

## Roane County Environmental Review Board

Meeting Minutes: February 18, 2016

### Attendance, Board Members (and prospective members)

Present	Absent	
X		*Tom Brown, General Member
X		*Carolyn Granger, County Commission Representative
X		*Scott Gregory, Vice-Chairperson
X		*Mary Anne Koltowich, Recorder
X		*David Martin; Chairperson
X		*David Reichle, General Member
	X	Colton Rue, Prospective Student Member
	X	Scott Stout, County Executive's Office Representative
X		*Allen Townsend, General Member
X		David Wasilko, Student Member
X		*Dennis Wilson, General Member

\*Voting Member

Quorum Present: Yes (8/8)

### Other Attendees

Martha Ann Deaderick, member of ORSSAB  
Glen Cofer, Roane County Building Official  
Renee Crowe, Roane County Planning/GTS

### Meeting Location

Roane County Courthouse, Qualls Commission Room

### Proceedings

**Call to Order.** Chairperson Martin called the meeting to order at 6:00PM.

**Approval of Agenda:** A motion was made to approve the February 18, 2016 agenda by DWilson and 2<sup>nd</sup> by TBrown. Vote to approve unanimous.

**Approval of Meeting Minutes:** A motion was made to approve the December 3, 2015 meeting minutes as submitted and reviewed via email by DWilson and 2<sup>nd</sup> by TBrown. Vote to approve unanimous.

## Public Comment Period:

- Martha Ann Deaderick with the ORSSAB is going to Washington DC for the Environmental Justice Conference. One of the topics of concern is that people are exposed to peril, but do not have any input to situations that can create the peril. DMartin requested the RCERB be copied on the trip report.
- Mary Anne Koltowich presented an award plaque to Tom Brown for his community involvement and service to Roane County Habitat for Humanity during the last house build, which has been recently completed.
- Carolyn Granger reported on Tiger Haven. Two citizens attend every Commissioner's meeting to protest the Tiger Haven facility, and these two individuals believe the RCERB is in league with the Commission. Carolyn Granger informed the Commission (and the two individuals) that the RCERB had requested TDEC to do water sampling. At this time, the Commission has no avenue for further action against Tiger Haven, which is under the jurisdiction of the Tennessee Wildlife Resources Agency (TWRA). Glen Cofer discussed his recent involvement due to the fencing issue. Dave Reichle expressed the opinion that TDEC has been irresponsible regarding Tiger Haven; TWRA does not regulate water quality. It was noted the County Executive has also requested water quality testing. Dave Martin reported that TDEC is doing water sampling at Tiger Haven this spring as a result of the meeting between the RCERB and concerned citizens a few months ago.

## Board Business.

- A. Scheduled Program: Glen Cofer and Proposed Lighting Ordinance for Roane County. GCofer handed out two documents: 1) Revoked Resolution 06-07-01; and 2) Model Lighting Ordinance (MLO) with User's Guide dated 6/15/11. The following points were made during the discussions:
- A written lighting ordinance needs to be common sense and have the ability to be enforced
  - Lighting restrictions would be broken down by Zoning
  - Lumens is the way to measure as light fixtures have lumen ratings (not use foot-candles)
  - Rural/agricultural-not so much as type of lighting, it is amount of lighting
  - Downtown-not so much as amount of lighting, it is type of lighting. Need to get rid of uplighting.
  - Volkswagon would meet/exceed the MLO now
  - Cost is minimal impact, results in utility savings
  - Main problem now is there is NO regulation
  - Existing fixtures in/for businesses would be "grandfathered"

