

February 15, 2012

Ms. Sue Cange
Acting Manager
U.S. DOE ORO-EM
PO Box 2001
Oak Ridge, TN 37831

Dear Ms. Cange:

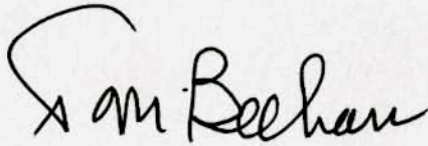
Consensus Position on Proposed Final Memorandum of Agreement for Site Interpretation of the East Tennessee Technology Park

We the undersigned respectively request that the Department of Energy (DOE) modify its *Final Memorandum of Agreement for Site Interpretation of the East Tennessee Technology Park* published by DOE on February 1, 2012 by replacing the proposed stipulations on pages 3-7 with the revised stipulations attached to this letter. These revised stipulations would then drive appropriate revisions to the proposed *Final Mitigation Plan*.

We strongly believe that the modest changes requested in these revised stipulations are consistent with agreements that all parties signed in previous Memorandum of Agreements and that each individual stipulation plays a vital role in telling the full history of the site. The signatories to this letter have worked diligently to reach consensus on these revised stipulations; furthermore, we believe that these revised stipulations present a balance between the budget constraints facing the DOE and ensuring that the historic legacy of K-25 is appropriately preserved.

We appreciate the hard work that DOE and its consultants have performed in developing the proposed *Final Mitigation Plan* and believe the recommended changes will ensure that visitors in the future receive a proper understanding of the pivotal role that the site played in American and world history.

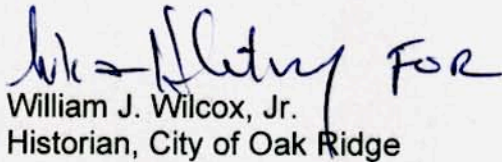
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Tom Beehan
Mayor, City of Oak Ridge
On Behalf of Oak Ridge City Council



Scott Brooks
President, East TN Preservation Alliance



William J. Wilcox, Jr.
Historian, City of Oak Ridge



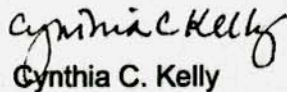
Lawrence T. Young
President, The Community Reuse
Organization of East Tennessee



Katy Brown
President, Oak Ridge Convention
& Visitors Bureau



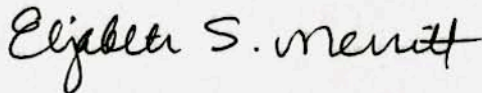
Parker Hardy
President, Oak Ridge Chamber of
Commerce



Cynthia C. Kelly
President and Founder, Atomic
Heritage Foundation



David Bradshaw
President, Oak Ridge Heritage and
Preservation Association



Elizabeth S. Merritt
Deputy General Counsel, National
Trust for Historic Preservation

STIPULATIONS

DOE EM shall ensure the following measures are carried out:

1. Shall dedicate all of the area located inside the road that currently surrounds the K-25 Building for commemoration and interpretation activities, exclusive of DOE-mission essential facilities (e.g., K-1600). No future surface development of the dedicated site will take place unless it is related to these activities. Subsurface development, such as for utility easements to support efforts such as Reindustrialization, would be permitted. Above-ground easements may also be permitted provided there is no interference with the viewscape. If ownership of the area is transferred, deed covenants that restrict its use to commemoration and interpretation uses will be applied. While the road surrounding the footprint may be used for commemoration and interpretation activities, it may be used for other purposes as well.
2. Shall retain the concrete slab under the K-25 Building during D&D pending completion of an examination to determine the contamination levels on and beneath the slab as well as short- and long-term costs associated with leaving, covering, or removing the slab. If these investigations determine the slab can be safely and cost effectively left in place and exposed for public access, it may be integrated into a comprehensive design solution for demarcating the building footprint (Stipulation 3).
3. Shall conduct a procurement for a professional design team with experience interpreting historic sites to prepare a design solution that will (a) effectively delineate the dedicated site (Stipulation 1) to show the scale and unique "U" shape of the K-25 gaseous diffusion process building, including the use of materials salvaged from ETTP; (b) design a building for the display of authentic process gas equipment (the "Equipment Building") (Stipulation 4); (c) design a viewing tower for site observation (the "Viewing Tower") (Stipulation 5); (d) design the K-25 History Center to be located in the Fire Station at ETTP (the "Fire Station Building") (Stipulation 9); (e) design a display of representative operating floor equipment (Stipulation 7); and (f) design the low-profile National Park Service standard type wayside exhibits (Stipulation 11). Each of the design items (a) through (f) above is a critical and necessary element of this Mitigation Plan. Each of the design elements (a) through (f) shall be carried out so as to give future visitors an effective experience of that part of the history of the K-25 Site
4. Shall design and acquire or construct the Equipment Building to display Manhattan Project and Cold War equipment, which will be declassified, decontaminated, and displayed. Execution of this stipulation will rely on the expertise of a professional design team (Stipulation 3), but at a minimum will include space in the Equipment Building to

display the following collection of equipment (all of which were included in the Bridge MOA):

- a. At least 13 Size 2 compressor assemblies, railings, steps, and other signage to recreate a Process Alley (note: this is a reduction in compressor assemblies from the Bridge MOA number of 25);
- b. A Size 2 Cell and all associated major equipment, control valves, and connecting piping;
- c. One example each of the 0, 00, and 000 converters and axial compressors with motors and one 40-foot centrifuge casing.
- d. Other equipment may displayed as it is identified (Stipulation 8).

