

Mr. Larry Kelly
Manager Department of Energy Oak Ridge Operations
Federal building
Oak ridge, TN 37831

June 12, 2013

Dear Mr. Kelly:

As we discussed in our March 1 meeting with you, the Advocates for the Oak Ridge Reservation (AFORR) has a strong interest in the continuing public discussion about providing additional electrical service to the Horizon Center industrial park located on Department of Energy (DOE) Parcel ED-1. We expressed our concerns at a follow-up meeting with your staff that DOE did not properly consider alternatives, as required by the National Environmental Policy Act (NEPA) and DOE's own regulation on floodplains and wetlands (10 CFR 1022), before deciding to allow installation of a 69-kV above-ground transmission line across DOE land to provide additional service to Development Area 5 in the industrial park.

Last year your office granted an easement that allows a powerline for about a 3/4 mile distance along the patrol road that forms the border between Parcel ED-1 and the Black Oak Ridge Conservation Easement (BORCE). Impacts of this powerline would include permanent clearing of riparian forest in the "natural area" that was established as an exclusion zone as a formal mitigation commitment resulting from the NEPA review of the original proposal for the industrial park. Also, it would significantly reduce the recreational value of the patrol road as a public greenway (a use that developed as a result of establishment of the conservation easement over the BORCE area) and it is virtually certainly to lead to removal of trees in the BORCE that overhang the powerline on the uphill side of the patrol road. Thus, the powerline likely would diminish the value of the BORCE as Natural Resource Damage Assessment (NRDA) compensation for contamination in Watts Bar Reservoir, an action that could have consequences in DOE's future NRDA negotiations.

Your office published no NEPA review for the powerline proposal, but it did issue a floodplain assessment and floodplain statement of findings. The floodplain document did not identify any potential alternatives (other than the no-action alternative) to building a powerline in the proposed location. It concluded that there was no practicable alternative to the proposal.

Contradicting DOE's conclusion of "no practicable alternative", an engineering study commissioned by the Oak Ridge Electric Department and presented to the city's industrial development board (IDB) at a meeting on June 3 identifies and evaluates several alternative ways to increase electrical service in the Horizon Center. In addition to an above-ground powerline on the easement along the patrol road (and continuing to the east to Development Areas 6 and 7), the study evaluated the option of underground construction and it considered some alternative routes for new or upgraded powerlines. Based on costs and other considerations, the consultant who prepared the study recommended that the IDB (as current owner of the Horizon Center) should plan to upgrade capacity service on the existing line into the Horizon Center (which now provides 10 MVA of capacity and could supply up to 28 MVA with upgrades) before it even considers installing a line along the patrol road.

AFORR urges DOE to reconsider the actions it has taken with respect to the proposed powerline and to suspend consideration of requests to grant any additional permissions (e.g., for an extension to Development Areas 6 and 7) until proper consideration has been given to both alternatives and impacts.

We would welcome an opportunity to meet again with you and your staff to discuss our concerns on this powerline issue. And, consistent with your request to contact you if we heard any community news related to Reservation planning and land-use concerns, we recently were in public meetings where statements were made by local DOE staff that seemed to indicate the willingness of DOE to release large tracts of Reservation lands for "other development uses". We'd like to discuss both topics at your earliest convenience; we'll call and request a time to get on your calendar soon. Thank you for your openness and willingness to address these important issues.

Virginia Dale, President AFORR

cc: Anne Davis, Southern Environmental Law Center