- Apply to new construction, replacements, re-models. New or fully replaced fixtures would need to meet new codes
- Street lighting would be exempted
- Street signs to not bleed off premises, includes portable signs also. Any light fixture used for signs would have to be directed onto the sign without excessive spillover of light. (Note some portable signs and many permanent signs are lit from within and/or have external blinking bulbs)
- Need to work with electrical inspectors is a question. Most likely not, but would recommend bringing in Rockwood Electric Utilities (REU) to consult.
- County buildings should be a model to show others
- Dollar General in Midtown source of most complaints; new Dollar General to be built south of the river.
- Path forward: 1) RCERB to make a list of talking points based on the above; 2) meet with the Planning Commission and Roane Alliance to present proposing new lighting ordinances and encourage them to be “sponsors” and support approval; 3) if the support requested in 2) above is obtained, Glen Cofer will be requested to take the MLO and rewrite to fit Roane County (6-8 weeks to draft and obtain County Attorney review; 4) Involve Ron Woody, County Executive, to help provide direction to the Planning Commission; 5) upon passing the Planning Commission, request approval by the County Commission.

- B. Part A and Part B Hazardous Waste Management Permit Applications by Horsehead Corp., Rockwood, TN: A white paper summarizing the history, purpose, past TDEC/EPA violations, and corrective actions regarding this facility had been previously sent to RCERB members via email by MAKoltowich. Horsehead has invested over \$7M in upgrades to improve operations and correct past deficiencies. Discussion resulted in no further action is required; RCERB has no cause to recommend non-approval of the proposed permits.
- C. Clinch River Superfund Site (American Craft Paper): DMartin, DWilson, MAKoltowich attended the EPA tour of the site and subsequent public meeting on January 14, 2016 in Harriman. EPA presented two options: 1) Do nothing as the site does not present any further contamination requiring cleanup; 2) Spend approximately \$1.1M to remove the last remaining underground storage tank (contained fuel oil for heating), repair the significant wash-out on the Emory River, and demolish building foundations with grading to essentially level the land to prevent significant runoff into the river. A few of the RCERB members submitted their own letters as private citizens via email to EPA as to their recommendations. There was not enough time left in the public comment period for the RCERB to meet and make a Board-central recommendation.
- D. DOE Proposed EMDF Site and Ferguson Report: A white paper summarizing the Ferguson report had been previously sent to RCERB members via email by MAKoltowich. The Ferguson report was commissioned by the Oak Ridge Communities Alliance (of which Roane County is a member) to provide a technical and socio-economic evaluation of the proposed siting of DOE's EMDF

as a new landfill facility. DOE expressed that significant amounts of “clean” fill is needed to fill voids in managing the current EMWFM landfill and would need “clean” fill material for road access points/ramps for the new EMDF. MAKoltowich has suggested verbally to both DOE and TVA to work out an arrangement to use gypsum/fly ash being deposited at the TVA Bull Run and Kingston Fossil Plants as fill for the DOE landfills, instead of buying clean dirt from Loudon County. MAKoltowich to define and write a set of significant points to support further discussion and recommendations. DMartin, DWilson, and MAKoltowich reported on the tour of the DOE landfill sites taken January 19, 2016.

E. Upcoming DOE Advisory Board Meeting in Oak Ridge, April 2016: Martha Ann Deaderick, ORSSAB, is asking for suggestions on topics/questions to be brought forth. Of particular concern now:

- At Moab, Utah, mine tailings are being taken off-site for disposal. Is that justified? Why are these materials not kept on site? Oak Ridge desires to use onsite disposal as opposed to shipping off-site.
- Another rad waste disposal option is to make 10,000 ft. deep borings. Should this disposal method be used?
- Uranium-plutonium oxide (MOX) spent fuel from Savannah River is now going to WIPP. This needs addressing as WIPP will run out of room to dispose of US spent fuel.

