

ENVIRONMENTAL QUALITY ADVISORY BOARD

September 2009

Regular Meeting

Municipal Building, Training Room

September 3, 2009, 7:00 p.m.

AGENDA

- A. Call to Order
 - 1. Introduction of EQAB members and recognition of visitors
 - 2. Recognition of Recording Secretary: Pat Fain, EQAB Secretary
 - 3. Amendments to the Agenda
 - 4. Announcements

- B. Approval of Minutes from Regular Meeting Held **August 6, 2009**

- C. Action Items Update (Joe Wood)

- D. Presentations
None scheduled

- E. High School Representatives (Mike Burns, Courtney Walls)

- F. Report on DOE-related matters (from EQAB Regulatory Oversight Committee and DOE representative David Page)

- G. Communications
 - 1. Memo from EQAB to Oak Ridge Planning Commission, Comments on proposed redevelopment of Melton Hill Reservoir waterfront in Oak Ridge, August 6, 2009

 - 2. Pre-Permit Application and Public Meeting, Submittal of Notice of Tennessee Hazardous Waste Management Act Permit Application, Impact Services, Inc., EPA ID Number TNR 00 002 7201; Proposed Mixed Waste Storage and Treatment Facility, Horizon Center

 - 3. TDEC Rule Changes on solid waste, August 21, 2009

- H. City Staff (Athanasia Senecal)

- I. Planning Commission (Chuck Agle)

- J. Special Projects
 - 1. Sustainability (Green) Initiative
 - 2. Outdoor Burning
 - 3. EQAB Website

- K. Reports on External Organizations
 - 1. Local Oversight Committee/CAP (LOC)
 - 2. Anderson County Solid Waste

- L. Unfinished Business
 - 1. Oak Ridge Rotary Club Presentation

- M. New Business
 - 1. Second Annual Invasive Weed Awareness Week in Tennessee for 2010, February 22-26, 2010
 - 2. Procedure on submitting public correspondence from EQAB
 - 3. EQAB participation in Oak Ridge Earth Day 2010

- N. Adjournment

EQAB Work Session Schedule
TBD

Noteworthy Public Meetings/Events

Wednesday, September 23, 2009, 7 PM: Impact Services, Inc. will hold a public meeting to discuss proposed permit to operate a new commercial mixed waste (hazardous and radioactive waste) treatment and storage facility at Horizon Center; Oak Ridge Public Library, Oak Ridge Civic Center, 1401 Oak Ridge Turnpike, 865-482-8455. Members of the public are invited to ask questions and provide input regarding the proposed permit.

Saturday, September 26, 9 AM to 1 PM: National Public Lands Day Celebration and Volunteer Work Day; Worthington Cemetery Cedar Barren Ecological Study Area and Greenbelt; Sponsored by Tennessee Citizens for Wilderness Planning and Tennessee Valley Authority. Lunch will be provided by TCWP. Contact Sandra Goss to register (865-522-3809 or Sandra@sandrakgoss.com)

cc: City Manager
City Clerk
Amy Fitzgerald
Athanasia Senecal
Laura Davis, Fire Dept.
Steve Byrd, City Engineer
Oak Ridger
News-Sentinel
Oak Ridge Observer

Environmental Quality Advisory Board
Minutes
August 6, 2009

Meeting commenced 7 PM; quorum established.

Members Present:

Jimmy Groton
Pat Imperato
Pat Fain
Fred Stephens
Boyd Carter
Joan Nelson
Robert Kennedy
Mike Burns
Chuck Agle

Members Absent:

Courtney Walls (Excused)
Joe Wood (Excused)
Bruce Nigh (Excused)

Staff: Athanasia Senecal

Guests:

Laura Davis, ORFD
Ellen Smith, City Council
Mike Crosby, Pres. BCAAT
Jim Pope, BCAAT

Agenda suspended to hear first from Mr. Crosby and Mr. Pope on clean air issues by invitation:

Mr. Pope stated that he has on his property one of only two toxic air monitors, monitoring a full spectrum of air pollutants in TN. Placed there at the request of BCAAT Breathe Clean Air Action Team by the state EPA about three years ago.

