

**From:** [Pendergrass, Curt \(CHFS DPH\)](#)  
**To:** [jason.r.frame@wv.gov](mailto:jason.r.frame@wv.gov)  
**Cc:** [Webb, April \(EEC\)](#); [George.Patridge@ky.gov](mailto:George.Patridge@ky.gov); [Loyselle, Maridely \(EEC\)](#); [Keffer, Christopher \(CHFS Rad Hlth\)](#)  
**Subject:** RE: TNORM disposal in KY  
**Date:** Tuesday, July 21, 2015 9:45:13 PM

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Hello Mr. Frame,

While KY does not currently have any regulations dealing with the control and disposal of NORM/TENORM waste generated in the oil and gas industry from hydraulic fracturing, we do have statutes on the books establishing the Central Midwest Interstate Low Level Radioactive Waste Compact of which KY is a member with IL. The compact strictly forbids the disposal of any and all radioactive materials generated outside of IL and KY anywhere in our states. This obviously includes fracking wastes generated in West Virginia. I am Cc'ing my colleagues in the Division of Solid Waste on this e-mail since disposal of wastes containing hazardous materials including NORM/TENORM in landfills here in KY is their regulatory purview. Ohio and Pennsylvania both have regulations addressing the disposal of NORM/TENORM contaminated waste so Advanced TENORM Services might want to check with the authorities in those states to see what is required.

Regards,

Curt Pendergrass, Ph.D.  
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**From:** Keffer, Christopher (CHFS Rad Hlth)  
**Sent:** Tuesday, July 21, 2015 1:19 PM  
**To:** Pendergrass, Curt (CHFS DPH)  
**Cc:** [jason.r.frame@wv.gov](mailto:jason.r.frame@wv.gov)  
**Subject:** TNORM disposal in KY

Dr. Pendergrass,

I was contacted this morning by Mr. Jason R. Frame; a member of the West Virginia radiation program. He was inquiring about a West Virginia company's intent to dispose of TNORM from a "fracking" operation here in Kentucky by using the services provided by Advanced TENORM Services L.L.C. ( [https://app.sos.ky.gov/ftshow/\(S\(30yqolkfdaebcz4hporemp4\)\)/default.aspx?path=ftsearch&id=0904260&ct=06&cs=99999](https://app.sos.ky.gov/ftshow/(S(30yqolkfdaebcz4hporemp4))/default.aspx?path=ftsearch&id=0904260&ct=06&cs=99999) ). From Mr. Frames understanding, Advanced TENORM Services L.L.C. (located in West Liberty, KY) will be solidifying the "facking" sludge in

Ashland, KY and then sending it to a Class D landfill in Irvine, KY. Mr. Fame's question was in regards to whether or not we would allow the disposal of TMORN from other states in the state of Kentucky or send it back to the materials origins. I informed Mr. Frame that our office does not currently have regulation regarding TNORM in place and that each landfill may have their own limits on what they except or turn away in regards to radiation levels.

If you have any input on this matter please contact Mr. Frame at the e-mail address provided ([jason.r.frame@wv.gov](mailto:jason.r.frame@wv.gov)).

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