

# **Community Involvement Plan**

for the

## **Copper Basin Mining District Site**

**Polk County, Tennessee**

**October 2001**

*The document was prepared and distributed by the members of the Community Involvement Partnership for the Copper Basin Site:*

*Tennessee Department of Environment and Conservation*

*Glenn Springs Holdings, Inc.*

*U.S. Environmental Protection Agency*

*The mission of the Community Involvement Partnership is to provide consistent, accurate, and timely information, and*

*to listen and respond to concerns from citizens.*

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## 1.0 Overview of Plan

### 1.1 Scope and Intent of Plan

This **community involvement plan**\* provides background information and describes community interests and concerns related to the Copper Basin Mining District Site (Copper Basin site) located in Polk County, Tennessee. It also outlines the community involvement program to be implemented by or coordinated through the Copper Basin Site Community Involvement Partnership during the various stages of investigation and **cleanup** of the following site areas: portions of the North Potato Creek **watershed** and the South Mine Pit, portions of the Davis Mill Creek watershed, a portion of the Ocoee River, and several other areas in the Copper Basin. Partnership members include the U.S. Environmental Protection Agency (EPA), Tennessee Department of Environment and Conservation (TDEC), and Glenn Springs Holdings, Inc., (GSH).

### 1.2 Organization of Plan

This community involvement plan includes a brief site description and summary of recent site regulatory activities, a profile of the site community, identification and analysis of site-related community concerns, and a description of the Community Involvement Partnership. The plan also lays out the community involvement program for the Copper Basin site, including community involvement requirements for specific regulatory actions taking place at the site. The activities described in this community involvement plan will be coordinated with those detailed in the **public participation plan** prepared by GSH to meet requirements for the cleanup actions in the North Potato Creek watershed. Appendices to the plan include key contacts, locations for the **information repository**, **administrative record files** and community meetings, information about the **Technical Assistance Plan**, and a glossary.

### 1.3 Sources of Information for Community Involvement Plan

Information presented in this plan is based on existing site information, publicly available community and historical data, input provided during several community meetings held in spring 2001, and community interviews held in May and June 2001 with local officials, community groups, residents, and business owners. The community involvement partnership jointly set up and participated in these meetings and community interviews. Section 7.0 lists the references used to complete this plan, which is not intended to be a detailed or scholarly research account of the Copper Basin site, but a guide to effective community involvement in site cleanup activities.

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\* Words in **bold face print** appear in the glossary in Appendix F.

## 2.0 Site Description, Background, and Regulatory Activities

### 2.1 Site Description

The Copper Basin site is a very large and complex area located in mountainous terrain in extreme southeastern Tennessee. The site covers thousands of acres and has numerous mine shafts and remains of above-ground facilities, disposal areas, and mine collapses.

The focus of investigation and cleanup activities at the Copper Basin site includes portions of the North Potato Creek watershed, the Davis Mill Creek watershed, and the Ocoee River from the point where Davis Mill Creek enters the river downstream through Lake Ocoee, also known as Parksville Lake, to the Ocoee No. 1 (Parksville) dam. Figure 2-1 is a site location map that identifies the areas that comprise the site. Although many community members associate the sulfuric acid plant in Copperhill with the Copper Basin site, the **Memorandum of Understanding** and the cleanup agreements currently related to it do not specifically address the plant building and structures.

Specific areas of the site that may be familiar to local residents include collapses associated with the Burra Burra Mine, Boyd Mine, Isabella/Eureka Mine, East Tennessee Mine, and Polk County/Mary Mine. In addition, other areas, such as the Cherokee Mine and the Calloway Mine, contain places with the potential for collapses. Other site features that residents may have seen or be aware of include open shafts, shafts covered with soil, mine **adits**, dilapidated buildings and other structures, surface mined areas with steep cliffs, and steep sided waste piles.

Many mining areas are unstable; existing collapses can become larger or new ones may occur. As a result, these areas are very dangerous and access to many of these areas is restricted. GSH, EPA, and TDEC are concerned about safety hazards and encourage people to stay out of restricted areas and stay away from old mines, dilapidated structures, surface mined areas, and waste piles.

### 2.2 Site Background Information

The history of the Copper Basin Mining District dates back to the mid-1800s. In 1843, a massive underground sulfide ore deposit containing copper, iron, and zinc was discovered in the Copper Basin. Copper and iron mining operations began around 1847, and smelting operations began between 1850 and 1856 in areas around Ducktown, Isabella, and London, Tennessee. By the late 1800s, mining, harvesting trees for fuel, emissions, and related operations led to a complete stripping of topsoil and the denuding of the Copper Basin. Other operations conducted in the Copper Basin include the production of sulfuric acid and other chemicals, and mineral processing.

Figure 2-1 Site Location Map - - - -

At its peak, the Polk County copper industry employed more than 2,500 people. Overall, more than 90 million tons of ore were extracted from the Basin's copper mines.

Numerous individuals and companies were involved in the mining, refining and manufacturing operations. In 1899, the Tennessee Copper Company was formed. In 1963, Cities Service Company acquired Tennessee Copper Company, which owned or leased all mining and processing properties in the area. Cities Service operated the mines and processing plants for about 12 years. In 1976, Cities Service began open pit mining in the North Potato Creek watershed. Cities Service also began mining of the South Mine Pit.

In 1982, Tennessee Chemical Company acquired the assets of Cities Service Company's Industrial Chemicals Division, including the real property, mines and processing plants in the North Potato Creek watershed. Also in 1982, Occidental Petroleum Corporation acquired the stock of Cities Service Company.

Tennessee Chemical Company operated the mines until 1987, when the company ceased mining operations for business reasons. After mining stopped, Tennessee Chemical produced industrial chemicals, including sulfuric acid, liquid sulfur dioxide, ferric sulfate, and copper sulfate, until the company filed for bankruptcy in 1989. The bankruptcy trustee sold part of the land owned by Tennessee Chemical and abandoned the rest.

In 1990, Boliden Intertrade purchased the production facilities and approximately 1,600 acres of the former Tennessee Chemical property. Intertrade Holdings, Inc., a subsidiary of Boliden Intertrade, operated the facility until the plant and associated property were sold to Marsulex in May 1998. Marsulex sold the plant and associated property to a locally owned Georgia corporation in January 2001. The plant is now used to manufacture organic sulfonates, which are surface active agents, soap, and other detergents and agricultural chemicals.

### **2.3 Site Substances of Concern**

Historical copper and iron mining, mineral processing and acid production generated sulfide-rich ore, sulfide-bearing waste rock, tailings, granular and pot slag, iron calcine, magnetite, iron concentrate, and demolition debris. Substances of concern found at the Copper Basin site include acid rock drainage, lead, mercury, polychlorinated biphenyls (PCBs), copper, cadmium, aluminum, zinc, and manganese. Due to acid rock drainage in the Copper Basin and surface water runoff from various other waste sources, North Potato Creek and Davis Mill Creek contain metals and have acidic conditions.

## 2.4 Site Regulatory Activities and Cleanup Process

### 2.4.1 Past Site Activities Related to the Cleanup Process

There has been extensive past regulatory involvement in the Copper Basin associated with spills, water quality, air quality, occupational health and safety, and other issues. The following summary of past regulatory and associated activities is limited to those that are useful in understanding the cleanup process currently being implemented.

Site investigations have taken place before and since the mines closed in 1987.

Water and/or wastewater treatment facilities have been built in the Davis Mill Creek and North Potato Creek watersheds to address water quality issues associated with mining activities. In 1990, the State of Tennessee and the United States Government entered into an Agreement and Covenant Not To Sue with Boliden Intertrade for existing contamination. This agreement also required Boliden to perform a series of projects with a goal of improving surface water quality at the site.

In September 1991, OXY Oil and Gas USA, Inc., entered into an **Administrative Order on Consent** with EPA to continue the operation and maintenance of the London Mill Wastewater Treatment Plant, develop a sampling program to help determine upgrades for the plant, develop and implement a groundwater monitoring program, and conduct annual monitoring of plant sludge.

In September 1995, OXY entered into a Consent Order and Agreement with the State of Tennessee under its **Voluntary Cleanup Oversight and Assistance Program (VOAP)** to conduct a focused data collection program to begin characterizing the site for future actions. In 1996, Glenn Springs Holdings, Inc., (GSH), a subsidiary of Occidental Petroleum Corporation, began managing the London Mill Water Treatment Plant. Since that time, GSH has investigated portions of the Lower North Potato Creek area, including soil and water analyses, assessment of physical hazards, human and ecological risk analyses, research into past land uses, research into current land ownership, pilot projects for restoration of soils and water, and assessment of various options for reclamation and redevelopment. In 1998, the consent order and agreement was amended to include two pilot studies: testing an anaerobic wetlands to treat water containing acid rock drainage and constructing test plots to evaluate nutrient and seed mixtures that may be used to

establish vegetation on mill tailings.

Water quality concerns have led to several sampling events in the Copper Basin area. Partnership members tested numerous private and public water wells. None of the wells tested showed any site-related compounds at levels of concern. Sampling has also taken place in the Ocoee River. In 1996, in response to questions about the river's suitability as a venue for the Olympics, EPA stated that metals in the river were not present at levels that would cause concern for recreational use. In 1998, the **Agency for Toxic Substances and Disease Registry (ATSDR)** reviewed data from an EPA sampling event for the Copper Basin site and made recommendations, including restricting access to site areas that contain physical hazards (safety hazards), such as actual or potential mine collapses. In 2001, ATSDR received a petition requesting a health study of residents in the Copper Basin and surrounding areas. As of this writing, ATSDR is reviewing the petition.

During 2000, EPA, TDEC and OXY USA negotiated agreements to address site hazards and other areas of concern, culminating in the signing of a Memorandum of Understanding and several binding legal agreements in January 2001. The legal agreements authorize specific cleanup actions related to the site. The following subsections (2.4.2 and 2.4.3) give an overview of the cleanup process to be implemented at the Copper Basin site and the specific cleanup actions for each portion of the site specified in the January 2001 agreements.

#### ***2.4.2 Cleanup Process***

The cleanup process being followed for various parts of the Copper Basin site generally includes the following activities\*:

1. Develop work plans for investigations or other actions to be performed. This is a complicated site and well thought-out work plans will focus investigations on obtaining information that is meaningful to understanding the site and what needs to be done. These investigations will build on previous information and collect new data needed to answer relevant site questions.
2. Conduct **risk assessments** using site data to evaluate potential risks posed by the site to human health and the environment if no cleanup actions were taken. A risk assessment is also used to set goals for reducing potential long-term exposures from the site, but does not address possible effects from past site operations or exposures.

3. Complete treatability or feasibility studies, using data from site investigations and risk assessments to evaluate options for cleaning up the site.

