

Rutherford County Solid Waste Advisory Steering Council Meeting February 27, 2018 Responses to Comment Cards

The following questions and comments were submitted by individuals in attendance at third meeting of the Rutherford County Solid Waste Advisory/ Steering Council (SWAC), held at the Historic Rutherford County Courthouse on February 27, 2018. Answers and responses are provided by Gershman, Brickner & Bratton, Inc. (GBB), solid waste consultant to Rutherford County and the City of Murfreesboro.

Recycling and other green approaches

Question 1. With the growth we have in Rutherford County, we can afford a zero waste approach. Why are we not thinking that boldly?

- All approaches, methods, and technologies are “on the table,” and more robust recycling and “zero waste” concepts need to be incorporated into the future system.

Question 2. If Republic creates the framework for a MRF, will the company also pick up curbside recycling? If so, how would that be funded?

- That is possible. It is also possible that a separate collection service is procured and perhaps the City of Murfreesboro expand its collection services to include curbside recyclables collection services.
- Another intention with developing a MRF locally in Rutherford County would be to encourage all haulers to expand their collections of recyclables.

Question 3. What about incorporating a composting facility, like the one in Sevier County, into our future plans for solid waste?

- All approaches, methods, and technologies are “on the table.” Diversion of organics such as yard trimmings and food scraps are an increasingly important part of solid waste management in the United States.

Question 4. How do changes in China’s policies about buying recycled materials affect recycling plans here and elsewhere in the nation?

- Solid waste experts and government managers are monitoring closely the impacts of the *National Sword* policy China issued in 2017. The policy may result in MRFs installing and implementing operational improvements that enable them to meet the demands of the policy by producing higher quality products; alternatively, domestic markets may emerge to accept material that is usable but may be unsuitable for export. Costs associated with market adaptations may impact future system economics and charges to customers for recycling services.

Question 5. When can we see what a Waste-Away process would cost in Rutherford County?

- Waste-Away and other technology and service providers should be considered in the future through competitive procurement processes. This is the type of analysis that the solid waste consultant could provide during the planning process, or the type of professional evaluation the staff of a solid waste authority could conduct in the future.

Question 6. Why is there no qualified solid waste expert on the SWAC? No expert in recycling and other green options?

- The SWAC was populated by government officials and interested stakeholders from throughout the County. Professional expertise was provided by the consultants hired by Rutherford County and the City of Murfreesboro.

Question 7. Will the new plan include recycling in a way that will make it easier and encourage more people to recycle?

- All approaches, methods, and technologies are “on the table.” The SWAC did not intensively discuss the customer-facing aspects of recycling; however, SWAC has indicated recycling should be part of the future solid waste management system in Rutherford County.

Homeowners, home values, and damage

Question 8. What would the city and county do if home values decline for landowners near Middle Point 2.0? What about damages from blasting?

- Respectfully, we cannot answer these questions.

Question 9. If Middle Point and the County landfill are consolidated, how can we be sure there will be no further damage to nearby homes?

- The negotiation process for consolidating the County Landfill with Middle Point can include addressing improved operations so that landfill operations become a better “neighbor.”

Question 10. Homeowners bought in the Middle Point area were told that it would have a finite life and be turned into green space. What about that?

- Respectfully, we have no information regarding Republic Services’ plans for Middle Point once its useful life is exhausted. The negotiation process for consolidation could include addressing this.

Question 11. Is liability a greater concern than those who live near Middle Point? What if they sue for damages?

- Respectfully, we cannot answer questions regarding legal matters.

Cost and funding

Question 12. What would it cost to build a new solid waste facility now, rather than waiting 10-15 years?

- Presuming this question asks about building a waste-to-energy facility. A facility opened last year in Palm Beach County, FL, which can handle 3,000 tons per day of waste. A facility this size can serve a community of 1 million+ residents. This facility was \$668 million dollars to construct.
- We also would like to note that the process to site and build a waste-to-energy facility can take up to 10 years. This is the meaning behind Figure 11 in the Draft Development Plan, which shows “10 years” for the WTE facility.

Question 13. Are there contracts with other counties that use Middle Point? How long are they? How much do other counties pay to use Middle Point?

- Middle Point Landfill is a private enterprise that negotiates pricing with its customers directly as well as responds to local government bids to provide disposal services. Its operations must be in compliance with permits, State laws and regulations as well as any local agreements in place that allow for their operations.

Question 14. Do your figures differentiate between dollars and jobs generated in the local economy vs. dollars that will go to an out-of-state corporation?

- All dollar figures are without qualification. Jobs figures are also given without qualification; however, job creation related to solid waste management is typically local.

Question 15. Any added costs will be hard on seniors with a fixed income. What about a discount for seniors and the disabled?

- Respectfully, we cannot comment on future accommodations; however, it is not unusual for public-sector residential collection customers who have a disability or economic hardship to be provided certain accommodations.

Consolidation

Question 16. Would Republic bring the County landfill up to current standards for a liner?

- As discussed thus far, reclamation of the current unlined cell is a key component of the consolidation plan. Such an activity would require bringing the cell into compliance with current environmental standards. As the new owner of the County Landfill, Republic Services would be responsible for regulatory compliance for perpetuity.

Question 17. How can we be assured that contaminants are not dispersed if Republic excavates and lines the old County landfill? What about Republic Service's negative experience in Lakeland, MO?

- The sampling recommended by the SWAC would be the first step of an intensive engineering process to determine if the contents of the unlined cell are suitable for excavation.
- We understand there is a situation in Lakeland, MO, regarding a Republic Service a Superfund site that involves radioactive materials; for more information about this facility see: <http://news.stpublicradio.org/term/bridgeton-landfill#stream/0>. We have no reason to believe it is analogous to the consolidation approach Republic Services has put forth here.

