

RESPONSES to PUBLIC QUESTIONS and COMMENTS
CONCERNING BFI REQUEST TO EXPAND LANDFILL

Alternative Waste Management Solutions

Q: At what time are we going to see you start recycling efforts to prolong the life of the current and proposed landfill? (Which will improve the land and water contamination.)

Q: Will the state be willing to make a partnership with a recycling company or compost company such as WasteAway as a requirement for expansion? This would assist with meeting requirements of the 25% reduction of waste annually.

Q: What measures are being taken to promote recycling instead of landfills?

Q: Why not contract with WasteAway to convert the trash into fluff? It takes care of 95% of the unsorted garbage.

Q: If 95% of Municipal Solid Waste (MSW) is being recycled in McMinnville at WasteAway, why (is there) the need to expand? Why not recycle?

Q: Why not try to promote recycling instead of just expanding the landfill?

Q: Would not building a facility where the trash can be separated and recycled be better for my land and create jobs?

A: It is the policy of the Department to encourage recycling in lieu of disposal. The Department attempts to accomplish this goal by making available various grants to the Tennessee counties to assist them in their recycling efforts.

Division Rule 1200-1-7-.09 establishes a 25% reduction goal of waste being disposed in Class I facilities and incinerators in Tennessee. This goal applies to municipal solid waste regions but does not apply to individual disposal facilities or incinerators.

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Q: I read that 2 neighboring counties no longer send their waste to Middle Point. Instead they send it to McMinnville where a new technology processes it into an environmentally friendly “fluff.” Please comment on this technology.

A: At the WasteAway facility, municipal waste is processed into a raw “fluff”. This raw “fluff” is further processed by separating the ferrous and non-ferrous metals from the fluff. The collected metals are sold to scrap metal recyclers. The remaining fluff is then transported to Composite Products of America where is extruded into consumer products. The internet address for WasteAway is <http://www.wastaway.com/Process.htm>.

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Q: What are the alternatives for a future landfill site?

A: The Division currently is not in receipt of any alternate proposed sites in Rutherford County

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Q: If [the proposed expansion is] approved, what new technology is scheduled to improve past and current complaints?

A: Owners/Operators must comply with the Rules and Regulations Governing Solid Waste Disposal in Tennessee. The rules and regulations incorporate current technology and are modified as new information warrants.

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Groundwater and Surface water Issues

Q: What will be the long-term effects on the Stones River?

Q: What is it doing to our water supply Stones River & wells?

Q: We use well water on the farm and house – our only source of water. What assurance is there that our water supply is free of landfill contamination and will remain so in the future?

Q: How can the State approve this plan when BFI has not submitted proof of being capable of containing the disposed wastes to prevent pollution of waters of the state?

Q: What is happening to our water? You're on top of the water supply. The pollution must be there.

A: As part of the application process, the owner/operator must submit for review a hydrogeological report. This hydrogeological report must assess the hydrogeological characteristics of the proposed site to define the site's suitability for solid waste disposal

Additionally, permit conditions and Division Rules set out the requirements for a leachate collection and removal system, run on/ run off management systems and an early detection groundwater monitoring system. The purpose of the groundwater monitoring system is to detect any release of leachate from the landfill into the groundwater in soils or in bedrock.

Previously waste constituents were detected in a monitoring well located adjacent to the closed Rutherford County Landfill. Detection of these constituents ceased upon the implementation of a gas venting system at the closed facility.

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Q: Isn't it time to stop poisoning the water by putting landfills on rivers in Tennessee? Who is allowing that practice and why?

Q: Why are they accepting sewage and other things that are a hazard to the water supply when they are located right on the river?

Q: Why is a landfill permitted to operate next to a river? Why should the permit be extended to allow the landfill to continue to operate next to a river?

A: The Division does not participate in the selection of solid waste disposal facility locations. Upon receipt of an application, the Division reviews such application for site suitability.

Applicants select sites based upon the site's suitability, including the availability of adequate amounts of soil. Solid waste disposal facilities are located in various topographies across the State, while in the Middle Tennessee basin, deep deposits of soil tend to occur near large rivers.

Division Rules generally prohibit location of a solid waste disposal facility in a 100 year flood plain and do provide for buffer zones between disposal facilities and streams.

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Q: We are also concerned about what we are doing to our underground water supply and people's health.

Q: Stones River - East & West. Landfill on top of all water Murfreesboro and Rutherford County. What are you doing about it?