*\* Note: Activities at the Copper Basin site are being performed under several regulatory programs and authorities. Consequently, different terminology may be used for similar activities. For example, a site investigation may be called a remedial investigation, site evaluation, or an engineering evaluation. The feasibility study may also be called a focused feasibility study or a cost analysis.*

4. Prepare a **proposed plan** when **remedial investigation (RI)** and **feasibility study (FS)** activities are complete for a specific portion of the site, issue the plan to the community, and hold a **public comment period** to solicit community input on the plan, as well as the other alternatives evaluated for the site.
5. Consider public comments on each RI/FS proposed plan and announce a **cleanup remedy** in a **record of decision (ROD)**.
6. Conduct good faith negotiations between the parties concerning implementation of the cleanup remedy, unless the cleanup remedy is already included in an order or agreement.

In addition to the cleanup process described above, several actions that fall outside of this process were negotiated and included in the Memorandum of Understanding and legal agreements. For example, an interim action was agreed to for the removal of the remaining unused PCB-containing electrical equipment in the North Potato Creek watershed. In addition, it was agreed that Gypsum Pond and Belltown Creek water would be routed directly to the Ocoee River to prevent contact with waste in Davis Mill Creek. The remainder of this section describes the specific cleanup actions planned for each site area, as outlined in the January 2001 Memorandum of Understanding and accompanying legal agreements.

### ***2.4.3 January 2001 Cleanup Agreements***

The January 2001 Memorandum of Understanding provides a framework and establishes guiding principles, responsibilities, and commitments to fund and conduct future investigations and cleanup actions at the site, including community involvement/public participation activities. In general, the

Memorandum of Understanding and concurrent administrative orders or agreements (entire text of each document is available online at [www.epa.gov/region4/waste/copper](http://www.epa.gov/region4/waste/copper)) allocate responsibilities for site investigation and cleanup in the following ways:

***2.4.3.1 Lower North Potato Creek and South Mine Pit.*** Activities in these site areas are taking place under two legal agreements: the TDEC Commissioner's Order under the State of Tennessee's Voluntary Cleanup, Oversight and Assistance Program, commonly called VOAP; and an administrative order on consent with the EPA, commonly called an AOC.

Under the VOAP order, GSH will investigate and clean up the Lower North Potato Creek area, including reducing or eliminating physical hazards from abandoned mining facilities in the watershed, as part of long-term reclamation. The VOAP order also calls for GSH to develop and implement a public participation plan in conjunction with Lower North Potato Creek activities. TDEC is the lead agency overseeing GSH's work and will coordinate oversight activities and share information with EPA.

Under an AOC with EPA, GSH will also conduct an investigation and study, known as an **engineering evaluation and cost analysis (EE/CA)**, as part of a **non-time-critical removal action** for Lower North Potato Creek from the point where the creek enters the Ocoee River to a location upstream of the South Mine Pit. In this study, alternatives will be evaluated to treat the water of Lower North Potato Creek on a temporary basis until an overall plan to protect water quality can be implemented. EPA, in coordination with the community involvement partnership, will set up an administrative record file for this action at the Polk County/Copper Basin Chamber of Commerce building in Ducktown and complete all other required community involvement activities, including soliciting public comments on the alternatives and EPA's preferred alternative. EPA, the lead agency overseeing GSH's work on the EE/CA, will coordinate oversight activities and share information with TDEC.

***2.4.3.2 Cantrell Flats Wastewater Treatment Plant on Davis Mill Creek.*** Under a second AOC with EPA, GSH will either fund or perform the refurbishing

and operation and maintenance of the Cantrell Flats Wastewater Treatment Plant on Davis Mill Creek. This temporary treatment will be used as long as necessary to protect water quality. As part of this action, which is called a **time-critical removal action**, water from Gypsum Pond and Belltown Creek will be diverted to the Ocoee River. EPA, in coordination with the community involvement partnership, will complete all required community involvement activities, including setting up an administrative record file for this removal action at the Chamber of Commerce office in Ducktown.

**2.4.3.3 Davis Mill Creek Watershed Area.** Under a third AOC with EPA, GSH will partially fund an RI/FS of the Davis Mill Creek watershed. The purpose of the RI/FS, which EPA will conduct, is to investigate and develop cleanup options for the watershed area. EPA, in coordination with the community involvement partnership, will share investigation results and plans with the community and complete all other community involvement activities required during an RI/FS.

**2.4.3.4 Ocoee River.** In a separate action, EPA will conduct an RI/FS of the Ocoee River, from the point where Davis Mill Creek enters the river downstream through Lake Ocoee, also known as Parksville Lake, to the Ocoee No. 1 (Parksville) dam. GSH is not participating in this study. As

with the Davis Mill Creek RI/FS, EPA, in coordination with the community involvement partnership, will share information with the community and complete all other community involvement activities required during an RI/FS.

**2.4.3.5 Copper Basin Area.** The Memorandum of Understanding calls for a separate agreement between EPA or TDEC and GSH to fund environmental restoration in portions of the Copper Basin Mining District through planting of hardwoods and other trees and vegetation. The Memorandum of Understanding further requires that GSH will provide \$50,000 for a Technical Assistance Plan grant. The grant would enable a qualified group to obtain independent technical expertise to help the community understand and participate in the overall site study and cleanup process. GSH will select the community grantee and administer the Technical Assistance Plan grant, according to applicable EPA guidelines. The Technical Assistance Plan is intended to cover all site activities.

**2.4.3.6 Community Involvement.** EPA, TDEC, and GSH used the Memorandum of Understanding as a basis to form a community involvement partnership for development and implementation of a coordinated site community involvement program. Section 5.0 of this plan describes the rationale, principles, approach and goals used to form the community involvement partnership; Section 6.0 describes the community involvement program the partnership will coordinate and implement for the Copper Basin site.

## 3.0 Community Profile

This section presents highlights of the history of the Copper Basin area and community characteristics as context for planning and implementing a community involvement program for the site. Section 7.0 includes the sources used for the information in this section.

### 3.1 History of the Copper Basin Area

The Copper Basin region, historically known as the Ducktown Basin, lies predominantly in the mountainous eastern part of Polk County in southeast Tennessee, and includes small portions of Fannin County in northwest Georgia and Cherokee County in southwest North Carolina. The Copper Basin site, that is, the area being cleaned up under the January 2001 agreements, is situated entirely in eastern Polk County, Tennessee.

The Cherokee Indians were the original settlers of the area, and flourished for hundreds of years using the rich natural resources of the basin, including the copper ore deposits. The Cherokees gave the names Ducktown and Turtletown to two of their original settlements that today are established towns in eastern Polk County. The Cherokees gave up much of their land in an 1836 treaty, and in 1838, most of the remaining native settlers were removed from the area in an event known as the “Trail of Tears.”

In 1843, European immigrants searching for gold discovered copper on the banks of Potato Creek. The first mine, Hiwassee, was opened near Ducktown in 1850, followed by several more mines and consolidation into three large mining companies. The Civil War interrupted operations, and extensive damage was done to the mines and the Old Copper Road used to haul ore down the Ocoee River gorge to Cleveland, Tennessee. Once the railroad was extended to the Copper Basin in the 1890s, mining activity surged and more shafts were opened to mine the region’s ore bodies.

By the turn of the century, much of the land in the Copper Basin region was stripped of trees to fuel the open-air ore roasting yards. This process created sulfuric acid fumes, which further destroyed vegetation in the Basin, resulting in the barren “red hills” that gave the area a unique visual character. Technology was later developed to capture the emissions for production of sulfuric acid, but the hills remained barren until well after reforestation efforts began in the 1930s.

Section 2.2 provides background information on the ownership and mining operations that took place on the Copper Basin site. The history and legacy of Copper Basin and the mining industry are

preserved in the Ducktown Basin Mining Museum with many informative displays, maps, and photographs. Founded in 1978, the museum is located at the former Burra Burra mine, a major mine that operated for many years in the Ducktown area.

## **3.2 Governmental Profile**

The seat of county government is in the city of Benton, which is located approximately 25 miles west of the Copper Basin. Polk County is governed by a board of commissioners and managed by a county executive, each of whom are elected to four-year terms. The county provides road maintenance, public safety and fire protection services, and has a Planning Commission and Industrial Development Corporation. The public school system is also county-operated, with an eleven-member non-partisan elected school board and an appointed school superintendent.

Polk County schools have a total enrollment of 2,500 students and are located in both the east and west portions of the county to serve the geographically separate populations. Copper Basin High School and Ducktown Elementary School are located within the 4<sup>th</sup> Fractional Township, for which a trust fund was established with copper mining royalties. Proceeds are used to supplement school taxes, and also helped establish the Green-Gold Conservancy's outdoor learning area and trails on land next to Ducktown Elementary.

The municipalities of Copperhill and Ducktown each have a mayor-council form of government. Copperhill has a mayor and four aldermen, each elected to four-year terms. Ducktown has three elected commissioners serving four-year terms, one of whom is appointed mayor by the others. Because of their small revenue bases and population, Ducktown and Copperhill provide limited municipal services supplemented by county services. Both cities have municipal water and wastewater systems that serve residents within the incorporated areas. The Tri-State Electric Cooperative provides electric service.

## **3.3 Demographic Profile**

The 150-year mining heritage shaped the culture of the small mountain communities of Copperhill and Ducktown in Polk County, Tennessee, and neighboring McCaysville, Georgia. Many residents are related to or descended from generations of workers involved in mining or related employment. The towns of Ducktown, Copperhill (originally named McCays), and Isabella grew as a result of the mines and the supporting residential and commercial development. Ducktown and Copperhill were incorporated as municipalities and remain the two principal towns in eastern Polk County. Isabella, named for one of the major mines, was a company town that was never incorporated. A small

number of residents still live in the Isabella area.

The population of Polk County is approximately 16,000 according to the 2000 Census, an increase of almost 18 percent in the last decade. Of the total, approximately 5,000 people live in the Copper Basin area. Most of Polk County's population growth is occurring in its western portion. As reported in the 2000 Census, Polk County's racial profile was 98.3 percent white, 0.3 percent Native American, 0.1 percent African-American, and 1.0 percent two or more races. Approximately 77 percent of the county's residents are over 20 years of age, and 40 percent of county residents are age 45 and older. Polk County median household income was estimated at \$27,703 in 1997 (source: U.S. Census Bureau website: State and County Quick Facts). The unemployment rate in Polk County is close to six percent.

The Tennessee-Georgia state line runs through the adjoining towns of Copperhill, Tennessee, and McCaysville in Fannin County, Georgia. The Toccoa River originates in the northwest Georgia mountains and becomes the Ocoee River where it crosses the state line. Fannin County has approximately 20,000 residents and is experiencing a brisk growth rate of over 20 percent, with many ex-urbanites and retirees moving into the area and building new year-round homes. While the Copper Basin site is located entirely in Polk County, some residents in neighboring Fannin County, including some former site employees, are interested in site activities.

