

Roane County Environmental Review Board

**Notes: October 6, 2016

Attendance, Board Members (and prospective members)

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

*Voting Member

Quorum Present: No

Other Attendees

Glen Cofer, Roane County Building Official

PH: (865)717-4230

Fax: (865)717-4176

Meeting Location: Roane County Courthouse, Conference Room

Proceedings

Call to Order. Recorder Mary Anne Koltowich, as acting Chair, called the meeting to order at 5:55 P.M. Introductions were made all around.

Approval of Agenda: There were no changes to the agenda.

Approval of Meeting Minutes: Approval of September Meeting Minutes, and October 6th notes will be deferred until the November 3, 2016 meeting as no quorum is present at this meeting.

Presentation – Glen Cofer, Draft Roane County Lighting Ordinance

Glen Cofer presented the Draft of the Roane County Lighting Ordinance. There was general agreement this draft is well thought-out and well written. Many of the following additions/corrections were suggested by RCERB as editorial changes and clarifications only:

- a. Typo error, a T was left out of County on the cover page
- b. Page 3: I. Preamble: a. IES acronym be spelled out - IES (Illuminating Engineering Society)
- c. Page 3: LZO: Electrical codes maybe in county and not the state
- d. Page 3: LZ2: Pertains to Bed and Breakfast facilities

- e. Page 3: LZ2: Moderate ambient lighting.
 - i. Pertains to Bed and Breakfast facilities
 - ii. After curfew, add the following words; “has to be established; e.g., 10-11 p.m. with the exceptions of ball fields.”
- f. Page 3: LZ3: Moderately high ambient lighting
 - i. Pertains to Commercial facilities.
 - ii. Boundaries need to be tightened.
- g. Page 3: LZ3: After curfew – times must be established
- h. Page 3: LZ4: High ambient lighting
 - i. Pertains to Industrial facilities
- i. Page 4: III. General Requirements. Section B. Applicability. Exemptions from III (B.)
 - i. b. Lighting for public monuments and statuary. Pertains to Sign Ordinance
 - ii. d. Repairs to existing luminaires not exceeding 25% - the 25% will be moved to 49%
 - iii. e. Temporary lighting for theatrical, television, performance areas and construction sites – these will be handled under special conditions; e.g., Christmas

Special Note: There may be several difference curfews.

The authority will be the Roane County Codes Enforcement

- j. Page 5: C. Lighting Control Requirement. 1. Automatic Switching Requirements
 - i. Will be shut down at curfew. May require a special permit.

Special Note: Churches will be in difference zones than A1 to Industrial

- k. Page 6: IV. Non-Residential Lighting
 - i. Residential complaints will be evaluated by the Codes & Enforcement
- l. Page 6: IV. Non-Residential Lighting
 - i. A. Prescriptive Method – add words “and Performance Method”.
 - ii. You have to meet 1 or 2 criteria
- m. Page 7: V. Residential Lighting
 - i. Requirements are documented in the tables
- n. Page 8: VI. Lighting by Special Permit Only
 - i. A. High Intensity and Special Purpose Lighting
 - 1. sport facilities may need special curfew for difference facilities
- o. Page 9: 2. Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings
 - i. 25 percent will be moved to 49%
- p. Page 9: 3. Resumption of Use after Abandonment
 - i. This section will be removed from document completely
- q. Page 9: VIII. Enforcement & Penalties
 - i. Will be enforced by Codes and Enforcement Office
- r. Page 11: Table B – Lumen Allowance, in Addition to Base Allowance

- i. To use this allowance, luminaires must be within 2 mounting heights of sales lot area – those words will be changed to: To use this allowance, luminaires must be a minimum of 2 mounting heights of sales lot area

Glen Cofer will make these additions and corrections and bring back to the RCERB. The next phase is for Glen Cofer and the RCERB promote support for approval of this proposed ordinance. Again, all thanked Glen Cofer for a job very well done.

Board Business.

- 1) Highlights from Oak Ridge Site Specific Advisory Board (ORSSAB) meeting on September 22, 2016. MAKoltowich & MDeaderick

- a) MAKoltowich distributed an email on October 6, 2016 to the RCERB members regarding the (ORSSAB) meeting. Below are summarized notes from that email:

I've been trying to locate a copy of the workshop presentation given by EPA regarding Emory/Clinch/Tennessee Rivers modeling. The workshop was conducted at Roane State Community College on April 5, 2012 with the title TVA EE/CA Program: Transport Modeling of Residual Ash. Much of the older information from the TVA and EPA ash spill websites have since been taken off, and it took some effort to locate a copy the document. I did find the following stated in other documents: The U.S. Army Corps of Engineers, Engineer Research and Development Center (USACE-ERDC) performed baseline fate and transport modeling of the Emory and Clinch Rivers sediments to evaluate long-term effectiveness of Monitored Natural Recovery (MNR) (Scott 2012)¹.