Q: The East Fork of the Stones River flows in close proximity to the BFI Middle Point Landfill. What environmental impact studies have been conducted on the river basin and channel for water quality and any possible impact the BFI Middle Point Landfill may be having on the water life contained therein?

Q: Has the water been tested in the river, upriver and down river from the dump?

Q: Will it affect our water supply?

Q: How will groundwater be cleaned when it is found contaminated? At who's cost?

Q: Will the landfill affect our water supply and lake areas?

A: As previously described, Division Rules require owner/operators to establish and maintain a groundwater monitoring system during the operation, closure and post closure care period for the facility. The groundwater monitoring system requires the construction and maintenance of an adequate number of groundwater monitoring points, a sampling and analysis plan and additional recordkeeping requirements. All components of the groundwater monitoring system are closely monitored by Division personnel.

Upon detection of a constituent at a statistically significant level the owner/operator is required to assess corrective measures and select a remedy. The selected remedy may vary depending upon the constituents detected.

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Q: Semi-annual groundwater monitoring may be sufficient to characterize contaminate migration in karst terrains. What other monitoring schedule options may be required?

Q: How often are the wells tested? How many wells are there? Can the public easily tap into the data from the well test?

A: The groundwater monitoring system at the Middle Point facility consists of eight monitoring wells and two springs. Samples are collected and analyzed twice yearly. Monitoring points potentially affected by a leachate outbreak are being sampled four times per year during this assessment evaluation.

Our files are open for review. Persons wishing to review the Middle Point file should contact Brenda Marlar at 687-7097 to schedule a file review appointment at the Nashville Environmental Field Office located at 711 R. S. Gass Blvd., Nashville, TN 37243.

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Q: When can we expect the water contamination and land erosion to be cleaned up from the existing landfill?

Q: How will this landfill affect the ground water and river 20 years from now, even without the expansion?

A: The Division expects the owner/operators of the Middle Point Landfill to comply with Division Rules and permit conditions to prevent any present or future impacts to the environment.

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Q: Location of the landfill near the creek could result in water pollution, despite control measures.

Q: Who oversees water supply pollution? How long after it's closed does it get monitored? And who pays? Eventually, it has to pollute Stones River.

Q: What about landfill being so close to Murfreesboro and Rutherford counties' water supply?

A: Groundwater and surface water exit the Middle Point Landfill at points downstream of the municipal water intake, therefore there should be no impact to the water intake system.

Division Rules provide for ground water monitoring during the operation and throughout the postclosure care period as set out in the Rule (30 years after closure) or for an extended period described in a permit condition.

All water intake systems are sampled and analyzed locally. Reports of the analyses are forwarded to the Division of Water Supply.

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Q: Has the Solid Waste Management Geologist and other Division personnel looked at the local topographic maps regarding karst features?

Q: How can the site be considered suitable with the area's geology having karst features?

A: Division personnel have reviewed all data submitted by the applicant, including dye trace studies demonstrating the hydrogeologic suitability of this site.

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Impact on and of the Community

Q: Subdivisions located under the shadow of the Middle Point Landfill are governed by legal covenants establishing permitted and forbidden practices by covenant members in perpetuity. These covenants prohibit certain "noxious" practices. The persistent lingering "noxious" stench produced by the BFI Middle Point Landfill, while not being produced by covenant members, has the same impact as a covenant violation would have. How will BFI compensate the covenant members/homeowners for this degradation of their neighborhoods livability factors and resale value? While tax rates for this area of the country are the same as other areas not so impacted, the residents of this area are subsidizing the rest of the county, and adjoining counties using this landfill, with their property values. Is this a fair trade?

A: The Division's authority does not extend to the remedies suggested in these questions. The Division's authority extend only to that granted in the Tennessee Solid Waste Disposal Act and its attendant rules and regulations.

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Q: Is the 15 - 20 year additional life extension based on current waste generation rates or is the exceptional growth in the area, and its associated wastes also accounted for?

Q: Is it not reasonable to believe that 17 years is long enough for the residents of northern Rutherford County to endure this landfill?

A: Projected life of a facility is determined by the applicant based on many factors such as current disposal rates and permitted air space. An applicant is not required by regulation to explain the specifics about how a facility's projected life is calculated.

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Q: We are saving money by accepting trash from other counties but at what price? We have to put up with more odor and environmental problems, etc.

A: It is unfortunate that some level of odor is consistent with waste management. Efforts have been made to minimize odor from the landfill. These efforts are expected to continue for the duration of the landfill's lifetime. Proper operation of the landfill by BFI and regulatory oversight of the landfill by the Division will help avoid the occurrence of environmental problems.