Mr. Crosby stated that his talk would focus on clean air and the successes his group has achieved in Blount and Loudon Counties. They are currently focused on pollution consisting of 2.5 micron particles that are very small and very problematic to the human lungs. The primary producer of these particles are coal fired electric plants and diesel engines. Also open burning of 100 acres of woods would release into the air as much 2.5 micron particles as would be produced by all of the automobiles on the highway in Blount County in one year. He stated that Loudon and Blount Counties and Lenoir City have all banned open burning including the use of an air curtain. He also discussed some issues on being in a non attainment area and the ramifications for those areas. Anderson County is in a non-attainment area.

Regular Agenda: amended and approved.

Minutes: Approved as amended

High School Report: Mike Burns

School starts next week. No report yet. Old green recycle bins can be taken to the recycle center for cleaning and distribution to the schools.

DOE report: the DOE superfund waste landfill located in Bear Creek Valley is now receiving waste through brokers located in Oak Ridge. This site is on federal land and is not licensed by the state. There will be a final public hearing on the NRDA agreement on reparation for Watts Bar damages. CROET sold the K-25 railroad corporation. DOE wants to dispose of Development Area 4 at Horizon Center, perhaps to a non profit as a conservation easement.

Staff Report: Athanasia Senecal. Athanasia will now be distributing all material for EQAB meetings by email. The city has hired an new electrical engineer to be over solar energy for the city.

Planning Commission: Chuck Agle. A new hotel (Holiday Inn Express) has been approved for location on Tulsa behind existing commercial tier fronting on Illinois Ave. A parcel on the Turnpike, in front of the federal building has been rezoned to UV2 at the request of the land owner.

Sustainability: EQAB had a special called work session on July 31, 2009 for two purposes: (1) To finalize recommendations to council on carbon reduction for the city government and for the residents and businesses within the city and (2) to propose recommendations to the city council on the development of the waterfront. This work session was held with 5 members present (Jimmy Groton, Pat Imperato, Joan Nelson, Fred Stephens and Pat Fain); three members participating by teleconference (Robert Kennedy, Bruce Nigh and Joe Wood). Later ruling that telephone presence cannot be counted toward a quorum nullified all voting and both matters were presented to the City Council as staff recommendations. The proposals on Carbon Reduction discussed at the July 31 work session were adopted unanimously by motion of Fred Stephens and second by Robert Kennedy.

Athanasia Senecal will attend the ICLEI meeting in Chattanooga September 23-25, 2009.

Outdoor Burning: board discussed the presentation made by Mr. Crosby and Mr. Pope and decided to keep this issue as a separate sustainability issue, not combined with the ICLEI report. Consensus was to make a recommendation based on what we believe is best for Oak Ridge after hearing from the Developers Forum, the OR Fire Department, several homeowners and concerned citizens, and other presenters. That recommendation is to cease all open burning, even with air curtain, within the city limits. Pat Imperato and Pat Fain will meet with Athanasia to draft recommendation and bring back to September meeting.

Web Site: Fred Stephens. The EQAB website can be found at www.greenoakridge.com and www.greenoakridge.net. Fred said that he is trying to get a password so that he can get the EQAB goals posted on the web.

Robert agreed to write an article on the carbon reduction goals.

Waterfront Development: At the work session of July 31, Pat Fain was requested to draft a document with recommendations to the Planning Commission concerning waterfront development. A draft was completed and discussed with several changes. A motion was made to send our recommendations to the Planning Commission and City Council was made by Fred Stephens and seconded by Pat Imperato, adopted unanimously.

External Groups: LOC – Boyd Carter. Boyd reported that he attended his first LOC meeting and has begun receiving LOC information packets. He will study this material for the next meeting and future reports.

New Business: We discussed the Natural Resource Damage Assessment report regarding damages to Watts Bar Reservoir (excluding Clinch River). We decided not to comment formally on the report.

The Breakfast Rotary has requested a speaker from EQAB and Pat Imperato has volunteered.

The meeting adjourned at 10 PM.

