

**DAVIDSON COUNTY**  
**SOLID WASTE REGION BOARD**

Wednesday, March 24, 2021

4:00 p.m.

Via Webex

**BOARD MEMBERS**

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Damita Beck-Taylor, Member  
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Michael Sullivan, Member  
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Tara Ladd, City Attorney  
Theresa Costonis, City Attorney  
Representative Dixie  
Senator Gilmore  
Council Member Hall  
Don Gentilcore, Waste Management  
Nancy Sullivan, Waste Management

1                   **SOUTHERN SERVICES LANDFILL EXPANSION**

2                   **REQUEST BY WASTE MANAGEMENT**

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4  
5                   CHAIRPERSON SHERMAN: I'm going to turn  
6                   now to the major point of business that I think  
7                   everybody is here for and that's the Southern  
8                   Services Landfill Expansion Request that's made by  
9                   Waste Management.

10                  Now, you know, the Board has received  
11                  this application from Waste Management to expand  
12                  the landfill, the Southern Services Landfill, in  
13                  the Bordeaux Community. It's a construction and  
14                  demolition landfill.

15                  You know, the Tennessee Code 68-211-814  
16                  requires that new or expanding landfills submit an  
17                  application to the Regional Solid Waste Board,  
18                  that's us in this case, and we have to take that  
19                  plan -- we have to take the application and see if  
20                  it comports with the Zero Waste Plan or it does  
21                  not. And if it does not, then we can deny it. And  
22                  if it does, then know we can approve it. So either  
23                  way.

24                  Today's meeting we're really focused on  
25                  whether or not that -- you know, so this is really

1 for both the Board and for public comment is that  
2 our job is to look at whether or not it meets the  
3 Plan or not. And so that is -- that -- just know  
4 that that's what we have to -- those are the facts  
5 we have to look at.

6 There's plenty of other things we could  
7 be talking about on this application, I realize,  
8 but those very well could be outside the purview of  
9 the Board, given that we -- the Plan drives what --  
10 you know, our decision making.

11 So with that I'm going to, you know, ask  
12 Waste Management to make a presentation. Board, we  
13 will then have the ability to ask questions of  
14 Waste Management and then we'll open it up for  
15 public comment.

16 And we're going to have this in two --  
17 kind of two different pieces. There are several  
18 elected officials who have joined us and they  
19 are -- we've asked them if they would be willing to  
20 speak first. And then once the public officials  
21 have spoken, then we'll open it up to the public  
22 for comment, given -- we're going to abide the same  
23 rules as we have in city council is their comments  
24 are being limited to three minutes apiece. You'll  
25 need to raise your hand or otherwise call into the

1 number that Sharon provided. And after three  
2 minutes, we'll move onto the next presenter.

3 So I would, again, just urge you to focus  
4 on the Plan itself. So with that, Sharon, are you  
5 there?

6 MS. SHARON SMITH: I am here.

7 CHAIRPERSON SHERMAN: All right. So I'm  
8 going to turn this over to you and to help bring  
9 in -- I don't know who -- I don't know, Nancy  
10 Sullivan -- I'm not sure who's presenting from  
11 Waste Management, but we turn it over to you.

12 MS. SHARON SMITH: All right. So we have  
13 Don from Waste Management. Don, I've given you the  
14 ability to share your screen, and you should be  
15 able to do that now. And just let me know if  
16 you're having any problems.

17 And, Don, I don't know your title, but if  
18 you could just introduce yourself before you start,  
19 that would be great.

20 MR. GENTILCORE: Please. And if you  
21 could make your screen a little bit bigger, if  
22 that's possible, that would be helpful, too, but I  
23 don't know if that's possible.

24 CHAIRPERSON SHERMAN: Also, if folks  
25 aren't speaking, it would probably be best to mute.

1 I'm going to mute myself so you don't hear my dogs  
2 or squeaky chair.

3 MR. GENTILCORE: Let me unmute myself  
4 first. Can you hear me now?

5 CHAIRPERSON SHERMAN: Yes.

6 MR. GENTILCORE: Okay. Sorry. I was  
7 trying to get through the technology here.

8 MS. SHARON SMITH: Don, what we can see  
9 of the presentation with, sort of, the agenda on  
10 the side. If there's a way to just pull up the --  
11 There we go.

12 MR. GENTILCORE: How's that?

13 MS. SHARON SMITH: Yeah, thank you.

14 MR. GENTILCORE: You're welcome.

15 Okay. Well, thank you very much for your  
16 time today. My name is Don Gentilcore. I'm the  
17 senior district manager for Waste Management. And,  
18 you know, in terms of the agenda the presentation,  
19 we'll go through introductions. Myself and Nancy  
20 Sullivan, from TriAD. We're going to give some  
21 background on Southern Services, the landfill and  
22 the ecopark. Give an overview of the proposed  
23 expansion, talk about its conformance to the Solid  
24 Waste Master Plan and then any discussion and  
25 questions from the Board on the Plan.

1                   We appreciate the Board's time and the  
2                   opportunity to present this expansion and your  
3                   consideration of our request.

4                   So I'm the senior district manager with  
5                   Waste Management. I have over 25 years experience  
6                   managing post-collection operations, including  
7                   operation of landfills, recycling facilities, and  
8                   organic recovery facilities and transfer stations.  
9                   So as a senior district manager I'm responsible for  
10                  the oversight of Waste Management's Tennessee post  
11                  collection operations which, in Davidson County,  
12                  includes Southern Services and our MTEC C&D  
13                  Recycling Facility.

14                  Nancy, do you want to introduce yourself?

15                  MS. SULLIVAN: Oh, sure. Hello. I'm  
16                  Nancy Sullivan with a TriAD Environmental  
17                  Consultants, and I'm a principle engineer there.  
18                  I've been working with Waste Management at this  
19                  particular site since 1998. And we've helped them  
20                  obtain two expansions, and currently we're working  
21                  with them on doing their environmental monitoring,  
22                  which includes primarily the groundwater  
23                  monitoring. So, thank you.

24                  MR. GENTILCORE: Thank you, Nancy.

25                  So in terms of Waste Management in Middle

1 Tennessee, you know, we really partner with  
2 Nashville on multiple solid waste management  
3 endeavors in support of the region's solid waste  
4 goals.

5 Some of our operations are shown here on  
6 the screen in Middle Tennessee. It includes the  
7 operation of the only single-stream recycling  
8 facility on River Hills Drive, and that's called  
9 the River Hills MRF.

10 Operation to two additional material  
11 recycling facilities on Myatt Drive, which is  
12 called the Nashville North Recycling Facility, as  
13 well as a high-grade facility, which is high  
14 recovery materials, on River Hills Drive as well.

15 We also operate a transfer station on the  
16 Antioch Pike in Antioch, and that's really to  
17 collect and transfer commercial and municipal solid  
18 waste out of Davidson County. The material that is  
19 transferred at Antioch is disposed of at the Cedar  
20 Ridge Landfill which is located in Lewisburg,  
21 Tennessee, and our West Camden Class I Landfill,  
22 which is located in Camden, Tennessee. Those are  
23 shown here on this map as well.

24 In green is the Southern Services Class  
25 III and IV Landfill. In addition, our MTEC C&D

1 Recycling Facility. So MTEC is currently the only  
2 mixed C&D waste material recovery in Nashville.  
3 And we'll talk a little bit about that as we go  
4 through the presentation as well.

5 So the Southern Services site has  
6 been used as scrap operation and then as a  
7 construction and demolition, C&D, landfill for more  
8 than 35 years. Waste Management currently owns and  
9 operates the landfill which is located off Briley  
10 Parkway.

11 We accept only C&D materials, like  
12 concrete, metal, asphalt, brick -- these are inert  
13 materials -- from residential and commercial  
14 building projects. The facility's not permitted to  
15 accept hazardous materials or materials that react  
16 to water and could lead to runoff or contamination  
17 risks.

18 You know, in terms of -- previous slides  
19 showed some of our facilities in Middle Tennessee,  
20 you know, we currently employ 23 full-time  
21 workers at Southern Service's site, and throughout  
22 Middle Tennessee over 250 workers.

23 So this -- Southern Services is operated  
24 under -- and regulated under permits from TDEC. As  
25 well as we have a metro air permit for our



1 operations. So those govern our regulations and  
2 our permits at the facility.

3 This is to give a general overview of the  
4 location of Southern Services. I would point out,  
5 you know, the facility is located in an industrial  
6 area. It's bordered by Briley Parkway on the east,  
7 Ashland City Highway to the north, Cumberland River  
8 to the south, and then you can see some of the  
9 neighboring industrial operations, including the  
10 concrete plant, two mulch and composting  
11 facilities. The CSX Railroad also comes through  
12 our property, and then the John Tune Airport, you  
13 can see that just to the south of the facility.

14 In terms of the site itself, the Southern  
15 Services, we refer to it as a Class III landfill,  
16 is a 77-acre facility here. And the site also  
17 houses what we refer to as an ecopark. So the  
18 ecopark contains the MTEC C&D recycling facility  
19 which is located -- it takes up about five to  
20 six acres of the ecopark facility here.

21 In addition, the ecopark stages the  
22 materials that we recover from the C&D recycling  
23 operation -- so recovered wood, concrete, metal,  
24 cardboard -- which are then shipped off for reuse  
25 and recycling and recovery.

1           The site today is 183 acres, and the  
2           currently-permitted landfill really takes up less  
3           than half of that. The remaining acreage is  
4           devoted to conservation operational support  
5           services.

6           I should go back a slide and point out  
7           again, this green area is our property boundary,  
8           the Southern Services Landfill. There's a 28-acre  
9           wetland habitat here. It's a mitigated wetland and  
10          a certified conservation area that's located on  
11          site. That 28 acres, I said it was a certified  
12          wildlife habitat. We've developed the partnership  
13          with the Tennessee Ornithological Society of  
14          Nashville to monitor the variety of birds and  
15          wetlands at the site. And the ecopark, as I said,  
16          houses the mixed C&D waste recycling and recovery  
17          facility.

18          So that's -- primarily materials that  
19          come to that facility are lead designated projects  
20          or developers that wish to have a C&D recovery  
21          element as part of their project. So those are  
22          directed materials to the MTEC facility. And then  
23          we'll recover useable materials, including metal,  
24          untreated wood, concrete, and uncontaminated  
25          cardboard. As I mentioned, those materials are

1 then sent to local recycling operations or reused  
2 on the Southern Services site for site operations.

3 You know, as Sharon pointed out in the  
4 annual report, the volume of C&D waste generated in  
5 Davidson County has really increased significantly  
6 in the last decade to nearly double what it was in  
7 2008. More than 90 percent of the C&D material  
8 generated in Davidson County is sent to the  
9 Southern Services site.

10 So you can see the chart, 2018 to 2016 --  
11 or 2008 through 2016 these figures were taken from  
12 the Solid Waste Master Plan executive summary and  
13 then the 2017 through 2019 data was added from the  
14 Solid Waste Board's annual reports.

15 The 2020 information that's shown here is  
16 just the Davidson County tonnage that was  
17 landfilled at Southern Services.

18 So, as Sharon mentioned, you can see the  
19 sharp increase that occurred in 2020. A lot of  
20 that primarily is due to the March tornado.

21 Following that tornado, and looking at  
22 the remaining site life at the facility, Waste  
23 Management, we project that Southern Services has  
24 only two to three years of capacity left. So when  
25 we permit and look at landfill operations, we look

1 at air space. We don't permit for a time horizon,  
2 it's how much air space capacity do we have left?  
3 So based on the annual receipt of C&D at the  
4 facility, we project that that air space will be  
5 completely exhausted within the next two to three  
6 years.

7 Without approval for an expansion, Waste  
8 Management will need to take actions to extend the  
9 life of the currently-permitted landfill space,  
10 which could include increasing disposal rates and  
11 limiting the type or volume of material that Waste  
12 Management would accept at the landfill.

13 In terms of the proposed expansion, again  
14 you can see a diagram off to the right. The  
15 existing Southern Services Landfill; the ecopark,  
16 which includes a C&D recycling area; the wetland  
17 habitat is shown here in blue; and then the  
18 proposed expansion area is shown here in green.

19 With only two to three years of capacity  
20 left, and no viable alternative, we filed this  
21 request for an expansion of the currently-permitted  
22 landfill area. So this land is contiguous to the  
23 existing landfill operation and it's already owned  
24 by Waste Management.

25 Again, based on current C&D generation

1 disposal rates, we predict that this expansion  
2 would provide an estimated 10 to 12 years of  
3 additional C&D disposal capacity at the facility.

4 This expansion process will likely take  
5 an estimated two to three years. So we're really  
6 at the beginning stages of this expansion project.  
7 You know, the first step is coming before the Solid  
8 Waste Board and presenting the concept for  
9 expansion. But there is engineering and  
10 environmental studies that are ongoing at the site.  
11 And, you know, we have not made application to TDEC  
12 yet for this expansion. So this is really the  
13 first step is coming before the Board and  
14 discussing the proposed expansion plan.

15 The proposed expansion would also allow  
16 for continued operation of our MTEC Facility. Even  
17 with the fact that MTEC receives directed loads  
18 from lead projects and from developers who are  
19 going the extra mile to assure that their material  
20 is sorted for recycling, really only about  
21 60 percent of that material can be recovered for  
22 recycling. You know, part of that is, just like on  
23 traditional residential, single-stream recycling at  
24 your curb, the material that comes in is  
25 contaminated, cannot be segregated and sorted so

1 that it can be recycled, or it just contains  
2 unrecyclable material that don't have designated  
3 end uses yet.

4 So -- But an important component of the  
5 financial viability of a C&D recycling facility is  
6 the ability to have residual disposal. So that's  
7 what really allows this facility, the recycling  
8 facility, to be continually viable as we move  
9 forward.

10 In terms of the Solid Waste Master Plan,  
11 you know, Waste Management is ready and willing to  
12 do our part to help the city achieve the ambitious  
13 zero waste vision outlined in its Solid Waste Plan  
14 but, you know, there is a long way to go and  
15 there's several challenges that Davidson County  
16 faces, including the high volumes of both  
17 commercial and C&D waste, as demonstrated by the  
18 charts on the previous slides and as Sharon  
19 illustrated with her update on the annual report,  
20 there are low recycling and diversion rates for C&D  
21 in the county now. There's really no existing  
22 guidelines for C&D waste disposal, and limited  
23 existing infrastructure to help manage C&D  
24 material.

25 So there really, you know, as part of the

1 Plan there's frameworks, there's guidelines that I  
2 know the Plan addresses over a timeline, but those  
3 do not exist at the present time and there's really  
4 no market for a lot of the recovered C&D material.

5 We've been able to develop some limited  
6 markets for the recovered wood, the metal, the  
7 cardboard, and the concrete materials. But the  
8 other materials that are in C&D, there's really not  
9 an end market for those materials at this time.

10 So in addition to the challenges, there  
11 have been several recent and really unexpected  
12 events that have impacted the Plan's assumptions  
13 and really the progress towards implementing those  
14 goals. You know, the March 2020 tornado certainly  
15 accelerated the filling of Southern Services,  
16 reducing the landfill's life.

17 The ongoing pandemic has delayed the  
18 implementation of the Plan elements and certainly  
19 led to a reduction in available funds for the  
20 initiatives. Again, unexpected events, such as the  
21 Second Avenue bombing and the cleanup and  
22 reconstruction, those are going to result in  
23 additional unplanned debris.

24 And, you know, the Plan identified two  
25 facilities to manage C&D material. One of those

1 was Atomic Resource Recovery and the other one was  
2 Southern Services. Atomic Resources Recovery  
3 closed in September of 2020.

4 So really not only is there only one  
5 facility to manage C&D debris in Davidson County,  
6 but there's only one mixed C&D recycling facility,  
7 which is our MTEC operations. And, as I said, it  
8 co-located with the landfill and it's really  
9 dependent on the landfill expansion to continue  
10 operating.

11 So until the initial phases and  
12 implementation are underway, really stopgap  
13 adjustments and solutions are needed to avoid  
14 setting the region's waste management goals back  
15 further, which is why a modest, short-term  
16 expansion of the Southern Services Landfill is the  
17 most effective, economic, and environmentally  
18 friendly way for the region to manage its C&D waste  
19 over the next decade. The current site could not  
20 quickly or easily be repurposed, and finding  
21 another location is cost and time prohibitive.

22 So this is a graph from Page 17 of the  
23 Solid Waste Management Plan, you know, showing the  
24 timeline, in terms of the implementation of the  
25 phases of the Plan. And really the diversion of



1 waste doesn't really ramp up until the end of  
2 Phase 4, which is, you know, 16 years in the future  
3 from now.

4 So the expansion of Southern Services,  
5 you know, adding the additional 10 to 12 years,  
6 provides that bridge for when -- to allow the City  
7 to implement this phased implementation of  
8 diversion in Davidson County.

9 So the consequences of denying the  
10 proposed expansion, really disruption and  
11 development and growth. The potential closure of  
12 MTEC, which is the only currently operating mixed  
13 C&D recycling facility in Davidson County.

14 C&D material from Davidson County will  
15 need to be hauled further away, leading to an  
16 increase in greenhouse gas omissions, additional  
17 traffic congestion, and significant cost increases.

18 You know, the closest facility for C&D  
19 debris disposal is approximately 40 miles away. So  
20 when you think about that logistically, what that  
21 means is that you're going to need not  
22 additional -- not only additional travel time,  
23 diesel consumption to transfer the waste material,  
24 but also you're going to need additional trucks to  
25 handle that material. Whereas a customer could be

1 serviced within an hour to an hour and a half with  
2 Southern Services operating, transporting material,  
3 you know, 40 to 50 miles away, one way,  
4 logistically you would have to add additional  
5 trucks to service those, say that same customer  
6 base, which would significantly increase congestion  
7 and slow down the development in construction and  
8 demolition projects. And it really disrupts  
9 progress towards the goals and timeline of the  
10 Solid Waste Management Plan.

11 The Solid Waste Management Plan  
12 acknowledges that continuing the current approach  
13 of trucking waste over long-distances to other  
14 communities for burial result in higher costs and  
15 lost potential for reuse or recovery. So the  
16 closure of Southern Services would really force  
17 that increase in long haul of material.

18 Additionally, there's -- Southern  
19 Services pays a mandatory fee to Metro, which  
20 amounts to approximately \$2 million per year. When  
21 the landfill becomes full in two to three years,  
22 and with no expansion, this would result in a  
23 significant source of revenue loss.

24 Now, as I mentioned and I outlined our  
25 operations throughout and surrounding Davidson

1 County, you know, we do have a very successful  
2 partnership with Metro, and we're committed to  
3 continuing that partnership and to help Davidson  
4 County implement the Solid Waste Plan. We want to  
5 be the part of the long-term solution, but that  
6 solution has to be done thoughtfully and with the  
7 goals of the Plan in mind.

8 So approving Waste Management's expansion  
9 application is consistent with the Plan because it  
10 really provides a viable and affordable option to  
11 assist Metro and the county in fulfilling the C&D  
12 deposit program and the recycling goals set out in  
13 the Plan. It provides that bridge so that the  
14 necessary elements of the Plan to achieve C&D  
15 recycling and reduction goals are able to be  
16 successfully implemented and in a rationale and  
17 reasonable manner.

18 It also supports the Plan's proposal to  
19 build supporting infrastructure for waste  
20 diversion. The MTEC C&D recycling facility, we've  
21 continued to grow that operation and we've  
22 continued to increase the recycling at that  
23 facility. And certainly allowing the continued  
24 residual disposal at Southern Services will allow  
25 us to continue that endeavor.

1                   It reduces the potential regional and  
2 environmental impacts of long-distance waste  
3 transportation and associated greenhouse gas  
4 generation.

5                   Again, Southern Services is proximate to  
6 the development of Nashville. Its closure would  
7 result in additional long-haul options for the  
8 disposal of C&D debris and would significantly  
9 increase the greenhouse gases associated with that  
10 effort. It allows Metro to fund initiatives and  
11 programs from the revenue that Metro receives on  
12 waste disposed at the Southern Services Landfill.

13                   In conclusion, the Board should approve  
14 Waste Management's application to expand the  
15 Southern Services Landfill. This expansion, which  
16 will provide 10 to 12 years of additional waste  
17 capacity, is consistent with the Solid Waste Master  
18 Plan because it insures that MTEC -- which again is  
19 the only remaining C&D recycling operation in  
20 Davidson County can continue operating and really  
21 continue to grow for the next 10 to 12 years.

22                   Metro will continue to receive its fee on  
23 C&D waste disposed at Southern Services. And the  
24 region is provided with affordable C&D disposal  
25 capacity at the landfill to support the residential

1 and commercial growth in the region.

2 Additionally, the expansion insures that  
3 greenhouse gas submissions will be minimized due to  
4 the convenient location of the landfill. Without  
5 the expansion Southern Services, which is estimated  
6 to be full within two to three years, C&D waste  
7 will have to be transported for longer distances to  
8 disposal facilities outside of Davidson County.

9 Illegal dumping of C&D waste is  
10 minimized. With no other repositories for C&D  
11 waste, when Southern Services reaches capacity,  
12 increased cost with transporting C&D material  
13 outside the county is likely to result in increased  
14 illegal dumping.

15 And Southern Services provides a  
16 conveniently located and affordable disposal  
17 facility for the county when they needed to accept  
18 large volumes of C&D debris resulting from natural  
19 disasters such as the 2020 tornado or the 2010  
20 flood that occurred.

