



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Remediation - Oak Ridge
761 Emory Valley Road
Oak Ridge, Tennessee 37830

July 10, 2019

Mr. John Michael Japp
Federal Facility Agreement Manager
Oak Ridge Office of Environmental Management
U.S. Department of Energy
Post Office Box 2001
Oak Ridge, Tennessee 37831

Dear Mr. Japp

Response to Electronic Correspondence from DOE Conveying Plans to Discharge Water from the K-832 Basin Treatment System

On July 2nd, 2019 Mr. David Adler, Department of Energy (DOE) sent an email to Mrs. Christine Thompson, Tennessee Department of Environment and Conservation (TDEC) Division of Remediation (DoR), and Mr. Franklin Hill, Environmental Protection Agency (EPA) Region 4 entitled, *Planned discharge from the 832 basin treatment system*. The following is TDEC's position regarding the subject email.

In the absence of an official, approved Federal Facility Agreement (FFA) primary document laying out a plan for the disposition of the 832 basin water, TDEC cannot approve of DOE's stated intent to discharge at this time. However, it is noted that from a technical perspective, it appears that DOE is able to achieve reduction of contaminants that would meet Ambient Water Quality Criteria (AWQC) for chemicals and previously discussed Technology Based Effluent Limits (TBELs) for radioactive contaminants in all of the CERCLA wastewater discharges at the East Tennessee Technology Park (ETTP).

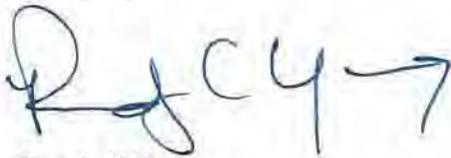
Currently, EPA, DOE, and TDEC are in a related formal dispute over landfill wastewater management for the current and proposed *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) landfills on the Oak Ridge Reservation. On April 5, 2019 TDEC issued a letter concurring with the EPA's position in the dispute. On the same day, DOE issued a letter elevating the dispute to the EPA Administrator for a final ruling, which appears imminent. TDEC's position has not changed in that, moving forward, TDEC's expectation for wastewater management is compliance with the Clean Water Act for chemicals and TBELs for radioactive contaminants; particularly in light of DOE having demonstrated that this is readily achievable with inexpensive, off-the-shelf technology.

July 10, 2019

TDEC applauds the DOE for their efforts to implement a technology based approach to wastewater management and, pending a decision by Administrator Wheeler, expect that the FFA parties will be able to come to an agreement for this basin water in the near future. TDEC recommends submittal of an ESD incorporating CWA and TBELs for approval by the FFA parties to complete this action and move forward with our shared goal of environmental cleanup of the Oak Ridge Reservation.

Questions or comments concerning the contents of this letter should be directed to Randy Hoffmeister at (865) 220-6583.

Sincerely

A handwritten signature in blue ink that reads "Randy C Young" followed by a right-pointing arrow.

Randy C Young
FFA Manager

xc: Chris Thompson, TDEC
Jon Richards, EPA
Connie Jones, EPA
Pat Halsey, DOE
Amy Fitzgerald, ORRCA
Shelley Kimel, SSAB
Ron Woody, ORRCA
Amanda Daugherty, ORRCA