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**Vickie Yates Brown Glisson**  
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**Statewide News Release**

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**Cabinet for Health and Family Services to Seek Civil Penalties for TENORM Dumping**  
*Fines Address Processors, Transporters, and Brokers Responsible for Transfer*

**FRANKFORT, KY** (Nov. 14, 2016) - The Cabinet for Health and Family Services (CHFS) is seeking significant civil penalties against various companies and individuals responsible for the dumping of radioactive waste in landfills located in Estill and Greenup counties.

The penalties are the result of illegal activity discovered in landfills in early 2016 and target the processors, transporters, and brokers responsible for the transfer of these materials into Kentucky landfills. Evidence shows the activity began as early as May 2015 and involved the illegal transport and disposal of Technologically Enhanced Naturally Occurring Radioactive Material (TENORM), which is a byproduct of pressurized oil drilling, or fracking.

“State laws prohibit the disposal of radioactive material from out-of-state companies in Kentucky landfills,” said CHFS Secretary Vickie Yates Brown Glisson. “The Cabinet is imposing significant penalties against all those responsible for the illegal activity.”

The Department for Public Health, within CHFS, is seeking penalties against Advanced TENORM Services of West Liberty (\$2,650,000); Cory Hoskins of West Liberty (\$2,650,000); Fairmont Brine Processing LLC, of Pittsburgh (\$1,012,000); Mountain States Environmental of Lancaster, Ohio (\$615,000); L.R. Daniels Transportation, Inc. of Ashland, Kentucky (\$612,000); Pressure Technology of Ohio of Norwich, Ohio (\$338,000); Nuverra Environmental Solutions, Inc. of Scottsdale, Arizona (\$143,000); E&R Energy, LLC of Norwich, Ohio (\$140,000); and Cambrian Wells Services, LLC in Norwich, Ohio (\$30,000).

The monetary amounts of the fines depended on the number of violations discovered. The illegal activity was discovered at both landfills following an investigation by the Cabinet for Health and Family Services and the Energy and Environmental Cabinet (EEC).

On Jan. 19, 2016, the Chief of the West Virginia Radiological Health Program first informed the Cabinet for Health and Family Services that a company operating as Advanced TENORM Services may have been illegally facilitating the dumping of out-of-state TENORM waste at a landfill in Estill County, Kentucky. Before this contact, CHFS had received no indication of the dumping.



“From the moment we learned of the illegal dumping, our staff began coordinating with the Energy and Environment Cabinet, state and local officials to enforce the law and ensure the safety of all citizens,” said Sec. Glisson. “We quickly conducted tests of the area and found that there are no immediate threats to public health from the illegal dumping. Accountability and transparency are priorities and we will continue our coordination efforts at the state and local levels.”

In addition to imposing penalties upon the responsible parties, CHFS is:

- Monitoring and testing areas that had been exposed. Those results have been shared with local officials and showed no evidence that the TENORM dumping led to radiation or radioactive contamination above federal and state safety limits.
- Working with EEC and landfill attorneys and management to remediate and/or manage the landfill properties and ensure that the properties remains safe for workers and the general public, regarding both in-state and out-of-state (illegal) TENORM waste.
- Working with outside entities to perform dose assessments on the workers at the landfill. The preliminary results indicate that the workers are not at risk for any negative outcomes.
- Evaluating the potential for future exposure pathways from the TENORM material, and ensuring that appropriate steps are taken to address any future risks.
- Working to address all possibilities for minimizing or eliminating future risks due to the TENORM material currently in the landfill.
- Participating in the Oil and Gas Workgroup, which is currently devoted to promulgating new regulations to cover in-state and out-of-state TENORM issues. That Workgroup will deliver a report to the legislature in December 2016.

EEC is also seeking a monetary penalty from the Blue Ridge Landfill as well as a site remediation plan. The cabinets continue to investigate this issue and are working with the local residents on long-term planning. A public hearing will be held 7 p.m. tonight in Irvine at Estill County High School.

*The Cabinet for Health and Family Services is home to most of the state's human services and healthcare programs, including the Department for Medicaid Services, the Department for Community Based Services the Department for Public Health and the Department for Behavioral Health, Developmental and Intellectual Disabilities. CHFS is one of the largest agencies in state government, with nearly 8,000 full- and part-time employees located across the Commonwealth focused on improving the lives and health of Kentuckians.*