

RECEIVED MAY 17 1994

**TEN YEAR MUNICIPAL  
SOLID WASTE  
REGIONAL PLAN**

**B, C, & H SOLID WASTE  
PLANNING REGION**

**BENTON COUNTY  
CARROLL COUNTY  
HENRY COUNTY**

**1994**



Prepared by

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**PART I**  
**EXECUTIVE SUMMARY**

## EXECUTIVE SUMMARY

The Benton, Carroll, and Henry County Regional Solid Waste Planning Region is a three county region. It was formed to allow the counties to jointly approach their solid waste problem. The three counties formed a region at the suggestion of the Northwest Tennessee Development District. The counties are contiguous to each other, and thus should be able to take advantage of the area's transportation system.

The Region's needs include upgrading the collection system. Each county plans to offer mail box collection to their rural residents with a single convenience center in each county. The Class I landfills in Carroll County have closed. The Paris/Henry County landfill will close in 1996 or sooner. Long term disposal capacity must be located for Carroll and Henry County. Benton County's landfill has closed, but Benton County has a contract with West Camden Sanitary Landfill (a private landfill) for disposal at no cost for the next 10 years. In an effort to determine the least costly disposal option for Carroll and Henry County, the estimated disposal and transportation cost to develop and utilize a joint regional landfill was developed as well as the estimated costs (including transportation) to use existing landfills in the area. Although Benton County currently has a contract with West Camden Sanitary Landfill, Benton County is included in the analysis. A summary of the estimated costs are shown on Table 8-10, a copy of which is reproduced in this section. Preliminary figures indicated it was a toss up, cost wise, between area landfills and a joint landfill. Bids were taken from area landfills in January, 1994.

Other Regional needs include a 25% reduction in the amount of solid waste disposed in Class I landfills on a per capita basis, a recycling program, and an educational and public information program. Each county is planning to designate a recycling/reduction/education coordinator. In addition, it is recommended that Carroll and Henry County develop a Class III/IV landfill, either separately or jointly, to assist with the reduction goal.

An annual collection event will be held in each county to collect household hazardous waste.

The Region's goals and objectives are as follows:

### GOALS

1. It is the goal of the B-C-H Solid Waste Planning Region to make the Region's citizens, commercial businesses, industries, and institutions active, participating partners in the reduction, reuse, recycling, management, collection, and disposal of the Region's solid waste.
2. It is the goal of the B-C-H Solid Waste Planning Region to reuse, reduce, and/or recycle as much of the Region's waste as practical.
3. It is the goal of the B-C-H Solid Waste Planning Region to dispose of the remaining solid waste in an environmentally safe manner as inexpensively as possible, considering all factors.

4. It is the goal of the B-C-H Solid Waste Planning Region to provide adequate collection services to its residents.

## **OBJECTIVES**

1. It is the objective of the B-C-H Solid Waste Planning Region to present/supply information concerning our goals to the citizens of the Region.
2. It is the objective of the B-C-H Solid Waste Planning Region to educate both adults and children to the importance of solid waste reduction, recycling, and reuse and the environmental safe disposal of the remaining solid wastes.
3. It is the objective of the B-C-H Solid Waste Planning Region to assist our industries, commercial business, institutions, and governmental agencies to reduce, reuse, and/or recycle their wastes as much as practical.
4. It is the objective of the B-C-H Solid Waste Planning Region to inform the tax payers in the Region of the costs of solid waste collection, recycling, and disposal.

All new programs, services, and facilities will be coordinated with the existing system.

An implementation schedule is shown on Table 11-2, reproduced in this section.

The responsibilities of the existing solid waste system rest with the county executive and county commissions and will continue to do so unless an authority is formed. It is recommended that a solid waste authority be formed. If an authority is established, the authority should be responsible for the implementation of this plan.

**Table 8-10  
 Carroll and Henry County Alternative Cost**

	Benton County Cost per Ton	Carroll County Cost per Ton	Henry County Cost per Ton
<b>Landfill</b>			
West Camden <sup>1</sup>	\$0	\$25.95	\$26.45
Barker Brothers	\$22.47	\$22.47	\$22.47
Joint Carroll and Henry with Weakley <sup>2</sup>		\$28.14	\$29.45
Joint Carroll and Henry County without Weakley <sup>2</sup>		\$31.14	\$32.45
Joint Carroll and Henry County with Benton <sup>2</sup>	\$34.37	\$29.14	\$30.45
Joint Carroll and Henry County with Benton and Weakley <sup>2</sup>	\$31.37	\$26.14	\$27.45

1. From Table 8-8

2. From Table 8-9

Using Table 8-10 as a basis, Benton County is saving at least \$261,000 (33 tpd times 365 days times \$21.65 per ton) per year with their contract with the West Camden Landfill. This is equivalent to a property tax increase of 33¢.

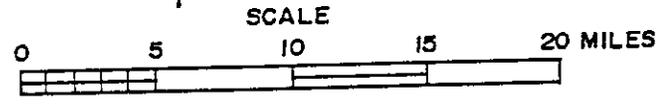
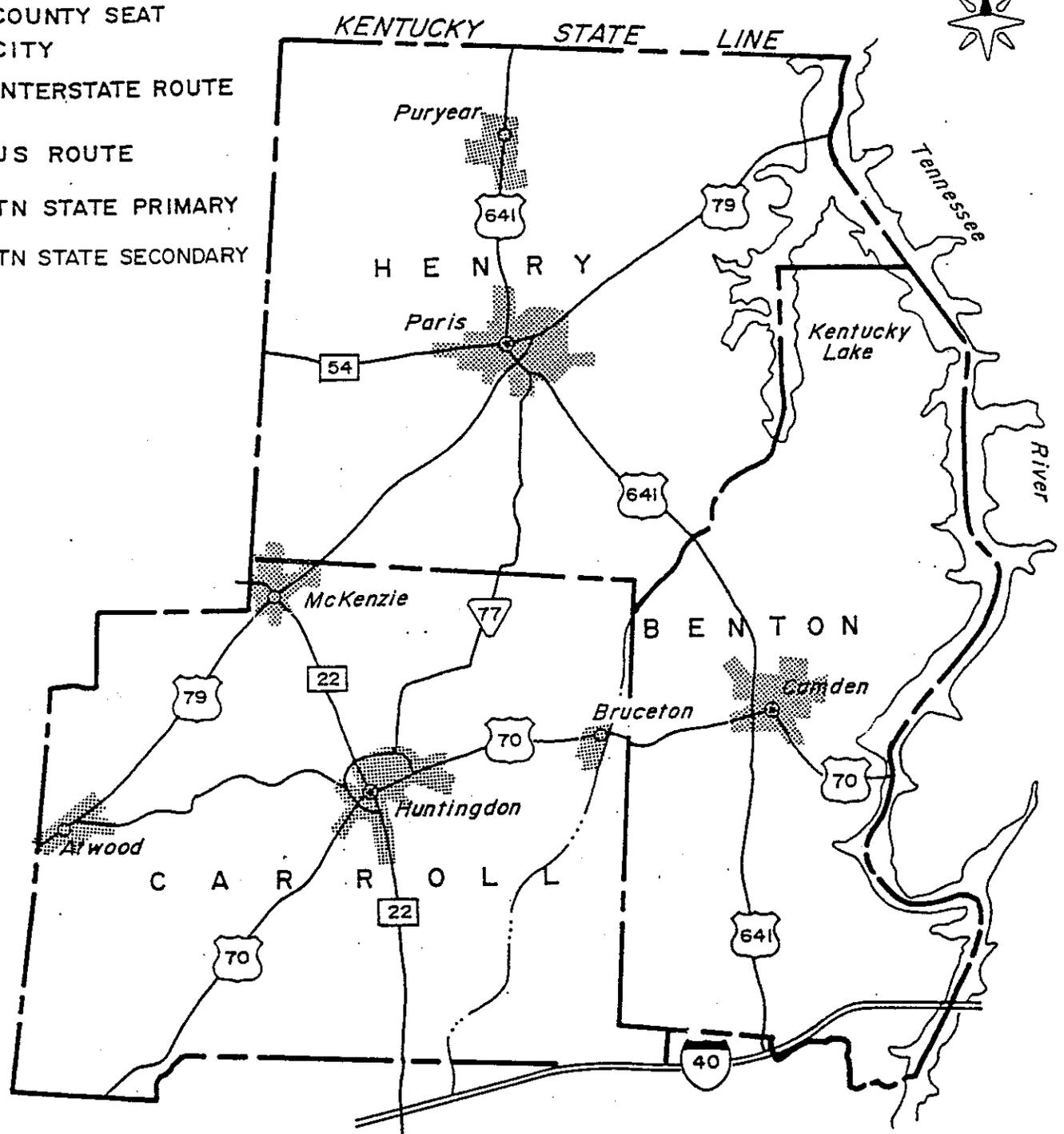
Table 8-11 presents the advantages and disadvantages of using a third party landfill for disposal of the Region's waste.

**TABLE 11-2**  
**IMPLEMENTATION SCHEDULE**  
**B-C-H COUNTY**

Task	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Form an Authority (optional)	✓									
Submit 10-year plan	✓									
Paris-Henry County landfill operator certified	✓									
Establish Class III/IV Landfill for Henry and Carroll Counties		✓								
Obtain coordinator for each county	✓									
Educational program	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Collection of household hazardous wastes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Industrial waste separation & reduction	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Construct Convenience Centers	✓									
Establish speaker's bureau and Citizens Advisory Committee	✓									
Establish mobile collection bins for recycling					✓	✓	✓	✓	✓	✓
Establish recycling center		✓								
Establish rural, residential collection in Carroll & Henry County	✓									
Determine if commercial disposal of solid waste for Henry & Carroll Counties is viable; or if a Regional landfill is to be established	✓									

**LEGEND**

- ⊙ COUNTY SEAT
- CITY
- INTERSTATE ROUTE
- ⬡ US ROUTE
- TN STATE PRIMARY
- ▽ TN STATE SECONDARY



**FIGURE I-2**  
**MAJOR CITIES AND HIGHWAYS**  
**FOR**  
**BENTON, CARROLL, AND HENRY COUNTIES**

**Table 11-4  
Projected 10-Year Budget  
Benton County**

Item	1994 -	1995 -	1996 -	1997 -	1998 -	1999 -	2000 -	2001 -	2002 -
	1995	1996	1997	1998	1999	2000	2001	2002	2003
Solid Waste Manager ⑥	—	—	—	—	—	—	—	—	—
Convenience Center ①	40,000	—	—	—	—	—	—	—	—
Capital	75,000	79,000	83,000	87,000	91,000	96,000	101,000	106,000	111,000
Annual ⑤	197,000	207,000	217,000	228,000	240,000	252,000	264,000	277,000	291,000
Curbside Collection ②⑤	—	15,000	—	—	15,000	—	—	—	15,000
Recycling Program ③	5,300	5,500	5,800	6,100	6,400	6,700	7,100	7,400	7,800
Education Budget ⑤	0	0	0	0	0	0	0	0	0
Disposal Costs ④⑦	31,700	30,500	30,200	32,900	35,600	35,300	37,900	39,600	42,200
Misc	349,000	337,000	336,000	354,000	388,000	390,000	410,000	430,000	467,000
Totals									

- Notes:
- ① From Table 5-7.
  - ② From Table 5-9 for curbside, weekly collection.
  - ③ From Table 6-8.
  - ④ Unit costs from Table 8-8.
  - ⑤ Assume 5% annual inflation.
  - ⑥ The County Executive will retain all solid waste responsibilities.
  - ⑦ West Camden Sanitary Landfill will accept county's Class I, II, III material at no cost.

**Table 11-5  
Projected 10-Year Budget  
Carroll County**

Item	1994 -	1995 -	1996 -	1997 -	1998 -	1999 -	2000 -	2001 -	2002 -
	1995	1996	1997	1998	1999	2000	2001	2002	2003
Solid Waste Mgr ⑥	—	—	—	—	—	—	—	—	—
Convenience Cntr ①	—	—	—	—	—	—	—	—	—
Capital	40,000	—	—	—	—	—	—	—	—
Annual ⑤	75,000	75,000	78,000	83,000	87,000	91,000	96,000	101,000	106,000
Curbside Collection ②⑤	261,000	274,000	288,000	302,000	317,000	333,000	350,000	367,000	386,000
Recycling Program ③	30,200	46,500	32,800	34,200	50,600	37,200	38,800	40,500	57,200
Education Budget ⑤	5,300	5,500	5,800	6,100	6,400	6,700	7,100	7,400	7,800
Disposal Costs ④	615,000	537,000	516,000	514,000	512,000	511,000	509,000	507,000	505,000
Class III/IV Landfill	—	—	—	—	—	—	—	—	—
Capital ⑧	185,000	—	—	—	—	—	—	—	—
Annual ⑦	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Misc	128,500	101,000	102,400	103,700	107,000	107,100	110,100	112,100	116,000
<b>Totals</b>	<b>1,440,000</b>	<b>1,139,000</b>	<b>1,123,000</b>	<b>1,143,000</b>	<b>1,180,000</b>	<b>1,186,000</b>	<b>1,211,000</b>	<b>1,235,000</b>	<b>1,278,000</b>

Notes: ① From Table 5-7.

② From Table 5-9 for weekly, curbside collection.

③ From Table 6-8.

④ Unit costs from Table 8-8, tons from Table 8-2, plus \$0.85/ton state fee until June 30, 1996.

⑤ Assume 5% annual inflation.

⑥ Included in recycling program costs.

⑦ Assume 5,000 tons/yr at \$20/ton.

⑧ From Town of Huntingdon, estimated development cost is \$185,000. Portion of cost to be borne by county yet to be determined.

**Table 11-6  
Projected 10-Year Budget  
Henry County**

Item	1994 - 1995	1995 - 1996	1996 - 1997	1997 - 1998	1998 - 1999	1999 - 2000	2000 - 2001	2001 - 2002	2002 - 2003
Solid Waste Mgr ⑥	—	—	—	—	—	—	—	—	—
Convenience Cntr ①									
Capital	40,000	—	—	—	—	—	—	—	—
Annual ⑤	75,000	79,000	83,000	87,000	91,000	96,000	101,000	106,000	111,000
Curbside Collection ②⑤	327,000	343,000	361,000	379,000	397,000	417,000	438,000	460,000	483,000
Recycling Program ③	30,200	46,500	32,800	34,200	50,600	37,200	38,800	40,500	57,200
Education Budget ⑤	5,300	5,500	5,800	6,100	6,400	6,700	7,100	7,400	7,800
Disposal Costs ④	620,000	541,000	519,000	517,000	515,000	512,000	510,000	507,000	506,000
Class III/IV Landfill									
Capital ⑧	185,000	—	—	—	—	—	—	—	—
Annual ⑦	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000
Misc	133,500	107,000	108,400	110,700	114,000	114,100	117,100	120,100	124,000
<b>Totals</b>	<b>1,496,000</b>	<b>1,202,000</b>	<b>1,190,000</b>	<b>1,214,000</b>	<b>1,254,000</b>	<b>1,263,000</b>	<b>1,292,000</b>	<b>1,321,000</b>	<b>1,369,000</b>

- Notes:
- ① From Table 5-7.
  - ② From Table 5-9 for weekly, curbside collection.
  - ③ From Table 6-8.
  - ④ Unit costs from Table 8-8; tons from Table 8-3, plus \$0.85/ton state fee until June 30, 1996.
  - ⑤ Assume 5% annual inflation.
  - ⑥ Included in recycling program costs.
  - ⑦ Assume 4,000 tons/yr at \$20/ton
  - ⑧ Town of Huntingdon estimates development cost of \$185,000; assume same for Paris/Henry County. Portion of cost to borne by County yet to be determined.

## **PART II**

### **INTRODUCTION**

The Benton, Carroll and Henry County Solid Waste Planning Region was formed to determine how best to deal with the solid waste needs of the region for the next 10 years. Part II of this plan examines all aspects of the region's waste problem.

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## Chapter 1

### Description of the Municipal Solid Waste Region

#### General

The Benton, Carroll and Henry County Solid Waste Planning Region consists of Benton, Carroll and Henry counties. These counties lie adjacent to one another in northwest Tennessee. See Figure 1-1. These counties combine for a total regional area of 1557.6 square miles.

Benton County is the easternmost and smallest county in the region, covering 394.8 square miles. The county lies adjacent to and east of Carroll and Benton Counties with the Tennessee River as the eastern border. The Town of Camden is the county seat. Camden is the only city with a population of greater than 1,000. The county is also bisected by US Highway 70 running east and west and US Highway 641 running north and south.

Carroll County is the central of the three counties and covers area of 595.8 square miles. The county is bordered by Henry County on the north and Benton County on the east. The county seat is Huntingdon. The county is bisected by State Highway 22 running roughly north and south and by US Highway 70 running northeast and southwest. Carroll county contains four cities with populations greater than 1,000, these being the cities of Atwood, Bruceton, Huntingdon and McKenzie.

Henry County covers an area of 567 square miles. Paris is the county seat. The county lies adjacent to and west of Benton County and north of Carroll County. The county is bisected by US Highway 641 running roughly north and south and US Highway 79 running northeast and southwest. The county contains one city with a population greater than 1,000, this being the county seat of Paris.

Figure 1-2 shows the region including the corporate limits, major highways and major geographical features of the area.

#### Regional Formation and Institutional Structure

In considering various regional options, the creation of an efficient and practical region was essential. Several counties working in conjunction can minimize the costs to each entity and allow each to work more cheaply and efficiently. For practical reasons, a three county limit within the region was established. It was decided that this limit would allow for maximum efficiency while maintaining a small, workable solid waste area and keeping municipal participation on a manageable level.

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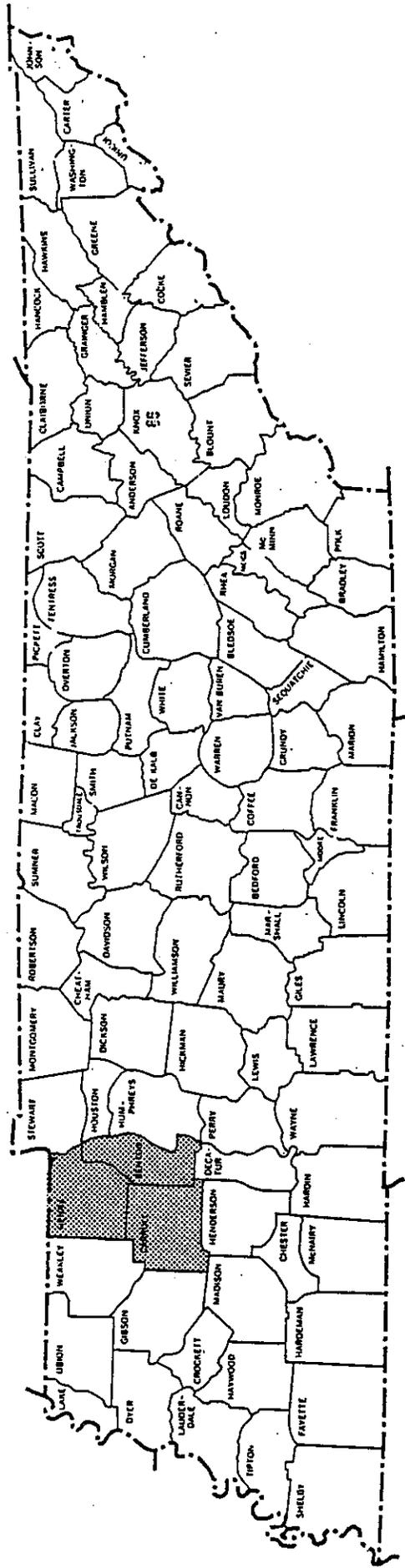
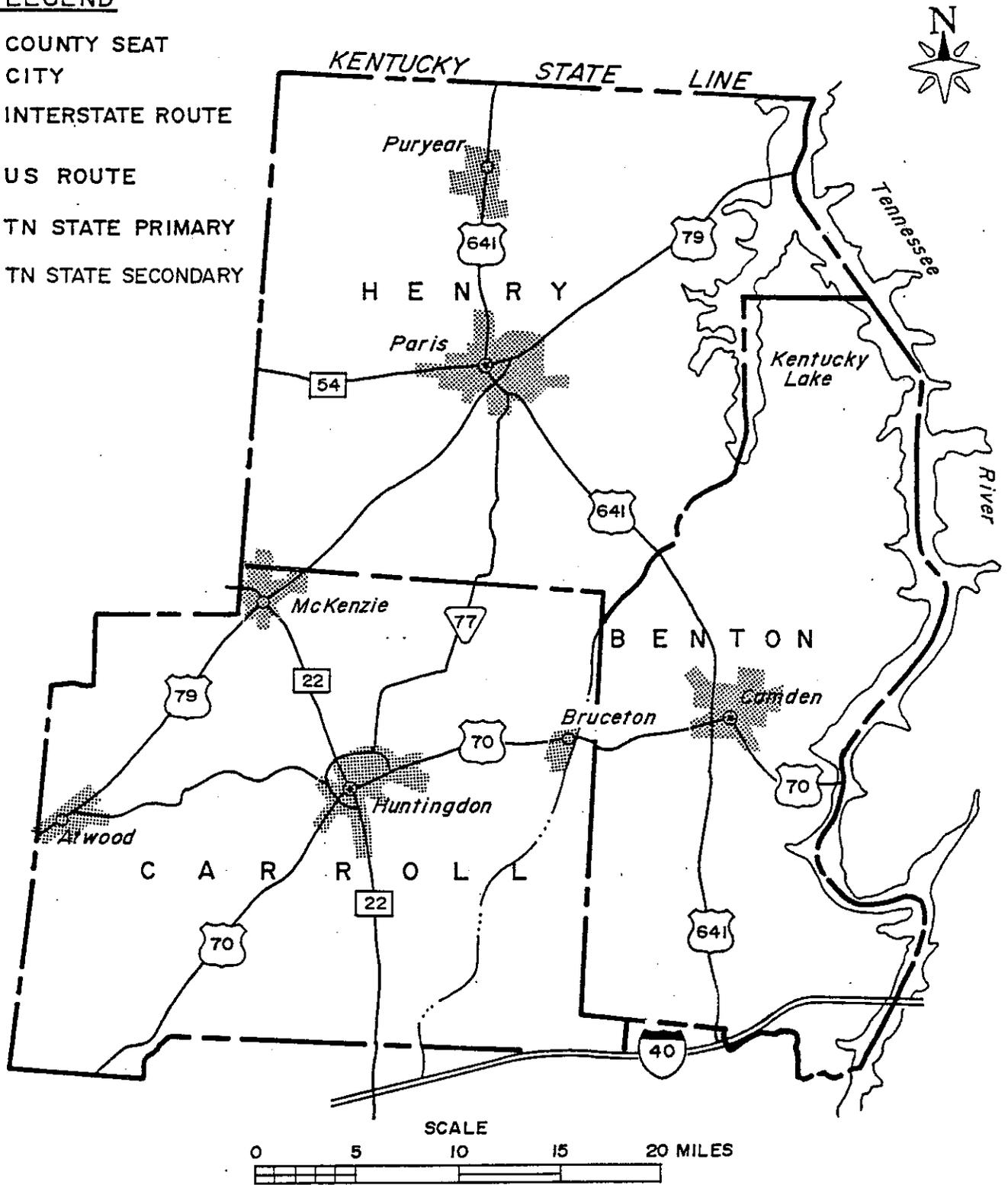


FIGURE I-1  
LOCATION MAP FOR  
BENTON, CARROLL, AND HENRY COUNTY  
SOLID WASTE REGION

**LEGEND**

- ⊙ COUNTY SEAT
- CITY
- INTERSTATE ROUTE
- ⬡ US ROUTE
- ▭ TN STATE PRIMARY
- ▾ TN STATE SECONDARY



**FIGURE 1-2**

**MAJOR CITIES AND HIGHWAYS  
FOR  
BENTON, CARROLL, AND HENRY COUNTIES**

The counties within this region lie adjacent to one another and are connected by major highways. This allows for easy solid waste management between the counties and aids in lowering transportation costs. These counties are also familiar with one another and the municipal governments can easily communicate and empathize with the various regional considerations.

The Benton, Carroll and Henry County Regional Solid Waste Planning Committee consists of members from each county and major municipality within the region. A lists these members by County affiliation follows:

**Table 1-0**  
**Benton-Carroll-Henry County**  
**Solid Waste Planning Region Board**

Name	Address	County Affiliation	Term (yrs)	Jurisdiction
Larry Mattingly Secretary	P.O.Box 69 Big Sandy, Tn 38221	Benton	6	Big Sandy
James Travis	113 City Street Camden, Tn 38320	Benton	4	Camden
W.A. Johnson	Rt. Box 53 Holladay, Tn 38341	Benton	2	Benton County
Wesley Beal, Jr. Chairman	P.O.Box 29 Huntingdon, Tn 38344	Carroll	4	Carroll County
Dale Kelley	111 Lexington Street Huntingdon, Tn 38344	Carroll	4	Carroll County Cities
Robert Putman	116 Cedar Avenue McKenzie, Tn 38201	Carroll	4	McKenzie
Herman Jackson, Vice Chairman	Henry County Courthouse Paris, Tn 38242	Henry	6	Henry County
Frank Gallimore	Rt. 1, Box 37D Puryear, TN 38251	Henry	2	Henry County Cities
Larry Crawford	Greenvalley Drive Paris, Tn 38242	Henry	2	Paris

This board is responsible for all planning and coordinating of the solid waste region and all proposals contained within this plan. The general public is kept advised of the committee's progress through the local media and by attending the regularly scheduled region board meetings.

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## Demographics

The Benton, Carroll and Henry County Solid Waste Planning Region has a population of 69,214 and a population density of 44.44 persons per square mile as determined by 1993 Census projections. Tables 1-1 through 1-6, included below, show the population distribution by county and region as recorded in each county's Solid Waste Needs Assessment Plan as compiled by the Northwest Tennessee Development District.

The population of the region is expected to remain fairly stable, decreasing by 3% to 4% over the next ten years. This decrease is expected to be offset by the increased collection due to the implementation of this plan. The effect of population on solid waste generation should, therefore, be minimal.

**Table 1-1**  
**Population and Population Density**  
**in 1993**

County	Area (Sq. Miles) <sup>1</sup>	Population <sup>2</sup>	Avg. Density (Population/Sq. Mi)
Benton	394.8	14,438	36.57
Carroll	595.8	27,253	45.74
Henry	567.0	27,523	48.54
<b>Regional Total</b>	1557.6	69,214	44.44

1 from Needs Assessment, page I-8

2 from Needs Assessment, page I-12

**Table 1-2**  
**Regional Population by Urban and Rural Areas**  
**in 1990\***

County	Urban		Rural	
	Population	%	Population	%
Benton	3643	25.1	10,881	74.9
Carroll	9058	32.9	18,456	67.1
Henry	9440	33.8	18,448	64.5
<b>Regional Total</b>	22,141	31.7	47,785	68.3

\* from Needs Assessment, page I-9

**Table 1-3**  
**Distribution of Population by Sex and Age**  
**in 1990\***

Age	Total	Male	%	Female	%
0 - 4	4112	2065	50.219	2047	49.781
5 - 17	12,130	6270	51.690	5860	48.310
18 - 44	25,073	12,473	49.747	12,600	50.253
45 - 64	15,584	7406	47.523	8178	52.477
65+	13,017	5256	40.378	7761	59.622
<b>Regional Total</b>	<b>69,926</b>	<b>33,470</b>	<b>47.865</b>	<b>36,456</b>	<b>52.135</b>

\* from Needs Assessment, page I-4

**Table 1-4**  
**Distribution of Population by Education**  
**(age 25 or Older)\***

	Number	%
Less than 9th Grade	22,181	47.539
High School (1-4)	16,759	35.918
College ( 1-4)	6336	13.579
Post Graduate/Professional (>4)	1383	2.964
<b>Regional Total</b>	<b>46,659</b>	<b>100.000</b>

\* from Needs Assessment, page I-4

For total households in Region, see Table 5-9.