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Q: Are you absolutely sure w/out a doubt that there is not a health hazard to the public from the landfill and its contents?

Q: If the state is that confident that the landfill is safe, are they prepared to pay health liabilities in the future?

Q: Who will pay if the public start to get sick? Does the risk of people getting sick from contamination balance out with the income from the City? How much does it cost to cure cancer from TCE and chemicals?

A: The owner/operators are responsible for any environmental impacts the operation of the facility may cause.

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Q: Has an ecosystem impact study been conducted that looks at how indigenous plants and animals have been effected (think about the soaring vulture and rat population)?

Q: What measures are being taken to assure that waste (toxic) is not carried out of the landfill and into the food chain?

A: Regulations governing landfill operation do not require studies of this nature. The Division is not aware of any such study having been conducted.>>>

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Q: This landfill is not safe and continues to prove this over and over again –

Q: What is the benefit to our community if this landfill is expanded?

Q: The air is bad. The smell is like bad eggs in north Rutherford. What is being done?

Q: Why do we have to smell this stuff?

Q: Trash and sludge trucks traveling to and from dump are not contained. The smell is a continuous problem. What is the plan of action to eliminate this problem?

Q: The population is growing too fast to have the hazards from trucks, smells, chemicals (deodorizers), and untreated run-off [from the landfill].

Q: Did previous members of the community, who originally approved these ideas realize how big and smelly it would be? Why would anyone want the landfill?

Q: Environmentally, [does] the BFI landfill pose a greater hazard than the old county landfill?

Q: It seems clear that no adequate characterization of the existing contamination at the site has been done. Hazardous material could be put into the air and spread throughout the area.

Q: The height of this landfill represents a blight and nuisance on the entire area. This is the wrong location for a landfill.

Q: Will there be any health risk in the future by this landfill?

Q: How would the closing of the landfill affect our property taxes?

Q: Can there be annual report issued as to the number and nature of complaints received be telephone or e-mail?

Q: Will the landfill be allowed to continue to operate will the city of Murfreesboro continues to grow around it?

A: The Division's review authority extends only to that which is set out in its statutes, rules and regulations.

As previously described, persons wishing to review the Middle Point file, should contact Brenda Marler at the Nashville Environmental Field Office to schedule a file review appointment.

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Operational Concerns

Q: Is hazardous medical waste supposed to be dump in landfill?

Q: How often is river & well tested and by who—state or Federal government?

Q: Covering the waste doesn't seem to work!

Q: Why is the smell so bad?

Q: Why do they work all night? I can hear the trucks backing up; the noise is disturbing.

Q: What and how long ago was the old cell filled with that you are planning on tying onto with this expansion?

Q: How is hazardous waste handled?

Q: Is human waste still being brought in?

Q: How late are they allowed to work? (The) Reason (this question is asked) is because (I) live about ¼ mile (away) and at 1:00 AM the truck lids are slamming and truck reverse beepers are going.

Q: You say there will be no more sludge from Metro. What about from other places?

Q: What do trucks - coming in middle of night- contain? These trucks come from states - New York, Texas, etc. What chemicals (do they contain)? Ditches are already dug for this garbage and covered immediately.

Q: Can the amount of time trucks remain uncovered at the BFI landfill be minimized before waste is dumped in the landfill?

Q: Is red bag bio-hazard medical waste required to be sterilized before being landfilled.

Q: Can other counties' and states' wastes be excluded from the landfill?

A: Certain businesses, such as restaurants and hospitals, are normally serviced by solid waste haulers during very late or very early morning hours.

The Division does not have the authority to prohibit out of county or out of state haulers from using the Middle Point facility.

Certain types of special wastes, such as asbestos, are required to be placed in discrete areas and immediately covered. Other types of wastes, such as outdated foods and dead animals also require immediate cover.

The types of wastes that may be accepted at Class I facilities are domestic wastes, commercial wastes, institutional wastes, municipal solid wastes, bulky wastes, landscaping and land clearing wastes, industrial wastes, construction/demolition wastes, farming wastes, shredded automotive tires, dead animals and special wastes. Division Rules also set out restrictions on the landfilling of certain types of wastes (liquids, tires, medical, and dead animals). These restrictions may be found in Division Rule 1200-1-7-.04(2)(k).

The Division does not have regulatory authority over the covering of trucks.

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Q: Can there be a manager on-site 24 hours a day, seven days a week.