### **3.4 Economic Profile**

Mining, smelting, and acid production were the prevalent industries in the Copper Basin throughout the first part of the twentieth century. Farming was done on a limited basis in the eastern portion of Polk County. Today, the area surrounding the site is considered somewhat economically depressed, and employment is a major issue of community concern. As many as 2,500 jobs were lost with the closure of the mines and related facilities. Changes in operations at the sulfuric acid plant in Copperhill led to further loss of local employment when union members went on strike in 1996 against the operators of the plant. The Copperhill plant recently changed ownership and drastically reduced production, with only a small number of workers still employed.

The unique geography of Polk County is divided by national forest land and mountain terrain into two distinct portions, referred to as "above the mountain" and "below the mountain" by local residents. The economy of the flatter western part of the county (below the mountain) is based

mainly on agricultural, industrial, and railroad transportation activities in the Benton and Etowah areas. Since the demise of the mining and chemical industries in east Polk County (above the mountain), seasonal tourism has become the primary income-generating industry in the region. The federal government is the largest employer in Polk County, controlling nearly one-third of county lands, most of which are managed by the U.S. Forest Service and a small portion by the Tennessee Valley Authority.

The CSX Railroad, once a key to the economic health of the Copper Basin area, recently announced that it would abandon approximately 40 miles of rail between Copperhill in the eastern part and Etowah in the western part of the county. This announcement aroused great concern about the economic effects among local officials and business leaders. County officials and other public and private organizations are intensively pursuing various options for saving or converting the line for other uses.

Whitewater outfitters and expedition companies provide a significant source of seasonal employment and secondary economic benefits to the area. Today, the area's natural resources support a wide variety of outdoor recreational activities that draw thousands of visitors to the Copper Basin region to enjoy three national forests, the Cherokee, Nantahala, and Chattahoochee, and major rivers including the Toccoa/Ocoee and the Hiwassee.

In 1910, the first of three dams was built on the Ocoee River to generate hydroelectric power. The Tennessee Valley Authority (TVA) purchased the power system in 1939 and continues to operate it today. The system diverts the water into a large flume that transports the water through the hydroelectric generators, reducing the river flow to a trickle. To accommodate recreational use of the river, TVA manages the flow in the Ocoee to provide adequate power generation and contracts with outfitters to release water in the river on certain days during the season. Commercial rafting has grown to support two dozen outfitters and more than 300,000 rafters annually.

The tourism and whitewater industries received a boost when the Ocoee was selected for the 1996 Olympic canoe and kayak venue. A world-class whitewater slalom course and the attractive Ocoee Whitewater Center were constructed a few miles west of the Ducktown intersection of U.S. 64 and

Highway 68. The facilities continue to attract national and international events, including the first Ocoee Whitewater Games in May 2001.

The Ocoee Whitewater Center, which is operated by the U.S. Forest Service, draws tourists and educational groups with its native landscaping and programs focused on conservation education, partially funded by grant proceeds. Community members and agencies have formed public/private alliances to support conservation and environmental education through the Center and the Green-Gold Conservancy, and preservation of the area's cultural and historical legacy through the Tennessee Overhill Heritage Association and the Ducktown Basin Mining Museum.

### **3.5 Community Information Sources**

The following newspapers serve the communities located closest to the site: the *Polk County News* based in Benton, the *Basin Prospector* in Copperhill, the *Blue Ridge News Observer* in Fannin County, and the *Times Free Press* in Chattanooga. Other newspapers in the region include the *Cleveland Banner* (Cleveland, Tennessee), and the *Cherokee Scout* (Murphy, North Carolina). Television coverage is provided by cable and satellite systems, with network station affiliates in Chattanooga, Knoxville, or Atlanta. Appendix A lists the primary news media sources.

Informal information networks remain very active and effective in the close-knit local communities of the Copper Basin region. People often turn to local officials and community and church leaders for updates on issues of interest. Internet service is also available in the area, and many residents and businesses are going online.

Business organizations are well organized and active in Polk and Fannin counties. Among the most active are the Copper Basin/Polk County Chamber of Commerce, the Fannin County Chamber of Commerce, the Tri-Cities Business Association, and the Copper Basin Economic Development Association.

## **4.0 History and Analysis of Community Concerns**

This section provides a brief summary of the level of public awareness and previous site activities involving members of the community. It also presents an overview of questions, issues, or concerns identified through community interviews conducted by EPA, TDEC, and GSH representatives during spring 2001. Appendix E provides a list of the questions used in the interviews.

### **4.1 Chronology of Community Involvement**

Community outreach regarding site investigation activities has been somewhat limited since preliminary investigations began in the late 1980s. Neither TDEC nor EPA conducted formal public meetings or other forums related to the site before 2001.

Informal dialogue and public interaction on site-related topics have occurred from time to time. Site investigators representing EPA, TDEC, or GSH have contacted property owners to obtain access for sampling during the last few years. GSH representatives met informally with local officials and other community leaders to discuss potential approaches to site restoration.

Local awareness of site issues increased in the late 1980s when Tennessee Chemical Company declared bankruptcy. News articles reported on property ownership issues, EPA orders for continuing operations of the water and wastewater treatment facilities, and auctioning of portions of site property. Management changes at the acid plant and labor issues became a community focus in the 1990s. Union representatives formed a group and went to Washington, D.C., where they met with EPA to discuss conditions to keep the plant operating. By the mid-1990s, other labor/management issues reached an impasse that led to the 1996 strike.

In 1999, a labor organization obtained a grant from EPA Headquarters under the Superfund Jobs Training Initiative. Approximately 40 to 50 individuals were trained and received certification for hazardous site work in sessions held in October 1999, March 2000, and April 2000. Local involvement in this training raised the level of awareness, although the program is not directly related to the Copper Basin site and does not ensure the availability of site-related jobs.

During 2000, EPA, TDEC, and GSH continued negotiations to determine the regulatory authorities and legal terms for conducting investigation and cleanup of the Copper Basin site. The negotiations involved high-level officials representing EPA Headquarters and EPA Region 4 representatives, State of Tennessee officials, TDEC program staff, and GSH representatives.

Local officials and community leaders who were aware of the negotiations became concerned about the potential for the site to be listed on the **National Priorities List (NPL)**. Congressman Zach Wamp (3<sup>rd</sup> Congressional District Tennessee ) and the office of Tennessee Governor Don Sundquist became involved in the negotiations and led efforts to secure a voluntary cleanup agreement and avoid an NPL designation.

In the fall of 2000, EPA and TDEC received several letters from officials and community leaders urging that the site be kept off the NPL. EPA also received a letter from an environmental group concerned about the Ocoee River, which supported NPL listing. Several articles appeared in local newspapers before and after the agreements were signed in January 2001. The articles initially focused on local concerns about an NPL designation, but when site listing was avoided through the legal agreements, the media reported positive local reactions to the planned site approach.

On April 9, 2001, GSH held a “groundbreaking celebration” to kick off Copper Basin Project activities under the legal agreements. The event was advertised in the local newspapers and invitations were sent to government officials, community leaders and other organizations. Elected officials, including Congressman Wamp and Tennessee Representative Chris Newton, and representatives of the State of Tennessee, EPA, and GSH were featured speakers. More than 200 community members attended the event.

In March 2001, EPA, TDEC, and GSH formed a partnership to develop and implement a coordinated community involvement program for site activities. Partnership members initiated a variety of activities in the spring of 2001, including meetings and interviews with local officials, community leaders and residents. The first edition of “*Basin Briefings*,” a newsletter about site activities, was issued in April and distributed as inserts in two local newspapers. An informal open house was advertised and held in Ducktown on May 16 to invite community members to meet with project representatives, provide input, and ask questions about site investigation activities. Approximately 30 community members attended.

As part of the public involvement process, GSH agreed in the Memorandum of Understanding to provide \$50,000 for a Technical Assistance Plan (TAP) grant to a qualified community group. TAP funds will be used by the selected community group to retain independent expertise to help the public understand and provide feedback on technical aspects of site work. GSH published advertisements in local and regional newspapers for a three-week period in June and again in August 2001, announcing the availability of the grant and how to get more information. The grant was

awarded in September 2001 to the Ducktown Basin Museum Board.

## **4.2 Copper Basin Stakeholders**

In conducting community interviews, the partnership members identified the following key stakeholder groups that appear to have an interest in, or are directly affected by, site activities. This list does not identify specific parties or organizations and may not include all those who could be considered stakeholders. However, the list serves as a starting point for communication.

(Note: order of listing does not signify priority)

- Organizations generating or using site information: TDEC, EPA, GSH, TVA, U.S. Army Corps of Engineers, ATSDR, TN Department of Health, etc.
- Potentially responsible parties
- Local governments, including Polk County, TN; cities of Ducktown and Copperhill, TN, and (to a lesser extent) Fannin County and the cities of McCaysville and Blue Ridge, GA
- States of Tennessee, and to a lesser extent, Georgia
- Property owners in the Copper Basin, including the bankruptcy trustee and individuals who purchased land at auction or who perfected their interest in quitclaimed property.
- U.S. National Forest Service, Fish and Wildlife Service, and Natural Resource Conservation Service
- Citizens of the Copper Basin region, especially those in east Polk County
- Former employees of the companies that operated the mines and related facilities
- Recreational users of the Ocoee River downstream of the Copper Basin, and the businesses and other organizations that support the tourism/recreation industry
- Other businesses and economic development organizations in the Copper Basin area, especially those in east Polk County

## **4.3 Analysis of Community Concerns**

Overall, the level of public awareness of site issues has increased over the last few years through informal contacts, community information networks, and media coverage. Most Copper Basin community members, especially those who were employed at the site, are somewhat aware of past site activities and plans for future investigations and cleanup actions. Except for small pockets of concern about environmental and safety conditions at the site, the general public seems to have little interest in site activities. As described in the following subsections, the highest level of interest is among local officials and business leaders who hope that economic benefits will come with site restoration.

In the interviews, community members identified six general categories of concern or issues related to site investigation and cleanup (order of listing does not necessarily convey the emphasis of individual citizens):

- Effect on current and future economic conditions.
- Preservation of unique and historic region.
- Implications of cleanup for future site use.
- Safety and aesthetic concerns.
- Potential site-related health and environmental concerns.
- Cost and duration of cleanup activities.

