

## **WHY UNDERMINE STATE SOLID WASTE DISPOSAL BOARD RULE MAKING?**

### **>>IS TDEC UNHAPPY WITH THE BOARD'S EFFORTS?<<**

Pending legislation [*HB 1630/SB 876*] and [*HB 2051/SB 2083*] each undercut the PRESENT and ON-GOING Rule Making Process of the State Solid Waste Disposal Board. **Is this what the General Assembly wants?** In year 2007, the General Assembly passed *SB2267/HB2289* [an administration bill] mandating the State Solid Waste Disposal Board to consider new solid waste regulations. The Board and the 'State Solid Waste Reduction Task Force' comprised of 23 people and named by TDEC (23 out of 23 white, 21 out of 23 white male and 20 out of 23 local solid waste managers—one BURNT member was on the Task Force and another participated) have worked since Fall 2007. Twice (2 times) the State Board rejected TDEC's call to allow regulations to go out for public comment. This was rare and unanticipated independence. We applaud the sponsors of these bills for their interest in solid waste who would not know these bills fly in the face of the PENDING State Solid Waste Disposal Board and "Task Force" efforts.

### **This legislation has policies TDEC did not discuss with the 'Task Force' & Solid Waste Disposal Board (or were rejected by the Board, so far)**

**>>reduce Class I landfilling by 75% in eight years [30 June 2017]—*HB 1630/SB 876*— pg. 1**

**>>unfunded local mandates for local governments—banning yard wastes and other materials [*HB 2061/SB 2083*—pg. 4-5]**

**>>Commissioner call for five (5!!) recycling pilot projects by 2010--*HB 2061/SB 2083* [pg.4-5]**

### **What Is Wrong With These Ideas?**

1. The only way Tennessee is going to reduce Class I landfills 75% is to build many Class IV landfills
2. The Board has made clear—we do not need unfunded mandates—we need good ways to compost which requires separation of food and yard waste
3. Nobody believes TDEC numbers—the local solid waste manager dominated Task Force voted unanimously that TDEC solid waste numbers do not reflect reality
4. "Beneficial use" is referenced in the legislation—this is code word for 'landfill cover'. [*HB 2051/SB 2083*— pg. 9, Section 9;
5. These bills continue the same TDEC error of many years—instead of analyzing what is in solid waste, TDEC develops rules, regulations, and laws- "Start with the content of solid waste and solutions rain like from rain from the sky."—Peter Anderson, national solid waste expert

### **And How About TDEC's Track Record?**

**Coal Ash Disaster—A Class II Landfill; Dickson County Landfill—a 75 acre landfill now 15 square miles of groundwater pollution; Tennessee one of only two states to generate 2 tons of waste per person; Tennessee ONLY state to credit landfilled construction waste as diversion**  
**SUPPORT--*SB 2180/HB 2216*—planning support for TDEC & the Board**