A: BFI Middle Point must have a certified operator onsite during all hours that the facility is operating.

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Q: Approval would be a clear violation of TCA 68-211-105(g) as BFI had had notices of violations as recent as February 9, 2005.

A: The Division has reviewed the permit application which includes a hydrogeologic report and is satisfied that the site is suitable for solid waste disposal.

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Q: This landfill has a history of violation - pay fine - violation - pay fine - and on and on

A: The Division inspects the facility on a regular basis to determine its compliance with applicable laws, regulations and permit conditions. Any discovered violations will be handled in accordance with Division policies and procedures.

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Q: How often are the H2O, soil and air samples taken at BFI Middle Point landfill?

A: The Division does not generally require soil samples to be taken.

The Division does require air monitoring to determine concentration of gases. The Division of Air Pollution may require additional monitoring.

The frequency of ground water monitoring is set out in Division Rules. See previous response.

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Q: Will the odor ever be under control (meaning non-existent) or will it continue to grow stronger as it has over the past 5 years that my family has lived in this area? If you expand won't it be worse than ever?

Q: The gas from landfill.

Q: How much longer is the landfill going to keep open?

Q: Have they been fined monetarily in the last year?

Q: Do they receive monthly inspections from the State?

Q: Are they controlled by the state?

Q: Currently, B.F.I.'s method of handling trash allows for trucks dumping in one area. This is constant for 4 to 6 weeks before any of it is COVERED WITH DIRT! Not only is this method responsible for the sickening smell of rotting garbage, but is a health risk due to flocks of birds, mostly seagulls & crows, feeding on the acres of trash that we all know contains hospital waste, mercury, rotting meat, & other contaminants. These birds are likely to spread disease. I thought the purpose of a landfill was to cover up the trash – this so-called landfill is really a DUMP. Please do not allow B.F.I. to expand until they can prove to you that the trash can be covered every day!

Q: Will the landfill be closed or further extended in the future?

A: Division policy dictates that Class I solid waste disposal facilities be inspected, at a minimum, monthly to determine compliance with Division Rules and permit conditions.

Odor, though not regulated specifically, may be lessened by ensuring that the operators comply with the cover requirements, collection and recovery of gases and limiting the receipt of certain types of wastes. BFI is complying with the cover requirements and has installed a spray deodorizing system and a gas extraction system at the facility. Additionally BFI has stopped receiving wastewater treatment sludge from Nashville/Davidson County.

A solid waste disposal facility may continue to operate until it reaches the extent of its permitted contours. This is usually referred to as the active life of the facility which may be calculated by evaluating current disposal rates and estimating the remaining time it will take to exhaust the permitted capacity.

The Division does not have any knowledge that the landfill will be extended in the future. If BFI or a future owner of the facility were to request to extend the landfill at some future date, the Division would be required to review the permit application for approval or denial.

Closure of a facility must occur within 180 days of achieving final grade if a permit modification has not been approved.

Permit and Permitting

Q: Has BFI produced a gas curve showing the relationship / ratio of gas produced vs. gas captured or flared. Are these results verifiable? Are they public?

A: The Division has no knowledge of such information. The Division of Air Pollution Control may have this information.

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Q: Will the past violations of BFI Middle Point Landfill be brought before the Solid Waste Control Board?

A: The Division has taken enforcement action for past violation. These matters are brought before the Solid Waste Control Board when they are contested.

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Q: Why not a sanitary landfill?

A: The BFI landfill is a sanitary landfill. The definition of a sanitary landfill is set out in Division rule 1200-1-7-.01(2).

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Q: Was there not an original dump to be built on Guy James Road?

A: The Division has not permitted a landfill on Guy James Road.

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Q: TCA 68-211-701 requires the county legislature body (I.e., - county Commission of Rutherford County) to approve the landfill expansion before construction can take place. When will the county commission (not the regional council) take up this issue? Does this mean the State's approval must wait until the County Commission of Rutherford County approves this expansion?

Q: Could the "Jackson Law" be invoked to stop the BFI permit?

A: TCA 68-211-701 determines the conditions under which construction can be initiated. These conditions do not restrict the State's ability to issue an approval.

The Jackson Law may only be used if the county that the landfill is proposed in had voted to adopt the legislation. Rutherford County has not adopted the Jackson Law.

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Q: How many more times may BFI request "expansions"?

A: The Division of Solid Waste Management does not have regulations limiting the number of times a landfill may be expanded.

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Q: What is the capacity?