*Note: Approximately 50 to 60 people, representing a cross section of the site community, participated in community interviews during the spring of 2001. The following subsections (4.3.1 through 4.3.6) paraphrase the views expressed by interview participants in response to the questions listed in Appendix E. The sentiments expressed do not necessarily reflect facts or the opinions of all community residents, nor do these subsections represent the views of EPA, TDEC, or GSH.*

#### **4.3.1 Effect on Current and Future Economic Conditions**

The following statements cover some of the views expressed on this topic:

- Several community members said they are pleased that site investigation and cleanup activities are starting and are hopeful that site restoration will contribute to economic recovery in the Copper Basin region.
- Officials and business leaders expressed support for the actions taken to date, including the 2001 legal agreements and formation of the community involvement partnership.
- Community leaders voiced relief that the Copper Basin site has not been designated an NPL site, which they feared might adversely affect the primarily tourist-based economy. As a result of recent events such as the CSX rail abandonment, the community is very sensitive to any potential impacts on local business conditions.
- Whitewater outfitters expressed some concern about the effect of publicity or visibility of site activities on river-based activities. They generally understand the need to address environmental issues, and asked that their needs be taken into account during the site investigation process.
- Most area business owners and operators are optimistic that site restoration will bring overall

benefits down the road. In addition, some community leaders hope for near-term assistance through financial support from GSH for various local causes or organizations.

- Several of those interviewed asked about the potential for local employment in site-related work. Expectations were raised with local participation in the Superfund Jobs Training Initiative described in section 4.1. Hazardous materials training is also being provided by other organizations.
- Former plant workers and heavy equipment operators who were interviewed acknowledged that onsite work may be highly specialized and that opportunities may not occur in the immediate future. They asked to be kept informed about future job potential.

#### ***4.3.2 Preservation of Unique and Historic Region***

Several persons interviewed worked in or have relatives who worked in the mines or above-ground jobs for the companies that operated the facilities. These community members expressed the following views:

- Some individuals take an active interest in preserving the unique physical and historical characteristics of the Copper Basin region.
- Many local residents and groups are dedicated to protecting the area's natural resources, which are viewed as vital to the region's culture and economy.
- Those who are directly involved in programs at the Ocoee Whitewater Center, Ducktown Basin Museum, Green-Gold Conservancy, and others made suggestions about linking the site restoration activities with educational programs on historical or environmental topics.
- Some long-term residents voiced the wish that the unique "moonscape" or deforested red hills could have been preserved. However, most residents accept and many welcome the reforestation efforts that have restored the tree cover over the last few decades.
- A related concern is that the young, predominantly pine forests are susceptible to the devastating effects of the Southern Pine Bark Beetle, which has killed many trees in the area. Community members hope that the project task calling for additional revegetation might also be able to help address the beetle problem.
- One interview participant asked for advice from the project team about whether property owners in the site area should remove all pines to halt beetle activity, and whether they could be involved in decisions about planting new trees on the site.

#### ***4.3.3 Implications of Cleanup for Future Site Use***

Some residents who formerly worked in the mines or processing facilities expressed various concerns

about the approach to addressing the complex Copper Basin site:

- One former site worker asked how all the mine wastes and other materials could possibly be cleaned up. This person said that workers would sometimes dump or release materials on the ground or into the stream.
- One person reported seeing liquid cyanide waste dumped on the ground around the London Mill flotation plant and wondered whether this issue would be addressed.
- Another mentioned areas where dumping of calcine slag or other materials reportedly was done, and asked how the site work would address those areas.
- Some individuals questioned whether all the affected areas of the site would be identified and adequately cleaned up. They want assurances that houses, parks, or other facilities are not built on land where contamination might later be found.

Several persons interviewed voiced concerns about the implications of site actions or decisions on property owners or future users of site areas:

- One person asked how the future use or disposition of site lands would be determined after the work is done. This individual expressed hope that restored site properties will not be sold in large blocks to new developers coming into the area, and will be available at reasonable prices to local citizens for beneficial redevelopment.
- Another questioned the potential for restrictions on land use or sale of private property in the overall site area. This individual inquired about a seller's disclosure requirements in cases where the individual parcel is not contaminated, but is situated within site areas or within a certain distance of the site.
- One person raised a question about potential future liability of those who bought property auctioned by Tennessee Chemical Company.
- Issues of individual property rights and land-use restrictions concerned some community members who expressed displeasure when access was prohibited for four-wheel driving on the Upper Tailings Pond area.
- Other property owners have expressed concerns over potential restrictions on future uses of private land.

#### ***4.3.4 Safety and Aesthetic Concerns***

Most residents know that the Copper Basin site has numerous old mines and underground workings,

some of which have collapsed or created unstable conditions. Although many unstable areas have been restricted or fenced off to prevent public access, safety concerns were expressed:

- Some individuals said they believe that many other unidentified or potential collapse areas exist.
- Citizens want reassurance that the site will be thoroughly investigated to identify and address any safety concerns.

Other aesthetic issues:

- Several community members asked what will be done with the Copperhill acid plant. Many associate the plant with the Copper Basin site, although the 2001 site cleanup agreements do not specifically address the plant buildings and structures.
- Local property owners and those involved in real estate believe that the plant, which is an eyesore on the main route through Copperhill, is affecting property values and attractiveness of the area to newcomers.
- A few community leaders believe that higher growth rates and real estate values on the Georgia side versus the Tennessee site region might be attributed to aesthetic concerns related to the Copper Basin site.

Another concern is the “trashing” of site-area properties:

- In two interviews, citizens related that unregulated and uncontrolled dumping has increased significantly in recent years. They have observed trash of all types, including large appliances and discarded furniture, disposed of on private properties and close to or within site boundaries. The dumping is attributed to persons who have a general disregard for the land and believe their activity will escape notice in the now heavily forested area.
- While these individuals realize that the Copper Basin site cleanup will not address private trash dumping, they hope that in some way attention can be focused on this community problem.

#### ***4.3.5 Potential Health and Environmental Concerns***

Concerns about potential health effects related to the site appear to vary widely in the Copper Basin area. As expressed in some of the interviews:

- Some community members said that they and their ancestors have mined and/or lived in the area for generations without any apparent effects.
- One former site worker reported that, although emissions 30 to 40 years ago often created a “fog” over the area that seemed to have corrosive effects on exposed metal, most people in the area at that time are still alive and do not seem to have been affected.
- Another person reported that plant workers used to open the roasters at night to let gases escape and wondered if people were affected by breathing the gases.
- Others believe that many health problems in the area might be related to past site operations or emissions. A few individuals believe that cancer rates are higher than average in the area.
- One community member reported that a Vanderbilt University health study was started in the late 1970s to identify whether brain tumors could be attributed to metals accumulating in brain tissue over time in residents drinking area groundwater. The individual reported that the company that owned the site at the time initially funded, but later discontinued, the study.
- Members of a family living near the acid plant said they have had “bleeding lungs” in the past, which they attribute to breathing acidic gases released from the plant.
- One group has submitted a petition for a regional health study to the Agency for Toxic Substances and Disease Registry (ATSDR). The petitioners understand that this type of study would be separate from the site investigation and cleanup work, which is based on reducing current and future potential health risks. At the time this document was prepared, ATSDR had not made a decision about the petitioners’ request.

Comments related to groundwater and water resources:

- Some individuals raised questions about potential effects of the site on private drinking water wells in areas where municipal water service is not available.
- Some interviewees voiced concern about those who may be using wells near the site, and asked if further well testing would be done to supplement previous tests.
- Public concern about protecting the area’s water resources has increased in recent years, according to one interviewee.
- Questions in the interviews included how the site work might affect the Ocoee River and whether cleanup would include the full reach of the river.

- In the past, residents reportedly would use streams and lakes upstream from Copperhill to avoid areas of concern. Community members said that, with increasing recreational use of the Ocoee and Parksville Lake downstream of the site, awareness and interest in environmental protection have grown.

Observations made about the environment:

- Several of those interviewed said that both wildlife and vegetation in the area have recovered considerably in the last few years.
- A property owner near the upper tailings pond said they now observe many birds in the area that were not there when they bought their land seven years ago.
- Another individual who enjoys walking by the tailings pond sees fish, frogs, and other wildlife that were not found in that area several years ago.

#### ***4.3.6 Cost and Duration of Site Cleanup Activities***

Most of those interviewed recognize that the investigation and cleanup of the entire site will be a costly and long-term process, and addressing some of the site areas may require many years.

Questions and comments included:

- Some community members asked about the cost of cleanup and who pays.
- Local officials and others said that the general public may not understand the duration of the process and may expect to see results and changes in the next year or two.
- A perception and concern is that the January 2001 legal agreements and involvement of regulatory agencies will prolong the process. According to one interviewee, previous information indicated that site cleanup could be done in five years and would include improvements, such as a proposed golf course, that would benefit the community.
- Community leaders emphasized the importance of clarifying for interested citizens why the time frame has been extended to as long as 10 years and specific improvements are no longer being discussed.

## 5.0 Community Involvement Partnership

This section presents the rationale, principles, goals and approach to the formation of the Copper Basin Community Involvement Partnership in the site community involvement effort.

### 5.1 Rationale for Partnership

TDEC, GSH, and EPA took a cooperative partnership approach to community involvement for three main reasons:

- Partnership members come from different perspectives on site activities. A cooperative or team-based approach will enhance the ability of partnership members to convey consistent, non-contradictory messages, i.e., “to speak with one voice” to the community at large. Such an approach is not only an effective communication strategy, but it demonstrates a spirit of cooperation and will help build trust and credibility with the community during site activities.
- It takes time for citizens to participate in community involvement activities. Partnership members can display respect for the community’s interest in site activities by avoiding a duplication of community involvement activities and working together to provide meaningful outreach opportunities. A cooperative approach also reduces potential competition among partnership members to work against each other for community acceptance and recognition.
- A cooperative approach can enhance mutual understanding of site issues, build on knowledge acquired and shared through the process, and provide consistency in the Copper Basin community involvement program.

### 5.2 Principles Underlying Partnership

The Copper Basin community involvement partnership is based on the following guiding principles, many of which reflect the intent of the January 2001 Memorandum of Understanding:

- Initiating community dialogue is itself an irreversible action; therefore, partnership members should carefully evaluate the implications of proposed communication efforts to ensure that community and stakeholder interests are protected and well served.

- Community members, including individuals and groups with a stake and interest in the outcome, should be invited to participate in site activities.
- Community involvement activities should be measured by the extent to which they facilitate community understanding and meaningful input to the site restoration process.
- Community involvement goals should be jointly established and supported, and program implementation should incorporate milestones to evaluate effectiveness and allow for adjustments.
- Community involvement approaches used successfully at other mining sites should be evaluated for their applicability in the Copper Basin.

### **5.3 Goals and Approach to Community Involvement Program**

On March 9, 2001, partnership members developed a communication strategy that identifies the following communication goals:

- Clarify and develop accurate site information.
- Facilitate the release of accurate site information.
- Raise awareness of and lend credibility to site activities.
- Identify and support the information needs of community members.

