

To: DOE ORRCC@emcbc.doe.gov

From: Virginia Dale on behalf of Advocates for the Oak Ridge Reservation (AFORR)

Re: Request for Proposals (RFP) for the Oak Ridge Cleanup contract - DRAFT REQUEST FOR PROPOSAL (RFP) NO. 89303319REM000047

Date: September 17, 2020

Draft RFP Cover letter question being addressed: 11. Barriers to successful contract performance

Section C. Performance Work Plan

Advocates for the Oak Ridge Reservation (AFORR) believes that establishing a Request for Proposals (RFP) for the Oak Ridge Cleanup contract is highly premature since a path forward for cleanup has not been fully vetted with stakeholders or approved by the Department of Energy (DOE). AFORR asks that the draft RFP be modified to ask the contractor to consider costs, benefits, and engineering approaches for off-site disposal and to pursue that approach for the most hazardous waste. AFORR also asks that either DOE or the selected contractor be required to provide to the public information on the four aspects of the analysis of alternatives listed above. Finally, we ask that other sites for the EMDF be considered that are not greenfield areas or close to residences.

Section C.4 CERCLA Disposal Facility Construction (Y-12)

Section C.4 of the draft RFP is about the CERCLA Disposal Facility Construction at Y-12, yet there has been no approval for the design, construction, or startup of the new onsite CERCLA disposal facility (the Environmental Management Disposal Facility or EMDF) to support cleanup activities on the Oak Ridge Reservation (ORR). Stakeholder acceptance is far from being achieved as documented by prior letters that Advocates for the Oak Ridge Reservation (AFORR) and other local stakeholders have submitted to John Michael Japp (OREM FFA Project Manager) regarding the proposed EMDF. In fact, AFORR is encouraging pursuing a hybrid alternative that includes (1) On-site disposal of waste that is characterized well enough to ensure that a landfill in Bear Creek Valley can be designed to protect human health and the environment and (2) Off-site disposal of the most hazardous waste. Yet transporting wastes out of Tennessee is not discussed in the draft RFP in any detail. To date, DOE has not provided sufficient information on significant aspects of the analysis of alternatives to allow informed comment by the public including (1) Details of waste acceptance criteria and requirements for waste, (2) Full details of the comparative analysis of costs for the Onsite and Offsite alternatives, (3) The specific waivers of regulatory requirements that would be requested for each of the Onsite options and the rationale for each requested waiver, and (4) Treatment technologies that have been evaluated or are planned to reduce waste volume in the disposal facility and immobilize any mercury waste prior to disposal. Furthermore, the video tour of the ORR that is provided with the draft RFP suggests there is one preferred site and does not mention status of its approval. Yet AFORR has previously noted that DOE's preferred sites would add to the inventory of contaminated land by putting waste in a clean area (a greenfield). None of the candidate sites is suitable hydrologically. Abundant surface and subsurface water require an engineered containment system that can be expected to fail in the long term. The engineered system is challenged by 5 feet of rain being the norm for east Tennessee and projected increases in rainfall. Finally, proximity to residential areas would exclude these sites from consideration if the EMDF were sited as a new radioactive waste disposal facility.

Section C.6.1.14 Public Relations and Media Support

Section C.6.1.14 on “Public Relations and Media Support” states that “the desired outcome is a strong public relations and communications program that ensures proper verbal and written dissemination of relevant OREM information. The Contractor shall provide public relations services to communicate successes through a variety of tools.” However, communication of problems and failures is not mentioned. This is a major gap in the RFP.