

CITY OF
OAK RIDGE
TENNESSEE



2013
State and
Federal
Legislative
Agenda

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OAK RIDGE CITY OFFICIALS

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This document describes the 2013 legislative and policy agenda adopted by the elected officials of the City of Oak Ridge. These are key projects, policies, and priorities that the City urges the Tennessee General Assembly and the Tennessee Congressional Delegation to support during their legislative sessions.

KEY STATE ISSUES

Legislative Priorities

1. Manhattan Project National Historical Park

Responsible Agency/Organization:

General Assembly, Tennessee Historical Commission, and Tennessee Department of Tourism

Summary:

Federal legislation is expected to be introduced to establish the Manhattan Project National Historical Park in Oak Ridge, TN, Los Alamos, NM, and Hanford, WA (three sites, one park concept). In 2012, State House adopted resolution of support. **Benefits include:** Historical preservation and interpretation by the National Park Service of one of the most significant events in Tennessee and American history. **Action needed:** Urge General Assembly to adopt a Joint Resolution in support of federal legislation to establish the national park.

Projects, Positions, Activities

1. Oak Ridge General Aviation Airport

Responsible Agency/Organization:

Tennessee Department of Transportation (TDOT)
Aeronautics Division

Summary:

The Metropolitan Knoxville Airport Authority is conducting several studies related to the possible development of a general aviation airport at the East Tennessee Technology Park in Oak Ridge. **Benefits include:** Enhanced aviation opportunity will support regional growth, job creation, and economic and community development in Oak Ridge; increase access for business community and reduce congestion at general aviation airports in the region. **Action needed:** Support funding through TDOT for all phases of study and planning; provide support to Metropolitan Knoxville Airport Authority.

2. Edgemoor Road (SR 170) improvements— (Exclusive of Bridge)

Responsible Agency/Organization:

Tennessee Department of Transportation (TDOT)

Summary:

With the cancellation of the Knoxville beltway project, congestion along this major thoroughfare continues to worsen with additional traffic load. The highway needs to be widened and improved. TDOT Average Daily Traffic counts at the nexus of SR170, SR62 and SR162 are among the highest in the region. In 2012, the City of Oak Ridge was added as a member of the Knoxville Regional Transportation Planning Organization (TPO). **Benefits include:** improve safety, significant congestion mitigation, improve access to major employment sectors, and enhance commercial development. **Action needed:** Urge TPO and TDOT to formally integrate project into regional planning and funding profile; work with parties on interpretation of cost sharing rules; begin coordination of rights-of-way inventory.

3. Uranium Processing Facility (UPF)

Responsible Agency/Organization:

General Assembly

Summary:

This year the National Nuclear Security Administration (NNSA) is expected to complete the design, and start construction on the Uranium Processing Facility at the Y-12 site in Oak Ridge. In 2012 the City of Oak Ridge provided testimony in support of the project at a public hearing in Knoxville. **Benefits include:** supports future mission of the Y-12 National Security Complex, one of the state's largest employers; significant risk reduction to workforce and community; enhances Y-12 efficiencies; and reduces long-term costs. **Action needed:** Support funding through the NNSA; the City of Oak Ridge needs to participate in federal and state planning efforts to facilitate project development and implementation.

4. Not in Our City Land Bank Program

Responsible Agency/Organization:

General Assembly

Summary:

Legislation was approved by the General Assembly in 2012 for a City of Oak Ridge pilot program, which was featured in a recent Tennessee Advisory Commission on Intergovernmental Relations report on blight. **Benefits include:** allows the City to assemble, temporarily manage, and dispose of vacant land for the purpose of stabilizing neighborhoods and encouraging reuse or redevelopment of urban property. Such programs are used in several states as

a progressive way for cities to reclaim unused, vacant, or undesirable land for potential housing opportunities or public use. **Action needed:** Obtain 501 status; define housing goals; develop guidelines and implementation opportunities.