¹Scott, Stephen H. 2012 Long Term Simulation of Residual Fly Ash Transport and Fate in the Watts Bar Reservoir System.

This sediment fate and transport model was supposed to be updated in 2013 with new, higher-resolution bathymetry from the Emory and Clinch Rivers. Coastal and Hydraulics Laboratory, U.S. Army Corps of Engineers, Engineer Research and Development Center, Vicksburg, Mississippi. June, 2012. The actual report is attached. It states that if a 10-year storm has not occurred during the initial five-year review period, the model will be re-run in 2017.

This may help provide some info for the groundwater modeling folks and the ORSSAB.

- b) ORSSAB Recommendations on Proposed EMDF.
 - By looking at recommendations #2 and #3, they are too specific for what I think is needed. So I would add a new Recommendation, maybe in between #6 and #7 (then renumber). "Use the lessons learned from the design, siting, construction, and operation of EMWMF in the design, siting, construction, and operation of the proposed facility. All EMWMF lessons (successes and opportunities for improvement) should be documented and then how these are addressed for the proposed facility."
 - Suggest rewording the current #8. Ensuring a trust fund could be \$1. Better stated: "Ensure a trust fund is established in an amount sufficient to support all costs of long-term stewardship (post-closure) for any new disposal facility similar to that for EMWMF. The duration of long-term stewardship in years should be stated."

- To help with Ellen Smith's concern, reword #1 to: "Continue with planning for additional on-site disposal capacity for low-level radioactive and chemically hazardous contaminated waste. This should not only include design, siting, construction, and operations, but also include cost estimates with rationale for yearly operations and maintenance costs for the proposed disposal facility for its life expectancy prior to closure."
 - Suggest new recommendation, maybe after #3, then renumber. "Consider sources of fill other than clean fill for use in road construction, filling voids, cover, etc. One source could be the use of gypsum created by TVA coal/fossil power generation plants (Bull Run and Kingston)." The idea here is a collaborative effort for the reuse of gypsum (which is a waste product requiring a disposal facility like a landfill) to a beneficial manner, which may be significantly less costly than clean fill and road base materials. Gypsum is created from the air pollution reduction scrubbers and is about the consistency of sand, and compacts well as a road base

2) Groundwater Strategy for the US Department of Energy Oak Ridge Reservation. MDeaderick

A presentation will be made to RCERB on November 3th meeting RCERB has requested maps of the strata be presented as well.

3) Operating permit for Horsehead Corp zinc recovery facility in Rockwood. MAKoltowich

It is suggested for Ron Berry, Darryl Meadows and Benny East Commissioners for Horse Head area to look at Ron Woody's related email. RCERB will continue to monitor

4) 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 (and related, the statement and inquiry sent to OR DOE-EM by the City of Oak Ridge regarding the proposed disposal sites). The Board is continuing to wait until the DOE formally replies to the report to consider commenting.

5) Update on spread of invasive aquatic weeds in Watts Bar Reservoir. JMoody [Email from Brett Michael Hartis, Program Manager of TVA's Aquatic Plant Management Program, to Gail Okulczyk (quote from email: "Because of this we at TVA have to take a slightly different approach, focusing on management and minimization of plant impacts in high use areas. Because our funding comes from rate payers, the majority without private access to these reservoirs, TVA is currently committed to providing access along developed public shorelines (public boat access, parks, etc) and currently does not manage residential or commercial shoreline." The email also warns against a do-it-yourself approach, with an attachment that was a list of certified and licensed applicators in the State of TN)].

JMoody reported that Dr. Brett Hartis, Program Manager for Aquatic Plants said that TVA only treated Camp John Knox on Watts Bar Lake for aquatic weeds in 2016. However, because of the spread of aquatic weeds, other areas on Watts Bar Lake are being reviewed for treatment in 2017. Also reported that Dr. Brett Hartis has not been able to update the Grey Scale Map of aquatic weeds on Watts Bar Lake at this time. Hopefully, we will get an updated Grey Scale Map soon.

JMoody reported that it is NO LONGER legal for lake homeowners to treat their own property unless they are licensed and certified by the Tennessee Department of

Agriculture. Moody has been communicating with Kathy Booker, Pesticide Administrator for the Tennessee Department of Agriculture. Below are the contents of an email message, which was approved by Kathy Booker, sent by JMoody on Sept. 22, 2016 to many lake homeowners. The necessary documents for the certification and licensing are also attached.

"Hello Lake Homeowners,

I have been communicating with Kathy Booker, Pesticide Administrator for the Tennessee Department of Agriculture (her information is below if you have questions). The Department of Environment & Conservation (TDEC) referred me to Kathy Booker for the certification and licensing information for treating the aquatic plants/weeds yourself.

According to Kathy Booker, a lake homeowner must be certified and licensed in order to treat their aquatic plants/weeds.

