/sbm

ORSSAB Public Comment

Luther Gibson

Wednesday, June 14, 2023

The Oak Ridge Site Specific Advisory Board (ORSSAB) has been a focal point for public participation in Department of Energy Oak Ridge activities since its inception. After three years, the public was just allowed back into actual meetings in March. The current projected schedule for ORSSAB activities does not reflect an urgency to make up for lost ground.

After this evening, the next event on the calendar is an EM/Stewardship Committee meeting scheduled for June 28. It is unlikely that much will come from it despite groundwater remedies at ETP becoming a test of the practicality and enforceability of the types of institutional controls developed as long-term stewardship takes shape.

It is unclear how adequate planning for the next year will be. According to the agenda, it may just be a two-hour meeting on August 9. Traditionally, August was the month of an annual meeting and planning retreat.

There is no meeting in September based on that the National Chairs Meeting is in Oak Ridge. Well, the February 2001 Chairs Meeting was held in Las Vegas. On the evening of Wednesday, February 7, 2001, I attended the Nevada board's regular meeting along with two other members of our board. On Thursday, the Chairs Meeting attendees went all over the Nevada Test Site and underground into Yucca Mountain. The business portion of the Chairs Meeting was on Friday and Saturday. We then had our regular monthly board meeting back in Oak Ridge on Wednesday, February 14, 2001.

It appears that the first ORSSAB meeting for FY 24 will be in November, at which time it will still be electing officers that should have been elected in August.

Just a few of the issues in which ORSSAB could have been involved more this past year include:

- Action Memorandum for the ponds at ETP that changed the preferred remedy to facilitate construction of the airport
- Natural Resources Damages Assessment – what projects will actually be done, where does the money flow, and notable for <sup>Advocate article acknowledged</sup> termination of the trust fund for perpetual care of EMWMF, making that responsibility of DOE from annual budget appropriations, a complete 360 in thinking <sup>reporting</sup>
- Remediation Effectiveness Report – familiarity with being essential to fulfilling expectations laid out in the Public Involvement Plan, which should be re-read as part of a self-assessment
- Emergency Preparedness – understand hazards in EM facilities and remaining potential for classifiable operational emergencies that could require the public to take protective actions. (DOE Oak Ridge should consider resuming the Emergency Management Forum) (There is outdated printed public emergency information at DOEIC and TDEC since ETP has been downgraded.) 2006-2008
- Annual Site Environmental Report – formerly was released in a public meeting, that sometimes being an ORSSAB monthly board meeting. Student summary and data volumes have been dropped over recent years. (What about student participation on ORSSAB?)