21 So based on the information Waste  
22 Management has submitted to the Board, including  
23 our application, this presentation, and Waste  
24 Management's position paper and exhibits submitted  
25 on March 10, Waste Management believes the record

1 clearly demonstrates that the Southern Services  
2 Landfill expansion is consistent with the region's  
3 Solid Waste Plan and that there is need for  
4 expansion. Therefore, Waste Management asks that  
5 the Board approve its application to expand the  
6 Southern Services Landfill.

7 Waste Management also requires that  
8 everything Waste Management and our consultant,  
9 Nancy Sullivan of TriAD have submitted to the Board  
10 in preparation for today's meeting, becomes part of  
11 the official hearing record. This includes, but is  
12 not limited to, the PowerPoint presentation we just  
13 gave and the documents submitted on Waste  
14 Management's behalf by Ms. Sullivan on March 10th,  
15 2021, to Ms. Sharon Smith.

16 Finally, we request that Waste  
17 Management's response to any written comments  
18 submitted by the public to the Board regarding the  
19 application be made part of the official record.

20 Again, thank you very much for your time.  
21 I will stop sharing my screen here.

22 CHAIRPERSON SHERMAN: Wonderful. So  
23 thank you, Mr. Gentilcore, for that presentation.  
24 I don't know if that's it or if Nancy Sullivan has  
25 anything to add or -- Nancy, are we done? Is the

1 presentation complete at this point?

2 MS. SULLIVAN: I believe that we're ready  
3 to answer any questions that you might have.

4 CHAIRPERSON SHERMAN: Very good. Very  
5 good, thank you.

6 So the next step in this is the Board --  
7 open up the Board first for any questions you may  
8 have of the application, the presentation materials  
9 that you received and were posted on the Public  
10 Work's website prior to the meeting. And I would  
11 just say, unmute and jump in. And I will kind of  
12 close it up.

13 MS. LISA SMITH: Thank you, John, this is  
14 Lisa Smith. And thank you all for that very  
15 thorough presentation. I would have a few  
16 questions, and I jotted some down.

17 One of the ones is, you mentioned towards  
18 the end that you supported residential development.  
19 And then how does this expanding your footprint do  
20 that?

21 MR. GENTILCORE: Sure. So when -- when  
22 we talk about the cost of disposal and the cost of  
23 affordable disposal, certainly one of the -- in  
24 terms of residential development, the cost of  
25 affordable housing is a big factor in that. If

1 Southern Services was not allowed to expand, that  
2 cost would increase. As I discussed, you know,  
3 transporting waste further away, the lack of  
4 affordable disposal nearby is going to have a  
5 domino effect that's going to impact the  
6 affordability of housing.

7 MS. LISA SMITH: So -- so you're saying  
8 that that would increase the cost to the builders  
9 and developers, that they would have to drive  
10 further way?

11 MR. GENTILCORE: That's right. That  
12 would increase the cost of developers, builders who  
13 would obviously then pass that off to homeowners.

14 MS. LISA SMITH: Well, is there anything  
15 that you have thought of to do directly to affect  
16 that? Possibly giving discounts to developers who  
17 actually build affordable housing? Are you  
18 offering any discounts to them to reduce the cost  
19 to drop waste there?

20 MR. GENTILCORE: I mean I don't -- We  
21 have worked with developers, and actually we had a  
22 group tour the facility a couple of months ago that  
23 was partners with Habitat for Humanity and we did  
24 offer to work with them on some disposal  
25 opportunities for them as well.



1                   So if people come out and want to discuss  
2                   that with us, we're happy to discuss opportunities  
3                   there. Absolutely.

4                   MS. LISA SMITH: Would you be willing to  
5                   publicize that after something materialized? Would  
6                   you be willing to publicize --

7                   MR. GENTILCORE: Would we be willing to  
8                   publicize that partnership? Absolutely.

9                   MS. LISA SMITH: Okay.

10                  MR. GENTILCORE: Sure.

11                  MS. LISA SMITH: And then one last  
12                  question: What I've noticed -- I have lived out  
13                  there before in that same area -- and if we make  
14                  Nashville a circle, according to the directional  
15                  poles -- north, south, east, and west -- that whole  
16                  northeastern corner quad literally has nothing --  
17                  has one trail, just recently added three trails at  
18                  Beaman Park, but nothing connecting to the rest of  
19                  the city.

20                  And then one of the biggest things that  
21                  the city had tried to do was to connect all the  
22                  greenways and open green space to citizens. And  
23                  one of the things I've noticed is there's more  
24                  industrial things going on out there.

25                  So has that -- was that considered during

1 the process of you developing this proposal, that  
2 there's already industrialized development? No  
3 greenways connecting to downtown. None of the,  
4 kind of, I guess, southwest going towards the  
5 northwest, nothing is connecting. It's like it's  
6 literally a gap, open piece of -- Like if this was  
7 a pie pan, that whole quad of pie would be empty.  
8 If that pie was green space, an open green space  
9 and parks.

10 So has any of that been considered that  
11 you have kind of a habitat out there, to consider  
12 adding any green walking trails and things?

13 MR. GENTILCORE: I mean that is  
14 interesting you bring that up, because that is an  
15 initiative that we are right now working on in our  
16 mitigation areas is making that more accessible and  
17 figuring out a way to partner with some local  
18 schools to develop some trails in that area.

19 Certainly we're open to developing  
20 additional trails and greenway access. You know,  
21 Waste Management, as a company, has hundreds of  
22 wildlife habitats across the company, and it's an  
23 initiative that we're pretty passionate about,  
24 so...

25 MS. LISA SMITH: Thank you.

1 MR. GENTILCORE: Thank you.

2 VICE CHAIR HACKETT: This is Jennifer  
3 Hackett. And thank you for coming to give us this  
4 presentation today and for giving the materials in  
5 advance. I was able to take a look at those.

6 And I just want to also say thank you for  
7 your partnership with education in the City. I  
8 know that the Dumpsters at MMPS have been -- the  
9 recycling Dumpsters have been a part of your plan,  
10 as well as the education classroom, which I have  
11 been able to be a part of. So I appreciate your  
12 efforts at being a partner with the City.

13 I looked at your Exhibit MN which,  
14 largely, was the Plan that we worked so hard on.  
15 And so on Slide 6 of your Exhibit MN it indicates  
16 that, correctly, that we have a 30-year period to  
17 implement our Zero Waste Plan as defined as  
18 90 percent diversion.

19 Your plan, as you presented today,  
20 seems to call for two to three years of running  
21 the current period while planning for this  
22 expansion with public common. Then there will be  
23 10 to 12 years of additional expansion, additional  
24 dumping, if you will, and that, to me, comes out to  
25 15 years, if I'm following the math right, which is

1 fully half of the time that we are trying to go  
2 down in our waste, per the Plan.

3 So I'm unsure how the Plan as you  
4 presented, where there would be more waste, helps  
5 us to get to less waste.

6 MR. GENTILCORE: Sure. Well, in order  
7 to -- in order to be able to promote C&D recycling  
8 the City, in your plan, has initiatives in terms of  
9 developer initiatives, deposit programs, education.  
10 Those initiatives are going to take, again  
11 according to the Plan, 15 to 16 years to implement.

12 The Southern Services facility provides a  
13 bridge to allow you to implement that. If Southern  
14 Services was to close, what would happen is the  
15 market would go to more of a transfer and long-haul  
16 market where you'd consume capacity and transfer  
17 materials over long distances.

18 I believe in the Plan you also had Atomic  
19 as kind of offering that bridge so that you could  
20 implement your diversion initiatives. If you look  
21 in your plan, Atomic was shown to increase their  
22 capacity. Atomic is now closed. You have to be a  
23 bridge as you move towards diversion, which  
24 Southern Services offers.

25 VICE CHAIR HACKETT: And so you're saying

1           that you would like for us to approve because you  
2           offer the bridge that keeps things more local?

3                   MR. GENTILCORE:  Yes.  Yeah, it keeps  
4           things more local.  And, you know, as I mentioned,  
5           our Southern Services also has a C&D recycling  
6           facility.  In order for us to continue to increase  
7           the recycling there and the diversion there, it  
8           relies on a residual disposal element.

9                   So just like, you know, residential  
10          recycling has contamination in it, the C&D has  
11          contamination in it.  So in order to maintain a  
12          cost-competitive structure, we need a residual  
13          disposal to be close by.

14                   VICE CHAIR HACKETT:  So what I didn't see  
15          in your plan was any innovation to solve that  
16          problem, which is something that I would love to  
17          see, right.  And I hear you, that if you didn't  
18          have materials then it would be hard to recycle  
19          them.  But I suspect that we're not the only  
20          location that's building; right?  Nashville is not  
21          the only area in Middle Tennessee.

22                   And so I'm just -- I'm wondering what  
23          thought you've put into how to be innovative, how  
24          to solve the problem in a way other than expanding  
25          this landfill site?

1 MR. GENTILCORE: Well, I think, you know,  
2 this is a modest expansion, so our thought is that,  
3 Jennifer, we would continue to partner with the  
4 City, as we have done on the residential recycling  
5 side.

6 We'd love to partner with the City on the  
7 C&D recycling side and help develop programs and  
8 policies that encourage additional C&D recycling.

9 We'd love to work with the City to  
10 identify end markets for recycling, but those are  
11 going to take time to develop. That's not going to  
12 occur overnight. So that's why we feel the  
13 expansion of Southern provides that bridge so that  
14 smart policies and procedures can be put in place  
15 that allows really a solid C&D recycling  
16 infrastructure to be developed that can work for  
17 the long term.

18 VICE CHAIR HACKETT: And so we've known  
19 for quite some time about this timeline, right,  
20 that you only had two to three years left? And so  
21 help me to understand what's been happening leading  
22 up to today. Has there not been any discussion  
23 about how to innovate to solve for those problems  
24 in a way other than expanding the landfill?

25 MR. GENTILCORE: Well, I think that, you

1 know, as I think you've recognized in the City's  
2 plan, those initiatives and incentives are really  
3 City initiatives. So there's market conditions and  
4 there's incentives. There's developer incentives,  
5 deposit incentives, but the City needs time to  
6 create so that that can foster a productive C&D  
7 recycling operation. The conditions don't exist  
8 right now to do that. Atomic was a C&D recycling  
9 operation. Didn't have a residual disposal --  
10 didn't have a residual disposal close by to it.  
11 Atomic is closed.

12 You don't want to not have supporting  
13 infrastructure. You know that you have a large  
14 amount of C&D debris being generated, you know that  
15 that's going to continue as Nashville grows. You  
16 want to make sure that you have supporting  
17 infrastructure in place to support that growth.

18 So a bridge is the disposal at Southern  
19 Services which allows the City time to put  
20 initiatives in place to encourage diversion and  
21 recycling, whether it's -- whether it's incentives  
22 to developers, whether it's, you know, permit  
23 requirements. You know, whatever those code  
24 requirements are, those need to be developed, and  
25 Waste Management's going to work with the City to

1 help encourage that.

2 VICE CHAIR HACKETT: Thank you for  
3 answering my questions.

4 MR. GENTILCORE: Sure.

5 MR. SULLIVAN: This is Michael Sullivan,  
6 if I'm good to go. Real fast. I know you  
7 mentioned the amount of -- Sorry, I've got a kid in  
8 my car crying. But the tornado certainly increased  
9 the amount of waste that we saw at C&D, and that  
10 definitely shortened your guys's timeline. Do you  
11 have any sort of estimate of what that exact was  
12 and if you're still continuing to see the increase  
13 in waste from what was previously, I guess,  
14 forecasted before the tornado?

15 MR. GENTILCORE: I mean, Michael, we're  
16 still seeing some of that because, obviously, the  
17 majority of the material that we received last year  
18 was the debris from the cleanup, but now there's  
19 the rebuilding that's going on right now. So we're  
20 continuing to see an uptick in that debris at the  
21 facility.

22 MR. SULLIVAN: Okay, great.

23 And then how that may have affected the  
24 forecast that you guys had previously for the  
25 operation of the landfill?



1 MR. GENTILCORE: Again, it probably  
2 shortened the life by about a year.

3 MR. SULLIVAN: All right. Thanks. That  
4 was my main question there.

5 MR. GENTILCORE: Okay. Thank you.

6 MS. BECK-TAYLOR: Hi, this is Damita  
7 Beck-Taylor.

8 So can you share a bit about timelines in  
9 regard to reuse? So, right, if we have the two to  
10 three years that are remaining, what that would  
11 lead to in reuse time for that land space versus  
12 the requested expansion of 12 to 13 years and how  
13 quickly that land, if ever, could be reused?

14 MR. GENTILCORE: So I mean you're talking  
15 about if the site were to close, to reuse, is that  
16 your --

17 MS. BECK-TAYLOR: No. The space that  
18 you're currently using to -- that has waste, are we  
19 ever at a point where -- So if we keep on the same  
20 track and you have the two to three years that are  
21 remaining --

22 MR. GENTILCORE: Yeah.

23 MS. BECK-TAYLOR: -- how quickly, if  
24 ever, could we reuse that land space if we keep  
25 on the same track versus expanding to the 12- to

1 13-year mark?

2 MR. GENTILCORE: So are you talking about  
3 how quickly that -- how quickly that area would  
4 fill up, is that what you're asking me or --

5 MS. BECK-TAYLOR: No. Once it's filled  
6 and it gets to settle, like it's an old landfill,  
7 right? So how long before you do something like  
8 that with that space, if ever?

9 MR. GENTILCORE: Well, I mean the site's  
10 going to have -- you know, if you consume the two  
11 to three years, say it would need to be then capped  
12 and closed in accordance with the regulations, and  
13 there is a monitoring period that would occur, you  
14 know, the site would -- is not going to settle,  
15 because it's a C&D landfill. It doesn't have, like  
16 a municipal solid waste landfill would decompose  
17 and settle over time, these are primarily inert  
18 materials so, you know, really the options -- you  
19 know, we would primarily utilize -- the ecopark  
20 could be used, but the landfill itself, I mean it  
21 could be used for passive hiking, you know, in  
22 conjunction with the wetland area. I mean  
23 there's -- you know, there's reuse options. I  
24 don't know what kind of development you had in  
25 mind, though.

1 MS. BECK-TAYLOR: Any development.

2 So you mentioned there's mandatory wait  
3 times. Can you share a bit more about what those  
4 would be for the cap and close, the mandatory  
5 after?

6 MR. GENTILCORE: Nancy, do you want to  
7 handle that?

8 MS. SULLIVAN: Yeah. I believe the  
9 monitoring continues for two to five years,  
10 depending on what type of monitoring you're talking  
11 about, for the groundwater.

12 MS. BECK-TAYLOR: So two to five years  
13 after -- once it's at capacity?

14 MS. SULLIVAN: Yes. And you should be  
15 able to use the site for, you know, other things  
16 while you're doing the monitoring. It wouldn't  
17 interfere with anything, I don't believe, but --

18 MS. BECK-TAYLOR: Okay. Thank you guys.

19 MR. SULLIVAN: This is Michael Sullivan  
20 again. You know, I have one question and I guess  
21 it's more for Metro.

22 During the cleanup of the tornado were  
23 there any additional recycling programs that we  
24 implemented to handle some of the excess building  
25 C&D waste?

1 MS. SHARON SMITH: This is Sharon Smith.  
2 So some of the stuff that we did was require  
3 residents to put stuff in three separate piles. We  
4 collected over 100,000 tons of tree limb and tree  
5 debris. And I don't have the exact number, but a  
6 fair amount of scrap metal.

7 So the three piles were the rubble that  
8 was just all the mixed debris, tree waste, and  
9 separately any metal items, and that allowed us to  
10 significantly reduce what material our contractor  
11 had to haul off.

12 MR. SULLIVAN: Then where was it hauled  
13 off to at, the different piles? Specifically the  
14 C&D waste, was it taken to Southern Services?

15 MS. SHARON SMITH: Yes. Yeah. And the  
16 tree limbs and stuff was taken to, I believe, our  
17 tree -- our mulch contractor, and then the scrap  
18 metal was probably taken someplace like PSE.

19 VICE CHAIR HACKETT: This is Jennifer  
20 Hackett again. I have another question that I  
21 forgot about.

22 CHAIRPERSON SHERMAN: Hey, Jennifer --

23 VICE CHAIR HACKETT: Yeah.

24 CHAIRPERSON SHERMAN: -- can we see,  
25 before we -- if there's any other board members who

1 haven't asked questions yet? Please hold the  
2 question, I just want to make sure everybody has a  
3 chance that -- I don't know if there's anybody in  
4 line. If no one speaks up then just jump in. I  
5 just want to make sure if any other board members  
6 have something they had to say.

7 MS. LOCKETT: There is Midroi Lockett.  
8 This probably -- it may sound like a very naive  
9 question, but -- or comment rather.

10 You mentioned in your presentation that  
11 you would be willing to work with Metro on their  
12 recycling/reuse plan, but it will take time for us  
13 to implement that.

14 And I'm curious whether or not Waste  
15 Management would be interested in taking the lead  
16 in creating some kind of plan, and then Metro could  
17 partner with you on your plan until -- if we don't  
18 have the time. In other words, is there some way  
19 that you're willing to incentivize the folks that  
20 currently use the landfill, the C&D -- the  
21 developers who use the landfill, to incentivize  
22 them to recycle and reuse before they bring the  
23 stuff there? I mean I'm flipping the switch a  
24 little bit.

25 MR. GENTILCORE: Yeah. I mean we're

1 certainly willing to, you know, provide the City  
2 with successful models that have worked at other  
3 locations across the country and to work with the  
4 City to implement, you know, something that we know  
5 will be successful. And, you know, we are more  
6 than willing to take the lead on that with the  
7 City. Absolutely.

8 MS. LOCKETT: Thank you.

9 MR. GENTILCORE: Sure.

10 CHAIRPERSON SHERMAN: Jennifer, I think  
11 you may be back up if no one else has any questions  
12 that they are dying to ask at the moment. Take it  
13 away.

14 VICE CHAIR HACKETT: Okay. So I noticed  
15 also in your report that there's a lengthy public  
16 comment period. And I am just wondering if the  
17 public rose up in unison and said, "We do not want  
18 this in our backyard," do you have an option to  
19 say, "All right, we hear you and we will not do  
20 this"? Is that something that Waste Management  
21 would do?

22 MR. GENTILCORE: We're certainly willing  
23 to work with the public to resolve concerns. We  
24 certainly understand that there's concerns with any  
25 of these facilities and we're willing to work with

1 the public to help resolve those concerns. But we  
2 feel like the expansion of the facility is in, you  
3 know, the best interests of Davidson County and  
4 certainly in the best interests of, you know,  
5 managing C&D debris, so...

6 So we're willing to listen, we're willing  
7 to communicate and address questions and concerns  
8 that residents have.

9 VICE CHAIR HACKETT: I hear you say  
10 you're willing to problem solve, but what I'm not  
11 hearing is whether or not you would say, "No. Like  
12 we hear you and we choose to not move forward with  
13 this project because you've spoken so clearly."

14 MR. GENTILCORE: That's something that  
15 would be made at a higher level than me, Jennifer.  
16 How that is for a response?

17 VICE CHAIR HACKETT: Okay.

18 MR. GENTILCORE: Okay? Yeah.

19 MS. LISA SMITH: I have a couple of --  
20 Thank you for at least telling us that part, that  
21 it would be a decision you couldn't make right now,  
22 because at least we would know that.

23 But a couple more things. What -- Do you  
24 have successful models where you have developed  
25 alternative recycling/reuse disposal models? And

1           what are they, where are they, and why aren't you  
2           using them for this?

3                   MR. GENTILCORE: Well, I'm certainly  
4           happy to reach out to my counterparts in other  
5           parts of the country and provide those models. But  
6           those, again, Lisa, are really public/private  
7           partnership models. In other words, the  
8           municipality has to enact several initiatives to  
9           make those successful. But we're certainly willing  
10          to provide Metro with what we feel are successful  
11          partnership models so that you can review those and  
12          use those as a template to help implement some of  
13          these strategies.

14                   MS. LISA SMITH: Yeah, we would  
15          definitely like to see them.

16                   And I would like to touch back on the  
17          innovation piece because, you know, C&D is -- you  
18          know, you're saying that it's rubble and metal and  
19          some metal and some wood. And we all know what  
20          builders do with the trash. You know, it's paint.  
21          It could be, you know, pre-painted pieces of wood,  
22          it could be, you know, anything that could be  
23          toxic. And then even if it's a small piece here or  
24          a small piece there, when you pile those small  
25          pieces up, it becomes a toxic fume mess.



1                   And it's right on the river. 77 acres is  
2 not a small space. And then at one point I don't  
3 know if there's any more numbers that have been  
4 posted, but at one point the ZIP Code of 37207 had  
5 the highest rate of asthma in the state among  
6 children and older -- and young adults. So I don't  
7 think that's an insignificant thing, and I don't  
8 think that -- there could possibly be some  
9 contribution is what I'm saying, just because of  
10 how close the river is to that area and how close  
11 the river is to your facility. It is definitely  
12 concerning to me, the potential for that.

13                   Is there any innovative -- I understand  
14 your guys are -- you're a business and you're a  
15 private business, you're there to make money. I'm  
16 okay with that. I want to make money, too. But  
17 what is -- what's the innovation there? What are  
18 your engineers doing to create, you know, any --  
19 you know, are they trying to develop any bugs that  
20 eat up all of that stuff? Are they -- you know,  
21 are they -- you know, is anything going on like  
22 that?

