

Public Comments for Kingston Class II Landfill Major Modification Permit

December 9, 2014

Good evening, my name is Angela Garrone, I am the Southeast Energy Research Attorney for Southern Alliance for Clean Energy, based in our Knoxville office. My great-grandmother lived right across from the coal plant when she was alive and when I moved here from Memphis, I actually lived with a cousin for a while in that same house as I got settled in to life in East Tennessee. I remember our family being thankful that our relatives were not impacted by the Kingston disaster in December 2008. Since then we've all watched as TVA has cleaned up its mess, built a state of the art coal ash containment system and restored the impacted area to parkland. We also know that a substantial amount of the coal ash spilled still remains on the floor of the Clinch River and will be monitored by TVA for the next 30 years. This history of contamination makes it all the more important for TVA and TDEC to proceed carefully and safely when making changes to its coal ash storage at Kingston.

Like the state of the art concrete storage facility TVA has erected to contain the remaining spilled ash on-site, each landfill at Kingston should represent a gold standard in coal ash storage in terms of the construction and maintenance of the landfill. SACE and others have reviewed documents associated with this permit application and we have grave concerns about the proposed permit modification as-is. We believe that this permit needs to be withdrawn and revised to consider more suitable site for long-term storage of coal ash waste from the Kingston plant.

The very foundation of the proposal for this permit modification is flawed. The very technical basis for the permit change (and compliance with TDEC siting standards) contradicts TVA's own follow-up investigations. Previously TVA claimed there were no karst features in this area – meaning no sinkholes, sinking streams, or springs at the site. Following a large sinkhole collapse in December 2010, however, it became clear that the land on which this landfill is located is not suitable for containment of massive volumes of toxic waste for years to come. The December 2010 collapse was so rapid and dramatic that it created a whirlpool, or vortex, in the waste and resulted in complete failure of the compacted clay liner.

TVA's plans in this permit modification application to mitigate the instability of the site will be inadequate. TVA's planned five-foot deep "over-excavation" will not identify deeper areas that may be prone to sudden collapse. Despite TDEC's own admission that no amount of subsurface investigation will be adequate to predict future collapse risk because collapse areas are "widespread, hard to predict, and are based on deep bedrock and soil conditions that you cannot see" –TVA plans to rely on visual methods FROM ABOVE during construction to determine site stability.

After reviewing the permit file, we believe this site is irreparably flawed. TVA should work to find a more appropriate and safer location that is more stable and capable of containing large amounts of coal ash for years to come.

We strongly request that TDEC reject this proposed permit modification.