

**ACTION MEMORANDUM
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ACRONYMS

| | |
|--------|---|
| ARAR | applicable or relevant and appropriate requirement |
| CERCLA | Comprehensive Environmental Response, Compensation, and Liability Act |
| CFR | Code of Federal Regulation |
| DOE | U.S. Department of Energy |
| EE/CA | Engineering Evaluation/Cost Analysis |
| EPA | Environmental Protection Agency |
| EM | Environmental Management |
| PCB | polychlorinated biphenyl |
| TDEC | Tennessee Department of Environment and Conservation |

ACTION MEMORANDUM ANNOTATED OUTLINE

DO NOT include a preface, title page, table of contents, or acronyms list in an Action Memorandum.

This annotated outline was developed as a guide for preparing Action Memoranda for the Oak Ridge Operations Environmental Management (EM) program. All Action Memoranda are to be prepared in compliance with the requirements of CERCLA, with technical content referencing applicable U.S. Environmental Protection Agency (EPA) guidance and DOE orders.

This action memorandum outline will be used for non-time critical removal actions. The action memorandum is prepared in the following format on U.S. Department of Energy (DOE) letterhead and therefore has a different style than other documents. This outline has not been approved by EPA and the Tennessee Department of Environment and Conservation (TDEC) and may be modified to meet their needs.

At the bottom of the first page of the action memorandum, the following text will be presented on each side below a solid line:

Prepared for the U.S. Department of Energy
Office of Environmental Management
By BECHTEL JACOBS COMPANY LLC
Under contract DE-AC05-98OR22700
For the U.S. Department of Energy

This document has received the appropriate reviews for release to the public.

Just under the letterhead, under a solid line, the title of the Action Memorandum will be included, centered, in bold italics text, along with the document number. For example:

***Action Memorandum for the Demolition of the Metal Recovery Facility, Building 3505,
At the Oak Ridge National Laboratory, Oak Ridge, Tennessee
(DOE/OR/01-1843&D1)***

Date of Action Memorandum

1. PURPOSE

State that the action memorandum documents approval of the non-time-critical removal action recommended in the engineering evaluation/cost analysis (EE/CA) (by title and document number) and include the EE/CA as Attachment 1. For instance:

This action memorandum documents selection of the non-time-critical removal action recommended in the Engineering Evaluation/Cost Analysis for the Metal Recovery Facility, Building 3505, at the Oak Ridge National Laboratory, Oak Ridge, Tennessee (DOE/OR/01-1838&D2) (Attachment 1).

2. SITE DESCRIPTION AND CONTAMINANTS

In paragraph form, the Site Description and Contaminants text should include a brief description of the site including the location of the action and historical information regarding the site or facility. Include information about previous actions. This section will also include a summary of the site or facility contaminants as well as information regarding the current condition or status of the site or facility.

3. THREATS TO PUBLIC HEALTH AND THE ENVIRONMENT

In paragraph form, this section will summarize the human health risk and ecological risk posed by the facility or site. This section will also include a summary of the potential for future releases that may cause contaminant releases that could affect human health or the environment. Also, this section should state the consequences of not implementing the proposed non-time-critical removal action.

All Action Memoranda must contain an endangerment determination. Depending on the types of contaminants involved, one of the following two statements must be used:

For removal actions involving hazardous substances:

Actual or threatened releases of hazardous substances from the site, if not addressed by implementing the response action selected in the Action Memorandum, may present an imminent and substantial endangerment to public health or welfare or the environment.

For removal actions involving nonhazardous substances:

Actual or threatened releases of pollutants and contaminants from the site, if not addressed by implementing the response action selected in the Action Memorandum, may present an imminent and substantial endangerment to public health or welfare or the environment.

4. PROPOSED ACTIVITIES

This section will list each activity included in the action in bullet format. For example:

The following activities are included in the removal action:

- *characterization as needed to plan and execute building demolition;*
- *removal and disposition of asbestos, polychlorinated biphenyls (PCBs), and lead (also mercury if encountered); etc.*

After completing the list of activities, the section will include text stating whether there are any other activities at this site that are not within the scope of this action. Indicate how the actions relate to the attached EE/CA.

The final paragraph in this section will include the anticipated removal action accomplishments (e.g., risk reduction) and will summarize how the non-time-critical removal action fits within the remedial action objectives of the overall watershed remediation. Include estimated costs in this section.

5. STATUTORY AND REGULATORY AUTHORITY

In paragraph format, this section will discuss that the removal action is being undertaken by DOE as the lead agency pursuant to CERCLA and should include any project-specific regulatory authority. For instance:

The proposed removal action is being undertaken by the Department of Energy (DOE), as lead agency, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) Section 104 (a) and the Federal Facility Agreement for the Oak Ridge Reservation Section XIII. In accordance with 40 Code of Federal Regulations (CFR) 300.415(j) and DOE guidance, on-site removal actions conducted under CERCLA are required to meet applicable or relevant and appropriate requirements (ARARs) to the extent practicable considering the exigencies of the situation. DOE intends to comply with the ARARs and “to-be-considered” guidance as set forth in Appendix A of the engineering evaluation/cost analysis (EE/CA), when conducting this removal action.

Consistent with DOE’s “Secretarial Policy Statement on the National Environmental Policy Act” (June 13, 1994), DOE has relied on the CERCLA process for evaluation of the proposed activities to be taken and has incorporated the analysis of National Environmental Policy Act of 1969 values into the documentation for this project. In addition, before shipping any hazardous remediation waste to any off-site facility, DOE will verify its acceptability in accordance with the requirements of the “Off-Site Rule” in 40 CFR 300.440(a)(4).

6. PUBLIC PARTICIPATION

In paragraph format, this section will summarize public participation, including the comment period dates. This section will also include statements concerning (1) that notice of the public comment period was provided to local newspapers, (2) whether comments were received, and (3) whether any changes were made to the action as a result of comments received.

7. RECOMMENDATION

In paragraph format, this section will state the endorsement of this removal action by EPA and TDEC. For example:

Both the U.S. Environmental Protection Agency and the Tennessee Department of Environment and Conservation have endorsed the EE/CA for this removal action. Based on the analysis presented in the EE/CA, the recommended action is appropriate and will be implemented in accordance with CERCLA requirements.

Approval

*Group Leader
ORR Remediation Management Group
U.S. Department of Energy
Oak Ridge Operations*

Date

List attachments included by their complete title (*in italics*) and document number. For example:

This action memorandum includes the following attachment:

Attachment 1:Engineering Evaluation/Cost Analysis for the Demolition of the Metal Recovery Facility, Building 3505, at the Oak Ridge National Laboratory, Oak Ridge, Tennessee (DOE/OR/01-1838&D2)