This equipment will be displayed in the context of a process alley so that visitors (some being non-technical) can walk down the alley and experience what the wartime plant actually looked like in operation.

The Equipment Building will provide space for ingress, egress, video surveillance, miscellaneous storage, viewing and explaining the equipment, and will take into consideration the potential for expansion and the relationship of the structure to the Fire Station Building, where additional authentic artifacts, oral histories, and other displays will be featured.

5. Shall design and construct a dedicated Viewing Tower. The Viewing Tower may make use of an existing facility or be a new facility; the design team (Stipulation 3) will determine the best location and attribution of the tower, which will have a height adequate to provide a view of the size, scale, and proportion of the unique "U" shape of the mile-long K-25 building footprint.
6. Deleted.
7. Shall preserve and display either in the Equipment Building or Fire Hall Building representative Operating Floor equipment that will be identified (Stipulation 8).
8. Shall conduct a review of the full inventory of all equipment and artifacts, especially the equipment identified for preservation in the Bridge MOA, which includes the equipment and materials collected to date and those not yet collected. The review will be conducted by a team that includes a museum professional, a historian who meets the Secretary of Interior's Historic Preservation Professional Standards, a photographer, and subject matter experts with information about the history and use of particular artifacts, and a DOE representative. The review will determine the most appropriate and feasible

equipment and artifacts to display at the Equipment Building (Stipulation 4) and in the Fire Hall Building (Stipulation 9) and possibly elsewhere. Equipment and artifacts not selected for retention and/or display may be loaned to third parties, such as the National Park Service, the Smithsonian, or other Oak Ridge based venues for use in their museum collections if they are determined to be an appropriate and secure repository; however, ownership will be retained by DOE.

9. Shall initiate discussions with the City of Oak Ridge regarding the K-25 History Center to be located on the second level of the Fire Station at ETTP with possible expansion into other areas of the station as made available by the City of Oak Ridge, and in consultation with the City of Oak Ridge, shall obtain the services of a museum professional to design the exhibits and displays for the History Center. Input on the design of the exhibits, displays, and other means to interpret the site's history within a museum context will also be obtained from the Oak Ridge Heritage and Preservation Association/Partnership for K-25 Preservation. The History Center's exhibits will be professionally designed and constructed to utilize authentic equipment, artifacts, and other media to facilitate access to oral histories, film and video, and provide a kiosk to access the K-25 Virtual Museum (Stipulation 10). The DOE will continue to support the Center for Oak Ridge Oral History located at the Oak Ridge Public Library to provide oral histories to the K-25 History Center.
10. Shall sponsor the development and maintenance of a web-based K-25 Virtual Museum. The K-25 Virtual Museum will include multi-media opportunities for viewing, learning, and researching aspects of the K-25 site and its history. The Virtual Museum will use an interactive map of the site where a viewer can click on a building or area that will open up to a menu of information types. Menu types will include, but not be limited to, photographs (archival and recent), oral histories, drawings and plans, videos, descriptive materials of the buildings purposes and functions, and keyword searches. Additionally, users will be able to make their own contributions to the archive through a Digital Memory Box (DMB) that will use electronic multimedia to collect, preserve, and present the stories and digital records of former workers and their families. The DMB will contribute to the ongoing effort by DOE to preserve K-25's history by collecting first-hand accounts, on-scene images, and blog postings.
11. Shall sponsor the preparation, design, installation, and maintenance of 12 low-profile National Park Service standard wayside exhibits to use in coordination with a self-guided tour brochure (Stipulation 12). A DOE ORO K-25 Historic Preservation Coordinator (Stipulation 14) will work with the Oak Ridge Heritage and Preservation Association/Partnership for K-25 Preservation to determine the most appropriate content and location for the exhibits. As a part of this Stipulation, the DOE shall give

consideration to utilizing the bricks and salvaged Clean-Out Doors from the S-50 Boiler House Chimneys in designing, constructing and installing a wayside exhibit dedicated to the S-50 site and for other possible exhibits/displays elsewhere in the city.