Partnership members also agreed to work together to identify site stakeholders, issues, and communication strategies to ensure a consistent approach to Copper Basin community outreach activities. Since that time, partnership members have collaborated on developing the overall approach to the site-wide community involvement program, including jointly conducting community interviews. Partnership members also collaborate on a joint newsletter, *Basin Briefings*, to help provide periodic overviews of site activities.

## 6.0 Community Involvement Program

This section establishes goals and objectives for the Copper Basin site-wide community involvement program. It describes activities the partnership will use to inform and involve the public during investigation and cleanup activities at the Copper Basin site. The partnership members intend this plan to be flexible and will modify program aspects as needed to respond to community interest and suggestions.

### 6.1 Goals

The Copper Basin site community involvement program has three goals:

- Provide consistent, accurate and timely information about site activities to all interested stakeholders.
- Provide opportunities for interested stakeholders to ask questions, express concerns, and offer suggestions or other kinds of information to TDEC, GSH, and EPA during cleanup and restoration activities for the Copper Basin site.
- Meet the terms and spirit of the Memorandum of Understanding, the accompanying enforcement actions, the **National Contingency Plan**, and other applicable federal and state statutory/regulatory requirements.

### 6.2 Objectives

The partnership will strive to achieve the following objectives through the implementation of the community involvement program:

- Work with the Technical Assistance Plan (TAP) group to share site information with the community on a timely basis and in nontechnical language.
- Encourage and publicize opportunities for community and stakeholder input during the site investigation and cleanup process.
- Notify local officials, residents, and businesses in the site area before conducting field work or other site actions that may attract community attention or stimulate questions.

- Maintain site information in the community and make it accessible to all interested residents and other stakeholders.
- Increase the level of awareness and understanding of site investigation and cleanup activities.
- Establish and maintain two-way communication with all stakeholders regarding site activities and potential effects on other sites or projects.

### **6.3 Key Messages**

The following are key messages for community involvement activities related to the Copper Basin site:

- The partnership members (TDEC, GSH, and EPA) are working cooperatively on the Copper Basin Project to ensure that site activities comply with governing agreements and applicable federal/state requirements.
- Based on the results of site investigations, EPA, TDEC and GSH will evaluate cleanup options for cost-efficient remedies that provide the best balance of environmental and human health protection while serving community interests.
- The partnership will share information with the community, solicit input, and consider all comments received before making site cleanup decisions.

### **6.4 Target Audiences**

The Copper Basin community involvement program will focus on the following audiences:

- Residents of communities near the site.
- Other stakeholders, including the TAP group; other community organizations, businesses, recreational users, and neighboring property owners, who are interested in or affected by activities on the site.
- Elected and administrative officials of local, state, and federal agencies serving the site community.

- Area news media and internet web pages as vehicles for informing the general public.

Appendix A, Key Contacts, lists government officials, civic organizations and other stakeholders identified to date, and local news media. The partnership has developed a site mailing list that includes key contacts, residents and others in the target audience groups. This list will be expanded and updated as needed.

## **6.5 Community Involvement Activities**

Activities outlined in this plan are designed to address community concerns regarding the Copper Basin site, and provide a variety of opportunities for interested individuals to participate in the site study and cleanup process. Where specific agreements concerning public participation are contained within an administrative enforcement agreement, order, or consent decree, the terms of that agreement will be followed.

During the interviews, EPA, TDEC, and GSH asked community members to identify the most effective methods to provide information, allow for input, and reach the largest number of persons in the target audiences. Interview participants recommended that the partnership focus its initial efforts on providing information through local community leaders and the news media. Public meetings are generally not well attended, according to interview participants, and are not viewed in the local area as a good way to share information about important topics of community interest.

The partnership will closely coordinate with the TAP recipient, a group who will serve as a primary liaison with community members. The partnership will work with the TAP group to develop activities and methods of providing information and input opportunities to best serve the community.

The partnership will also support or conduct the following community involvement activities during investigation and cleanup activities at the Copper Basin site:

- Establish and publicize points of contact for site information.
- Establish and maintain a site information repository and administrative record files.
- Develop and update a site mailing list.

- Prepare and distribute newsletters/fact sheets about site activities.
- Prepare and distribute press releases/public notices at key milestones.
- Provide informal briefings for interested public officials or community groups.
- Provide opportunities for public meetings or **availability sessions** about site activities.
- Hold a public comment period on each proposed plan for which a record of decision is issued. Publicize the comment period in widely read local newspapers.
- Develop and implement a site education program, which will include presentations at schools and civic organizations regarding the status of site cleanup activities, preparing a site video, and conducting other activities the partnership thinks would benefit the public.

### ***6.5.1 Points of Contact***

Primary points of contact for each partnership group follow:

#### **Frank Russell**

Glenn Springs Holdings, Inc.

127 Main Street

P.O. Box 10

Ducktown, TN 37326

Phone: (423) 496-7900

Fax: (423) 496-1900      E-mail: frank\_russell@oxy.com

#### **Diane Barrett**

U.S. Environmental Protection Agency, Region 4

Community Involvement Coordinator

Customer Service Branch

61 Forsyth Street, S.W.

Atlanta, GA 30303

Phone: (404) 562-8489      Toll-free: 1-800-435-9233

Fax: (404) 562-8628      E-mail: barrett.diane@epa.gov

**Suzanne Wilkes**

Tennessee Department of Environment and Conservation  
4<sup>th</sup> Floor L&C Annex  
401 Church Street  
Nashville, TN 37243

Phone: (615) 532-0925

Fax: (615) 532-0938      E-mail: [swilkes@mail.state.tn.us](mailto:swilkes@mail.state.tn.us)

***6.5.2 Information Repository and Administrative Record Files***

A site information repository has been established at the Polk County/Copper Basin Chamber of Commerce at 134 Main Street in Ducktown, Tennessee. The information repository will include fact sheets, work plans, reports, and other information to help the public understand the site study process.

The administrative record serves as an official file documenting site cleanup decisions. It includes all data, reports, correspondence, and other relevant documents developed over the entire site study period used by the regulatory agencies to evaluate cleanup options and select site remedies. The official administrative record file for each EPA cleanup action at the Copper Basin site (described in subsections 2.4.3.1 through 2.4.3.5) will be kept at the EPA Region 4 Records Center in Atlanta, Georgia; copies of these administrative record files will also be available to the community at the Chamber of Commerce office in Ducktown. TDEC also maintains site files in Chattanooga and Nashville. Appendix B provides additional information about the site information repository and administrative record files for the Copper Basin site.

The location of the administrative record files and the site information repository will be announced to the community at the start of specific cleanup activities. The files and repository will be updated as site activities progress to document investigation findings, cleanup decisions, and cleanup actions.

***6.5.3 Site Mailing List***

The partnership will maintain a mailing list for the Copper Basin site. The list will include local, state, and federal officials representing the site community; key contacts listed in Appendix A; other

groups and organizations involved or interested in site issues, community residents and neighboring property owners, and local news media contacts. The list will be used to distribute newsletters, fact sheets, or updates on site activities and meeting notices or other opportunities for public input. If you are not on the mailing list and would like to be added to it or are on the list and would like to change your address, please notify any partnership point of contact listed in subsection 6.5.1.

#### **6.5.4 Newsletters and Fact Sheets**

The partnership members will periodically publish and distribute the *Basin Briefings*, a newsletter to keep the community informed of progress on the various parts of the site. The newsletter content will be developed cooperatively by the partners, and will be written in an informal and non-technical tone designed for a general public audience. It will report on site activities being conducted by GSH, EPA, and TDEC. From time to time, supplemental newsletters or fact sheets will be prepared by one or more partners to describe specific findings or activities, such as a proposed plan, on different parts of the site. Newsletters and fact sheets will be distributed to the mailing list, placed on the internet, inserted into local newspapers, and made available in public places around the community.

#### **6.5.5 Public Notices and Press Releases**

Public notices will be developed and published to announce community involvement events sponsored by partnership members. Notices will be placed as newspaper advertisements and public service announcements on the local stations to invite community members to open houses or availability sessions, workshops, or informal meetings to learn about site activities. Press releases may also be developed, in coordination with partnership members, to announce events or milestones that pertain to site activities. The partnership members will coordinate with the TAP community group in planning and placing announcements of community involvement events.

EPA, TDEC, or GSH will publish notices and issue press releases at specific points in the site cleanup process. These include announcing the location of the information repository and administrative record files, announcing public comment periods, availability of proposed plans, opportunities for public meetings, and selection of final remedies in records of decision.

#### **6.5.6 Community Meetings**

A meeting provides the opportunity for partnership members to present information and a proposed course of action, as well as answer questions. Meetings provide the public with opportunities to express their concerns to the partnership. Public meetings or informal, open-house style availability sessions may be held at various times throughout the site cleanup process. Formats and scheduling

of community meetings will remain flexible to account for technical milestones and public interest. An opportunity for a proposed plan public meeting is required for several actions at the site. Each such meeting would be scheduled during the 30-day public comment period to present the plan and the preferred cleanup alternative to the community and provide an opportunity for public comment.

### ***6.5.7 Public Comment Period***

Certain cleanup actions include a public comment period. When such actions occur at the Copper Basin site, this information will be released to the community in local papers and through sending notices to people on the site mailing list. Each public comment period will last a minimum of 30 days, which can be extended, from the initial date of advertisement in a local paper. The purpose of the comment period is to provide interested community members with an opportunity to review and comment on a proposed cleanup plan or removal action and other alternatives evaluated. All public comments will be considered before a final decision is made on the most appropriate cleanup plan or action for a specific portion of the site. A **responsiveness summary** will be prepared to summarize and address issues raised by the public comments.

Through the interview process, the partnership learned that community meetings may not be an effective means of sharing information and soliciting comments from the local community. Following publication of notice in the newspaper, TDEC and EPA will gauge the response to determine whether to conduct a community meeting or whether to meet with parties expressing interest in an alternate forum.

Comments and input are welcome at any time. When there are conflicting requests from site stakeholders, partnership members will work to develop a solution that is acceptable to everyone, but this may not always be possible.

Subsection 6.5.1 lists the point of contact for each partnership member. If there are comments on the North Potato Creek portion of the site, please call the TDEC point of contact; if there are comments on the South Mine Pit EE/CA, the Davis Mill Creek or Ocoee River portions of the site, please call the EPA point of contact.

### ***6.5.8 Informal Briefings***

Partnership members will occasionally meet with local officials, members of the TAP group, community or business leaders, and media representatives to provide briefings on site progress, or provide information about upcoming site activities that may generate interest or questions.

Partnership members may also give presentations to local civic, business, or educational groups upon request.

