

BURNT

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

29 September 2008

Kenneth L. Donaldson
Chairman
State Solid Waste Disposal Board
1055 Union Place, Apt. 1-155
Columbia, Tennessee 38401

RE: Request for the Board to Defer Proposed Regulations and to Address the Board

Dear Chairman Kenneth Donaldson:

As a member of the Solid Waste Reduction Task Force I request to address the Board concerning the proposed Solid Waste Regulations. I strongly recommend the Board to defer these regulations. Solid waste reform is difficult. Prior to the 1991 reform, a three year planning process was followed with meetings across the state. Yet, 17 years later we see the need for further work. Actually, with a few basic changes Tennessee could become a national leader in solid waste reform.

CONSIDERATIONS

A. We need regulations which attack specific elements of the waste stream such as

- compostable food and yard waste [25% of waste stream]
- paper and cardboard [36%]
- and construction and demolition waste [15%].

B. The Task Force voted unanimously that this process needed an outside executive director or environmental consultant and should be a multi-year process

C. This Board needs criteria to evaluate and manage reform—for example, if food and yard waste are composted in county of origin and construction and demolition waste is reduced, then there should be a marked reduction in the 12 million (12,000,000) miles waste is transported from Transfer Station to landfills.

D. There can not be change without recognition of where we are coming from. Tennessee is the ONLY state which allows the 25% waste reduction goal to be met by landfilling Class IV Construction and Demolition waste. The Task Force voted unanimously that local reports did not accurately reflect solid waste.

RECOMMENDED ACTIONS

A. Defer these regulations to allow the Task Force and TDEC to

615.327. 8515
P.O. BOX 128555
NASHVILLE, TENNESSEE 37212

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

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develop a better process—there is no time limit. Let's get solid waste right not fast..

B. Require TDEC to immediately help local governments to divert food waste, yard waste, paper/cardboard, and Class IV construction and demolition waste from landfills through “cookie cutter” programs targeting large food stores, hotels and restaurants, schools and institutions, and Class IV landfills

C. Connect the bottle bill or other funding sources to legislative mandate (SB 2287/HB 2289) to clean up ground water polluted by landfills

D. Stop another huge loophole which is lurking—local governments will only report what they collect or contract—all business and commercial waste will be done by a survey.

E. Tennessee has two accurate solid waste numbers

1. Landfill 7,000,000 million tons in Class I Landfills

2, the waste stream is *food waste (12% of the waste stream), yard waste (13%), paper/cardboard (36%), and construction and demolition (15%)*

We need programs to divert specific elements of the waste above BEFORE we start on another 17 years of local reports, quotas, and goals.

Two BURNT Board members attended the Task Force sessions. We found TDEC managers and staff to be well informed, courteous, and professional. The other members of the Task Force were knowledgeable and capable. We understand the difficult nature of solid waste. We appreciate this opportunity to be part of the process.

Bruce Wood
President

R C Bartlett
Vice President

cc Governor Bredesen
State Solid Waste Disposal Board
TDEC managers and staff
Task Force members
BURNT Board
Tennessee State Convention of the NAACP
Nashville Branch of the NAACP

WHAT ARE THE OPPORTUNITIES IN SOLID WASTE **A.** The same companies which own the landfills and haul solid waste can also recycle and divert solid waste if the government requires this . **B.** 70% of the solid waste stream is useful and identifiable: *food waste (12%* of the waste stream), *yard waste (13%), paper/cardboard (36%), and construction and demolition (15%)*. By separating out the compostable food and yard waste, almost all of the above waste can be diverted. **C.** Tennessee has landfills which have severely polluted groundwater, a precious resource. There is pronounced environmental injustice. The state must develop a policy for remediation of groundwater polluted by landfills.

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What Is The Primary Benefit of Deferral For 3–5 Months?

TDEC, the Task Force, solid waste companies, and citizens can identify specific methods to handle compostable food and yard waste in business, restaurants, schools, hospitals, and homes to divert this waste from landfills. This will be the basis of new regulations.

What Are Some Problems With The “Proposals and Concepts”

---The “Proposals and Concepts” repeat the same mistakes since year 1991—**more reports** [all municipalities over 3,000 population], **additional Regional committees** [technology], **waste reduction required by business based on a survey every five (5) years** [no teeth], and **no compliance for five (5) years after effective date!** [yet another base year—the 4th?]

