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TECHNICAL ASSISTANCE SERVICES FOR COMMUNITIES

TVA Kingston Fly Ash Release Site

Community Factsheet: Draft Community Involvement Plan November 2009

This fact sheet is provided by EPA's Technical Assistance Services for Communities (TASC) program, which is implemented by independent technical and environmental consultants. This assistance was provided at the request of the Roane County Community Advisory Group as a resource for all community members. TVA's Draft Community Involvement Plan outlines how the potentially responsible party will engage the community and address its concerns during the cleanup at the Kingston Fly Ash Release Site. This fact sheet is meant to inform the community of potential issues of concern in the Draft Community Involvement Plan and encourage public comment on the draft.

Introduction

As a part of the legal agreement between the Tennessee Valley Authority (TVA), the U.S. Environmental Protection Agency (EPA) and the Tennessee Department of Environment and Conservation (TDEC), TVA is required to create a Community Involvement Plan ("the Plan"). The Plan begins with a very thorough description of TVA plant functions, site history, community demographics and site accident details. Then, the Plan discusses an interview process that TVA conducted with 50 community members. The goal of the interviews was to gain a sense of the concerns and questions the community may have regarding the spill and its cleanup. The Plan states that TVA used these interviews as a basis for the development of a community involvement program. The program is developed around "communication tools," which include: establishing and updating an administrative record and information repository for public access to cleanup documents; holding meetings; sending out quarterly updates; and providing technical assistance funding to a local community group. The Plan states that some of the tools are ongoing, such as supporting the Community Advisory Group (CAG), while others will occur quarterly and as needed, like public meetings and newsletters.

Want more information? Interested in giving your opinion?



The Roane County CAG will be holding a public meeting for the community to discuss recently released TVA documents and provide more information on the cleanup. A recorder will be available to transcribe your comments.

Monday, December 14, 2009
Roane State Community College
Dunbar Building, Student Union
6:00 p.m.

In addition, public comments on the TVA Draft Community Involvement Plan can be delivered as follows by Sunday, December 20, 2009:

By e-mail: kingstoncomm@tva.com

By mail: TVA
P.O. Box 40
Kingston, TN 37763-0400

Key Issues of Concern

The following are potential areas of community concern in the current draft of the Community Involvement Plan:

Credibility of analysis: It is not clear how the 50 public interviews were used by TVA to make this plan responsive to the public needs. The interview approach and analysis of the results are of concern due to the following: (1) TVA hand-selected members of the community to participate in the interviews; (2) TVA employees personally conducted the interviews. An independent third party would likely receive more truthful, open answers; (3) Fifty interviewees is equal to 0.4 percent of the combined populations of Kingston and Harriman and less than 0.1 percent of the total population of Roane County (using the population counts provided in the Plan). Fifty is a small sample size and may not represent the full range of community concerns; (4) The interviews are not analyzed scientifically with percentages or other numerical comparisons, and therefore do not give a clear understanding of the primary concerns and how many people share the same opinions on issues related to the site.

Public input: It is unclear whether or not TVA will make revisions to future cleanup documents after receiving input from the community during public comment periods. A typical procedure is as follows: a Draft document is released; the public has a period to comment; the agency makes revisions; a Draft Final is released; more public comments are taken as necessary; a final document is released. The language in the Plan could be revised to reflect such a sequence that allows for public participation.

Relationship with the agencies: The Plan states that the Roane County Community Advisory Group (CAG), which formed independently of cleanup agencies to represent the community, will be advised by EPA and TVA during the cleanup. This information inaccurately represents the relationship between the CAG and the cleanup agencies. Agencies commonly assist CAGs by providing regular updates regarding substance and process related to the cleanup and making available whatever technical, management or legal expertise that the CAG may need to effectively engage in the cleanup. The CAG's advisor will be a third party entity that is not affiliated with the cleanup agencies.



Photo courtesy: Roane County

Ecological quality, "Section 3.3.3. Environmental": This section does not address any environmental issues related to the biological characteristics of the site, including plants and wildlife. The lack of environmental concerns is another indicator that the limited number of interviewees may have impacted the range of concerns about the site. TVA could note that though interviewees did not specifically address issues pertaining to fish and natural resources, TVA will be providing information about how they will be restoring the habitat and improving environmental quality.

Vulnerable populations: According to the numbers provided in the Plan, over 40 percent of Roane County's population is in a vulnerable age category (either under five years old, under 18, or over 65). Citizens that fall into these age categories are vulnerable because they are more susceptible to health effects from environmental pollution than healthy adults. TVA should acknowledge this percentage and indicate that it will be doing its best to ensure that cleanup will protect these special populations.

Misleading language: According to the Plan, "Data shows that concentrations of metals in the ash are below the limits for classification as a hazardous waste." This statement is misleading because the fly ash is not classified as a hazardous waste due to federal law. The Plan could be reworded to state: "Coal ash is exempted from classification as hazardous waste by the Beville Amendment." The public should be aware that there are levels of certain contaminants in the coal ash that are above federal limits for waste, which would otherwise render it hazardous. Data from the site show that some soils contain arsenic, barium, chromium, lead and selenium above the federal hazardous waste criteria.

