

**40+ Groups Join Environmental Professionals
Calling on EPA Administrator Regan to Reverse Approval of
New Toxic, Radioactive Oak Ridge Landfill**

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March 26, 2024--Over 40 organizationsⁱⁱⁱ spearheaded by over a dozen from Tennessee are calling on US Environmental Protection Agency (EPA) Administrator Michael S. Regan to reverse his approval of a new toxic, hazardous and radioactive landfill that threatens Tennessee water, environment and human health and sets a terrible precedent for other hazardous, nuclear and Superfund sites across the country.

The groups are sending their letter ([Groups-Letter-to-EPA-re-Oak-Ridge-Landfills-f.pdf](#)) in support of a longer one sent to Administrator Regan on Feb 28, 2024 from experienced technical and environmental professionals ⁱⁱⁱ who challenged the decision when they worked at the Tennessee Department of Environment and Conservation and continue to challenge it now. The retired environmental professionals with knowledge of the hazards posed by waste materials at the Department of Energy (DOE) facility in Oak Ridge, Tennessee, have requested Administrator Regan to review his decision which they and legal experts reveal violates regulations, laws and guidance and fails to protect human health.

Long-lasting radioactive and hazardous (including mercury) waste, soil, materials and property, from the demolition of many parts of the Oak Ridge Reservation would be buried in the new landfill (the Environmental Management Disposal Facility (EMDF)), permitted by EPA to leak at unsafe, illegal levels into the water that leaves the site, becomes more concentrated in fish and animals and exposes the public.

“It is unacceptable for the US DOE to continue environmental abuse and for the US EPA to allow it in the Oak Ridge area or any other region,” said Don Safer, Tennessee Environmental Council Board Member.

Because the potential releases from the landfill could be so high, Marquita Bradshaw of Sowing Justice raised the concern that “When you harm the earth, you harm the people. The dangerous increases in radiation and toxic chemicals could give cancer to those downstream. This takes subsistence fishing off the table for those reliant on it and threatens even recreational fishing.”

Hans Christen, Board Member of Tennessee Citizens for Wilderness Planning (TCWP) stated that "TCWP supports protecting the 33,000-acre Oak Ridge Reservation, the largest tract of relatively unfragmented forest habitat remaining in the Tennessee Valley

and home to 1,500 species of plants and animals, including many threatened or endangered species. We strongly urge EPA Director Regan to rectify the Record of Decision concerning the Environmental Management Disposal Facility by ensuring the disposal of radioactive and toxic waste is brought into compliance with federal laws and regulations to safeguard human health and preserve this critical ecosystem."

The laws being violated include Superfund (Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)) and the Clean Water Act and the corresponding regulations (including National Oil and Hazardous Substances Pollution Contingency Plan (NCP)).

EPA Administrator Michael S. Regan approved the DOE's Environmental Management Disposal Facility (EMDF) for burial of hazardous, toxic and radioactive waste back on September 30, 2022. The environmental professionals wrote to him previously and again on February 28, 2024, calling on him "to correct the EMDF Record of Decision (ROD) you signed, as EPA Administrator, so that it ensures (1) protective wastewater discharge criteria for current and future generations, (2) waste acceptance criteria (WAC) that will protect future generations, and (3) selection and implementation of a remedial action that complies with federal law and regulations."

They also requested that he "...end the culture of non-compliance ... at the DOE Oak Ridge Reservation (ORR)," and pointed out that the decision sets a bad precedent by failing to include "overall protection of human health and the environment and compliance with applicable or relevant and appropriate requirements (ARARs)."

The groups are looking to Administrator Regan "to exercise leadership going forward at the DOE Oak Ridge Reservation (ORR) so that all work performed now and, in the future, follows the law and regulations. This includes not only decommissioning and demolition (D&D) of excess buildings and structures, associated waste disposal, and discharges to surface water, but also clean-up of the widespread ORR related contamination necessary to protect current and future generations and that caused ORR to be listed as a Superfund site on the EPA National Priority List (NPL) in the first place."

The organizations' March 26, 2024 letter to Administrator Regan is posted at <https://www.nirs.org/wp-content/uploads/2024/03/Groups-Letter-to-EPA-re-Oak-Ridge-Landfills-f.pdf> and with the expert letter, attachments and additional information on the AFORR website [Hazardous Waste Landfill \(EMDF\) | AFORR](#).

The retirees' letter and 8 attachments with some of their regulatory and technical analyses may be found at:

<https://aforr.info/wp-content/uploads/2024/02/Letter-to-EPA-Administrator-Regan-dated-Feb-28-2024-concerning-DOE-ORR-EMDF-ROD.pdf>

[i] Sierra Club TN * Southern Environmental Law Center *
Tennessee Environmental Council * Harpeth Conservancy *
Tennessee Citizens for Wilderness Planning * Advocates for the Oak Ridge Reservation *
Oak Ridge Environmental Peace Alliance * Foundation for Global Sustainability *
Erwin Citizens Awareness Network, Inc. * Sowing Justice *
Bellefonte Efficiency & Sustainability Team *Catholic Committee of Appalachia, TN *
Blue Ridge Environmental Defense League * Nuclear Information and Resource Service *
National Radioactive Waste Coalition * Public Employees for Environmental Responsibility *
Beyond Nuclear * Citizens' Resistance At Fermi Two * Coalition for Nuclear Safety *
Coalition for a Nuclear Free Great Lakes * Concerned Citizens for Nuclear Safety *
Don't Waste Michigan * Ecological Options Network * Heart of America Northwest *
Indian Point Safe Energy Coalition * NY Campaign to Abolish Nuclear Weapons *
Nuclear Watch New Mexico * Nuclear Watch South * Occupy Bergen County *
Ohio Nuclear Free Network * Physicians for Social Responsibility - Kansas City *
Rockland Coalition to End the New Jim Crow * Samuel Lawrence Foundation *
Snake River Alliance * Unitarian Universalists for a Just Economic Community *
Veterans For Peace Chapters Phil Berrigan,180, Spokane 35 * WANW *
Women's Energy Matters

[ii] Robert (Andy) Binford, P.G. Former TnDoR Division Director and Environmental Fellow; Steve Goins, CPA Former TnDoR Division Director; Juan Dale Rector, M.S. Biology, Aquatic, Former TnDOEO Deputy Director; Sid Jones, PhD, P.E. P.G.; Gareth J. Davies, B.Sc., M.Sc., Fellow, Geological Society of America; Michael Higgins, P.E.; Howard Crabtree, Former TnDoR EMWMF/EMDF Project Coordinator; Robert Benfield, P.G.