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**Table 1-5  
 Distribution of Population by Type of Housing and Occupancy\***

	Total Units	Occupied	Owner	Rented
Single Family				
1, Detached	52,478	40,123	33,844	6279
1, Attached	601	487	291	196
Multi-Family				
2	1698	1354	194	1160
3 - 4	820	649	59	590
5 - 9	695	483	24	459
10 - 19	295	211	8	203
20 - 49	62	58	0	58
50 or more	0	0	0	0
Institutional	1048	1048	0	0
Mobile Home/Trailer	11,360	8623	6681	1942
Other	562	429	309	80
<b>Regional Total</b>	<b>69,619</b>	<b>53,465</b>	<b>41,410</b>	<b>12,055</b>

\* from Needs Assessment, page I-5

**Table 1-6  
 Regional Population Projections**

Regional Population in 1993 = 69,214

Projected Year	County Populations*			Regional Total
	Benton	Carroll	Henry	
1994	14,409	27,166	27,403	68,978
1995	14,381	27,080	27,283	68,744
1996	14,353	26,994	27,164	68,511
1997	14,324	26,909	27,046	68,279
1998	14,296	26,824	26,927	68,047
1999	14,268	26,739	26,810	67,817
2000	14,240	26,655	26,694	67,589
2001	14,196	26,538	26,547	67,281
2002	14,168	26,458	26,481	67,107
2003	14,139	26,379	26,375	66,893

\* from Needs Assessment, page I-12

## **Economic Activity**

A region's economic characteristics generally have the largest effect on the waste stream and its composition of any regional factor. The counties within this region each display economic features which will have some effect on the waste stream as a whole.

Benton County's major industries are hardwood and gravel industry related. Tourism also is a major economic factor, with Nathan Bedford Forest and Natchez Trace State Parks located in the county. These industries should insure a fairly constant waste stream for the county over the next decade.

Carroll County's manufacturing base, and the textiles, metals and wood by-products used, contribute to the composition of the county's waste. Tourism from Natchez Trace State Park and the surrounding areas also affect the waste generation within the county. These factors should result in no significant changes in the waste stream in the future.

Henry County also contains several manufacturing facilities which affect solid waste generation, though these industrial factors are fairly constant. Tourism and tourism related waste impact the waste stream due to the Tennessee River and Paris Landing State Park located in the county. These factors should continue to be the major contributing elements to the stream for the next ten years.

As a whole, the region is expected to remain relatively stable as an economic entity over the next ten years. An increased emphasis on tourism is expected due to the location of the Tennessee River and various State Parks in the area. This, along with the increased service industries associated with it, should offset the small population decrease and result in a fairly stable solid waste generation rate and composition in the future.

Tables 1-7 through 1-14, on the following pages, show the major economic characteristics of the region as recorded in the Region's Solid Waste Needs Assessment Plan as compiled by the development district.

02/15/94

**Table 1-7**  
**Basic Economic Information**  
**in 1990\***

County	Population	MSA County (Y/N)	Total Employment	Total Earnings	Per Capita Income	% Population Below Poverty Level
Benton	14,524	No	5990	85,681,000	11,131	17.0
Carroll	27,514	No	12,690	313,674,000	11,181	15.9
Henry	27,888	No	14,057	325,112,000	11,073	18.9
<b>Regional Total</b>	69,926		32,737	724,467,000	11,128	17.3

\* from Needs Assessment, page II-9

**Table 1-8**  
**Non-Agricultural Employment**  
**as a**  
**Percent of Total Employment\***

County	Manufacturing	Construction	Trade	Finance	Service	Govt.	Transportation / Public Utilities
Benton	1248	382	1039	214	800	908	354
Carroll	4124	465	2154	498	2263	1349	456
Henry	3651	593	2848	743	2387	1863	471
<b>Regiona l Total</b>	9023	1440	6041	1455	5450	4120	1281
<b>%</b>	31.3	5.0	21.0	5.1	18.9	14.3	4.4

\* from Needs Assessment, page II-10

**Table 1-9  
 Agricultural Employees\***

County	Employment
Benton	494
Carroll	1313
Henry	1265
<b>Regional Total</b>	<b>3072</b>

\* from Needs Assessment, page II-11

**Table 1-10  
 Major Waste Generators  
 Commercial and Non-Hazardous Industrial Wastes\***

County	Screening Criteria Applied	Number of Generators	Estimated Total Quantity of Waste
Benton	> 25 Employees	10	unknown
Carroll	> 25 Employees	29	unknown
Henry	> 25 Employees	29	unknown
<b>Regional Total</b>	<b>&gt; 25 Employees</b>	<b>68</b>	<b>unknown</b>

\* from Needs Assessment, page II-12

**Table 1-11  
 Institutions Housing More Than 100 Persons\***

County	Total Number of Institutions	Total Number of Students/ Prisoners/ Residents	Estimated Quantity of Waste Generated
Benton	0	0	0
Carroll	1	495	unknown
Henry	0	0	0
<b>Regional Total</b>	<b>1</b>	<b>495</b>	<b>unknown</b>

\* from Needs Assessment, page II-13

02/15/94

**Table 1-12  
 Major Health Care Facilities  
 (> 50 Beds)\***

County	Number of Facilities	Number of Beds	Infectious Waste Management OnSite/OffSite Type Treatment		Est. Qty of Solid Waste Generated (T/yr)
Benton	2	279	offsite	BFI	18
Carroll	6	458	offsite/onsite,	incineration	22
Henry	3	455	offsite/onsite,	incineration	557
<b>Regional Total</b>	11	1192			597

\* from Needs Assessment, page II-14

1 Carroll Co. Methodist Hospital & Henry Co. Medical Center manage infectious wastes on-site

**Table 1-13  
 Local Revenue Utilized by the Region\***

County	Property Tax	Local Sales Tax	Wheel Tax	Local Waste Collection Fee	User Fee/ Tipping Fee	Other
Benton	✓	✓			✓	
Carroll	✓	✓	✓			
Henry	✓	✓	✓		✓	

\* from Needs Assessment, page II-15

02/15/94

**Table 1-14  
 Regional Fiscal Information\***

<b>County</b>	<b>Total Assessed Property Value</b>	<b>Total Property Tax Revenue</b>	<b>Total Sales Subject to Sales Tax</b>	<b>Total Local Sales Tax Revenue</b>	<b>Number of Registered Vehicles</b>	<b>Total Wheel Tax Revenue</b>
Benton	80,000,000 <sup>1</sup>	1,836,335	550,000,000 <sup>2</sup>	1,626,580	n/a	n/a
Carroll	158,806,837 <sup>1</sup>	4,320,393	800,000,000 <sup>2</sup>	2,404,564	22,250 <sup>2</sup>	221,716
Henry	192,746,854 <sup>1</sup>	4,926,234	1,210,606,753	3,608,926	22,750 <sup>2</sup>	340,660
<b>Regional Total</b>	431,553,691	11,082,962	2,560,606,753 <sup>2</sup>	7,640,070	45,000 <sup>2</sup>	562,376

\* from Needs Assessment, page II-16

<sup>1</sup> corrected

<sup>2</sup> estimated

## Chapter 2

### Analysis of the Current Solid Waste Management System For The Region

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## Chapter 2

### Analysis of the Current Solid Waste Management System For The Region

#### Waste Stream Characterization

The economic base and other area conditions can have significant effects on an areas waste generation. The Benton, Carroll and Henry County Solid Waste Region possesses an economic base consisting mainly of manufacturing, retail services, agri-business and tourism. This diversified economy should produce a relatively stable waste stream.

These activities, and their related industries, could effect the waste stream composition in some instances. Also, the amounts of yard waste disposed of in the region may also be reduced due to residents burning of these wastes in rural areas.

These factors may have some affect the composition of waste stream as compared to national norms but the stream is not expected to deviate significantly in composition.

#### Waste Collection and Transportation Systems

In this section the existing solid waste collection and transportation systems of each county and the region as a whole will be examined.

##### Benton County Collection and Transportation System

The existing Benton County solid waste disposal system consists of green boxes, municipally operated door-to-door collection, a county operated collection system and privately contracted household pick-ups. These systems work jointly to provide at least minimal service to the entire county.

Two municipalities provide collection within the corporate limits. These cities are Camden and Big Sandy. No service is provided by these municipalities outside their limits. In Camden in 1993, 1324 households and 287 businesses are served. The system consists of four routes serving 300 - 400 establishments each. In Big Sandy in 1993, 249 households and 30 businesses are served. Both pick-up areas average 3 miles from the disposal site.

Two private companies, Jackie Bradford Sanitation and Barker Brother's, Inc., provide collection by contracting directly with households and businesses. Jackie Bradford Sanitation serves 130 households and 5 businesses. Barker Brother's, Inc. serves 125 households and 2 businesses.

The county maintains twenty-two green box locations containing thirty boxes. The boxes serve roughly 3956 households in rural parts of the county. These boxes are emptied at least once weekly and the waste placed in the Benton County Landfill. The estimated waste collected in these boxes in 1991 was 3432 tons. The green box sites have experienced problems with litter, fires, scavenging, overloading and aesthetics and are scheduled to be phased out beginning in 1995 and will be replaced with convenience centers. No convenience centers currently exist in the county. The Benton County Landfill will close soon. When this occurs, the waste will be placed in the West Camden Sanitary Landfill, a private landfill in Camden.

Using the standard waste production figure of six pounds per person per day, it is estimated that roughly 8572 tons of waste go uncollected each year within the county. According to the Needs Assessment, of the households with unmanaged waste, 1500 households bury their waste on their own land and 1000 - 1500 households burn the majority of their waste, also approximately 900 tons of waste are discarded into the ten or twelve illegal dump sites in the county.

#### Carroll County Collection and Transportation System

The current Carroll County solid waste disposal system consists of green boxes, municipally operated door-to-door collection, county owned collection and privately contracted household pick-ups. These systems work jointly to service the entire county.

Several municipalities provide collection within the corporate limits. These cities are Atwood, Bruceton, Hollow Rock, Huntingdon, McKenzie, McLemoresville and Trezevant. No service is provided by these municipalities outside the city limits. The collection schedule is once a week for all the municipalities with the exception of Huntingdon and McKenzie, which collect twice each week. The Town of Huntingdon provides both city operated and Town contracted services to its residents.

**Carroll County  
 Municipal Collection Systems**

Municipality	Number of Households Served	Number of Businesses Served	Average Distance to Disposal Site (miles)	Number/Size of Vehicles (#/yd <sup>3</sup> )	Expenditures (\$)
Atwood*	300	not available	18	not available	69,000
Bruceton	400	not available	14	not available	81,800
Hollow Rock	350	13	13	1 / 16-24	14,700
Huntingdon	1731	99	3	2 / 25-30	199,800
Huntingdon*	2000	not available	14	not available	not available
McKenzie	2200	100	3	2 / 20	198,750
McLemoresville	165	10	14	1 / 5-15	10,000
Trezevant	440	5	14	1 / 25-30	not available

*\* contracted with privately collection companies*

Two cities contract private collection companies to provide collection services. Huntingdon contracts with Waste Management Inc. in Jackson, Tennessee to provide service to the approximately 2000 households and businesses which are not served by the municipally operated forces. Atwood contracts with Tolley Sanitation Company in Atwood, Tennessee to provide service to approximately 300 households and businesses weekly.

Two private companies, Barker Bros. and Waste Management, Inc., provide collection by contracting directly with households and businesses. Barker Bros. serves 610 households and 40 businesses. Waste Management, Inc. serves 1731 households and 240 businesses. Barker Bros. contracts with all commercial establishments in McKenzie for waste collection.

The county maintains twenty green box locations containing forty-four boxes. The boxes serve roughly 3,232 households in rural parts of the county. These boxes are emptied twice a week, on Mondays and Thursdays, and the waste disposed of in the Huntingdon Landfill. The estimated waste collected in these boxes in 1991 was 8,996 tons. The green box sites have experienced problems with litter, odors and aesthetics and are scheduled to be phased out as soon as is feasible. The Huntingdon Landfill has closed, and the waste is been hauled to West Camden Sanitary Landfill.

Using the standard waste production figure of six pounds per person per day, it is estimated that roughly 5231 tons of waste go uncollected each year within the county. According to the Needs Assessment, of the households with unmanaged waste 1610 households bury their waste on their own land and 805 households burn the majority of their waste, also approximately 1000 tons of waste are located in ten illegal dump sites in the county.

### Henry County Collection and Transportation System

The existing Henry County solid waste disposal system consists of municipally operated door-to-door collection and privately contracted household pick-ups. These systems work jointly to service the major population centers of the county, though not all of the county is currently served.

Two municipalities provide collection within the corporate limits. These cities are Paris and Puryear. No service is provided by these municipalities outside the city limits. In Puryear, 300 households and two businesses are served. The collection schedule is once a week. In Paris, 4,078 households and 150 businesses are served and collection trucks run six days a week. Paris also rents 278 green boxes to 651 commercial customers. No municipalities contract with private companies for service.

Three private companies provide collection service by contracting directly with householders and businesses. Barker Bros currently serves 1500 households and 134 businesses, hauling roughly 704 tons per year. David Turner serves one business, hauling approximately 2,400 tons per year. Larry Kendall Disposal serves 1250 households and 100 businesses, hauling 420 tons per year.

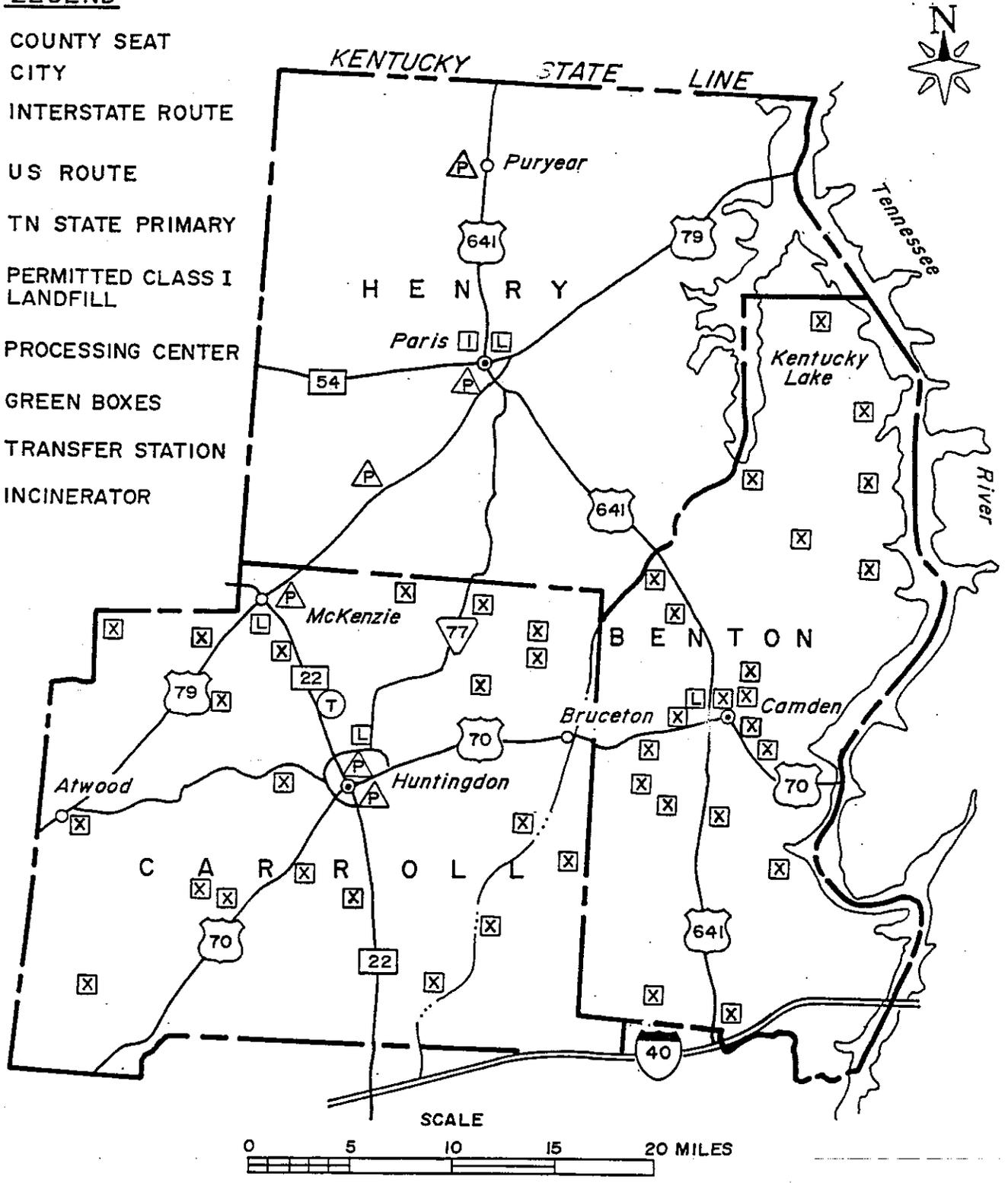
No convenience centers or residential green boxes currently exist in the county.

Using the standard waste production figure of six pounds per person per day, it is estimated that roughly 1500 tons of waste go uncollected each year within the county. According to the Needs Assessment, of the households with unmanaged waste 6098 households bury their waste on their own land and 824 households burn the majority of their waste. Also approximately 150 tons of waste are located in ten illegal dump sites in the county.

Tables 2-1 through 2-6 show the solid waste characteristics of the region as reported in the Solid Waste Needs Assessment Plans as prepared by the development district. Figures 2-1 and 2-2 contain regional maps showing the locations of these systems.

**LEGEND**

- ⊙ COUNTY SEAT
- CITY
- ▭ INTERSTATE ROUTE
- ⬡ US ROUTE
- ▭ TN STATE PRIMARY
- ⬡ PERMITTED CLASS I LANDFILL
- △ PROCESSING CENTER
- ⊗ GREEN BOXES
- ⊙ TRANSFER STATION
- ⬡ INCINERATOR



**FIGURE 2-1**

**EXISTING SOLID WASTE  
MANAGEMENT SYSTEM  
FOR  
BENTON, CARROLL, AND HENRY COUNTIES**

- LEGEND**
- ⊙ COUNTY SEAT
  - CITY
  - ▬ INTERSTATE ROUTE
  - ▭ US ROUTE
  - ▭ TN STATE PRIMARY
  - ▽ TN STATE SECONDARY
  - ▨ COLLECTION AREAS

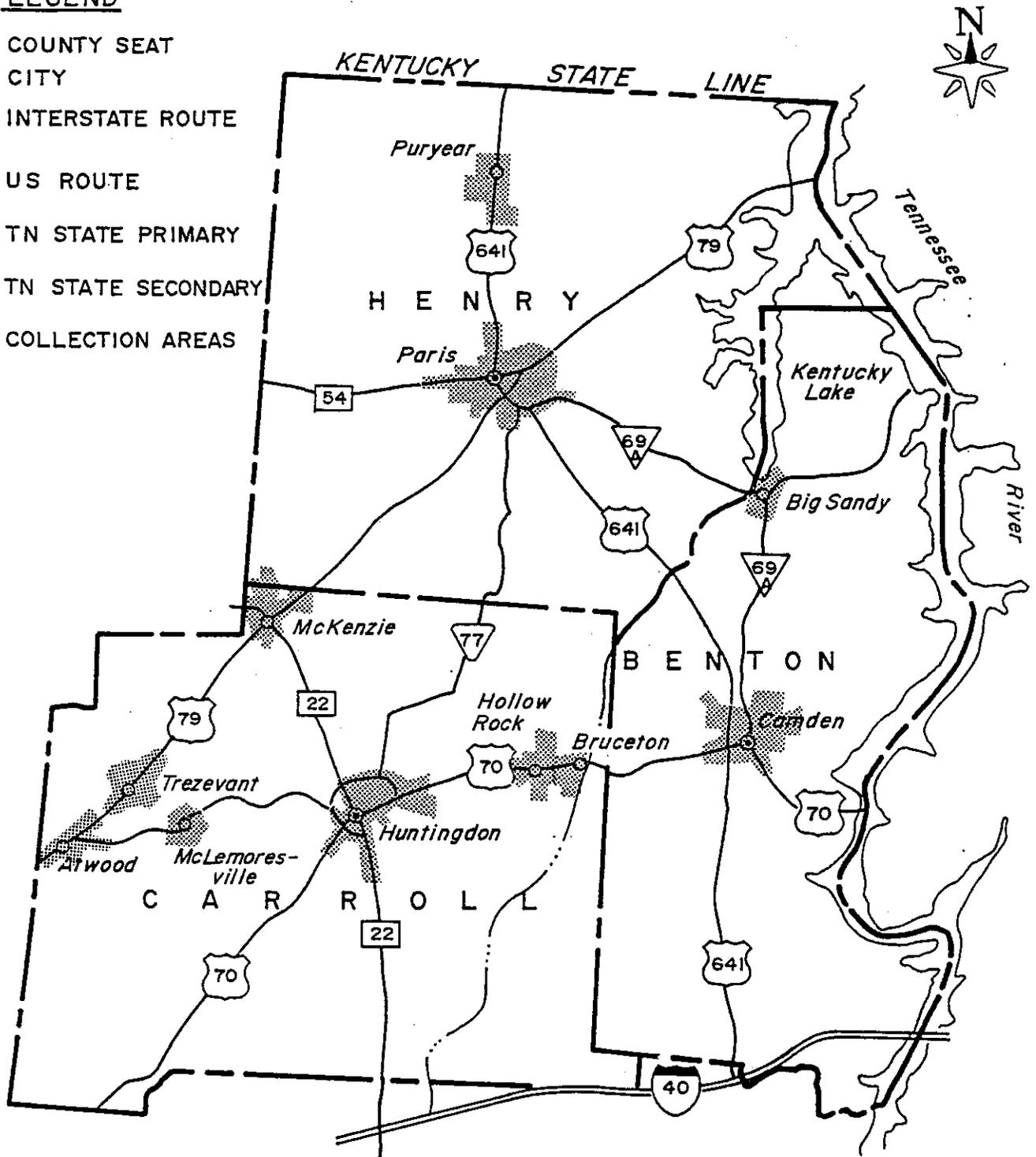


FIGURE 2-2

MUNICIPAL SOLID WASTE COLLECTION SYSTEMS  
OF  
BENTON, CARROLL, AND HENRY COUNTIES

**Table 2-1**  
**Quantity of Solid Waste Received for Disposal/Incineration**  
**In Calendar 1991\***

County	Tons Disposed (Tons)	Population (1991)	Waste Disposed Per Capita	
			Tons/capita/yr	Pounds/capita/yr
Benton	7,300	14,495	0.504	1008
Carroll	23,683	27,426	0.864	1728
Henry	19,203	27,765	0.692	1384
<b>Regional Total</b>	50,186	69,686	0.720	1440

\* from Needs Assessment, page III-7

**Table 2-2**  
**Origin of Regional Solid Waste in 1991**  
**(Tons per Year)\***

County	Residential	Institutional/ Commercial	Non- Hazardous Industries	Special	Other	Total
Benton	4380	1825	730	0	365	7300
Carroll	12,315	6631	4737	0	0	23,683
Henry	4703	10,347	3763	0	386	19,203
<b>Regional Total</b>	21,398	18,803	9230	0	751	50,186

\* from Needs Assessment, page III-8

**Table 2-3**  
**Acceptance of Categorical Solid Waste for Disposal/Incineration\***

County	Yard Waste (Clippings, leaves, grass)		Sewer Sludge		Construction & Demolition		Tires		White Goods	
	y/n	Qty	y/n	Qty	y/n	Qty	y/n	Qty	y/n	Qty
Benton	Y	365	N	0	N	0	Y	40	Y	36
Carroll	Y	343	N	0	Y	375	N	0	N	0
Henry	Y	7200	Y	52	Y	144	Y	78	Y	260
<b>Regional Total</b>	Y	7908	Y	52	Y	519	Y	118	Y	296

\* from Needs Assessment, page III-9

**Table 2-4**  
**Description of Waste Stream by Materials  
 in 1991 \***

Waste Category	National %	Calculated Regional Tons
Paper & paperboards	40.0	20,094
Glass	7.0	3516
Ferrous Metals	6.5	3265
Aluminum	1.4	705
Other Non-Ferrous Metals	0.7	306
Plastics	8.0	4018
Rubber & Leather	2.5	1256
Textiles	2.1	1056
Woods	3.6	1809
Food Waste	7.4	3717
Yard Waste	17.6	8834
Misc Inorganic Waste	1.5	755
Other	1.7	855
<b>Total Municipal Solid Waste</b>	100.0	50,186

\* from Needs Assessment, page III-10

**Table 2-5  
 Unmanaged Waste  
 (Tons per Year)\***

County	Potential Waste Generation <sub>1</sub> 1991	Actual Waste Disposed <sub>2</sub> 1991	Unmanaged Waste <sub>3</sub> 1991	Percent of Potential Total
Benton	15,872	7,300	8,572	54
Carroll	30,031	23,683	6,348	21
Henry	30,403	19,203	11,200	37
<b>Regional Total</b>	76,306	50,186	26,120	34

\* from Needs Assessment, page III-11

1 Population from Table 2-1 times six pounds per person per day as per Needs Assessment, page III-11

2 From Table 2-1

3 Potential waste minus waste disposed

## Source Reduction and Recycling Systems

The region's source reduction and recycling systems generally consist of community and organizational recycling drives and bins. These are manned and operated by public school sponsored organizations and non-profit civic organizations. For-profit salvage businesses also exist within the region.

Benton County non-profit organizations include the Decca Club, an affiliate of the Vocational High School of Camden, and the Camden Lion's Club. Both these entities serve the Camden area and use bins and collection drives to collect recyclable. The county also operates a site on US Highway 641 North consisting of two bins for aluminum cans and one bin for newspaper. T.E. King Auto Salvage serves the entire county through metal salvage. The local Vocational-Technical school also collects newspaper for recycling.

Carroll County's recycling facilities consists of one drop-off point in the town of McKenzie and two buy back facilities in Huntingdon. The drop off site is a public system. The buy back facilities are privately owned, for-profit companies. The Town of McKenzie also operates a curbside recycling system within its city limits. They are currently (1993) collecting 15 tons per month. This includes glass, plastics, aluminum, ferrous metals and newspaper. To aid in reduction, Carroll County will require all industries to perform a waste audit to examine where and how these waste can be recycled and/or removed from the waste stream. Also, Carroll County recently purchased a former school on Highway 77 to use as a recycling center.

Henry County contains no non-profit organizations which aid in the recycling effort. Four for-profit buy back centers serve the major cities within the county by buying scrap metals for recycling. These facilities are State Line Metals, Inc. in Puryear, Lattus Distributing Co. in Paris, Copeland Refrigeration Sales & Service in Paris and Tri-County Recycling and Manufacturing Corporation in the town of Henry. Tri-County Recycling recently shut its doors (December, 1993). It is unknown if or when it will reopen.

The region as a whole has a limited recycling ability. Each county has plans to establish more recycling facilities, the majority of these being drop-off bins. These bins will be placed strategically throughout the counties at convenience centers, schools and major department store parking lots. Regional coordination and cooperation could aid in collection and community education to boost recycling quantities. Regional equipment sharing could possibly be used reduce the costs to each county. Community education and involvement will be critical to the project success. See Chapter 9, Public Information and Education.

Figure 2-3 shows these facilities and their locations within the region.