5. Brownfield and Vacant Blighted Properties

Responsible Agency/Organization:

General Assembly

Summary:

The City of Oak Ridge continues to experience challenges associated with modernizing WWII-era properties and infrastructure. The East Tennessee Technology Park (ETTP) in Oak Ridge is affected by regulations and policies governing Brownfield development. Likewise, Oak Ridge experiences significant problems associated with vacant, blighted properties. Local governments need assistance in developing financial solutions that return these properties to beneficial reuse. **Benefits include:** potential for private sector investment, stable property values, crime reduction, and reduction in development costs. **Action needed:** Examine tax and fiscal policies that could enhance opportunities for private sector investment and redevelopment of brownfields and vacant, blighted properties. Examine applicable policies in surrounding states that could have potential to assist Oak Ridge and make Oak Ridge properties more competitive.

6. Enhancement Grant to Revitalize Historic Jackson Square

Responsible Agency/Organization:

Tennessee Department of Transportation (TDOT)

Summary:

The City was awarded an enhancement grant in 2012 to support the revitalization of Jackson Square. **Benefits include:** parking and sidewalk improvements, landscaping and green space enhancement, and construction of accessibility ramps. The improvements will support economic and sustainable development at one of Oak Ridge's historic town site properties. **Action needed:** select consultant, continue to engage community, develop additional private sector investment, and advocate programmatic funding to TDOT.

7. Environmental Management Waste Management Facility Perpetual Care Fund

Responsible Agency/Organization:

Tennessee Department of Environment and Conservation (TDEC) in conjunction with U.S. Department of Energy (DOE)

Summary:

The U.S. Department of Energy, the U.S. Environmental Protection Agency (EPA) and TDEC signed a Record of Decision in 1999 to construct the Environmental Management Waste Management Facility (EMWMF) to dispose of materials related to the cleanup of the Oak Ridge Reservation, which is located in the City of Oak Ridge. Under a consent order between DOE and the State of TN, DOE is paying the State \$18 million to establish a permanent trust fund for long-term surveillance and maintenance of the EMWMF after closure. **Benefits include:** Significant cost savings to the Federal Government; enhanced financial assurance for the State. **Action needed:** Establish TDEC requirement to provide an annual report to the City of Oak Ridge regarding the status and valuation of the trust fund.

8. Penalties and Fees for DOE Non-Compliance Should Restore Oak Ridge

Responsible Agency/Organization:

Tennessee Department of Environment and Conservation (TDEC) in conjunction with U.S. Department of Energy (DOE)

Summary:

The Federal Facility Agreement (FFA) between TDEC and DOE lacks a provision requiring that fees for penalties imposed on DOE by the State of TN for violations, such as failing to meet cleanup deadlines on the Oak Ridge Reservation, are used in the Oak Ridge area. **Benefits include:** Avoids penalizing the City of Oak Ridge, Anderson and Roane counties by ensuring that environmental management resources are not taken from Oak Ridge Reservation projects and that remediation is not delayed. **Action needed:** Modification to FFA and other relevant policies to require that penalties, fees, and mitigation associated with CERCLA activities on the Oak Ridge Reservation are invested in environmental restoration in the affected jurisdiction(s).

9. Oak Ridge Reservation Communities Alliance (ORRCA)

Responsible Agency/Organization:

Tennessee Department of Environment and Conservation (TDEC) and Tennessee Emergency Management Agency (TEMA) in conjunction with DOE

Summary:

The City and area county governments adopted the Tennessee Oversight Interlocal Agreement and formed the Oak Ridge Reservation Communities Alliance (ORRCA) in 2012. **Benefits include:** the new agreement and associated grant facilitates involvement of the affected local

governments and public in decisions about DOE environmental management. **Action needed:** Continued cooperation and engagement to ensure local government involvement in federal and state cleanup decisions and emergency response planning.

10. Economic Development Incentives

Responsible Agency/Organization:

General Assembly and Tennessee Department of Economic and Community Development

Action needed:

Maintain the Economic Development Grant, Loan, and Incentive Programs that support economic diversification for the City of Oak Ridge, including “Fast Track” job assistance training and infrastructure programs. Incentivize Brownfield development.