A: The current permitted capacity of the BFI landfill is 19,700,000 cubic yards of waste material. This permitting action will add an additional 20,200,000 cubic yards of waste material to the capacity of this landfill.

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Q: Why can't they simply be denied expansion if the original request was for a specific period of time?

Q: If the BFI landfill was to already supposed to last for several years to come, what will happen when it needs to be extended again? What if the 15 years doesn't last but (for example) like the last time?

Q: Can the Division of Solid Waste Management prohibit future expansions?

Q: How can this expansion be justified?

A: The Division does not have the authority to deny a permit modification to expand a facility if the applicant can meet the requirements of the permitting regulations.

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Q: Will the State be willing to require an on-site daily monitor. Cost to be incurred by BFI, to report daily to Solid Waste Department?

Q: Will the State be willing to inspect BFI Middle Point Landfill at night or during holidays and weekends?

A: The Division does not have the authority to require an on-site daily monitor. The Division has inspected on weekends.

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Q: What is the current elevation of the landfill?

A: The current elevation of the landfill is 752 feet mean sea level. The final permitted elevation for this modification is 820 feet mean sea level.

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Q: For how long will this site have to be monitored and what guarantee do we have that it will be done? Who will bear the cost of this and cleaning up if mishaps occur?

A: The Division has included a permit condition requiring a 50 year post closure care period. During this 50 year period, BFI or any future owner will be required to comply with the approved closure/post closure care plan. Additionally BFI will be required to post financial assurance to be forfeited to the Division in the event that BFI or any future owner of the facility cannot perform as required.

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Q: At what point does population load impact the continued expansion of this landfill?

Q: Does the public have a vote in whether this expansion happens? Will we be allowed to make the decision or is it between BFI and the State?

A: An increase in populations only exacerbates the necessity for solid waste disposal.

The regulatory authority to either approve or deny a permit lies with the Department of Environment and Conservation and the Division of Solid Waste Management.

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Q: Please explain the application process from this time forward.

A: Following a review of the permit application and any other relevant information submitted during the public comment period, the Commissioner or his authorized designee will make a final permit decision. If a permit is denied, the applicant may appeal that decision to the Solid Waste Disposal Control Board.

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Q: Who or what is the agency, committee, person, or other entity who will make the final decision on the application?

A: The Commissioner of his authorized designee (Division Director) makes the final decision to issue or deny the permit.

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Q: What are the criteria, factors, an/or considerations that the agency who makes the decision on this application will take into consideration in rendering its decision?

A: The criteria, factor and/or considerations that the Division takes into account in making its decision is the information required to be submitted in the permit application, any additional information requested during the permitting process, and any comments received raising relevant technical issues.

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Q: To whom can citizens send their opinions and/or input with respect to this application? In what form should the input be placed? What is the address and the name of the person and/or agency to whom information can be submitted?

A: Citizens can send their opinions and comments in a form of a letter to the following:

**Mike Apple, Director
Division of Solid Waste Management
5th Floor, L&C Tower
401 Church Street
Nashville, TN 37243-1535**

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Q: What role, if any, do elected officials, including but not limited to city council members, county commissioners, state representatives, state senators, have in the decision making process?

A: Elected officials may adopt the Jackson Law or they may comment on the permit application. The authority to issue or deny a permit lies with the Department of Environment and Conservation and the Division of Solid Waste Management.

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Q: Has the entity who makes the decision on this application ever turned down an application for a landfill and/or an application for expansion of a landfill? If so, where was that done? What was the reason it was turned down, and from whom can

citizens obtain information about that denied application? (If you cannot give specifics for this particular application, please give generalities of the reasons.)

A: A landfill proposed in the Bell's Bend area of Davidson County was denied. The Division determined that the applicant could not show that it could maintain the structural stability of the site.

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Q: If this application is approved, what will be the basis of the approval and the reasons for the approval? If this application is denied, what will be the basis and/or reasons for the denial? (If you cannot give specifics for this particular application, please give generalities of the reasons.)

A: The reasons for approval or denial of a permit are based upon the technical review of the permit application and any other relevant information received during the permitting process.

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Q: Is the potential for contamination of the Stones River a valid reason for the denial of this application?

A: The Division has no knowledge that BFI has contaminated the Stones River. The potential for ground water or surface water contamination must be addressed in the permit application.

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Q: Is the inability of BFI to control the horrific odors from the landfill a valid basis for denial of this application?

A: No, the Division has no regulatory authority relating directly to odor control.

