



*Many Voices Working for the Community*

# Oak Ridge Site Specific Advisory Board

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March 11, 2004

Mr. Steve McCracken  
Assistant Manager for Environmental Management  
DOE-Oak Ridge Operations  
P.O. Box 2001, EM-90  
Oak Ridge, TN 37831

Dear Mr. McCracken:

***Comments on the Oak Ridge Reservation Risk-Based End State Vision, Revision D1,  
February 1, 2004***

The Oak Ridge Site Specific Advisory Board (ORSSAB) has reviewed the subject document. While the board generally endorses the risk-based end state (RBES) conceptual model of optimizing environmental management and hastening the completion of cleanup, we can only conditionally support the variances listed in the document. These are capping of the K-1070-B/C/D Burial Grounds, alternative technologies for remediation of Trenches 5 and 7 at Oak Ridge National Laboratory, and use of dose-based criteria for building surface contamination at the East Tennessee Technology Park.

Our support for the RBES model is based on the work of the Oak Ridge End Use Working Group (EUWG)<sup>1</sup>—a broad-based public effort to define end uses for contaminated areas of the Oak Ridge Reservation (ORR) following remediation activities. We find the *Oak Ridge Reservation Risk-Based End State Vision* to be generally in line with EUWG recommendations. However, as stated in our correspondence to you dated February 12, 2003, ORSSAB is already on record with the position that anything less than total cleanup results in an economic burden on the community and that potential economic impacts are not directly addressed by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Therefore, economic impacts must be considered when end-state visions are being determined.

Regarding the variances, we understand that changes to remediation activities can be expected in the course of doing the work. The CERCLA process provides for these changes as well as opportunities for stakeholder review and input. Reasonable variances are therefore evaluated as a normal part of the CERCLA process. Our concern is that no analysis of the impacts of the variances has been offered. We cannot support them without first understanding their short-term and long-term impacts to budgets, schedules, stewardship, reindustrialization, and the socioeconomic needs of the communities surrounding the ORR.

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<sup>1</sup>*Final Report of the Oak Ridge Reservation End Use Working Group*, July 1998, Oak Ridge Site Specific Advisory Board, Oak Ridge, Tenn., <http://www.oakridge.doe.gov/em/ssab/pub.htm>

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The far-reaching effects of leaving radioactive and toxic wastes buried on the ORR must not be taken lightly. While the RBES document has no authority under CERCLA, it is obvious that DOE intends to use it in remedial decision-making. We believe that DOE should not consider use of RBES models as license to seek changes to CERCLA actions or selection of applicable or relevant and appropriate requirements without well-defined, publicly supported rationale.

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

Sincerely,

A handwritten signature in black ink, appearing to read "D. Mosby", with a stylized flourish at the end.

David N. Mosby, Chair

cc: Dave Adler, DOE-ORO  
Pat Halsey, DOE-ORO  
Connie Jones, EPA Region 4  
John Owsley, TDEC  
Jessie Roberson, DOE-HQ  
Gene Schmidt, DOE-HQ  
Ralph Skinner, DOE-ORO  
Sandra Waisley, DOE-HQ