11. Funding for Oak Ridge School System

Responsible Agency/Organization:

General Assembly and Tennessee Department of Education

Summary:

The Oak Ridge educational system is a key asset to the State of Tennessee and to the Oak Ridge community. The City and School administrations continue to collaborate to achieve greater efficiency and effectiveness. However, unfunded mandates imposed by the federal and state governments are having adverse financial impacts at the local level. **Action needed:** The Basic Education Program (BEP) must be fully funded using a local capacity model that recognizes the Oak Ridge community’s investment in education. Provide funding to implement the Tennessee Diploma Project, First to the Top requirements, unfunded mandates, and to assist with capital improvements. Oppose efforts to authorize election of school superintendents.

12. Recognize Local Decision Making Authority and Limited Financial Capacity

Responsible Agency/Organization:

General Assembly

Action needed:

Eliminate unfunded mandates and mandates that impose non-discretionary requirements on local governments.

KEY FEDERAL ISSUES

Legislative Priorities

1. Manhattan Project National Historical Park

Responsible Agency/Organization:

Congress and National Park Service

Summary:

Federal legislation is expected to be introduced to establish the Manhattan Project National Historical Park in Oak Ridge, TN, Los Alamos, NM, and Hanford, WA (three sites, one park concept). In 2012, the City, the Energy Communities Alliance and community representatives testified at House and Senate Committee hearings. **Benefits include:** Historical preservation and interpretation of one of the most significant events in Tennessee and American history. **Action needed:** Urge congressional delegation to pass legislation to establish the park and authorize development of management plan in consultation with the City.

2. Uranium Processing Facility (UPF)

Responsible Agency/Organization:

Congress and the National Nuclear Security Administration

Summary:

This year the National Nuclear Security Administration (NNSA) is expected to complete the design, and start construction on the Uranium Processing Facility at the Y-12 site in Oak Ridge. In 2012 the City of Oak Ridge provided testimony in support of the project at a public hearing in Knoxville. **Benefits include:** supports future mission of the Y-12 National Security Complex, one of the state's largest employers; significant risk reduction to workforce and community; enhances Y-12 efficiencies; and reduces long-term costs. **Action needed:** Urge congressional delegation to support funding through NNSA; the City of Oak Ridge needs to participate in federal and state planning efforts to facilitate project development and implementation.

3. Finish Cleanup of the Oak Ridge Reservation

Responsible Agency/Organization:

Congress and NNSA/Environmental Management office, with support from Office of Science, OMB

Summary:

Significant progress has been made in addressing environmental problems associated with ORR legacy waste. However, the trend over the past several years to reduce funding has resulted in a longer time horizon to

complete environmental management projects, many times with negative results. The postponement of projects at the ETTP site, for example, is detrimental to the reindustrialization and economic diversification goals of the City and region. The City has invested significant resources in reindustrialization; the anticipated return diminished because a reduction in cleanup funds has slowed the transfer of available property. “Mortgage” costs absorb resources that should be applied to additional cleanup. **Benefits of increased funding include:** risk reduction to nearby population, reduction in life cycle costs, enhanced safety for workers, retention of environmental professionals; supports regional economic diversification, facilitates Y-12 and ORNL modernization, reduces stigma associated with environmental legacy. **Action needed:** Urge DOE and OMB to request funding at levels needed to complete timely cleanup of the Oak Ridge Reservation. Urge congressional delegation to support appropriations at the level needed to complete site cleanup. Cleanup solutions should minimize risk to Oak Ridge and avoid long-term institutional controls that stigmatize community.

Administrative Priorities

1. Rebuild Water/Wastewater Infrastructure to Support City Compliance with EPA Administrative Order

Responsible Agency/Organization:

U.S. Environmental Protection Agency (EPA), U.S. Department of Energy (DOE)

Summary:

The City of Oak Ridge is under an EPA Administrative Order to correct violations of the Clean Water Act for inflow and infiltration. DOE is the City’s largest customer, and needs to continue to budget and set aside funding to repair its systems on the Oak Ridge Reservation. **Action needed:** Continued cooperation with DOE on financing needed projects, such as storm water retention basins and raw water pumping stations. Work with EPA to establish a more flexible timeline for implementation of the Order, reducing significant financial impacts to citizens.

2. Small Modular Reactor

Responsible Agency/Organization:

DOE Office of Nuclear Energy

Action needed:

Coordination with DOE’s Oak Ridge Office, the Tennessee Valley Authority, and the Nuclear Regulatory Commission to ensure proper implementation of grant funding and project development.