### ***6.5.9 Copper Basin Project Information Line***

The partnership maintains a local telephone “information line” with an answering system to record questions, comments, or requests for information from community members. The line will be monitored regularly and messages will be returned promptly. The phone number will be publicized in newsletters and public notices: (423) 496-INFO (4636)

### ***6.5.10 Technical Assistance Plan (TAP) Grant***

The January 2001 Memorandum of Understanding required GSH to provide \$50,000 for a Technical Assistance Plan (TAP) grant, with EPA oversight of the grant process. The purpose of the TAP grant is to support a qualified non-profit community group in retaining an independent technical advisor to help the public understand and provide feedback on technical aspects of site work. GSH announced the availability of the TAP grant through local and regional newspaper advertisements published for a three-week period in June 2001 and again in August 2001. In late September 2001, GSH awarded the TAP grant to the Ducktown Basin Museum Board.

### ***6.5.11 Site Education Program***

The community involvement partnership plans to develop an education program to help inform interested community members about site cleanup activities. The overall goals of the site education program are to raise awareness and gather support for site cleanup activities, share with the community the thorough approach being taken to fully address the Copper Basin site cleanup, and highlight innovative technical approaches being used in the process. The program would also be used to convey safety information about the site, including the need to stay away from old mines, dilapidated structures, surface mined areas, and waste piles.

The program may include activities such as a speakers bureau and multi-media presentations about site cleanup activities. The speakers bureau would consist of partnership members who provide short programs about cleanup activities in response to invitations from community groups or schools for such programs. Cleanup activities may be videotaped at regular intervals to provide additional information for community presentations.

### ***6.5.12 Online Sources of Information***

Online information about each partnership member and its site activities is available at the following internet addresses:

- [www.epa.gov/region4/waste/copper](http://www.epa.gov/region4/waste/copper)
- [www.glennsprings-copperbasinproject.com](http://www.glennsprings-copperbasinproject.com)
- [www.state.tn.us/environment](http://www.state.tn.us/environment)

Partnership members will coordinate to the extent possible the information about the Copper Basin site placed on these pages.

### ***6.5.13 Revision of Community Involvement Plan***

The partnership will revise this community involvement plan as needed to address evolving issues and incorporate new approaches to improve the effectiveness of communication activities during the course of site investigation and cleanup activities.

## **6.6 Community Involvement Activities and Implementation Schedule**

The major cleanup actions underway at the Copper Basin site have many required community involvement activities in common. Wherever possible, the community involvement partnership will combine and coordinate community involvement activities to reduce duplication of effort and enhance opportunities for the public to learn more about the site and become involved in the cleanup decision-making process.

Table 6-1 highlights the community involvement activities that will take place for the remedial investigation/feasibility study (RI/FS) at Davis Mill Creek and the RI/FS for the Ocoee River. These activities will also be coordinated with those outlined in the public participation plan prepared by GSH under the VOAP order for North Potato Creek, which authorizes a cleanup process similar to an RI/FS. Table 6-2 highlights the community involvement activities that will take place for the time-critical removal at the Cantrell Flats Wastewater Treatment Plant and the non-time-critical removal (EE/CA) at North Potato Creek. Table 6-3 is an implementation checklist for the community involvement activities shown in Tables 6-1 and 6-2.

**Table 6-1**  
**Community Involvement Activities for an RI/FS\***

Community Involvement Activities	Remedial Investigation and Feasibility Study	Proposed Plan	Record of Decision	Remedial Design	Before Remedial Action	During Remedial Action	Upon Completion of Remedial Action
News releases		U			U		U
Newsletters and Fact sheets	U	U	U	U	U	U	U
Inform local leaders	-----	-----	-----	-----	-----	-----	-----
Information repositories	-----	-----	-----	-----	-----	-----	-----
Public meetings		U			U		
Newspaper advertisements		U	U				
Revise CIP					U		
Evaluation	U		U		U		

\*Applies to RI/FS activities at Davis Mill Creek and portions of the Ocoee River.

Note: A broken line (-----) indicates ongoing community involvement activities.

**Table 6-2  
Community Involvement Activities for Removal Actions**

Type of Action  Activity	Time Critical Removal (On-site activity lasts more than 120 days*)	Non-Time Critical Removal or EE/CA**
Designate an Agency spokesperson	U	U
Notify affected citizens	U	U
Establish an administrative record	U	U
Publish a notice of availability of the administrative record	U	U
Hold a public comment period		U
Respond to public comments (prepare a responsiveness summary)		U
Establish an information repository	U	U
Publish a notice of availability of the information repository	U	U
Conduct community interviews	U	U
Prepare a Community Involvement Plan	U	U
Publish a notice of availability and a brief description of the EE/CA		U

\*Time-critical removal action for the Cantrell Flats Wastewater Treatment Plant and diversion of Belltown Creek and Gypsum Pond

\*\*Engineering evaluation and cost analysis (EE/CA) as part of non-time-critical removal action for North Potato Creek

**Table 6-3  
Implementation Checklist for Community Involvement Activities**

<b>Technical Milestone</b>	<b>Community Involvement Activities</b>
<b>Start of Site Investigation or Removal Activities</b>	<ul style="list-style-type: none"> <li>• Establish and maintain information repository and administrative record files.</li> <li>• Conduct community interviews and develop community involvement plan.</li> <li>• Designate contact person(s).</li> <li>• Develop expanded mailing list.</li> <li>• Distribute newsletters to mailing list; insert in local newspapers and repository.</li> <li>• Offer presentations on site activities to community residents and interested groups, as requested.</li> <li>• Maintain telephone contact with officials and groups involved in process; respond to inquiries.</li> <li>• Provide opportunity for community meetings or availability sessions as needed to address questions about site activities.</li> </ul>
<b>Completion of Site Investigation</b>	<ul style="list-style-type: none"> <li>• Distribute newsletter with investigation update.</li> <li>• Update the repository with the investigation reports and other relevant information.</li> </ul>
<b>Completion of Feasibility Study or EE/CA</b>	<ul style="list-style-type: none"> <li>• Update repository with full RI/FS and proposed plan documents before the start of public comment period.</li> <li>• Publish a notice of availability of the investigation, feasibility study, a summary of cleanup alternatives, and the proposed plan in local newspapers.</li> <li>• Announce a minimum 30-day public comment period and the availability of a community meeting on the proposed plan.</li> <li>• Distribute proposed plan to the site mailing list before the start of the comment period.</li> <li>• Hold a community meeting to accept comments on the proposed plan.</li> <li>• Develop an official transcript, prepared by a court reporter, of the community meeting where public comments on the proposed plan were presented.</li> </ul>
<b>Record of Decision (ROD)</b>	<ul style="list-style-type: none"> <li>• Prepare and distribute responsiveness summary.</li> <li>• Publish a notice announcing the selected cleanup remedy and signing of the ROD.</li> <li>• Update the administrative record file with all documents used in</li> </ul>

**Table 6-3  
Implementation Checklist for Community Involvement Activities**

<b>Technical Milestone</b>	<b>Community Involvement Activities</b>
	cleanup decision, as well as the ROD and responsiveness summary.
<b>Remedial Design and Action (Cleanup)</b>	<ul style="list-style-type: none"> <li>• Revise community involvement plan.</li> <li>• Distribute newsletters concerning site updates.</li> <li>• Provide opportunity for a community meeting to provide information and gather input on remedial design and cleanup action.</li> </ul>

## 7.0 References

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12. "History of Polk County," from *A Taste of Tennessee*, Polk County/Copper Basin Chamber of Commerce, 2001.
13. "Local owners hope to revive Copperhill industry," *Times Free Press*, January 21, 2001.

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16. *Superfund Community Involvement Handbook*. U.S. Environmental Protection Agency, Office of Solid Waste and Emergency Response, Washington, D.C. EPA 540-K-01-003, March 2001.
17. *Tennessee's Historic Copper Basin Area: An Overview*. Karen Daniels for Southeast Tennessee Development District.
18. Voluntary Order for Cleanup Action between the State of Tennessee Department of Environment and Conservation and OXY USA, Inc. for Lower North Potato Creek Site, January 4, 2001.

## Appendix A

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## Appendix B

### Locations of Information Repository and Administrative Record Files

The following location has been identified as an information repository to provide convenient access to information about the Copper Basin site developed by EPA, TDEC, and GSH:

**Ducktown Office of Representative Chris Newton  
and Polk County/Copper Basin Chamber of Commerce**  
134 Main Street  
Ducktown, TN 37326

**Hours of operation:** Monday through Friday - 9:00 to 5:00  
**Contact:** (423) 496-9000

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The EPA administrative record files for cleanup actions on specified portions of the site are kept on compact disks in the above location; the original files are maintained at the offices of EPA Region 4 in Atlanta:

**U.S. Environmental Protection Agency**  
Region 4  
Records Center  
61 Forsyth Street, SW  
Atlanta, GA 30303

**Hours of operation:** Monday through Friday, 8:00 to 5:00  
**Toll-free number:** 1-800-435-9234  
**Contact:** Debbie Jourdan, Administrative Records, (404) 562-8862

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The TDEC site files for specified site actions under the VOAP order are maintained at two locations:

**Tennessee Department of Environment and Conservation**  
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401 Church Street  
Nashville, TN 37243-1538

**Hours of Operation:** Monday through Friday, 8:00 to 5:00  
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## Appendix C

### Locations for Community Meetings

Possible locations for community meetings in the Copper Basin area:

**Copper Basin Project Office** (suitable for open house/availability sessions  
**Glenn Springs Holdings, Inc.** or small group meetings)

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#### **Copper Basin Community and Senior Center**

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**Contact:** Sue Russell, Senior Center Director (423) 496-7113

#### **Copper Basin High School**

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#### **Ducktown Elementary School**

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## Appendix D

### Technical Assistance Plan (TAP) Grant

Copper Basin Site, Polk County, Tennessee  
Submitted by Glenn Springs Holdings, Inc.

#### **I. Background**

On January 11, 2001, OXY USA Inc. and Glenn Springs Holdings, Inc. (collectively "Respondent") entered into a Memorandum of Understanding (MOU) with the United States Environmental Protection Agency (EPA) and Tennessee Department of Environment and Conservation (TDEC) to take certain actions at the Copper Basin Site in Polk County, Tennessee (Site). As part of the MOU, the Respondent agreed to provide and administer \$50,000 of the Respondent's funds to be used by a selected nonprofit Community Group that is representative of the area in and around the Site for the purpose of providing technical assistance during the activities to be performed by the parties under the MOU, a January 4, 2001, Lower North Potato Creek VOAP Order with TDEC under its Voluntary Oversight and Assistance Program (TDEC Order), and several Administrative Orders on Consent (AOCs) with EPA. In particular, the selected Community Group will be responsible for hiring and managing a Technical Advisor ("TA"). The TA will be independent of the Respondent and will provide technical information to the Community Group to aid in its understanding of the significance of the data generated during the parties' activities and through EPA's issuance of the ROD. EPA will oversee the Respondent's administration of this Technical Assistance Plan ("TAP") to ensure that it is consistent with the MOU. Additionally, a process for invoking binding arbitration will be in place to resolve any disputes that may arise between the Community Group, the Respondent, and/or the Technical Advisor that cannot first be resolved by the informal dispute resolution process prescribed by their contract.