F. TVA Ash Impoundment Draft Environmental Impact Statement (EIS): Several of the members of the RCERB attended TVA’s public workshop at the Roane County High School on February 4, 2016. TVA summarized its position on two options for the closure of two ash impoundments (6-acre sluice trench and 25-acre settling basin). The two options are: 1) Closure-in-Place using modified landfill techniques and 2) Closure-by-Removal to dispose of residual CCRs and then use clean fill. Three issues were discussed:

- TDEC needs to require post-closure monitoring and maintenance (currently not required if closure accomplished by April 2018) for Closure-in-Place.
- Dust management using best management practices (BMPs) is imperative. Vehicles carrying fill or CCR materials need undercarriage wash before leaving the site to prevent the spreading of mud and dust on the roads.

It was decided that RCERB needs to make recommendations to TVA on the above. Motion was made by DWilson, seconded by DReichle. Vote to approve was unanimous.

**Action Item: TBrown to draft a letter to TVA on the above recommendations and submit it for RCERB review.**

G. Nature Walks on the DOE ORR: DMartin encouraged the audience to participate on these walks as they are not only very informative, but enjoyable to see our natural environment.

H. Update on ETP Zone 1 Soil Remediation: Draft on proposal is being circulated; still awaiting public comment notice and hearing.

I. Recommendation on Power+: DWasilko has presented information on this initiative to restore abandoned mine lands (AML). There is \$1B in funds already in trust to put to use to restore these lands. This is the one remaining pillar of the 4 originally proposed. Harold Rogers, (R) Kentucky, US House of Representatives is the sponsor and has submitted the Reclaim Act (H.R. 4456). It is suggested to encourage a Tennessee Representative (this would be Chuck Fleischman for both Morgan and Roane Counties) to also support and co-sponsor the bill. There are several mine sites pending in adjoining Morgan and Cumberland Counties (those in Roane appear to have completed remediation). Side note by Recorder: Three democratic and three republican House Representatives are now co-sponsoring this bill as of 2/23/16 (2 Pennsylvania, 2 Virginia, 1 Oklahoma, 1 West Virginia). A number (26) of citizen groups and municipalities are in support.

**Action Item: DWasilko is to draft a letter that supports recommendation of this bill for the RCERB to review and propose that the RCERB, along with Ron Woody, County Executive endorse the letter.**

J. Public Comments concerning alleged environmental impacts associated with Tiger Haven: Further discussion continued regarding the issues at Tiger Haven. Glen Cofer provided some more information in saying the County went to court and lost. Tiger Haven is now limited to two land parcels and cannot expand. The County now has authority over new construction and can cite for trash. The County and Tiger Haven are working on a signed agreement. There is a need to get Tiger Haven in a more neighborly culture and get them out of the “defensive posture” (understandably). The current question is what happens if the Foundation ceases to exist. Does the property and animals revert to TWRA, the County? Should the facility be bonded to cover this possibility?

K. New Business

- Dave Reichle expressed his concern over the milfoil in Watts Bar Lake. How is TVA going to manage this problem?
- Joyner Salvage Yard – there appears to be some activity. It has been said that DOE has done its part of the cleanup.
- It was suggested an RCERB be assigned to regularly check the TDEC website for new information regarding Roane County. (either Vice Chair or Recorder)

#### **Documents Received:**

- Review of City of Oak Ridge, TN Community Impact Assessment of the US DOE Proposed Environmental Management Disposal Facility (Ferguson Report dated September 4, 2015)

- Draft Ash Impoundment Closure Environmental Impact Statement, Parts I and II, Prepared by TVA, December 2015

**Other Meetings Attended (not included in the above):**

- EM Committee, ORSSAB, January 27, 2016 – DOE Follow on Discussion of January 13 ORSSAB Presentation on Waste Management on the Oak Ridge Reservation
- ORSSAB, February 10, 2016, Primary Presentation – DOE ORR Groundwater Monitoring Program

**Next Meeting.** The next board meeting is scheduled for March 3 at the Roane County Court House.

**Meeting Adjourned:** 8:00 PM.

Attachment

RCERB February 18, 2016 Meeting Agenda

**Agenda for Thursday, February 18, 2016**  
**Roane County Environmental Review Board**  
**Roane County Court House**  
**Commissioners Meeting Room**

**6:00 PM - Call to Order, Introductions and Chair's Comments**

The next meeting will be on March 3, 2016 at the Roane County Court House. Gene Robertson with the local office of the National Resources and Conservation Services (NRCS) has agreed to come in and talk with the Board on problems with surface water runoff into the local watersheds and the available programs to mitigate these problems.