23                   MR. GENTILCORE: Nancy, do you want to  
24 touch on, you know, the monitoring that's done at  
25 the facility?

1           And, again, Lisa, this is a regulated  
2 facility so we're regulated by TDEC, we're  
3 inspected by TDEC, we've got a Metro air permit.  
4 We've got storm water permits to the site that we  
5 need to, you know, be in compliance with. We  
6 monitor groundwater around the facility. So there  
7 is -- there's environmental controls and monitoring  
8 in place for this facility.

9           In terms of material that comes there,  
10 between our scale house, our equipment operators,  
11 our sight management, they are trained to identify  
12 unauthorized waste materials and segregate them.

13           MS. LISA SMITH: I understand. Yeah, I  
14 understand.

15           MR. GENTILCORE: And there's other, you  
16 know -- And there's, you know, other environmental  
17 controls that are in place at this facility.

18           And, again, I will welcome any -- you or  
19 any member of the public that has concerns or  
20 questions and wants to come out and see the  
21 facility, absolutely, come out and see it. I'd  
22 love to show you the facility, answer any of those  
23 questions anyone has, so...

24           MS. LISA SMITH: I would love to. Should  
25 we get in touch with you or Nancy to do that?

1 MR. GENTILCORE: You can get in touch  
2 with me. And Sharon has my email to do that.

3 MS. LISA SMITH: Okay.

4 MR. GENTILCORE: Sure.

5 MS. SULLIVAN: I will say briefly, just  
6 in regard to the innovation, a lot of the  
7 innovation techniques that you hear about are more  
8 pertinent to the facilities that take the municipal  
9 solid waste that have the organics and those types  
10 of materials that they can breakdown or process or  
11 change into energy.

12 And, you know, the materials that we take  
13 at Southern Services are pretty inert. So what you  
14 can do with those are somewhat limited to, you  
15 know, processing and reuse. But Waste Management's  
16 always looking for new ways to manage and handle  
17 and process solid waste.

18 MS. LISA SMITH: I'd like to see a  
19 bracelet come out of it, like people do with the  
20 plastic in the ocean. Anyway, something.

21 VICE CHAIR HACKETT: Don, I just want to  
22 check in. I know that you're the senior district  
23 manager for this area for Waste Management, and so  
24 if you're not the guy at the top that makes the  
25 decisions about whether or not to withdraw a

1 project request, if requested by the community, who  
2 is? Who is the City working with?

3 MR. GENTILCORE: Well, I mean in terms of  
4 diversion, techniques, and technologies, is that  
5 what you're asking, Jennifer?

6 VICE CHAIR HACKETT: No. I'm pointing  
7 back to my earlier question about your public  
8 comment period and if the public came and said,  
9 hardline, "No, thank you," then do you withdraw the  
10 proposal and not do an expansion? And you said  
11 that would be a higher, you know, pay grade than me  
12 to make that decision. And so I am wondering who  
13 makes that decision?

14 MR. GENTILCORE: Well, that would be --  
15 That would go all the way up towards the senior  
16 leadership team in Houston. So I mean that's a  
17 decision that, you know, would not be made locally.

18 Locally we're here to support the  
19 operation, we're here to support Metro in the  
20 day-to-day operating the facility, but those are  
21 business decisions that would be made at different  
22 levels than me, so...

23 MS. LISA SMITH: So does that mean that  
24 if the community comes out and says, no, that you  
25 are going to do it anyway?

1 MR. GENTILCORE: Lisa, we're committed to  
2 listening to the public comment and addressing  
3 concerns as we go through this process here. I  
4 mean that's what -- We have to go through this  
5 process. We're at the very start. And we  
6 appreciate the opportunity to continue to educate  
7 the public as we go through the process and, you  
8 know, explain, you know, our point of view and  
9 provide the engineering studies, the environmental  
10 studies which Nancy and her group are working on.  
11 So I think that all of those elements have to be  
12 considered in whole.

13 MS. LISA SMITH: Okay. Well, that's very  
14 interesting, and we will probably -- Yeah, I kind  
15 of would follow Ms. Hackett's question. It's very  
16 interesting if the community comes out against it,  
17 it's going to go through anyway. But we'll --  
18 Yeah. Okay, thanks.

19 MR. DIEHL: This is Robert Diehl.

20 I see in your presentation on Page 9 it  
21 states at the fourth paragraph, "Without approval  
22 for expansion, Waste Management will need to take  
23 actions to extend the life of the  
24 currently-permitted landfill space, which could  
25 include increasing disposal rates and limiting the

1 type or volume of material that they will accept at  
2 the landfill."

3 Is this -- Have you even considered what  
4 this model might be? Is there a plan for how you  
5 are going to deal with this if the expansion is not  
6 approved?

7 MR. GENTILCORE: In terms of restricting  
8 materials?

9 MR. DIEHL: In terms of increasing  
10 disposal rates and restricting materials, yes.

11 MR. GENTILCORE: We are evaluating those  
12 options, yes. Yep.

13 MR. DIEHL: Any idea how much more life  
14 you might get out of the current capacity if you  
15 were to implement these?

16 MR. GENTILCORE: We wouldn't know -- No.  
17 I mean it would be a progressive implementation,  
18 Robert, so...

19 MR. DIEHL: And thank you for the  
20 presentation. I appreciate you getting it to us  
21 ahead of time. It was nice.

22 MR. GENTILCORE: Sure. Thank you.

23 VICE CHAIR HACKETT: I have a logistics  
24 question.

25 Don and Nancy, do you live in Davidson

1 County?

2 MS. SULLIVAN: I live in Donelson.

3 MR. GENTILCORE: I live in Williamson  
4 County. My office is at Southern Services.

5 VICE CHAIR HACKETT: Thanks.

6 CHAIRPERSON SHERMAN: Other questions  
7 from the Board?

8 MR. REPSHER: This is Jason. Sorry, I do  
9 have one.

10 So, Don, would -- is one of your possible  
11 models to simply commingle? If Southern Services  
12 Landfill was not able to expand, would you  
13 commingle the C&D with your MSW, which is your  
14 other transfer station in Antioch, and take it to  
15 one of the other municipal landfills in the area?

16 MR. GENTILCORE: I mean that would be  
17 something that would be under consideration is that  
18 you would commingle or transfer material together,  
19 yes.

20 MR. REPSHER: Appreciate it. Thank you.

21 MS. LISA SMITH: Where around the state  
22 -- Do you have a map that shows -- or is it on your  
23 website that shows the location of your current  
24 landfills and the capacity of them all?

25 MR. GENTILCORE: Our landfills across the

1 entire state?

2 MS. LISA SMITH: Uh-huh.

3 MR. GENTILCORE: Yeah, there's -- TDEC  
4 provides -- we have to provide annual tonnages and  
5 capacity to TDEC, so there's information on not  
6 only our facilities but other facilities across the  
7 state of Tennessee in terms of their capacities and  
8 their annual disposal.

9 MS. LISA SMITH: Okay.

10 MR. GENTILCORE: I'm sure Sharon has  
11 access to that. If not, we can certainly provide  
12 that chart.

13 MS. LISA SMITH: Okay. Thank you.

14 CHAIRPERSON SHERMAN: Lisa, I know that  
15 some of that's in the Plan as well.

16 And I'm not sure, Sharon, if I -- I don't  
17 recall seeing it on the other report, but it may  
18 well be there, too, yeah, the progress report.

19 MS. LISA SMITH: Good point. Okay,  
20 thanks.

21 MS. SHARON SMITH: It is not in the  
22 progress report. It is not something TDEC requires  
23 us to gather, but they do publish a list of life  
24 expectancy for Class I and II landfills. I've got  
25 the 2020 document, but it doesn't include C&D



1           landfills, it's just municipal solid waste  
2           landfills and Class II, which are the industrial  
3           landfills.

4                   CHAIRPERSON SHERMAN: Other questions?

5                   MR. McCORMICK: John, this is Jeff  
6           McCormick. I had a question for Sharon.

7                   Sharon, if I'm correct, this is -- all of  
8           Davidson County's waste basically goes to  
9           Rutherford County, except for the C&D; correct?

10                   MS. SHARON SMITH: Not at -- Well, Metro  
11           contracts with Republic, so all of our waste from  
12           Metro Government goes to Republic. And then, of  
13           course, Republic has other customers. So it is  
14           divided. And you can see in the actual longer  
15           report -- and I apologize, I probably should have  
16           put that on the presentation -- but the bulk of the  
17           waste out of Davidson County does go to Middle  
18           Point Landfill. But both the -- Hang on one  
19           second. Cedar -- Is it Cedar Ridge? Hang on a  
20           second. I've got a copy of the report right here.

21                   So we even have a tiny bit of waste that  
22           goes to BFI in north Shelby. Cedar Ridge gets  
23           about -- So Middle Point gets about 430,000, Cedar  
24           Ridge gets about 264,000, and West Camden gets  
25           197,000. Those are the top three, with Middle

1 Point being the first, and then Cedar Ridge, and  
2 then West Camden. So out of --

3 CHAIRPERSON SHERMAN: Hey, Jeff and  
4 Sharon, just real quickly, if this is only  
5 pointed -- If this question, Jeff, is really for  
6 the City, I think -- can he hold off on that? I  
7 want to make sure that the public has a chance to  
8 have -- to participate.

9 But if there's a question, Jeff, that  
10 you're pointing back towards, you know, Southern  
11 Services, then great. I just want to make sure  
12 that we can spend our time asking that question  
13 after the public has their opportunity to speak, if  
14 that makes sense, if it's not a question to  
15 Southern Services.

16 MR. McCORMICK: No, it was more to  
17 Jennifer's question asking where they lived. I  
18 mean I think everybody in Davidson County's trash  
19 goes out of the county, you know, as far as where  
20 they live.

21 CHAIRPERSON SHERMAN: Right. Got it.

22 Other questions? Well, I'm just going --  
23 I will close just with a question, then, about --  
24 regarding the recycling bit of it. You know, there  
25 was -- I thought I read in your report that there

1 was quite a bit of recycling happening on-site, and  
2 then you showed the state chart of C&D, how much of  
3 the C&D was being recycled versus just being  
4 landfilled. And for 2020 I saw no green, I only  
5 saw blue.

6 So can you clarify what percentage of the  
7 waste that's coming to your -- to the landfill is  
8 actually being recycled? And I understand about  
9 contamination, we all get that. It's just a matter  
10 of -- What's the percentage?

11 MR. GENTILCORE: Yeah. So, John, the  
12 chart that we showed in our presentation was really  
13 just landfill material at Southern Services.  
14 That's why there was no recycling shown for 2020.

15 So about 78 percent of the material that  
16 comes to the facility is directed to MTEC. So,  
17 remember, the C&D recycling facility only is  
18 accepting materials from those projects that are  
19 either seeking a lead designation or have a  
20 recycling component to them. So about 80 percent  
21 of the material that comes through the gates there  
22 is directed to MTEC, and then we're probably able  
23 to recover about 60 percent of that material by  
24 volume, so -- with 40 percent going to residual.

25 CHAIRPERSON SHERMAN: All right. Very

1 good. That's helpful. Thank you.

2 MR. GENTILCORE: Okay.

3 CHAIRPERSON SHERMAN: And, you know, I  
4 think the Board asked really great questions so I'm  
5 not going to repeat what others have said. So at  
6 this time, if there are no further questions from  
7 the Board, I want to turn it over -- I want to open  
8 it up for public comment, first being our elected  
9 officials. I can see Senator -- I know Senator  
10 Gilmore wanted to have -- I think -- I believe  
11 wanted to speak. I believe Council Member Hall, as  
12 well as Representative Dixie.

13 With that, though, I first -- I just want  
14 to also thank you, Don and Nancy, for the  
15 presentation and for putting it together and for  
16 informing us. So with that, though, I think -- I  
17 mean it's time, if there are no other further  
18 questions from the Board to ask our Representatives  
19 and Senators and councilpeople to identify  
20 themselves, and you have the floor.

21 SENATOR GILMORE: Thank you,  
22 Mr. Chairman. Whom did you want to go first?

23 CHAIRPERSON SHERMAN: Senator Gilmore,  
24 please.

25 SENATOR GILMORE: Okay, thank you. Thank

1           you. This is Brenda Gilmore. I have the honor of  
2           serving as Senator, District 19, which includes  
3           part of Bordeaux. So, Mr. Chairman, and members of  
4           the Davidson County Solid Waste Regional Board,  
5           thank you for this opportunity to speak to you  
6           about the expansion request.

7                         Neighborhoods in Nashville have said many  
8           times, "Not in my backyard." As a result, the  
9           people in Bordeaux have had to put up with  
10          landfills in their neighborhood for decades. I  
11          served as Metro Councilwoman in this district in  
12          1999, and 20 years later we're still asking that we  
13          stop the expansion of landfills.

14                        Many councilpersons before me fought the  
15          same fight. There's no question this dump has  
16          changed -- damaged the quality of life. One of the  
17          biggest problems caused by this landfill, and there  
18          are many, but one of the larger ones is the rotten  
19          odor. The awful smell is so horrible for the  
20          economy. Who wants to open a business or buy a  
21          home near a landfill that produces a gas that  
22          smells like rotten eggs?

23                        This landfill has depressed housing  
24          prices and the overall quality of life in the  
25          Bordeaux areas. Neighbors cannot come out and have

1 outdoor activities like other families because the  
2 odor is so strong. Stores, restaurants, business  
3 and high-end homes are being built in every  
4 quadrant of the City, except Bordeaux. We believe  
5 it's a direct result of having an overabundance of  
6 landfills and other industries in our neighborhood.  
7 Not just year after year, but decade after decade.

8 As our population increases we generate  
9 more trash and we're only going to see more  
10 hydrogen sulfide which creates the horrible smell.  
11 And now the owners of Southern Services wants to  
12 expand the dump even further into the community.  
13 There's a clear pattern of racial and socioeconomic  
14 disparities in the distribution of landfills.  
15 Minorities and low-income communities are perceived  
16 as the path of least resistance because there are  
17 fewer resources and less political clout to oppose  
18 them.

19 This community is tired of being the  
20 City's dumping ground. We've had the burden of  
21 housing the city's trash for too long. We believe  
22 that this is a local issue and based on the Jackson  
23 Law that Metro Council and the legislative body  
24 should grant approval.

25 We are asking the mayor and Metro Council

1 to defend the Jackson Law and respect the values of  
2 the neighbors who live in the Bordeaux area, as all  
3 Nashvillians.

4 And, furthermore, this Plan that is being  
5 requested by Waste Management is in direct conflict  
6 with the Solid Waste Master Plan, and I quote on  
7 Pages 8-2 and 9-4. It says, "Furthermore, with  
8 Metro Nashville aggressively working to reduce  
9 reliance on landfills, this Plan does not include  
10 recommendation for any new or expanding landfills  
11 in Davidson County. Permitting new or expanding  
12 landfills would be inconsistent with the goals of  
13 this Plan."

14 This request by Waste Management and  
15 Southern Service is not consistent with the Solid  
16 Waste Master Plan, and I assure you -- I heard the  
17 presenter before me, which did a good job, said  
18 this is a short-term request. This is not a  
19 short-term request and it's certainly not a modest  
20 request.

21 In another decade we'll be at the same  
22 place, Waste Management or another company, XYZ  
23 Waste Management Company, will be asking for  
24 another expansion.

25 I ask you today, Mr. Chairman, and

1 Members of the Davidson County Solid Waste Region  
2 Board, to deny the request to expand this landfill.

3 Thank you again for the opportunity to  
4 come before you.

5 CHAIRPERSON SHERMAN: Thank you, Senator.  
6 I much appreciate you taking time in your late  
7 afternoon to attend the meeting and give us your  
8 comments.

9 I'm just going to go down the list now.  
10 So, Representative Dixie, are you available to  
11 speak?

12 MR. SULLIVAN: John, this is Michael  
13 Sullivan.

14 CHAIRPERSON SHERMAN: Yes.

15 MR. SULLIVAN: I know we've got a lot of  
16 public comments to get through with, and I know  
17 that one of Sharon's first emails mentioned that  
18 the Jackson Law information is only purview to the  
19 Metro Council, and so --

20 CHAIRPERSON SHERMAN: Yea. So, Michael,  
21 I think we'll take that up. When we have our board  
22 discussion we'll have plenty of time to address any  
23 of the comments that have been made. So --

24 MR. SULLIVAN: I just wanted to make sure  
25 we save that.



1                   CHAIRPERSON SHERMAN: Well, we will  
2 definitely get to that. So, that's -- we'll just  
3 -- you know, it needs to be addressed. So just  
4 hang with us, be patient. Let's hear the public  
5 comments first and then the comments from our  
6 elected officials.

7                   Representative Dixie, if you are ready to  
8 speak, and then Council Member Hall after that.  
9 And then if there are other representatives I'm not  
10 aware of, please also speak up after these two have  
11 spoken.

12                  REPRESENTATIVE DIXIE: All right. Thank  
13 you so much, John, we appreciate the opportunity to  
14 have a chance to speak.

15                  When this all started -- maybe, I think,  
16 Senator Gilmore and I started this quest over a  
17 year and a half ago, close to two years ago. And  
18 I'm speaking out of two hats. One I am speaking  
19 because I'm representing my district, but I'm also  
20 representing as a resident that lives just about a  
21 2-mile radius from this landfill.

22                  So when it started I asked three  
23 questions: What's causing the smell? Is it  
24 harmful? And can it be fixed? So we've heard of a  
25 lot of things of, yes, it's within the requirements

1 of the FAA and other agencies. But what we have to  
2 realize is this says maybe it's one part per  
3 billion that -- that the nose can detect, one  
4 part -- one part per million is what is harmful.

5 Well, over time, over 50 years, there's  
6 no determination or been no study that if it may be  
7 at that particular moment, it may not be harmful at  
8 that particular time. But over time that  
9 cumulative effect can really have an impact on our  
10 health.

11 So we want -- and by Waste Management's  
12 own admission, they said there are no really  
13 requirements or guidelines of helping achieve that  
14 Metro Zero Waste Plan and to make significant  
15 strides towards that.

16 We have -- Our community has been so used  
17 to the bait and switch method that has been used so  
18 many times before. Since 1990 the facility has  
19 expanded a maximum from 4.5 acres to 183 acres.  
20 And if this expansion goes through we will have  
21 77-acre land full in a 200 -- it will expand to a  
22 200-acre facility with a 95-acre landfill. And  
23 there's a history -- That makes it 50 times its  
24 size in 30 years. So it's gone from 4.5 acres, and  
25 if this expansion goes through, to a 95-acre

1 landfill, which is over abundance -- and I do not  
2 believe that's in accordance with the Metro's Zero  
3 Waste Plan.

4 But there's a history of mistrust in our  
5 community, and expanding this landfill is not  
6 consistent with Metro's Zero Waste Plan. It  
7 continues, as Senator Gilmore said, to depress our  
8 home values, and the loss of -- that is some of our  
9 residents' biggest and largest investment that they  
10 will make in their lifetime, and so we need to make  
11 sure that we protect those investments.

12 And in the presentation they said that  
13 there's a loss of money to Metro by moving this  
14 landfill. Well, that is of no consequence to my  
15 community. Metro and Waste Management have raked  
16 in millions of dollars over the years and our  
17 community has not received any benefit from it at  
18 all.

19 So given the great relationship that  
20 Metro and Waste Management have, I believe that  
21 they could come up with another viable option for  
22 Nashville's C&D waste. The expansion will only  
23 exacerbate the horrendous smell and expand the  
24 radius of the smell. There's no way expanding the  
25 17 acres will reduce the impact it's having on our

1 community. And I truly believe that this expansion  
2 is not in accordance with Metro's Zero Waste Plan.

3 It will only continue to hurt our  
4 community economically and health wise. And who  
5 wants to live in one of the -- Once they make this  
6 largest investment in their lives, who wants to  
7 live near a 200-acre Waste Management facility that  
8 has a 95-acre landfill?

9 So a couple of things I would like to --  
10 Ms. Jennifer Hackett, the public has risen up to  
11 say, "We don't want this in our community." We had  
12 a town hall meeting and over 100 people, residents  
13 surrounding this area, from Scottsboro all the way  
14 over to the other side of Kings Lane, came in and  
15 we did a pole at the end and it was 100 percent  
16 that -- the sentiment was 100 percent that they did  
17 not want -- they were not for this expansion.

18 And what I would like to ask Waste  
19 Management, is there an engineering study that we  
20 can confidently rely on to determine how long it  
21 will be before the landfill is full? We need to  
22 know how much time is left without the expansion.

23 And, lastly, I just want to say, this  
24 landfill will always be a part of this community  
25 because it doesn't decompose. And between three

1 and five years, who knows what that smell will be  
2 like right now. Right now it's -- it is still  
3 horrible, but we have to do something in order to  
4 mitigate this.

5 As Senator Gilmore said before, we've  
6 shouldered the burden of Nashville's C&D waste  
7 problem for years, and it's time for someone else  
8 to do it. But I truly believe this expansion is  
9 not consistent in achieving the goals for the Metro  
10 Zero Waste Plan.

11 Thank you for giving us the time to say  
12 this. But I think you will hear the overwhelming  
13 sentiment from our residents in our community that  
14 we are against this facility.

