May 7, 2021

Via Electronic Mail to NEPA.Comments@npo.doe.gov
Attn: Development Organization Draft EA
NNSA NEPA Document Manager
National Nuclear Security Administration
P.O. Box 2050
Oak Ridge, TN 37831

Dear Ms. Hutchison:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the U.S. Department of Energy (DOE) National Nuclear Security Administration (NNSA) Draft Environmental Assessment (EA) which analyzes the potential environmental impacts of the proposed relocation of most of the Y-12 Development Organization’s operations to an existing facility located at 103 Palladium Way, Oak Ridge, Tennessee, approximately 9.5 miles west of the Y-12 National Security Complex.1 Y-12 Development operations are currently housed in two 70+ year-old buildings and one 50+ year old building that have structural, plumbing, electrical, laboratory exhaust, contamination, and heating, ventilation, and air conditioning (HVAC) issues. According to the NNSA, the buildings have deteriorated in such a manner that they currently pose a significant risk to the successful execution of the Y-12 Development missions.

Actions considered in detail within the Draft EA include:

- **Proposed Action: House Y-12 Development’s Current and Future Research and Development Operations at 103 Palladium Way** – NNSA’s Proposed Action is to acquire 103 Palladium Way and the surrounding 21 acres, modify the existing facility, relocate equipment and materials, and conduct Y-12 Development operations in the modified facility for the next 15 or more years. The existing facility is located on a secure and fenced campus with approximately 73,000 square-feet of high-tech interior space. The facility is approximately 9.5 miles (approximately 15 minutes) from Building 9202 using the west entrance of Bear Creek Road and is just off the Oak Ridge Turnpike. The building itself is a two-story structure on a concrete slab with concrete panel walls over a steel frame with the following space allocations:

---

1 According to NNSA, the Y-12 Development Organization (“Y-12 Development” or “Development”) is essential to the production mission at Y-12, provides a ready pool of subject matter experts to tackle production problems, develops new technology to meet future production requirements, and performs work-for-others as necessary to support the global security mission.
- Common areas (halls, rest rooms, locker rooms)
- Laboratory areas (single story)
- Utility areas (mechanical/electrical rooms, storage areas, communications rooms)
- Office areas (offices and conference rooms)
- Production areas (mostly two stories and high bay with 23 to 40 foot headspace)

Additional details relating to the construction and operation of the proposed facility can be found in the Draft EA.

- **No-Action Alternative** – Under the No-Action Alternative, NNSA would not relocate Y-12 Development operations to the offsite facility at 103 Palladium Way and would continue to operate existing facilities to meet national security requirements for as long as possible. As discussed in Section 1.2 of the Draft EA, current conditions in Buildings 9202 and 9203 have deteriorated in such a manner that they currently pose a significant risk to the successful execution of Development missions. At some point, a new facility would be needed to house Y-12 Development operations.

The No-Action Alternative does not mean that NNSA would not take necessary actions to safely operate Buildings 9202 and 9203. The No-Action Alternative reflects the current management direction to continue infrastructure and process improvements to enable Y-12 to operate existing facilities to meet national security requirements. Such an approach is consistent with the Council on Environmental Quality (CEQ) requirements that “no-action” may be thought of in terms of continuing with the present course of action until that action is changed (CEQ 1981).

TDEC has reviewed the Draft EA and provides the following comments:

**Remediation – Oak Ridge**

The Executive Summary, ES-2 (page 3) and Section 3.4.2 Proposed Action Impacts, 3-14 (page 39) of the Draft EA reference radiological emissions; however, there is no discussion about radiological licensing that may be required for this facility. Due to it being a privately owned facility, activities that occur at the site are regulated by TDEC. Will the purchase of the property by NNSA transfer the nuclear regulatory authority from TDEC to DOE Order 458.1? If the property remains regulated by the State, is the amount of radioactive material quoted in the document an exempt quantity as defined by TDEC, or is a Radiological License required? TDEC encourages NNSA to include these considerations in the Final EA.

**Cultural Resources**

TDEC believes the Draft EA adequately addresses potential impacts to cultural resources within the proposed project area.  

