



OAK RIDGE RESERVATION

Environmental Management

October 16, 1998

Mr. James M. Owendoff
Assistant Secretary for Environmental Management
U.S. Department of Energy
EM-1, Forrestal Building
1000 Independence Ave. SW
Washington, DC 20585

Dear Mr. Owendoff:

The Oak Ridge Reservation Environmental Management Site Specific Advisory Board (ORREMSSAB) believes it is imperative that the Congress and Department of Energy (DOE) fulfill their legal and moral obligations to adequately remediate the environmental legacy from 50 years of operation of nuclear facilities. While we recognize the reality of pressures to reduce the Federal deficit, the environmental insults that remain from operation of the nuclear complex must be drastically reduced or eliminated for the welfare and benefit of both present and future generations. We also recognize the absolute need for best management practices to reduce waste and inefficiency in the endeavor and the need for adoption of reasonable goals for remediation in conjunction with the need for long-term stewardship after remediation has achieved these goals.

Finally, we recognize that congressional appropriated funds must be apportioned in a fair and equitable manner among all of the contaminated DOE sites. This division of funding should not be influenced solely by either the political influence of elected representatives from the vicinity of a site or by the vocal outcry of local residents. Instead, a realistic appraisal of each site should be the basis for funding decisions. Many national groups believe that an overall complex-wide risk assessment should be undertaken by DOE to develop priorities for funding. While the ORREMSSAB generally supports that concept, we believe that reality dictates that the resources and time required for properly doing such an assessment make it an unlikely endeavor.

However, ORREMSSAB does strongly believe that budget allocations can be made on a sounder programmatic and risk basis than they have been in the past. Previous stakeholder discussion with your office was hampered by the use of differing terminology; e.g., comparing "guidance" to "request" to "allocation," etc.

Accordingly, to provide a basis for rational discussion, we present for your consideration the Oak Ridge EM budget summary information in Attachment I: "Oak Ridge Operations Office, Environmental Management Budget, Dollars in Millions."

Several comments on the compilation are presented:

- The Oak Ridge allocations for Formerly Utilized Sites Remedial Action Program and privatization have been removed from all years to prevent bias in that respect.
- Numbers do not include Oak Ridge items budgeted directly by DOE-HQ, e.g., Federal staff, national programs, and U/Th payments.

Attachment II, "Oak Ridge Operations Office, Environmental Management Budget by State, Dollars in Millions" breaks the information in Attachment I down by states under the cognizance of Oak Ridge Operations, e.g., Oak Ridge, Tennessee; Paducah, Kentucky; Portsmouth, Ohio; and Weldon Spring, Missouri.

Our first conclusion is that allocated EM funds for Oak Ridge have declined approximately 11% during this period. Of note is the fact that the national EM Program has decreased only 6% (from \$5,993M in FY 1996 to \$5,650M in FY 1998) during this time, excluding privatization and Weldon Spring Site Remedial Action Program.

ORREMSSAB understands that DOE-Headquarters (DOE-HQ) exerts its best efforts to convince Congress of the valid need for sufficient funding. Our concern is the apparent lack of DOE-HQ's understanding of the environmental factors that drive the need for Oak Ridge to receive a fair and proportional share of the overall budget. The factors which in aggregate are unique to Oak Ridge are: high average rainfall (50 inches per year), an extremely active and shallow groundwater system, extensive surface water bodies, a complex geology, and proximity to population centers and major highways. In addition, Oak Ridge Reservation (ORR) contaminants (fission products, uranium, mercury, volatile organic compounds, etc.) have already migrated off the reservation in significant

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quantities. These releases have resulted in restrictions in normal public use of non-DOE property and include significant contamination of the Tennessee River. The Tennessee River is 650 miles long, flows through three states, and is extremely important to the commerce, recreation, and drinking water supplies of the entire region. The significance of DOE failure to properly remediate sources of ORR contamination that could otherwise exacerbate this situation is extremely important, especially if increased funding is spent at other sites to alleviate less immediate problems.

ORREMSSAB, along with most other Oak Ridge stakeholders and the State of Tennessee, has long understood the realities of environmental restoration. Our approach has been to work with DOE-ORO/EM in a flexible manner to accommodate these realities. We have negotiated schedule adjustments, revised clean-up standards, accepted institutional controls in lieu of contamination removal, and suggested alternate approaches to technical problems and budget priorities. All these efforts have been motivated by a desire to achieve an approach that protects the environment and human health and safety while supporting fiscal responsibility. Our approach is developed by an extremely well-informed and involved citizenry.