#### **II. Solicit Application from the Community**

The Respondent plans to begin soliciting applications from the community beginning no later than August 15, 2001. It will use the attached application form. It will continue to solicit and advertise its Request for Proposal (RFP) from a Community Group for at least three weeks. At a minimum, the Respondent will place appropriate notices and advertisements in local newspapers including the *Basin Prospector* and the *Chattanooga Times Free Press*, as well as on the Respondent's website. It will also mail the RFP to persons included on the mailing lists EPA or TDEC maintains for those interested in Site information. The Respondent will provide appropriate application information to persons/organizations that directly request such materials. In addition, the Respondent will present and provide application information at any public meetings that it or EPA holds with the affected community while the application process is open.

### III. Evaluation of Applications

The Respondent has created an Awards Committee to review any submitted applications. The Committee will prepare a written evaluation of each application, addressing the minimum requirements and selection criteria. If there are multiple applications, then the Committee will prepare a score for each applicable submission, using the criteria set forth below. The Awards Committee will select the applicant with the highest overall score. The final written evaluation of each Community Group Applicant may be disclosed to the public upon request, and is subject to EPA oversight.

#### 1. Minimum Requirements

In order to be selected, the Community Group Applicant must be:

- a) *a group of people who may be "affected" by a release or threatened release at this Site within the meaning of 40 C.F.R. §35.4010;*
- b) *incorporated as a non-profit organization for the purposes of the Site or otherwise established as a charitable organization that operates within the geographical range of the Site and is already incorporated as a non-profit organization; and,*
- c) *able to demonstrate its capability to adequately and responsibly manage any funds awarded.*

#### 2. Selection Criteria

The Awards Committee will consider whether and how successfully each applicant meets the following criteria (which are of equal weight):

- a) *representation of group and individuals affected by this Site;*
- b) *the group's plans to use the services of a technical advisor throughout the Site activities; and,*
- c) *the group's ability and plan to inform others in the community of the information provided by the technical advisor.*

#### 3. Ineligible Community Group Applicants

In reviewing the applications, the Respondent will determine whether it believes any of the Community Group applicants are ineligible. A Community Group Applicant will be considered ineligible if it is:

- a) *A "potentially responsible party" (PRP) for this Site or represents such a PRP, or is a group whose ability to represent the interests of the affected individuals might be limited as a result of receiving money or services from a PRP;*
- b) *Not incorporated as a nonprofit organization for the specific purpose of representing affected people except as provided in 40 C.F.R. § 35.4045;*
- c) *"Affiliated" with a national organization (as defined in 40 C.F.R. § 35.4270);*
- d) *An academic institution;*
- e) *A political subdivision (for example, township or municipality); or*

- f) Established or presently sustained by ineligible entities that paragraphs III.3.(a) through (e) of this section describe, or if any of these ineligible entities are represented in the group.

If the Respondent makes such a determination, then it will inform EPA and the affected Community Group applicant and provide an opportunity for the applicant to revise its application (similar to the procedure specified in 40 C.F.R. 35.4025). That the successful applicant will receive TAP funds from Respondent, which has been identified by EPA as a PRP, shall not preclude that applicant from receiving any other award or grant from EPA.

#### **IV. Selected Community Group**

After the Awards committee selects the applicant with the highest overall score, Respondent will promptly notify all applicants and EPA in writing. Respondent will also promptly inform the selected Community Group of the activities that can and cannot be undertaken with the Respondent's funds, respectively, as follows:

##### Eligible Activities by Selected Community Group

The selected Community Group may perform any of the following activities with the TAP funds provided by the Respondent:

- a) To retain a technical advisor(s) to help the community understand the nature of the environmental and public health hazards at this Site, the various stages of investigations and activities, cleanup, and operation and maintenance of a site, including remedial investigation and feasibility study, record of decision, remedial design, selection and construction of remedial action, operation and maintenance, and removal action. This technical assistance should contribute to the public's ability to participate in the decision-making process by improving the public's understanding of overall conditions and activities at this Site;
- b) Undertake activities that communicate Site information to the public through newsletters, the internet, public meetings or other similar activities;
- c) Procure an administrator to manage the TAP funds;
- d) Provide no more than \$1,000 for one-time health-and-safety- training for the selected technical advisor to gain access to this Site.

##### Ineligible Activities by Selected Community Group

The selected Community Group may not perform any of the following activities with the TAP funds provided by the Respondent:

- a) Litigation or underwriting any existing or contemplated legal actions such as paying for attorney fees or paying for the time of the Technical Advisor to assist an attorney or any other person in preparing a legal action or preparing for and serving as an expert witness at any legal proceeding regarding or affecting the Site;
- b) Political activity and lobbying that is unallowable under OMB Circular A-122, "Cost Principles for Non-Profit Organizations";
- c) Other activities that are unallowable under the cost principles stated in OMB Circular A-122;
- d) Tuition or other training expenses for the group's members or its Technical Advisor (except as provided above);
- e) Any activities or expenditures for Community Group members' travel;
- f) Generation of new primary data such as well drilling and testing, including split sampling;
- g) Reopening or challenging final EPA or TDEC decisions such as the Record of Decision or conducting disputes with EPA, TDEC, or Respondent;
- h) Generation of new health data through biomedical testing (e.g., blood or urine testing), clinical evaluation, health studies, surveillance, registries, and/or public health interventions.

#### Ineligible Members of Selected Community Group

In implementing the TAP, the Respondent will inform the selected Community Group (cc: EPA) if it believes any member of the Group is ineligible to participate in the group. An individual might be considered ineligible if he or she has a significant financial interest in a PRP at this Site (other than as an employee or contractor).

#### Advance payment for start-up expenses

No later than September 24, 2001, Respondent will offer, in writing, up to \$5,000 to the selected Community Group to cover its estimated need for funds for an initial period. This advance payment may be used only for the purchase of supplies, postage, the payment of the first deposit to open a bank account, the rental of equipment, the first month's rent of office space, advertisements for technical advisors, and other items reasonably associated with the start-up of the organization which are specifically described in a request from the group. This advance payment should not be used for contracts for technical advisors or other contractors, or for any costs of the group's incorporation.

## **V. Community Group's Solicitation for Technical Advisor**

Respondent will promptly provide appropriate assistance when requested by the Selected Community Group (or directed by EPA) in its solicitation for an independent Technical Advisor. For example, if requested by the Community Group or directed by EPA, Respondent will issue the attached Request for Proposal (RFP) for a Technical Advisor in order to assist the Community Group in generating a pool of potentially eligible Technical Advisors. The TA applicants should send their applications to the Community Group, with copies to Respondent. Respondent will work with the Community Group to ensure that Technical Advisor applications are received no later than October 23, 2001.

Once the Community Group receives all the submitted Technical Advisor applications, it must review the applications and select its first and second choice candidates for TA. The Community Group also must prepare and submit a written evaluation of its first and second choice selections. The evaluation must demonstrate that each candidate meets the minimum requirements and contain an analysis of each applicable submission. The Community Group will send its first and second choice selections and corresponding evaluations to Respondent (cc: EPA) by October 30, 2001.

As long as the Community Group's selected TA meets the minimum requirements (specified in 40 C.F.R. 35.4195), the Respondent must accept the Community Group's first-choice selected TA. Within seven days of receipt of the Community Group's selected candidates, Respondent will inform the Community Group, the first-choice selected TA, and EPA if it believes that the candidate is not eligible or was not properly selected.

The selected Community Group will ultimately select a qualified Technical Advisor who will be independent from the Respondent and any other potentially responsible parties. In addition to the fact that the TA will report directly to the Community Group, the term "independent", for purposes of this TAP, also means that the Technical Advisor and his immediate family members may not: a) be an employee of, an appointee with, or contractor for any of the PRPs; b) be currently applying for a position with or bidding for any other contract position with any of the PRPs; or c) have a substantial financial interest or other substantial involvement with any PRP. Additionally, the TA may not be related to persons living in the affected Community, nor live within the affected community himself (which shall constitute that portion of Polk County, Tennessee, east of national forest lands). Respondent will immediately notify the Community Group, the TA, and the EPA if it believes the TA does not meet this definition of "independent."

## **VI. Contract with Community Group and its Technical Advisor**

Respondent plans to submit the attached contract to the Community Group and its Technical Advisor. This contract addresses (a) the appropriate and inappropriate activities and services, consistent with the information contained in this Technical Advisor Plan ("TAP"), that the Community Group may finance and the TA may provide with the Respondent's funds; (b) the administration of the invoice/billing system for the services of the Technical Advisor retained by the Community Group; (c) the dispute resolution process; and (d) other necessary provisions that provide for the administration of this TAP consistent with the terms of the MOU that the Respondent entered into with EPA. Respondent must conduct any negotiations in good faith, and make a good-faith effort to complete such negotiations no later than November 7, 2001. Upon completion of the negotiations, Respondent must notify EPA and TDEC and explain any differences between the draft attached contract and the final contract.

## **VII. Dispute Resolution**

In the event that a dispute arises between the Respondent, the Technical Advisor, and/or the Community Group concerning the administration and/or use of the funds under the TAP, Respondent proposes to use the dispute resolution process set forth in the attached contract. This process includes an informal dispute resolution process that would be followed, if necessary, by a specified binding arbitration process. The specifics of the dispute resolution process will be detailed in the final contract entered into between the Respondent, the Community Group, and the Technical Advisor. EPA shall maintain oversight authority over all aspects of this TAP to ensure good-faith compliance by all parties.

## **VIII. Additional TAP Activities**

1. The Respondent will arrange for and host public meetings on an as-needed basis between its Outreach Coordinator, the Community Group, the Technical Advisor, and other interested individuals, that address developments and issues pertaining to the Site.
2. The Respondent will provide comment cards or similar means for recording comments at such meetings, and will respond to the relevant comments submitted. Any comments that relate to activities undertaken by EPA or TDEC will be forwarded by Respondent to EPA or TDEC.
3. The Respondent will send EPA quarterly progress reports on the administration of the TAP. These reports will, at a minimum, summarize the topics discussed at the above-described meetings; give an accounting of invoices the Respondent has received and/or paid for purposes of the TAP; provided a written statement identifying and describing the status, if any, of disputes between the parties; and provide a brief agenda of upcoming activities relating to the TAP.
4. To the extent that issues or situations arise that are not specifically addressed by this TAP, the MOU, TDEC Order, or AOCs, all parties must refer to EPA for guidance and must generally interpret and implement all provisions of this TAP in accordance with its purpose. Specifically, this TAP is designed to provide the affected community in and around the Site with quality technical information and analysis to aid in its meaningful understanding of and participation in the

response activities undertaken in its community.

