

**Roane County Environmental Review Board (RCERB)
September 6, 2012 Meeting Minutes—Provisional**

Members Present:

Mary Anne Koltowich, Vice Chair
Dave Reichle
Gail Okulczyk, Recorder

Members Absent:

Frank Kornegay
Brian Niekerk

Guests:

Ron Berry, County Commissioner, District 1
Glen Cofer, Roane County Building Inspector
John Griffin, Director Roane County Animal Shelter
Scott Stout, Roane County Emergency Management

Agenda: Approved (see attached)

Public Comments: None.

Proceedings:

The RCERB meeting was called to order at 6:00 p.m. by Vice Chair Koltowich.

The September 6, 2012 agenda was approved and adjusted to accommodate guest speaker, District Attorney Russell Johnson.

District Attorney Russell Johnson addressed RCERB members. Other Roane County governmental offices were represented, including the Zoning office and Animal Control. DA Johnson opened with an overview of his background that included his collegiate studies in environmental law. DA Johnson represents the 9th District for Loudon, Morgan, Meigs, and Roane Counties and showed the RCERB a monthly calendar schedule that showed the court sessions. There are five (5) assistant district attorneys that support the DA.

The RCERB was interested in how cases regarding illegal dumping, littering, and animal issues, are processed in the court system. The General Sessions court (Judges Wicks and Humphries) handles these cases; those with no resolution reached are then forwarded to Criminal Court (Judge Eblen). DA Johnson explained that while cases recorded in the public records, most often published in the newspaper, as “dismissed” are really quite costly to the defendants. Under the Circuit Court Clerk’s office, a “Collections Court” has been established to ensure court costs or fines levied are collected. Zoning issues are handled through the Chancery court (Judge Williams).

The RCERB was also interested in the financial impact meth labs are having on the County. Because of the “rolling” meth labs (the manufacture of the meth in vehicles or other portable labs), the County is not seeing as many buildings requiring decontamination. The ability to perform cleanup was impacted by a reduction in federal funding, but because of the rolling labs, the costs are lower.

Enforcement actions were also discussed. DA Johnson stated tighter enforcement would be directed from the County Commissioners.

Discussion participation with DA Johnson and other County offices provided valuable information and the RCERB offered any assistance the offices might need.

After DA Johnson’s presentation and discussion, the RCERB resumed business items on the agenda. A motion was made and seconded to accept the August minutes as amended.

Additional Business:

1. TVA Engineering Evaluation/Cost Analysis (EE/CA)

Ms. Koltowich created a Summary Fact Sheet related to the EE/CA to provide to the County Executive and County Commissioners during their monthly meeting on September 10. Executive Woody has provided Ms. Koltowich a portion of his County Executive's Report time to distribute the summary and discuss the significant points.

Ms. Koltowich formally requested and received a 30-day extension to the EE/CA comment period.

Several discussion points based on Ms. Koltowich's summary were:

- What did TVA base the costs on to determine the breakdown of monitoring costs? The Project Manager for the monitoring and sampling was listed at \$250K, however it is not well understood how that salary was derived.
- Is a 30-year monitoring program an EPA mandate? At this time, some members of the RCERB think 30 years of monitoring is excessive. The planning level estimates for the monitoring listed an accuracy range of -30% (minus) to +50% (plus), which does not provide any accuracy, although the EE/CA categorized this as the "range of cost accuracy."
- Are the costs considered for replacing riprap/capping material due to scouring or other events where the material has moved? The RCERB discounted any efforts for capping and would not make a EE/CA recommendation as an alternative.
- What are the mercury and cesium levels in the shallow areas of the Emory River? During low Emory flow, the Kingston Steam Plant intake suction causes the Clinch River to back into the Emory. The EE/CA shows the cesium; however, it cannot be determined how close sampling was done right along the shorelines.
- Would TVA/EPA consider a modified Alternative 3 "Dredging and MNR"? The RCERB thought that areas around residential boat docks, shoreline, and swimming areas could benefit a wet vacuum system, rather than using dredges. It was not apparent that an effort to sample and measure ash depth were conducted in the shallow areas, including boat docks or recreational areas such as the small islands, of the Emory.
- What are the risks in shallow areas if only 50 acres are dredged since the contaminants are "at depth." The RCERB questioned how extensive are the cesium, PCBs, and mercury sediments in these areas.

It was suggested that the RCERB meet with the Citizen's Advisory Board for a joint meeting to discuss each organization's position and obtain a general consensus of comments for formal submittal to the EE/CA.

8:15 p.m. – Adjourn.

Respectfully Submitted,
Gail Okulczyk
2012 Roane County ERB Recorder

Attachments: September 6, 2012 Agenda –

Meeting Agenda September 6, 2012; 6:00 P.M.
Roane County Environmental Review Board

- 6:00 Call to Order
- 6:01 Approval of Agenda
- 6:02 Program: District Attorney Russell Johnson
- 7:00 Approval of August 13, 2012 RCERB Meeting Minutes
- 7:05 Public comment time
- 7:10 Roundtable Discussions –
 - A) Focus on the TVA EE/CA

- 7:30 Adjourn

Documents Received (July to Present—see Note below):

- 08-29-12 State of TN Notice of Intent for EnergySolutions Hazardous Waste Storage and Treatment Permit (this is the one ES waited for over three years to have the State approve)
- 08-28-12 State of TN Public Notice DSSI Site Specific Test & Performance Evaluation Plan (thermo destruction of mixed & LL wastes)
- 08-28-12 State of TN Public Notice for DOE/UCOR/Wastren for Class 1 Mod change to Permit TNHW-145
- 08-20-12 State of TN Notice of Final Decision to Terminate a Corrective Action Order for NuSAFE (received no public comment and no attendance at meeting)
- 08-16-12 State of TN Public Hearing and Notice of Intent for a Solid Waste Disposal Facility with public comment period ending 10-3-12. Suggest that ERB compare our comments to this permit
- 08-07-12 State of TN Public Hearing for Termination of Haz Waste permits at ETPP for DOE/URS
- 07-31-12 State of TN Public Notice for Class 1 Mod change to Permit TNHW-145 (no issues of ERB concern)

Attachments

None.

NOTE: Recap of RCERB Meetings

- April 5, 2012 Quorum, prior to TVA Workshop
- May 3, 2012 Quorum, prior to TVA Workshop, Minutes approved via email
- June 7, 2012 No Quorum, prior to TVA Workshop
- July 5, 2012 Cancelled due to Holiday
- August 13, 2012 Quorum, short meeting prior to Commissioners Meeting