- LEGEND**
- ⊙ COUNTY SEAT
  - CITY
  - ▬ INTERSTATE ROUTE
  - ⬡ US ROUTE
  - ▭ TN STATE PRIMARY
  - Ⓛ DROP-OFF SITES
  - X COMMERCIAL RECYCLERS

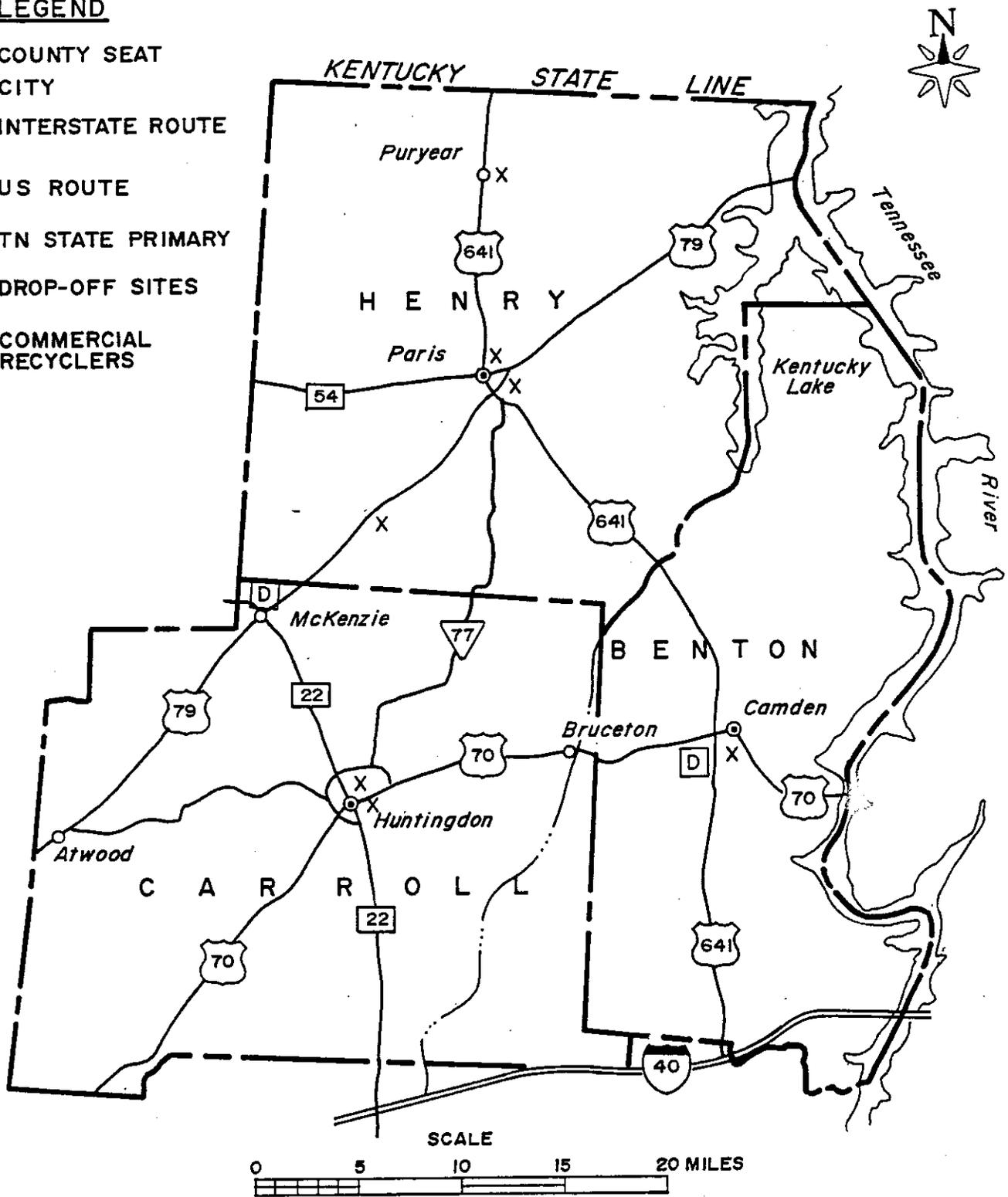


FIGURE 2-3

SOURCE REDUCTION AND RECYCLING FACILITIES  
FOR  
BENTON, CARROLL, AND HENRY SOLID WASTE REGION

## Waste Processing, Composting and Incineration Systems

Only two such facilities are located within the Benton, Carroll and Henry County Solid Waste Region. Henry County Medical Center, in Paris, operates a waste incinerator on its site. This facility is permitted at 1.5 tons per day and has an actual throughput of 97 tons per year of infectious waste. There is also a privately owned composting facility in Carroll County located on Fields Road. No other waste processing, composting or incineration facilities are known to operate in the region.

## Disposal Facilities

The region contains two Class I landfills and one Class II landfill as of November, 1993. The Class I landfills are the Paris-Henry County Landfill in Paris and the West Camden Sanitary Landfill in Camden, which opened in early 1994. The Class II landfill is operated by Camden Castings, Inc. in Camden. The Town of McKenzie Landfill in McKenzie has recently been closed. The Huntingdon Municipal Sanitary Landfill in Huntingdon has also closed. The Town of Huntingdon is considering developing a Class III/IV landfill. McKenzie is also considering developing a Class III/ IV Landfill. The Class I Benton County Landfill in Camden is being closed in early 1994.

Table 2-6 lists these facilities, their current use and the remaining capacities of these facilities.

**Table 2-6**  
**Existing Class I Solid Waste Landfills in the Region**

County	Name of Landfill	Location	Total Acres	Waste Accepted (tons/day)	Remaining Capacity (tons)
Henry	Paris-Henry County Landfill	Paris, TN	25	53	58,000
Benton	West Camden Sanitary Landfill (Private)	Camden, TN	97	>300	>2,000,000
<b>Regional Total</b>			123	>353	>2,058,000

## Costs of the Current System

The current systems are divided between the three counties and several cities. The following tables display these figures for each county and its corresponding cities and for the region as a whole. All expenditures are for fiscal year ending June 30, 1994.

### Benton County and Its Corresponding Cities

**Table 2-7**

**Benton County Solid Waste/Sanitation Fund Expenditures**

Equipment Operators	\$ 26,583
Truck Drivers	25,252
Laborers	62,088
Communications	525
Engineering Services	4,000
Maintenance and Repair of Equipment	15,000
Matching Share	0
Gasoline	21,000
Office supplies	300
Utilities	350
Other Supplies and Materials	600
Liability Insurance	6,400
Workman's Compensation Insurance	8,500
Other Charges	9,000
Site Development	0
	-----
<b>Total Estimated Expenditures</b>	<b>\$ 179,598</b>

**Table 2-8**

**Solid Waste Expenditures for the Town of Big Sandy**

Salaries	\$ 9,250
Employment Taxes	708
Unemployment	200
Tipping Fees	1,860
Landfill Expenses	3,600
Property Insurance	2,500
State Fees	100
Supplies	582
	-----
<b>Total Estimated Solid Waste Expenditures</b>	<b>\$ 18,900</b>

**Solid Waste Expenditures for Camden**

The Town of Camden does not maintain a line item budget for the solid waste system. The funds for solid waste collection and disposal are appropriated from the city's general fund. These appropriations for the last fiscal year amounted to \$ 267,787.

**Table 2-9  
 Solid Waste/Sanitation Fund Expenditures  
 for Benton County and its Corresponding Cities**

Expenditures for Benton County	\$ 179, 598
Expenditures for Big Sandy	18,900
Expenditures for Camden	267,787
	-----
<b>Expenditures for All Benton County Systems</b>	<b>\$ 466,285</b>

Carroll County and Its Corresponding Cities

**Table 2-10  
 Carroll County Solid Waste/Sanitation Fund Expenditures**

Salaries and Wages	\$ 19,500
Communications	900
Consultants	52,100
Contracts with Private Agencies	180,000
Engineering Services	0
Printing, Stationery and Forms	500
Travel	1,500
Other Contract Services	500
Other Supplies and Materials	500
Trustee's Commission	4,500
	-----
<b>Total Estimated Expenditures</b>	<b>\$ 260,000</b>

**Solid Waste Expenditures for the Town of Atwood**

The Town of Atwood operates the solid waste collection and disposal system through appropriations from the Town's general fund. Therefore, no line item expenses are available. These appropriations for this fiscal year are estimated at \$ 69,000.

**Table 2-11  
 Solid Waste Expenditures for the Town of Bruceton**

Tipping Fees	\$ 40,000
Salaries	37,000
Vehicle Operations and Maintenance	4,800
	-----
<b>Total Estimated Solid Waste Expenditures</b>	<b>\$ 81,800</b>

**Table 2-12  
 Solid Waste Expenditures for the Town of Hollow Rock**

Salaries	\$ 5,616
Tipping Fees	7,500
Gas	625
Emploment Taxes	430
Miscellaneous	529
	-----
<b>Total Estimated Solid Waste Expenditures</b>	<b>\$ 14,700</b>

**Table 2-13  
 Solid Waste Expenditures for the Town of Huntingdon**

<b>Waste Collection</b>	
Employee Salaries and Benefits	\$ 43,700
Vehicle Operations and Maintenance	6,400
Other	6,950
<b>Total Waste Collection</b>	<b>57,050</b>
<b>Waste Disposal</b>	
Employee Salaries and Benefits	73,950
Equipment Operations and Maintenance	14,000
Other	33,800
<b>Total Waste Disposal</b>	<b>121,750</b>
<b>Debt Service</b>	<b>21,000</b>
	-----
<b>Total Estimated Solid Waste Expenditures</b>	<b>\$ 199,800</b>

**Solid Waste Expenditures for the Town of McLemoresville**

The Town of McLemoresville operates the solid waste collection and disposal system through appropriations from the Town's general fund. Therefore, no line item expenses are available. These appropriations for this fiscal year are estimated at \$ 9,000 with roughly \$ 2,950 of this going toward waste disposal and the balance for salaries and vehicle maintenance.

**Solid Waste Expenditures for the Town of McKenzie**

The Town of McKenzie operates the solid waste collection and disposal system through appropriations from the Town's general fund. Therefore, no line item expenses are available. These appropriations for this fiscal year are estimated at \$ 198,500.

**Solid Waste Expenditures for the Town of Trezevant**

The Town of Trezevant operates the solid waste collection and disposal system through appropriations from the Town's general fund. Therefore, no line item expenses are available. These appropriations for this fiscal year are estimated at \$ 50,000.

**Table 2-14**  
**Solid Waste/Sanitation Fund Expenditures**  
**for Carroll County and its Corresponding Cities**

Total Expenditures for Carroll County	\$ 260,000
Total Expenditures for Atwood	69,000
Total Expenditures for Bruceton	81,800
Total Expenditures for Hollow Rock	14,700
Total Expenditures for Huntingdon	199,800
Total Expenditures for McLemoresville	9,000
Total Expenditures for McKenzie	198,750
Total Expenditures for Trezevant	50,000
	-----
<b>Total Expenditures for Carroll County and its Corresponding Cities</b>	<b>\$ 883,050</b>

Henry County and Its Corresponding Cities

**Table 2-15**  
**Henry County Solid Waste/Sanitation Fund Expenditures**

Contracts with Other Governments	\$ 299,316
Trustee's Commission	5,500
Other Charges	0
Solid Waste Equipment	0
	-----
<b>Total Solid Waste Expenditures</b>	<b>\$ 304,816</b>

**Table 2-16**  
**Solid Waste Expenditures for the Town of Paris**

<b>Collection</b>	
Employee Salaries	\$ 199,201
Employee Benefits	49,511
Supplies	1,200
Vehicle Operation and Maintenance	42,200
Tools and Equipment	123,200
Contractual Services	1,200
Other	2,900
<b>Total Collection</b>	<b>\$ 419,412</b>
<b>Landfill</b>	
Employee Salaries	\$ 74,068
Employee Benefits	21,298
Supplies	4,650
Vehicle Operation and Maintenance	23,650
Tools and Equipment	169,250
Contractual Services	20,000
Utilities	2,100
Fees	20,550
Repairs and Maintenance	3,600
Other	5,585
<b>Total Landfill</b>	<b>\$ 344,751</b>
<b>Debt Service</b>	<b>\$ 52,735</b>
<b>Depreciation</b>	<b>\$ 76,640</b>
	-----
<b>Total Estimated Expenditures</b>	<b>\$ 893,538</b>

**Table 2-17**  
**Solid Waste Expenditures for the Town of Puryear**

Salaries	\$ 9,075
Tipping Fees	1,040
Vehicle Operations and Maintenance	1,000
	-----
<b>Total Estimated Solid Waste Expenditures</b>	<b>\$ 11,115</b>

**Table 2-18  
 Solid Waste/Sanitation Fund Expenditures  
 for Henry County and its Corresponding Cities**

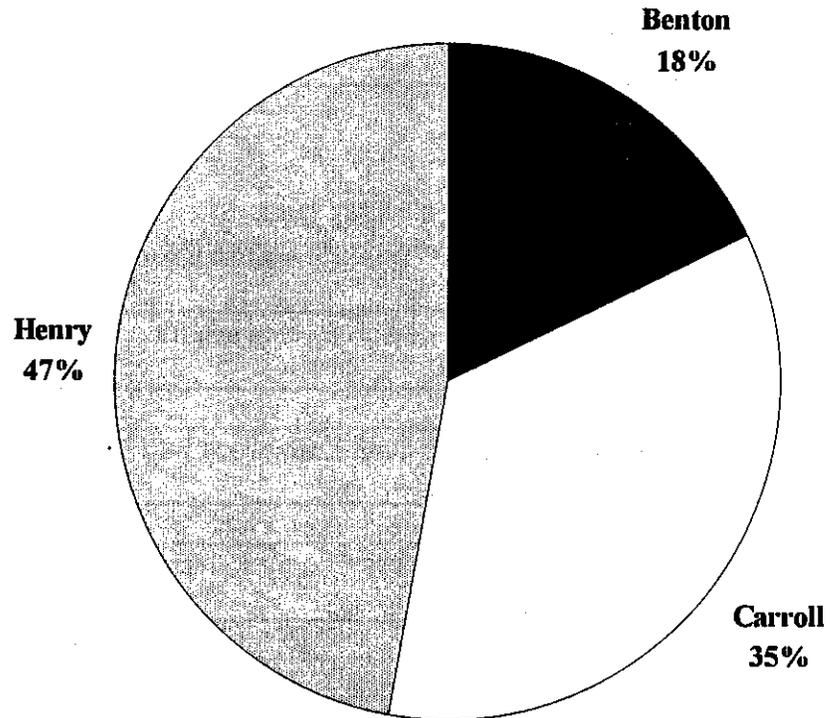
Total Expenditures for Henry County	\$ 304,816
Total Expenditures for Paris	893,638
Total Expenditures for Puryear	11,115
	-----
<b>Total Expenditures for Henry County and its Corresponding Cities</b>	<b>\$ 1,209,469</b>

**Table 2-19  
 Total Regional Solid Waste/Sanitation Fund Expenditures**

Total Expenditures for Benton County and Its Corresponding Cities	\$ 466,285
Total Expenditures for Carroll County and Its Corresponding Cities	833,050
Total Expenditures for Henry County and Its Corresponding Cities	1,209,469
	-----
<b>Total Regional Expenditures</b>	<b>\$ 2,508,804</b>

**Figure 2-4**  
**FISCAL YEAR 1993-1994**

**PERCENT OF TOTAL REGIONAL EXPENDITURES BY COUNTY**



## Revenues

The current systems are divided between the three counties. The following tables display these figures for each county and its corresponding cities and for the region as a whole. All revenues are for fiscal year ending June 30, 1994.

### Benton County and its Corresponding Cities

**Table 2-20**  
**Benton County Solid Waste/Sanitation Fund Revenues**

Charges for Current Services	
General Service Charges	0
Tipping Fees	\$ 4,200
Solid Waste Disposal Fees	180,000
<b>Total Charges for Current Services</b>	<b>184,200</b>
Other Local Revenues	
Recurring Items	0
Sale of Materials and Supplies	2,000
<b>Total Other Local Revenues</b>	<b>2,000</b>
Government and Citizens Groups	
Government	0
Contributions	10,000
<b>Total Government and Citizens Groups</b>	<b>10,000</b>
	-----
<b>Total Estimated Revenues</b>	<b>\$ 196,200</b>

### **Solid Waste Revenues for the Town of Big Sandy**

The revenues collected by the Town of Big Sandy consist entirely of collection fees paid by Town residents for waste collection. These fees are estimated to amount to \$ 18,900. Any shortfall is made up from appropriations from the Town's general fund.

**Solid Waste Revenues for Camden**

The revenues collected by the Town of Camden consist entirely of collection fees paid by Town residents for waste collection. These fees are estimated to amount to \$ 165,000. Any shortfall is made up from appropriations from the Town's general fund.

**Table 2-21**  
**Solid Waste/Sanitation Fund Revenues**  
**for Benton County and its Corresponding Cities**

Revenues for Benton County	\$ 196,200
Revenues for Big Sandy	18,900
Revenues for Camden	165,000
	-----
<b>Revenues for All Benton County Systems</b>	<b>\$ 380,100</b>

Carroll County and Its Corresponding Cities

**Table 2-22**  
**Carroll County Solid Waste/Sanitation Fund Revenues**

<b>Local Taxes</b>	
County Property Tax	0
Property Tax	\$ 206,767
Trustee's Collection- Prior Year	12,250
Circuit/Clerk & Master Collections- Prior Years	500
Interest and Penalties	400
Payments in Lieu of Taxes - Local Utilities	18,391
Payment in Lieu of Taxes - Other	7,042
<b>Total Local Taxes</b>	<b>245,350</b>
<b>State of Tennessee</b>	
General Government Grants	0
Solid Waste Grants	60,000
<b>Total State of Tennessee</b>	<b>60,000</b>
	-----
<b>Total Estimated Revenues</b>	<b>\$ 305,350</b>

### **Solid Waste Revenues for the Town of Atwood**

The revenues collected by the Atwood consist entirely of collection fees paid by Town residents for waste collection. These fees are estimated to amount to \$ 18,900. Any shortfall is made up from appropriations from the Town's general fund.

### **Solid Waste Revenues for the Town of Bruceton**

The revenues collected by the Town of Bruceton consist entirely of collection fees paid by Town residents for waste collection. These fees are estimated to amount to \$ 69,000. Any shortfall is made up from appropriations from the Town's general fund.

### **Solid Waste Revenues for the Town of Hollow Rock**

The revenues collected by the Town of Hollow Rock consist entirely of collection fees paid by Town residents for waste collection. These fees are estimated to amount to \$ 14,700. Any shortfall is made up from appropriations from the Town's general fund.

**Table 2-23**  
**Solid Waste Revenues for the Town of Huntingdon**

Collection Charges	\$ 0
Tippage Miscellaneous	3,500
Tippage Carroll County	75,000
Tippage Bruceton	34,000
Tippage Hollow Rock	6,500
Tippage Waste Management	85,000
Interest Earnings	400
	-----
<b>Total Estimated Solid Waste Revenues</b>	<b>\$ 204,400</b>

**Table 2-24  
 Solid Waste Revenues for the Town of McLemoresville**

The Town of McLemoresville operates the solid waste collection and disposal system through appropriations from the Town's general fund. Therefore, no line item revenues are available. These revenues for this fiscal year are estimated at \$ 12,000.

**Solid Waste Revenues for the Town of McKenzie**

The Town of McKenzie operates the solid waste collection and disposal system through appropriations from the Town's general fund. Therefore, no line item revenues are available. These revenues for this fiscal year are estimated at \$ 200,000.

**Solid Waste Expenditures for the Town of Trezevant**

The Town of Trezevant operates the solid waste collection and disposal system through appropriations from the Town's general fund. Therefore, no line item revenues are available. These revenues for this fiscal year are estimated at \$ 18,000.

**Table 2-25  
 Solid Waste/Sanitation Fund Revenues  
 for Carroll County and its Corresponding Cities**

Total Revenues for Carroll County	\$ 305,350
Total Revenues for Atwood	18,900
Total Revenues for Bruceton	69,000
Total Revenues for Hollow Rock	14,700
Total Revenues for Huntingdon	204,400
Total Revenues for McLemoresville	12,000
Total Revenues for McKenzie	200,000
Total Revenues for Trezevant	18,000
	-----
<b>Total Revenues for Carroll County and its Corresponding Cities</b>	<b>\$ 842,350</b>

Henry County and Its Corresponding Cities

**Table 2-26  
 Henry County Solid Waste/Sanitation Fund Revenues**

<b>Local Taxes</b>	
Current Property Taxes	\$ 257,980
Trustee's Collection - Prior Year	7,000
Clerk & Master Collection - Prior Year	1,500
Interest and Penalty	2,000
Pick-up Taxes	50
Payments in Lieu - Other	19,604
Business Tax	2,000
Bank Excise Tax	2,000
<b>Total Local Taxes</b>	<b>292,134</b>
<b>Other Sources</b>	
Note Proceeds	0
Operating Transfers	0
<b>Total Other Sources</b>	<b>0</b>
<b>Revenue From Fund Balance</b>	<b>12,682</b>
	-----
	-
<b>Total Solid Waste Fund</b>	<b>\$ 304,816</b>

**Table 2-27  
 Solid Waste Revenues for the Town of Paris**

Collection Charges	\$ 600,000
Disposal Charges - Gate	100,000
Disposal Charges - County	184,453
	-----
<b>Total Estimated Revenues</b>	<b>\$ 884,453</b>

**Solid Waste Revenue for the Town of Puryear**

The Town of Puryear collects no fees for the collection of solid waste throughout the Town. Fund for collection and disposal come from the general fund which is composed of property taxes, sales taxes, etc. Therefore the Town has no solid waste revenues.

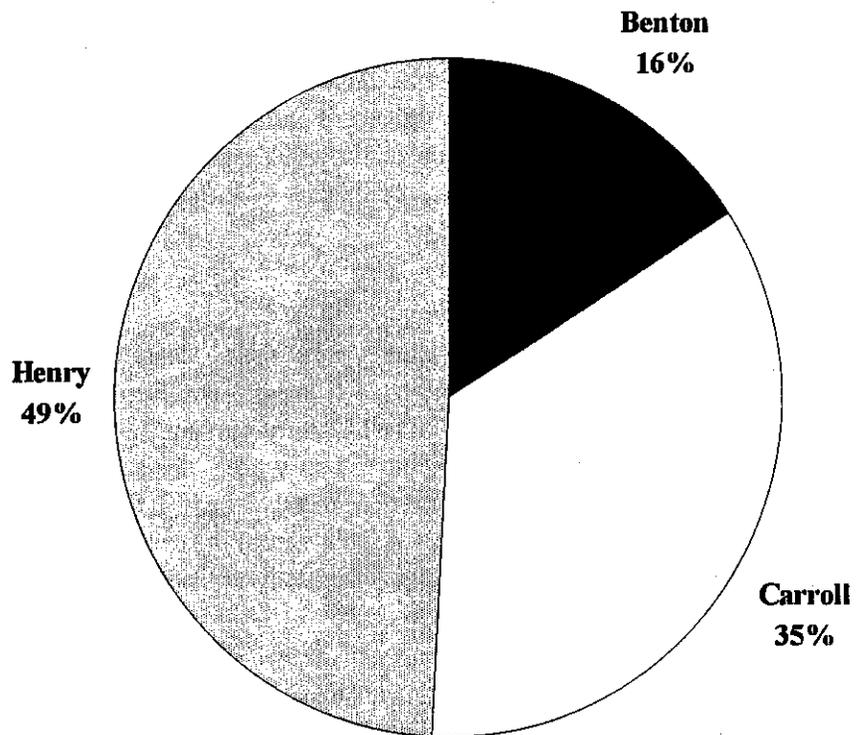
**Table 2-28  
 Solid Waste/Sanitation Fund Revenues  
 for Henry County and its Corresponding Cities**

Revenues for Henry County	\$ 304,816
Revenues for the Town of Paris	884,453
Revenues for the Town of Puryear	0
	-----
<b>Total Revenues for Henry County and Its Corresponding Cities</b>	<b>\$ 1,189,269</b>

**Table 2-29  
 Regional Solid Waste/Sanitation Fund Revenues**

<b>Total Revenues for Benton County and Its Corresponding Cities</b>	<b>\$ 380,100</b>
<b>Total Revenues for Carroll County and Its Corresponding Cities</b>	<b>\$ 842,350</b>
<b>Total Revenues for Henry County and Its Corresponding Cities</b>	<b>\$ 1,189,269</b>
	-----
	--
<b>Total Estimated Regional Revenues</b>	<b>\$ 2,411,719</b>

**Figure 2-5**  
**for Fiscal Year 1993-1994**  
**Percent of Total Regional Revenue By County**



## **Public Information and Education Programs**

The existing public information and education programs are very limited throughout the region. Only Huntingdon and McKenzie School districts employ any education programs within the area. Area newspapers report on solid waste matters with varying frequency, though newspaper participation on reporting on the solid waste region has been consistently good.

It has been discussed that the area newspapers run a monthly article on the solid waste region and its progress. The matters discussed at each monthly board meeting will be reported and public input encouraged. Also, public service announcements have been considered for airplay on local radio stations. After completion of the 10 Year Solid Waste Regional Plan, a public education program will be implemented, see Chapter 9, Public Information and Education.

## **Problem Waste**

Problem waste within the region includes waste tires, waste oil, lead acid batteries and household hazardous waste. The Solid Waste Management Act of 1991 bans the disposal of these in landfill after January 1, 1995. Carroll County currently has a waste tire collection site adjacent to the Huntingdon Landfill. Henry County also has a site for tire storage. Benton County has a contract with West Camden Sanitary Landfill for disposal of these problem wastes. Still, the region has limited capacity for disposal of these problem wastes. Chapter 10 of this plan discusses the proposed plans to deal with these wastes and the methods of encouraging public participation.

## **Strengths and Weaknesses of the Existing System**

Currently the counties and cities within the region act as individual entities for solid waste collection and disposal. Some cooperation is required, such as the joint use of municipal landfills, but teamwork has been minimal. This is the major weakness of the existing system of the region. This plan has been drafted with the intention of correcting this situation.

Also, the level of unmanaged waste as estimated by the Needs Assessment within the region is fairly high due to its rural make-up. This exposes the educational weaknesses, and the lack of public information, within the region. Plans to involve area schools and local radio and newspapers are being formed to aid in this matter. It is hoped that this will aid in improving the level of regional recycling, which is also lacking.

## **Strengths and Weaknesses of the Existing System, cont'd**

This region was formed to play upon the strengths of this area. With the coordination of county and local officials and help from area media, this region should be able meet the requirements of the Solid Waste Act. The small, close knit communities in the region make public involvement simpler. Local media has been very cooperative thus far and should help immensely in recycling and public information and education. Civic organizations have shown great enthusiasm in recycling drives and student collection drives have proven successful. The planned replacement of green boxes with convenience centers and door-to-door pickup should also aid greatly in customer satisfaction in rural areas.

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## Chapter 3

### Growth Trends, Waste Projections and Preliminary System Structure

#### General

The goal of this section is to project the regional solid waste to be generated and compare the regional demand with the current and planned system supply to define the regional needs for the next decade.

#### Projected Regional Demand for Solid Waste Services

Tables 3-1 through 3-5 show the expected regional waste (from the Needs Assessment) to be generated as adjusted for population, economic growth and various influencing factors.

