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Statewide News Release

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Cabinet for Health and Family Services to Impose Significant Penalties Upon Those Responsible for the Disposal of Radioactive Waste at the Blue Ridge Landfill in Estill County

FRANKFORT, Ky. (April 20, 2016) — Today, the Cabinet for Health and Family Services (CHFS) announced it will seek significant civil penalties against Advanced TENORM Services, LLC, Fairmont Brine, and all others responsible for the illicit dumping of waste in both Estill and Greenup Counties.

“The Cabinet intends to impose the harshest civil penalties available under the law against all those responsible for the illegal dumping of waste in the Commonwealth,” said Secretary Vickie Yates Brown Glisson. “We will not tolerate any actions that threaten the health and well-being of our citizens.”

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 Technologically Enhanced Naturally Occurring Radioactive Material (“TENORM”) waste at a landfill in Estill County, Kentucky. Before this contact, CHFS had received no indication of the illicit dumping.

“From the moment the administration 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 the Energy and Environment Cabinet and Blue Ridge’s attorney and management to remediate and/or manage the landfill property and ensure that the property 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 with EEC and Blue Ridge's attorney and management 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.
- Cooperated with Kentucky Office of the Attorney General's investigation, which independently decided not to seek criminal penalties against the subject parties.

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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.