**6:02 PM - Changes to and approval of the agenda**

**6:05 PM - Approve/changes December Minutes**

**6:08 PM - Public Comment Period**

**6:10 PM - Round table discussion on proposed outdoor lighting code for new construction with Mr. Glen Cofer with Roane County Building Code Inspections.**

**6:45 PM – Board Business**

- Part A and Part B hazardous waste management permit applications for Horsehead Corporation, Rockwood, TN. MK
- Public meeting on final actions for the Clinch River Superfund Site (American Craft Paper). DW, DM, MK
- Ferguson Group Report on the sighting and possible community impact of a proposed low level waste disposal site that the DOE wants to build on the DOE OR Reservation. Concurrent with this the Board also received a copy of the statement and inquiry sent to OR DOE-EM by the City of Oak Ridge regarding the proposed disposal sites.
- January tour of the proposed land fill sites at OR DOE Reservation. DW, MJ, DM
- Suggestion for questions for the upcoming DOE Advisory Board meeting to be held in Oak Ridge during April. This was suggested by Martha Deaderick, friend of the RCERB and ORSSAB member. MD, DW, SS
- Public Meeting on TVA Draft Environmental Impact Statement (DEIS) to address the closure of coal combustion residual (CCR) impoundments at its coal-fired power plants. Attended by Board members TB, DW, SS, DW, MK, DM. TB
- Nature Walks on the DOE Oak Ridge Reservation. Feb 26 - American Woodcock and Falconry, Apr 10 - Wildflowers, Apr - 15 Frog calls and bat monitoring, Apr 23 - Birds of the Oak Ridge Reservation, Jun 5 - Reptiles and Amphibians. [bodinetm@ornl.gov](mailto:bodinetm@ornl.gov)
- Update on ETTP Zone 1 Soil Remediation. Draft of Proposal is being circulated. Public comment has still not started. DCM, DW

- Recommendation on Power + by Board. DW, DM
- Report on the Oak Ridge Reservation Communities Alliance meeting 11/30/2015. Possible release of the final Ferguson Report on community impact from new CERCLA waste site. DCM
- Discussion of letter from John LeCroy with regards to meeting with him, State Representative Calfee and the local area Water Resource Manager on water issues around Tiger Haven. DM
- The Oak Ridge Reservation Community Alliance (ORRCA) will meet Feb 29, 2016. Questions/Comments? MK,DM

## **Adjourn**

### **Incoming Documents:**

Letter on Proposed Disposal Site sent by City of Oak Ridge to OR DOE-EM  
Clinch River EECA Fact Sheet

### **Recap of RCERB Meetings**

December 3, 2015 Quorum (5/8) Issues before the Board  
November 2015 Quorum (8/8) L. Wilkerson update on ORDOE-EM  
October 2015 Quorum (5/8) Officer election, fy2016 Planning  
September 2015 Quorum, (6/8) Public comments  
August 2015 Quorum, (8/8) (RSI) Solar Energy Projects, Gil Hough  
July 2015 No meeting by agreement  
June 4, 2015 Quorum TVA exit meeting on ash spill at Kingston Plant  
May 7, 2015 Quorum (6/8) Soil remediation, Zone 1 ETTP  
April 2, 2015 Quorum (5/7) County environmental ordinances  
March 19, 2015 Quorum (6/7) Presentation on ground water leaving the DOE OR  
Reservation by Bill McMilan, OR DOE-EM  
February 5, 2015 Quorum (5/7) Discussion with R Woody on Board issues.