**Table 3-1  
Annual Per Capita Waste Generation  
in 1993**

County	Total Waste Disposed of in FY 1993 <sup>1</sup> (Tons)	Projected Population in 1993 <sup>2</sup>	Annual Per Capita Generation 3 (Ton/Year/Person)
Benton	7,468.00	14,438	0.517
Carroll	24,245.20	27,253	0.890
Henry	19,645.00	27,523	0.714
<b>Total</b>	<b>51,358.20</b>	<b>69,214</b>	<b>0.742</b>

*1 from Needs Assessment, Table IV-3*

*2 from Needs Assessment, page I-12*

*3 does not includes unmanaged waste*

**Table 3-2**  
**Quantity of Solid Waste Requiring Disposal**  
**(adjusted for population)\***

Year	Waste Requiring Disposal by County (Tons)			
	Benton	Carroll	Henry	Total
1994	7,205	23,362	18,908	49,475
1995	7,191	23,288	18,825	49,304
1996	7,177	23,214	18,743	49,134
1997	7,162	23,141	18,662	48,965
1998	7,148	23,068	18,580	48,796
1999	7,134	22,995	18,499	48,628
2000	7,120	22,923	18,419	48,462
2001	7,098	22,822	18,317	48,237
2002	7,084	22,754	18,272	48,110
2003	7,070	22,686	18,199	47,955

\* from Needs Assessment, Table IV-9

**Table 3-3**  
**Quantity of Solid Waste Requiring Disposal**  
**(adjusted for population and economic growth)\***

Year	Waste Requiring Disposal by County (Tons)			
	Benton	Carroll	Henry	Total
1994	7,462	24,196	19,538	51,196
1995	7,456	24,148	19,522	51,126
1996	7,450	24,102	19,462	51,014
1997	7,444	24,057	19,404	50,905
1998	7,439	24,016	19,346	50,801
1999	7,435	23,971	19,290	50,696
2000	7,430	23,939	19,235	50,604
2001	7,418	23,901	19,159	50,478
2002	7,414	23,825	19,141	50,380
2003	7,411	23,792	19,096	50,299

\* from Needs Assessment, Table IV-11

**Table 3-4**  
**Quantity of Solid Waste Requiring Disposal**  
**(adjusted for population, economic growth, waste reduction and recycling)\***

Year	Waste Requiring Disposal by County (Tons)			
	Benton	Carroll	Henry	Total
1994	6,343	20,566	16,646	43,555
1995	5,965	19,318	15,618	40,901
1996	5,587	18,076	14,597	38,260
1997	5,583	18,042	14,553	38,178
1998	5,579	18,012	14,510	38,101
1999	5,576	17,978	14,468	38,022
2000	5,572	17,954	14,426	37,952
2001	5,563	17,926	14,369	37,858
2002	5,561	17,869	14,356	37,786
2003	5,558	17,844	14,322	37,724

\* from Needs Assessment, Table IV-11

**Table 3-5**  
**Annual Projections of Solid Waste Requiring Disposal**  
**(Tons per Year)\***

Year	Waste Requiring Disposal by County (Tons)			
	Benton	Carroll	Henry	Total
1994	6,343	20,566	16,646	43,555
1995	5,965	19,318	15,618	40,901
1996	5,587	18,076	14,597	38,260
1997	5,583	18,042	14,553	38,178
1998	5,579	18,012	14,510	38,101
1999	5,576	17,978	14,468	38,022
2000	5,572	17,954	14,426	37,952
2001	5,563	17,926	14,369	37,858
2002	5,561	17,869	14,356	37,786
2003	5,558	17,844	14,322	37,724

\* Table 3-3 reduced 25%.

## **Preliminary System Design**

The objective of a solid waste system is to handle and dispose of the waste in a cost effective and environmentally sound manner. This includes such components as collection and transfer of the waste, the proper handling of such items as yard waste, recyclables and household hazardous waste and, ultimately, disposal.

The current collection systems contain some areas served primarily by private contractors and green box locations. Benton, Henry and Carroll Counties have determined that they will serve the rural areas by contracted door-to-door collection. Benton, Henry and Carroll Counties will establish at least one convenience center each for the collection of items not acceptable for door-to-door collection.

Disposal options vary within the region. Benton County currently has a long term contract for disposal of its solid waste at the West Camden Sanitary Landfill. This will provide a viable disposal option for Benton County throughout the scope of this plan. Carroll County is hauling to private landfills. Henry County has disposal capacity within their current system to last for two or three more years. Thereafter, the counties must develop further options. These options will include the examining of contracting with various area landfills and the development of a landfill owned and operated jointly by the counties. These options are examined in Chapter 8.

Recycling within the region currently ranges from house-to-house pick-up to nonexistent. The region has determined that each county will supply a minimum of one recyclable collection center to aid in recyclable collection. Cities within the region are encouraged to provide any recycling services possible and house-to-house recyclable collection will continue in areas where it currently exists for as long as it is feasible. It is hoped that this will encourage citizen participation and aid in achieving the 25% reduction goal established by the State. The recycling capacities and reduction goals are discussed in Chapter 6.

Problem waste includes such items as waste automotive fluids, household chemicals, old medicines and litter. These items currently are not specifically addressed in the regional collection systems. As required by the State of Tennessee, a site for the collection of automotive fluids and lead acid batteries will be established within each county. A site and schedule for collection of other household hazardous wastes through the State program will also be established by each county. It is expected that public education will be a key factor in the collection of these items so a substantial public outreach program will also be implemented to aid in citizen participation. These items are discussed further in Chapter 10 of this plan.

## Chapter 4 Waste Reduction

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## **Economic Incentives**

There will be no specific economic incentives to reduce the quantity of solid waste being disposed of in the Region. Using experience with other public sector fee based services, such as water and sewer, as a basis, economic incentives may not be effective; when water and / or sewer rates go up, use decreases for a short while. After the public becomes accustomed to the new rates, the use climbs to pre increase levels.

## **Regulatory Bans**

See Chapter 13, Flow Control and Permit Application Review.

## **Implementation Responsibility**

See Chapter 11, Implementation: Schedule, Staffing and Funding.

## **Data Collection and Progress Reporting**

The Region's Solid Waste Planning Committee consisting of representatives from the various regional entities will prepare an annual report in accordance with T.C.A. Sections 68-31-863(b) and 68-31-871. This report will be submitted no later than February 1 of each year and will cover the calendar year just completed.

Data will be submitted by each entity in the region. The submitted data will include the entity's reduction amounts for the categories listed in Table 4-6. This data will be used to prepare the report.

## **Summary**

The Region's goal is to reduce the per capita quantity of waste deposited in a Class I landfill from 1.13 tons/person/year to 0.85 tons/person/year. This will be accomplished by encouraging industrial, public, commercial, governmental, and institutional recycling and reuse, and by diversion to Class III/IV landfills in Henry and Carroll Counties.

## **Copy of Waste Disposal Reduction Goal Amendments**

## Chapter 4 Waste Reduction

### General

The goal as required by the State of Tennessee is to reduce the amount of solid waste on a per capita basis disposed of in municipal solid waste disposal facilities and incinerators by at least 25% by December 31, 1995. This chapter will establish the base year (1989) quantity, establish the waste reduction activities necessary to achieve the 25% reduction and outline how these activities are to be carried out in this region. It is recommended that an air curtain destructor be installed at the Class III/IV landfill sites in Carroll and Henry Counties. This will reduce the volume of material being placed in these landfills.

### Base Year Quantity

The base year is 1989. Table 4-1 presents the population and waste disposed of each county and the regional totals.

**Table 4-1  
Population and Quantities of Waste Disposed of at Municipal Solid Waste Disposal  
Facilities and Incinerators in 1989**

County	1989 Population <sup>1</sup>	1989 Total Waste Disposed (tons) <sup>1</sup>
Benton County	14,900	21,528
Carroll County	28,000	39,128
Henry County	<u>29,425</u>	<u>21,212</u>
<b>Total</b>	<b>72,325</b>	<b>81,868</b>

<sup>1</sup> *Managing Our Waste: Solid Waste Planning for Tennessee*, Waste Management Research and Education Institute, The University of Tennessee, Feb., 1991.

The regional per capita waste disposal at municipal solid waste disposal facilities and incinerators in 1989 is calculated as follows:

$$\frac{\text{Total Waste disposed of or incinerated}}{\text{Total regional population}} = \text{regional annual per capita waste disposal rate (tons/ year)}$$

Using the above quantity as a basis the target per capita quantity of waste to be disposed of is 1.13 tons per person per year or 0.85 tons per person per year (1.13 x 75% in 1995). It is the Region's goal to reduce the solid waste into Class I landfills by 0.28 tons per person per year.

## Waste Reduction Goals and Objectives

### General

The region's goal is to reduce the quantity of waste reaching municipal solid waste disposal facilities and incinerators 25% by December 31, 1995. An industrial solid waste survey was performed to determine the level of recycling by industry. Table 4-2 presents the results of this survey.

**Table 4-2  
 Industrial Solid Waste Survey Summary**

Industry	Tons/Year Recycled	No Response
Advanced Specialties Company		X
Alfred E. Craig Sawmill Company		X
Allegro Fine Foods, Inc.		X
American Lantern Company		X
American Pearl Company		X
Arnold's Fabricating & Machine		X
Oshkosh B'Gosh, Inc.		X
Associated Publishers, Inc.		X
Associated Rubber Company		X
Atlantic Homes		X
Automated Equipment, Inc.		X
Basler Electric Company		X
Bass Manufacturing Company		X
Belisile Machine & Tool Company, Inc.		X
Bill Sills Sportswear		X
Bill Sills Sportswear, Inc.		X
Birdsong Resort and Marina		X
Camden Castings Company		X
Camden Gravel Comapny		X
Camden Hardwood Corp.		X
Camden Lumber Company, Inc.		X
Carroll County News		X
Cavalier Metal Corp.		X
Century Tool & Machinery Company		X
Clay-Kim Chemical		X
Coastal Lumber Company, Inc.		X
Coca-Cola Bottling Company		X
Crouch Lumber Company		X
Custom Interiors & Supply Company		X
Custom Metal Fabricators, Inc.		X
Custom Stitches Company		X

**Table 4-2 Cont'd**  
**Industrial Solid Waste Survey Summary**

Industry	Tons/Year Recycled	No Response
Del-Met of McKenzie	18	X
Depriest Tool & Die Company, Inc.		X
Diversified Contractors, Inc.		X
Elliott Company, Inc.		X
Elmer Middleton & Sons Lumber Company		X
Emerson Electric Company	4092	
Flow-Rite of Tennessee, Inc.		X
G&K Printing Company		X
Gaines Manufacturing Company	5000	
Gilbert's Slaughter House	0	
H.C. Spinks Clay Company, Inc.		X
Henry County Monument Works		X
Henry I. Siegel Company, Inc. (Lexington)		X
Henry I. Siegel Company, Inc. (Trezevant)		X
Henry I. Siegel Company, Inc.		X
Hulme Sporting Goods and Mfg. Company		X
Humphreys Concrete Company		X
J&J Auto Racing, Inc.		X
Jack's Cabinet Shop		X
Johnsonius & Sons, Inc.		X
Kesterson Food Company, inc.		X
Knotts Wholesale Foods, Inc.		X
KY-Tenn Clay Company		X
Lowe Pallet Company		X
Mar-Kel Lighting, Inc.		X
Mark I Molded Plastics of Tennessee, Inc.		X
Martha White Foods, Inc.	0	
McClain's Meat processing		X
McKenzie Banner		X
Memphis Stone and Gravel	0	
Metal Works Tool & Die		X
Mid-South Cutter and Grinding, Inc.		X
Midland Brake, Inc.	55	
Midway Materials		X
Mohon International, Inc.		X
Noma Outdoor Products, Inc.		X
Oshkosh B'Gosh, Inc.		X
Palmer Tool Company		X
Paris Fashions, Inc.		X

**Table 4-2 Cont'd**  
**Industrial Solid Waste Survey Summary**

Industry	Tons/Year Recycled	No Response
Paris Mold, Inc.		X
Paris Post-Intelligencer	2	
Paris Tool & Die Company, Inc.		X
Plumley Companies		X
Plumley Companies	150	
Pope Concrete & Building Supplies, Inc.		X
Precisiomn Porous Pipe, Inc.		X
Precision Milworks		X
Publix Group L.P.		X
Replogle Enterprises		X
Republic Builders Products	0	
Rexsellix Laboratories, Inc.		X
Road Industries Corp.		X
S & W Pallets		X
S&L Crate Company		X
S&S Garment Manufacturing Company		X
Saco, Inc.		X
Sally Lane's Candy Farm		X
Shomaker Lumber Company		X
Southern Sta Lumber Company		X
Southside Machine & Tool Company, Inc.		X
Tamco, Inc.		X
Tecumseh Products Company	1,900	
Tennessee Asphalt Company		X
Tennessee Metal Specialty	45	
Tennessee Shell		X
Tennessee Valley Ham Comapny, Inc.		X
The Camden Chronicle		X
The Carroll Ledger		X
The Morie Company		X
Thompson Machinery		X
Tomlin Industries		X
U.S. Tool & Gauge, Inc.		X
Vulcan Materials Company		X
Wen-Su Manufacturing		X
Winsett Tool, Inc.		X
Wood Products Company		X
WSW Company of Sharon, Inc.		X
<b>Total Recycled</b>	<b>11,262</b>	

The goals for 1994 and 1995 for various waste stream components are given in Table 4-3.

**Table 4-3**  
**Waste Reduction Goals by Material Type for 1994 and 1995**

Material	1994 Reduction Goal (tons) <sup>1</sup>	1995 Reduction Goal (tons) <sup>3</sup>
Glass	0	54
Paper	689 <sup>2</sup>	1,794 <sup>2</sup>
Yard Waste	0	4,400
Metals and Aluminum	5,370 <sup>1</sup>	6,400
Plastic	0	0
Demolition Waste	5,203	6,600
<b>Total</b>	<b>11,262</b>	<b>19,248</b>

1. 1994 population from Table 1-6 times 0.16 tons/person/year.
2. From Industry.
3. 1995 population from Table 1-6 times 0.28 tons/person/year.

The goals for 1994 and 1995 by economic sector are given in Table 4-4.

**Table 4-4**  
**Waste Reduction Goals by Economic Sector for 1994 and 1995**

Economic Sector	1994	1995
	Waste Reduction Goal (tons)	Waste Reduction Goal (tons)
Residential	0	6,686
Commercial	0	1,000
Institutional	0	300
Industrial	11,262	11,262
<b>Total</b>	<b>11,262</b>	<b>19,248</b>

The waste reduction goals by year are as presented in Table 4-5.

**Table 4-5**  
**Waste Reduction Goals by Year - 1994 through 2003**

Year	Waste Reduction Goal (tons) <sup>1</sup>	Year	Waste Reduction Goal (tons) <sup>1</sup>
1994	11,262	1999	18,989
1995	19,248	2000	18,924
1996	19,186	2001	18,839
1997	19,118	2002	18,790
1998	19,053	2003	18,674

1. Except 1994 (from Table 4-4), population from Table 1-6 times 0.28 tons/person/year.

## Quantities

Table 4-6 presents the estimated quantities of waste removed or diverted from the waste stream by year.

**Table 4-6**  
**Estimated Quantities of Waste Removed or Diverted**  
**(tons)**

Year	Previous Reductions	Recovered & Recycled	Diverted To Alternative Disposal	Economic Incentives	Other <sup>1</sup>	Total
1985 to	0	0	0	0	0	0
1989	0	0	0	0	0	0
1990	0	0	0	0	0	0
1991	0	0	0	0	0	0
1993	0	0	0	0	0	0
1994	0	11,262	0	0	0	11,262
1995	0	13,451	4,797	0	1,000	19,248
1996	0	13,424	4,762	0	1,000	19,186
1997	0	13,396	4,722	0	1,000	19,118
1998	0	13,367	4,686	0	1,000	19,053
1999	0	13,340	4,649	0	1,000	18,989
2000	0	13,312	4,612	0	1,000	18,924
2001	0	13,276	4,563	0	1,000	18,839
2002	0	13,255	4,724	0	1,000	18,790
2003	0	13,200	4,474	0	1,000	18,674

1. Air curtain destructors

## Recovery Reuse and Recycle

Chapter 6 presents the details of the region's recovery, reuse and recycling plan.

### Diverted to Alternate Disposal Methods

Class III/IV landfills should be developed in Carroll and Henry Counties to receive the demolition wastes that are currently being deposited in the Class I landfills. West Camden Sanitary Landfill has agreed to accept all Benton County Class III/IV wastes at no cost for 10 years; therefore, Benton County will not develop a separate Class III/IV landfill. Air curtain destructors will be installed at both the Henry and Carroll Counties Class III/IV landfill sites to reduce the volume of waste.

RULEMAKING HEARING RULES  
OF  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF SOLID WASTE ASSISTANCE

CHAPTER 1200-1-7  
WASTE DISPOSAL REDUCTION GOAL  
AMENDMENTS

1. Rule 1200-1-7-.01(2) is amended by adding new definitions as follows:

"Compostable Material" means solid organic waste that may be decomposed under controlled conditions by micro-organisms under aerobic or anaerobic conditions which result in a stable humus-like material free of pathogenic organisms (e.g., food wastes, yard wastes, and low moisture content wastewater sludge).

"Market" means the transfer or sale of recovered materials to be used, reused, and recycled.

"Recycling" means any process by which materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

"Source Reduction" means any action or activity that reduces or eliminates the generation of a waste.

2. Rule Chapter 1200-1-7 is amended by adding a new Rule 1200-1-7-.09, WASTE DISPOSAL REDUCTION GOAL to read as follows:

RULE 1200-1-7-.09 WASTE DISPOSAL REDUCTION GOAL

(1) General Purpose

The goal of the state is to reduce by twenty-five percent (25%) the amount of solid waste disposed of at municipal solid waste disposal facilities and incinerators by December 31, 1995, as measured on a per capita basis within Tennessee by weight. The goal shall also apply to each municipal solid waste region; but does not apply to individual disposal facilities or incinerators. Individual disposal facilities or incinerators are used only as measurement locations for assessing the achievement of a region's waste reduction efforts.

(2) Waste Reduction Methods

The Department may consider a variety of options that a region shall take into account in meeting the twenty-five percent (25%) goal. As used in Rule 1200-1-7-.09, "municipal solid waste" (MSW) means any garbage, refuse, industrial lunchroom or office waste, household waste, household hazardous waste, yard waste and any

other material resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities which are required to be disposed of in a Class I landfill, as defined in regulations adopted pursuant to Tennessee Code Annotated Title 68, Chapter 211; provided, that "municipal solid waste" does not include the following:

1. Radioactive waste;
2. Hazardous waste as defined in Tennessee Code Annotated Section 68-212-104;
3. Infectious wastes;
4. Materials that are being transported to a facility for reprocessing or reuse; provided further, that reprocessing or reuse does not include incineration or placement in a landfill; and
5. Industrial waste which may include office, domestic or cafeteria waste, managed in a privately owned solid waste disposal system or resource recovery facility, if such waste is generated solely by the owner of the solid waste disposal system or resource recovery facility.

Waste reduction methods or activities include, but are not limited to, the following:

- (a) Any "municipal solid waste" diverted from a Class I disposal facility to a Class III or Class IV disposal facility as provided under Rules 1200-1-7-.01 through .04 adopted pursuant to the provisions of Tennessee Code Annotated Title 68, Chapter 211, Part 1.
- (b) Composting of "municipal solid waste". The composting of municipal solid waste must have a market for such composted product in order to be considered as a method for waste reduction.
- (c) Recycling. Recycling constitutes a method of waste reduction so long as the recovered materials are marketed for recycling, or are stored for recycling at a solid waste management facility and at least seventy-five percent (75%) of the stored material must be marketed within the succeeding twelve (12) months. The following processes shall not be considered as marketing of recyclable materials nor counted toward the 25% waste reduction goal:
  1. Collection or material handling in preparation for buyers.
  2. Storage of unprocessed or processed materials. Unprocessed municipal solid waste is not considered as being recyclable.

- (d) Source reduction of "municipal solid waste". Source reduction measures as a method of waste reduction may include industrial process modification, feedstock substitutions or improvements in feedstock purity, various housekeeping and management practices, increases in the efficiency of machinery, and recycling within a process.

Source reduction may also include reduction in the amount and toxicity of waste generated by residential and commercial sectors, through such measures as product substitution, home composting and recycling.

Source reduction may also be achieved through the encouragement of consumer habits that include the selection of products that have reduced and recyclable packaging, and the re-use of durable goods.

- (e) Problem waste diversion. The diversion of waste tires, used oil, lead-acid batteries, paints and other problem waste, as determined and identified by the Department, from a Class I disposal facility for recycling constitutes waste reduction. Problem wastes diverted from a Class I disposal facility and stored for recycling at a municipal solid waste management facility until marketed qualifies as waste reduction when diverted.
- (f) Mulching of "municipal solid waste". Any non-treated wood waste that may be converted to a mulch must have a market in order to be considered as a method for waste reduction.

(3) Region's Waste Reduction Plan

- (a) A region's waste reduction plan shall be consistent with the guidelines issued by the State Planning Office. Such a plan shall explain the region's waste reduction methods. The region may use any combination of methods; however, the following methods or practices will not be considered in the calculation for the region's waste reduction plan:

- (1) Incineration,
- (2) Unmarketed municipal solid waste compost,
- (3) Recovered materials (other than problem wastes) stored for recycling without being marketed as prescribed by Rule 1200-1-7-.09(2)(c), and
- (4) Illegal or unauthorized storage or disposal of municipal solid waste.

- (b) The twenty-five percent (25%) goal applies to only the waste that has been going to Class I landfills or municipal solid waste incinerators. Measurements of waste are to be based on the amount of waste entering a disposal facility prior to combustion

or landfilling. Materials recovered or collected for recycling at these facilities prior to combustion or landfilling shall be weighed and deducted from the total amount being disposed.

- (c) The region shall present their calculation of the twenty-five percent (25%) waste reduction on a per capita basis. The per capita waste savings shall be presented in tons per person per year.
- (d) The region's plan shall utilize the base year of 1989 for measuring waste reduction unless a region can demonstrate that 1989 data (found in The University of Tennessee study (February 1991), "Managing Our Waste: Solid Waste Planning for Tennessee") is clearly in error. A region may receive credit toward the waste reduction goal for documented reductions from recycling and source reduction programs prior to 1989, but no earlier than 1985. The region shall notify in writing the Director of the State Planning Office of such an error and request approval of any adjustment to the 1989 data.
- (e) Beginning on March 1, 1994, each region shall submit an annual report to the State Planning Office. Pursuant to T.C.A. Sections 68-211-863 and 68-211-871, such reports shall include, at a minimum, the amount and type of recycled materials collected in the region.

(4) Variance to Waste Reduction Goal

A region which fails to meet the goal, in spite of following an approved plan, may seek a variance from the Director of the State Planning Office. Any such request must comply with the provisions of T.C.A. Section 68-211-861(b). If approved, the variance may grant an extension of no more than five (5) years in attaining the goal.

If a region fails to achieve its goal and has not been granted a variance, it shall be subject to sanctions pursuant to T.C.A. Sections 68-211-816 and/or 68-211-117. These sanctions include a formal warning, loss of eligibility for grants from the Solid Waste Management Fund, and civil penalties.

If a multi-county region fails to meet the goal, sanctions shall apply only to the specific counties or cities within that region that have not carried out their waste reduction plan. Other cities and counties in the region will not be subject to the sanctions.

STATUTORY AUTHORITY

These amendments to Rules are promulgated pursuant to the Tennessee Solid Waste Management Act of 1991 as amended (Tennessee Code Annotated, Title 68, Chapter 211, Part 8) and the Uniform Administrative Procedures Act (Tennessee Code Annotated, Title 4, Chapter 5 et seq.).

Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

Paul Evan Davis  
 Paul Evan Davis  
 Director  
 Division of Solid Waste Assistance

The roll-call vote by the Tennessee Solid Waste Disposal Control Board on these rulemaking hearing rules was as follows:

<u>NAME OF BOARD MEMBER</u>	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Ruth Neff	X	---	---	---
Wilton Burnett, Jr.	X	---	---	---
Rafael B. Bustamante	X	---	---	---
Ken Bunting	X	---	---	---
J. P. Newman	X	---	---	---
Robert D. Waddell	X	---	---	---
William S. Stroud	X	---	---	---
S. D. Wooten	---	---	---	X
George R. Harvell, Jr.	X	---	---	---
Wesley Beal	X	---	---	---
Arthur Smith	---	X	---	---

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Solid Waste Disposal Control Board on the 2nd day of Feb., 1993.

Further, I certify that these rules are properly presented for filing, a notice of rulemaking hearing having been filed in the Department of State on the 29th day of September, 1992, and such notice of rulemaking hearing having been published in the October 15, 1992 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 17th, 19th and 23rd, of November 1992.

Tom Tiesler  
 Tom Tiesler, Technical Secretary  
 Tennessee Solid Waste Disposal  
 Control Board

Rafael B. Bustamante  
 Rafael B. Bustamante, Chairman  
 Tennessee Solid Waste Disposal  
 Control Board

Subscribed and sworn to before me this the 2nd day of February, 1993.

Marisol S. Thompson  
 Notary Public

My commission expires on the 27 day of January, 1996.

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

*Charles W. Burson*

Charles W. Burson  
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State and will become effective on the 29 day of Sept., 1993.

*Riley C. Darnell*

Riley C. Darnell  
Secretary of State

By: *Richard Arnold*

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**Chapter 5**  
**Waste Collection and Transportation**

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## Chapter 5 Waste Collection and Transportation

### Existing Regional Collection System

The region has some areas that do not receive solid waste collection services, the residents must either arrange for and pay a private contractor to collect their waste or haul it themselves to one of the "green boxes" located throughout the region. Table 5-1 presents the jurisdictions in the region that provide waste collection and transportation services.

**Table 5-1  
 Current Door-To-Door Collection**

Location	No. People Served	Area Served (sq. mi.)
<b>Benton County</b>		
Big Sandy	587	16
Camden	3,643	100
Subtotal	4,230	116
<b>Carroll County</b>		
Bruceton	1,586	6
Huntingdon	4,307	94
Hollow Rock	919	20
McKenzie	5,168	113
Trezevant	874	19
McLemoresville	306	7
Atwood	1,066	23
Subtotal	14,226	282
<b>Henry County</b>		
Paris	9,332	192
Puryear	743	15
Subtotal	10,075	207

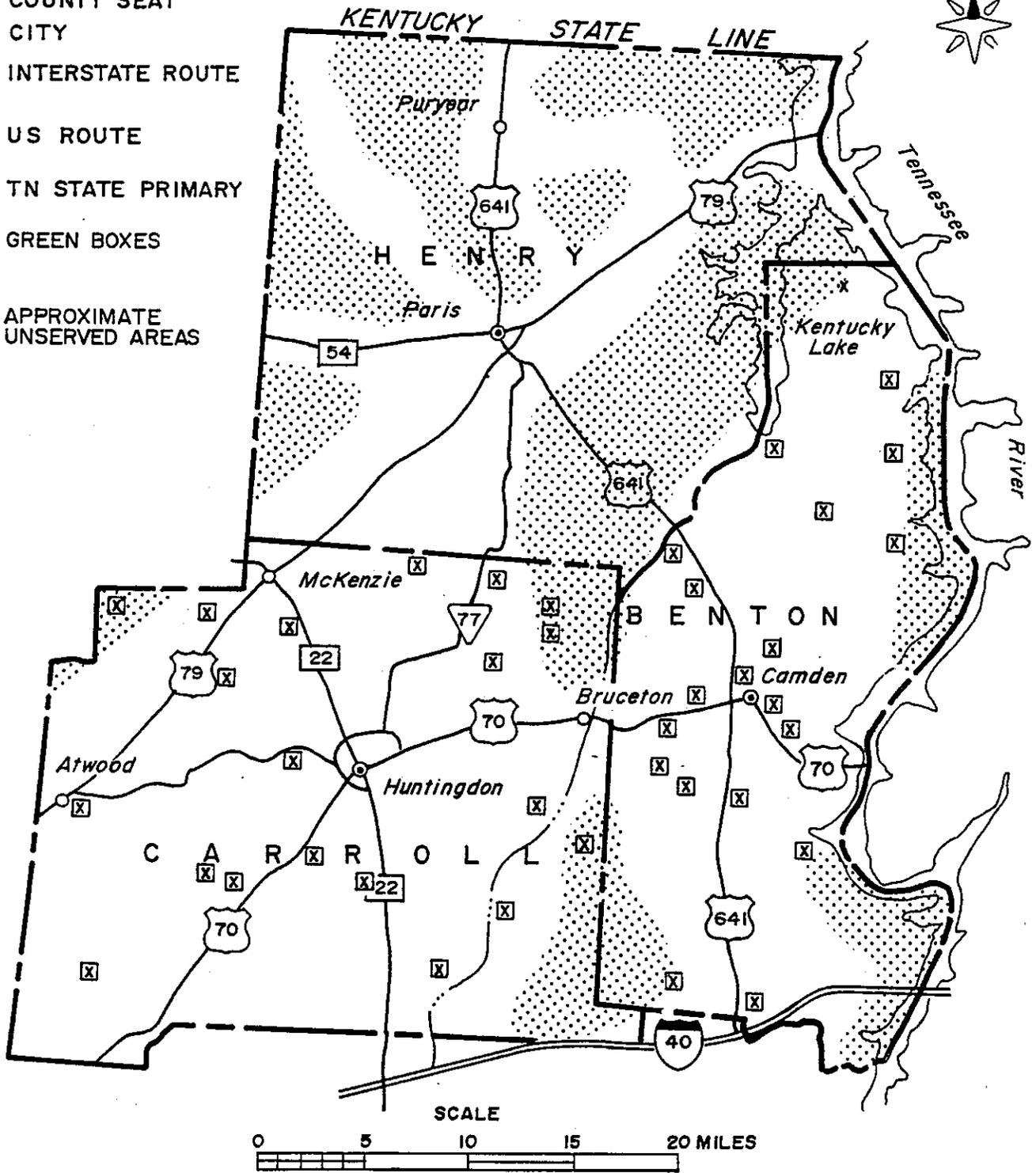
Figure 5-1 outlines the areas that do not receive collection services as well as the approximate locations of the region's "green boxes."