MEMORANDUM

To: Oak Ridge Municipal Planning Commission

From: The Environmental Quality Advisory Board

Date: August 6, 2009

Subject: Comments on proposed redevelopment of Melton Hill Reservoir waterfront in Oak Ridge

Oak Ridge has a gem of a waterfront park along Melton Hill Reservoir that has yet to reach its full potential. The Planning Commission has a development plan for reversing the neglect. The Environmental Quality Advisory Board has a mandate from City Council to recommend ways in which the city and the community can reduce our energy consumption and make this city a leader in protecting the environment.

The redevelopment of our waterfront park is a prime opportunity to showcase environmentally sound redevelopment of our public places. Much of this sustainable technology and expertise is available within our city. Thus, we have a practical and visible opportunity to demonstrate that Oak Ridge is an attractive, livable city with a sustainable future where quality of life is our most outstanding characteristic.

Some of the opportunities that EQAB recommends to the council for the waterfront development project include:

1. Use the marina area solely to support rowing activities and other compatible recreational activities. The waterfront should be used to promote human powered craft (i.e., crew shells, sculls, canoes, and kayaks). The only motorized water craft allowable within the waterfront area, whether vendor rentals or personally owned, should be limited to electric, low speed, low wake vehicles. The only exception to this will be those powerboats integral to rowing activities.
2. Any activities that would affect TVA's Worthington Cemetery Small Wild Area should be closely coordinated with TVA natural resource managers. This area includes sensitive natural and cultural resources (wetlands, cedar barrens, and historical cemetery). For the last 10 years or so this area has been the focus of much habitat restoration and invasive plant removal by TVA and its partners. Any new trail development or other related activities in this area should be accomplished with TVA's consent and in a manner that does not adversely affect any of these sensitive resources.
3. Use all native vegetation in landscaping for the redevelopment project. We especially encourage that native canopy trees be planted throughout the park.

Trees will provide needed shade for park users and provide carbon sequestration. As the trees grow and develop they can be pruned to allow the river to be viewed from Melton Lake Drive and the surrounding area.

4. Control exotic, invasive pest plants along the waterfront, especially where they threaten native communities or rare plants. Do not allow landscaping with any plant listed as an exotic, invasive pest plant by the Tennessee Exotic Pest Plant Council (<http://www.tneppc.org/>)
5. Use porous materials for all parking areas, playgrounds, and walking paths. This will allow rainwater to percolate through the soil and reduce stormwater runoff from the area.
6. Use rain gardens, constructed wetland stormwater detention basins, cisterns, and rain barrels to capture any runoff from rooftops, parking areas, or other nonporous surfaces. Rain gardens and wetlands can be used to capture runoff, filter sediment and other pollutants, and provide an attractive landscaping technique to showcase native vegetation.
7. Use gray water from restrooms, washrooms, and showers at the boathouse and other waterfront facilities for use in toilets at restrooms in the developed area of the waterfront. Use of gray water will help conserve water. Consider using waterless urinals in restrooms to provide additional water conservation.
8. All buildings constructed at the redeveloped waterfront should be designed and constructed using the principles of sustainability. Consider the long-term cost savings and benefits of using sustainable building methods and materials. Consider getting a LEED or similar rating for new buildings. Use solar panels, use recycled/sustainable materials on the exterior and interior furnishings (recycled carpet, cork flooring and on walls for sound control, film on windows, highly efficient HVAC systems, or rooftop gardens. Consider shallow geothermal or use of river water for cooling/heating systems.
9. Use recycled materials for roofs of pavilions, park benches, sign posts, fencing and decking and posts for board docks for rowing and associated activities.
10. Create water features (wading pools, fountains) using river water. UV light disinfection can be used instead of chemicals.
11. Have recycling containers throughout the park and encourage waterfront visitors and businesses to recycle.
12. Mandate no vehicular idling. The air at the park should be as clean as possible for all the people exercising. Idling wastes fuel and contributes pollutants to the local air.

