June 15, 2020

The Honorable Terry Frank
Anderson County Mayor
100 N. Main Street, Room 208
Clinton, TN 37716-3617

RE: Tennessee Valley Authority Bull Run Coal Fired Power Plant

Dear Mayor Frank:

Thank you for talking to me last Friday about the Tennessee Valley Authority Bull Run Coal Fired Power Plant site (TVA Bull Run site). As discussed, this letter confirms the support of the Tennessee Department of Environment & Conservation (TDEC) for the Anderson County Commission's efforts to independently sample and analyze coal ash at the TVA Bull Run site.

We believe the Tennessee Valley Authority (TVA) should grant you access to this opportunity and we are encouraging TVA to do so. We also think that TDEC can help develop the Request for Proposal that your County Commission has authorized to ensure that any sampling and analysis is conducted in a methodical and scientifically sound manner.

We want your citizens to know that we stand with your community. As I mentioned during our call, we are very confident in the integrity of our own sampling efforts and our ongoing investigation at the TVA Bull Run site. However, we believe we should always listen when trust in our agency is called into question.

The situation being used to attempt to call trust in our agency into question involved TDEC being open and transparent with the public. The TDEC spreadsheet in question, in and of itself, was an instrument to summarize thousands of pages of lab data in a coherent manner for public review. Specifically:

- **Radium**
  During early 2009, as thousands of samples were being analyzed, TDEC created spreadsheets to try to summarize the many pages of laboratory analysis reports in a manner that could better inform the public. TDEC simultaneously provided lab reports to the public as well. It appears that TDEC made a data entry error on one of its spreadsheets by failing to include a single radium result. However, the lab report provided to the public still included the radium result, and TDEC subsequently corrected the data entry error on the spreadsheet. TDEC never attempted to conceal this.
• **Uranium**
  For sampling conducted from January 6, 2009 to January 12, 2009, the state lab conducting the analysis of the samples for uranium originally used EPA Method 200.7, which resulted in artificially elevated levels of uranium in soil and ash due to the interference of other materials in the analysis. The lab subsequently changed the analytical methodology to EPA Method 200.8 to eliminate the interference. The analytical methodology change is consistent with US EPA recommendations. TDEC never attempted to conceal this.

We have and will continue to hold TVA accountable in protecting the environment, and we will fully involve the public in an open and transparent manner during that process. TDEC has worked tirelessly for more than a decade in this effort, taking broad and decisive action against TVA that is unprecedented in the United States. TDEC and TVA fought over administrative orders, vigorously litigated against each other in federal and state court, engaged in hard-nosed negotiations, and ultimately agreed to a robust and scientifically defensible framework for the investigation and cleanup of coal ash disposal areas.

Tennessee is the only state in the nation that I am aware of that has all coal-fired power plants under enforcement orders to complete environmental investigation and cleanup. Tennessee is the only state in the nation that I am aware of to require an electric utility to conduct environmental investigation and cleanup of coal ash disposal locations that included both active permitted coal ash disposal areas, as well as inactive historical coal ash disposal areas.

TVA has prepared environmental investigation plans at all its sites, including at the Bull Run site. TDEC required TVA to follow public notice and comment procedures before TDEC would approve any of the environmental investigation plans. TVA is now performing the environmental investigations at each location, including at the Bull Run site. Throughout this process, TDEC solicited, listened to, and responded to the public’s concerns. TDEC spends countless hours attending and participating in public meetings across the state relating to TVA’s investigations.

TDEC invited Anderson County to participate in meetings discussing the environmental investigation plan for the Bull Run site. When TDEC approved the draft Environmental Investigation Plan for the TVA Bull Run site, Anderson County was invited to participate in public meetings about the Environmental Investigation Plan on September 5, 2018 and October 4, 2018. TDEC received public comments concerning the Environmental Investigation Plan through November 2, 2018. TDEC did not approve the TVA Bull Run site Environmental Investigation Plan until all public comments had been received and reviewed. TDEC officially approved the plan on December 6, 2018.

TDEC team members attended two additional meetings of the Anderson County Commission (the Commission) on June 10, 2019 and February 18, 2020. We welcomed the opportunity to meet with the Commission. At both meetings, the Commission asked questions about the coal ash disposed of at the TVA Bull Run site and the plan for the environmental investigation of the site. The TDEC team members presented information about the TVA Bull Run site to the Commission and gladly answered questions from the Commission members.

TDEC itself also conducted additional investigation, developed additional sampling plans, and conducted additional testing above and beyond what is required of TVA to address public concerns.
Specifically, with respect to Anderson County, TDEC responded to concerns about the potential siting of a park in Clinton at a location where coal ash had previously been deposited. Over a two-week period in early 2019, TDEC personnel visited the site, reviewed the permit records for the site, and provided the city with guidance to follow should the City wish to proceed with the park.

More recently, TDEC responded to community concerns about whether a dust that appeared in the area was flyash or not. Again, TDEC willingly used its resources to answer the specific question raised in the community. On September 24, 2019, TDEC collected particulate samples from six residential properties and accepted particulate samples collected by local residents. All samples were analyzed for flyash because everyone who contacted TDEC was concerned about the release of flyash from the TVA Bull Run Plant.

To ensure the accuracy and integrity of the sample analyses, TDEC selected an independent third-party laboratory to analyze the samples it collected. The samples were first analyzed using Polarized Light Microscopy and then Scanning Electron Microscopy. Five samples analyzed did not contain any flyash. One sample contained trace amounts of flyash. The amount of flyash from this sample was so low the lab could not calculate the amount present. Given the sample results, TDEC determined there was no measurable flyash in the emissions from the TVA Bull Run Plant. A copy of the analytical report for this sampling event is included with this letter. If you or other Anderson County officials have any questions or concerns about this investigation, please do not hesitate to contact us.

TDEC’s mission is to protect public health and the environment. To succeed in carrying out this mission, we must ensure good working relationships with local governments. TDEC has worked and will continue work with Anderson County to carry out our mission. Rest assured that we will also continue to closely monitor TVA’s activities that are required to be reviewed and approved by our agency. We will also hold TVA accountable for actions that negatively impact our environment in accordance with state law and our enforcement orders.

Most importantly, we will continue to listen to any questions or concerns your community has for us about the Bull Run site. Please do not hesitate to contact me with any of those questions or concerns.

Sincerely,

[Signature]
Gregory T. Young
Deputy Commissioner, Bureau of Environment

Enclosure: Analytical Report from September 19, 2019 Sampling Event