

McIntosh, Cheryl (EEC)

From: Geoff Sebesta <geoffsebesta@gmail.com>
Sent: Wednesday, January 31, 2018 8:46 PM
To: Cummins, Jeff (EEC)
Subject: TENORM removal in Estill County

Hello there! I would like to share some observations on the TENORM issue in Estill County.

The first is to say that I am thoroughly satisfied by Tom Hart's presentation and that the waste, though it is of largely unknown composition, is possibly safe where it is. It is certainly cheaper. However, I agree with the people of the county that the moral issue here demands its removal. It is extremely important to hold the company responsible, especially since the state has made the baffling decision to refuse to prosecute. The company violated the contract, and the county has the absolute right to demand the removal of the waste. As I understand, the company is refusing to admit in court that they are even beholden to the host plan of Estill County. This gives Estill little choice but to enforce their rights vigorously, because they must demonstrate to the company that this cannot happen again.

That said, I believe that the waste should not be sent to Pennsylvania by truck, and that proposal for disposal is far from the only possibility. It seems much more responsible, instead of passing the issue to another rural community who simply happens to be less politically alert than Estill County, to transport it by train to a long-term disposal facility in Utah or Nevada. For the weight involved, it seems to me that trains are the only rational transportation system. Utah and Nevada contain large amounts of truly deserted wilderness that is not upstream from any major rivers, which is not the case in Pennsylvania -- Pennsylvania is simply a state that does not enjoy the same protection from toxic waste as Kentucky. It would be unfortunate indeed if Estill County's attempt to free itself from this injustice resulted only in another rural community suffering.

I would like to add that it is shocking to the conscience that the man who committed fraud and diverted the waste to this facility has not been charged with a crime. It is astonishing that his "awareness that it was illegal" is an issue. . We were told that the state was looking for a witness that can prove that the gentleman knew it was illegal. This is a bizarre standard of law.

This is an important issue, because it sets a standard. There are people looking to dump toxic waste all over this country, and they are watching to see what Kentucky does. If we let this slide, we open ourselves up to much greater maltreatment in the future. A clear and stern response is called for.

Thank you very much for your time,

Geoff Sebesta

