

I-15 CERCLA Screening Process for the ORR Operating Instructions

Purpose:

This Operating Instruction defines the process used on the Oak Ridge Reservation to screen proposed construction and demolition projects and facilities to determine if they need CERCLA oversight.

CERCLA oversight may be warranted due to the potential that:

- (1) Construction or demolition could adversely impact the effectiveness of previously completed CERCLA environmental remedial actions, or
- (2) Construction or demolition could adversely impact anticipated future CERCLA environmental remedial actions, or
- (3) Past or current threat of releases to the environment from a facility.

This procedure may also be used to identify facilities that are currently listed on the Federal Facility Agreement (FFA) Appendix C, but may not require CERCLA oversight and are candidates for removal from the FFA.

Scope:

This instruction is applicable to all Department of Energy (DOE) funded projects on the Oak Ridge, Tennessee reservation. This instruction will be implemented by the DOE and/or DOE Prime Contractors who are responsible for the management of construction and demolition projects on the Oak Ridge Reservation. The provisions of this instruction shall be implemented using standard operating procedures of the respective DOE site or facility, consistent with this Operating Instruction.

1.0 CERCLA Screening Process

- A) DOE construction and demolition projects on the Oak Ridge, Tennessee reservation shall be screened for applicable CERCLA oversight. Facilities and/or areas currently on FFA Appendix C may also be screened to determine appropriateness of their listing with FFA Project Managers approval.
- B) CERCLA screening shall be performed using documented CERCLA screening checklists that shall be developed by each of the respective, operational DOE Oak Ridge Reservation sites (ETTP, Oak Ridge National Laboratory, and the Y-12 National Security Complex).

- C) CERCLA screening checklists developed by each site shall consider, at a minimum, the following:
- a. Potential impacts on ‘CERCLA areas’ listed in the Oak Ridge Reservation FFA Appendix C (consider both sites where required remedial action has already been completed, as well as sites where potential required remedial action has not yet been determined and/or completed).
 - b. Potential impact on current and/or future soil characterization/remediation at the respective site.
 - c. Changes to planned land use of the site (or any area within a site)
 - d. Potential impact on the migration of legacy contamination (such as impacts to surface or groundwater flow patterns in areas with legacy contamination).
 - e. Potential for release of hazardous materials to the environment.

Additional information which may be included to assist in evaluating the site includes:

- f. Historical Releases
 - g. Brief description of building, proposed building, current site, future site
 - h. Map, available photographs and/or site diagrams
 - i. Historical materials handled at the site/building
- D) Each project CERCLA screened shall reach one of the following two conclusions:
- a. Project does not require CERCLA oversight
 - b. Project could potentially require CERCLA oversight - additional evaluation is required
- E) If a facility listed on the FFA Appendix C is screened and determined to not require CERCLA oversight (1.D.a), the screening results will be made available to the appropriate Project Team if DOE seeks to remove the facility from the FFA Appendix C. The FFA parties must agree to remove the facility from Appendix C prior to initiating demolition preparation and/or demolition activities.
- F) Section 1.D.b. projects could potentially require CERCLA oversight. These projects shall be discussed in detail with the regulatory agencies as outlined in section 2.0 below. The conclusion of this project specific evaluation shall reach one of two conclusions:
- a. Project does not require CERCLA oversight
 - b. Project does require CERCLA oversight
- G) Projects that are determined to require CERCLA oversight (reference section 1.F.b. above) shall, if not currently listed, be added to the FFA Appendix C, milestone, and performed in accordance with provisions of the Oak Ridge Reservation Federal Facility Agreement. The Project Team’s documented determination and supporting rationale is to be attached to the CERCLA Screen to constitute the Removal Site Evaluation Report required by the FFA Section X.

- H) For CERCLA screened projects which are determined to be non-time-critical removals will include the following documentation, if there is not an existing AM that will address the project:
- a. An Engineering Evaluation/Cost Assessment (EE/CA) will be submitted by DOE to TDEC and EPA documenting the alternatives considered in the engineering studies for the D&D project. Since the alternative approaches available to conduct D&D projects typically are clear and very limited, it is recognized that the EE/CA will normally be at a summary level and will not normally include the more detailed analysis of alternatives required for remedial actions.
 - b. After completion of the public comment period, an Action Memorandum will be submitted by DOE to TDEC and EPA documenting DOE's selected alternative.
 - c. Upon completion of the non-time-critical removal action, a Removal Action Report will be submitted by DOE to TDEC and EPA.
- I) For CERCLA screened projects that would be covered by an existing AM or ROD, the decision document may be updated via a Non-Significant Change to include the project.

2.0 Consultation with FFA Parties

- A) The DOE shall review the results of all potential 1.D.b. project CERCLA screens with the respective site FFA Project Team. These reviews with the regulatory agencies should be performed in a timely manner (e.g. within three months after DOE has completed the project screen and prior to any D&D or other field action).
- B) Based upon this review, the FFA Project Team shall determine if the project requires CERCLA oversight, consistent with the objectives established in this instruction. The attached flowchart may be used by the Project Teams as a decision tool.
- C) Results of the 1.D.b project CERCLA screen reviews with the Project Teams shall be documented in the FFA Project Team meeting minutes. Project Team agreements to add the site to the FFA and/or disagreements will be elevated to the FFA Project Managers for final resolution and approval of any resulting modifications to the FFA Appendix C.

3.0 Recordkeeping

- A) Copies of project CERCLA screening documentation shall be retained by the DOE with project files.
- B) Copies of project CERCLA screening documentation for 1.D.b. projects, along with corresponding additional information, briefing materials, memo to files, and meeting minutes that document decisions of the FFA Project Team, shall be retained by the Project Team administrator.
- C) Copies of information presented to the FFA Project Managers due to disputes that cannot be resolved within the FFA Project Team or agreements to add the site to the FFA shall be retained by the FFA Project Manager administrator.
- D) CERCLA documentation for projects that are determined to require CERCLA oversight shall be retained in accordance with recordkeeping requirements of the ORR FFA.

4.0 Other Requirements

- A) The DOE shall notify the regulatory agencies as soon as possible if unexpected conditions are encountered during the implementation of 1.D.a. construction or demolition projects undertaken on the Oak Ridge Reservation. This shall include the identification of any unexpected CERCLA levels of contamination during site characterization activities, or the discovery of unexpected CERCLA levels of contamination during field construction/demolition work.
- B) The DOE shall provide results of all soil sampling & analysis plans and associated results from project-specific soil sampling efforts to the respective site FFA Project Team at the conclusion of the 1.D.b. project. 1.D.b project sampling data will be archived in the OREIS database.
- C) The FFA Project Team shall provide appropriate DOE site staff pertinent CERCLA remedial decisions and site characterization results that may affect planned construction/demolition projects upon request.

ORR D&D CERCLA Screen/Removal Authority Process