15 And one last thing, the tipping fees that  
16 he mentioned, I just want to -- I just wanted to  
17 emphasize that. Metro and Waste Management have  
18 made millions of dollars off of this and our  
19 community has not benefited from it at all.

20 I will turn it over to Councilman Hall.  
21 I think he was next in line. But, thank you,  
22 again, John, for giving me -- giving all of us a  
23 chance to speak.

24 CHAIRPERSON SHERMAN: Thank you very  
25 much, Representative. I appreciate you showing up.

1                   And, yes, so, Councilman Hall, I believe  
2                   you're next up.

3                   COUNCIL MEMBER HALL: Thank you,  
4                   Chairman. Thank you, Board. Thank you, Senator  
5                   Gilmore and State Rep Dixie. And thank you to  
6                   Waste Management, Don and Nancy, for taking the  
7                   time out to come and speak with us.

8                   I'm going to be brief and probably change  
9                   the tone slightly. But I think what you've heard  
10                  from the two previous speakers, in State Rep Dixie  
11                  and Senator Gilmore who have lived in this  
12                  community for years, and from a council member who,  
13                  in his 48 years of life has been sandwiched between  
14                  two landfills, because it took us decades to get  
15                  past what happened off of County Hospital Road,  
16                  only to simultaneously be dumped on again with this  
17                  site.

18                  And so with that in mind, I do take issue  
19                  with some of what I believe to be some  
20                  grossly-inflated assumptions that I heard in the  
21                  presentation. We are at a point where the growth  
22                  in this city is at an all time high. Has continued  
23                  to be.

24                  Years ago I sat in front of this Board  
25                  when then Councilman Leonardo was fighting to have

1 Jackson Law implemented with the community. And I  
2 know that information hasn't been discussed with  
3 the Board, but you have to excuse us because this  
4 is not a new conversation for us. This is a  
5 conversation that we actually were having in 2015  
6 and 2016 and preparing for in 2017.

7 And so as a resident, speaking before  
8 this Board then and speaking before council in  
9 2017, this is just a continuation for myself and  
10 all of the folks in District 1 who have had to live  
11 with this for -- in some capacity for the last  
12 60 years.

13 What I want to emphasize is, what you  
14 heard, again from State Rep Dixie and from Senator  
15 Gilmore, that specifically in the Solid Waste Plan,  
16 Master Plan, it states that the expansion or  
17 permitting of a new landfill is not in line with  
18 this Plan. It is not consistent with the goals of  
19 this Plan. And I take umbrage with, you know, the  
20 conversation surrounding innovation and recycling  
21 and things, because years ago we had the  
22 conversation, What percentage of recycling was  
23 being done at the site? And we were told it was  
24 little to none then. That has continued and not  
25 improved.

1                   Just because you're almost at capacity  
2                   and have less time doesn't mean, magically now,  
3                   that we get to say, "Oh, we should start to look at  
4                   this and do something."

5                   When the community meeting and town hall  
6                   took place that State Rep Dixie referred to we were  
7                   told point-blank that nothing else as an option had  
8                   been looked at. No alternative sites had been  
9                   searched for as of yet. But we, as a community,  
10                  have known and been preparing for this, Metro had  
11                  developed a plan surrounding this, and so it's odd  
12                  that everyone else has done something or been  
13                  looking toward the future and what it is we need to  
14                  do.

15                  The direct deterrent in economic growth  
16                  to this community, the direct deterrent to home  
17                  values to this community, both commercial and  
18                  residential and, as you heard my two predecessors  
19                  speak in terms of health concerns, you're talking  
20                  about a community who's been sandwiched between  
21                  landfills for over 60 years and who now has the  
22                  largest gas compression pipeline, whose fallout and  
23                  emissions land on this same community in North  
24                  Nashville, further exasperating that. This is a  
25                  community that averages two chronic illnesses per



1 household -- per individual. And now, in the midst  
2 of COVID, has the highest fatality rate in Davidson  
3 County for COVID-related illnesses. There's an  
4 elementary school in walking distance from this  
5 landfill. This is something we have continued to  
6 endure for far, far too long.

7 When you look at the fact that, you  
8 know -- And this will come in the form of a  
9 question also, but, you know, we mentioned the  
10 recycling, we mentioned that -- the fact that  
11 during the tornado the increased debris shortened  
12 the lifespan from two to three years to maybe two  
13 years, or at least by a year. With the continued  
14 growth in the area, everywhere else except in this  
15 district, who has been deterred because of this, to  
16 the point of our population even dropping. And  
17 this is a community of wholly senior citizens and  
18 baby boomers who have dealt with this for decades,  
19 and decades, and decades now.

20 Specifically again, you heard Senator  
21 Gilmore and State Rep Dixie mention or quote the  
22 Solid Waste Plan with Metro Nashville aggressively  
23 working to reduce the reliance on landfills. This  
24 Plan does not include the recommendations for new  
25 or expanding landfills in Davidson County. And

1           then, again, in Section 9, permitting new or  
2           expanding landfills would be inconsistent with this  
3           Plan and the goals of this Plan.

4                        So we can talk about a lot of different  
5           things, but at the end of the day this is in our  
6           process, years ago while we fought, in 2017, to  
7           have Jackson Law implemented so that we could rely  
8           on this Board to make consistent decisions based  
9           upon the facts, based upon the direct impact to the  
10          community, and now subsequently falling under the  
11          jurisdiction of the Jackson Law, which reverts that  
12          back to the city council, who voted in 2017, 31 to  
13          5, to institute that.

14                       We now have Metro Legal and the  
15          administration who, for the first time, have come  
16          out and directly said, "We agree with this  
17          community. Enough is enough, and we will defend  
18          this with you."

19                       And, lastly, we want to talk about the  
20          fact that, you know, no visible options just isn't  
21          true. We know the impact it's having on the  
22          community, we know the impact it's having on the  
23          City. There's no real cost benefit, as State Rep  
24          Dixie said, not a dime or benefit in the 30-plus  
25          years that we've dealt with this particular sight

1 has this community scene a single benefit, only  
2 detrimental costs.

3 We know that moving forward other options  
4 have to be in place. But with two years of  
5 capacity and having a Master Plan that we've been  
6 discussing for almost a decade now, this is simply  
7 a case of too little too late, and too much damage  
8 having been done. This community is 1,000 percent  
9 in support of this body, meaning this Board and of  
10 the city council, to not allow another landfill or  
11 expansion of a landfill in Davidson County. We are  
12 directly impacted, but now it has gotten to the  
13 point where folks on the other side of Briley. All  
14 of the news articles, news stories, press  
15 conferences from the other side of Briley Parkway  
16 now are out. Those folks are seeing and smelling  
17 this for miles away.

18 At the end of the day we have a number of  
19 mitigating factors that play into this. But just  
20 on the facts, and what this Board is here to  
21 recognize and focus on is that Plan and what is  
22 consistent with it. And nothing in this Plan that  
23 has been presented for this expansion is consistent  
24 with the goals or objectives of this Plan.

25 Thank you.

1                   CHAIRPERSON SHERMAN: Thank you very  
2 much, Councilman Hall. I appreciate you also  
3 showing up for our hearing tonight.

4                   COUNCIL MEMBER HALL: And, Chairman,  
5 quickly -- not to interrupt, Chair, really quickly.  
6 I know we've got a lot of folks in the queue, but I  
7 do see two predecessors here in the group, previous  
8 Councilman Leonardo, who's worked on this  
9 diligently and was there while we fought for this  
10 before. And I see Dan Lane who was --

11                   CHAIRPERSON SHERMAN: Yes.

12                   COUNCIL MEMBER HALL: -- formerly a  
13 member of your board and also lives in this  
14 community. And I would ask that you recognize them  
15 so that -- as someone who formerly served and has  
16 some great input.

17                   CHAIRPERSON SHERMAN: Thank you. And I  
18 appreciate that. And I also noticed that they were  
19 attending, and I'm glad.

20                   And I see that Mr. Lane has his hand up.  
21 I'm not sure about the council member as well -- or  
22 previous one. But how I would recommend going  
23 forward is we have them speak, if they have their  
24 hand raised, and we acknowledge it at that time,  
25 mostly to be fair to everybody who is here. And I

1 look forward to hearing Mr. Lane's comments, as we  
2 worked together for a very long time on this Board.

3 So with that said, I would like to turn  
4 to now having actually the comments from the  
5 public. As I've said, we're hoping to -- The  
6 intent is -- We know there's probably a lot of  
7 folks who want to speak. If you're -- There's two  
8 ways. If you actually came onto the webinar and  
9 the Webex itself, there's a little -- down in the  
10 corner you can raise your hand. I see that some  
11 folks have made a question mark by their name. I'm  
12 assuming that that's also for comments. You can  
13 also call in. I'm seeing four or five, actually,  
14 hands raised on the folks who are on the Webex.

15 Sharon, tell me if there are more. There  
16 may be more in queue in the call who are just  
17 calling the number. Again, that number if you -- I  
18 assume you have it. But if for some reason you  
19 need it and you don't, or others don't, it's  
20 629-255-1905. 629-255-1905.

21 And Sharon's going to be managing the  
22 queue so I can be listening to the comments. And  
23 once the -- Board, once the comments have been  
24 submitted, before we take any formal action we will  
25 also just have our time to have a conversation

1 among us about various things, including, Michael,  
2 what you raised about the Jackson Law. Which,  
3 given that that has been raised, I think, Tara,  
4 once we get to the Board piece I'd love for you  
5 just to -- I'd appreciate it if you would just give  
6 a quick summary so all the board members -- now  
7 that it's been brought up, all the board members  
8 are aware of that and we all have equal information  
9 on that point.

10 So with that, Sharon, I'm going to turn  
11 it over to you for managing the public comments.

12 MS. SHARON SMITH: All right. And, as  
13 mentioned, we will give everybody on this section,  
14 public comments, three minutes. At this time we  
15 only have one person with their hand raised and  
16 that is Dr. Roderick Glatt. We will be unmuting  
17 Dr. Glatt here shortly. But just if you have -- I  
18 know that Councilman Hall referenced Dan Lane, who  
19 served on the Solid Waste Board, and former  
20 Councilman Nick Leonardo. If you-all want to  
21 speak, just please go ahead and raise your hand.  
22 But we are going to start with Dr. Roderick Glatt.  
23 If we could ahead and unmute him. And your three  
24 minutes will be starting now, sir.

25 CHAIRPERSON SHERMAN: Well, Sharon, hang

1 on one moment, please. I think that there's some  
2 folks who may have put in a question mark instead  
3 of a hand raise, so I'm going to interpret that as  
4 a hand raise.

5 MS. SHARON SMITH: Okay. Some of those  
6 were actually questions sent over to us --

7 CHAIRPERSON SHERMAN: Okay. Never mind,  
8 sorry.

9 MS. SHARON SMITH: -- and comments.  
10 Yeah, there were some comments that were made, so  
11 that's what those are.

12 All right, Dr. Glatt.

13 DR. GLATT: Yeah. Thank you so much to  
14 Chairman Sherman and to the State Representatives  
15 who are present, and to the panel, especially to  
16 the Board. Thank you for an opportunity to weigh  
17 in on this.

18 I just want to say in my three minutes  
19 that I was reared in Bordeaux Hills on Mexico  
20 Drive, and in the '70s and '80s can remember the  
21 smell from the landfill. Often what we would have  
22 to do is go in the house because the smell was too  
23 aggravating to even have a cookout or to grill  
24 outside. So we moved. My mom got -- packed the  
25 bags and we moved out of Bordeaux Hills, primarily

1 for that very reason.

2 I've listened to the comments and the  
3 presentations by Mr. Gentilcore and take issue with  
4 what he argued for to be consistency and that he's  
5 recommending approval of the expansion. There are  
6 three things he said, as I come to a close. He  
7 said that the landfill has high volume of waste,  
8 low recycling of waste, and no guidelines for  
9 handling C&D. And I just don't understand how you  
10 can have those three components be consistent with  
11 marrying with the Plan to expand.

12 I'm asking the Board, please be  
13 compassionate and think about human beings who are  
14 living in that area who have to smell this  
15 contamination. That means poison, pollutants, and  
16 just aggravating smell. Please, I'm asking you, do  
17 not pass for the expansion of this measure.

18 Thank you.

19 SENATOR GILMORE: Mr. Chairman, may I  
20 interrupt, please? This is Brenda Gilmore, and  
21 Mr. Lane said he's been trying to get in. He put  
22 in the check that he would like to speak, but his  
23 -- he needs to be unmuted.

24 MS. SHARON SMITH: Yes, we will unmute  
25 him. Let's go ahead and unmute Mr. Lane, Dan Lane.



1 MR. DAN LANE: Okay. Can you hear me?

2 MS. SHARON SMITH: Yes, sir, we can hear  
3 you.

4 MR. DAN LANE: Okay. Thank you, Sharon.  
5 John and Rep Dixie and Robert, thank  
6 you-all also.

7 I've had a problem trying to get my audio  
8 working. But, you know, anyway I have -- and I  
9 wrote into the question and answer, John, that I  
10 have several questions and comments, so please  
11 unmute me.

12 One of the first comments I'd like to  
13 make, and I think the question was raised by  
14 Jennifer. In 2004 Waste Management came and asked  
15 to expand the landfill at that time. At that time  
16 they also predicted an estimated -- that it would  
17 be at capacity by 2018. The Board said, no.

18 Waste Management then appealed the Board  
19 decision to the General Sessions Court. The Board,  
20 as far as I knew, did not have any legal  
21 representation, the City didn't provide any legal  
22 representation. What little legal representation  
23 that was available was that there was a group  
24 called Bordeaux Beautiful who tried to engage an  
25 attorney to sit in. But there was no legal

1 representation, so the court appealed the decision,  
2 and now it's 2021. At that time the estimation was  
3 it was going to be at capacity at 2018.

4 Now, I've said this. If the Board says,  
5 no, Metro says, no, prepare to go to court. And I  
6 would ask the Board to contact the mayor and the  
7 legal department to ask them if they would provide  
8 legal representation. Because there's no question  
9 in my mind that Waste Management -- and I think Don  
10 indicated he can't make the decision -- is going to  
11 go to court, if the Boards do what the community is  
12 asking. And then Metro Council, if we said they  
13 come under the Jackson Law, do what the community  
14 is asking, then Waste Management is going to take  
15 it to court and try to get another court decision.  
16 Because I think --

17 Now, first of all, I'm going to say I  
18 don't believe anything they said because I think  
19 they are -- they are saying what they are saying to  
20 continue to expand the landfill.

21 Now, I live about a half a mile to three  
22 quarters of a mile from the entrance to the  
23 landfill. And in addition to -- there's a couple  
24 type of odors, but there's a gas type of odor and  
25 then there's other animal decay-type odors. You

1 can often see buzzards and things flying above the  
2 landfill from time to time.

3 And the other problem is there's a  
4 negative impact on this community in terms of  
5 development. I'm a real estate broker and have  
6 prompted development in the area, and the impact --

7 MS. SHARON SMITH: Mr. Lane --

8 MR. DAN LANE: Uh-huh.

9 MS. SHARON SMITH: -- Mr. Lane, your  
10 time's out. If you could just wrap up real quick.

11 MR. DAN LANE: Okay. I'm going to wrap  
12 up by saying this. The Solid Waste Region Board,  
13 Metro Council, stop dumping your everything on  
14 Bordeaux because it's a predominantly black  
15 community, and all of the other communities have  
16 fought to keep any type of landfill out of there.  
17 And I think Bordeaux for the last 40 or 50 years  
18 have shared this and it needs to go somewhere else,  
19 even if has it to go out of the county into some  
20 other rural area.

21 Thank you for allowing me that  
22 opportunity.

23 MS. SHARON SMITH: Thank you, Mr. Lane.

24 We're now going to unmute Geralyn (ph)  
25 Sawyer. And, Geralyn, you've got your three

1 minutes.

2 MS. SAWYER: Hello. Can you-all hear me  
3 now?

4 MS. SHARON SMITH: Yes.

5 MS. SAWYER: Perfect. All right. Well,  
6 thank you all for being here and talking about  
7 this.

8 I've lived in Nashville -- I'm from New  
9 England. I've lived in Nashville now for about  
10 seven years. Five of those years were on Eatons  
11 Creek Road, and I loved this starter house that I  
12 bought there. It was a really wonderful way to  
13 integrate into a great community. But I will say  
14 you could not go outside without being assaulted by  
15 the scent of -- I mean we don't even know what it  
16 is, but I'm telling you right now it is nasty. And  
17 so driving to and from work every day on the  
18 highway, anyone who passes our exit knows there is  
19 something wrong over there.

20 So my husband and I packed up, left that  
21 house, and moved to Scottsboro. And we're in a  
22 beautiful community over here and, when the wind  
23 blows, you still smell it. And so I'm really  
24 concerned about how it's affecting our property  
25 value, I'm concerned about our health and, all in

1 all, I'm concerned about corporate America stepping  
2 in, Waste Management, and doing absolutely anything  
3 that they want to do just for the purposes of  
4 profits. We are not happy with that and we will do  
5 everything in our power to insure that it does not  
6 moved forward.

7 Thank you so much.

8 CHAIRPERSON SHERMAN: You're muted,  
9 Sharon.

10 MS. SHARON SMITH: Sorry. We're going to  
11 unmute Taurus McCain. My apologies.

12 MR. McCAIN: Hello. Can you hear me?

13 MS. SHARON SMITH: Yes. Your three  
14 minutes have started.

15 MR. McCAIN: All right. I want to just  
16 add to the potential of not just economic  
17 development that this would hinder, but the  
18 Nashville -- the growth that's producing the debris  
19 is also displacing African Americans in Nashville  
20 because of the gentrification that's taken place.

21 You know, the existence of this landfill  
22 has allowed us to be vulnerable to gentrification  
23 because our home prices are depressed. We sit on  
24 an acre to an acre and a half of land and our homes  
25 are selling for \$350,000. Comparable property in

1 other places sell for in the neighborhood of 600 to  
2 \$700,000 for that type of property.

3 So summing this up, depreciating our  
4 community and our values, and also deterring  
5 economic development.

6 Again, we have benefited from the growth.  
7 And one -- another benefit is Amazon has committed  
8 \$2 billion dollars to three cities, so that's about  
9 \$700 million that's possible for Nashville, and  
10 they have -- Amazon has made it clear to us that  
11 they want to partner with the community to bring  
12 about innovative -- big innovative opportunities;  
13 housing -- affordable housing opportunities.

14 And across the street from this landfill  
15 is thousands of acres of undeveloped land that's  
16 prime to be developed, along -- possibly with  
17 Amazon and saving the displacement of African  
18 Americans in this city because of the growth. And  
19 I just hate that it would possibly be lost with  
20 this expansion of this landfill.

21 So I just want to say it's a real  
22 economic cost to our community, and not only  
23 economics, the placement of the people and the  
24 opportunity to provide affordable housing for  
25 people like Jonathan and I, Councilman Hall and I,

1 who group up in that community, for our kids to be  
2 able to come back and live in that community.

3 That's all.

4 MS. SHARON SMITH: Thank you, Mr. McCain.  
5 Now we're going to unmute Claire Branton.

6 MS. BRANTON: I'm making a comment on  
7 behalf of basically social justice principles.

8 The Bordeaux Community was cut off by  
9 I-40 in 1957 and now it's basically a fenceline  
10 community and have been -- pretty much been bearing  
11 the burden of our waste problems.

12 And if Southern Services owns that land,  
13 maybe they could go into the low-cost housing  
14 business and get out of waste management and then  
15 they would have an incentive to find some solutions  
16 for that odor.

17 That's all.

18 MS. SHARON SMITH: All right. Thank you  
19 very much.

20 And now we have a caller on the phone,  
21 and we're going to go ahead and put that caller  
22 through. Just one moment. It will just be another  
23 moment here.

24 Hello, caller. Please state your name  
25 and you are now unmuted and ready to address the

1 Solid Waste Board. You'll have three minutes.

2 MS. ERICA: My name is Erica, and I'm at  
3 4020 Drake Branch Road and also at 4345 Frances  
4 Lane, and I wanted to revisit a question that was  
5 asked earlier regarding when the land would be safe  
6 for other use, and the response was four or five  
7 years after the monitoring. And from my  
8 understanding it could be as long as 30 to 40 years  
9 for the land to release any kind of toxins or just  
10 any gases that are coming out of the ground from  
11 this 30-year plus year landfill. So if this is  
12 correct, can we just get an honest answer for the  
13 community so they can understand that if this  
14 landfill does close in the allotted time, which is  
15 two to three years from now, that it can be another  
16 several generations before it has finished  
17 releasing gases, if ever, to where there can be the  
18 walking trails I think that was mentioned by the  
19 responder, walking trails or anything else?  
20 Because I don't know who would be able to get a  
21 good walk off the use of a landfill, walking on top  
22 of a landfill that is still releasing gases or  
23 toxins from the ground.

24 So is that something that they can  
25 address?



1 MS. SHARON SMITH: No. Your comments  
2 will be provided. But this is a time for public  
3 comment. You cannot -- It's not a time to ask  
4 questions to the applicant, Waste Management. Only  
5 the Board can ask them questions.

6 But thank you for your comments.

7 MS. ERICA: So that was my comment about  
8 not the 45 years of monitoring, that we would only  
9 be -- but it could be up to 30 to 40 years before  
10 that land will be available for use safely.

