

MORGAN COUNTY HIGHWAY DEPARTMENT

P.O. BOX 250

WARTBURG, TN 37887

**C. ROY SMITH
SUPT. OF HWYS.**

PHONE: (423)346-6061

FAX#: (423)346-7444

August 2, 2002

James I. Palmer, Jr.
Regional Administrator
EPA Region 4
61 Forsyth Street, SW Atlanta, GA 30303-8960

Dear Sir:

I am writing to express concerns that I have, as a result of having personally seen and observed the actions of the EPA during the federalizing of a project In Morgan County, Tennessee.

On or about 7/19/02, Highland Drilling of Kingston Tennessee was drilling for oil in Morgan County when they suddenly encountered uncontrollable pressure and oil began to escape from the well head. The crew immediately started placing barriers across Clear Creek near the Barnett Bridge area and began to enlarge their containment pits to catch the oil. The "bulldozer" being used to increase the containment pits is believed to have ignited the oil causing a tremendous fire. However, the drilling crew is said to have had the oil 95% contained at around noon the next day. At this time, the EPA came on site, took over and began to call in contractors to carry out their mandates, which started with hauling large "rip rap" stone and dumping in the property owners pasture field. The number of trucks hauling stone continued to increase over the next several days, hauling day and night until the field had a very wide two lane stone road at the end of a one lane county road. The following Saturday the Morgan County Highway Department received three calls requesting some assistance because two or more of the loads of three to four inch sized stone was dumped in the county road and left unattended which was impossible for a car to travel over these piles. The highway department later had to go out and remove most of this material from the road.

The following days the circus continued with more contractors, more equipment until the following Friday I received a call from a local resident that the EPA was driving a "bulldozer" up and down the county's paved road. I again visited the site and to my disbelief, this was true. CMC a contractor out of Nicholasville Kentucky had unloaded in the middle of the road and drove 2 miles on the county road. When confronted his statement was "Don't worry I am working for the EPA and they will take care of it. This seemed unbelievable to me so I began to try and locate the person in charge, which turned out to be Mr. Fred Stroud; U.S. E.P.A. out of Atlanta Georgia. At the site three miles away Mr. Stroud did verify they would somehow work it out, that they had just paved 2 miles of road in Kentucky. During my visit to the site; I observed hundreds of vehicles, five other dozers sitting idle on site, one new fork truck hauling a ATV on the forks, two large track hoes sitting idle and numerous vehicles and equipment sitting around. One boom truck was working and I asked about the fire and they stated that it went out yesterday. However, the rock trucks are still

coming in. There was 11 of them while I was there with more waiting to come in as I left. At the end of our one lane county road is a very wide two lane stone road across the property owner's pasture into wooded area and into a second field with stone 18 inches deep and still hauling. Along the sides of the road was large deep areas of silt and "soupy mud" with no silt barriers any where. Where the road went through the trees, there were signs of unnecessary destruction with trees knocked down for no apparent reason and silt and mud everywhere with no controls in place and this is a week after the incident. I also observed the coast guard (no one knew what they were doing). They were rescue squads from 4 counties, several volunteer fire departments, the forestry department, the parks department along with "Boots and Coots" of Texas and some other contractors. This was all after the fire was out and the well was contained.

As I left the scene I ran into the property owner a very elderly man who made his living from the land all his life who summed up things with tears in his eyes; He said, "they have ruined my pasture, destroyed my fields, tore down my trees and even refused me access to my own land " ALL FOR NOTHING". The only damage done was done by them (EPA). I only gave permission for them to take a dozer down to the well site. I agree the damage was done by the EPA's miss management and circus type activities. This is the most unbelievable waste of property taxes I have ever heard of. One simply can not believe any government agency could mismanage an incident as badly as this one has been. Morgan County deputy Jamie Ward was with me during my visit to the site, and the property owner is Elmer Howard. I hope this matter could be looked into. It has been very disturbing to me and our community.

According to the Knoxville News Sentinel's article on July 28, 2002 there could be as many as 400 wells in this area and yet according to a statement by Cindy Kendrick(a board member of Tennessee Citizens for wilderness) this area the "Clear Creek Canyon" is a little known paradise with free flowing pristine water, abundant wildlife and spectacular gorges. All of this exist with some 3 to 400 wells nearby. The EPA has indicated it will try to collect the cost of the clean up (thinks it to be 500,000.00) from responsible parties. It seems strange the first time the EPA becomes involved damages sky rocket. Are they including their own damages in the estimates; How are they collecting from themselves? Why was it necessary to cause so much damage to the county road and the farmer's property?

This incident has raised many other concerns and questions, but rather than to be so lengthy I will only mention these few at this time. Our community and myself would greatly appreciate any response and again I have only mentioned things that I personally observed.

Sincerely



C. Roy Smith Superintendent of Highways
Morgan County, Tennessee

Copies: Richard D. Green, Director Waste Management Division
Doug Lair, Chief Emergency Response and Removal Branch