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Q: Is the potential for contamination of the Stones River and/or the inability to control the odors from the landfill considered "environmental issues" that would serve as a basis for denial of the application? Does the entity considering this application have the authority to mandate control of the odor from the landfill as a condition precedent to approval of the application? To whom should citizens send their names and addresses so they can receive notification from TDEC of future meetings, the public hearing, and any other gatherings or meetings with respect to this application? If the persons present at the meeting tonight are unable to answer any of these questions, how can the citizens go about setting up a public meeting with persons who can respond to all of these questions?

A: Citizens who wish to comment on the permit application should send their comments to:

**Mike Apple, Director
Division of Solid Waste Management
5th Floor, L&C Tower
401 Church Street
Nashville, TN 37243-1535**

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Q: If BFI expansion here is permitted, who determines the maximum elevation allowed for and what would this be?

A: The maximum elevation is based on the available acreage and the design allowed by 33 percent slope. The goal is maximum volume with a resulting pyramid like shape. The maximum height is shown in the plans.

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Q: How many times should we expect them to ask, and to be allowed, to continue to expand the landfill? Isn't 15-20 years worth of garbage enough for one community to have to store forever? Especially since it isn't just the garbage of the community, but garbage from as much as a thousand miles away or more?

A: The Division's rules and regulations do not limit the number of times a facility may expand. The limiting factor of a facility's ability to expand is the remaining available acreage.

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Sludge and Odor

Q: I shouldn't have to put up with this sickening smell – they can fix it!

Q: Human waste concerns

Q: How much sludge is being received from sources other than Nashville on a daily basis?

Q: Is BFI still hauling in sludge or has this stopped. If so when did they stop? If not, when do they plan to stop?]

Q: Why do we continue to have odor problems even after the Nashville sludge has supposedly been discontinued? - The present permit is for 138 acres. Requested expansion 70 acres to extent for 15 - 20 years. Total property is 808.1 acres. This could go on forever with requests for extensions.

Q: (I had) fumes from the landfill that caused me to believe we had a natural gas leak. I do not feel we need to expand the pollution caused by the landfill. We need to close it not expand it.

- Q: What can anyone do to eliminate the pungent odor that originates from the landfill and drifts across the valley when the wind is right? Is this healthful? Should we be breathing this awful smell?
- Q: Why do we still have such strong odor if sludge is no longer being brought in to this landfill?
- Q: Does not airborne bacteria go hand in hand with the strong landfill odor? My dad who lives on the farm is 79 years old and suffers for emphysema. He needs clean air. My three- year old grandson who spends a lot of time on the farm also frequently suffers from respiratory infection and must use a nebulizer.
- Q: Our proximity to the landfill and the foul odor has, in our opinion, destroyed our property value and future resale potential. What liability does BFI or the County accept for our financial loss?
- Q: Will the new permit for BFI allow dumping of raw sewage?
- Q: Will BFI start re-taking sludge after they get their new permit?
- Q: Is there any way that the smell can be improved, especially during the summertime? The smell is so strong that a person can smell it at least 2 miles down Jefferson Pike.
- Q: I would like to know how many employees are assigned to controlling the smell?
- Q: Is there any way that the smell can be improved, especially during the summertime? The smell is so strong that a person can smell it at least 2 miles down Jefferson Pike.
- Q: Why are the sludge trucks still coming from Nashville at night and 1 to 2 AM in the morning?
- Q: Can the Division of Solid Waste Management increase odor enforcement through the use of permit conditions?
- Q: How can BFI over come major objections to odor and continue operations and apply for an expansion of fill area?
- Q: Can BFI not accept extreme odor causing agents?
- Q: Can BFI increase the use of deodorants?

A: BFI made the decision to re-direct wastewater treatment sludge from the city of Nashville to other disposal facilities. This step should cause a reduction in the gas and odor generated at the Middle Point landfill, though by itself, this step will not totally eliminate all odor at the landfill. It should be noted that other wastewater treatment systems send their sludges to the BF Middle Point facility.

2004 daily averages (based on 365 days-per-year):

City of Franklin – approximately 26 tons-per-day

Town of Smyrna – approximately 24 tons-per-day

City of Murfreesboro – approximately 54 tons-per-day

The decision to re-direct Nashville’s sludge was made by BFI. There is currently no State imposed prohibition in place to prevent BFI from receiving wastewater

sludge from Nashville again. The Division has no authority to address concerns this may have on property values or resale potential.

BFI will use deodorizers as a preventative. Deodorizers use will be increased as the need arises.