—TDEC and local government engineered this Proposal. *These are the same parties who have not implemented or written the 1991 Solid Waste Act as well as you would like.*

—All 24 members of the Task Force were white, 22 out of 24 were male, and 21 out of 24 were local or regional solid waste managers or officials. This is highly out of order.

—unfunded mandates such as yard waste bans and banning e-waste are not proven or defined. Local governments need assistance to develop sound methods to divert waste.

How Can Solid Waste Reform Process Be Improved

A. An outside, part time Executive Director or environmental consultant. The Task Force voted unanimously in a meeting in Murfreesboro that this was needed.

B. Planning for solid waste reform should take several years including follow up. Independent, academic research is needed.

What Can The Board Gain From Further Planning Following a Deferral

1. Research methods to divert and compost food waste (12% of waste stream), yard waste (13%) and how to process paper/cardboard (36%), and construction and demolition (15%).

2. identify extent of polluted groundwater [landfills and chemical] and sources to fund remediation [more than fifty (50) landfills are in groundwater assessment]

3. connect the “bottle bill” to solid waste as a source of funds. This is also logical.

4. end unfunded mandates of yard waste and e-waste bans. Define how local governments can chose how to run these programs and how to evaluate solid waste reform.

Thank you

Bruce Wood
President
615-327-8515

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A. Metals--

1. Table 3-1--'Private Sector Recycling' lists 'Ferrous Metals' (pg. 14) [128,000 tons], 'Mixed metals' [26 tons], 'Non-ferrous metals' [7,400 tons], and 'Auto body scrap' [17,000 tons]. Public Program recycling lists 'Metals' [916 tons] for a TOTAL of 153,000 tons of METALS out of a supposed waste stream of 1,287,000 tons. **National averages are METALS as 7.6% of the waste stream or 96,000 tons out of a 1,287,000 ton waste stream.** It is not clear what 'auto body scrap' is. However, a claimed 153,000 tons of metal versus an expected 96,000 tons is a clear deviation from national norms.

B. Basis of this table--

From a view of a 10 Years Plan, it should be made clear Table 3-1 is an estimate and conjecture.

C. Mulch is 75,000 tons of 'Public Recycling'

Mulch, an activity of local government from long ago, is 75,000 tons--70% of public recycling and 20% of total recycling.

Thus, for a Ten Year Plan we urge, strongly urge, the Regional Board to recognize in the Plan that there is no clear knowledge of the waste stream and this is a challenge to future boards.

2. This Plan needs a Clear 'Road Map' To Guide Public Works, the Council, and citizens

A. Discussion by the Sub-committee appeared to accept that "Section 8.3.2 **Food Waste Composting**" and "Section 9.4.1 **Food Waste Composting**" were not at all applicable or specific. We

urge a SPECIFIC plan for Nashville to

1. work with large food stores, schools, and fast food outlets to compost food and compostable waste. Every Krogers creates 800-1,000 pounds a week of organic food waste.
2. specific programs for residential, institution, restaurant, and business parks to compost food and yard waste.

Even if this is not implemented NOW, this provides a target and information for planning. Further, compostable food and yard waste create dangerous methane gasses in landfills.

B. Class IV Landfills

1. Table 3-4 [pg. 17] 'Characterization of C & D Waste in Davidson County' estimates we are landfilling 100,000 tons of concrete and mixed rubble, 56,000 tons of wood, 22,000 tons of drywall,

and 5,000 tons EACH of metals, bricks, and plastics. Why is any of this landfilled, let alone in a landfill on the river in a black area?

2. A 10 year plan should include specific programs and time-table for stopping these practices.

3. For years we have heard about Public Works plans to work with Codes to develop these programs yet nothing has impacted the situation. We need a professional plan for this

C. Transportation

1. There is no accounting of mileage traveled to transport waste to out of county landfills. The most recent number was 1.12 million miles--statewide exceeds 12 million miles. This is a significant cost and environmental toll which should be documented for the purpose of future review.

2. Section 4.2.2.1 Residential Refuse Collection--[pg. 21] of the Plan states Metro purchased new collection trucks. What was the capitol cost and maintenance?

3. Sewer sludge

We urge the Regional Board to evaluate the moving target definition of sludge [human and business waste] as a solid waste, as a safe form of recycling, and as part of the solid waste solution.

Although the Regional Board has no power to stop the use of sewer sludge on golf courses and agriculture fields, you have the power to place in this Plan a note detailing the possible unhealthy nature of this practice which is more expedient rather than environmental. We urge this material be landfilled.

Thank you for the opportunity to submit this material and participate in this process