### Regional Collection Needs

Using T.C.A. § 68-31-851(b) as a basis, Table 5-2 presents the minimum number of convenience centers required in each area of the Region. Benton, Carroll, and Henry Counties have decided to provide mailbox pick up of solid waste across the unincorporated areas of the county. Thus Benton, Carroll, and Henry County are not required to provide convenience centers across the respective counties, but should provide at least one convenience center for people who "miss" their pickup and items that are not suitable for mailbox pickup. These centers can also double as recycling centers.

**LEGEND**

- ⊙ COUNTY SEAT
- CITY
- ▭ INTERSTATE ROUTE
- ▭ US ROUTE
- ▭ TN STATE PRIMARY
- ⊗ GREEN BOXES
- ⊘ APPROXIMATE UNSERVED AREAS



**FIGURE 5-1**  
**SOLID WASTE**  
**MANAGEMENT COLLECTION**  
**SERVICE AREAS**  
**FOR**  
**BENTON, CARROLL, AND HENRY COUNTIES**

**Table 5-2**  
**Convenience Centers Required Under T.C.A. 68-31-851(b)**

	<b>Benton</b>	<b>Carroll</b>	<b>Henry</b>
<b>Total Population</b>	14,438	27,253	27,523
<b>Total Area</b>	395	596	567
<b>People Served by Door to Door Collection</b>	4,230	14,266	10,075
<b>Area Served by Door to Door Collection (sq. miles)</b>	116	282	207
<b>People not Served by Door to Door Collection</b>	10,208	12,987	17,448
<b>Area not Served by Door to Door Collection sq. miles)</b>	279	314	360
<b>Minimum. Number. Convenience Centers Req. by Population</b>	1	1	1
<b>Minimum Number convenience Centers Required by Area</b>	2	2	2

Since Benton, Carroll and Henry counties are planning to provide mailbox pickup, they are not required to provide convenience centers. As discussed previously, Benton, Carroll and Henry counties will provide one convenience center in each county for people who "miss" their pick up and for items not suitable for mailbox pickup. Table 5-3 outlines the number of convenience centers provided versus the number required in each entity's area of service.

**Table 5-3  
 Number of Convenience Centers Required vs. Number Existing**

<u>County</u>	<u>Number Provided</u>	<u>Number Required</u>	<u>Number New Convenience Centers Planned</u> <sup>1</sup>
Benton	0	0	1
Carroll	0	0	1
Henry	0	0	1

1. Not required under regulations, however, provided for those that "miss" their door to door pick up or items unsuitable for door to door pick up.

Using Table 5-3 as a basis, Table 5-4 presents the additional transportation and collection equipment needed.

**Table 5-4  
 Additional Transportation and Collection Equipment Needed**

<u>County</u>	<u>Convenience Center</u>	<u>Transportation Trucks</u>
Benton	1	1
Carroll	1	1
Henry	1	1

Note: Economy could be achieved if one truck was purchased for the Region to service all 3 convenience centers with the truck cost shared by each county, cost estimates will show one truck for each county.

## Implementation

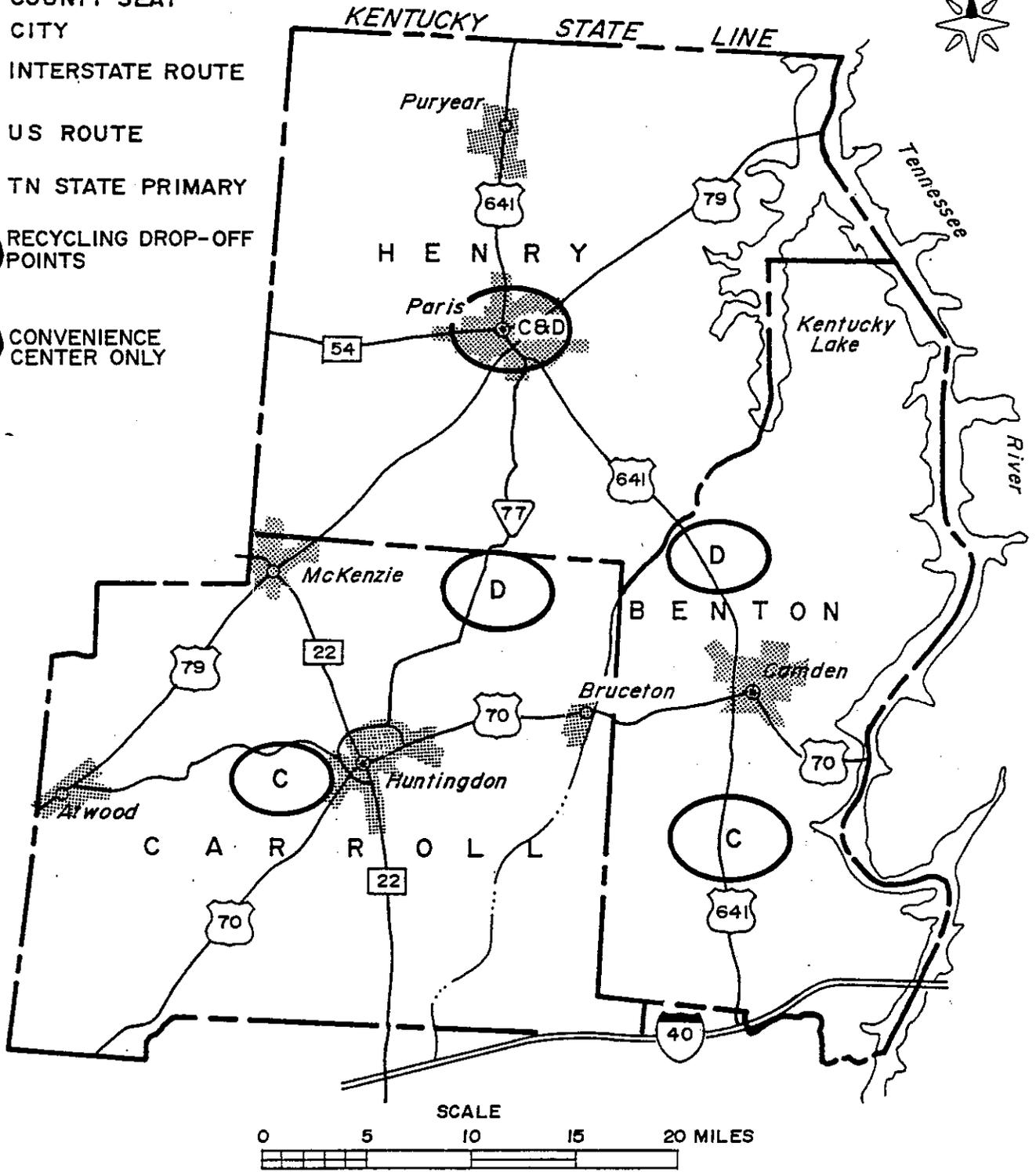
It is the Region's goal to either provide door to door collection or convenience centers for the entire region. This will not only provide all of the residents a much needed service, but it will also reduce the quantity of improperly disposed solid waste in the rural and urban areas. Figure 5-2 presents suggested general locations of the new convenience centers. Table 5-5 outlines the schedule for implementing the new services.

**Table 5-5  
 Collection and Transportation System Implementation Schedule**

<u>County</u>	<u>Convenience Center</u>	<u>Transportation Equipment</u>
Benton	1994	Roll off truck in 1994
Carroll	1994	Roll off truck in 1994
Henry	1994	Roll off truck in 1994

**LEGEND**

- ⊙ COUNTY SEAT
- CITY
-  INTERSTATE ROUTE
-  US ROUTE
-  TN STATE PRIMARY
- D** RECYCLING DROP-OFF POINTS
- C** CONVENIENCE CENTER ONLY



**FIGURE 5-2**

**SUGGESTED GENERAL LOCATIONS OF CONVENIENCE CENTERS FOR BENTON, CARROLL, AND HENRY COUNTIES**

## Staffing and Training Needs

Table 5-6 presents the 10 - year staffing and training needs necessary to insure that the schedule presented by Table 5-5 is met.

**Table 5-6**  
**10 - Year Staffing and Training Needs For Convenience Centers**

<u>County</u>	<u>No. People Needed</u>	<u>No. People Needing Training</u>
Benton		
1994	3	3
1995	3	0
Carroll		
1994	3	3
1995	3	0
Henry		
1994	3	3
1995	3	0

## Budget

A typical convenience center would contain three 40 years open top roll-off containers (two for large items and one for white goods), a 42-yard compactor receiver, a 4-yard compactor, a small, prefabricated, wooden building for the attendant, and a portable toilet. The centers would have four concrete slabs—one for the compactor and receiver, one for the two large item roll-off and one for loading/unloading roll-off containers from the truck. The balance of the center would be gravel. The center would be fenced.

Table 5-7 presents the budget necessary to implement the waste collection and transportation system outlined herein before.

**Table 5-7  
 Budget for Collection and Transportation  
 (Convenience Centers Only)**

<u>County</u>	<u>Capital</u>	<u>Operation and Maintenance</u>	<u>Total Yearly</u>
<b>Benton</b>			
1994	\$40,000	\$75,000	\$115,000
1995	0	\$75,000	\$75,000
after 1995	0	\$75,000	\$75,000
<b>Carroll</b>			
1994	\$40,000	\$75,000	\$115,000
1995	0	\$75,000	\$75,000
after 1995	0	\$75,000	\$75,000
<b>Henry</b>			
1994	\$40,000	\$75,000	\$115,000
1995	0	\$75,000	\$75,000
after 1995	0	\$75,000	\$75,000

Table 5-8 is a 10 - year milestone for implementation of the waste collection and transportation plan.

**Table 5-8  
 Timetable for Collection and Transportation**

<u>County</u>	<u>First Convenience Center Constructed</u>	<u>Last Mandatory Convenience Center Constructed</u>
Benton	1994	—
Carroll	1994	—
Henry	1994	—

Each county has chosen to provide weekly mailbox collection services to its rural residents. If a county elects to impose a residential collection fee, such a fee should not be applied to the city residents receiving collection service from the city.

Each county currently has some rural collection service provided by private haulers. Existing contracts between private residents and private haulers should be honored. As the existing contracts expire, the individual residents should come under the county contract. This can be accomplished by resolution in each county or by power of the Solid Waste Authority (if an authority is formed).

Since there are existing private haulers in each county, it is recommended that the counties not purchase residential collection trucks and not provide mailbox collection with county crews. It is recommended that rural residential mailbox collection be bid to private haulers.

It is recommended that each county require by resolution that each rural household participate in the rural mailbox collection by paying a collection fee as determined by the county, a practice common in many cities. For a discussion of fees, see Chapter 11.

Table 5-9 presents the cost of "mailbox" collection in each county.

**Table 5-9**  
**Estimated "Mailbox" Collection Costs**

County	Total ①	Residences Receiving		Annual Cost ③
		City Collection Service ②	Remaining Residences	
Benton	5,784	1,573	4,211	\$197,075
Carroll	10,727	5,154	5,573	\$260,816
Henry	<u>11,362</u>	<u>4,378</u>	<u>6,984</u>	<u>\$326,851</u>
	27,873	11,105	16,768	\$784,742

① From Needs Assessment, page V-1.

② From Needs Assessment, page V-2 and Chapter 2.

③ \$3.40 for bid + \$0.50 for billing and overhead x 12 months.

④ Average population per residence

69,214 population/27,873 residences = 2.48 persons/residence

## Grants and Technical Assistance

A copy of the State Convenience Center regulations are contained at the end of this chapter. The State offers matching grant funds to establish or upgrade convenience centers. Following is a copy of § 68-211-824.

§ 68-211-824. Matching grant assistance to establish or upgrade convenience centers. — From funds available in the solid waste management fund established by § 68-211-821, the department shall offer matching grant assistance to counties for the purpose of establishing or upgrading convenience centers required by § 68-211-851. Such grant funds may be applied to expenses for land, paving, fencing, shelters for attendants, containers and basic equipment including, but not limited to, balers, crushers, grinders, and fencing. Such funds may also be applied to expenditures for developing and printing of operating manuals, but such funds may not be used for regular operating expenses of a recurring nature. The local share of the match shall be determined by the department, using an economic index promulgated by income and property values of the county applicant. Counties falling within the lower one half (½) of the economic scale on the index shall be eligible for lower matching rates. The board shall promulgate regulations regarding the appropriate index and matching rates. [Acts 1991, ch. 451, § 21; T.C.A., § 68-31-824; Acts 1992, ch. 693, § 24.]

In addition, the state law also provides (§ 68-211-851(c)) that the University of Tennessee County Technical Assistance Service shall provide technical assistance if requested.

§ 68-211-851. Municipal solid waste collection and disposal systems — Convenience centers — Technical assistance. — (a) Effective January 1, 1995, each county shall assure that one (1) or more municipal solid waste collection and disposal systems are available to meet the needs of the residents of the county. Such systems shall complement and supplement those provided by any municipality. The minimum level of service that the county shall assure is a system consisting of a network of convenience centers throughout the county. Unless a higher level of service, such as household garbage pickup, is available to the residents, a county shall provide directly, by contract or through a solid waste authority, convenience centers which shall meet minimum design standards to be developed by the department and established by regulation. The department, in consultation with the state planning office, shall also develop regulations to be promulgated by the board for determining the minimum requirements for and number of convenience centers or other forms of collection that a county shall maintain. Such regulations shall consider county population, area, distances to possible convenience center sites, and staffing requirements.

(b) As part of the local plan required by § 68-211-814, each county or multi-county municipal solid waste disposal region shall submit a plan for the adequate provision of collection services to the state planning office. Such plan shall identify unmet needs and shall be updated annually.

(c) If requested, the University of Tennessee county technical assistance service and municipal technical advisory service shall provide technical assistance to a county or region for siting, designing, constructing, upgrading and minimum design standards which the department will establish by regulation. The county shall develop an operating manual, and the department shall offer training operators and attendants. [Acts 1991, ch. 451, § 21; T.C.A., § 68-211-851.]

## Summary

Benton, Carroll, and Henry County will each establish weekly, mailbox collection for rural households. In addition, each county will establish at least one attended convenience center. State grants will be sought for the construction of the convenience centers.

## **Convenience Center Regulations**

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AMENDMENTS TO RULE 1200-1-7  
CONVENIENCE CENTER RULE

Proposed Rules To Be Presented At the February 1993  
Board Meeting

Rule 1200-1-7-.01(2) Definitions is amended by deleting the existing definition and adding the following:

"Convenience center" means any area which is staffed and fenced that has waste receptacles on site that are open to the public, when an attendant is present, to receive household waste, municipal solid waste and recyclable materials.

Rule 1200-1-7-.07(1)(b)5 is amended by deleting this part in its entirety and substituting the following:

5. These fees shall not apply to any facility that recovers and/or recycles seventy-five (75) percent of materials received. The owner/operator must maintain records that support the seventy-five percent rule. Records shall be maintained as per Rule 1200-1-7-.08(3).

Rule 1200-1-.07(1)(b) is amended by adding a new part 7. as follows:

7. These fees shall not apply to convenience centers as required by T.C.A. 68-211-851.

Rule 1200-1-7-.02(1)(c)1. is amended by adding a new subpart (iv) as follows:

(iv) A convenience center, if

(I) The operator complies with the notification requirements of Part 2 of this subparagraph.

(II) An operational manual describing the specific manner in which the facility complies with Rule 10(3).

(III) A design plan on 1" = 20' scale indicating boundaries of the site and all appurtenances.

(IV) A site location map on a USGS Topo map.

(V) The facility is designed and operated in compliance with Rule 1200-1-7-.10.

Rule 1200-1-7 is amended by adding a new rule to read as follows:

Rule 1200-1-7-.10 Convenience Centers -

(1) Purpose

- (a) This rule shall establish the minimum level of service which every county must provide in order to assure that all residents of a county are provided with collection and disposal service.
- (b) This rule shall establish minimum standards for the design and operation of convenience centers if such service is selected by a county.

(2) Minimum level of service -

- (a) Household collection - A county shall be deemed to have met minimum level of service if at least ninety percent (90%) of all residents have access to household collection.
- (b) Convenience centers - A county shall be deemed to have a minimum level of service if convenience centers are established as provided in this subparagraph. Each county must have at least one convenience center unless a higher level of service is provided.

(1) Number of centers - The minimum level of service shall be established as provided in (i) and (ii) as follows:

(i) Service area - The service area of a county is defined as follows:

(I) County area in square miles less in square miles the following;

- (1) Federal lands or reservations;
- (II) State lands or reservations;
- (III) Forestry reserves as held by wood processing industry;
- (IV) Municipal corporations served by mandatory collection;
- (VI) Federally managed water bodies or rivers;

or;

(II) Population as certified by the most recent census as per the U.S. Bureau of Census less the population served by mandatory collection service.

(ii) The minimum number of centers shall be established as follows:

(I) The service area in square mile divided by one hundred eighty square miles (180 mi<sup>2</sup>);  
or

(II) The service area population divided by 12,000.

(All calculations shall be rounded to the nearest whole number.)

(c) Higher Level of Service - If a county or region proposes an alternative system, said system shall be approved by the Commissioner. The proposed system must provide a higher level of service than convenience centers. The county or region must, at a minimum, provide a review as per paragraph (4) of this rule and state in detail the criteria by which the system provides a higher level of service.

(3) Design and operation standards

(a) Access - The facility shall restrict unauthorized access by means of fencing with the ability to secure access points. Operating hours shall be posted at the facility.

(b) Dust and Mud Control - In order to prevent the creation of a nuisance or safety hazard all surfaces utilized for access and general operation shall be paved (includes compacted stone).

(c) Run-on and Run-off Control

1. In order to prevent operational hazards all run-on surface water shall be diverted around the facility.

2. In order to prevent ponding of water the surface of the facility shall be graded to assure proper runoff control. All runoff shall be diverted to an area that can be controlled with reference to release from the property. The release area shall be properly graded and stabilized to prevent erosion or other damage to adjoining properties. Silt fencing shall be utilized at this release point to control solids and silt. The area shall be kept free of silt and debris.

- (d) Fire safety - The facility must have on-site, properly maintained, fire suppression equipment. Arrangements must be made with the nearest available fire protection agency to provide additional protection.
- (e) Communication - There shall be maintained on-site equipment capable of notifying the appropriate authorities of an emergency.
- (f) Personnel facilities
  - 1. In order to provide shelter during inclement weather and store necessary records and supplies a suitable structure shall be provided on-site.
  - 2. Sanitary facilities shall be provided.
- (g) Water - Service water should be provided to the facility if equipment and/or the facility management requires such water for maintenance.
- (h) Process water - If mechanical compaction is utilized all liquid generated by this equipment shall be collected and properly managed.
- (i) Waste Handling
  - 1. Recycled material shall be placed in separate receiving containers;
  - 2. All waste handling (including loading and unloading) shall be conducted on paved surfaces;
  - 3. There is no storage of solid waste at the facility except in containers, bins, or on paved surface designed for such storage;
  - 4. All loose litter shall be collected at the end of each working day.
- (j) Facility supervision - Trained personnel must always be present during operating hours. Training will be established as per T.C.A. 68-211-853.
- (h) Siting restrictions
  - 1. The facility must not be located in a wetland.
  - 2. The facility must not be located in a 100 yr. floodplain.

3. The facility must not cause or contribute to the taking of any endangered or threatened species of plants, fish or wildlife; or result in the destruction or adverse modification of a critical habitat.
- (l) The facility shall not receive special waste unless approval is received from the Department in writing. Approval will require the construction of special containment areas.
  - (m) The facility shall not receive medical waste.
- (4) Municipal Solid Waste Collection and Plan
- (a) Annually each solid waste disposal region shall revise the local plan as required by T.C.A. 68-211-814. This annual revision shall consider:
    1. Survey of roadside dumps;
    2. Citizen complaints;
    3. Alternative systems available;
    4. Volume of waste received or collected by the existing systems.
  - (b) This report shall be submitted to the State Planning Office on July 1, 1996 and each year thereafter.

STATUTORY AUTHORITY

THESE RULES ARE PROMULGATED PURSUANT TO TENNESSEE CODE ANNOTATED SECTIONS 68-211-102(a), 68-211-106(a)(1), 68-211-107(a), 68-211-111, and 68-211-851(a) and (b).

# Chapter 6 Recycling

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## Chapter 6 Recycling

### General

Recycling is widely accepted by the general public and environmental groups alike as "the right thing to do." However, much misconception exists about the economic viability of recycling. First and foremost, with the current recyclables market, recycling will not pay for itself. Wayne County, Tennessee has one of the least expensive recycling programs in Tennessee costing approximately \$37 per ton of recycled waste excluding corrugated cardboard collection which boosts the cost to approximately \$77 per ton of recycled waste. These costs are net costs after revenues are considered. Using this as a basis and taking a credit of \$25 per ton for landfilling cost savings, recycling still costs Wayne County \$12 to \$52 per ton of recycled waste. Wayne County recycles approximately 14% of the solid waste collected by the County.

The problems associated with recycling are many. Unmanned recycling bins become a collecting place for waste other than recyclables. If the bins are full, the recyclables are left on the ground. Once either one of these problems surface, the bins are no longer accepted by the public and no one wants one near their home or business.

The largest problem with recycling is the market for recyclables. Aluminum is the only fraction of the recyclables stream which has a strong steady market. It commands \$0.20 to \$0.35 per pound. The other fractions, newsprint, plastic bottles, glass and ferrous metals, have variable and widely fluctuating market value. News print, for instance, May of 1993, brought \$0.005 per pound. During certain times one must pay someone to take newsprint. Plastic prices are low (approximately \$0.005 per pound) but steady. Glass prices vary between \$0.0015 and \$0.004 per pound depending on the color (clear, brown, green and just recently blue). Ferrous (bi-metal) container prices vary between \$0.0035 and \$0.007 per pound. Using the above as a basis, the average ton of recyclables collected in this region would bring \$35 per ton.

The State of Tennessee set up the Office of Cooperative Marketing to help generate, stabilize and locate markets for the recyclables collected in the state. Although this will help, it is not expected to be the sole answer to market problems. A local recycling person would go a long way toward locating, generating and stabilizing the areas' markets. In addition the State of Tennessee contains 58 solid waste planning regions. When all of these begin to recycle, the influence on the market may be to depress the prices even further.

Residential recycling is in it's infancy in the region. Paris operates a drop off collection system consisting of bins located at the police department. McKenzie has curbside collection of recyclables. At least eight industries in the region are currently recycling in excess of 11,000 tons per year of wood pallets, ferrous and non-ferrous metals, paper and glass.

## **Regional Need**

This area, like every other planning area, is required to reduce its per capita solid waste contribution being placed in a Class I landfill and / or incinerated. Recycling is expected to be a significant part of this reduction. Depending on the alternative recycling plan adopted, recycling could reduce the per capita contribution a significant amount. The recycling needs of the Region will be investigated in two parts; residential recycling and industrial / commercial recycling.

## **Residential Recycling Alternatives**

Recycling programs range from the least expensive drop - off collection point systems where the citizens bring their recyclables to a central collection point to a sophisticated curbside collection system where recyclables are collected at the "mailbox" of each home. Regardless, the most successful recycling systems share one common element; the recyclables are separated at the source from the solid waste stream. This requires that the public accept recycling as "the right thing to do" and participate freely.

Williamson County, Tennessee operates one of the most successful drop - off point recycling systems in Tennessee. Each county convenience center has recyclables bins. Several other drop - off points are located around the county. The convenience center collection points are manned by county personnel. The other collection points are manned by various civic and community groups in exchange for the revenue from the bins manned by that group. The County also has a very successful and active public education and awareness program headed by their Recycling Coordinator. Williamson County's cost, after revenues and credit for landfilling savings, is approximately \$15 per ton of recycled Waste. If \$25 per ton is used for an "average" landfilling cost, this would bring the cost to \$40 per ton of recycled waste. The recycling rate under this program is approximately 8% of the County's collected waste stream, but many of the recyclables originate in Davidson County.

Murfreesboro, Tennessee conducted a year long pilot recycling program where 25% (3,323) of the homes in the city received curbside collection of recyclables. Each residence in the pilot area was provided a bin for collection of recyclables which was placed at the curb once per week for collection. This program collected, on the average, 30.74 tons per month of recyclables at a cost of \$3,954 per month, before credits for revenue, or approximately \$128 per ton of recycled waste. The average revenue for the pilot area was approximately \$14 per ton. When this program was bid to extend it to the entire community, the price increased to approximately \$28,500 per month or \$230 per ton of waste recycled. As a cost savings, the City also bid a bag collection system which was identical to the bin system described above except the homeowner would be required to purchase blue recyclables bags. This system would have cost approximately \$17,000 per month or \$138 per ton of recycled waste. The recycling rate under the pilot program was approximately 11% of the pilot area's waste stream.

A Tennessee based manufacturer of recycling technologies was contacted about the latest innovations in recycling technologies, mixed waste recycling systems (MWR). A MWR system would consist of a large building where all of the waste would be processed with specialized machinery to remove the recyclables. The balance of the waste (75%) would be landfilled. This cost was estimated by the manufacturer to be approximately \$25 per ton of waste (total waste stream) handled over a 20 year period; a large capital expenditure would be required up front for this system. Using a 25% recycling rate as claimed by the manufacturer as a basis, the actual cost would be \$100 per ton of waste recycled.

Using the above costs as a basis, Table 6-1 presents the per ton cost of recycling considered for the area.

**Table 6-1**  
**Recycling Alternatives**

<u>Collection Method</u>	<u>Estimated Cost / Ton Recycled</u>
Curbside with bin system	\$230
Curbside with bag system	\$135
Drop - off point system	\$40
Mixed Refuse Handling	\$100

The average cost to dispose of solid waste in a Class I landfill in the area is estimated to be \$25.00 per ton.

### **Residential Recycling Recommendations**

Because of the great difference between recycling and landfilling costs, it has been decided by the Region to implement a drop-off point recycling system. Initially the system will consist of recyclable bins at a convenience center in each county. As the market for recyclables and public demand dictate, additional bins will be located. In addition, mobile bins may be purchased for each county to facilitate efforts to increase recycling awareness and participation on a community by community basis. Tri-County Recycling has verbally agreed to accept all of the regions recyclables ( aluminum, "tin" cans, news print, computer paper, plastic and glass) at it's recycling center at no charge. The entities using this service would only need to establish a delivery schedule. Tri-county recycling closed its doors (December, 1993). It is unknown if or where they will resume operations. Barker Brothers, Inc., has started accepting recyclable materials.

McKenzie will continue with it's curb side recycling system as long as it is practical.

## Residential Recycling Program Specifics

The regions ten year plan will be as outlined in Table 6-2.