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Soil

Q: Where does BFI plan to get all the soil they will need for the next 15 - 20 years?

Q: Where is dirt coming from? [Will dirt be] coming from [property that is] east [of the landfill]?

Q: Where will the dirt come from to cover the waste if the expansion is permitted?

Q: Where does BFI plan to get the soil they will need for the next 15- 20 years?

A: BFI has been granted permission to mine soil from areas along the western side of the landfill, the area west and south of the landfill office, the area immediately north of the proposed expansion and from the property east of Landfill Road. If BFI needs additional soil, it is free to contract with local landowners for the purchase of cover soils. BFI would have to meet silt and erosion control measures for these possible new soil sources.

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Q: What is the soil ratio used by BFI to properly cover the waste?

A: BFI is required to cover the working face once a day with 6 inches of soil or alternate cover material. If an area is not used for fill for a period of longer than 30 days a 12-inch layer of soil is required to be placed on the fill area.

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Q: (Concerned about the) Land next to (the) river. This dirt can be seen from 231 North. There is dirt be(ing) moved from bank of river next to BFI. (Is this a problem?)

A: BFI has been granted a minor modification to mine soil from near the bank of the East Fork Stones River. A 50 foot buffer area, with additional silt control devices, is to remain to protect the Stones River

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Q: The dirt from farms [in] Rutherford and Wilson Counties is bad for Tennessee.

A: The Division cannot ascertain the underlying question in this statement.

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Q: Why can BFI remove soil from the sides of the dam?

A: BFI does not have permission to remove soil from any dam.

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Q: If BFI is using the required amount of soil and the smell still persist, should the State not require more soil to cover the odor?

A: If odors continue to be a problem at the Middle Point landfill site, the Division will consider additional measures to reduce odor emissions from this site.

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Q: Why is BFI allowed to dig out the river bank?

A: BFI is not allowed to mine the river bank for soils. BFI has been granted a minor modification to mine soil from near the bank of the East Fork Stones River. A 50 foot buffer area, with additional silt control devices, is to remain to protect the Stones River.

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Traffic

Q: The entrance to BFI is so dirty especially in wet weather. What happened to the promise of "wheel wash" to clean wheels before re-entering Jefferson Pike. The 'dirt' is hard to remove from cars.

Q: I often drive on Old Jefferson Pike pulling a boat. This is a narrow, winding road. A constant string of BFI trucks, often hogging both sides of the road, makes travel a great hazard. What plans are there to improve the road or redirect BFI traffic?

Q: The qualities of a "good neighbor" and a "good steward" would dictate that BFI Inc. be concerned about unsafe and noxious practices affecting the communities bordering the highways and roads traveled by refuse haulers en-route to the BFI Middle Point Landfill. What is BFI's position on unsafe speeding practices by professional heavy haulers, both publicly owned and private; and does BFI feel that law enforcement needs to increase traffic enforcement on these feeder roads. Would BFI be willing to subsidize state and local law enforcement so that a targeting of speeding trucks might be effected?

Q: The state feeder roads/highways leading to the Middle Point Landfill are traveled by refuse haulers for at least sixteen hours per day, six days per week. What projections (impact studies) have been made about traffic patterns/capacities over the proposed life of the requested permitting extension/renewal?

Q: Trucks leave sludge and mud on the road when it rains?

Q: ...(There is) trash on the road at all times. What can be done?

Q: Why in the entire time the landfill has been in operation have the Jefferson Pike Road not been improved for safe 18 wheeler access? Most drive over the center line.

Q: Is there anyway the BFI truck can take an alternate route when traveling? Jefferson Pike is narrow and dangerous enough. Basically, the trucks are tearing up the road making more dangerous for people traveling.

Q: Heavy trucks don't obey traffic laws, use turn signals and speed.

Q: What will be the impact on traffic on W. Jefferson Pike?

Q: Mud on the road on east and west Jefferson Pike (is a problem).

Q: (There are) mud problems from unpaved roads on Jefferson Pike.

Q: When does the state plan on improving Jefferson Pike to make less dangerous due to BFI traffic?

Q: What are you doing about Jefferson Pike [east and west]? This is a killer road. The state and Rutherford Co [are] not doing not one thing about this road. It is bad.

Q: [Is there a] Plan to monitor trucks on Jefferson Pike? I have a cracked windshield from debris from a passing garbage truck.

Q: Will the state be willing to make widening of Jefferson Pike to four lanes a requirement for expansion?

A: The Division has no authority to regulate traffic patterns. These concerns are usually regulated by local government or the Tennessee Department of Transportation.

