March 3, 2021

Via Electronic Mail to jtcates@tva.gov
Attn: J. Taylor Cates, NEPA Specialist
1101 Market Street, 2C-C
Chattanooga, TN 37402

Dear Ms. Cates:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the Tennessee Valley Authority’s (TVA) Ocoee 1 Hydro Consolidation Draft Environmental Assessment (EA), which considers the consolidation of three existing Ocoee 1 Hydro Dam (O1H) administrative buildings into a single building, which is yet to be constructed. The Draft EA also covers potentially disposing of the three existing administrative buildings once they are vacated.

Actions considered within the Draft EA include:

- **No Action Alternative.** Under the No Action Alternative, TVA would not consolidate the three existing administrative buildings into a newly constructed building and would instead continue operations in current form.

- **Alternative A – Consolidation via License or Easement Grant.** Alternative A involves constructing a new building to consolidate activities in the current three administration houses. The three existing structures would then be disposed of through license or easement grants, either individually or together. Thus, these buildings would remain intact but would no longer be considered part of the O1H facilities.

- **Alternative B – Consolidation via Demolition.** Alternative B involves constructing a new building to consolidate activities in the current three administration houses. The three existing structures would then be disposed of via demolition, either individually or together.

TDEC has reviewed the Draft EA and provides the following comments:

**Air Resources**

Under Section 3.12 (Air Quality), the Draft EA lists criteria air pollutants including particle pollution with sizes less than or equal to 1.2 micrometers. TDEC notes that this should read “particle pollution less than or equal to 10 micrometers (PM$_{10}$).” Additionally, TDEC notes that National Ambient Air Quality Standards (NAAQS) exist for
particle pollution with sizes less than or equal to 2.5 micrometers (PM$_{2.5}$); these are included in PM$_{10}$ but PM$_{2.5}$ has its own additional standards. TDEC encourages TVA to reflect these considerations in the Final EA.

Both alternatives – consolidation via license or easement grant and consolidation via demolition – discuss construction activities that may cause emissions of fugitive dust. Alternative A’s discussion includes a statement that TVA will follow the fugitive dust emission standards specified on the construction permit. However, TDEC notes that there are currently no sources permitted at this location and the activities described in the Draft EA do not appear to meet criteria to require a construction permit. Therefore, TDEC recommends that TVA instead reference the requirements of the Tennessee Air Pollution Control Regulations (TAPCR)$^1$ – which provides specific requirements for prevention of fugitive dust, including use, where possible, of asphalt, water, or suitable chemicals to limit its creation – in both Alternative A and Alternative B narratives in the Final EA.

TDEC has open burning regulations$^2$ and the Division of Air Pollution Control would need to be contacted prior to any open burning of any vegetative or construction/demolition related debris generated from the project. TDEC encourages TVA to include these considerations in the Final EA.

TDEC recommends that all construction equipment employed on site be well maintained and equipped with the latest emissions control equipment to reduce air pollution associated with the project’s activities and encourages TVA to consider these considerations in the Final EA.

**Cultural and Natural Resources**

TDEC finds that the proposed project has the potential to disturb archaeological resources, as a geophysical survey has identified multiple unmarked graves associated with the Shields-Parksville Cemetery in the Area of Potential Effects. TDEC notes that any potential impacts to archaeological resources should be avoided or mitigated through continued consultation with the State Historic Preservation Office and requests that these considerations be included in the Final EA.

**Solid Waste**

There is no evidence of solid or hazardous waste related issues that would require permitting, compliance, or enforcement action within the site locations specified in the Draft EA.

TDEC acknowledges that both preferred alternatives – disposal via license or easement grant or consolidation via demolition – have similar impacts pertaining to solid and hazardous wastes. Per the Draft EA, TVA has already identified multiple best management practices and mitigation measures to avoid or reduce adverse impacts from the implemented action. TDEC recommends that the final EA consider and explicitly reflect that any wastes associated with such activities in Tennessee be managed in accordance with the Solid and Hazardous Waste Rules and Regulations of the State of Tennessee.$^3$

TDEC notes that there is the possibility of a legacy solid waste site, or disposal in the area that predates the program, as Tennessee’s Solid Waste Management program dates back to 1972. Any wastes which may be

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unearthed during the project would be subject to a hazardous waste determination and must be managed appropriately. TDEC encourages TVA to reflect these considerations in the Final EA.

**Water Resources**

The Draft EA acknowledges that, if construction activities are expected to disturb more than one acre of land, it would require a Construction Stormwater Permit including a Surface Water Pollution Prevention Plan. TDEC encourages TVA to consider sediment and erosion controls even in scenarios with land disturbances of less than one acre. The Draft EA also indicates that construction of the new building will require a septic tank permit. TDEC notes that a large capacity septic tank permit will be required if the system will have the capacity to serve twenty (20) or more persons. A large capacity septic tank permit can only be issued if there are suitable soils for the field lines. TDEC notes that TVA may utilize an alternative subsurface disposal system if the soils are not capable of being permitted for normal field lines. TDEC encourages TVA to reflect these considerations in the Final EA.

TDEC appreciates the opportunity to comment on this Draft EA. Please note that these comments are not indicative of approval or disapproval of the proposed action or its alternatives, nor should they be interpreted as an indication regarding future permitting decisions by TDEC. Please contact me should you have any questions regarding these comments.

Sincerely,

Jennifer Tribble, PhD
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cc: Kendra Abkowitz, PhD, TDEC, OPSP
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