We have now performed a careful analysis of FY 1999 Oak Ridge EM needs and believe that the budget submitted by DOE-ORO is based on solid, well-justified needs. In a number of previous years, we believe that Oak Ridge has suffered the loss of funds to other sites because we stakeholders have been so understanding and because DOE-ORO has been a careful steward of the funds which were supplied.

Any failure to allocate sufficient FY 1999 funds at this time is critical to major progress in the cleanup at Oak Ridge. Of particular concern currently are the cleanup of Buildings K-29, K-31, and K-33 at the East Tennessee Technology Park, formerly the K-25 site. This very significant activity is at a critical stage where FY 1999 funding at less than budgeted levels will result in significant increased costs of the overall project. ORREMSSAB believes that this project, if funded properly, offers the potential for dramatic savings compared to the normal DOE Decontamination and Decommissioning process.

Our understanding of the currently expected FY 1999 budget allocation for Oak Ridge is that a shortfall in funds will lead to the failure to meet regulatory compliance milestones for the Oak Ridge EM program. Indications from the State of Tennessee have been that such a situation would in turn lead to formal dispute resolution and/or the imposition of financial penalties. Either or both of these situations are considered extremely serious by ORREMSSAB.

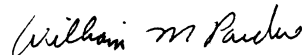
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Finally, FY 1999 is a critical juncture in the Oak Ridge cleanup program. A number of years and a considerable amount of funds have been spent to characterize the reservation and plan the remediation, and a new M&O contractor is in place. We are poised to make what we expect to be outstanding progress in the actual cleanup. At this time, the reduction in requested funding will set back the program in a disproportionate manner.

A small group of Oak Ridge stakeholders would like to discuss this matter in person with you. Please contact me at (423) 483-6831 to discuss an appropriate date and place.

Sincerely,



William M. Pardue, Chair

WMP/sb

Enclosures (2)

cc: Rod Nelson, DOE-EM/ORO
Marianne Heiskell, DOE-EM/ORO
Zach Wamp, U.S. Congressman
Justin Wilson, TDEC
Earl Leming, TDEC/DOE Oversight Division
Camilla Warren, EPA Region 4
Lance Escue, ETEBA
Susan Gawarecki, LOC
ORREMSSAB Members

OAK RIDGE OPERATIONS OFFICE
Environmental Management Budget
Dollars in Millions

	Headquarters Guidance	ORO to HQ	HQ to OMB	President's Budget	Appropriation
FY96	803	962	808	690	617
FY97	689	944	621	579	543
FY98	536	637	569	569	547
FY99	536	602	582	563	
FY00	539	637			
FY01	510				

Data represents what ORO is responsible for budgeting and submitting to HQ. FUSRAP and privatization budgets are not included for comparability purposes. Does not include what HQ budgets for (Federal staff, national programs, Ur/Th payments).

OAK RIDGE OPERATIONS OFFICE
Environmental Management Budget by State

Dollars in Millions

	<u>Headquarters Guidance</u>	<u>ORO to HQ</u>	<u>HQ to OMB</u>	<u>President's Budget</u>	<u>Appropriation</u>
FY96					
Tennessee	649	703	590	480	423
Kentucky	51	80	59	56	54
Ohio	48	111	91	86	83
Missouri	55	68	68	68	57
Total	<u>803</u>	<u>962</u>	<u>808</u>	<u>690</u>	<u>617</u>
FY97					
Tennessee	503	691	448	435	392
Kentucky	50	64	47	35	39
Ohio	69	108	58	41	46
Missouri	67	81	68	68	66
Total	<u>689</u>	<u>944</u>	<u>621</u>	<u>579</u>	<u>543</u>
FY98					
Tennessee	390	445	404	404	395
Kentucky	38	52	46	46	40
Ohio	47	54	51	51	46
Missouri	61	86	68	68	66
Total	<u>536</u>	<u>637</u>	<u>569</u>	<u>569</u>	<u>547</u>
FY99					
Tennessee	379	429	407	396	
Kentucky	52	56	58	55	
Ohio	44	49	49	46	
Missouri	61	68	68	65	
Total	<u>536</u>	<u>602</u>	<u>582</u>	<u>562</u>	
FY00					
Tennessee	389	454			
Kentucky	46	56			
Ohio	48	59			
Missouri	56	68			
Total	<u>539</u>	<u>637</u>			

4/11/99 10/16/98

United States Government

Department of Energy

memorandum

Nelson

RECEIVED
OFFICE OF THE MANAGER

2/9/99

*Cy: Penn
Richardson*

DATE:

FEB 5 1999

REPLY TO
ATTN OF:

Dan Berkovitz, Deputy Assistant Secretary, EM-20

SUBJECT:

Budget Site Visits

TO:

Field Office Managers
Area Office Managers

In the past, stakeholders have expressed a desire to talk directly with EM's decision-makers at headquarters to discuss their budget concerns. After listening to stakeholders concerns and speaking with our Operations Office representatives, we are planning to schedule site visits by EM senior headquarters officials to coincide with your public meetings on either the FY 2000 or FY 2001 budgets. These meetings should enable stakeholders to directly address their concerns to senior headquarters officials. We intend to coordinate these visits with you and your staff.

