



Commonwealth of Kentucky Energy and Environment Cabinet

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FOR IMMEDIATE RELEASE

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Energy and Environment Cabinet Gives Preliminary Approval to Blue Ridge Landfill Corrective Action Plan, Seeks Public Comment

FRANKFORT, Ky. (Jan. 11, 2018) - The Energy and Environment Cabinet (EEC) today announced that it has given preliminary approval to Advanced Disposal Services Blue Ridge Landfill, Inc.'s (Blue Ridge) Corrective Action Plan (CAP), regarding the Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) that was illegally brought there in 2015.

The Cabinet will accept written comments on the CAP from the public for a period of 30 days, beginning Jan. 11, 2018 and ending Feb. 11, 2018. Comments should be submitted in writing to Jeff Cummins, Director, Division of Enforcement, 300

Sower Boulevard Lane, Frankfort, KY 40601, or by email to Jeff.Cummins@ky.gov no later than the end of the 30-day public comment period. Please reference Agency Interest No. 998 and Agreed Order DWM - 160048 on any correspondence.

In proposing the CAP, Blue Ridge conducted a preliminary screening and evaluation of a number of remedial technologies to address the TENORM waste. Based on the screening, two corrective action options were retained for further consideration, leaving the TENORM in place or excavating and disposing of it elsewhere. The CAP reflects that the preferred option is to leave it in place under the conditions outlined in the CAP, which will become enforceable through permit modifications.

The Cabinet, in preliminarily accepting Blue Ridge's preferred option, determined that leaving the TENORM in place is protective of human health and the environment because it limits potential public exposure to the waste and other adverse impacts associated with excavating at the site. Final Cabinet approval is dependent on Blue Ridge implementing a radionuclide sampling plan including groundwater monitoring, along with monitoring the underdrains to detect liner failures. It also must develop plans to increase worker safety; reroute gas collection systems to avoid the disposal area, place an interim cap at the disposal area that effectively limits worker exposure and decreases surface water infiltration/leachate generation, and install an enhanced cap in accordance with recently approved TENORM regulations by the cabinet when the landfill closes.

The CAP also includes a radiation detection plan, for detecting and preventing the disposal of unpermitted TENORM waste and other radioactive materials in the landfill, which Blue Ridge has already implemented. The detection plan includes the installation of radiation monitors with reports made available to the Cabinet on request. In addition, the landfill will begin groundwater monitoring for radionuclides while it awaits a final decision on the CAP.

Blue Ridge previously agreed to a \$95,000 civil penalty that the Cabinet agreed to offset by allowing the company to perform supplemental environmental projects. Specifically, Blue Ridge agreed to deposit \$60,000 into an escrow account for the Estill County School District to pay towards the detection and mitigation of naturally occurring radon.

In addition to the civil penalty, Blue Ridge previously agreed to stipulated penalties in the amount of \$25,000 for future acceptance of unpermitted TENORM waste.

A copy of the CAP will be available for public inspection at the Estill County Public Library during regular library hours. The CAP, and other records related to the CAP, including the Cabinet's comments on draft versions and responses, the Agreed Order, and other information related to the Cabinet's investigation also can be viewed at <http://dep.gateway.ky.gov/publicfiles/> or at the Division of Waste Management's Frankfort office, 300 Sower Boulevard, Frankfort, KY 40601, between 8:30 AM and 4:00 PM weekdays by appointment only.

To make an appointment or to request materials in an alternate format, submit a written request to DEP.KORA@ky.gov at least 72 hours prior to the desired review date. Please include the Agency Interest No. 998 and Agreed Order Number DWM – 160048 in the email request. For assistance with a records request, contact Emily Perkins at (502) 782-1786.

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