---

2 This is a state-level review only and cannot be substituted for a federal agency Section 106 review/response. Additionally, a court order from Chancery Court must be obtained prior to the removal of any human graves. If human remains are encountered or accidentally uncovered by earthmoving activities, all activity within the immediate area must cease. The county coroner or medical examiner, a local law enforcement agency, and the state archaeologist’s office should be notified at once (Tennessee Code Annotated 11-6-107d). If you have questions, please contact Daniel Brock, State Programs Archaeologist at 615-687-4778 or Daniel.Brock@tn.gov.
**Air Resources**

The proposed action will include demolition and renovation of structures which could contain asbestos. Federal and state regulations are in place regarding asbestos renovation and demolition activity and are enforced by the EPA and TDEC. These regulations apply to any building or structure known to contain asbestos or to any buildings proposed to be renovated or demolished. When any structures are proposed to be renovated or demolished, an asbestos demolition notification must be provided in advance, and proper pre-demolition surveys must be conducted to identify any regulated asbestos containing material (ACM) present. Prior to any demolition or renovation, all facilities must to be examined for ACM and all potential ACM in the buildings proposed for renovation or demolition must be handled and disposed of according to the applicable federal, state, and local regulations. TDEC encourages NNSA to include these considerations in the Final EA.

Construction activities at the site will likely cause emissions of fugitive dust. TDEC provides specific requirements for prevention of fugitive dust, including use, where possible, of asphalt, water or suitable chemicals to limit its creation. Discussions relating to fugitive dust associated with the proposed action should also reference Tennessee Air Pollution Control Regulation chapter (TAPCR) 1200-03-08.

Should open burning be considered for disposal of wood wastes generated from the proposed project, TDEC recommends that alternatives to open burning, including chipping, composting or grinding of wood waste, be evaluated first. If open burning is selected for wood waste disposal NNSA should consider implementing a smoke management plan, not burning on air quality alert days, and coordinating burning with other agencies (TDEC, forestry agencies and local fire departments). TDEC encourages NNSA to include discussion relating to these considerations in the Final EA. Additionally, TDEC would also recommend that all construction equipment employed on site be well maintained and equipped with the latest emissions control equipment.

TDEC recommends that all construction equipment employed on site be well maintained and equipped with the latest emissions control equipment to reduce air pollution associated with the project’s activities and encourages NNSA to consider these considerations in the Final EA.

**Solid Waste**

TDEC recommends that the Final EA reflect that any wastes generated in association with the proposed action be evaluated and managed in accordance with the Solid and Hazardous Wastes Rules and Regulations of the State of Tennessee. A search of TDEC and Environmental Protection Agency (EPA) databases for the facility location did yield an EPA ID for a former business, “Impact Services, Inc.” EPA records did not include substantive information about the former business; however, NNSA may want to further explore this information to determine if additional historical information is necessary to include in the Draft EA.

---


Water Resources

Based on review of the Draft EA it is not clear how big the secure storage building is going to be; however, the Draft EA details a half-acre parking lot addition, so if the storage building is near half an acre in size with staging areas included, the project would need a construction stormwater permit (CGP). The Draft EA does detail that NNSA will prepare a Surface Water Pollution Prevention Plan that would be required under a CGP. TDEC encourages NNSA to include these considerations in the Final EA.

TDEC appreciates the opportunity to comment on this Draft EA. Please note that these comments are not indicative of approval or disapproval of the Draft EA nor should they be interpreted as an indication regarding future permitting decisions by TDEC. Please contact me should you have any questions regarding these comments.

Sincerely,

Matthew Taylor
Senior Policy Analyst, Office of Policy and Sustainable Practices
Tennessee Department of Environment and Conservation
Matthew.K.Taylor@tn.gov
(615) 979-2449

cc: Kendra Abkowitz, PhD, TDEC, OPSP
    Benjamin Almassi, TDEC, DSWM
    Daniel Brock, TDEC, DoA
    Lacey Hardin, TDEC, DAPC
    Tom Moss, TDEC, DWR
    Courtney Thomason, PhD, TDEC, DOR