A wheel wash is installed at the landfill to assist outgoing haulers in cleaning their tires before leaving the landfill site.

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Waste, Quantity and Source

Q: How much waste has been placed in this landfill since it began operation?

Q: What is the current amount of waste added daily?

Q: How many tons of trash are going per day into the landfill and what is the increase?

A: The waste volume was addressed in a previous answer.

The March 2005 (Monday – Friday) daily average ranged between 4200-4300 tons per day. On occasion the facility may receive as much as 4800 tons per day.

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Q: If the landfill quit taking trash from other counties how much more time would that give Rutherford County to use the landfill without expanding?

Q: Why are other counties bringing their garbage and dumping into Rutherford County?

Q: Please indicate the extent of the area, which will be bringing refuse into this landfill now and if the extension is approved.

Q: Currently, what percentage of waste going into the BFI landfill is generated by Rutherford County?

Q: Is the landfill used by other counties? I think it should be limited to Rutherford County's trash only. It should not have the surrounding counties trash.

Q: Where is trash coming from?

Q: What is the percentage breakdown BY STATE per year of the incoming garbage in the current landfill? What are the percentages mentioned above (by state) in the proposed expansion?

A: The Division does not have the authority to exclude out of county waste. The location or percentages of waste coming from outside Rutherford County is not known by the Division.

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Design issue:

Q: If the landfill terrain is at a higher elevation than the river, what prevents the waste from entering the river?

A: The landfill is designed with an adequate buffer to prevent waste from the surface from getting to the river. The operation of the landfill involves collection of wind blown trash that is intended to eliminate the possibility of trash being blown into the river. It also has a liner and a leachate collection system that is designed to prevent waste constituents from entering the river from below the surface.

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Administrative question concerning closure:

Q: Can BFI be held accountable for polluting the ground water, and if so, when could the state close the landfill operation?

A: If the Division discovered that BFI was not complying with applicable Division Rules, the Division would take appropriate enforcement action, which may or may not necessarily result in permit termination.

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Permit Conditions

Q: The landfill gas system is currently being evaluated by Weaver Bros. The submittal deadline in the permit is acceptable ,but additional time is necessary to complete any fix.

A: Since the extent of the remedy will determine the amount of time needed to make repairs, this is reasonable. The final sentence of condition 1 will be revised to read: "Implementation of any approved remedial action must commence within 30 days of approval by the Division and all remedial actions must be completed on a schedule approved by the Division"

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Q: BFI can complete this project within 150 days after TDOT approval.

A: Since this is a shorter deadline , we will change the second sentence of condition 2 to read: "Construction of a Tennessee Department of Transportation approved redesigned access to the facility must be completed within 150 days after receipt of all required permits and authorizations."

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Q: BFI prefers to use performance measures to determine the end of post closure care instead of the arbitrary 50 year period. BFI wants to submit a new performance based post closure plan.

A: The 50 year post closure period will remain in the permit. The condition will be revised to provide for submittal of a new post closure plan, which may use performance measures as a basis for the frequency and extent of post closure activities during the 50 year post closure period. The post closure plan will include some provision for custodial or post- post closure care. Revised condition 3 will include the sentence: "A revised post closure care plan must be submitted to the Division within 120 days for review, comment, and approval."

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Q: The end use plan for this property should be developed over a time period and is not directly related to the post closure plan. The end use plan should allow for various types of uses.

A: The division does not object to broadening the use of the property as long as community input is part of this process. The plan does not have to be part of the post closure plan as long as there are provisions to make sure the plan is carried out. The condition 4 will be revised to read: "The permittee must, within 270 days, submit to the Division a plan to reclaim and convert that portion of the facility to the east of Landfill Road, formerly known as the Matthews property , to a permanent site buffer including green space and other uses. The plan may include using portions of the property for varying purposes, consistent with local land use approvals. The plan must be developed with input from members of the community, must provide for ecological benefits where feasible, and must provide that implementation be initiated not later than full utilization of the property as a borrow area. The Division may comment on

the plan upon submittal, and implementation shall not begin without the Division's consent; such consent not to be unreasonably withheld."

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Miscellaneous

Q: What information is collected by the weather station located at the BFI Middle Point Landfill?

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A: The weather station at the Middle Point Landfill collects temperature, wind speed and direction, precipitation and barometric pressure.

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Q: Can local landfill management be made to move by the landfill?

A: The Division has no regulatory authority to require landfill management to live at specific locations.