Question 18. What would prevent Republic Services from increasing gate rates if Middle Point and the County landfill were consolidated – as they did in the days following closure of the County landfill?

- As part of a negotiation process to consolidate the landfills, agreed upon rates for waste originating in Rutherford County can be addressed contractually. Otherwise, as a private enterprise, Republic Services can set gate rates as it wishes.

County landfill

Question 19. What will happen to the county landfill if we do nothing? Will waste get into the river?

- The longest-term impacts of an unlined landfill cell cannot be predicted with complete accuracy. If any environmental damage does occur, the County would be responsible.

Question 20. What would the costs and challenges be if we ran the County landfill ourselves?

- The Rutherford County landfill is closed.

Question 21. Why did Rutherford County landfill close? If it is out of space, how do you create Middle Point 2.0?

- The facility reached the end of its life. The new capacity available in Middle Point 2.0 would be engineered, in part, from the airspace between the two landfills.

Question 22. If we don't do Middle Point 2.0 or Max Flex, won't we find ourselves in the same place in a few years?

- If no action is taken, the County residents and businesses will still need to find a new disposal facility when the Middle Point landfill closes in some 10-12 years. If Middle Point 2.0 is implemented, landfill capacity would be about doubled and additional infrastructure could be put in place to service the County's needs beyond then.

Public involvement and input

Question 23. This will not be free; how do you plan to get that message to the public?

- There will be public meetings and official public hearings going forward; in addition, residents and businesses can write or call their elected officials at any time. Comments can also be posted at www.renewalrutherford.com.

Question 24. Have decisions already been made without public questions and feedback?

- No. All approaches, methods, and technologies are "on the table."

Question 25. How can the public give feedback?

- There will be public meetings and official public hearings going forward; in addition, residents and businesses can write or call their elected officials at any time. Comments can also be posted at www.renewalrutherford.com.

Jurisdiction

Question 26. Would a solid waste authority be able to set a tax rate outside of the jurisdiction of the County Commission?

- A solid waste authority generates revenue by charging fees for services rendered to its customers. An example of a "customer" could be a city or county government, on behalf of its residents and businesses. These fees are independent of any taxes assessed by a government.

Question 27. Could the County Commission control service rates set by a solid waste authority?

- County leaders could express support or opposition to any action by an authority via their designated representatives to the board governing the authority; however, the County Commission would not have override or veto power to overturn or induce authority action.

Question 28. Does the County have legal authority to charge or tax individuals or businesses currently dumping excessive amounts of waste at Middle Point Landfill? This would encourage recycling and reduce the flow to Middle Point.

- Technically, the County could create a recycling ordinance and enforce it, including the application of fines for failing to recycle; however, analysis by the consulting team indicates that even a robustly successful recycling effort would not delay closure in any meaningful way.
 - First, Rutherford County is the source of less than 40 percent of the waste going to Middle Point Landfill each year; the rest comes from outside the County. This would dilute the effectiveness of the recycling effort.
 - Second, with the closure currently only a few years away, even a massive diversion effort in the County would "buy" only a short amount of time.
 - Third, there is nothing to stop Republic Services from replacing the diverted tons from Rutherford County with waste sourced from other customers—i.e., the impact on the life of the landfill of recycling by Rutherford County could be moot, because Republic could simply bring in more tons from elsewhere.

Question 29. When Middle Point does close, to whom will it belong? If there are serious environmental problems at that time, who will be liable?

- Middle Point Landfill belongs to Republic Services, and unless it is sold, will continue to do so. As the owner, Republic Services will be responsible for liabilities related to the landfill, in perpetuity.

Question 30. How will members of a solid waste authority be selected?

- This would be determined by the local government participants during the process of creating the authority.

Conditions at Middle Point

Question 31. If run correctly, a landfill should not smell as bad as Middle Point does. Why does it smell so bad?

- Evaluation of the Middle Point Landfill operations by the SWAC or the consultants has not been conducted.

Question 32. Why doesn't Republic Services cover up the waste dumped at Middle Point?

- Evaluation of the Middle Point Landfill operations by the SWAC or the consultants has not been conducted.

Question 33. Who is responsible for picking up trash on the roads near the landfill?

- Jefferson Pike is a State road and is scheduled for Litter pick up six (6) times per year. This is a contract between the Tennessee Department of Transportation (TDOT) and the Rutherford County Correction Work Centers(RCCWC). Middle Point has adopted two miles of the highway: one mile in each direction of the entrance.

Question 34. Since TDEC declared information about low-level radioactive waste in landfills confidential, how can we know it is not happening at Middle Point?

- This question should be referred to TDEC, or your State elected officials.
- TDEC has a data portal for solid waste at http://environment-online.state.tn.us:8080/pls/enf_reports/f?p=19035:34001:22377919167476

Other

Question 35. What are the benefits and challenges of the options other than Middle Point 2.0?

- The other options are discussed in detail in the draft development plan which can be viewed at www.renewalrutherford.com

Question 36. What is to stop Rutherford County from dominating smaller surrounding communities?

- If this question is regarding a solid waste authority, balanced representation would need to be negotiated during creation of said authority.

Question 37. What is to stop people from going back to [dumping waste in] sinkholes?

- Illegal dumping is a concern in many communities. Rutherford County has an existing program for addressing these problems.

Question 38. If this may be enacted within 18 months, what happens at that point to the existing landfills?

- We believe the question is referring to the projected timeframe to plan for and initialize Middle Point 2.0, if approved.
- The Rutherford County Landfill is closed. Middle Point would continue to be owned and operated by Republic Services, any terms and conditions being determined during negotiations and pursuant to State and Federal laws.