11 MS. SHARON SMITH: All right. Thank you  
12 very much.

13 MS. ERICA: Thank you.

14 MS. SHARON SMITH: One moment. Do we  
15 have anybody else on the line? Nobody else on the  
16 line? We have one more person here in the queue  
17 with their hand up. Just give me one second here.  
18 We're going to unmute. And I apologize if I  
19 mispronounce a name, but it's -- I'm sorry, Chris  
20 Zenkowitz (ph). Thank you very much.

21 MR. CHRIS ZINKOWITZ: My name is Chris  
22 Zenkowitz and I had a chance to read the Plan. One  
23 of the things that I really appreciated about the  
24 work that you-all have done is that set of circles.  
25 You had an economic circle, a social circle, and an

1 environmental circle, and you were saying that our  
2 plan needs to honor all three of those.

3 So I want to speak in support of the  
4 community, because that's our social circle. And  
5 our -- our part to care for them and honor what  
6 they have done and have had to put up with all of  
7 these many, many decades. And it's past time. It  
8 is a social justice issue, it is a racial justice  
9 issue, it is an environmental justice issue.

10 And in terms of the environment also,  
11 landfills have been a necessary evil, but they've  
12 been a evil. And as long as we kick the can down  
13 further another two years, another 12 years,  
14 another, another, another, another, we will not  
15 stop them.

16 The incentive to saying "no" at this  
17 point is something that will help everyone get  
18 onboard to say we have to solve this problem in  
19 another way, and that's what I support.

20 Follow the Plan. Do the social and  
21 environmental aspects of this, as well as the  
22 economic ones.

23 Thank you.

24 MS. SHARON SMITH: Thank you very much.

25 And now we're going to unmute, let's see here,

1 Karen Wieckert.

2 MS. WIECKERT: I'd like to point out that  
3 the previous speaker is arguing about innovation,  
4 and in particular social, organizational,  
5 regulatory innovation, not simply innovation about  
6 how best to recycle materials that we create. And  
7 one of the reasons that I raised my hand is because  
8 I put out into the Q and A -- Sharon pointed out --  
9 Sharon Smith pointed out that after the tornado  
10 there was a request or a requirement to pile the  
11 different kinds of debris. And an innovation that  
12 we can imagine in Davidson County is for those  
13 piles to be regulated for any demolition or built  
14 buildings. That's an innovation that stops the --  
15 or helps reduce the amount of waste that goes in.

16 So innovations aren't simply at the --  
17 after you've made all of this stuff, innovations  
18 can also happen before you make that stuff.

19 And I would say -- and I just want to say  
20 as a person who is a citizen of Davidson County,  
21 that by not approving the expansion we can force  
22 kinds of innovations that aren't simply recycling  
23 innovations, but other kinds of innovations that  
24 would make us all deal with the debris that we're  
25 creating and actually reducing the amount.

1                   Thanks, Sharon.

2                   MS. SHARON SMITH: Thank you very much.

3                   And it appears, Mr. Chair, that there is  
4 no one else with their hand raised, and we have no  
5 more calls in the queue.

6                   MR. DIEHL: Sharon, this is Robert Diehl.  
7 Have we heard from Paul Schlitz (ph)? It looks  
8 like he just dropped off.

9                   CHAIRPERSON SHERMAN: I think he just had  
10 a question, Robert. He didn't have his hand raised  
11 for comments.

12                   So, thank you, Sharon. I want to thank  
13 everybody who -- all the public who has commented  
14 in helping inform the Board more.

15                   Again, thank you, for our elected  
16 representatives, for providing more information  
17 and, of course, thank you for Southern Services and  
18 Waste Management to offer their, you know, kind of  
19 why they think this landfill should be expanded.

20                   With that, and before -- Board, it's  
21 now -- it's time for us just to have a  
22 conversation. And I think -- One thing I want to  
23 make sure before that happens, you know, Tara Ladd  
24 is the City attorney that works with us. And given  
25 that several individuals have raised the Jackson

1 Law, I just want to -- I would like Tara just to  
2 give a brief explanation to clarify that. You  
3 know, it is not in our purview, that law, so just  
4 know that. But I think it would be helpful to  
5 you -- for everybody just to know so we can kind of  
6 close that up, button that piece up, is to have  
7 Tara Ladd give a brief explanation of the Jackson  
8 Law and its application here in the City. Tara.

9 MS. SHARON SMITH: Yep, Tara, you're  
10 unmuted. You should be okay. But we can't hear  
11 you, if you're talking.

12 CHAIRPERSON SHERMAN: Oh, well -- She's  
13 taking off her headset.

14 Well, while we're waiting for Tara --

15 MS. LADD: Can you hear me now?

16 MS. SHARON SMITH: Oh, yeah, there you  
17 are.

18 MS. LADD: All right. I'm sorry, I  
19 apologize. Sometimes my laptop just decides it's  
20 going to not work.

21 So we'll start with a brief overview of  
22 the Jackson Law, though I will say the Chair is  
23 absolutely right, that today -- although the  
24 Jackson Law does sort of play a role in this piece,  
25 it's not -- it shouldn't be on your mind as

1 something that needs to be considered in your  
2 evaluation.

3 So does the Jackson Law have something to  
4 do with this? Absolutely. Is it something that  
5 you need, as a board to be concerning yourself with  
6 today? Absolutely not.

7 In fact, any time that there is an  
8 expansion of a new landfill, the law actually deals  
9 with that in two separate places. It deals with it  
10 specifically in 68-211-814, which discusses  
11 specifically what you guys do as the Solid Waste  
12 Region Board, and your limited role there is simply  
13 to determine is this expansion of the facility  
14 consistent with your ten-year plan? That's the  
15 ten-year plan that you approved earlier today and  
16 that you've heard, you know, members of the public  
17 speak about. So that -- Just stopping right there,  
18 that is our only consideration today is, is it  
19 consistent with the ten-year plan? Is that  
20 expansion consistent?

21 Touching a little bit on the Jackson Law,  
22 or the local approval law, what that is is that if  
23 the Jackson Law applies to the expansion of the  
24 landfill -- and that is a legal determination that  
25 has to be made whether the Jackson Law applies --

1           then in order for the landfill to expand, the  
2           Metropolitan Council must approve the expansion of  
3           the Jackson Law. Either way, it's going to come  
4           before the Board. We're just talking about two  
5           different steps that the landfill expansion must  
6           take in order to get its approval.

7                         Now, let me just say this: With respect  
8           to the Jackson Law, Metro Legal sent an official  
9           document -- documentation to TDEC that we do  
10          believe that the Jackson Law does apply to this  
11          expansion; however, having said that, let's now put  
12          that aside, because today your role is looking  
13          specifically at this plan for expansion and seeing  
14          if it's consistent with your ten-year plan.

15                        And now what I want to do is just really  
16          direct you to law, because the law is very specific  
17          on what your role is and what you must do. So when  
18          you're making a motion, I want you to keep this in  
19          mind, whether you're approving or disapproving.  
20          Like every time I tell you when you're making a  
21          motion, you need to articulate your reason. So I'm  
22          going to read the applicable provisions of this law  
23          for the Board before you start your deliberations.

24                        Again, this is T.C.A. Section 68-211-814.  
25          You can obviously approve the Plan, and if you

1 approve the Plan you would need to articulate why  
2 you're approving it or why you find that it's  
3 consistent. But the law is very specific about  
4 what you must do if you believe you are going to  
5 reject the Plan and find -- reject -- excuse me --  
6 reject the expansion and find it inconsistent with  
7 your ten-year plan.

8 And I'm just going to read this to you  
9 guys just word-for-word so you know exactly what it  
10 says. It says, "The region may reject an  
11 application for a new solid waste disposal facility  
12 or an expansion within the region only upon  
13 determining that the application is inconsistent  
14 with the Solid Waste Management Plan adopted by the  
15 region and approved by the Department --" the  
16 Department being TDEC "-- and the region shall  
17 document in writing the specific grounds in which  
18 the application is inconsistent with the Plan."

19 So if you intend to make a motion,  
20 whichever way you plan on going after you have your  
21 deliberations, you need to make sure that when you  
22 make the motion that in your motion you cite why or  
23 why not it is consistent or inconsistent, and you  
24 need to be very specific about your grounds for  
25 saying either.



1                   If you have any questions once you get  
2 going on this, obviously I'm here to discuss  
3 further, but that's pretty much the gist of it, and  
4 the law is very pointed as to what you need to do.

5                   CHAIRPERSON SHERMAN: Wonderful. Thank  
6 you, Tara, that was very helpful. And there is no  
7 reason for us to have any further conversation  
8 about the Jackson Law. It has nothing to do with  
9 our purview.

10                  So I've asked her to --

11                  COUNCIL MEMBER HALL: Chair, I hate to  
12 interrupt, but, Chair, really quickly. That brings  
13 a question for me for Tara and legal, just a  
14 clarifying point.

15                  Really quickly, the only reason -- And,  
16 again, we know that's not in your purview, not what  
17 should be considered. The only thing that I would  
18 ask is that being that, but how does that reconcile  
19 with what the law, once Jackson Law has been  
20 implemented into the City? Because once it was  
21 voted on and brought in in 2017, both TDEC and the  
22 Solid Waste Board are supposed to be consistent  
23 with what the guidelines are in it. So how do we  
24 reconcile the decisions that are expected of them  
25 if they can't consider or know that it needs to be

1 consistent with what's laid out in terms of terms  
2 in the Jackson Law?

3 MS. LADD: Council Member Hall, I think I  
4 understand where you're getting at, in that if the  
5 Jackson Law applies, it seems to make sense that  
6 this application should have gone before the  
7 Council perhaps before it went to the Solid Waste  
8 Region Board.

9 Is that what I'm hearing?

10 COUNCIL MEMBER HALL: Correct. Because  
11 according to what we voted on in past, it gives  
12 that authority to the Council and to the local  
13 government. So once that took place, it's -- I  
14 understand the place for the Solid Regional (sic)  
15 Board and, again, we know that it does need to come  
16 before them, but I was just trying to reconcile the  
17 component of, I know they are not supposed to  
18 consider things outside of the framework of the  
19 application versus the Plan. But still, having the  
20 knowledge that ultimately the decision has been --  
21 by passing Jackson Law that it comes to Metro  
22 Council.

23 MS. LADD: And I don't -- Let me just  
24 preface by saying, I don't really want to muddy the  
25 waters too far with respect to the limited role

1           that the Board has to (inaudible) --

2                   COUNCIL MEMBER HALL: I get that.

3           Absolutely.

4                   MS. LADD: But I will say historically  
5           what has happened when an application has been  
6           presented is that it goes to Council before it does  
7           go to this Board. Which, if the Jackson Law is  
8           applicable, seems to be more of a -- more of a  
9           natural route for it to take; however, the law  
10          doesn't dictate which piece they have to do first,  
11          it just dictates that they have to do both, if the  
12          Jackson Law applies.

13                   Does that make sense?

14                   COUNCIL MEMBER HALL: Absolutely.

15          Absolutely. And just because it was full  
16          disclosure about what had been sent to TDEC that,  
17          again, I feel like, is a mitigating factor that if  
18          this Board is aware of those two things: That, 1,  
19          Metro Legal that sent that letter, and it would be  
20          nice if it was read into the record. But also just  
21          the parameters under which we are responding, both  
22          the community and myself as a council member.

23                   MS. LADD: And we can include the letter,  
24          now that it's been mentioned, if --

25                   COUNCIL MEMBER HALL: Thank you.

1 MS. LADD: We can include that in the  
2 record, Sharon. That's not a problem.

3 MS. SHARON SMITH: Okay.

4 MS. LADD: And I understand your  
5 concerns. And you and I both know that there's  
6 obviously legal implications that go beyond the  
7 Board's purview here today.

8 COUNCIL MEMBER HALL: Absolutely. And I  
9 appreciate, again, you just clarifying for me, and  
10 without entertaining too much, because we know  
11 there are other steps that still need to be taking  
12 place. So thank you.

13 MS. LADD: Of course.

14 CHAIRPERSON SHERMAN: Thank you. Thank  
15 you for that clarification, Councilman. And I  
16 think the --

17 So, again, not to muddy the waters, and  
18 knowing that there's -- there is this Jackson Law  
19 out there, and the Board -- and the Council has  
20 acted on it before, the City has submitted a letter  
21 about invoking it that has yet been voted on by  
22 Council, and so there's that still outstanding.

23 And, you know, I'm -- you know, I've  
24 talked to Sharon and Tara about this, and say we --  
25 it's our -- we still need to -- we have a

1 responsibility, and that is to look at this  
2 application and determine if it abides by the Plan  
3 or not. And so that's the conversation right now.

4 So I'm going to open the floor up to the  
5 Board to have the -- just -- you know, this is just  
6 a conversation among us before we move -- before we  
7 get to actually taking formal action. So the  
8 floor's open.

9 MS. LOCKETT: John, this is Midroi  
10 Lockett. I reread the executive summary of the  
11 Solid Waste Plan, and in Section 9-4 we have a  
12 paragraph in there that says, " This Plan does not  
13 include recommendations for any new or expanding  
14 landfills in Davidson County. Permitting new or  
15 expanding landfills would be inconsistent with the  
16 goals of the Plan."

17 So it seems to me as though we've  
18 outlined in the Plan already our feelings about any  
19 expansions on a landfill.

20 MR. DIEHL: Those are my comments.

21 MS. LOCKETT: You may have stated them  
22 already.

23 MR. DIEHL: This is Robert Diehl. I'm  
24 sorry, Midroi, I didn't mean to step on your toes.

25 MS. LOCKETT: No, I was done, Robert.

1 MR. DIEHL: Even Waste Management's  
2 expansion position paper mentions that very section  
3 of the Solid Waste Plan. I think that they will  
4 probably argue the point that the use of the term  
5 would be inconsistent, is weak. What they are  
6 saying is the phrase would be -- is written in the  
7 future tense. And if we can't stop it on that  
8 basis, then I would say that that section of the  
9 Plan needs to be rewritten.

10 MR. SULLIVAN: This is Michael. I would  
11 piggyback off of that and also say that, you know,  
12 that section begins with Metro Nashville  
13 aggressively working to reduce reliance on  
14 landfills. And I would question, since we passed  
15 the Waste Management Plan -- the Zero Waste  
16 Management Plan, what has Metro done to  
17 aggressively reduce our reliance on landfills since  
18 then?

19 CHAIRPERSON SHERMAN: Other comments?

20 MR. GRIMES: This is Dale Grimes. I  
21 would just -- I think I would just echo that. I  
22 don't have the history that probably some of you  
23 who have been on the Board -- and I'm new, this is  
24 my first meeting -- and it's kind of a big one --  
25 and I really appreciate all the comments that have

1           been made and sympathize. But I do -- I do wonder,  
2           it looks like that that statement is conditioned on  
3           the City having aggressively pursued these other  
4           things, which, you know, for various, you know,  
5           good and understandable reasons have not happened  
6           yet. And I just wonder how you can say that this  
7           is inconsistent when that condition has not -- has  
8           not occurred.

9                         Thank you.

10                        CHAIRPERSON SHERMAN: Others?

11                        VICE CHAIR HACKETT: Let me go back to  
12           the whole intention, and clearly spelled-out  
13           portion of the Plan, which is that our goal is to  
14           get to zero waste. And so zero means less. And to  
15           add a landfill would mean more. And so I do not  
16           feel as though voting yes for this would help to us  
17           achieve our goals and the full spirit of the Plan  
18           that we worked on for several years.

19                        CHAIRPERSON SHERMAN: Damita, are you  
20           unmuting?

21                        MS. BECK-TAYLOR: Yeah. I was going to  
22           say, I agree with Jennifer in talking about -- we  
23           could use -- or they, anybody, could use the  
24           language to sway the Plan in their favor, but it's  
25           not in the spirit of what the intention behind the

1 Plan is. And so I don't believe this aligns with  
2 what our path is forward. And even if we haven't  
3 taken aggressive measures, we haven't defined what  
4 "aggressive" means, and so I don't -- I don't think  
5 this expansion aligns with the spirit or the  
6 intention behind the Zero Waste Plan.

7 MR. DIEHL: This is Robert Diehl again.  
8 And, unfortunately -- First of all, my heart soared  
9 hearing Dan Lane's voice earlier. He and John --  
10 of course John was absent the last time that this  
11 landfill was expanded. It did turn into a question  
12 of legalities. And I'm worried, even though I  
13 would -- I would do anything to stop this, and I  
14 certainly cannot vote for it for lots of reasons,  
15 on many levels, including the social justice level,  
16 primarily.

17 But I just want to know how the Board --  
18 who is going to be responsible for writing the  
19 Board's opinion as to whether this expansion  
20 conforms with our Solid Waste Plan?

21 CHAIRPERSON SHERMAN: That's what's going  
22 to be in the motion, Robert. That is what -- it's  
23 going to be outlined.

24 And I'm going to just jump in here  
25 because I have -- I have pretty strong feelings



1 about this. And setting aside -- I'm just going --  
2 Setting aside all the reasons about Bordeaux or all  
3 the reasons about why we have to have actually  
4 landfill operators, which is because of a total  
5 failure by federal and state government to actually  
6 pass policies that actually shoves this stuff  
7 upstream, and so we're all -- all of us are having  
8 to spend our time dealing with the problem that is  
9 not our creation. So that's first of all.

10 And when we -- I mean, you know, there's  
11 this thing called legislative history. And we had  
12 these conversations for two years in development of  
13 this Plan. We had numerous public hearings. We  
14 had six different meetings around the city to talk  
15 about this, and I don't think Waste Management  
16 showed up once, not once.

17 And so -- So there was an opportunity --  
18 I'm going to be a little heated about this. There  
19 was an opportunity to weigh in on this. And, in  
20 fact, Waste Management was part of Livable  
21 Nashville, and they were there and we agreed that  
22 Livable Nashville, which was a plan by the City and  
23 the previous two mayors, that -- that we talked  
24 about zero waste there. Right? And so this is not  
25 a new conversation. So that's one thing, just

1           legislatively.

2                       And within our Board, when we talked  
3 about this, this was part of it. We know -- And  
4 why did we even have this Plan? Because we saw  
5 recycling rates across the board, whether it was  
6 C&D, or whether it was municipal or whether it was  
7 commercial, as flat. And we knew that we had to do  
8 something differently. And this may not have been  
9 that explicit in this, although I think it was, is  
10 that no one's going to move unless they have to  
11 move. And our position on creating this Plan is we  
12 are making a move.

13                      You're right, the City hasn't done a  
14 doggone thing. Now, there's all sorts of reasons  
15 for that that you are, you know, budgetary and all  
16 of that. But the bottom line is a previous board  
17 member, who used to be on the City Council, "No one  
18 pays attention to garbage until they have to."

19                      Well, our job, in looking at this Plan  
20 and developing a long-term vision, is to make  
21 people pay attention. And we created a plan to do  
22 that and the "would be," this is, I think that's  
23 just bologna. I think that we knew what we were  
24 doing when we voted on this, and we had a  
25 conversation about it.

1           So I don't buy the fact at all that  
2           somehow there is -- that we're -- I do not want to  
3           create any kind of language loophole here. We had  
4           an intention behind this. It was clear. You made  
5           this agreement with me, so be it. But I think that  
6           we were very intentional about what we wanted.

7           And creating that, putting a landfill in  
8           for other 12 to 15 years, when the last time this  
9           happened there was a commitment then to do all  
10          sorts of stuff that didn't happen, and now here we  
11          are again. And I can guarantee you in ten years,  
12          when this comes up again, there's going to be  
13          another reason why it's not happening, unless it's  
14          forced. Unless we actually draw the line that we  
15          did in this Plan, saying, "City, you have to step  
16          up." And we can say it for all the reasons. For  
17          the reasons for the community. We can say it about  
18          it's going to actually spur then Waste Management  
19          to think differently about what they are doing,  
20          perhaps, or certainly everybody upstream that's  
21          generating the waste. And then also you think  
22          about new markets for creating C&D. But that's not  
23          going to happen unless we actually do what we said  
24          we wanted to do in this Plan. No new landfills, no  
25          expansion landfills. It's clear language.

1           So you're hearing the Chair getting a  
2           little heated about it, but I'm just -- I'm  
3           perplexed that we could do anything but deny this  
4           application. That's just my position.

5           MR. SULLIVAN: This is Michael. And, you  
6           know, John, I hear what you're saying, but my  
7           question then is, you know: Why such the -- you  
8           know, why should the Board take a strong stance in  
9           the portion of not expanding the landfill, when we  
10          don't seem to be putting the pressure or taking a  
11          strong stance on increasing recycling -- or  
12          aggressively increasing recycling?

13          Additionally, throughout the Plan, and  
14          throughout the meetings, the one thing that  
15          constantly comes up is funding. We don't have  
16          funding to do any of these programs. And, you  
17          know, by not expanding, we're forcing the costs of  
18          any kind of this, you know, C&D disposal to go up.  
19          And, you know, at some point the City's going to  
20          burden some of that cost, and the cost is going to  
21          be deviated away from recycling programs. I mean  
22          it's just the nature of how Metro government is  
23          operating.

24          And so to say, you know, it is completely  
25          against the Plan and it's totally opposite of what

1 we wanted to do, well, so is not aggressively doing  
2 any recycling or not aggressively increasing our  
3 recycling plans.