12. Shall prepare and publish a self-guided tour brochure for ETTP and its immediate surroundings. The brochure, which will supplement the wayside exhibits described in Stipulation 11, will include a map of the site area, photographs of the site over time, a map of the wayside exhibit locations, and other points of interest, such as the site of the K-25 Building, K-25 History Center, Viewing Tower, and the Equipment Building.
13. Following the execution of the MOA by all signatory parties, DOE shall provide a grant in 2012 to East Tennessee Preservation Alliance (ETPA) or its fiscal agent, Knox Heritage, Inc., for purchase and stabilization of the Alexander Inn (also known as the Guest House) as partial mitigation for the adverse effects at the ETTP site during the site remediation. The purpose of the grant is to support the preservation of the Alexander Inn and to transition the Alexander Inn to a private developer for economic benefit to the community. The Department will provide \$350,000 for purchase of the property, and an additional \$150,000 for building stabilization activity. Within 180 days of receipt of the grant, ETPA will finalize the purchase or other acquisition of the Alexander Inn by ETPA or Knox Heritage or by a private owner. The funds may be used to acquire the Alexander Inn, including payment of any closing costs related thereto, or for acquisition and foreclosure of the first mortgage on the property. Furthermore, the funds may be used to stabilize the building. The sale of the Alexander Inn to private ownership or end user shall include or require a historic preservation easement for the external building to protect the historic and cultural values of the building. The City of Oak Ridge agrees to work with ETPA and the private owner in developing an acceptable schedule, not to exceed 365 days from date of purchase, for bringing the Alexander Inn into compliance with all city ordinances. In the event the ETP A is unable to finalize the purchase and sale of the Alexander Inn in the agreed upon amount of time or any extended period approved by DOE, the grant will be refunded in full to DOE (less, in the event of foreclosure, any funds paid or costs incurred in connection with the foreclosure).
14. Shall appoint a K-25 Historic Preservation Coordinator. The Coordinator will be responsible for implementing the Stipulations in this MOA according to the Execution Plan and schedule appended to this MOA.
15. Monitoring Progress: Twice per year, the K-25 Historic Preservation Coordinator will submit a progress report to all signatory parties and the general public. The report will summarize all work accomplished during the reporting period and identify concerns with

future efforts. At the completion of all stipulations, the Coordinator will submit a final report to all signatory parties.

16. **Funding:** The K-25 Historic Preservation Coordinator will continue to develop scopes of work and estimated costs for the mitigation stipulations. DOE shall submit on an annual basis, through established channels, appropriate budget requests to the Director of the Office of Management and Budget that adequately address agreed upon schedules for implementation of this MOA. The stipulations identified in the MOA shall be recognized by the Department as measures necessary to comply with the National Historic Preservation Act. The completion of all stipulations contained in the Final MOA and their implementation pursuant to the schedule in the Execution Plan appended to this MOA is subject to annual Congressional appropriations.
17. **Amendments:** Any signatory to this MOA may propose to the other signatories that it be amended, whereupon the signatories will consult in accordance with 36 *CFR* Part 800.6(c)(7) to consider such amendments.
18. **Dispute Resolution:** Should any signatory to this MOA object to any action carried out or proposed by DOE with respect to the implementation of this MOA, DOE ORO shall consult with the signatory party to resolve the objection. If after such consultation DOE determines that the objection cannot be resolved, DOE shall forward documentation relevant to the objection to the ACHP, including the DOE proposed response to the objection. Within forty-five (45) days after receipt of all pertinent documentation, the ACHP shall exercise one of the following options:
 1. Advise DOE that the ACHP concurs in DOE ORO's proposed final decision, whereupon DOE shall respond accordingly;
 2. Provide DOE with recommendations, which DOE ORO shall take into account in reaching a final decision regarding its response to the objection; or
 3. Notify DOE ORO that the objection will be referred to the ACHP's membership for formal comment and proceed to refer the objection and comment within forty-five (45) days. The resulting comment shall be taken into account by DOE ORO in accordance with 35 *CFR* Part 800.7(c)(4).

Should the ACHP not exercise one of the above options within forty-five (45) days after receipt of all pertinent documentation, DOE may assume the ACHP's concurrence in its proposed response to the objections. DOE ORO shall take into account any ACHP recommendation or comment provided in accordance with this stipulation with reference

only to the subject of the objection; DOE ORO's responsibility to carry out all actions under this MOA that are not the subject of the objections shall remain unchanged.

19. Termination:

1. If DOE ORO determines that it cannot implement the terms of this MOA, or any of the other signatory parties determines the MOA is not being properly implemented, the objecting party may propose to the other parties to this MOA that it be terminated.
2. The party proposing to terminate this MOA shall notify all consulting parties to this MOA explaining the reasons for termination and affording them at least 30 days to consult and seek alternatives to termination.
3. Should such consultation fail and the MOA be terminated, DOE ORO shall either consult in accordance with 36 *CFR* 800.6(a) to develop a new MOA or request the comments of the Council pursuant to 35 *CFR* 800.7(c).

Execution of this Agreement Document and implementation of its terms serve as evidence that DOE ORO has afforded consulting parties a reasonable opportunity to comment on the measures proposed to address the adverse effects resulting from D&D of K-25 and K-27 at ETTP, where both facilities are eligible for inclusion in the National Register of Historic Places, and that DOE ORO has taken into account the effects of this undertaking on these historic properties.