3. Partnership with Oak Ridge Library

Responsible Agency/Organization:

DOE and National Park Service

Action needed:

Secure support for joint project with the Oak Ridge Library. Project would include mutual support, mutual benefits, and shared responsibilities.

4. ETP Site Interpretation

Responsible Agency/Organization:

DOE EM, NNSA

Action needed:

Begin implementation of Section 106 commitment from DOE for dual use of Oak Ridge Fire Station #4, including space for normal Fire Department operations and space dedicated for site historical interpretation.

5. Timely, Cost Effective Land Transfers

Responsible Agency/Organization:

DOE EM, Science, NNSA, and OMB

Summary:

The Economic Development process requires timely response at the local level to acquire and transfer real property. In some cases, transfer of DOE property has taken in excess of 400 days or has not occurred. **Action needed:** Resolve problems in order to expedite transfer of surplus land and brownfields to the City for the purposes of economic development, at no, or extremely low cost, and with necessary indemnification.

6. Penalties and Fees for Non-Compliance Should Restore Oak Ridge

Responsible Agency/Organization:

DOE in conjunction with State of TN

Action needed:

Need to modify Federal Facility Agreement to require that penalties, fees, and mitigation associated with CERCLA activities in the City of Oak Ridge be invested in environmental restoration in the City of Oak Ridge. Current requirements penalize the City of Oak Ridge.

7. Contract Renewals and Rebids

Responsible Agency/Organization:

DOE and NNSA, Small Business Administration

Benefits include: Live where you work, expansion of local tax base to support municipal services, quality of life, and enhance economic diversification. **Action needed:**

Incentivize contractors to invest in Oak Ridge community.

Work with SBA to identify resources for training and support for local workforce needed for UPF and other DOE projects.

8. DOE Reorganization

Responsible Agency/Organization:

Headquarters and OR Site Office

Action needed:

Ensure access to, and accountability for Oak Ridge Site Office to protect investment and missions. Enhance communications among DOE offices and with Oak Ridge community.

Projects and Potential Funding Sources

1. Information Technology Infrastructure (Fiber-based Broadband Network)

Description: Increase capacity to accommodate co-location and integration of school system/city IT infrastructure, where appropriate, and increase education opportunities for students and community (citywide)

Need: \$2.2 million

Primary Funding Source:

- NTIA's Broadband Technology Opportunities Program (BTOP)
- Dept. of Education's 21st Century Community Learning Centers
- USDA's Community Connect program for rural areas

2. Oak Ridge General Aviation Airport

Description: Comprehensive land use planning and feasibility study for development of a general aviation airport at K-25/ETTP

Need: TBD

Primary Funding Source:

- Federal Aviation Administration, Airport Improvement Program

3. Public Safety Training

Description: Investments in Information Technology Infrastructure to facilitate multisite training of Police, Fire, and EMS. Special needs for school system emergency training.

Need: TBD

Primary Funding Source:

- FEMA's Assistance to Fire Fighters Grant Program
- FEMA's Fire Prevention and Safety Grant Program

4. Not in Our City Conceptual Plan

Description: Focused anti-crime strategy

Need: TBD

Primary Funding Source:

- Department of Justice, COPS Hiring Program
- Department of Justice, COPS Technology Program
- Department of Justice, Secure Our Schools Program
- Department of Justice, Second Chance Program (Adult and Juvenile)
- Department of Justice, Project Safe Neighborhoods

5. Not in Our City Conceptual Plan

Description: Focused Housing strategy

Need: TBD

Primary Funding Source:

- HUD's, Neighborhood Initiatives account
- HUD's Neighborhood Stabilization Program Round IV
- HUD's Choice Neighborhoods Program
- Additional resources for Oak Ridge Housing Authority for redevelopment of units under its authority
- Engagement with HUD's College of Experts to access cutting edge community-wide solutions

6. Region-wide Security

Description: Enhance regional security planning and implementation to protect the DOE's Oak Ridge Complex. Address vulnerabilities presented by City's role in protecting infrastructure

Need: TBD

Primary Funding Source:

- Investments in securing City facilities, with priority on Municipal Building
- Structured commitment to collaborate between DOE's security apparatus and protocols and City's Police, Fire, and other Public Safety Departments

7. Climate Action Plan

Description: Resources to implement recommendations and targets for Oak Ridge Climate Action Plan

Need: TBD

Primary Funding Source:

- U.S. Department of Energy, Energy Efficiency Community Block Grant Competitive Program
Police, Fire, and Public Safety Departments

8. Melton Lake Redevelopment Initiative

Description: Capital infrastructure to transform venue into major tourist and recreational area

Need: TBD

Primary Funding Source:

- U.S. Department of Housing and Urban Development, EDI program
- TVA ; Army Corps of Engineers

9. Smart Grid

Description: “Smart” meters installed at premises to educate ratepayers on energy conservation measures

Need: TBD

Primary Funding Source:

- U.S. Department of Energy, Energy Efficiency Smart Grid Program

10. Fire Department Equipment

Description: Updated personal protective equipment

Need: TBD

Primary Funding Source:

- FEMA’s Assistance to Fire Fighters Grant Program (AFG)

11. Traffic Light Signalization

Description: Coordination on traffic lights to address air quality attainment issue

Need: TBD

Primary Funding Source:

- USDOT’s Congestion Mitigation and Air Quality (CMAQ) Program

12. Community Infrastructure

Description: Wastewater and sewer needs for increased commercial and residential development

Need: TBD

Primary Funding Source:

- Funding from Army Corps of Engineers under 2007 WRDA Authorization for wastewater infrastructure
- U.S. Environmental Protection Agency, State and Tribal Assistance Grants (STAG) discretionary grants
- Alignment of implementation schedule set by EPA for sewer discharges with City resources

13. Economic Development Planning

Description: Enhance Oak Ridge’s marketability to major employers. Recruit, incentivize, and retain quality retail commercial businesses

Need: TBD

Primary Funding Source:

- Economic Development Administration, Planning and Technical Assistance Program

**Resolution to adopt the
City of Oak Ridge
2013 State and Federal
Legislative Agenda
approved by
Oak Ridge City Council
January 14, 2013**

NUMBER 1-6-2013

RESOLUTION

A RESOLUTION TO ADOPT THE *CITY OF OAK RIDGE, TENNESSEE 2013 STATE AND FEDERAL LEGISLATIVE AGENDA* TO INFORM STATE AND FEDERAL OFFICIALS OF KEY PROJECTS, POLICIES, AND PRIORITIES IN THE CITY OF OAK RIDGE, AND TO HELP SECURE FUNDING FOR AGREED UPON PRIORITIES OF THE COMMUNITY.

WHEREAS, the Oak Ridge City Council desires to develop a state and federal legislative agenda as an instrument to inform state and federal officials of key projects, policies, and priorities in the city of Oak Ridge, and to help secure funding for agreed upon priorities of the community; and

WHEREAS, the City Manager recommends the approval of the *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* to inform state and federal officials of key projects, policies, and priorities in the city of Oak Ridge, and to help secure funding for agreed upon priorities of the community; and

WHEREAS, the City understands that a local financial match may be required for some projects; and

WHEREAS, while the *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* is intended to be comprehensive, issues may arise during the course of the year that require further action.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the attached *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* is hereby adopted to inform state and federal officials of key projects, policies, and priorities in the city of Oak Ridge, and to help secure funding for agreed upon priorities of the community.

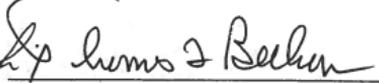
BE IT FURTHER RESOLVED that the Mayor or City Manager is hereby authorized to execute the appropriate legal instruments to accomplish the same.

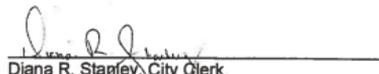
BE IT FURTHER RESOLVED that the *City of Oak Ridge, Tennessee 2013 State and Federal Legislative Agenda* be transmitted to members of the Tennessee General Assembly and the Tennessee Congressional Delegation as the official 2013 state and federal legislative agenda for the City of Oak Ridge.

This the 14th day of January 2013.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Thomas L. Beehan, Mayor


Diana R. Stapley, City Clerk

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