4 And maybe I'm missaw -- I was picking a  
5 kid up from daycare -- but the slide that -- the  
6 report that we approved show me the increases at  
7 the landfills and the tonnage, that recycling went  
8 down from 2019 to 2020. And in a year where more  
9 people were stuck at home and had more time to go  
10 through their garbage or aggressively implement a  
11 recycling programs, or attempt to recycle, but  
12 tonnage of recycling went down in 2020. We're not  
13 aggressively recycling in Davidson County, plain  
14 and simple.

15 CHAIRPERSON SHERMAN: And I totally agree  
16 with that.

17 MR. SULLIVAN: And it's not Waste  
18 Management's job to do that. It's not their  
19 responsibility to make the City recycle.

20 MS. LISA SMITH: Just because we're not  
21 recycling, doesn't mean we have to agree with  
22 expanding a landfill that already burdens the whole  
23 entire community economically and health wise.

24 MR. SULLIVAN: But within the purview of  
25 this Board and the Plan, the argument here is the

1 Plan says we can't expand the landfills. Well, no,  
2 the Plan says, If coupled with aggressive  
3 recycling, we can't expand the landfills.

4 So to sit here and say, well, we're only  
5 going to adhere to half of it, you know, it's  
6 picking and choosing. And, you know, I know  
7 everyone is very passionate about this, and  
8 everyone has strong opinions, but, you know -- So  
9 as a Board we have to set aside the social justice  
10 opinions, the smell opinions, we have to set that  
11 aside and look at how does it apply to this waste  
12 management?

13 MS. LISA SMITH: Yeah, I don't plan to  
14 set that that aside. I've literally had  
15 developers, before I left the area -- because I  
16 used to live in the area, too, and I moved. And  
17 I've been in on some of these meetings where Waste  
18 Management never showed up. And have talked to  
19 developers and they literally told me to my face,  
20 "Oh, we're not going to put any development out  
21 there, we're just going to build houses," because  
22 they can get the land cheap. So I won't agree with  
23 it. And whatever, you know -- Do we have to quote  
24 the -- any -- the letter or the paragraph or  
25 whatever to say why we don't want to vote for it?

1           Because I can find it. But I'm not voting for it.

2                       CHAIRPERSON SHERMAN: I would just --  
3           This is a really interesting point about, you know,  
4           what comes first, the recycling? Do we couple it  
5           with the landfill issue? And we know that -- you  
6           know, the conversation for me is, we have a  
7           responsibility, and the only thing that we have the  
8           legal authority over is up or down on whether a  
9           landfill is expanded.

10                      Now, we made all of these other  
11           recommendations to the City and they have been  
12           shown to the City, and can guarantee you that the  
13           City made this -- you know, my feeling is is that,  
14           you know, they are going to kind of be herky-jerky  
15           in terms of how they get started.

16                      But, you know, we knew before that they  
17           had two or three years left on the landfill and we  
18           were making a decision based on that; right? And  
19           actually what motivated -- partly motivated the  
20           Plan is both the, you know, imminent closure -- and  
21           we thought at that time of Southern Services -- and  
22           the fact that we know that what's happening down in  
23           Middle Point.

24                      And so we had this opportunity to  
25           actually move on this. And, you know, we can

1 educate -- we can do all we can to move the  
2 Council, but, you know, that's out of our purview.  
3 We can try, "Hey, do it." That's what the Plan was  
4 intended to do, too, get everybody's attention.  
5 And in this case, you know, the landfill came  
6 first.

7 I don't think that's any reason for us  
8 not to vote on denying it because everything isn't  
9 going just along this smoothly, laid out, you know,  
10 strategy, which we knew -- I mean anybody who does  
11 anything knows that what's on paper and how it  
12 actually unrolls is a little bit different,  
13 including this.

14 You know, we thought that, you know,  
15 there was going to be this smoother transition.  
16 It's not going to happen. We have to make a  
17 decision. And I'm not willing to make a decision  
18 about 12 more years of a landfill, which is almost  
19 halfway through what we wanted as a plan, and  
20 that -- you know, what we're saying is, "Okay,  
21 we've done our job, City. Now you need to do your  
22 job."

23 And, you know -- quite frankly, you know,  
24 I'm taking this out of it. This is not anything  
25 personal about Waste Management. We know that, you



1 know, landfills are landfills, and we've had them  
2 for a long time and, unfortunately, low-income  
3 communities and communities of color have often  
4 beared the brunt of that, whether it's urban or  
5 rural.

6 That's not the issue for me in terms of  
7 this, whether -- however I feel about it  
8 personally. But as the Board is that, you know, we  
9 have looked at the data, we knew we weren't going  
10 well, and we needed to do something differently.  
11 We had an opportunity to do what we did in the  
12 purview of our responsibilities, and so that's all  
13 I'm asking the Board to look at.

14 MR. GRIMES: Mr. Chairman, I'm very  
15 interested in your comments and the way you  
16 delivered them. As I said, I was not part of that  
17 planning process and all I've done is been able to  
18 do is read the Plan and so I feel at a disadvantage  
19 in that respect. And I want to respect what the  
20 Board intended when they adopted the Plan.

21 But I do have a question and that is:  
22 What is the likelihood here, is it that it's going  
23 to force the City to begin setting policies and  
24 funding programs that have been recommended or is  
25 the likelihood that this C&D garbage is just going

1 to be shipped out to some other part of the state?

2 CHAIRPERSON SHERMAN: I don't know if  
3 you're asking me that, but other folks may have an  
4 opinion, and it's going to be both.

5 MR. DIEHL: This is Robert -- I'm sorry,  
6 John.

7 CHAIRPERSON SHERMAN: No, please, Robert,  
8 continue.

9 MR. DIEHL: This is Robert Diehl again.  
10 You know, when I brought up, if the  
11 expansion is not granted are they prepared to do  
12 something else, as they stated in their proposal?  
13 And Jason Repsher mentioned the fact that whatever  
14 they could not recycle could be commingled with  
15 other trash and be shipped somewhere else.

16 Now, to me, I don't know whether that's a  
17 good answer or not, but at least what we're  
18 doing -- if we deny the expansion we're forcing  
19 these people to get creative and do something  
20 different than what they've been doing up to this  
21 point, because they are not recycling -- they are  
22 recycling only slightly more than one percent of  
23 the entire C&D waste stream, when he admitted  
24 himself that 60 percent of what they get can be  
25 recycled.

1 COUNCIL MEMBER HALL: Chair, I know this  
2 may not be appropriate, but I want to (inaudible)  
3 --

4 CHAIRPERSON SHERMAN: Mr. Hall, you're  
5 breaking up. So -- And, please, I know you want to  
6 have a conversation, but really this is the time  
7 for the Board to have a conversation. So I would  
8 ask that you respect that this is a time for the  
9 Board to share their comments, sir.

10 I think we may have lost him. He was  
11 breaking up.

12 COUNCIL MEMBER HALL: I was saying --

13 CHAIRPERSON SHERMAN: Beth, do you have a  
14 comment?

15 MS. REARDON: I just want to echo most of  
16 what everyone else has said, that, you know, I  
17 agree to vote no on this. I was dismayed that  
18 Waste Management really didn't come up with any  
19 other options besides expansion. Didn't seem to be  
20 willing to talk about anything else.

21 And although I agree that Nashville  
22 hasn't aggressively pursued any other actions, this  
23 is the first step. It's not going to happen in all  
24 one big jump. I mean if we push forward and make  
25 somebody else feel uncomfortable about having to

1 pay increased tipping fees or drive farther to dump  
2 their waste, maybe they'll come up with some  
3 options or agree to work with Waste Management or  
4 us on coming up with some options. But just  
5 allowing them to expand is not going to change  
6 anything, according to our Plan anyway.

7 So I agree with everybody on this panel,  
8 that we don't need to just roll over and let them  
9 expand this landfill.

10 CHAIRPERSON SHERMAN: Thank you, Beth.

11 Other comments? While people that --

12 MR. McCORMICK: This is Jeff McCormick.  
13 I echo a lot of what's saying. I agree this  
14 doesn't fit our Plan. Kind of my argument would be  
15 the part on the recycling and stuff that Metro  
16 hasn't done yet. Well, that doesn't really matter  
17 as far as whether it's in the Plan or not, because  
18 we can't help that Metro hasn't done it yet.

19 And I do feel like, you know, maybe this  
20 will make Waste Management start recycling more  
21 besides the one they're probably getting -- He  
22 admitted it's for green facilities, which means  
23 they are paying more to have that recycled, you  
24 know. They are not just recycling everything.  
25 It's for people that's wanting green certification

1 or something. So I'm sure they are charging them a  
2 higher rate to do that.

3 CHAIRPERSON SHERMAN: Right. Thank you.

4 MR. GRIMES: Mr. Chairman, I have one  
5 other question and that is: Is this the final  
6 forum for this or does it go to Metro Council after  
7 we speak on this, or what's the process? I don't  
8 really understand that either.

9 CHAIRPERSON SHERMAN: So the process, as  
10 far as the Board is concerned, is this is the  
11 opportunity now. And then we will have -- we will  
12 have discharged our duties with regard to the  
13 Southern Services Landfill application. Whether we  
14 approve or deny, we're done.

15 And then, you know, there's a whole other  
16 tract that we have nothing to do with and we have  
17 no particular, you know, say-so other than just  
18 citizens, but not as representatives of the Board,  
19 around how the City Council will take up the issue  
20 around the Jackson Law. But that's a separate  
21 tract that has nothing to do with us. But our  
22 duties are going to be done this evening.

23 Does that make sense?

24 MR. GRIMES: I think so. What I didn't  
25 know is whether what we're doing is really a

1 recommendation or is this, you know, does this end  
2 it for Waste Management's expansion?

3 CHAIRPERSON SHERMAN: So if we deny it,  
4 then, yes, then they still -- I mean there's still  
5 the Jackson Law piece, which they have another shot  
6 there.

7 But our denial is our denial and it  
8 doesn't go any further.

9 And Tara or Sharon, if you have other  
10 information, but this is not a recommendation.  
11 This is basically a legal decision that we're  
12 making tonight.

13 MS. LADD: Yeah. The board's decision is  
14 final as to whether -- you know, when you're making  
15 your determination as to whether the Plan is  
16 consistent or inconsistent with the ten-year plan.  
17 Once you reach the determination, it's going to be  
18 in writing because there's a stenographer there.  
19 And then from there Waste Management would have an  
20 opportunity to appeal your decision, but that would  
21 be going through court, Chancery Court, through a  
22 writ of cert.

23 So to answer your question, as far as  
24 your role here today, what you vote on today is a  
25 final vote.

1 MR. GRIMES: Thank you. Thank you for  
2 that.

3 CHAIRPERSON SHERMAN: And just to be  
4 clear, that if it was appealed by Waste Management,  
5 you know, to a court, the City would represent us.  
6 I mean that would be -- And they did before, just  
7 to clarify that point, that the City would -- is  
8 basically -- you know, we have two different city  
9 attorneys on the call right now that, you know,  
10 they would be the ones representing us --  
11 representing the Board. You know, we don't have to  
12 show up and do it ourselves, so...

13 With that -- Sharon -- I mean, Jennifer?

14 VICE CHAIR HACKETT: Yeah. I just want  
15 to add that in addition to the proposal not fitting  
16 our Plan in any way, the goal of getting to zero  
17 waste is so that we can not only be ethical  
18 neighbors to our own BIPOC community to whom we owe  
19 much, the very least of which is sticking to the  
20 Plan, but also so that we were not burdening  
21 communities surrounding us with the same old  
22 problem, with the same old not working solutions.

23 It's not working to continually go into  
24 other communities with landfills either. We want  
25 to see new, healthy community-positive solutions,

1           which is why we wrote the Plan and why we need to  
2           stick to it tonight.

3                   MS. LISA SMITH:   Just from an ethical  
4           perspective, I mean eventually East Nashville and  
5           West Nashville, they are going to run out of land.  
6           The only land left is that corner, that's it.  
7           So -- and there's already development going crazy  
8           over there off of Brick Church, so --

9                   CHAIRPERSON SHERMAN:   So as we're, I  
10          think, moving towards some resolution on this, I  
11          would urge that one of you consider what the motion  
12          would be, and reflecting on what Tara had said.

13                   And I do -- So, given that, Tara, if this  
14          Board were going to -- and this is an if, I'm just  
15          asking for clarification -- move to deny this  
16          application, and if we referenced those phrases  
17          in -- and those pieces in the Plan on Pages 8-2 and  
18          Pages 9-4 that talk about the inconsistency of a  
19          landfill with this Plan, is that sufficient or do  
20          you think we need more, or is that fair to ask you?

21                   MS. LADD:   Yeah, I think that puts me in  
22          a perilous position.

23                   I think when you're making your  
24          determination, remember that the statute is  
25          specific.   That you want to give specific grounds.



1 Teri, do you want to talk?

2 MS. CONSTONIS: Sure, I can talk.

3 MS. LADD: Okay. I thought I was, like,  
4 speaking over you. I wanted to make sure. So  
5 Teri's on the line, too.

6 The only thing I was going to say -- and  
7 she might have something to add -- is that I think  
8 not -- you know, I think, obviously, pointing to  
9 those sections and those particular places is  
10 great, but anything else that you have as well that  
11 you want to reference, and other comments that have  
12 made that are outside of the documents. For  
13 instance, sort of the overall goal of the Plan.

14 Teri, do you want to say something?

15 MS. CONSTONIS: No, I really don't have  
16 anything to add. I think you put it very well.

17 Yeah, just identifying the specific  
18 grounds, the ways in which it is inconsistent with  
19 the Plan. So identifying specific plan components  
20 that you perceive as being, you know, inconsistent  
21 with what is proposed appears to me to meet that.

22 And like Tara said, there is a  
23 stenographer recording and writing the motion and  
24 the deliberation that you're undertaking right now.  
25 And, you know, at some point in the future I would

1           imagine that you all will be asked to review and  
2           approve that as part of your review and approval of  
3           the meeting minutes, which you will probably do at  
4           the next meeting.

5                       CHAIRPERSON SHERMAN: Great. Thank you,  
6           Teri.

7                       So just board members who don't know  
8           Theresa Costonis, or Teri, she was our previous  
9           attorney before Tara eagerly took her place. So  
10          just know that that's -- she's another attorney  
11          with the City.

12                      With that, are there more comments?

13                      All right. Well, I would -- the Board,  
14          the Chair, would entertain a motion for denial or  
15          approval of the application. And with --  
16          requesting that whoever makes that motion has the  
17          same level of detail that was just outlined by Tara  
18          and Teri.

19                      MS. LISA SMITH: This is a question. Do  
20          we need to cite paragraphs and number or anything  
21          from the Plan?

22                      MS. LADD: I would cite it. If you have  
23          it on hand, I would point it out. And make sure  
24          that you're citing -- You know, you don't want to  
25          say 19A and not cite the page number because this

1 is all going to be transcribed and you want a  
2 person who reads this to be able to go directly to  
3 where you went.

4 MS. LISA SMITH: Okay. I've got to go  
5 grab mine.

6 CHAIRPERSON SHERMAN: Thank you.

7 Anybody articulating one or are you  
8 looking to the Chair to make this happen? I'm  
9 looking to one of you to start it, if possible.

10 MR. McCORMICK: Mr. Chairman, what if we  
11 kind of just mention them, and somebody kind of  
12 scribble them down, the different reasons it  
13 doesn't meet the Plan so someone can maybe  
14 articulate the motion a little bit better.

15 CHAIRPERSON SHERMAN: That's a great  
16 idea, Jeff. So why don't I just start. And I'm  
17 actually -- if you see me looking down, I'm  
18 actually looking at the Plan.

19 So there are two different places in the  
20 Plan that says, "permitting new or expanding  
21 landfills would be inconsistent with the goals of  
22 the Plan." And so that's been mentioned. It's on  
23 Page 8-2, which we don't need to worry about, as  
24 Tara said, and again on Page 9-4.

25 So there's two different places where

1           that very specific language is in there,  
2           "permitting new or expanding landfills would be  
3           inconsistent with the goals of the Plan."

4                        So that's one.  Others?  That was the  
5           easy one.

6                        MR. McCORMICK:  The comment the man  
7           made -- and I don't even remember who it was --  
8           about the social part of the circles in our plan,  
9           is there any way we can address that one, too?

10                      CHAIRPERSON SHERMAN:  Well, if somebody  
11           wants to find that section and give me some -- give  
12           us some specific language that would tie to that,  
13           that would be helpful.  I don't have that in front  
14           of me right now.  I believe it's -- Sharon, if you  
15           could help me, it's in one of the appendices in  
16           particular.

17                      MS. SHARON SMITH:  And I'm not  
18           100 percent sure.  First of all, it's not 9-4, it's  
19           actually I, it's in the appendix, so it's 8-2 and  
20           I, as in indigo, dash four.

21                      But when you say "the circles," are you  
22           talking about the triple bomb line?

23                      CHAIRPERSON SHERMAN:  Yes.

24                      MR. DIEHL:  The triple bottom line is in  
25           Section 10.

1 MS. SHARON SMITH: Yes.

2 CHAIRPERSON SHERMAN: Okay.

3 Actually, Sharon, it is mentioned twice,  
4 at least on the page numbers that I have.

5 MS. SHARON SMITH: Oh, okay. My  
6 apologies.

7 CHAIRPERSON SHERMAN: Yeah, yeah.

8 So, yeah, if folks want to look at  
9 Section 10, if there's something -- some language  
10 in there that would make sense.

11 I do think -- I mean while someone is  
12 looking at that, I think that -- I'm not sure who  
13 said it but, you know, this is a Zero Waste Plan.  
14 And so the idea -- the intention -- our intention  
15 with this Plan is to move towards zero waste. And  
16 we -- and having a 12-year -- you know, a 12- to  
17 15-year expansion of a landfill is counter -- this  
18 is another way to say it -- is counter to the idea  
19 of moving towards zero waste.

20 MR. SULLIVAN: Isn't our plan to move  
21 towards zero waste over the course of 20 years?

22 CHAIRPERSON SHERMAN: Yes, it is.

23 MR. SULLIVAN: So then wouldn't it being  
24 expanded for 10 to 15 years mean that it would be  
25 closed or not permitted to be used anymore before

1 we hit the 20-year mark?

2 CHAIRPERSON SHERMAN: That's assuming  
3 that the 10- to 15-year -- the 12- to 15-year plan  
4 works. You know, I can't predict the future.

5 MR. SULLIVAN: Yeah, but wouldn't that  
6 come up before the Board again for another  
7 expansion, to which then at that expansion point  
8 you would say, "Well, no, our plan is to get to  
9 zero waste within 20 years, and an expansion beyond  
10 20 years does not do that."

11 CHAIRPERSON SHERMAN: If, in fact -- if,  
12 in fact, it was all that stop/start, I think -- I  
13 don't see how that -- how, if by allowing a  
14 landfill now, creates any opportunity to do  
15 anything except landfilling. And I don't -- And  
16 the idea -- Which we have -- you know, this Board  
17 has experience. This Board put out a 65 percent  
18 reduction in the previous plan. We never -- and it  
19 never got touched. And the reason why, cheap  
20 landfilling, and we knew that. And it doesn't  
21 matter what all -- what we all say --

22 Again, I'm just getting back to the --  
23 I'm getting back to some of the rhetoric on this.  
24 But the point is, if -- you know, if everybody --  
25 if the world was, you know, moving in some kind of

1 lockstep and we could, you know, see that  
2 happening, then, you know, Michael, I may go,  
3 "Yeah, that makes sense." I just don't believe,  
4 and I don't think that history of this Board, and  
5 seeing what's happened over the last 20 years, you  
6 know, that that doesn't play out that way. So  
7 there's a history here of it not playing out that  
8 way. I don't see what's going to change the  
9 history.

10 MR. SULLIVAN: I guess that just seems  
11 counter to then the question of: Does this fall  
12 within the Plan? It seems like more like that  
13 course of argument is not, does it fall within this  
14 plan, but how can we force this plan to make sure  
15 it works, because the last one didn't?

16 CHAIRPERSON SHERMAN: Our job -- Well,  
17 yeah. So your point is well taken, but it's a  
18 point, so --

19 MR. DIEHL: This is Robert. Let's just  
20 call it by any means necessary.

21 MS. LISA SMITH: I have the Plan in hand,  
22 which is literally called the Zero Waste Plan.

23 Section 5 refers to research and  
24 screening of diversion strategies. Well, if we  
25 found -- We've already discussed this. They've

1 already admitted that they don't have any other  
2 plan. They don't do any research, they don't have  
3 any other strategy to deal with the current solid  
4 waste that is inert materials that won't dissolve,  
5 then they -- and they don't have one for this  
6 additional 77 acres, could we find something in  
7 that section that would address it as well?

8 Including -- And then in Section 8  
9 there's a materials management and infrastructure  
10 section.

11 And Section 10 refers to the triple  
12 bottom line, and that's typically -- that typically  
13 includes the social impact.

14 CHAIRPERSON SHERMAN: Well, I'm looking  
15 for language, very specific language. We're  
16 getting to the point where we need to articulate  
17 what goes into a motion. Right now I have -- we  
18 have specific language about that the Plan speaks  
19 to the permitting new or expanding landfills would  
20 be inconsistent with the Plan -- with the Plan's  
21 goals, you know -- and that -- that feels pretty  
22 front and center for me.