13. If vendors are allowed, require that their operations are sustainable and promote recycling/reuse.
14. Provide drinking water throughout the park to discourage use of disposable water bottles.
15. If night time lighting is necessary, make it energy efficient and protective of the night sky. Consider using “Full cutoff” fixtures that eliminate light emitted above the plane of the fixture. Compared to an unshielded bulb, a full cutoff fixture saves half the energy. Compared to a typical 400-watt “cobra-head” fixture, a full cutoff fixture would save about one-third the energy. Switching to 90-degree cones would save about five-sixths of the energy compared to an unshielded fixture, and well over half compared to the typical cobra-head. Also, a 200-watt bulb is somewhat cheaper to buy than a 400-watt bulb.

Finally, we recommend that an advisory committee on the Sustainable Development of the Waterfront, work closely with the city to insure that at every phase of the development, the highest standards of sustainability guide and inform all phases of development and operation of the park.

Thank you very much.

Jimmy Groton, EQAB Chair

cc: City Council

Pre-Permit Application and Public Meeting

Submittal Notice of Tennessee Hazardous Waste Management Act Permit Application Impact Services, Inc. EPA ID Number TNR 00 002 7201

Impact Services, Inc. will be submitting a Hazardous Waste Management Permit Application to the Tennessee Department of Environment and Conservation (TDEC) Division of Solid Waste Management (DSWM) to operate a new commercial facility for the storage and treatment of mixed waste (hazardous and radioactive waste) in containers. Impact Services, Inc. (EPA ID Number: TNR 00 002 7201) is located at 103 Palladium Way in Oak Ridge, Roane County, TN 37830 (see map below). The legal owner and operator of the facility is Impact Services, Inc.

The facility proposes to store a maximum quantity of 123,601 gallons of mixed waste in containers. Treatment processes will include stabilization/encapsulation, neutralization, deactivation, physical extraction, chemical extraction, and immobilization and will be conducted within containers. All of the treatment processes will be conducted within containers.

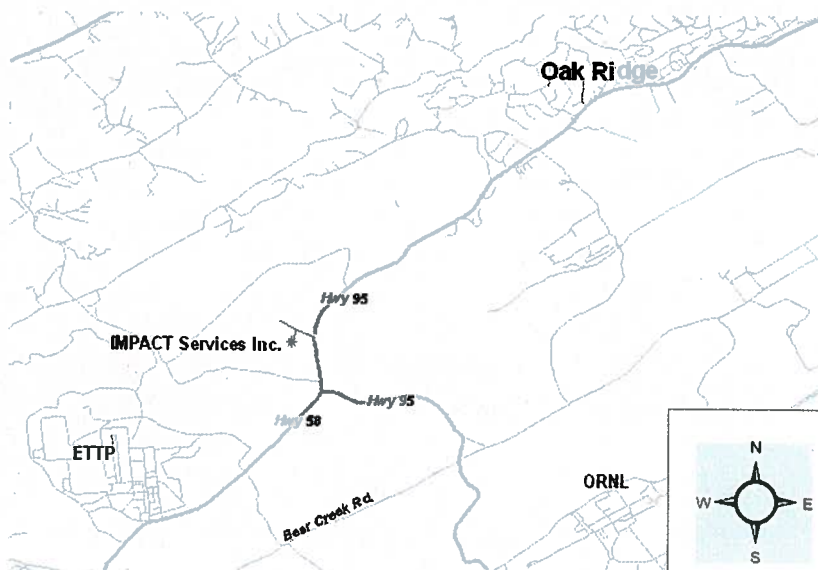
Information on all solid waste management units (SWMUs) and areas of concern (AOCs) at the facility, including previous or ongoing investigations or corrective actions for all releases of hazardous wastes or hazardous constituents, will be included in the facility's permit, if issued. The conditions of the permit would require that any future and existing SWMUs or AOCs be evaluated for potential releases and remediation, as necessary.

A copy of the Hazardous Waste Management Act Operating Permit Application will be available for review at the Oak Ridge Public Library, The Kingston Public Library, and the TDEC Environmental Field Office, 3711 Middlebrook Pike, Knoxville, Tennessee 37921.

