

BURNT

IMPROVING THE ENVIRONMENT THROUGH
CITIZEN INVOLVEMENT WITH GOVERNMENT,
BUSINESS, AND ACADEMIA

4 December 2008

John Sherman, Chair
Davidson County Regional Solid Waste Board

via electronic mail & hand delivery

Requested Action Sub-committee recommend that the Regional Board Reject the
Proposed "Solid Waste Plan Update"

www.nashville.gov/recycle/Information/swrb.htm

Dear Chairman John Sherman:

We request that the Davidson County Regional Solid Waste Board sub-committee recommend that the full Board reject the proposed "Davidson County Region Solid Waste Plan Update". This plan is irretrievably inadequate. It does not give a focused picture or base line of Metro solid waste. The "Update" does not answer the fundamental problems in this plan which caused the sub-committee to twice disapprove the plan. The failure of licensed engineers to address issues raised by the sub-committee are so willful as to appear to be a fraud on the taxpayers and people of Nashville.

We appreciate the years of conscientious work by the Regional Solid Waste Board. The biggest challenge to the Board is the underlying State of Tennessee 1991 Solid Waste Act (*T.C.A. 68-211-101, et al*), which is riddled with loop-holes which favor landfilling solid waste. *Tennessee is the only state which credits landfilled construction waste toward the 25% diversion goal from Class I landfills.* Nashville's business community is paying the majority of these solid waste costs and should participate in this question.

1. The "Plan Update" represents in Table 5-2 (pages 38–39) that the "Waste Diversion Rate" in Nashville in year 2008 is 54.4% [and an identical 54.4% every year through year 2017!]. This claim is false. States such as California with statutory mandates to divert more than 50% have worked for years to reach this goal and enacted explicit policies to do so. Representing that Metro has reached 54.4% is a gross distortion. Because Tennessee is among national leaders in per capita landfilling, we have untapped opportunities to increase composting [food waste (12%), yard waste (13%)] and recycling [paper/cardboard (36%), construction & demolition waste (20%)]

2. The entire "Plan Update" relies on highly unrealistic, inaccurate Davidson County solid waste recycling and disposal data [Table 3-1, pg. 14-15]. We have written and testified previously that Table 3-1 presents data which is quite distorted

A. Data on "Private Sector Municipal Solid Waste Recycling" [Table 3-1, pg. 14-15] is sheer speculation—there are no reports or inspections to document these figures. Where is the

615.327.8515
P.O. BOX 128555
NASHVILLE, TENNESSEE 37212

WWW.BURNT-TN.ORG
burnt.tn@ gmail.com

*A Member Of
Community Shares*

proof that private business recycled 46,328.58 tons of corrugated cardboard in year 2007 [how much space does 46,328.58 tons of cardboard occupy?] How much cardboard came into Davidson County and what was its destiny? Cardboard is a common sight at Transfer Stations prior to transport to landfills.

B. The 110,251.23 tons claimed for “Public Program Recycling” [Table 3-1,pg. 14] is more than 2/3–75,403,52 tons--“mulch”. Yet, this is a public service of more than 50 years and in fact is primarily done by entities other than Metro.

C. Table 3-1 represents with no explanation that Davidson County has a significant deviation from national norms in total metals. Although nationally metals are 8% of the waste stream [Table 3-3, pg. 16], Table 3-1 shows metals are apparently 14% of the Davidson County waste stream even though Nashville has little heavy industry. (METRO metals 916.03 tons– PRIVATE--auto body scrap 17,081.00 tons; ferrous metals–128,000.17 tons; mixed metals–26.00 tons; non-ferrous metals–7,417.00.) This discrepancy must be explained.

D. The data is based on guesstimates and wishful thinking yet solid waste is represented to the hundredth of a ton–twenty pounds! It is peculiar to claim that Metro’s Public and Private Sector Recycling was 421,405.46 tons [Table 31-1, pg. 15] There is no documentation for such precision. There are no such measuring capabilities in place.

3. The “Update” is plagued with meaningless, imprecise platitudes

A. “Curby” [Section 4.32-pg. 24-25] is analyzed with no account of the very significant capitol outlays. There is no analysis of the minimal 13,000 tons diverted from the million ton plus waste stream at very high operational cost. Revenues and Expenses [Table 4-3, pg. 35] is incomplete without the very significant capitol costs of Curby Trucks and bins.

B. Discussion of “Source Reduction and Recycling Services” [Section 4.3.1–Introduction, pg. 24] should be much more precise. Budget outlay for central staff at Public Works and the very significant growth in management and support staff should be compared with present recycling diversion to early 1990's recycling results which were nearly identical to present results with a fraction of costs.

C. Mention of “waste audits” by Public Works Staff should [Section 4.3.1– Introduction, pg. 24] discuss the number of audits, outcomes, procedures, and resulting diversion from the landfill. Wistful statement of “coulds ” and “shoulds” is not acceptable.

4. This Update is tragically flawed by its benign treatment of landfills [Section 7.6 Future Waste Disposal Needs]

A. Landfills in Tennessee, built mostly on karst geology and close to public water drinking sources, are menaces to public health.

B. Metro is not a good neighbor by exporting waste which could be processed, composted, and reused in Davidson County.

C. Why is Metropolitan Nashville landfilling 100,000 tons of concrete and construction rubble in a Class IV landfill on the river, in a primarily black area. This is environmental injustice.

5. This “Update” fails to answer a basic question asked by the Mayor

A. As part of his “Green Ribbon Effort”, the Mayor required that a carbon footprint for the city be developed. Yet, the “Update” barely mentions greenhouse gas impacts [pg. 62] and completely ignores the significant impact of Metro’s aggressive landfilling of food and yard waste which creates very dangerous methane gas.

B. This “Update” must not be accepted until calculations of greenhouse gasses from all Metro solid waste operations are calculated. If this is not done now, when will it be done?

6. The inclusion of sewer sludge at the apparent direction of TDEC may be in error

A. It is not clear if State law defines sewer sludge as municipal solid waste

B. The “Update” appears to show that Metro’s base number was significantly impacted by this decision.

C. Sewer sludge is a combination of human and business waste. The decision to approve this for land application was made by the EPA, a highly politicized agency with a history of expediency. did not appear to investigate whether There is no independent re

CONCLUSION BURNT praised the first version of what was originally a “10 Year Update” with a few suggestions. We were impressed with the professional organization and broad reach. However, as the planners failed to answer any of the fundamental questions raised including the bogus and false numbers on Metro and Public recycling and waste streams [Table 5-2 (pages 38–39) and [Table 3-1, (pg. 14-15)] we understood this to be a paid, professional effort to once again inflict mediocre solid waste policies and dangerous landfilling on the people of Nashville and Tennessee.

This “Update” does not meet the requirements of the Regional Board. We recommend, if it is reported to the full Board to be reported unfavorably.

Thank you

Bruce Wood
President

R C Bartlett
Vice-President

cc BURNT Board members
Regional Solid Waste Board members
Mayor Dean and Department of Public Works
State Solid Waste Disposal Board
Division of Solid Waste, Tennessee Department of Environment and Conservation
President, State Conference NAACP & Nashville Branch of the NAACP
Metropolitan Nashville Department of Law