



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

**Division of Solid Waste Management
Fifth Floor, L & C Tower
401 Church Street
Nashville, Tennessee 37243 - 1535
615-532-0780**

cc: J. S. Baugh, LP 5G-C
L. F. Campbell, KFP 1A-KST
EDM, WT CA-K

January 20, 2004

Mr. Joseph R. Bynum, Vice President
Fossil Power Group
Tennessee Valley Authority
1101 Market Street, LP 5D
Chattanooga, TN 37402-2801

**CERTIFIED MAIL
7003 1680 0005 5765 2243
RETURN RECEIPT REQUESTED**

RE: Public Notice of Receipt of Part I Application – Proposed Lateral Expansion
TVA Kingston Fossil Plant Class II Landfill – IDL 73-0094

Dear Mr. Bynum:

Enclosed for your information are: 1) a draft copy of a Preliminary Public Notice of Receipt of a Part I application, and 2) a site map for the proposed major permit modification for the above-referenced facility.

Pursuant to Tennessee Rule 1200-1-7-.02(3)(e)1., effective 9-14-03, all public notices (except for notices of intent to deny a permit) must be placed by the applicant/permittee. The Division of Solid Waste Management (DSWM) has prepared the enclosed notice and map for publication in the main news section of two local newspapers, The Harriman Record and The Roane County News. Please review the notice for accuracy and contact the Tennessee Press Association, Inc., (TPS) at 865-584-5761 as soon as possible to arrange to pay for publishing the notice and map in these two newspapers.

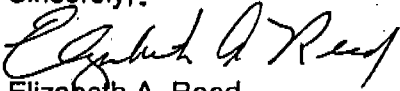
TPS will notify the DSWM when payment arrangements have been made. The DSWM will then specify a date for publishing, and will instruct TPS to place the notice and map in the designated newspapers on the specified dates. You will receive a copy of the finalized notice.

Copies of the finalized notice and map will be sent to the Mayor of the City of Harriman and the Mayor of the City of Kingston, requesting that they be posted in City Hall, and to the Roane County Mayor, requesting that they be posted in the Roane County Courthouse. The notice will also be distributed to the persons on a request list maintained by the DSWM.

Mr. Joseph R. Bynum, Vice President
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Please feel free to contact me at (615) 532-0834 or by email: Elizabeth.Reed@state.tn.us
should you have any questions.

Sincerely, .



Elizabeth A. Reed
Permit Administration

Enclosures - 2

cc: Tennessee Press Service, Inc., ATTN: Peachey Lyne via E-mail: plyne@tnpress.com
Mr. Larry Bowers, TVA Fossil Power Group, 1101 Market Street, LP 5D,
Chattanooga, TN 37402-2801
Larry Cook, DSWM/EAC-Knoxville
Mark Penland, TDEC/EAC-Knoxville
DSWM Central Files/Nashville Central Office

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DRAFT

NOTICE OF RECEIPT OF A PERMIT APPLICATION
FOR A SOLID WASTE DISPOSAL FACILITY

Tennessee Valley Authority (TVA) Kingston Fossil Plant has applied to the Tennessee Department of Environment and Conservation (TDEC) Division of Solid Waste Management (DSWM) for a solid waste disposal facility permit major modification to construct and operate a lateral expansion of the existing Kingston Fossil Plant Class II Landfill, IDL 73-0094. The facility is located in Roane County at 714 Swan Pond Road, approximately 2 ½ miles southeast of Harriman, Tennessee (latitude N 35°54'40" /longitude W 84°30'42") at the base of a peninsula formed by the Clinch and Emory River embayments of Watt's Bar Lake, about 2.7 miles above the confluence of the Clinch and Tennessee Rivers. The waste materials to be disposed are classified as industrial waste consisting of fly ash and bottom ash generated onsite from the burning coal by the TVA Kingston Fossil Plant. The new cell, which is a lateral expansion atop the existing ash impoundment, is necessitated to contain seepage escaping a berm below the existing landfill cells.

Under State law, TVA must obtain a modification of the existing permit before constructing or operating the proposed facility. DSWM has received a Part I Permit Application indicating the applicant's desire to obtain the required major permit modification. Due to the immediate need for disposal capacity, DSWM is allowing TVA to begin construction/operation of the dredge cell at this time.

A complete permit application consists of both a Part I and a Part II, as described in Regulations Governing Solid Waste Processing and Disposal Facilities in Tennessee, Rule 1200-1-7-.02(2)(c). Upon receipt of a complete Part I and Part II application, DSWM will do an in-depth review to determine if the application meets the technical standards of the Regulations described in Rule Chapter 1200-1-7-.04(9), Solid Waste Processing and Disposal. Once the technical review is completed, DSWM will make a tentative decision to either grant or to deny the permit and will issue a public notice of such decision. This second notice will provide the public at least 45 days to submit written comments on the proposed action and to request a public hearing (a public hearing may be announced in this second notice if there is already significant public interest). If there is a significant degree of public interest found following the publication of this second notice, a public hearing will be scheduled, and a public notice issued at least 15 days before the hearing. After considering all comments received, the DSWM Director shall issue a final permit decision and a response to comments.

Further information on this matter may be obtained by contacting the Division of Solid Waste Management at the TDEC Environmental Assistance Center-2700 Middlebrook Pike, Suite 220, Knoxville, TN 37921-5602, telephone: 865-594-6035; or Mr. Larry C. Bowers, Senior Solid Waste Specialist, Environmental Affairs, TVA, 1101 Market Street, LP 5D, Chattanooga, TN 37402-2801, telephone: 423-751-4947.

Persons who wish to be on the Division of Solid Waste Management's mailing list should obtain a Mailing List Request form by calling or writing the Public Participation Officer, Division of Solid Waste Management, Tennessee Department of Environment and Conservation, 5th Floor, L & C Tower, 401 Church Street, Nashville TN 37243-1535, telephone: (615) 532-0798, email: solid.waste@state.tn.us.

The Tennessee Department of Environment and Conservation is committed to principles of equal opportunity, equal access, and affirmative action. Contact the EEO/AA Coordinator at 1-888-867-7455 or the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service at 1-800-848-0298.

NOTICE ISSUED (date to be published)