The contact for the permit application is: Mr. Marty Grogan, General Manager (865) 270-6565, Impact Services, Inc., 103 Palladium Way, Oak Ridge, Tennessee 37830.

Public Meeting

Impact Services, Inc. will hold a public meeting at 7:00 p.m., Wednesday, **September 23, 2009**, at the Oak Ridge Public Library, Civic Center, 1401 Oak Ridge Turnpike, Oak Ridge, Tennessee, (865) 482-8455. Members of the public are invited to ask questions and provide input regarding the proposed permit.



NOTICE ISSUED: August 21, 2009

From: eqab-list-bounces@discoveret.org on behalf of Ellen Smith
<smithellen@comcast.net> [smithellen@comcast.net]
Sent: Friday, August 21, 2009 4:29 PM
To: Athanasia Senecal; EQAB-List
Subject:[EQAB-list] Fwd: TDEC Rule Changes on solid waste
Attachments: ATT656388.txt

FYI to EQAB.

----- Forwarded Message -----

From: "Tennessee Municipal League" <tmlmail@tml1.org>
To: esmith@cortn.org
Sent: Friday, August 21, 2009 4:08:20 PM GMT -05:00 US/Canada Eastern
Subject: Update: TDEC Rule Changes

NEW TDEC RULES AFFECT YOU

Comments Requested

Your municipality will be affected by new rules scheduled to be considered by the Solid Waste Disposal Control Board (SWDCB) during a public hearing scheduled for September 1, 2009.

In 2008, TML advised you of a proposal by Tennessee Department of Environment and Conservation (TDEC) to reduce the waste stream going into Class I and Class III/IV landfills. Originally, this proposal contained landfill bans and stiff penalties for any local governments that did not reduce its waste by at least 20 percent. TML, along with other interested organizations, voiced strong opposition to the proposal and requested that it be reconsidered.

In light of this request, the SWDCB sent the proposal back to the Solid Waste Advisory Committee for revision. The revised proposal applies only to local governments with a population of 3,000 or more, or that maintain a solid waste system through contract or through public operation and includes the following requirements:

1. Each affected local government will be required to meet a 20% recycling goal and reduce waste going to landfills annually. An affected local government has five (5) years from the effective date of this rule to accomplish this goal.

2. Recycling efforts will be measured according to the following recycling ratio formula:

$$\% \text{ Recycled} = \frac{\text{Materials recycled that are controlled by the covered local government}}{\text{Total of all materials generated that are controlled by the covered local government}}$$

3. Each affected local government must use an enterprise fund system of accounting for all solid waste programs, unless authorized to use a special revenue fund by the Commissioner of TDEC.

4. Each affected local governments must implement best practices, which will be prepared by TDEC, on an as needed basis to attain the statewide waste reduction and local recycling goals.

5. All affected local governments will be required to prepare and implement a waste reduction plan. Municipalities must submit a copy of the plan to the county. The county, in turn, must prepare and submit an aggregated copy of all plans to the municipal solid waste planning region for submission to the Department.

6. Affected local governments that fail to comply with the requirements of the provision after the proposal has been implemented will receive a letter of warning from the Commissioner of TDEC, which must include an offer of technical assistance from the Department. If the noncompliance continues for (60) sixty days after the receipt of the letter of warning, the municipality could be assessed civil penalties of up to \$5,000 a day.

Please review the proposal for more information and provide your comments to Denise Paige at dpaige@tml1.org by noon on Monday, August 31, 2009.

The Solid Waste Disposal Control Board has set these rule changes out for public comment and a public hearing to be held on September 1st, 2009, 9:30 a.m. at the L & C Tower at 401 Church St, 17th Floor, and Nashville, TN 37243. TDEC will host a Webinar of the proceedings if you are unable to attend the public hearing. ([Click here for Webinar information](#)). The deadline for the submission of written comments is Wednesday, September 30, 2009. ([Click here for information on how to submit written comments](#)).

Tennessee Municipal League | 226 Capital Boulevard | Nashville, TN 37219

This email was sent to esmith@corn.org . To ensure that you continue receiving our emails, please add us to your address book or safe list.