

## ***Section 5 Study Of Calcium Carbonate Process Overview***

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### **I. Background**

As a result of Omya's mineral processing operations, marble ore tailings are produced and deposited at their Florence facility. To date, there has been some controversy among some Vermont residents, government agencies, and environmental groups as to whether the tailings pose an environmental or public health threat. Questions about the most appropriate regulation and taxation of the deposited tailings led to a legislative desire to review the tax exemption for the tailings under 32 V.S.A. § 5953(7). To inform this review, the Secretary of the Agency of Natural Resources was ordered by the legislature to require Omya to conduct a study of human and environmental effects of its operations.

### **II. Section 5 Legislation**

On June 16, 2005, the Vermont Legislature approved No. 65: An Act Relating to Solid Waste Facility Fees, Taxes and Certification (H.532) calling for a review of the environmental and human health impacts of calcium carbonate processing at Omya's Florence plant. Section 5 of the Act requires a study to be conducted by a certified, independent, third-party research team and is to be completed and submitted to the Secretary on or before January 15, 2008.

### **III. Section 5 Oversight Team**

A multi-stakeholder steering committee, known as the Section 5 Oversight Team, was formed by Omya to allow local residents, policy makers, and community activists to oversee implementation of the study. The Oversight Team has worked together to scope and detail the parameters of the investigation, select the independent consulting firms to perform the study, monitor the consultants' work, and communicate ongoing progress to their various constituencies. Stakeholder involvement in all stages of the review process strives to ensure a fair and transparent evaluation whose findings can be trusted by all participants.

### **IV. CLF Ventures' Role**

CLF Ventures, the consulting arm of the Conservation Law Foundation, has coordinated the Oversight Team since its inception in January 2006. CLF Ventures has also managed the contracts of the study consultants, ensuring the integrity of the process by preserving the independence of the scientists.

### **V. Consultant Involvement**

In May 2006, after a competitive RFP process, the Section 5 Oversight Team selected a team of scientists, comprised of experts from Cambridge Environmental Inc. and Geosyntec Consultants Inc., to perform this study. Throughout the last year, the scientists reviewed data previously collected at the Omya site to determine whether it meets rigorous standards for accuracy and completeness. At the conclusion of this process, the scientists have recently identified where additional information is needed to answer questions about Omya's possible impacts. The scientists will gather new data in Phase II of the study over the next eight months in order to submit a comprehensive report to the legislature in January 2008 and satisfy the requirements of H. 532.

### **VI. Additional Information**

Section 5 Study meeting summaries and reports can be found at [www.OmyaInVermont.net](http://www.OmyaInVermont.net). This website also contains additional reports on environmental and health-related topics concerning the Florence processing site. This website will continue to be updated as the study progresses.