To further facilitate stakeholders input into EM's budget process, we have developed a Stakeholder Input Home Page for the EM Budget. This home page can be accessed at <http://www.em.doe.gov/stake/budget>. This home page will be monitored by EM headquarters and each issue or concern addressed by our stakeholders will be responded to expeditiously.

We will continue to work with you to plan for these site visits. Thank you for your continued support and commitment to our stakeholders. If you have any questions concerning this notice, you may contact Catherine Volk, Office of Intergovernmental Affairs and Public Accountability, at 202-586-5275.

Eli B. Bernstein

for Dan M. Berkovitz
Deputy Assistant Secretary
for Policy, Planning and Budget

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ENVIRONMENTAL MANAGEMENT
GENERAL CORRESPONDENCE TRACKING
UNIT NUMBER

57341

**Berkovitz Visit/Public Meeting
Agenda
Monday, March 15**

Tour of Oak Ridge Reservation with Suzy Riddle and Bob Sleeman
Depart 55 Jefferson

Prebriefing on Public Meeting - 55 Jefferson

3: 00 – 4:00, 55 Jefferson

Meeting with SSAB members Lorene Sigal and Bill Pardue

5 :00 – 7:00 pm Public Meeting

- 5:00 - Opening Remarks/Introductions
- 5:10 - Berkovitz Remarks - Optional
- 5:20 - Lifecycle Baseline Sequencing Strategy
- 5:50 - FY 2001 Sequencing Results/Budget Requirements
 - FY 1999, 2000 and 2001 Funding Comparison by Program
 - Three-Year Funding Profile by Site/Major Project
 - Impacts at Target Level Funding
 - Impacts at Decrement Level Funding
- 6:20 - Discussion/Questions

Note that the final agenda/content for the public meeting will be worked with the Budget and Prioritization Team on Thursday, March 11 so the outline above is preliminary.

Let me know if you have questions/comments.

Barbara Brower, Project Controls
(423) 576-0689
Browerba@oro.doc.gov



Oak Ridge Site Specific Advisory Board
Goals for the Environmental Management Program

March 15, 1999

While we recognize and applaud the progress that the Environmental Management Program is making, the Oak Ridge Site Specific Advisory Board (SSAB) and other local organizations and stakeholders are becoming increasingly critical of the Department of Energy's (DOE) budget for disposal of legacy waste and remediation of contaminated sites on the Oak Ridge Reservation.

Until recently, stakeholders and the Tennessee Department of Environment and Conservation were willing to work with the DOE to accommodate the Environmental Management (EM) budget (e.g., Federal Facility Agreement milestones were adjusted, money saved on the East Fork Poplar Creek mercury cleanup was shifted to other DOE sites). However, our willingness to work with the DOE has seemingly led to decreased funding for Oak Ridge for the last five years. As a result, remediation of the Reservation is being compromised. From now on, we intend to do everything we can to ensure adequate funding for Oak Ridge. We hope that in addition to carrying our message back to headquarters, you will make it possible for SSAB members to travel to Washington to speak for themselves.

Our immediate goals include:

- funding adequate to meet all Federal Facility Agreement milestones,
- implementation of the watershed strategy for environmental remediation, and
- cooperation of federal, state, and local governments with regard to remediation of the Oak Ridge Reservation.

Our near-term goals include:

- removal or remediation of sites where there are significant releases of contaminants or threats to human health and the environment,
- shipment of legacy low-level radioactive waste to the Nevada Test Site,
- shipment of legacy low-level mixed waste to Envirocare in Utah,
- construction of an on-site disposal facility for remediation-generated waste,
- removal of surplus facilities and areas,
- consolidation of storage as disposal and treatment of wastes proceed,
- coordination of similar remedial/removal activities across the ORR, and
- development and implementation of a long-term stewardship program for areas that cannot be completely remediated.

Our long-term goals include:

- safe reindustrialization of the Heritage Center (formerly ETTP), and
- restoration of public understanding that Oak Ridge is a safe and healthy place to live and work.

Lorene L. Sigal

Lorene L. Sigal
ORSSAB Member

Bob Peelle

Bob Peelle
ORSSAB Member