**Table 6-2**  
**Residential Recycling Plan Summary and Schedule**

Year	One Drop Off Site per County	Additional Drop Off Points in Counties	Mobile Collection Bins in Counties	Curb Side Collection in Urban Areas	Percent Reduction in Solid Waste
1994					0.00
1995					1.2
1996					1.3
1997					1.4
1998					1.5
1999					1.6
2000					1.7
2001					1.8
2002					2.0
2003					2.2

## Industrial / Commercial Recycling Alternatives

The commercial and industrial sectors are fertile areas for recycling. Most commercial and many industrial solid waste generators waste streams contain large quantities of corrugated cardboard. Aqua Glass Corporation in Adamsville recycles it's corrugated cardboard; they separate it and give it to a commercial hauler who in turn sells it. Other commercial establishments and industries may be able to do likewise. However, unless encouraged and in some cases provided an incentive to recycle the corrugated cardboard, they may continue to dispose of it in the landfill. The only viable alternative available appears to be recycling of corrugated cardboard by source separation by local commercial and industrial establishments. Table 4-2 in Chapter 4 presents industries that are recycling and the quantity of material they are recycling. It consists of approximately 689 tons of paper and corrugated cardboard, 5,370 tons of ferrous and non - ferrous metals and 5,203 tons of wood products (mostly pallets).

## Industrial / Commercial / Institutional / Government Recycling Recommendations

The Region should encourage recycling by industrial, commercial, institutional and government offices. Chapter 9 will address the education issue. Economic incentives could include a surcharge in the form of higher solid waste collection and/or disposal costs for establishments who do not recycle their cardboard. The existing recycling efforts should be continued and expanded where possible.

### Industrial, Commercial, and Governmental Recycling Program Specifics

Table 6-3 presents the specifics of the non residential recycling program.

**Table 6-3**  
**Industrial, Commercial, and Governmental Recycling Program Specifics**

Year	Public Education Program	Surcharge on Corrugated Cardboard Disposal	Encourage Recycling By Commercial and Industry	Encourage Recycling by Institutional & Government Agencies	Percent Reduction in Solid Waste
1994					14.4
1995					16.2
1996					16.1
1997					16.0
1998					15.9
1999					15.8
2000					15.7
2001					15.6
2002					15.4
2003					15.3

### Recycling Program Size

The public recycling program in the Benton, Carroll and Henry County Region will begin small and grow as the public is educated and accepts the idea that recycling is the "right thing to do." Table 6-4 presents the number of households and businesses expected to participate over the 10 - year planning period.

**Table 6-4**  
**Area Recycling Program Participation Summary**

<u>Year</u>	<u># Homes Served</u>	<u>% of Homes Served</u>	<u># of Businesses Served</u>
1994	3,000	11%	8
1995	5,500	20%	18
1996	8,200	29%	26
1997	9,500	34%	34
1998	11,000	40%	40
1999	14,750	53%	45
2000	16,500	59%	50
2001	17,350	62%	55
2002	18,250	66%	60
2003	21,000	75%	65

### Quantity of Materials Recycled

Table 6-5 presents the estimated quantity of materials which will be recycled over the 10-year period.

**Table 6-5**  
**Estimated Quantities of Materials Recycled**

<u>Year</u>	<u>Tons / Year Recycled<sup>1</sup></u>	<u>% of Waste Stream Recycled<sup>2</sup></u>
1994	11,262	14.4
1995	13,451	17.4
1996	13,424	17.4
1997	13,396	17.4
1998	13,367	17.4
1999	13,340	17.4
2000	13,312	17.4
2001	13,276	17.4
2002	13,255	17.4
2003	13,200	17.4

1. From Table 4-6

2. Tons / Year Recycled divided by (Population from Table 1-6 x per capita waste generation from page 4-2)

## Service Area and Location of Sites

The service area for recycling will be the entire region. Emphasis will be added in the incorporated urban areas, industries, commercial establishments, institutions and government agencies. Recycling drop off points will be established at such locations as the police department in each incorporated area and variable locations throughout the region with the mobile bins.

Figure 6-1 presents the general location of the recycling drop-off points, the existing Tri-Counties Recycling, Inc., center and the recently purchased Carroll County Recycling Center.

## Program Implementation and Operation

Local recycling coordinators will be designated to coordinate the education effort required to insure an acceptable level of success. The regions recyclables will be transported to the Carroll County Recycling Center for handling and to provide a common market effort.

Table 6-6 presents the cost of the Recycling program in each county, excluding capital costs, for the first 10-year period.

**Table 6-6**  
**Recycling Program Support Cost<sup>1</sup>**

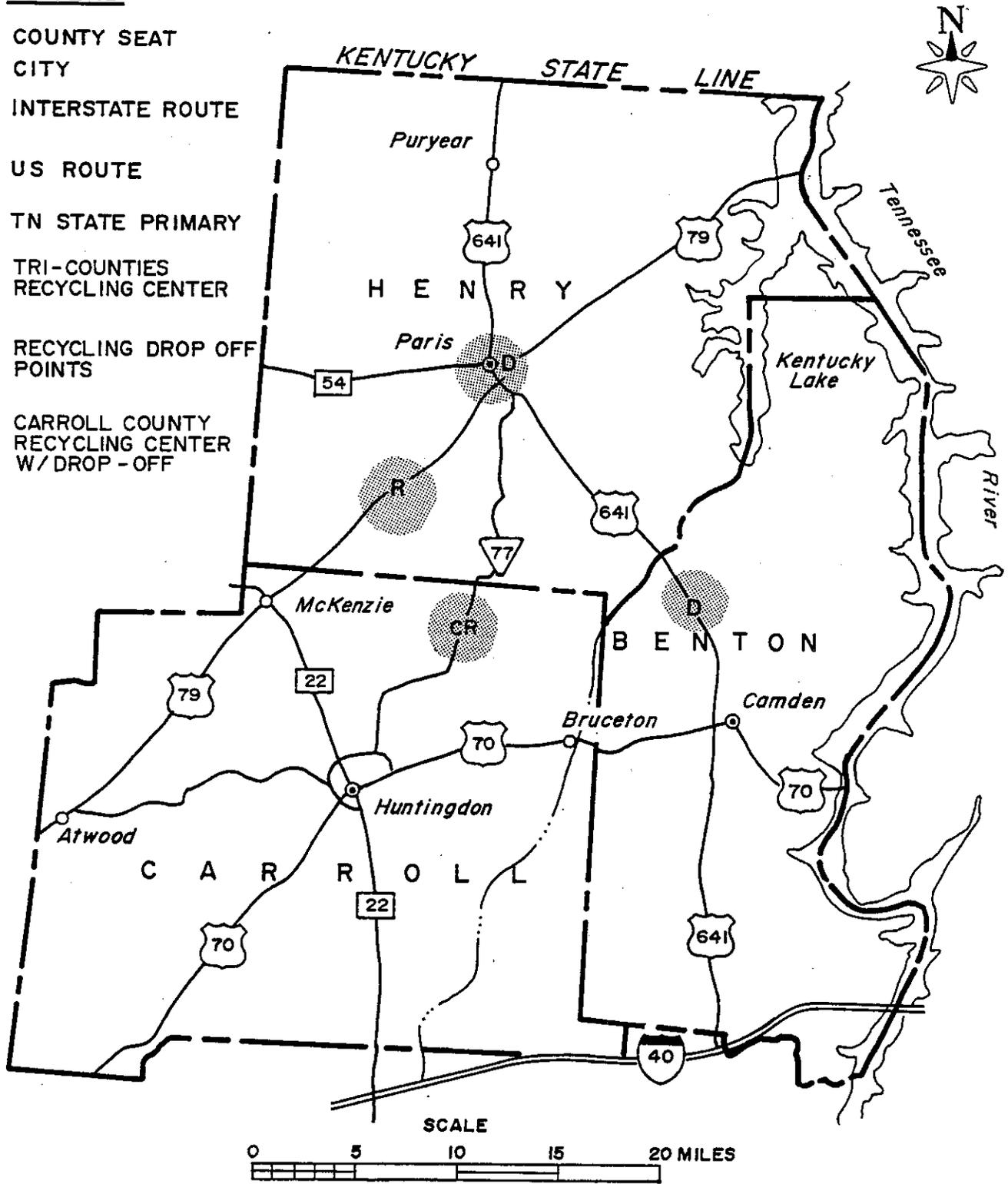
<u>Year</u>	<u>Salaries</u>	<u>Office Space</u>	<u>Expenses</u>	<u>Total Cost</u>
1994	\$20,000	\$1,500	\$7,500	\$29,000
1995	\$20,750	\$1,575	\$7,875	\$30,200
1996	\$21,538	\$1,654	\$8,269	\$31,460
1997	\$22,364	\$1,736	\$8,682	\$32,783
1998	\$23,233	\$1,823	\$9,116	\$34,172
1999	\$24,144	\$1,914	\$9,572	\$35,631
2000	\$25,101	\$2,010	\$10,051	\$37,162
2001	\$26,107	\$2,111	\$10,553	\$38,770
2002	\$27,162	\$2,216	\$11,081	\$40,459
2003	\$28,270	\$2,327	\$11,635	\$42,232

1. Benton County has a volunteer recycling coordinator; there are no costs associated with this person.

The capital cost of the program will vary from county to county depending on how many drop off points are established. A typical cost for establishing a drop off point at an existing convenience center is \$7,500. Table 6-7 outlines the anticipated capital costs by county to establish drop off collection points and acquire one set of bins to be moved from location to location. The same trucks used for the collection boxes at the convenience center(s) will also be used for recyclables collection bins. Carroll County purchased a building on Highway 77 to use as a recycling center.

**LEGEND**

- ⊙ COUNTY SEAT
- CITY
- ▭ INTERSTATE ROUTE
- ▭ US ROUTE
- ▭ TN STATE PRIMARY
- R TRI-COUNTIES RECYCLING CENTER
- D RECYCLING DROP OFF POINTS
- CR CARROLL COUNTY RECYCLING CENTER W/ DROP-OFF



**FIGURE 6-1**

**RECOMMENDED RECYCLING DROP OFF POINTS  
AND RECYCLING CENTER LOCATIONS  
FOR  
BENTON, CARROLL, AND HENRY SOLID WASTE REGION**

**Table 6-7**  
**Recycling Program Capital Cost**

<u>Year</u>	<u>Benton</u>	<u>Carroll</u>	<u>Henry</u>
1	\$7,500	\$80,000	\$7,500
2	-	-	-
3	\$15,000	\$15,000	\$15,000
4	-	-	-
5	-	-	-
6	\$15,000	\$15,000	\$15,000
7	-	-	-
8	-	-	-
9	-	-	-
10	<u>\$15,000</u>	<u>\$15,000</u>	<u>\$15,000</u>
<b>Total</b>	<b>\$52,500</b>	<b>\$125,000</b>	<b>\$52,500</b>

*Note: Carroll County cost includes truck purchase.*

The total cost of recycling by county is shown in Table 6-8.

**Table 6-8**  
**Total Recycling Cost By County**

<u>Year</u>	<u>Benton</u>	<u>Carroll</u>	<u>Henry</u>
1	\$7,500	\$109,000	\$36,500
2	0	\$30,200	\$30,200
3	\$15,000	\$46,460	\$46,460
4	0	\$32,783	\$32,783
5	0	\$34,172	\$34,172
6	\$15,000	\$50,631	\$50,631
7	0	\$37,162	\$37,162
8	0	\$38,770	\$38,770
9	0	\$40,459	\$40,459
10	<u>\$15,000</u>	<u>\$57,232</u>	<u>\$57,232</u>
<b>Total</b>	<b>\$52,500</b>	<b>\$476,869</b>	<b>\$404,369</b>

*Note: From Table 6-6 and Table 6-7.*

## Funding Plan

The recycling program revenue will be a very small part of the funds necessary to operate and maintain the recycling in the counties. As a general rule, less than 50% of the revenue necessary to make recycling self supporting is generated; the balance must come from other sources. Counties will select their own method of securing the necessary funds. Should a tax increase be chosen to fund the recycling program, Table 6-9 presents the tax rate necessary to fund the recycling program in each county.

**Table 6-9**  
**Tax Rate Increase Necessary to**  
**Fund Recycling**

<u>County</u>	<u>Accessed Property Value<sup>1</sup></u>	<u>Yearly Revenue Needed<sup>2</sup></u>	<u>Tax Rate Increase Necessary / \$100</u>
Benton	\$80,000,000	\$5,250	\$0.0066
Carroll	\$158,806,837	\$47,687	\$0.030
Henry	\$192,746,854	\$40,437	\$0.021

1. From County Executives
2. Total cost shown in Table 6-8 divided by 10 - years

A one cent increase in property tax in Benton County will produce approximately \$8,000 per year in 1993, \$15,800 in Carroll County and \$19,275 in Henry County.

The State offers a grant program for equipment for recycling/collection sites. The following is section § 68-211-825.

§ 68-211-825. Grant program — Recycling collection site equipment — State surcharge on tipping fee — Rebate. — (a) From funds available from the solid waste management fund, the department shall establish a grant program for the purchase of equipment needed to establish or upgrade recycling at a public or not-for-profit recycling collection site. Such equipment may include, but is not limited to, containers, balers, crushers and grinders.

## Markets

Finding stable markets for collected recyclables is vital to the success of any recycling program. It is foolish to collect, separate, and store recyclables only to bury them. A recycling coordinator should be appointed for each county, see Chapter 11 – Staffing and Training Requirements. One of their duties will be to establish markets for the collected recyclables. The State of Tennessee will also provide assistance. The following are sections from the Solid Waste Act of 1991.

§ 68-211-826. Office of cooperative marketing for recyclables — Duties. — (a) From funds available from the solid waste management fund, by July 1, 1992, the department of economic and community development shall establish an office of cooperative marketing for recyclables.

(b) The duties of the office of cooperative marketing for recyclables include:

- (1) Preparing and maintaining a directory of regional buyers, which shall include current information on product specifications, markets and price ranges;
- (2) Preparing and maintaining a directory of public and private, for profit and nonprofit recycling programs;

- (3) Collecting information on the quantity and quality of materials offered for sale by recycling programs;
- (4) Assisting counties in contract negotiation;
- (5) Creating a database for and operating an interactive information clearinghouse and marketing service, which shall include pricing information; and
- (6) Maintaining an inventory of available quantities, qualities and locations of recyclable materials in Tennessee, and marketing such sites to industries which can utilize available materials. [Acts 1991, ch. 451, § 30; T.C.A., § 68-211-826.]

## **Summary**

Each county will establish a viable recycling program.

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## Chapter 7

### Composting, Solid Waste Processing, Waste-to-Energy and Incineration Capacity

#### General

This chapter will examine the viability of various alternative methods of waste disposal and determine their suitability for implementation within the region. The region currently manages its wastes efficiently, effectively and in a manner consistent with applicable regulations. Composting, solid waste processing, waste-to-energy and incineration were all areas examined in the compilation of this plan and none, with the exception of composting of yard wastes, were found to be economically feasible or necessary for the future needs of the region. The solid waste generated is not of sufficient quantity or composition to warrant the development of such systems within the region.

#### Waste-to-Energy / Incineration

The Benton, Carroll and Henry County Solid Waste Region currently has no regionally owned or county owned or operated waste-to-energy or incineration facilities. The only applicable facility is the medical waste incinerator operated by Henry County Medical Center in Paris. This facility accepts no public waste and the waste processed does not approach its permitted capacity, nor is it expected to approach the permitted capacity over the next decade.

Chapter 3 indicates the region has no quantitative need for such facilities. There is no indication that future waste generation rates or current needs will change sufficiently to support such facilities. Also due to the sociological and environmental problems and high cost associated with waste to energy facilities, such a facility is not feasible for the region.

#### Composting

The Region's current composting capacity consists of one privately owned composting facility, D&J Composting, near McKenzie in Carroll County. This facility accepts the following items:

- clean leaves (bagged or unbagged)
- mixed brush with tree trimmings less than six inches in diameter
- clean yard waste including grass
- clean wood demolition debris (unpainted or untreated)
- clean wood pallets (unpainted or untreated)

The facility will not accept any materials such as dead animals, large stumps, treated or painted woods, non-wood wastes or dry wall scraps. It is open four days a week and accepts compostable materials for a fee of \$4.00/cubic yard or \$16.00/ton.

This facility is too small to process significant amounts of waste, and so in an effort to better utilize its disposal facilities and to aid in meeting the State mandated reduction goals, the counties within the region will compost all yard wastes received which were previously disposed of in the landfills. The public will also be encouraged to undertake composting on an individual basis. The region currently disposes of an estimated 8,833 tons of yard waste (according to the needs assessment) annually. These wastes will be diverted from the stream and composted at suitable sites throughout the region. The preferred site for this composting will be at the planned Class III/IV landfills.

The region will prepare a flyer as part of its public outreach and education program outlining to the public the importance of composting and explaining how to compost. This can be implemented at a minimal cost and scheduled along with the programs discussed in Chapter 9 of this plan.

### **Waste Processing Facilities**

The Benton, Carroll and Henry County Solid Waste Planning Region currently has no regionally owned or operated waste processing facility. Barker Brothers, Inc., currently operates a privately owned transfer station on US Highway 22 for the transportation of waste to its landfill in Troy, Tennessee. Chapter 3 indicates that Henry and Carroll Counties within the region have no need for such facilities. There is also indication, under the current disposal plan, that future waste generation rates and current needs may change to further support such facilities. Therefore, Carroll and Henry Counties have no current plans to establish and operate transfer stations within their limits.

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## Chapter 8 Disposal Capacity

### Needs Versus Supply

Using Chapters 2 and 3 as a basis, Tables 8-1, 8-2 and 8-3 present the disposal needs of Benton, Carroll and Henry Counties respectively compared with the current supply for the 10-year study period.

**Table 8-1  
 Disposal Needs Compared to the Supply for Benton County**

<u>Year</u>	<u>Demand (tons)<sup>1</sup></u>	<u>Supply (tons)</u>	<u>Surplus (+)</u>	<u>Shortfall (-)<sup>2</sup></u>
1994	13,977	0	0	12,977
1995	12,224	0	0	12,224
1996	12,200	0	0	12,200
1997	12,175	0	0	12,175
1998	12,152	0	0	12,152
1999	12,129	0	0	12,129
2000	12,104	0	0	12,104
2001	12,067	0	0	12,067
2002	12,043	0	0	12,043
2003	12,018	0	0	12,018

1. Except 1994, population from Table 1-6 x 0.85 tons/person/year from page 4-2.

2. Benton County will dispose of all County waste at the West Camden Sanitary Landfill for the next 10 years at no cost.

**Table 8-2  
 Disposal Needs Compared to the Supply for Carroll County**

<u>Year</u>	<u>Demand (tons)<sup>1</sup></u>	<u>Supply (tons)</u>	<u>Surplus (+)</u>	<u>Shortfall (-)</u>
1994	26,351			0
1995	23,018	0	0	23,018
1996	22,945	0	0	22,945
1997	22,873	0	0	22,873
1998	22,800	0	0	22,800
1999	22,728	0	0	22,728
2000	22,657	0	0	22,657
2001	22,557	0	0	22,557
2002	22,189	0	0	22,189
2003	22,422	0	0	22,422

1. Except 1994, population from Table 1-6 x 0.85 tons/person/year from page 4-2.

**Table 8-3**  
**Disposal Needs Compared to the Supply for Henry County**

<u>Year</u>	<u>Demand (tons)<sup>1</sup></u>	<u>Supply (tons)</u>	<u>Surplus (+)</u>	<u>Shortfall (-)</u>
1994	26,581	72,861	46,280	0
1995	23,191	46,280	23,089	0
1996	23,089	23,089	0	0
1997	22,989	0	0	22,989
1998	22,888	0	0	22,888
1999	22,789	0	0	22,789
2000	22,690	0	0	22,690
2001	22,565	0	0	22,565
2002	22,509	0	0	22,509
2003	22,419	0	0	22,419

1. Except 1994, population from Table 1-6 x 0.85 tons/person/year from page 4-2.

Table 8-4 summarizes this same data for the region.

**Table 8-4**  
**Projected Net Disposal Capacity, Shortfalls and Surpluses**

<u>Year</u>	<u>Benton<sup>1</sup></u>	<u>Carroll<sup>2</sup></u>	<u>Henry<sup>3</sup></u>	<u>Regional Total</u>
1994	0	0	+46,280	+46,280
1995	0	-23,018	+23,089	+71
1996	0	-22,945	0	-22,874
1997	0	-22,873	-22,989	-45,862
1998	0	-22,800	-22,888	-45,688
1999	0	-22,728	-22,789	-45,517
2000	0	-22,657	-22,690	-45,347
2001	0	-22,557	-22,565	-45,122
2002	0	-22,489	-22,509	-44,998
2003	0	-22,422	-22,419	-44,841

1. West Camden Sanitary Landfill, Inc., has agreed to accept Benton County's waste at no charge for 10-years.
  2. From Table 8-2.
  3. From Table 8-3.
- + indicates surplus capacity  
 - indicates capacity shortfall

## Capacity Shortfall

From Table 8-4 it can be determined that the region has a 10 - year disposal capacity shortfall. The Paris/Henry County Landfill can serve Henry County until it closes in 1996; however, there is no current solution to the 1996 to 2003 landfill capacity shortfall.

## Regional Goals and Objectives

Benton County has negotiated a long term contact for disposal of it's solid waste at the West Camden Sanitary Landfill, however, alternative costs for Benton County are shown herein for comparison with the West Camden Landfill contract costs. A copy of this contract is contained at the end of this chapter. The West Camden Sanitary Landfill had previously offered to provide disposal services for the entire region or individual entities at a cost not to exceed \$27.00 per ton at the gate, host fee included. It was anticipated that this fee could be as low as \$24.00 per ton for 100 ton per day (tpd) quantities. Table 8-5 presents the cost quoted by West Camden Sanitary Landfill and other private and non - regional landfills. Another option for the Region is to develop a Regional Landfill. Since Benton County already has a disposal agreement with the West Camden Sanitary Landfill, a Regional landfill would serve only Carroll and Henry County. In an effort to increase the economy of scale, Weakley County was contacted even though it is in a different planning region to determine if Weakley county would be interested in a joint Carrol / Henry County Landfill (if developed)..

**Table 8-5**  
**Disposal Bids Received January, 1994**

<u>Landfill</u>	<u>Cost per Ton at the Gate</u>
West Camden Sanitary Landfill	\$21.65 <sup>1</sup>
Barker Brothers Waste, Inc.	\$21.90 <sup>2</sup>

1. Average bid price based on estimated 1996 quantity of 46,000 tons.
2. Price at the Barker Transfer Station in McKenzie, Tennessee.

Table 8-6 presents the one way distances from the Benton, Carroll, Henry and Weakley County court houses to a Regional landfill.

**Table 8-6**  
**Distances<sup>1</sup> From County Seats to Joint Landfill**  
**(one way miles)**

Miles from	Benton	Carroll	Henry	Weakley
Carroll Henry Co. Joint	32	10	17	17

1. From Tennessee Department of Transportation State highway map

Transfer stations are not recommended; however, Table 8-7 presents the estimated cost of a transfer station should one ever be needed.

**Table 8-7**  
**Estimated Transfer Station Cost**

Element	Estimated Cost
Land <sup>1</sup>	\$10,000 <sup>1</sup>
Transfer Station equipment <sup>2</sup>	\$220,000
office <sup>3</sup>	\$25,000
site work <sup>4</sup>	\$75,000
utilities <sup>5</sup>	\$7,000
fence <sup>6</sup>	\$18,000
electrical fee <sup>7</sup>	\$10,000
contingency	\$55,000
<b>Total</b>	<b>\$420,000</b>
<b>Cost per Ton<sup>8</sup></b>	
Benton County (33 tpd)	\$8.06
Carroll County (63 tpd)	\$4.22
Henry County (63 tpd)	\$4.22

1. Based on 5 acres at \$2,000 per acre..
2. Equipment includes two walking bed trailers and a tractor. Estimated cost from "Solid Waste Transportation and Other Costs," The University of Tennessee County Technical Assistance Service, page 40.
3. 500 square feet, heated, cooled, utilities.
4. Includes site preparation, paving, concrete for pads for trailers concrete retaining wall for truck ramp.
5. Includes water, sewer and electrical.
6. Approximately 1250 linear feet of 6 foot high chain link fence.
7. The transfer station is a high demand, low usage electrical user. This fee is an estimate of what the electrical supplier may charge to provide the electrical service to the site.
8. Based on public financing at 6% for 20 years and \$60,500 per year of operation and maintainance costs (\$97,118 total yearly cost).

Table 8-8, on the following page, presents the alternative transportation and disposal costs for Benton, Carroll and Henry Counties

It has been suggested that Weakley County be contacted about disposing of it's solid waste in a joint Carroll / Henry County landfill. Table 8-9 presents the anticipated cost of a joint Carroll / Henry County landfill both with and without Weakley and Benton Counties.

**Table 8-9  
 Joint Carroll / Henry County Landfill Cost**

	<b>Tons Solid Waste /day</b>	<b>Landfill Cost per Ton<sup>3</sup></b>	<b>Transportation Cost per Ton<sup>4</sup></b>	<b>Total Cost per Ton</b>
<b>Carroll</b>	63 <sup>1</sup>	\$40	\$3.14	\$43.14
<b>Henry</b>	63 <sup>1</sup>	\$40	\$4.45	\$44.45
<b>Subtotal</b>	<b>126</b>			
<b>Carroll County</b>		\$28	\$3.14	\$31.14
<b>Henry County</b>		\$28	\$4.45	\$32.45
<b>Weakley</b>	38 <sup>2</sup>			
<b>Total W/ Weakley only</b>	<b>164</b>			
<b>Carroll County</b>		\$25	\$3.14	\$28.14
<b>Henry County</b>		\$25	\$4.45	\$29.45
<b>Benton County</b>	33 <sup>1</sup>			
<b>TotalW/ Benton only</b>	<b>159</b>			
<b>Benton County</b>		\$26	\$8.37	\$34.37
<b>Carroll County</b>		\$26	\$3.14	\$29.14
<b>Henry County</b>		\$26	\$4.45	\$30.45
<b>TotalW/ Benton and Weakley</b>	<b>197</b>			
<b>Benton County</b>		\$23	\$8.37	\$31.37
<b>Carroll County</b>		\$23	\$3.14	\$26.14
<b>Henry County</b>		\$23	\$4.45	\$27.45

1. 1996 tons from Tables 8-1, 8-2 and 8-3 divided by 365.
2. From needs assesment.
3. From "Guidelines For Decisions Makers: Solid Waste Management," November 1991, The University of Tennessee County Technical Assistance Service.
4. Based on distances in Table 8-6 and "Solid Waste Transportation and other Costs," The University of Tennessee County Technical Assistance Service, page 36.
5. From Table 8-7.

**Table 8-8  
 Alternative Transportation and Disposal Costs  
 (per ton)**

	Carroll Co.			Henry Co.		
Landfill	Transportation Cost	Tipping Fee <sup>3</sup>	Total Cost/Ton	Transportation Cost <sup>1</sup>	Tipping Fee <sup>3</sup>	Total Cost/Ton
West Camden	\$4.30 <sup>1</sup>	\$21.65	\$25.95	\$4.80	\$21.65	\$26.45
Barker	\$0.57 <sup>2</sup>	\$21.90	\$22.47	\$0.57	\$21.90	\$22.47

**Table 8-8 (cont'd)  
 Alternative Transportation and Disposal Costs**

	Benton Co.		
Landfill	Transportation Cost <sup>1</sup>	Tipping Fee <sup>3</sup>	Total Cost/Ton
West Camden	0	\$0	0
Barker	\$0.57	\$21.90	\$22.47

1. Based on distances in Table 8-6 and "Solid Waste Transportation and other Costs," The University of Tennessee County Technical Assistance Service, Page 36.
2. Based on the bid price of \$0.10/customer/month x 12 ÷ the tons/customer/year (person/residence from Table 5-9 x 0.85 tons/person/year from page 4-2).
3. Based on Table 8-5 (actual bids).

Table 8-10 summarizes the alternative costs for Carroll and Henry County.