## **IX. Schedule**

To the extent practicable, Respondent will make a good faith effort to comply with the schedule provided below, which is designed to allow the Community Group to have a Technical Advisor selected and a contract with the Respondent signed no later than November 7, 2001. In the event that unforeseen developments delay implementation, Respondent must provide EPA with written justification for the delay and as expeditiously as possible complete the outstanding activity.

1. June 2, 2001-- Conference call between EPA and the Respondent to finalize revisions to TAP
2. June 11, 2001: EPA approves final TAP
3. August 15, 2001: Respondent publishes RFP for Community Groups, and mails copies to interested individuals. Solicitation continues for at least three weeks.
4. September 5, 2001: Application(s) from Community Group(s) due to Respondent.
5. September 10, 2001: Respondent submits plan for arranging for, and hosting, meeting between its Outreach Coordinator, the community group, potential TA's, and others.
6. September 24, 2001: Respondent informs EPA, TDEC, and applicants of identity of selected Community Group. Respondent offers assistance in solicitation for Technical Advisor, and up to \$5,000 to Group for its start-up expenses.
7. October 2, 2001: If accepted by the Community Group, Respondent transfers up to \$5,000 for start-up expenses.
8. October 9, 2001: Target date for Community Group (with Respondent's assistance, if requested) to issue RFP for a Technical Advisor.
9. October 23, 2001: Applications for Technical Advisor due to Community Group (cc: to Respondent).
10. October 30, 2001: Target date for Community Group to inform Respondent of its first-and second-choice candidates for Technical Advisor. (Within 7 days thereafter, Respondent must notify Group, the first-choice candidate, and EPA if it believes the candidate is not eligible or was not properly selected).
11. November 7, 2001: Respondent finalizes contract with Community Group and its Technical Advisor. Respondent concurrently notifies EPA of any differences between final contract and draft contract.

## Appendix E

### Questions for Community Interviews Copper Basin Site

5. How long have you lived in the Copper Basin area? Where do you live in relation to the site (i.e. mining areas)?
6. Which town or county provides your municipal services, including water? [if using a well, ask for more information about the well - age, depth, etc.]
7. Have you or any family members worked in the mines or related operations?
8. Are you aware of the three party agreement among TDEC, EPA, and GSH to investigate and make plans for cleaning up the site?
9. What is your level of interest in the site activities? [rate on scale of 1 (low) to 5 (high)]
10. How would you rate the overall level of interest within this community (a) in environmental issues generally (b) in the site activities? [on scale of 1 (low) to 5 (high)]
11. What are the key issues (on any topic) here in Copper Basin?
12. What questions, concerns, or issues do you have regarding the site itself, and/or the investigation and cleanup work?
13. How would you like to be kept informed and/or involved in site activities? [Mention that a TAP grant will be awarded to a qualified community group]
14. Which newspapers do you usually read?
15. What types of information would be helpful, and what are the best ways to provide information to community members? [written info/ mailings/ newspapers/ small groups/ community meetings/ information center/ availability sessions, etc]
16. When we hold public or community meetings, what times and locations would be most convenient?
17. What groups or individuals do you regard as reliable sources of information on community issues?
18. Who else should we contact for input?
19. Do you have any questions and/or need more information?

## Appendix F

### Glossary

#### ***Administrative Order on Consent***

A legal agreement between EPA and a potentially responsible party to pay for or perform site cleanup actions covered by the agreement.

#### ***Administrative Record File***

A file that is maintained for the public and contains information used to make a decisions about a site. The file is available for public review, and a copy is usually placed in the same location as the site information repository. A duplicate file is held at a central location, such as the EPA Regional office.

#### ***Adits***

Nearly horizontal passage ways into a mine.

#### ***Agency for Toxic Substances and Disease Registry (ATSDR)***

ATSDR is within the federal Public Health Service. It works with other government agencies to initiate and implement a variety of health-related responsibilities. ATSDR develops toxicological profiles, prepares site-specific health assessments, establishes formal registries of persons exposed to hazardous substances, develops and disseminates health education information, establishes and maintains literature inventories on hazardous substances, helps prepare health and safety programs for workers at abandoned hazardous sites and workers responding to emergency releases, and provides health-related support in public health emergencies.

#### ***Availability Session***

An "open house" event to meet informally with citizens about site activities.

#### ***Cleanup***

Actions taken to deal with a release or threatened release of hazardous substances that could affect public health or the environment. Cleanup is often used broadly to describe various response actions or phases of remedial responses, such as the remedial investigation/feasibility study.

#### ***Cleanup Remedy***

A prescribed technical approach to reducing the concentrations of contaminants at a site. EPA or

the State selects or oversees the selection of a cleanup remedy from alternatives identified in the feasibility study after applying a set of balancing criteria and considering public comments.

### ***Community Involvement Plan***

A formal plan of community involvement activities to ensure opportunities for community members to learn more about site activities and provide input for decisions regarding the site. The plan is based on information collected through site-specific community interviews and a review of site-related documents. A community involvement plan is sometimes called a community relations plan. The Copper Basin Partnership developed this plan to coordinate community involvement activities for various portions of the site. These activities also will be coordinated with community involvement activities listed in the public participation plan developed by Glenn Springs Holdings, Inc., under the VOAP order on North Potato Creek.

### ***Engineering Evaluation and Cost Analysis (EE/CA)***

An analysis of removal alternatives for a site, conducted as part of a non-time-critical removal action, similar to a remedial program feasibility study. It requires a 30-day public comment period.

### ***Feasibility Study (FS)***

The second part of a two-part study called a remedial investigation/feasibility study. The feasibility study involves identifying and evaluating the most appropriate technical approaches to addressing contamination problems at a site. Alternatives are evaluated for their effectiveness in protecting human health and the environment.

### ***Information Repository***

A file containing technical reports and reference documents in the Administrative Record file for a site. The information repository is usually in a public building, such as a public school, city hall, or library, that is conveniently located for community residents. As the site proceeds through the cleanup process, the file at the information repository may be updated.

### ***Memorandum of Understanding***

The Memorandum of Understanding for the Copper Basin site provides a framework and establishes guiding principles, responsibilities, and commitments to fund and conduct investigations and cleanup actions at the site. The Memorandum of Understanding and concurrent administrative orders or agreements that assign responsibilities for investigation and cleanup at the Copper Basin site were signed by EPA, TDEC, and OXY USA on January 11, 2001.

### ***National Contingency Plan***

The National Oil and Hazardous Substances Pollution Contingency Plan (also known as the National Contingency Plan or NCP) is the Federal regulation governing certain environmental cleanup actions. The NCP was revised in 1990.

***National Priorities List (NPL)***

EPA's list of top priority sites that present the greatest potential threat to human health or the environment.

***Non-Time-Critical Removal Action***

A removal action for releases or threats of releases that do not require initiation of on-site activity within six months after need for a removal action is deemed appropriate. An investigation/remedy selection tool used during a non-time-critical removal action is called an engineering evaluation/cost analysis or EE/CA. Non-time-critical removal actions can also involve actual site cleanup.

***Proposed Plan***

A public participation requirement in which EPA summarizes for the public the preferred cleanup strategy, rationale for the preference, alternatives presented in the detailed analysis of the remedial investigation/feasibility study (RI/FS) and cleanup standards that will be applied at a site. Public comment is sought on all the alternatives under consideration, and no final decision is made on the site cleanup plan until all public comments have been considered.

***Public Comment Period***

Time provided for the public to review and comment on a proposed EPA action or rule making after it is published. Public comment periods generally last 30 days at a minimum.

***Public Participation Plan***

A formal plan for communication and public participation activities to ensure opportunities for community members to obtain information and provide input on site actions and decisions. A public participation plan was developed by Glenn Springs Holdings, Inc., under the January 2001 VOAP order for investigation and cleanup activities in the North Potato Creek watershed, and will be coordinated with activities covered in this community involvement plan.

***Record of Decision (ROD)***

A public document that explains the cleanup alternative selected for site cleanup after the public comment period is concluded. The record of decision is based on information gathered during the site investigation and study phases and reflects consideration of public comments and community concern regarding the site.

***Remedial Investigation (RI)***

The first of the two-part study known as a remedial investigation/feasibility study. The remedial investigation involves collecting and analyzing information about a site to determine the nature and extent of contamination that may be present. The risk assessment, conducted with the remedial investigation, determines how conditions at the site may affect human health or the environment.

***Responsiveness Summary***

A summary of oral and written comments received during a public comment period on key site-related documents, with responses to those comments. The responsiveness summary highlights community concerns to be taken into account in making decisions on a site and is a key part of the ROD.

***Risk Assessment***

An evaluation of the likelihood of exposure and potential magnitude of future health or environmental effects that could occur if no cleanup action is taken on a site. Risk assessment may include both qualitative (non-numerical) evaluation and quantitative (numerical) calculations based on specific assumptions about long-term exposure risks. Ecological risk assessment applies to animals, fish, vegetation, and other environmental receptors. Human health risk assessment estimates the potential effects on people. Risk assessment results are used to identify site cleanup requirements.

***Technical Assistance Plan (TAP)***

A Technical Assistance Plan is a grant provided by the party responsible for site investigation and cleanup to a qualified, non-profit, community group. The purpose of the TAP is to increase the level of understanding and participation in the site investigation and study process among community members and provide independent technical review of site documents. At the Copper Basin site, GSH agreed to provide up to \$50,000 for a TAP grant for a qualified nonprofit community group. With these funds, the community group is responsible for hiring and managing a technical advisor to help the community understand site technical activities and investigation/study results. The community group is also responsible for disseminating information to others in the affected community.

***Time-Critical Removal Action***

A removal action covering releases requiring the start of on-site activity within six months of the lead agency's determination, based on site evaluation, that a removal action is appropriate. The time critical removal action at the Cantrell Flats Wastewater Treatment Plant is anticipated to last more than 120 days and involves the refurbishment and operation and maintenance of the plant, as well as the redirection of area water into the Ocoee River.

***Voluntary Cleanup Oversight and Assistance Program (VOAP)***

A program offered by the State of Tennessee to parties willing and able to conduct an investigation and cleanup of an inactive hazardous substance site on a voluntary basis, with oversight of the cleanup provided by the Tennessee Department of Environment and Conservation.

***Watershed***

A watershed includes the land area that produces storm water runoff and contains streams that run into a specified creek or river, for which the watershed is named.