23 And kind of behind that is somewhat, I  
24 would say, the looser language, but it captures the  
25 intent of what a Zero Waste Plan, it's our idea.



1 And in order for us to actually to move forward, we  
2 need to implement the Plan. And so this is part of  
3 the implementation, the part that we control.

4 MS. LISA SMITH: Correct. Correct.  
5 Because this is the Step 4. This is actually  
6 Step 4 of implementing this Plan.

7 CHAIRPERSON SHERMAN: Robert?

8 MR. DIEHL: One thing. In Section 7  
9 there is a table, Metro Council policies years two  
10 to four, strategy goal: To promote diversion from  
11 landfilling and material generated on Metro  
12 contract at construction sites. Never mind, that's  
13 Metro contracted. Sorry. I should have read it  
14 through.

15 CHAIRPERSON SHERMAN: Well -- and I think  
16 that -- Yeah. So I think there's a conversation  
17 about -- You know, this was -- this was laid out in  
18 a way that how we were -- how we saw things moving  
19 forward, given the circumstances at the time.  
20 Those circumstances have changed a bit, and that --  
21 So I'm more wedded to the zero waste and the  
22 different pieces that need to happen, meaning we  
23 need an ordinance, you know, we need to have a  
24 deposit system, we need to have, you know, the C&D  
25 transfer station. We know we need to have these

1 different pieces. We, as a community. And I just  
2 want to make sure that we set aside what we, as a  
3 community, have responsibility for and what we, as  
4 a board, have responsibility for. And I just bring  
5 it back to that point, and so I think we've made  
6 that.

7 So, you know, I'm still -- I don't know  
8 if, Jennifer or if anybody's -- you know, if any of  
9 you are like putting down the exact motion right  
10 now.

11 VICE CHAIR HACKETT: Well, can I drop a  
12 draft of all the things that have been said so far  
13 into the Q and A for us to be able to look at?

14 CHAIRPERSON SHERMAN: Are you asking me  
15 or did you just do that?

16 VICE CHAIR HACKETT: No. I mean I've  
17 done it, but I haven't hit "send" because I'm  
18 waiting for permission from somebody that that's an  
19 okay thing to do.

20 CHAIRPERSON SHERMAN: Send.

21 VICE CHAIR HACKETT: Okay.

22 MS. SHARON SMITH: Tara -- Wait a minute.  
23 Tara, would you weigh in?

24 MS. LADD: Teri, what do you think about  
25 that? Is that safe somehow?

1 MS. COSTONIS: It's a very interesting  
2 question actually, because there is a prohibition  
3 in the Open Meetings Act on electronic  
4 deliberation.

5 MS. LADD: Well, but we're not  
6 deliberating, we're just reading it.

7 MR. McCORMICK: Can we share her screen?  
8 Can she share her screen then instead of -- because  
9 I kind of think emailing it to us would violate  
10 public records law.

11 VICE CHAIR HACKETT: Why don't you just  
12 call it out?

13 MS. COSTONIS: It could be public record,  
14 you know.

15 MS. LISA SMITH: Yeah, just go ahead and  
16 call it out.

17 VICE CHAIR HACKETT: Absolutely. I'll  
18 call it out.

19 MS. COSTONIS: Maybe do both.

20 VICE CHAIR HACKETT: I can share my  
21 screen and talk at the same time?

22 CHAIRPERSON SHERMAN: I was thinking --  
23 Isn't the Q and A function on this, that's a public  
24 function. I'm seeing Q and A from the public, so  
25 is there any difference?

1 MS. COSTONIS: It is certainly a public  
2 record. I don't know to what extent it is retained  
3 beyond this meeting.

4 CHAIRPERSON SHERMAN: Oh, I see. I see.

5 MS. COSTONIS: But I mean I'm sure like  
6 anyone who wanted to see it could, like, take a  
7 screenshot and preserve it that way.

8 And perhaps, Sharon, you could do that  
9 for us as well.

10 But I just think it's a little bit --  
11 it's kind of ambiguous because we are already  
12 operating under the governor's executive order,  
13 because normally we can't even met electronically  
14 in the way that we are currently right now.

15 So, you know, they didn't envision this  
16 meeting in any way other than in person when they  
17 wrote the statute. And so meeting in a video  
18 conference format that has a chat feature is just  
19 not something that's contemplated in the Open  
20 Meetings Act at all. And the governor's executive  
21 order, while specifically allowing us to do this  
22 kind of meeting, doesn't really address the chat  
23 function feature, so it is hard to say.

24 But I would say as long as you also read  
25 it out loud and so -- and the public who are -- the

1 public who are on the meeting as attendees should  
2 be able to see the Q and A, if they participate.  
3 And also the members of the public who are  
4 participating by calling in would not be able to,  
5 but if they were listening they could hear it read  
6 out loud. So I'm thinking if you do both that  
7 would be eliminate the problem.

8 VICE CHAIR HACKETT: Great. Let's do  
9 both. I'm going to drop it in in three sections  
10 because it gives me a character limit.

11 MS. SHARON SMITH: Actually, do you mind  
12 sharing your screen? Because that way we could  
13 actually capture it, whereas I can't capture the  
14 message.

15 VICE CHAIR HACKETT: Yes. Can I get the  
16 power to be a screen sharer?

17 MS. SHARON SMITH: I am working on that  
18 right now.

19 MR. McCORMICK: Mr. Chairman, while  
20 they're doing that would one statement be possible,  
21 that -- I think it starts in Appendix F where we're  
22 getting to the goals of the Zero Waste Plan.

23 CHAIRPERSON SHERMAN: Uh-huh.

24 MR. McCORMICK: Nowhere in the goals to  
25 get to zero waste does it mention to expand the

1 landfill.

2 CHAIRPERSON SHERMAN: Sure. That's  
3 another point; right?

4 MS. SHARON SMITH: Jennifer, you should  
5 be good to go.

6 VICE CHAIR HACKETT: Okay.

7 MS. LISA SMITH: While she's sharing, in  
8 Section 5 of the research, screening of diversion  
9 strategies. In the study there's a list of  
10 materials that were prioritized to be diverted, and  
11 one of -- and -- because of the greenhouse gases  
12 that they produce, and those materials are clearly  
13 stated as C&D. And that's on the first page of  
14 Section 5. And having a landfill to increase C&D  
15 would definitely go against the priority of  
16 diverting those things.

17 CHAIRPERSON SHERMAN: So, Jeff, I want to  
18 get back to your point.

19 This is really great, Jennifer, that  
20 you're capturing this.

21 VICE CHAIR HACKETT: Sure.

22 CHAIRPERSON SHERMAN: Jeff, you mentioned  
23 that in Appendix F, just going back to that, that  
24 in there -- Can you articulate -- say that again?  
25 I don't want have the Appendix up in front of me

1 right now.

2 MR. McCORMICK: In the goals of the Plan  
3 of getting to zero waste I don't see anywhere that  
4 it's ever mentioned to expand the landfill. That  
5 was never mentioned as a goal of the Plan or  
6 anything.

7 VICE CHAIR HACKETT: So -- But do we want  
8 to go with concrete things it says, rather than  
9 things that it doesn't say?

10 MR. McCORMICK: You want to go with what  
11 will hold up in court, so they're going to look at  
12 our plan and tear it apart.

13 MR. DIEHL: Yeah. And I would say again,  
14 getting back to their own position paper, that when  
15 they mentioned that one section about expanding  
16 landfills would be inconsistent, blah-blah-blah,  
17 that's the one place that they feel like, you know,  
18 we can approve, based on that. They will argue  
19 that language in court, my opinion.

20 VICE CHAIR HACKETT: The position paper  
21 of Waste Management indicates what, Robert?

22 MR. DIEHL: Jennifer, it's on Page 12 of  
23 13.

24 VICE CHAIR HACKETT: So my -- I'm doing  
25 it electronically. My document is -- so I can't do

1 both the screen sharing and the looking at the  
2 document at the same time.

3 MR. DIEHL: Well, their position paper  
4 that they submitted says, Further, the Plan  
5 language says that, quote, expanding landfills  
6 would be inconsistent, in bold, with the goals of  
7 the Plan, unquote. The phrase "would be" is  
8 written in the future tense. The only way the  
9 future tense language makes sense is to tie that  
10 language back to the assumption made in the  
11 preceding sentence which states that Metro is  
12 aggressively reworking to reduce reliance on  
13 landfills.

14 So that's what they are going to --  
15 that's what they are going to argue.

16 MS. LISA SMITH: I would come back to  
17 that and use that Section 5. However, preceding,  
18 the future tense of that statement, is the fact  
19 that we had to research and outline materials that  
20 would be diverted, and one of those materials  
21 includes C&D.

22 So even if there's a future tense through  
23 this expansion or if they are adding landfills, we  
24 outlined those particular items before, that we  
25 wanted those diverted, and for that to start as



1 soon as we implemented the Plan.

2 MR. DIEHL: Lisa, I agree with you  
3 wholeheartedly. I think it could be argued that  
4 the only reason -- the reason why we used that type  
5 of language was because there was no expansion  
6 before us at that moment in time.

7 MS. LISA SMITH: Exactly.

8 MR. DIEHL: Or that we foresaw that  
9 possibility and determined that it would be  
10 inconsistent with the Plan.

11 MS. LISA SMITH: Exactly.

12 And then just -- And if they did get that  
13 specific about the contents of the landfill, then  
14 we have -- we foresaw that somebody like Waste  
15 Management or considering the development of Middle  
16 Tennessee and the explosive growth, that there  
17 would be a need, so we had to identify items that  
18 could be diverted.

19 Oh, I found the triple bottom line  
20 section, too. In Section 10, that their expansion  
21 is inconsistent with the triple bottom line  
22 reference in our plan, because the triple bottom  
23 line clearly speaks to economic, environmental, and  
24 social impact. And the expansion, it affects all  
25 three.

1           Economically, developers have already  
2           said they are not going to put any shopping malls  
3           out there, they are not going to put a grocery  
4           store out there.

5           And then socially, families aren't moving  
6           back.

7           And then environmentally, it's causing  
8           that area, one of the ZIP Codes of that area, to  
9           have the highest rate of asthma for children in the  
10          whole state.

11          CHAIRPERSON SHERMAN: Thank you,  
12          Jennifer.

13          VICE CHAIR HACKETT: Should I read this  
14          out loud yet to give the public an idea who is  
15          listening in on the phone?

16          CHAIRPERSON SHERMAN: Yes. Yes. Please  
17          do. Yeah, yeah.

18          VICE CHAIR HACKETT: So at the moment  
19          we're working with a draft that says someone will  
20          make a motion to deny the application because the  
21          Plan outlines clearly that permitting new or  
22          existing landfills would be inconsistent with the  
23          goals of the Plan, as outlined on Page 8-2 and 9-4,  
24          as well as in I.

25          The position paper --

1 MS. SHARON SMITH: I-4.

2 VICE CHAIR HACKETT: I-4.

3 CHAIRPERSON SHERMAN: And we could say,  
4 as outlined in the zero waste in the Plan -- Well,  
5 I guess we talk about -- We ought to just make sure  
6 we're talking about the Plan, so cap, upper case.  
7 I'm interrupting you, Sharon -- I mean Jennifer.  
8 Keep on going.

9 VICE CHAIR HACKETT: Upper case I, is  
10 that what you mean?

11 CHAIRPERSON SHERMAN: And P, because  
12 that's -- the Plan, it's a formal document.

13 VICE CHAIR HACKETT: Like making a  
14 capital C for church here. Okay.

15 All right. The position paper of Waste  
16 Management indicates, quote, existing landfills  
17 would be inconsistent with the goals of the Plan.  
18 After which they argue the tense of the language,  
19 which is inconsistent with the spirit of the Plan.  
20 There was no expansion at that moment the Plan --  
21 at the moment that the Plan was written and  
22 approved. The Plan was written with that language  
23 in order to prevent just such -- just this kind of  
24 expansion request.

25 Section 5 refers to research and

1 diversion strategies, and the presentation today  
2 did not show us any other strategies to deal with  
3 the current solid waste that has inert materials  
4 that won't dissolve. Having a landfill to increase  
5 construction and demolition, C&D, would go against  
6 the priority of diverting C&D as outlined in this  
7 section.

8 With regard to the triple bottom line  
9 found in Section 10 on Page 12, the social impact  
10 is part of the Plan and has been clearly  
11 articulated as inconsistent during the public  
12 comment period of the meeting held March 24th,  
13 2021, as well as many previous meetings that were  
14 cited during the public comment period. Health  
15 concerns, liveability, home resale value were all  
16 mentioned.

17 The Plan itself is called the Zero Waste  
18 Plan, and this Plan does not -- and this proposal  
19 does not move us toward that goal.

20 MS. LISA SMITH: And, Jennifer, probably  
21 in that -- where you have the second paragraph, the  
22 last sentence, "the Plan was written that language  
23 in order to prevent just this kind of expansion  
24 request" as evidenced by Section 5. And then  
25 Section 5 refers to research and et cetera, et

1 cetera.

2 And then in the last full paragraph, the  
3 last sentence, use the words that we use in the  
4 Plan, that those concerns directly address -- those  
5 are environmental and economic concerns.

6 MR. McCORMICK: Jennifer, I still think  
7 you can add a sentence that says, In the goals  
8 mentioned to obtaining zero waste in the Plan,  
9 nowhere was it mentioned the expansion or addition  
10 of new landfills.

11 CHAIRPERSON SHERMAN: Right.

12 VICE CHAIR HACKETT: Nowhere in the Plan,  
13 what? Tell me one more time, Jeff.

14 MR. McCORMICK: In the goals of the Plan  
15 to achieve zero waste.

16 VICE CHAIR HACKETT: Okay.

17 MS. LISA SMITH: That the Plan doesn't  
18 account for or provide for expansion -- new  
19 landfills and expansion of old ones or whatever.

20 What do you think, Jeff?

21 MR. McCORMICK: Either way is fine with  
22 me. It just wasn't in the goals anywhere.

23 VICE CHAIR HACKETT: Okay. So the goals  
24 of the Plan do not provide for --

25 MS. LISA SMITH: The addition or

1 expansion of landfills.

2 VICE CHAIR HACKETT: How's that?

3 Oh, sorry, public. Public, we changed  
4 the last paragraph to say, "The Plan is called the  
5 Zero Waste Plan, and this proposal does not move us  
6 toward that goal. The goals of the Plan do not  
7 provide for the addition or expansion of landfills.  
8 To approve this proposal would contradict the Plan,  
9 both in spirit and in letter."

10 MR. SULLIVAN: I have to throw out there  
11 that we continually, throughout this motion, use  
12 "zero waste" and "towards that goal," but we don't  
13 actually specify that zero waste is 90 percent  
14 diversion, not 100 percent, and that that Zero  
15 Waste Plan does include landfills. If you're going  
16 to -- 90, where is that other 10 percent going to  
17 go? It's got to go to a landfill.

18 So I'm just -- you know, we keep saying  
19 towards that goal of zero. I think somewhere in  
20 that motion I think it's necessary then for it to  
21 say that zero waste, defined as a 90 percent  
22 diversion from landfills.

23 MR. McCORMICK: Well, I still argue that  
24 it didn't mean -- Yes, would you use landfills, but  
25 it still didn't -- we didn't add or expand any

1 existing landfills.

2 MS. LISA SMITH: Exactly.

3 VICE CHAIR HACKETT: So I'm just the  
4 typist. Tell me if we want to include that  
5 language or if we don't feel good about it. How  
6 should we move from here?

7 MS. LISA SMITH: I would say no. And  
8 then just refer -- you know, refer people to an  
9 electronic or a hard copy of the Plan. Because,  
10 you know, if we're saying zero waste, then we come  
11 back and say zero equals 90 percent, that's not  
12 going to look -- I mean I don't know, that' -- I  
13 don't know.

14 I mean because I totally get it. I  
15 totally get it, what you're saying about where's  
16 the other 10 percent going to come from. But like  
17 Jeff is saying, you know, we're not saying no  
18 landfills, no landfills, we're just now saying no  
19 new ones and no expansion of existing ones.

20 CHAIRPERSON SHERMAN: But I think -- I  
21 think that's a good point, Lisa, and I think  
22 that it's -- This point about zero waste, that has  
23 been talked about a lot in the Plan and we talked a  
24 lot in the thing -- during all the public hearings.  
25 And it's about the residual. It doesn't -- we're

1 not saying is a residual -- C&D as a residual of  
2 municipal, we're just saying residual. So I would  
3 prefer not to have it in here myself.

4 MR. DIEHL: I agree, John. I think that  
5 what Jennifer has added at the bottom should  
6 suffice. Because if anybody has any questions  
7 about any of this, they can go themselves and --  
8 via the link.

9 VICE CHAIR HACKETT: And so the for  
10 public I've added, "The Plan is publically posted  
11 and can be seen at" this link, which I guess maybe  
12 I should read out. Oh, my God.

13 <https://www.nashville.gov/Portals/0> or zero --

14 MR. DIEHL: That's zero.

15 VICE CHAIR HACKETT: -- SiteContent --  
16 0/SiteContent/pw/docs/recycle/MasterPlan/SWMP%20ES\_  
17 Final.pdf.

18 CHAIRPERSON SHERMAN: Thank you,  
19 Jennifer.

20 VICE CHAIR HACKETT: I mean -- Yeah, are  
21 we good with this or do we need to make commas?  
22 Like help me with the grammar here. Oh, yeah, that  
23 needs to be over here. Okay.

24 CHAIRPERSON SHERMAN: And I think that we  
25 have to -- we have to -- it would be something



1 along the lines of, too, is that -- you know, to --  
2 you know, that whoever makes a motion to deny the  
3 application of the Southern Services Landfill from  
4 Waste Management, you know, so just getting that  
5 language in there.

6 MR. DIEHL: Also, Jennifer, the first  
7 time you mentioned the Plan in the first paragraph  
8 you might say, the Metro Solid Waste Master Plan.

9 CHAIRPERSON SHERMAN: Uh-huh.  
10 Metropolitan Nashville and -- Nashville and  
11 Davidson County Solid Waste Master Plan. Oh, and  
12 achieving zero waste.

13 VICE CHAIR HACKETT: What's it called,  
14 the Metropolitan and Davidson --

15 CHAIRPERSON SHERMAN: Nashville and  
16 Davidson County --

17 MR. DIEHL: Metropolitan Nashville and  
18 Davidson County, yeah, Solid Waste Master Plan. I  
19 wouldn't go -- Well, I would just go --

20 CHAIRPERSON SHERMAN: It's part of the  
21 title of it. I'm just looking -- I'm looking at  
22 the title.

23 MR. DIEHL: (Inaudible) the title, yeah.

24 VICE CHAIR HACKETT: What's after the  
25 colon?

1                   CHAIRPERSON SHERMAN: Achieving zero  
2 waste.

3                   MR. DIEHL: Achieving zero waste.

4                   VICE CHAIR HACKETT: All right.

5                   CHAIRPERSON SHERMAN: It's mostly just  
6 being really clear about what we're talking about  
7 here, and that's upper case, the waste, too.

8                   MS. LOCKETT: Yeah, "W" is upper case.

9                   VICE CHAIR HACKETT: I was just trying to  
10 minimize it.

11                   CHAIRPERSON SHERMAN: I know. Maybe you  
12 could hyperlink it.

13                   VICE CHAIR HACKETT: I could hyperlink  
14 it.

15                   CHAIRPERSON SHERMAN: I'm only kidding.  
16 I know -- I'm getting a little slappy here. It's  
17 7:30. We've been at it for a while.

18                   MR. DIEHL: You might italicize -- you  
19 might italicize the title of the Plan, too.

20                   MS. LISA SMITH: Yeah. Or put some  
21 quotation marks around it or something.

22                   MR. DIEHL: Yeah.

23                   VICE CHAIR HACKETT: How's that?

24                   CHAIRPERSON SHERMAN: Well, you've got  
25 Waste Management. You want to start that with the

1 Metro Nashville --

2 VICE CHAIR HACKETT: I sure did. Let me  
3 un live link that. Hum, how do I do that?

4 CHAIRPERSON SHERMAN: Whoop.

5 MS. LISA SMITH: The chain. The "X"  
6 through the chain is undo.

7 VICE CHAIR HACKETT: Oh.

8 MS. LISA SMITH: I think so. Highlight  
9 it again. There you go. I think the --

10 VICE CHAIR HACKETT: All right. I've got  
11 to grab the link again.

12 Boy, if the public is still is listening,  
13 I apologize for how boring this is.

14 CHAIRPERSON SHERMAN: Bear with us. This  
15 is --

16 (A discussion was held off the record.)

17 CHAIRPERSON SHERMAN: So, Marta, this is  
18 John Sherman, and I believe we are -- we are done,  
19 I think. I think that we might want to -- Yeah, I  
20 don't know if we need to actually assert the state  
21 code in here.

22 Tara, do we need to put something  
23 about -- reference the state code on this?

24 MS. LADD: No.

25 CHAIRPERSON SHERMAN: No? Okay.

1 MR. DIEHL: One more thing, Jennifer. In  
2 the last paragraph, the Plan itself is called the  
3 Zero Waste Plan. I mean I would be consistent,  
4 making that achieving zero waste or -- I don't  
5 know, you could capitalized the "W" and the "P" in  
6 Waste and Plan.