**Table 8-10  
 Carroll and Henry County Alternative Cost**

	Benton County Cost per Ton	Carroll County Cost per Ton	Henry County Cost per Ton
<b>Landfill</b>			
West Camden <sup>1</sup>	\$0	\$25.95	\$26.45
Barker Brothers	\$22.47	\$22.47	\$22.47
Joint Carroll and Henry with Weakley <sup>2</sup>		\$28.14	\$29.45
Joint Carroll and Henry County without Weakley <sup>2</sup>		\$31.14	\$32.45
Joint Carroll and Henry County with Benton <sup>2</sup>	\$34.37	\$29.14	\$30.45
Joint Carroll and Henry County with Benton and Weakley <sup>2</sup>	\$31.37	\$26.14	\$27.45

1. From Table 8-8
2. From Table 8-9

Using Table 8-10 as a basis, Benton County is saving at least \$261,000 (33 tpd times 365 days times \$21.65 per ton) per year with their contract with the West Camden Landfill. This is equivalent to a property tax increase of 33¢.

Table 8-11 presents the advantages and disadvantages of using a third party landfill for disposal of the Region's waste.

**Tabel 8-11  
 Third Party Landfill Use – Advantages and Disadvantages**

<b>Advantage</b>	<b>Disadvantage</b>
1. Region is not responsible for the day to day operation of a landfill.	1. Unless safeguards are written into the contract, the third party could increase the tipping fee substantially at the end of the contract period thus leaving the Region without a disposal option.
2. Region does not have responsibility for permit compliance.	2. The third party could go bankrupt during the contract term and leave the Region without a disposal option.
3. The Region would not have to go to the expense and trouble to obtain a landfill permit.	3. The third party could allow unauthorized waste to be placed into the landfill which might later cause environmental impacts for which the Region would be responsible should the landfill owner become bankrupt.
4. The Region would not have to form an authority to operate a landfill.	4. The third party could operate the landfill in such a fashion that the State would close the landfill thus leaving the Region without a disposal option.
5. The Region would not be responsible for the 30 year closure / post closure care of a landfill.	

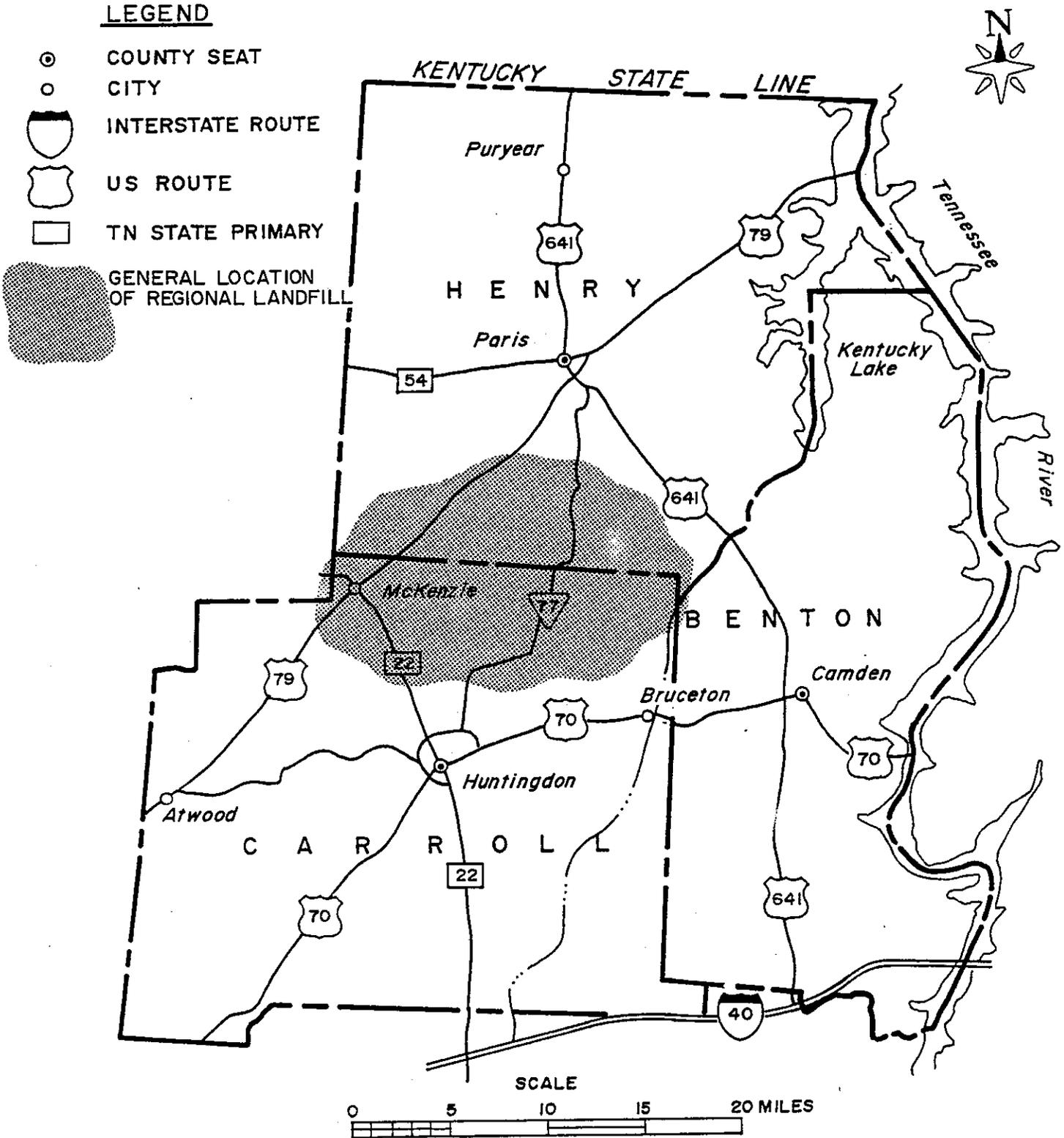
Table 8-12 presents the advantages and disadvantages the Region owning, operating and maintaining a landfill.

**Table 8-12  
 Regional Landfill – Advantages and Disadvantages**

<b>Advantages</b>	<b>Disadvantages</b>
1. The Region would have control over the steps necessary to insure that unauthorized waste will not be placed in the landfill.	1. The region is totally responsible for the day to day operation of a landfill.
2. The region would have some measure of control over the timing and magnitude of capital expenditures.	2. The Region would be the landfill permit holder and thus be legally responsible for the landfill.
	3. The Region would have to go through the permitting process which can be very controversial.
	4. The Region would have to form an authority to own, operate and maintain the landfill.
	5. The Region would be responsible for the 30 year closure / post closure care of a landfill.

**Summary**

It is recommended that the Barker Brother Landfill (Northwest Tennessee Disposal Corporation) be used for disposal of the Carroll and Henry County solid waste and that the Region should form an Authority.



**FIGURE 8-1**

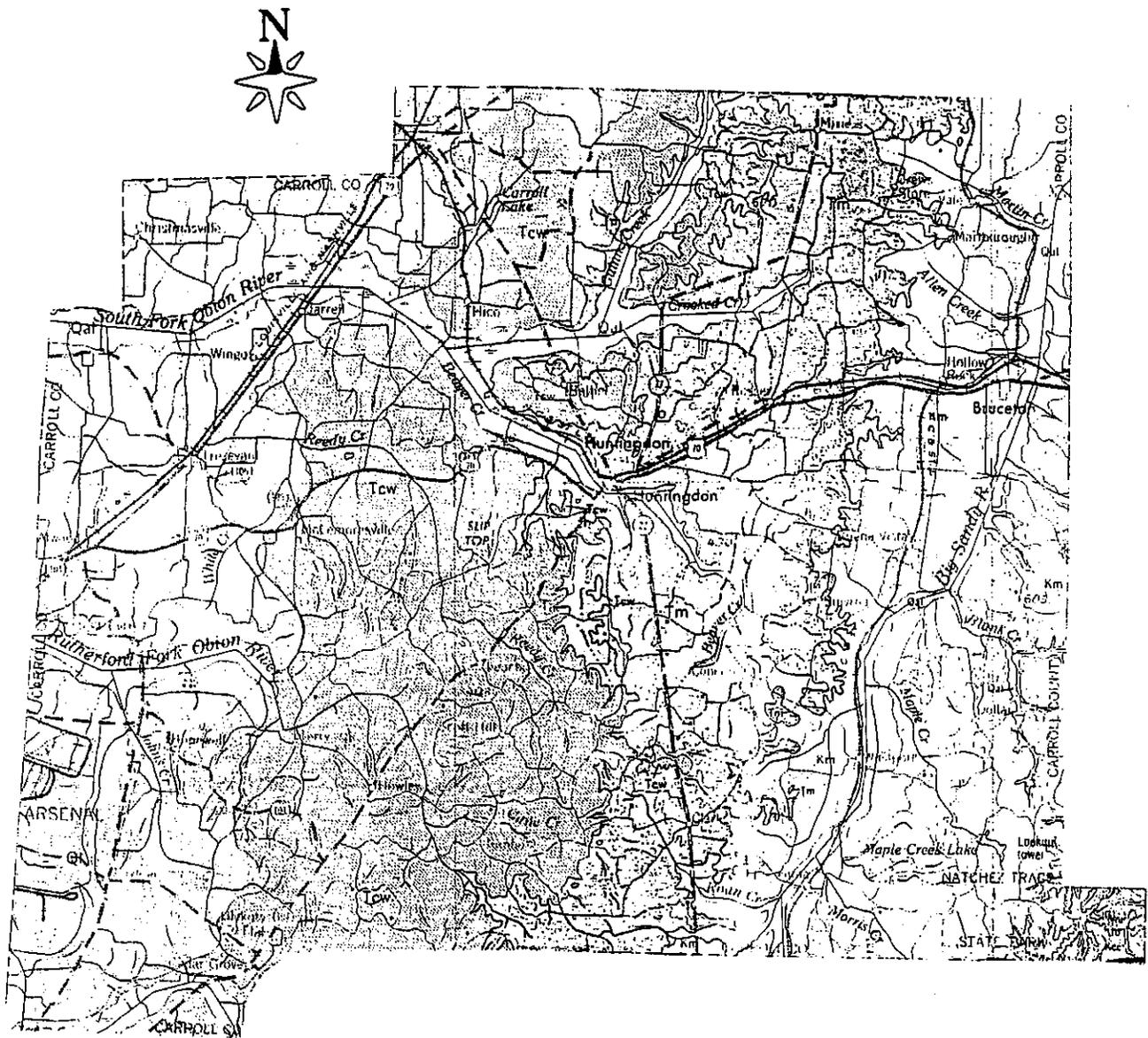
**PREFERRED REGIONAL LANDFILL SITE  
FOR  
BENTON, CARROLL, AND HENRY SOLID WASTE REGION**



10 Statute Miles  
5 0 5  
CONTOUR INTERVAL 100 FEET WITH SUPPLEMENTARY CONTOURS AT 50-FOOT INTERVALS

FIGURE 8 - 2  
GEOLOGIC FORMATIONS  
BENTON COUNTY, TENNESSEE

**GRIGGS & MALONEY**  
INCORPORATED  
Engineering & Environmental Consulting

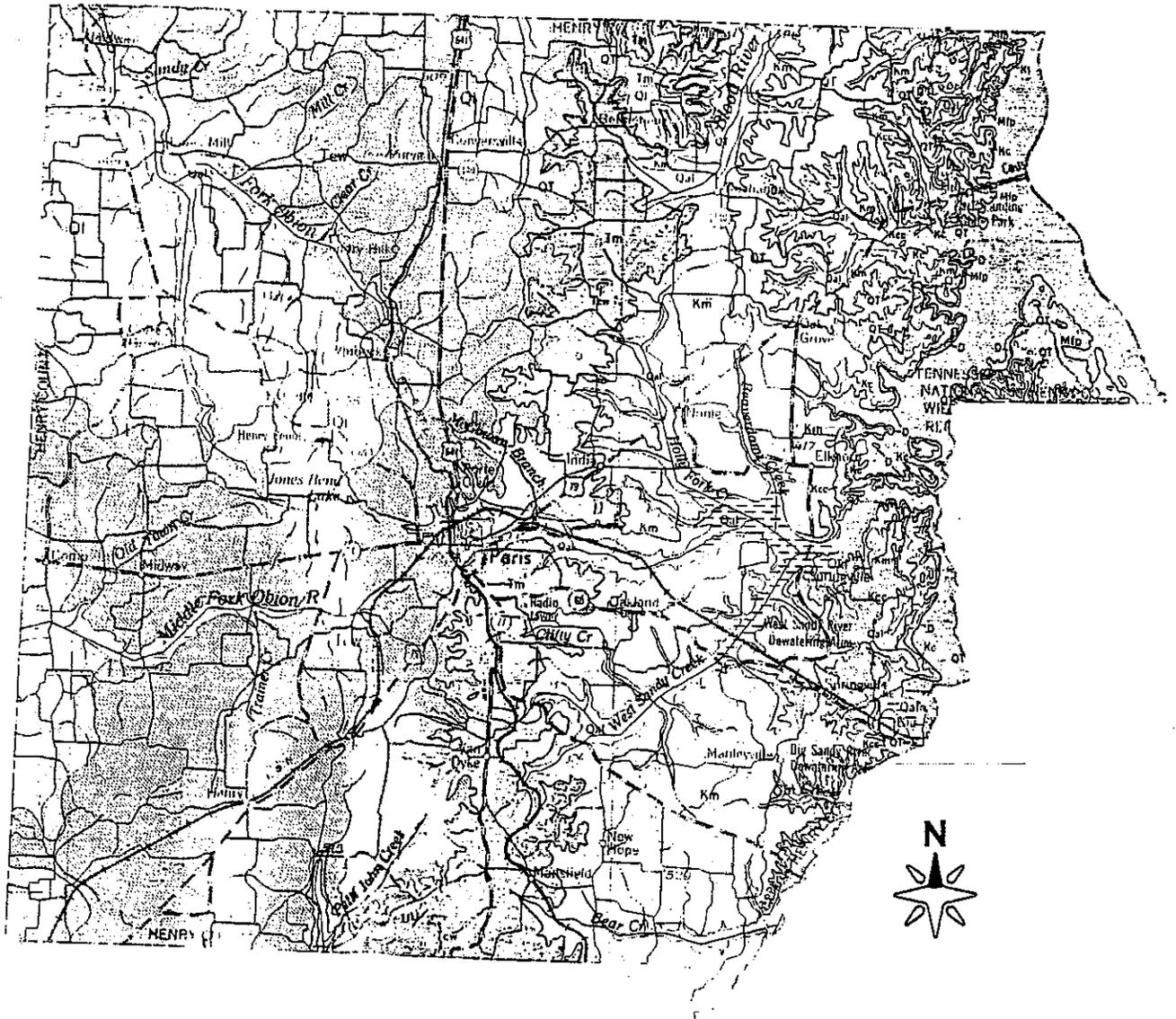


5 0 5 10 Statute Miles  
 CONTOUR INTERVAL 100 FEET WITH SUPPLEMENTARY CONTOURS AT 50-FOOT INTERVALS

**FIGURE 8-3**  
**GEOLOGIC FORMATIONS**  
**CARROLL COUNTY, TENNESSEE**

**GRIGGS & MALONEY**  
 INCORPORATED  
 Engineering & Environmental Consulting

P.O. Box 2968 • Murfreesboro, TN 37133-2968 • (615) 895-8221 • FAX (615) 895-0632



5 0 5 10 Statute Miles  
 CONTOUR INTERVAL 100 FEET WITH SUPPLEMENTARY CONTOURS AT 50-FOOT INTERVALS

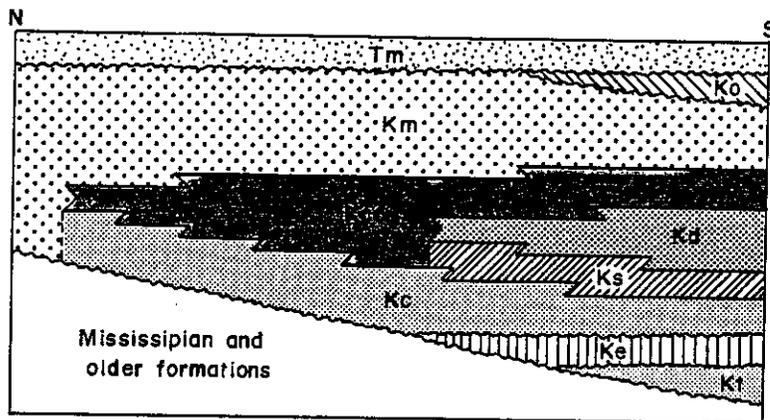
**FIGURE 8-4**  
**GEOLOGIC FORMATIONS**  
**HENRY COUNTY, TENNESSEE**

**GRIGGS & MALONEY**  
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 Engineering & Environmental Consulting

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FIGURE 8-5

GEOLOGIC FORMATIONS WITH POTENTIAL FOR LANDFILL SITES



Diagrammatic Sketch showing Facies Relationships of Cretaceous Formations

- |   |   |
|---|---|
| <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Qal</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Ql</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">QT</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Tcw</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Tcw</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Tm</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Ko</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Km</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Kd</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Ks</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Kc</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Ke</div> <div style="border: 1px solid black; width: 40px; height: 20px; margin-bottom: 5px; display: flex; align-items: center; justify-content: center;">Kt</div> | <p>ALLUVIAL DEPOSITS — Sand, silt, clay, and gravel. In flood plain of Mississippi River more than 100 feet thick; in smaller streams generally less than 20 feet thick.</p> <p>LOESS — Clayey and sandy silt, gray to brown, massive. Maximum thickness about 100 feet along bluffs of Mississippi River; thins eastward. (Minimum mapped thickness 4 feet.)</p> <p>HIGH-LEVEL ALLUVIAL DEPOSITS — Iron-stained gravel, sand, silt, and clay; variable in thickness but generally less than 60 feet thick.</p> <p>CLAIBORNE and WILCOX FORMATIONS — Irregularly bedded sand, locally interbedded with lenses and beds of gray to white clay, silty clay, lignitic clay, and lignite. Thickness more than 400 feet.</p> <p>CLAIBORNE and WILCOX FORMATIONS — Irregularly bedded sand, locally interbedded with lenses and beds of gray to white clay, silty clay, lignitic clay, and lignite. Thickness more than 400 feet.</p> <p>PORTERS CREEK CLAY — Pale-brown to brownish-gray, massive, blocky clay; locally contains glauconitic sand. Thickness 130 to 170 feet.</p> <p>CLAYTON FORMATION — Glauconitic sand, argillaceous and locally fossiliferous; at base in Hardeman County is an impure fossiliferous limestone. Thickness 50 to 70 feet.</p> <p>OWL CREEK FORMATION — Sandy clay, greenish-gray, glauconitic, fossiliferous; merges northward into unfossiliferous clays and sands. Thickness 0 to about 40 feet.</p> <p>McNAIRY SAND — Predominantly sand, in places interbedded with silty light-gray clays. Fine grained sand at base, locally contains heavy minerals. Thickness about 300 feet.</p> <p>COON CREEK FORMATION — Fossiliferous, micaceous sand, silty and glauconitic; locally fossiliferous sandy clay at base. Siderite concretions common in upper part. Thickness about 140 feet.</p> <p>DEMOPOLIS FORMATION — Marl and calcareous clay, light-gray, fossiliferous, locally glauconitic and sandy. Merges northward into sands mapped as Kcc. Maximum thickness 180 feet.</p> <p>SARDIS FORMATION — Quartz sand and glauconite sand, argillaceous and locally fossiliferous. (Mapped with Kcc north of Beech River.) Maximum thickness 70 feet.</p> <p>COFFEE SAND — Loose fine-grained sand, light-gray, sparsely glauconitic, locally interbedded with laminated lignitic clay. Thickness 25 to 200 feet; thins northward.</p> <p>EUTAW FORMATION — Grayish-green sand, fine-grained, glauconitic, micaceous; interbedded with gray laminated clays which commonly contain carbonized or silicified wood. (Mapped with Coffee except in Hardin County and southeastern Decatur County.) Thickness 0 to 180 feet; thins northward.</p> <p>TUSCALOOSA FORMATION — Poorly sorted, light-gray chert gravel in a matrix of silt and sand; locally interbedded with sand and clay lenses. Thickness 0 to 140 feet.</p> |
|---|---|

Midway Group

**Agreement Between**  
**Benton County and H&W Environmental**  
**(Now known as West Camden Sanitary Landfill)**

1074

HOST FEE AGREEMENT

THIS AGREEMENT made this 22 day of December, 1992, by and between Benton County, Tennessee, hereinafter referred to as "County" and H & W Environmental Services, Inc., a Tennessee corporation, hereinafter referred to as "the Company",

WITNESSETH:

WHEREAS, it is estimated that the current landfill site operated by the County shall reach its permitted capacity within the next year; and

WHEREAS, the County desires to ensure the continued availability of a sanitary landfill site for the economically and environmentally sound disposition of waste material generated by the residential sector of the County; and

WHEREAS, the governing authority of the County has the power to enter into service contracts for the disposal of such waste material; and

WHEREAS, the Company shall construct and operate a sanitary landfill which is capable of servicing the foregoing objectives of the County.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the respective covenants herein contained, the parties have agreed as follows:

I.  
DEFINITIONS

1.01 The Sanitary Landfill - the future Sanitary Landfill to be located at Overhead Bridge Road in Benton County, Tennessee, and owned and operated by the Company.

1.02 County Waste Material - any and all municipal solid waste such as garbage, refuse and trash generated by households and commercial entities within the County and collected by the County for sanitary landfill disposal.

1.03 Permits - as used herein, shall include any and all final and nonappealable governmental or other permits, consents, approvals, certifications, licenses, authorizations, utility connections, annexation, zoning, special use, certificate of designation or other land use designation as may be necessary to allow Company to operate the Sanitary Landfill.

II.  
SCOPE OF SERVICE

2.01 Subject to the terms and conditions hereof, County agrees that it may cause County Waste Material, as defined, to be delivered to the Sanitary Landfill and the Company agrees that it will accept and landfill such County Waste Material.

2.02 The Tipping Fee to be charged to the County for the disposal of County Waste Material pursuant to this Agreement shall be:

Years 1 - 10      \$0 per ton for amounts of waste up to and including 75 tons per day;\* gate rate for amounts of waste over 75 tons per day.

Years 11 - 20    \$12 per ton for amounts of waste up to and including 75 tons per day;\* gate rate for amounts over 75 tons per day; Company shall pay County \$1 per ton for each ton of out-of-County waste accepted at the Sanitary Landfill.

\* Averaged Monthly

2.03 These rates and the \$1 per ton host fee to be paid to the County during years 11-20 of the Agreement constitute all host fees and surcharges which shall be levied or assessed by the County or any solid waste district formed or joined by the County against the Company or the Sanitary Landfill as a result of the operations of the Sanitary Landfill in Benton County except as otherwise set out herein.

2.04 These rates include the present surcharge of \$.85 per ton imposed by the State of Tennessee on the disposal of waste in sanitary landfills. In the event this surcharge is increased or any fee, surcharge, duty, tax, or other charges of any nature is imposed by the federal government, any agency thereof, the State of Tennessee, any agency thereof, or by any local governmental agency which is payable solely by reason of the nature of the operations conducted by the Company and any other sales or service taxes of general application to the operation of the Sanitary Landfill, the Company shall be entitled to an automatic increase in the County Waste Material Tipping Fee. Such fee, surcharge, duty, tax or other charge shall immediately be passed through to all County Waste Material disposers in the form of a Tipping Fee increase and shall include by way of example and not limitation a state tax or surcharge for "superfund" purposes.

2.05 The Company shall also be entitled to request an increase in the County Waste Material Tipping Fee to offset the increased cost of operating the Sanitary Landfill as a result of increases in costs of operations at the Sanitary Landfill resulting from changes in federal, state or local environmental or other law or regulation concerning the receipt, disposal or handling of Solid Waste at the Sanitary Landfill.

2.06 The Company will invoice the County by the first (1st) day of each month for all services performed during the previous month. The County shall pay Company within thirty (30) days after County's receipt of an undisputed invoice, County shall pay Company interest on the unpaid amount at the rate of 1-1/2% per month.

2.07 The Company shall display at the Sanitary Landfill the Tipping Fee charged for handling the Special Wastes (defined in Exhibit "A") contained in County Waste Material and County Waste Material delivered to the Sanitary Landfill in cars and pickup trucks by Benton County residents. Initially, the Tipping Fees applicable to such waste delivered by residents shall be set forth in Exhibit "B".

2.08 The Company shall provide to the County during calendar year 1993, twenty-two thousand (22,000) cubic yards of soil which exhibits a maximum permeability factor of  $1 \times 10^{-7}$  centimeters per second. Company shall deliver such soils to the Benton County Landfill and stockpile them at the County's direction; provided, however, Company shall not be required to expend more than One Hundred Thousand and No/100 Dollars (\$100,000.00) to secure and deliver such soils to the County.

2.09 The County shall proceed with action necessary to close a portion of Overhead Bridge Road as identified on Exhibit "C" by April 1, 1993, provided said action is deemed in the best interest of the County after public comment has been considered.

2.10 The Company shall be responsible for securing necessary permits and approvals from relevant Federal, State and Local governmental agencies having jurisdiction over sanitary landfill operations.

2.11 The Company shall maintain the Sanitary Landfill open for performance of this Agreement between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday and between 8:00 a.m. and 12:00 noon Saturday. In the event that the aforesaid Saturday hours are not required, Company may, upon prior notice to County shorten or eliminate such hours of operation. In the event of emergency conditions are declared by the Benton County Executive,

the Company will keep the Sanitary Landfill open for disposal of unusual amounts of solid waste material generated or created by such emergency conditions.

2.12 The following holidays may be observed by the Company on which dates the Sanitary Landfill may, in the discretion of the Company, be closed: New Year's Day, Thanksgiving Day, and Christmas Day.

2.13 The Company agrees to install, construct and maintain in good working order and to have available on all days in which the Sanitary Landfill is open, a scale to be used in weighing County Waste Material deposited at the Sanitary Landfill. The Company agrees to cause normal maintenance and calibration of the scale to be performed in accord with manufacturer's recommendation. County may, on a monthly basis and during normal business hours, inspect the scale and test the accuracy of same. In the event the scale is not operable at any time, vehicles will be charged based upon the full truck cubic yardage capacity calculated at 500 pounds per cubic yard.

### III. TERM OF CONTRACT

This Agreement shall be effective on full execution by the parties.. The initial term of this Agreement shall be twenty (20) years, commencing on AUGUST 1, 1993.

### IV. PERMITS AND COMPLIANCES

The Company shall perform its obligations herein in compliance with the Permits and applicable law and regulation and the county shall fully cooperate with Company in this regard.

### V. INDEMNIFICATION

The Company agrees to protect, indemnify, defend and save harmless the County, its present and future officials, officers, employees, agents, subcontractors, representatives and assigns from any loss, claim, liability, penalty, fine, forfeiture, demand, cause of action, suit and costs and expenses incidental thereto (including cost of defense, settlement and reasonable attorney's fees), arising out of or relating to the Company's maintenance and operation of the Sanitary Landfill except for occurrences caused by or arising out of the negligence or willful conduct of County, its officers, employees and agents.

VI.  
INSURANCE

6.01 The Company shall provide and maintain during active Sanitary Landfill operations, Workman's Compensation Insurance which shall meet the requirements of the State wherein the Sanitary Landfill is located.

6.02 The Company shall provide and maintain during active Sanitary Landfilling operations hereunder Public Liability Insurance, to protect against all claims arising out of the Company's operations that result in bodily injury, death or property damage suffered on or about the Sanitary Landfill. The policy or policies shall contain a clause that the insurer will not cancel or decrease the insurance coverage without first giving County thirty (30) days notice in writing.

6.03 The Company shall furnish County evidence that the insurance required of it is in force.

6.04 The limits of liability of all insurance required herein shall be as set forth in Exhibit "D" which is attached hereto and made a part hereof.

