

Oak Ridge Reservation Communities Alliance

October 2, 2013

Location of meeting: Tennessee Department of Environment and Conservation
Oak Ridge Oversight Building

Members Present: **Tom Beehan**, Mayor, City of Oak Ridge; **Don Edwards**, Executive, Morgan County; **Terry Frank**, Mayor, Anderson County; **Ron Woody**, Executive, Roane County; **Dean Rice**, Knox County Representative

Members Absent:

Others Present: John Owsley, Tennessee Department of Environment and Conservation; Roger Petrie, Tennessee Department of Environment and Conservation, Debbie Duren, Tennessee Department of Environment and Conservation; Billy Freeman, Tennessee Department of Environment and Conservation; Chris Thompson, Tennessee Department of Environment and Conservation; Amy Fitzgerald, City of Oak Ridge; Kathryn Baldwin, City of Oak Ridge; Ken Krushenski, City of Oak Ridge; Heather Thompson, City of Oak Ridge; Scott Stout, Roane County Office of Emergency Services; Mary Anne Koltowich, Roane County Environment Review Board; Susan Gawarecki, Citizens' Oversight Panel; Ellen Smith, OR-EQAB

PURPOSE OF MEETING:

See attached agenda.

CALL TO ORDER:

Mayor Tom Beehan called the meeting to order at 2:00 p.m.

WELCOME AND OPENING COMMENTS:

Mayor Beehan welcomed everyone to the meeting and had everyone introduce themselves.

APPROVAL OF MINUTES:

Mr. Stout distributed a copy of the June 25, 2013 minutes to the group.

There was **motion** by Edwards to approve the minutes as corrected, **second** by Frank. On a voice vote the **motion passed unanimously**.

Presentation on Financial Assurance for TDEC Licensed Facilities

- The presentation was presented by Debra Shults, Director of the Division of Radiological Health and Robert Dickerson, Director of the Division of Financial Responsibility by video conference from Nashville.

The topics discussed in the presentation were as follows

- Mission Statement
- Financial Responsibility
- Post of Financial Assurance
- Factor of the Cost Estimate for the Bonds (\$42 per square foot)
- Compliance and Requirements for Companies in the Hazardous Waste Field
- Common Instruments of Financial Responsibility
- Financial Tests for Companies
- Ways TDEC Collects Funds
- Funds to Clean-up Facilities
- \$800 Million in Funds for Financial Responsibility
- Anderson and Roane Counties have 20 Facility or $\frac{3}{4}$ of the State License through TDEC

Chairman Beehan was concerned that the bonds were estimated on square footage of a facility and not on the risk of the facility. Ms. Shults said that TDEC will look at the cost to cover clean-up on the three bonds that were cashed. Ms. Shults went on to state that the shipper must take back the waste if the company goes out of business. Mayor Frank asked if the bond was based on \$42 per square foot was enough for adequate clean up. Ms. Shults said she was not sure but felt it was enough. Ms. Fitzgerald said some of the costs were not enough to cover ATG's clean up. Mayor Frank asked how long the \$42 per square foot cost estimate had been in place. Ms. Shults said at least 10 years. Mr. Rice asked Ms. Shults if TDEC had look at other states to compare what they are doing in regards to bonds. Ms. Shults said she had and most state are similar to Tennessee. Mr. Kaushenski, City of Oak Ridge's Attorney, asked if the city and the counties could be named on the bonds to recoup money expensed when these types of businesses shut down operations. Ms. Shults said she was not sure. Chairman Beehan said additional insurance might need to be required. Ms. Shults said the bonds only cover the clean up. Chairman Beehan said this should be changed. Executive Woody stated the bond should cover all related costs. Mayor Frank said the bond set at an amount to cover all clean up and related costs.

Motion: Have Ms. Fitzgerald to write a letter to TDEC in regards for the assurance bonds to cover all related costs on TDEC licensed facilities: Motion by Mayor Frank; second by Executive Woody; on a voice vote passed unanimously.

Presentation of State Priorities for DOE Intergovernmental Meeting

- John Owsley, Environmental Program Director, DOE Oversight Office, explained the role of the Oversight Office in determining the 3 to 4 highest environmental priorities to be presented at the DOE Intergovernmental meeting in New Orleans.
- Mr. Owsley said the TDEC has not taken a position on the second landfill
- There was discussion on brown field reuse and land transfer
- **There was a motion to accept the top 5 environmental priorities, but change number 5 to brown field reuse and land transfer – Motion made by Executive Woody; second by Mayor Frank; on a voice vote motion passed unanimously.**

Financial Update

There was \$42,000 of invoices sent to the State reimbursement but have not been paid. Currently, there are \$4,700 in expenditures to be sent to the State

UPDATES FROM INTERGOVERNMENTAL PARTNERS

- **Emergency Planning** – No update
- **Environmental Management** – No update

OTHER BUSINESS

- Susan Gawarecki shared that the Oak Ridge DOE Environmental Management (Mark Whitney) was concern about the ability financially to handle four major project with an estimated budget of between \$360 - \$405 million.

ADJOURN

Meeting was adjourned at 3:25 p.m.

Prepared by: Scott Stout, Roane County OES

**Oak Ridge Reservation Communities Alliance (ORRCA)
Meeting**

**Wednesday, October 2, 2013
2:00 p.m. Eastern Time**

Location: Tennessee Department of Environment and Conservation, DOE-Oversight Office
761 Emory Valley Road, Oak Ridge, TN 37830

AGENDA

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| I. | Welcome and Introductions | Mayor Tom Beehan |
| II. | Approval of Minutes | All |
| III. | Presentation on Financial Assurance
for TDEC licensed Facilities | Debra Shults, Director,
Division of Radiological
Health; and
Robert Dickinson, Director
Division of Financial
Responsibility |
| IV. | Presentation of State Priorities for
DOE Intergovernmental Meeting | John Owsley, Environmental
Program Director, DOE
Oversight Office |
| V. | Discussion and Necessary Actions
a. Approval of Pending Invoices | City Staff |
| VI. | Updates as from Intergovernmental Representatives
a. Emergency Planning
b. Environmental Management | TBD |
| VII. | New Business | |
| VIII. | Adjourn | |