7 CHAIRPERSON SHERMAN: Either that you or  
8 you just put Plan, in parenthesis, after the first  
9 time we title it in the first paragraph, and after  
10 that we just -- Okay. You got it. Good. Yeah.

11 MR. DIEHL: And, I'm sorry, that was  
12 Robert Diehl.

13 VICE CHAIR HACKETT: Okay. This is  
14 Jennifer.

15 MR. GRIMES: This is Dale Grimes.

16 Do you need, in the first sentence there,  
17 the first line, to say, The application of the  
18 Southern Services Landfill for an expansion? What  
19 the application was for, to expand the landfill,  
20 something like that?

21 CHAIRPERSON SHERMAN: Yeah.

22 VICE CHAIR HACKETT: Do we need to name  
23 the landfill? This is Jennifer.

24 CHAIRPERSON SHERMAN: We did. Southern  
25 Services Landfill.

1 VICE CHAIR HACKETT: Oh, okay.

2 CHAIRPERSON SHERMAN: This is John.

3 VICE CHAIR HACKETT: Tell me when you're  
4 ready for me to read it aloud. This is Jennifer,  
5 sorry. Or if it's time to read it aloud by making  
6 the motion.

7 CHAIRPERSON SHERMAN: I think it's time  
8 to actually make a motion. And I'm -- I don't  
9 know -- Jennifer, since you've been the author of  
10 this, would you like to make the motion?

11 VICE CHAIR HACKETT: This is Jennifer  
12 Hackett, and I would like to make it clear that we  
13 have collectively authored this document. I have  
14 gladly offered my public service of my fingers and  
15 my own brain power, but this is definitely a team  
16 effort and I'm grateful for all of you. I would  
17 love to make the motion.

18 CHAIRPERSON SHERMAN: Please do.

19 VICE CHAIR HACKETT: "I make a motion to  
20 deny the application of the Southern Services  
21 Landfill from Waste Management for an expansion of  
22 their existing landfill because the Metropolitan  
23 Nashville and Davidson County Solid Waste Plan:  
24 Achieving Zero Waste, outlines clearly that  
25 permitting new or existing landfills would be

1 inconsistent with the goals of the Plan as outlined  
2 on Page 8-2 and 9-4, as well as I-4 within the  
3 Plan."

4 "The position paper of Waste Management  
5 indicates 'expanding landfills would be  
6 inconsistent with the goals of the Plan,' after  
7 which they argue the tense of the language, which  
8 is inconsistent with the spirit of the Plan -- as  
9 there was no expansion at that moment the Plan was  
10 written and approved. The Plan was written with  
11 that tense language in order to prevent just this  
12 kind of expansion request, as evidenced by  
13 Section 5."

14 "Section 5 refers to research and  
15 diversion strategies, and the presentation today  
16 did not show us any other strategies to deal with  
17 the current solid waste that has inert materials  
18 that won't dissolve. Having a landfill to increase  
19 construction and demolition, C&D, would go against  
20 the priority of diverting C&D, as outlined in this  
21 section."

22 "With regard to the triple bottom line  
23 found in Section 10 on Page 12, the social impact  
24 is part of the Plan and has been clearly  
25 articulated as inconsistent during the public

1 comment period of the meeting held on March 24th,  
2 2021, as well as many previous meetings that were  
3 cited during the public comment period. Health  
4 concerns, liveability, home resale value were all  
5 mentioned. Those concerns are also environmental  
6 and economic, as well as social, which are all  
7 outlined in the Plan."

8 "The Plan itself is called the Achieving  
9 Zero Waste Plan, and this proposal does not move us  
10 toward the goal of achieving zero waste. The goals  
11 of the Plan do not provide for the addition or  
12 expansion of landfills. To approve this proposal  
13 would contradict the Plan, both in spirit and in  
14 letter. The Plan is publically posted and can be  
15 seen at" this link. Should I say the link all over  
16 again?

17 MR. DIEHL: I wouldn't. That was Robert.

18 CHAIRPERSON SHERMAN: I agree. I mean  
19 we've mentioned it twice already. It's publicly  
20 posted.

21 MR. DIEHL: Okay. So there was a --

22 CHAIRPERSON SHERMAN: Hold on. I'm  
23 looking for a second. There's a motion on the  
24 floor. We need a second and then we can go in and  
25 do some conversation.

1 MR. DIEHL: Okay.

2 MS. LOCKETT: Before we do that, though  
3 -- this is Midroi -- there is a little bit of  
4 clarity issue in the fourth paragraph with regard  
5 to the bottom line found in Section 10 on Page 12,  
6 the social impact, as part of the Plan, and has  
7 been clearly articulated as inconsistent during the  
8 public comment.

9 We're talking about the Plan has been  
10 inconsistent or the position paper has been  
11 inconsistent?

12 MS. LISA SMITH: They're expanding the --  
13 The expansion is --

14 CHAIRPERSON SHERMAN: Inconsistent.

15 MS. LISA SMITH: -- inconsistent.

16 MS. LOCKETT: Okay. We need to state  
17 that then, because it's not clear.

18 MS. LISA SMITH: Okay. Okay.

19 CHAIRPERSON SHERMAN: So, Jennifer, as  
20 the maker of the motion are you willing to make  
21 that change?

22 VICE CHAIR HACKETT: I am if I can figure  
23 out where -- what words to put where.

24 CHAIRPERSON SHERMAN: Okay. Is that  
25 Midroi?



1 MS. LOCKETT: Yes.

2 CHAIRPERSON SHERMAN: Yeah. Could  
3 you --

4 MS. LOCKETT: Yes, with regards to the  
5 triple bottom plan, the social impact is part of  
6 the Plan and the expansion of the Southern,  
7 whatever, Services Landfill --

8 CHAIRPERSON SHERMAN: Uh-huh.

9 MS. LOCKETT: -- has been clearly  
10 articulated as inconsistent.

11 VICE CHAIR HACKETT: Inconsistent with --

12 CHAIRPERSON SHERMAN: The Plan.

13 MS. LOCKETT: During the public comment  
14 period of the meeting.

15 VICE CHAIR HACKETT: Right. I was just  
16 wondering if we needed a "with" here. Does that  
17 make sense?

18 CHAIRPERSON SHERMAN: I would say with  
19 the Plan, just to be sure. There's no -- We want  
20 to be redundant. I mean there's no reason not to  
21 be redundant.

22 MR. DIEHL: This is Robert. Should we  
23 say, The social impact of landfill expansion is  
24 part of the Plan?

25 MS. LISA SMITH: Uh, wait a minute.

1 Let's go back.

2 MR. DIEHL: The potential social impact  
3 of landfill expansion, maybe.

4 MS. LISA SMITH: Right. The expansion --  
5 an expansion -- or an expansion of the landfill.

6 MR. DIEHL: Yeah. I'm sorry.

7 MS. LISA SMITH: Uh-huh. I would say --  
8 instead of the potential I would say an expansion  
9 of the landfill, uh-huh, is -- an expansion of the  
10 landfill is clearly inconsistent with the Plan, as  
11 clearly articulated at public meetings, et cetera,  
12 et cetera.

13 VICE CHAIR HACKETT: I think we need a  
14 period.

15 MS. LISA SMITH: Well, I think maybe that  
16 -- and take that part out, all the way up to "has  
17 been clearly articulated as consistent."

18 VICE CHAIR HACKETT: I'm sorry, tell me  
19 which words to take out.

20 MS. LOCKETT: The expansion of the  
21 Southern Services Landfill --

22 MS. LISA SMITH: Uh-huh.

23 MS. LOCKETT: -- take out those words.

24 MS. LISA SMITH: Yeah, that. And then  
25 keep going.

1 MS. LOCKETT: Yeah.

2 MS. LISA SMITH: There. Okay, there you  
3 go.

4 VICE CHAIR HACKETT: Clearly articulated  
5 as inconsistent in the Plan during the public  
6 comment period of the meeting held.

7 Does that flow now?

8 CHAIRPERSON SHERMAN: I'm still confused  
9 by the first clause. The social impact of an  
10 expansion of the landfill is inconsistent with the  
11 Plan has been clearly articulated.

12 MR. DIEHL: Take out "is inconsistent  
13 with the Plan," the first one.

14 CHAIRPERSON SHERMAN: Right. Right.  
15 There you go.

16 MR. DIEHL: Yeah.

17 CHAIRPERSON SHERMAN: Or do you just want  
18 to say, take out the Plan, because that's been  
19 articulated --

20 VICE CHAIR HACKETT: I think we need  
21 leave social aspect of an expansion of the land --

22 MS. LISA SMITH: Okay. Gotcha, gotcha.  
23 The negative social impact of an expansion of the  
24 landfill has been clearly -- Okay. Okay.

25 VICE CHAIR HACKETT: And then is there

1 anything else, just looking it over one more time?

2 MS. LISA SMITH: The last -- the last  
3 paragraph of that -- I mean the last sentence of  
4 that paragraph, it should state, Therefore, the  
5 concerns are all -- the concerns are environmental,  
6 economic, and social. The concerns are  
7 environmental, economic, and social impact.

8 CHAIRPERSON SHERMAN: Which are all  
9 outlined in the Plan, yeah.

10 MS. LISA SMITH: Uh-huh.

11 CHAIRPERSON SHERMAN: Well, since we --  
12 since we -- Let's take one more shot at this, make  
13 sure everybody feels clear so when we rearticulate  
14 -- restate the motion, Jennifer, then we'll be  
15 done. So I just want to make sure if there's  
16 anything else that we see as needing further  
17 clarification.

18 MR. DIEHL: Could I ask one question?  
19 This is Robert Diehl again.

20 In the first paragraph it says Page --  
21 Pages 8-2 and 9-4. Is that not Section 8-2 and  
22 9-4?

23 CHAIRPERSON SHERMAN: It is.

24 VICE CHAIR HACKETT: It is?

25 CHAIRPERSON SHERMAN: That's section or

1 chapter. I'll find out what they call it here.

2 They call them sections. You're right,  
3 Robert.

4 MR. DIEHL: Yeah.

5 And one more thing, Jennifer.

6 VICE CHAIR HACKETT: Yeah.

7 MR. DIEHL: You've got a double space in  
8 the lower paragraph before "to approve this  
9 proposal would contradict the Plan." You might  
10 want to cut out one of those spaces.

11 VICE CHAIR HACKETT: Am I sending this  
12 somewhere, to someone?

13 CHAIRPERSON SHERMAN: I think this is  
14 going to be captured first by -- this will be  
15 captured by the stenographer and -- so that's the  
16 official record. So we just need to say -- repeat  
17 the motion. And I would make sure that every --  
18 before you do that, everybody read it through one  
19 more time, and then see if there's anything else  
20 you want changed before Jennifer restates her  
21 motion.

22 MS. LISA SMITH: Sorry, I have one more  
23 thing.

24 VICE CHAIR HACKETT: Sure.

25 MS. LISA SMITH: In that last sentence,



1 was no expansion"? Okay?

2 CHAIRPERSON SHERMAN: Yeah. Everybody  
3 okay?

4 All right. Jennifer, please restate your  
5 motion.

6 VICE CHAIR HACKETT: I will.

7 CHAIRPERSON SHERMAN: Yeah.

8 VICE CHAIR HACKETT: This is Jennifer  
9 Hackett. "I make a motion to deny the application  
10 of the Southern Services Landfill from Waste  
11 Management for an expansion of their existing  
12 landfill because the Metropolitan Nashville and  
13 Davidson County Solid Waste Plan: Achieving Zero  
14 Waste outlines clearly that permitting new or  
15 existing landfills would be inconsistent with the  
16 goals of the Plan as outlined in Section 8-2 and  
17 9-4, as well as I-4, within the Plan."

18 "The position paper of Waste Management  
19 indicates, quote, expanding landfills would be  
20 inconsistent with the goals of the Plan, after  
21 which they argue the tense of the language, which  
22 is inconsistent with the spirit of the Plan - as  
23 there was no expansion at that moment the Plan was  
24 written and approved. The Plan was written with  
25 that language in order to prevent just this kind of

1 expansion request as evidenced by Section 5."

2 Section 5 refers to research and  
3 diversion strategies, and the presentation today  
4 did not show us any other strategies to deal with  
5 the current solid waste that has inert materials  
6 that won't dissolve. Having a landfill to increase  
7 construction and demolition, C&D, would go against  
8 the priority of diverting C&D as outlined in this  
9 section."

10 "With regard to the triple bottom  
11 line --" Holdup you-all. We have to say the word  
12 "waste."

13 CHAIRPERSON SHERMAN: Very good.

14 VICE CHAIR HACKETT: We can't just say  
15 construction and demolition.

16 From the top, and a little faster.

17 "I make a motion to deny the application  
18 of the Southern Services Landfill from Waste  
19 Management for an expansion of their existing  
20 landfill because the Metropolitan Nashville and  
21 Davidson County Solid Waste Plan: Achieving Zero  
22 Waste outlines clearly that permitting new or  
23 existing landfills would be inconsistent with the  
24 goals of the Plan as outlined in Section 8-2 and  
25 9-4, as well as I-4 within the Plan."



1           "The position paper of Waste Management  
2 indicates, quote, expanding landfills would be  
3 inconsistent with the goals of the Plan, end  
4 quote, after which they argue the tense of the  
5 language, which is inconsistent with the spirit of  
6 the Plan - as there was no expansion at that moment  
7 the Plan was written and approved. The Plan was  
8 written with that language in order to prevent just  
9 this kind of expansion request as evidenced by  
10 Section 5."

11           "Section 5 refers to research and  
12 diversion strategies, and the presentation today  
13 did not show us any other strategies to deal with  
14 the current solid waste that has inert materials  
15 that won't dissolve. Having a landfill to increase  
16 construction and demolition waste, C&D, would go  
17 against the priority of diverting C&D as outlined  
18 in this section."

19           "With regard to the triple bottom line  
20 found in Section 10 on Page 12, the negative social  
21 impact of an expansion of the landfill has been  
22 clearly articulated as inconsistent in the Plan  
23 during the public comment period of the meeting  
24 held March 24th, 2021, as well as many previous  
25 meetings that were cited during the public comment

1 period. Health concerns, liveability, home resale  
2 value were all mentioned; therefore, the concerns  
3 are environmental, economic, and social, which are  
4 all outlined in the Plan."

5 "The Plan itself is called" Achieving  
6 Zero "-- The Achieving Zero Waste Plan, and this  
7 proposal does not move us toward that goal of  
8 achieving zero waste. The goals of the Plan do not  
9 provide for the addition or expansion of landfills.  
10 To approve this proposal would contradict the Plan,  
11 both in spirit and in letter."

12 "The Plan is publically posted and can be  
13 seen at" the link where you can find it.

14 CHAIRPERSON SHERMAN: Very good. Thank  
15 you, Jennifer. I will entertain a second.

16 MR. DIEHL: Robert Diehl again. I don't  
17 see a Page 12 in Section 10.

18 VICE CHAIR HACKETT: Okay.

19 MS. LISA SMITH: It's Section 10.3 -- I  
20 mean 10.2.

21 MR. DIEHL: 10-2. Section 10-2.

22 MS. LISA SMITH: Section 10-2.

23 VICE CHAIR HACKETT: Is that on Page 12?

24 MS. LISA SMITH: Uh, I don't have a page  
25 number.

1 MR. DIEHL: I don't have a page number  
2 either.

3 VICE CHAIR HACKETT: Well, I'll just get  
4 rid of that, then.

5 MR. DIEHL: And that was Robert Diehl.  
6 Yeah, Section 10-2.

7 And, Jennifer, one more thing. When  
8 you're quoting the position paper from --

9 VICE CHAIR HACKETT: Uh-huh.

10 MR. DIEHL: -- and my screen now, I don't  
11 have your thing in front of me, but it says, Since  
12 there was no landfill at that time -- or no  
13 expansion at that time, maybe we should say no  
14 proposed expansion at that time.

15 Do you see in the second paragraph? As  
16 there was no expansion at that moment, the Plan was  
17 written and approved. Should we say, "As there was  
18 no proposed expansion at that moment, the Plan was  
19 written and approved"?

20 CHAIRPERSON SHERMAN: It certainly  
21 clarifies it. It makes that much clearer.

22 MR. DIEHL: Yeah. Sorry to do that to  
23 you.

24 CHAIRPERSON SHERMAN: The two changes  
25 that just -- There are two tweaks to the motion.

1 One, about adding the term "proposed," about the  
2 proposed expansion at the moment the Plan was  
3 written and approved, and the second one was moving  
4 it from Section 10-12 to Section 10-2 in  
5 Paragraph 4 of the motion.

6 With those changes to it I think it's  
7 fair just for me to ask for a second of this motion  
8 offered by Jennifer Hackett.

9 MS. LISA SMITH: I second. Lisa Smith.

10 CHAIRPERSON SHERMAN: Lisa Smith seconds  
11 it. We're going to -- Given that we've already had  
12 plenty of conversation, I'm not going to call for  
13 now anymore at this moment. We're going to go to a  
14 role call vote.

15 Sharon, are you there?

16 MS. SHARON SMITH: I'm here. And just  
17 before I start, Jennifer, if you could email this  
18 file -- or this wording to me so we can keep it for  
19 the record.

20 VICE CHAIR HACKETT: All right. The  
21 Nashville Fire Department just went by. Where do  
22 you want me to email it, Sharon?

23 MS. SHARON SMITH: Just email it to me at  
24 my address. Yes, thank you.

25 VICE CHAIR HACKETT: And should I stop

1 sharing now the screen?

2 MS. SHARON SMITH: Yes, you can.

3 All right. So we're going to take a  
4 vote.

5 Damita Beck-Taylor.

6 MS. BECK-TAYLOR: Sharon, sorry, a  
7 question. So the vote is to approve the motion  
8 that we just submitted; yes?

9 MS. SHARON SMITH: Yes.

10 CHAIRPERSON SHERMAN: Yeah, it's to  
11 approval denial.

12 MS. BECK-TAYLOR: Approve.

13 MS. SHARON SMITH: Okay. Robert Diehl?

14 MR. DIEHL: Aye.

15 MS. SHARON SMITH: Dale Grimes?

16 MR. GRIMES: Aye.

17 MS. SHARON SMITH: Midroi Lockett?

18 MS. LOCKETT: Aye.

19 MS. SHARON SMITH: Jeff McCormick?

20 MR. McCORMICK: Aye.

21 MS. SHARON SMITH: Beth Reardon?

22 MS. REARDON: Aye.

23 MS. SHARON SMITH: Jason Repsher?

24 MR. REPSHER: Aye.

25 MS. SHARON SMITH: John Sherman?

1 CHAIRPERSON SHERMAN: Aye.

2 MS. SHARON SMITH: Lisa Smith seconded.  
3 Michael Sullivan?

4 MR. SULLIVAN: Nay.

5 MS. SHARON SMITH: All right. Thank you.

6 CHAIRPERSON SHERMAN: So the ayes have  
7 it. The motion to deny the application has been  
8 carried. That is the final responsibility for our  
9 Board tonight.

10 If they are seeing no other business, I  
11 will -- before I entertain a motion to adjourn the  
12 meeting I want to first thank the public for  
13 hanging in there over this long period, and thank  
14 all of our elected representatives as well.

15 This is -- this is -- we take this  
16 responsibility seriously and we're glad that you  
17 were here to participate and add your comments.

18 With that, thank you, Board, for your  
19 good and very thoughtful work, and now I would  
20 entertain a motion to adjourn.

21 MR. DIEHL: Move to adjourn. Robert  
22 Diehl.

23 MS. LISA SMITH: Second. Lisa Smith.

24 CHAIRPERSON SHERMAN: Moved and seconded.  
25 We need to do the role call one last time. Sharon.

1 MS. SHARON SMITH: Yes.

2 Damita Beck-Taylor?

3 MS. BECK-TAYLOR: Aye.

4 MS. SHARON SMITH: Dale Grimes?

5 MR. GRIMES: Aye.

6 MS. SHARON SMITH: Jennifer Hackett?

7 VICE CHAIR HACKETT: Aye.

8 MS. SHARON SMITH: Midroi Lockett?

9 MS. LOCKETT: Aye.

10 MS. SHARON SMITH: Jeff McCormick?

11 MR. McCORMICK: Aye.

12 MS. SHARON SMITH: Beth Reardon?

13 MS. REARDON: Aye.

14 MS. SHARON SMITH: Jason Repsher?

15 MR. REPSHER: Aye.

16 MS. SHARON SMITH: John Sherman?

17 CHAIRPERSON SHERMAN: Aye.

18 MS. SHARON SMITH: Ms. Smith seconded.

19 And Michael Sullivan?

20 MS. LISA SMITH: Today is my birthday.

21 MS. SHARON SMITH: Michael Sullivan?

22 MS. LISA SMITH: I'm sorry.

23 CHAIRPERSON SHERMAN: Michael, you're

24 muted.

25 We have a quorum without Michael.

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MS. SHARON SMITH: Yeah.

CHAIRPERSON SHERMAN: So the ayes have it, the meeting is officially adjourned. Thank you again everyone, and we will keep you posted on our next steps with what's happening with the Plan.

Good evening. Go enjoy your meal. Thank you.

(Meeting was adjourned at 7:58 p.m.)



**REPORTER'S CERTIFICATE**

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a licensed court reporter in and for the State  
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to the best of my skill and ability by machine  
shorthand all the proceedings in the foregoing  
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accurate, and complete transcript of my  
shorthand notes.

I further certify that I am not related to  
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