This is their statement: "In the state of Tennessee, in order to treat your lake area yourself, you must have a 4 year degree with course work related to aquatic plants. If you do not have a 4 year degree and/or not course work in aquatic plants, you must work for a licensed aquatic applicator for a minimum of 2 years before you can take the test and become certified."

Very Important Note: The code for Aquatic Weeds Control is AQW

I have attached the complete Rules and regulations (TAPA & TIFRA Includes 2016 Rule Revisions.pdf).

I have also "copied" the "pieces and parts" from the complete handbook for the certification and license information; as well as study materials and application for Certification exam. I have sent these "pieces and parts" to Ms. Booker, and she says they are correct and complete.

I know many of you have been searching for this information.

Thanks,

Janice



KATHY BOOKER | Pesticide Administrator
Department of Agriculture
Pesticide Section
Ellington Agricultural Center, Porter Building
P.O. Box 40627,
Nashville, Tennessee 37204
(phone) 615-837-5133 (fax) 615-837-5012
kathy.booker@tn.gov
www.tn.gov/agriculture

6) Roundtable Discussions:

- Discussion and election of Officers was postponed until the November 3, 2016 meeting

7) New Business: None at this time

Next RCERB Meeting: MAKoltowich to contact MTownsend in the Roane County Executive's office as to scheduling Thursday, November 3, 2016, 6:00 pm, as our next meeting.

Meeting Adjourned: 7:15 pm.

Attachments and Enclosures:

- 1) RCERB October 6, 2016 Meeting Agenda
- 2) Presentation: **Draft Roane County Lighting Ordinance**
- 3) Documentation necessary for lake homeowners to be certified and licensed for treatment of aquatic weeds per Tennessee Department of Agriculture
 - a. Restricted Use of Pesticides.jpg
 - b. Restricted Use of Pesticides Page 2.jpg
 - c. TAPA & TIFRA Includes 2016 Rule Revisions.pdf
 - d. UT study materials order forms 2016.pdf
 - e. Application for Cert Exam 7-15-2016.doc
 - f. License1.jpg

**Agenda for Thursday, October 6, 2016
Roane County Environmental Review Board
Roane County Court House**

6:00 PM - Call to Order

Introductions and Opening Remarks

- The next meeting is scheduled for November 3, 2016 at the Roane County Court House.

**Changes To and Approval of Agenda
Approve/Changes to ASeptember Meeting Minutes**

Presentation – Glen Cofer, Draft Roane County Lighting Ordinance

Public Comment

Board Business

- Highlights from Oak Ridge Site Specific Advisory Board meeting on September 22, 2016. MAK & MD.
- Groundwater Strategy for the US Department of Energy Oak Ridge Reservation. MD
[MD contacted Dennis Mayton (DOE OREM) and requested a presentation be made to the Board on groundwater issues by himself and Mr. Haas. They are available for either the Nov. 3rd or Dec. 1st Board meeting.]
- Operating permit for Horsehead Corp zinc recovery facility in Rockwood. MAK
- 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 (and related, the statement and inquiry sent to OR DOE-EM by the City of Oak Ridge regarding the proposed disposal sites). The Board is continuing to wait until the DOE formally replies to the report to consider commenting.
- Update on spread of invasive aquatic weeds in Watts Bar Reservoir. JM & MAK
[Email from Brett Michael Hartis, Program Manager of TVA's Aquatic Plant Management Program, to Gail Okulczyk (quote from email: ...“Because of this we at TVA have to take a slightly different approach, focusing on management and minimization of plant impacts in high use areas. Because our funding comes from rate payers, the majority without private access to these reservoirs, TVA is currently committed to providing access along developed public shorelines (public boat access, parks, etc) and currently does not manage residential or commercial shoreline.” The email also warns against a do-it-yourself approach, with an attachment that was a list of certified and licensed applicators in the State of TN)].
- Tiger Haven. The Board continues to wait for information from TDEC regarding water quality sampling of streams draining the T.H. facility.
- Officer elections.

7:30 PM Adjourn

Incoming Documents: None.

Recap of RCERB Meetings

September 8, 2016; Quorum (6/7); No presentation was made.

August 18, 2016; Quorum (6/7); Wendy Cain, Portfolio Federal Project Director, DOE OREM;
Status of Buildings at ETPP

July 2016; No meeting (scheduled break)

June 2, 2016; Quorum (5/8); Pat Halsey, OREM DOE; Deidre Tharp, RSI; Oak Ridge
Environmental Information System (OREIS)

May 5, 2016; Quorum (5/7); Sue Cange, DOE-EM Manager

April 7, 2016; Quorum (4/7); Gene Robinson, NRCS

March 3, 2016; Quorum (7/8); Ron Woody, Update

February 18, 2016; Quorum (8/8); Glen Cofer, Proposed Lighting Ordinance

January 2016; No meeting (scheduled break)

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, FY 2016 Planning