

FREDDIE O'CONNELL
MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF WATER AND SEWERAGE SERVICES

Wastewater Hearing Authority Minutes

Meeting Date: March 17, 2026

**Call to
Order:** 2:00 pm

Adjourn: 3:20 pm

In

Attendance:

Authority Members: Jay Tant, Dr. Robert Wingfield, Dr. Jianwei Li, Dr. Katy Duryea, and Jennifer Dodd

MWS Representatives:

Chase Block, Will Ellis, Brent Freeman, Justin Marsh, Ted Taylor, Andy Welch, Sara Wilson, & Megan Woodring

I. Call to Order & Public Commentary Period

No members of the public were present.

II. Review and Approval of Meeting Minutes

The 12/16/25 minutes were approved without corrections or comments.

III. Appeal of Penalty Assessment: Tradebe Treatment & Recycling LLC

MWS Environmental Compliance did not properly notify representatives from Tradebe Treatment & Recycling LLC of today's meeting. They have been given an extension to the next scheduled meeting.

IV. Review of the Compliance Order and Penalty Assessment for Sitar Restaurant.

The permit holders have appealed for the June Hearing meeting.



Wastewater Hearing Authority Minutes

V. **Downtown Mobile Food Unit (MFU) Operations: Compliance, Enforcement, and Policy Development**

A metro-wide stakeholder meeting was convened in response to significant compliance deficiencies identified during a February 19, 2026, inspection of downtown mobile food units (MFUs). Representatives from Metro Water Services (MWS ENV COMP), the Health Department, Metro Legal, the Beer Board, and other partner organizations assessed current challenges, enforcement limitations, and potential policy reforms. The overarching concern centers on widespread non-compliance among MFUs, inadequate management of wastewater and FOG (fats, oils, grease), and operational gaps stemming from inconsistent permitting, minimal after-hours oversight, and widespread reliance on unregulated or remote commissaries.

MFUs operating downtown frequently fail to comply with required permits, health standards, and wastewater-handling protocols. A significant number operate from itinerant or distant commissaries, some of which are far outside the Nashville area, limiting MWS's ability to verify daily return requirements. Many MFUs also remain semi-permanently stationed on rental lots, contrary to regulations requiring them to return to an approved commissary each day. The absence of nighttime monitoring hampers enforcement, limits the availability of verifiable evidence of illegal discharges, and restricts the use of existing health codes. Greywater disposal violations are common, and MFUs often bypass legally required commissary check-ins. These issues disproportionately impact wastewater infrastructure and increase the risk of stormwater contamination.

The WWHA explored policy options targeting MFUs, commissaries, and property owners. A major theme involved assessing whether property owners should bear responsibility when MFUs operate illegally on their lots. While some Authority members raised concerns about fairness, others argued that holding property owners accountable would prevent repeated leasing to known violators and encourage stronger tenant vetting. Requirements for lots that host semi-permanent MFUs to provide water and sewer connections were discussed as a potential way to align operations more closely with brick-and-mortar restaurant standards.



Wastewater Hearing Authority Minutes

Commissary accountability emerged as a key priority. Proposals included establishing a registry of approved commissaries with recurring reporting requirements, mirroring existing grease hauler programs. Tying MFU compliance to commissary performance would allow for penalties—including revocation of commissary approval—when facilities fail to ensure proper wastewater management. The WWHa and MWS ENV COMP agreed that mapping MFUs to their commissaries is essential for determining compliance and addressing operators who rely on remote facilities that are too far away for daily return.

WWHA members supported developing a dedicated MFU-specific policy, separate from the general FOG policy, and reinforced it through an updated Enforcement Response Guide requiring WWHa approval. Additional penalties were discussed for failure to maintain greywater discharge logs, falsification of records, and improper disposal practices. Options for inter-municipal agreements with clearer wastewater management language were explored to address MFUs operating across jurisdictions.

Suggestions for improving enforcement included creating nighttime inspection capacity, requiring contractors to conduct after-hours monitoring, and formalizing evidence collection processes. The Health Department's restrictions on vehicle-to-vehicle waste transfer complicate disposal practices and may need cross-agency clarification. Sewer sampling—per the standard for fixed restaurants—was deemed impractical because MFUs rarely use sewer connections.

Metro Legal representation emphasized drafting general-purpose lease language recommendations referencing state law rather than MWS-specific rules, ensuring broader relevance and enforceability. Concerns were raised that discouraging property owners from hosting legitimate temporary MFU events could discourage them; MWS assured stakeholders that operators at short-term events typically do not contribute to the violations of concern. Posting non-compliance notices (NCNs), including potential penalties for removal or tampering, was considered a method to increase visibility and deter non-compliance. Public listing of violations, historically done via newspapers, was discussed, though cost remains a barrier.

Metro Legal will collaborate with MWS ENV COMP to prepare draft policy language for the WWHa's review, incorporating comparisons with practices in peer cities. Efforts will continue to develop MFU-commissary mapping requirements, refine enforcement strategies, and clarify responsibilities among MFUs, property owners, and commissaries.

FREDDIE O'CONNELL
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF WATER AND SEWERAGE SERVICES

Wastewater Hearing Authority Minutes

VI. Preview of the June Agenda

- MFU Enforcement Policy draft will be reviewed.
- Appeal from Tradebe
- Appeal from Sitar
- Appeal from HUD
- Semi-annual report review
- Additional topics as needed.

Next Meeting Date: June 23, 2026