

28 October 2008

## Memo Analyzing State Solid Waste Reform

The State Solid Waste Disposal Board on 30 September did not approve for public comment proposed new solid waste regulations developed by TDEC. We strongly support this decision Tennessee is among the top states in per capita landfilling. We have polluted groundwater at more than fifty (50) landfills. Tennessee is the only state which credits materials landfilled toward the 25% waste reduction goal. Our state can recycle and compost solid waste rather than landfill.

**Solid waste is not rocket science**--food waste [12% of waste], yard waste [13%], paper/cardboard [36%], and Construction and Demolition [15%] are 71% of the waste stream. With research and work, Tennessee could be a national leader in solid waste diversion and composting of solid waste. BURNT sponsored the visit to Nashville of Dr. Neil Seldman, president, Institute for Local Self Reliance in April 2008 who discussed how jobs and business can be created if we manage solid waste as a raw material for business and compost ([www.ilsr.org](http://www.ilsr.org))

### **Recommended Action by the General Assembly**

1. Make clear to TDEC and the Board that a January 2010 deadline for new regulations apparently contained in an amendment to *SB 1779/HB 1345* is not absolute.
2. Strongly encourage TDEC to find unspent dollars and money from their 'Solid Waste Management Fund' to fund Middle Tennessee State University and Tennessee State University to provide independent research to the State Board on solid waste reform as defined by *SB 1779/HB 1345*. TDEC should work with the universities to find business, foundation, and federal government funding to create a management structure for new solid waste regulations.
3. Mandate that the pending 'bottle bill' be made part of solid waste reform to reduce amount of waste landfilled and remediate groundwater pollution.
4. Understand that the solid waste reform of 1991, which was preceded by three years of formal planning, did not work. We must not repeat this history.

**PROCESS and RESULTS** In fall 2007, TDEC appointed a 'Solid Waste Reduction Task Force' which met monthly. BURNT was represented on this Task Force which was 24 out of 24 white, 22 out of 24 white male, and 21 out of 24 local solid waste managers. We were strongly impressed with caliber of TDEC managers and personnel as well as the local solid waste officials. The Task Force voted unanimously that there should have been an 'executive director' or environmental consultant in charge and that reforming state solid waste reform is a multi year process not a one year process with monthly meetings and no independent staff. .

### **TDEC Recommended Regulations—positive**

1. ending the credit for waste diversion for landfilling in Class IV landfills
2. Banning food waste (13% of waste stream) and yard waste (12%) from landfills

### **TDEC Recommended Regulations—need work**

1. Waste reduction goal only applies to waste directly collected or contracted out by local governments—often less than 20%.
2. All other business, institution, and commercial waste will be measured by a survey every five years.
3. Yard waste ban will not be effective until year 2015 and food waste ban not until year 2020. No accountability until 2025 due to survey of business waste every five years.
4. Food waste and yard waste diversion determined by local governments. Major food stores, fast food chains, schools, and universities should follow state wide policies.
5. No proposed management structure or measures of success
6. Continues and even expands stultifying local reporting process which the ‘Task Force’ found did not reflect reality. We ask for programs and process to divert waste.

We strongly urge independent research as described by *SB 1779/HB 1345*. We believe federal, foundation, and business support can augment Tennessee tax dollars for these universities to do these studies. We appreciate the opportunity we have as citizens to be part of the Legislative process and to serve on the ‘Solid Waste Reduction Task Force’

Thank you

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