VII.  
DEFAULT

Except as otherwise provided herein, if either party breaches this Agreement or defaults in the performance of any of the covenants or conditions contained herein for fifteen (15) days after the other party has given the party breaching or defaulting written notice of such breach or default, unless a longer period of time is required to cure such breach or default and the party breaching or defaulting shall have commenced to cure such breach or default within said period and pursues diligently to the completion thereof, the other party may: (i) terminate this Agreement as of any date which the said other party may select provided said date is at least thirty (30) days after the fifteen (15) days in which to cure or commence curing; (ii) cure the breach or default at the expense of the breaching or defaulting party; and (iii) have recourse to any other right or remedy to which it may be entitled by law, including, but not limited to, the right for all damage or less suffered as a result of such termination. In the event either party waives default by the other party, such waiver shall not be construed or determined to be a continuing waiver of the same or any subsequent breach or default.

VIII.  
GENERAL PROVISIONS

8.01 The Company may not transfer or assign its interest hereunder without the prior written consent of County. In the event of such assignment or transfer, the assignee shall assume the liability of the Company but such assumption of liability shall not relieve the Company of liability under this Agreement. In the event of said assignment or transfer, the County shall not be bound by its agreement to limit its Host Fee as set out in 2.03 above. For purposes of this paragraph, transfer or assignment shall mean the transfer of fifty percent (50%) or more of the stock of the Company to an individual or entity other than Haynes Hubbs, his wife or children or Joe Wright, his wife or children.

8.02 This Agreement constitutes the entire agreement and understanding between the parties hereto, and it shall not be considered modified, altered, changed or amended in any respect unless in writing and signed by the parties hereto.

8.03 This is an Agreement for the performance of specific services described herein. Under no circumstances or conditions shall the operation of the Sanitary Landfill by the Company in accordance with this Agreement be deemed a public function, nor has County acquired an interest, ownership or otherwise in the real or personal property or improvements or fixtures at the Sanitary Landfill by virtue of this Agreement.

8.04 From and after the Commencement Date, the Company's performance hereunder may be suspended and its obligations hereunder excused in the event and during the period that such performance is prevented by a cause or causes beyond the reasonable control of the Company unless such cause or causes are a result of action or nonaction by the Company. Such causes shall include, but not be limited to, acts of God, acts of war, riot, fire, explosion, accident, flood or sabotage; lack of adequate fuel, power or raw materials, judicial administrative or governmental laws, regulations, requirements, rules, orders or actions; injunctions or restraining orders; the failure of any governmental body to issue or grant, or the suspension of revocation or modification of any license, permit or other authorization necessary for the construction and/or operation envisioned by this Agreement; national defense requirements; labor strike, lockout or injunction.

8.05 If any term, clause or provision of this Agreement or the application thereof to any person or circumstances shall, to any extent, be illegal, invalid or unenforceable under present or future laws effective during the term hereof, then it is the Agreement, or the application of such term, clause or provision to persons or circumstances other than those to which it is held

illegal, invalid or unenforceable, shall not be affected thereby, and it is also the intention of the parties hereto that in lieu of each term, clause or provision that is illegal, invalid or unenforceable, there be added as a part of this Agreement, a term, clause or provision as similar in terms to such illegal, invalid or unenforceable term, clause or provision as may be possible and be legal, valid and enforceable.

8.06 This Agreement shall be governed by and construed in accordance with the laws of the State of Tennessee.

8.07 The covenants, terms, conditions and provision of this Agreement shall extend to and be binding upon the successors and approved assigns of the respective parties.

8.08 All notices or other communications to be given hereunder shall be in writing and shall be deemed given when mailed by registered or certified United States mail, addressed as follows:

To the County:

Attention: County Executive  
Benton County  
P. O. Box 298  
Camden, Tennessee 38320

To the Company:

H & W Environmental Services, Inc.  
P. O. Box 467  
Camden, Tennessee 38320  
Attention: Landfill Manager

Change of address by either party shall be by notice given to the other in the same manner as above specified.

8.09 To the extent definition of specific terms is not provided herein but is nonetheless required by the context, it is the intention of the parties to incorporate herein the definitions contained in applicable law and regulation in effect as of the date hereof, except to the extent subsequent law or regulation shall expressly or implicitly mandate a revised definition.

8.10 Whenever the consent, approval or cooperation of one party is expressly or implicitly required or necessary by the terms hereof or to effect successful performance of the other party, such consent, approval or cooperation shall not be unreasonably withheld, denied or delayed.

8.11 Company has the right to cancel this Contract if either of the following two events fail to occur:

(A) Closing of the county road as set out in 2.09 above.

(B) Sale from County to Company of approximately 5 acres from existing County landfill site as described in Exhibit E.

IN WITNESS WHEREOF, the parties hereto cause their presence to be signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_, written by their respective officers pursuant to authorizations contained in duly adopted resolutions or ordinances, as the case may be.

APPROVED AS TO FORM:

BENTON COUNTY

By *J. W. Whitworth*  
County Attorney

By *Elvin W. Johnson*  
ELVIN JOHNSON  
COUNTY EXECUTIVE

Attest:

By *Gordon Bofford*

H & W ENVIRONMENTAL SERVICES,  
INC.

By *Haynes Hubbs*  
HAYNES HUBBS  
PRESIDENT *Anna Bond*

Attest:

By *Julie Hubbs*

EXHIBIT "A"

CONTRACTOR'S DEFINITION OF SPECIAL WASTE

"Special Waste" means any discarded material from a non-residential source meeting any of the following descriptions:

- a. Containerized waste (e.g., a drum, portable tank, lugger box, roll-off box, pail, bulk tanker, etc.) listed in b. - g. below.
- b. Waste containing free liquids.
- c. Sludge waste.
- d. Waste from an industrial process.
- e. Waste from a pollution control process.
- f. Residue from a spill of a non-hazardous chemical substance or commercial product or a waste listed in a. - e. or g.
- g. Contaminated non-hazardous residuals from the cleanup of a facility generating, storing, treating, recycling or disposing of wastes, chemical substances or commercial products listed in a. - f.

EXHIBIT "B"

TIPPING FEES APPLICABLE TO  
CARS AND PICKUP TRUCKS  
AND SPECIAL WASTE CONTAINED  
WITHIN THE SUBJECT WASTE MATERIAL

The following Tipping Fees will initially be charged for the following Special Waste contained within the subject Waste Material delivered to the Sanitary Landfill:

Automobiles:	\$_____ per auto
Pickup Trucks (with level loads):	\$_____ per pickup
Pickup Trucks (with Side Boards):	The Prevailing Tipping Fee
Bulky Waste (tree stumps, other objects larger than 6 feet in diameter and unprocessed tires):	Double the Prevailing Tipping Fee

Automobiles and Pickup Trucks with level loads must unload into a pre-spotted container to qualify for the above stated Tipping Fees; otherwise, such vehicles shall be scaled and charged at the Prevailing Tipping Fee.

EXHIBIT "D"  
INSURANCE COVERAGE RIDER

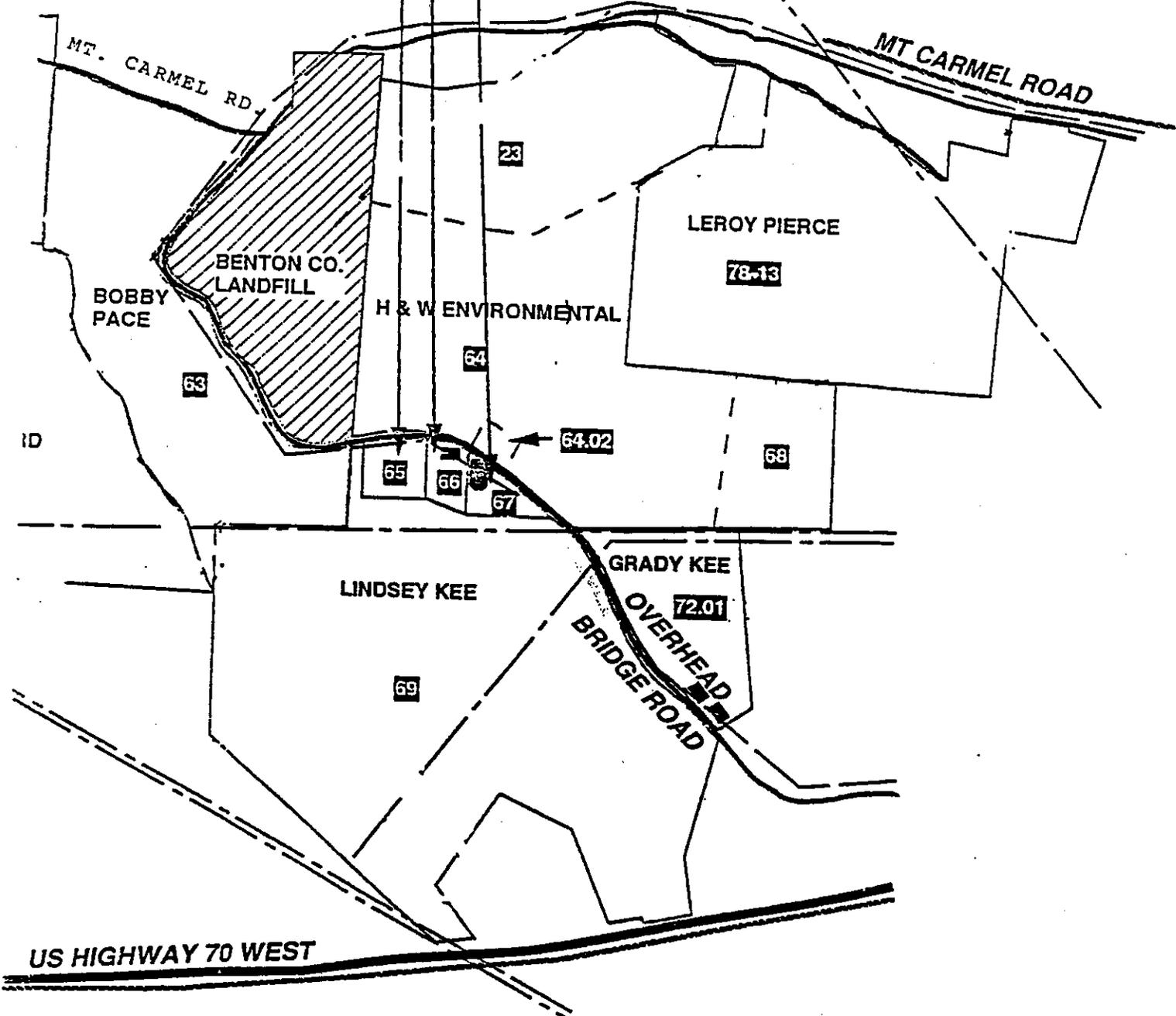
<u>Coverages</u>	<u>Limits of Liability</u>
Workmen's Compensation	Statutory
Employer's Liability	\$1,000,000 each accident \$1,000,000 disease-policy
Limit Employee	\$1,000,000 disease-each
Bodily Injury Liability and Property Damage Combined	\$1,000,000 each occurrence
Automobile Bodily Injury Liability and Automobile Property Damage Combined	\$1,000,000 each occurrence
Excess Umbrella	\$5,000,000 aggregate

W. HOPPER

L. KELLY

A. HUGHES

EXHIBIT "C"



FROM THE INTERSECTION OF MT. CARMEL ROAD & OVERHEAD  
 BRIDGE ROAD TO THE POINT ON THE ROAD AT THE END OF THE  
 PROPERTY PRESENTLY OWNED BY GRADY KEE (BENTON COUNTY  
 TAX PARCEL 72.01).

## Chapter 9 Public Information and Education

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## **Chapter 9**

### **Public Information and Education**

#### **Regional Needs**

As shown in Chapters 2 and 3, the population of the Region is expected to be either stable or reduce slightly over the next 10 years. However, each county in the Region has established a recent momentum of increasing solid waste collection services, recycling efforts, and increased solid waste production. There is also a recent trend toward landfill closings in the Region.

The increased solid waste production figures may actually be a result of the increased level of collection, in other words, perhaps actual production has not increased but a more accurate accounting of the production may be occurring and less illegal, unreported dumping may be occurring. Increased levels of solid waste collection include an upgrade from the "green box" dumpster system to convenience centers as well as new, planned "mailbox," weekly collection in rural Carroll County, Benton and Henry Counties.

Recycling efforts in the Region are on the increase. In July of 1993 the city of McKenzie initiated a city wide, residential recycling program to reduce the hauling and disposal costs of the municipal solid waste stream.

Several of the municipally owned and operated landfills are closing or are scheduled to be closed by 1996. A commercial Class I landfill that has been recently permitted in the Region. Some of the municipalities are considering developing Class III/IV landfills to reduce their disposal costs and to aid in meeting the Region's 25% reduction goal.

All of the municipalities are facing increased solid waste budgets and are unsure how to fund them. The citizens in the Region are becoming more environmentally aware, demanding safe collection and disposal of their wastes. They are also revolting against higher taxes and fees. Thus, the municipal leaders are caught between "a rock and a hard spot;" they wish to meet the public's request for upgraded, environmental sound collection and disposal methods but the same public is demanding no tax increases.

The Region's citizens and businesses have shown a willingness to comply with reasonable requests if they understand (and agree) with the purposes and objectives. Thus there is a need for an effective and truthful public education and information program.

The Region needs the public to support the plan and its objectives for several reasons:

- The goal of reducing solid waste production by 25% cannot be met without public, commercial, industrial, governmental, and institutional support.
- The disposal cost per ton of solid waste will increase due to increased regulatory requirements.
- Transportation fees are likely to increase due to a reduction in the number of Class I landfills in the Region which results in increased haul distances.
- Overwhelming voluntary participation and cooperation is vital. We can not station "trash police" on every corner.
- Our tax dollars are needed else where.
- Reducing solid waste production, recycling, protecting our environment, and saving tax money is the right thing to do.

We have recently witnessed the emergence of public awareness of environmental issues. In our collective thoughts there is much less cognizance of the many effects that our day to day behavior has on the quality of the air we breathe, the water we drink, and most important, the ways in which we produce, consume, and dispose of the materials of daily living. The connection between the products we use and the environment we live in does not come naturally to American consumers. We grew up as a "consuming" society. We must translate environmentally sound goals into actual behaviors. Voluntary social action is more desirable than mandatory governmental regulation, it costs less and has a longer lasting effect.

## **Public Information and Education Steps**

### **1. Regional Goals and Objectives**

#### **a. Goals**

1. It is the goal of the B-C-H Solid Waste Planning Region to make the Region's citizens, commercial businesses, industries, and institutions active, participating partners in the reduction, reuse, recycling, management, collection, and disposal of the Region's solid waste.
2. It is the goal of the B-C-H Solid Waste Planning Region to reuse, reduce, and/or recycle as much of the Region's waste as practical.
3. It is the goal of the B-C-H Solid Waste Planning Region to dispose of the remaining solid waste in an environmentally safe manner as inexpensively as possible.
4. It is the goal of the B-C-H Solid Waste Planning Region to provide adequate collection services to its residents.

b. Objectives

1. It is the objective of the B-C-H Solid Waste Planning Region to present/supply information concerning our goals to the citizens of the Region.
2. It is the objective of the B-C-H Solid Waste Planning Region to educate both adults and children to the importance of solid waste reduction, recycling, and reuse and the environmental safe disposal of the remaining solid wastes.
3. It is the objective of the B-C-H Solid Waste Planning Region to assist our industries, commercial business, governmental agencies, and institutions to reduce, reuse, and/or recycle their wastes as much as practical.
4. It is the objective of the B-C-H Solid Waste Planning Region to inform the tax payers in the Region of the costs of solid waste collection, recycling, and disposal.

2. Target Groups and Audiences

The Region's target groups and audiences will be:

- |   |  |
|---|--|
| a. All schools in the Region.<br>At the end of this chapter is a list by county of each school. | h. Newspapers                          |
| b. Benton County Chamber of Commerce<br>A West Main Street<br>Camden, Tennessee 38320           | i. Radio Stations                      |
| c. Carroll County Chamber of Commerce<br>O. Box 726<br>Huntingdon, Tennessee 38344              | j. Non-profit agencies & organizations |
| d. Paris-Henry Co. Chamber of Commerce<br>O. Box 8<br>Paris, Tennessee 38242                    | k. American Legion                     |
| e. Boy Scout Groups   | l. Civitan                             |
| f. Girl Scout Groups  | m. Cable companies                     |
| g. Rotary Clubs   | n. VFW                                 |
|   | o. 4-H                                 |
|   | p. Lions Club                          |
|   | q. PTO                                 |
|   | r. Benton Co. Senior Citizens          |
|   | s. RSVP                                |

### 3. Amount and Kind of Information To Be Provided

Information to the target groups will be a combination of written, electronic, and verbal material. Written handouts will either be developed or commercially available handouts and brochures will be purchased. Some samples of commercially available handouts are in the back of this chapter.

One company that provides such materials is:

**Educational Development Specialists**  
*Think Earth Environmental Education Program*  
5505 East Carson Street, Suite 250  
Lakewood, CA 90713-3093  
(310) 420-6814

There is now a commercially available (at no cost in September of 1993) interactive, Macintosh computer software, including a slide show workbook materials, a teacher's guide, and supplementary materials available for grades 6-8 about integrated solid waste management. It is available from Integrated Waste Services Association and is funded by the U.S. Department of Energy. Sample materials are at the end of this chapter.

The contact person is:

**Integrated Waste Services Association**  
*Margaret Ann Charles, Director*  
State Programs and Policy  
Two Lafayette Center  
1133 21st Street NW, Suite 205  
Washington, DC 20036  
(202) 467-6240

In addition, a speakers list will be developed by the Region. These speakers will make themselves available at no cost to speak regarding solid waste matters on a suitability and availability basis. The division of solid waste management has set up a speaker's bureau to help educate and advise the Regional Solid Waste Planning Boards. They offer programs as follows:

- Unit 1: Solid Waste Collection and Transportation Systems.
- Unit 2: Waste Reduction, Recycling, Composting and Processing Systems
- Unit 3: Land Disposal - The 21st Century Landfill
- Unit 4: Public Outreach, Involvement and Participation

The B-C-H Regional Board has been presented Unit 4. If desired, the other units can be requested.

An organization that offers educational material is:

**Keep America Beautiful, Inc.**  
9 West Broad Street  
Stamford, CT 06902  
(203) 323-8987

An organization that can offer direction and advise on educational programs is:

**Clean Tennessee Program**  
*Edith Beaty Heller, State Coordinator*  
Suite 113, Building One  
Memphis State University  
Memphis, TN 38152  
(901) 678-4101

Some material supplied by Keep America Beautiful and the Clean Tennessee Program are included at the end of this chapter.

#### 4. Methods To Be Utilized

##### a. School Based Instruction

School based instruction will include presentations from members of the speakers bureau. In addition, each principal will be made aware of the free (as of 1994) computer interactive material offered by the Integrated Waste Services Association and encouraged to use it. Educational Development specialists offers materials targeted to specific grades, this information will also be made available to the principals. The schools will also be encouraged to schedule field trips to the convenience centers, recycling facilities, and area landfills.

##### b. Workshop, Conferences, and Training Courses

Workshops, conferences, and training courses are scheduled only short periods ahead of time. Thus it is impossible for this plan to contain a list of future courses that may become available. The National Recycling Coalition held its 12th Annual Congress and Exposition in Nashville on October 11-14, 1993. It is hoped that this event will continue in the future. The coalition's address is:

**National Recycling Coalition**  
1101 30th Street NW  
Suite 305  
Washington, DC 20007

Perhaps the best way to stay current in solid waste issues is to subscribe to national trade publications such as *Waste Age Magazine* and to join professional societies such as Solid Waste Association of North America (SWANA).

***Waste Age Magazine***  
P.O. Box 420183  
Palm Coast, FL 32142-9964

**SWANA**  
8750 Georgia Avenue, Suite E 140  
Silver Springs, MD 20910-3603  
(301) 585-2898

**c. Audio-visual Materials, Slides, and Videos**

Audio-visual materials are currently available from Integrated Waste Services Association, Educational Development Specialists, SWANA, as well as many equipment vendors and commercial solid waste companies such as Browning Farris Industries (BFI) and Waste Management, Inc. Some equipment vendors that offer videos are:

**Gundle Lining Systems**  
19103 Gundle Road  
Houston, Texas 77073  
(800) 435-2008

**Phillips Fibers**  
P.O. Box 66  
Greenville, SC 29602

**Caterpillar, Inc.**  
100 NE Adams  
Kewanee, IL 61443  
(309) 853-1002

**Lindemann Recycling Equipment, Inc.**  
500 Fifth Ave.  
Suite 1234  
New York, NY 10110  
(212) 382-0630

**Holt Specialty Equipment, Inc.**  
Highway 41A  
Box 99  
Eagleville, Tennessee 37060  
(615) 274-6660

Slides are also available from many of the commercial vendors listed above, many times at no cost. In addition, slides of actual locations in the Region are very effective in presentations.

**d. Publications**

Publications are excellent sources of recent developments and current information in the solid waste field as well as sources of current information. Waste Age magazine offers free subscriptions at the present time (as of 1994). Their address was given previously.

**e. Contests and Awards**

Contests and awards are excellent vehicles to generate public support, provide education, and publicity. Typically contests and awards are directed at school age children but they can also be directed at adult organizations. The United Way has demonstrated that the competitive fever is in all of us. Contests can be organized to:

1. Name various solid waste facilities
2. Develop the best recycling slogan
3. Develop the best logo/posture
4. Collect the most cans/newspapers/bottles etc.
5. Pick up the most road side litter

Awards can consist of a rotating trophy, ribbons, buttons, shirts, caps, pencils, picture in the paper, day off from school, or almost any other appropriate award. Commercial Sources of these type of items are in the end of this chapter.

**f. Speaker's Bureau**

A speaker's bureau will be organized to give presentations to schools and groups as they are requested. The Region will develop a list of speakers.

**g. Other**

Any other method or technique, original or borrowed, that can be used to educate and inform the public of the Region's goals and objectives should be utilized.

**5. Staff and Budget Needs**

Projected staff and budget needs are shown in Chapter 11, "Implementation: Schedule, Staffing and Funding."

## 6. A Funding Plan

A suggested funding plan is shown in Chapter 11, "Implementation: Schedule, Staffing and Funding."

## 7. Evaluation and Reporting

The Recycling/Reduction/Education Coordinator(s) (see Chapter 11) will report to the advisory committee on an annual basis. Included in the report will be a summary of presentations given, the amount of solid waste reduced, reused, and/or recycled, funds expended, contests held, and projections for the following year. In addition, the coordinator will maintain a scrap book of all articles and publicity given about the solid waste program.

## Implementation Schedule

A suggested implementation schedule is shown in Chapter 11, "Implementation: Schedule, Staffing, and Funding."

## Allocation of Educational Responsibility

A suggested allocation of educational responsibilities is shown in Chapter 11, "Implementation: Schedule, Staffing, and Funding."

## State Assistance

The Solid Waste Act of 1991 provides for state assistance with the educational programs including guidelines, distributin a catalog of material, training programs, and grants. Each county (and the authority if an authority if formed) will seek the State's assistance in these efforts. Following is a copy of a portion of the Solid Waste Act.

§ 68-211-842. Education program - Guidelines. - The state planning office shall issue guidelines for the education program element of the municipal solid waste region plan. Each solid waste regional plan shall include as education program to assist adults and children to understand solid waste issues, management options and costs, and the value of waste reduction and recycling. [Acts 1991, ch. 451, § 38; T.C.A. § 68-31-842.]

§ 68-211-843. Information clearinghouse. - Regional workshops and conferences. - The state planning office shall establish an information clearinghouse to acquire, review, evaluate and distribute a catalog of materials on source reduction and recycling. The state planning office shall also organize and conduct statewide and regional workshops and conferences on solid waste management, source reduction and recycling. [Acts 1991, ch. 451, § 39; T.C.A. § 68-31-843.]

§ 68-211-844. Educational and training programs. – The state planning office shall collect, prepare and disseminate information and conduct educational and training programs designed to assist in the implementation of solid waste management programs and inform the public of the relationship between an individual's consumption of goods and services and the generation of different types and quantities of solid waste. The state planning office, in consultation with the department of education, shall prepare the information and programs on a statewide basis for the following groups:

- (1) Municipal, county and state officials and employees;
- (2) Kindergarten through graduate students and teachers;
- (3) Businesses that use or could use recycled materials or that produce or could produce protect from recycled materials, and persons who provide support services to those businesses; and
- (4) The general public. [Acts 1991, ch. 451, § 40; T.C.A. § 68-31-844.]

§ 68-211-845. Promotion of education concerning solid waste management. – In order to promote education of children in grades kindergarten through twelve (K-12) concerning solid waste management, source reduction and recycling, the department of education, in conjunction with the state planning office, shall:

- (1) Review, evaluate and publish a list of approved curriculum materials relative to solid waste management, source reduction and recycling,
- (2) Sponsor workshops on the curriculum materials for educators;
- (3) Provide in-service training for teachers on solid waste management, recycling and source reduction, environmental protection and conservation of materials; and
- (4) Establish peer assistance programs for teachers within a solid waste management region. [Acts 1991, ch. 451, § 41; T.C.A. § 68-31-845.]

§ 68-211-846. Education programs – Awards. – The state planning office shall establish an awards program for outstanding school-based solid waste/source reduction or recycling education programs. [Acts 1991, ch. 451, § 42; T.C.A. § 68-31-846.]

§ 68-211-847. Grants to implement education programs. – After a region's or county's plan is approved, the department shall award grants for implementing the education program component of the plan from funds available in the solid waste management fund. [Acts 1991, ch. 451, § 45; T.C.A. § 68-31-847; Acts 1992, ch. 693, § 24.]

**TABLE 9-1**  
**BENTON COUNTY SCHOOLS**

<b>Camden Central High School</b> <b>Bill Kee, Principal</b> <b>75 Schools Drive</b> <b>Camden, TN 38320</b>	<b>Big Sandy High School</b> <b>James Rushing, Principal</b> <b>Rt. 1, Box 12</b> <b>Big Sandy, TN 38221</b>	<b>Briarwood Middle School</b> <b>Randall Robertson, Principal</b> <b>169 Briarwood Street</b> <b>Camden, TN 38320</b>
<b>Vocational School</b> <b>Luther Wiseman, Principal</b> <b>155 Schools Drive</b> <b>Camden, TN 38320</b>	<b>Holladay School</b> <b>Robert Bowling, Principal</b> <b>Rt. 2, Box 2</b> <b>Holladay, TN 38341</b>	<b>Camden Elementary School</b> <b>Rita Parish, Principal</b> <b>208 Washington Ave.</b> <b>Camden, TN 38320</b>
<b>Magic Valley Christian School</b> <b>Tom Uldrich, Principal</b> <b>Covered Bridge Road</b> <b>Camden, TN 38320</b>		

**TABLE 9-2  
 CARROLL COUNTY SCHOOLS**

<p>Carroll County Vocational School          Hershel Wilkes, Principal          Route 1, Box 304A          Huntingdon, TN 38344</p>	<p>Carroll County Special Learning Center          Margaret Bumpus, Principal          Highway 22 North          Huntingdon, TN 38344</p>
<p>Huntingdon High School          Farris Lowery, Principal          Fairgrounds Rd.          Huntingdon, TN 38344</p>	<p>Huntingdon Elementary School          Lynn Twyman, Principal          233 Browning Ave.          Huntingdon, TN 38344</p>
<p>Huntingdon Primary School          Angie Bunn, Principal          191 Cox St.          Huntingdon, TN 38344</p>	<p>McKenzie High School          Dewey Chism, Principal          106 Woodrow Ave.          McKenzie, TN 38201</p>
<p>McKenzie Jr. High School          James Jackson, Principal          106 Woodrow Ave.          McKenzie, TN 38201</p>	<p>McKenzie Elementary School          Zia Locke, Principal          213 Brooks Ave.          McKenzie, TN 38201</p>
<p>Clarksburg K-12 School          PO Box 15          Clarksburg, TN 38324          Attn.: Charlotte Tucker</p>	<p>West Carroll Primary School          Betty Wallace, Principal          Box 219          McLemoresville, TN 38235</p>
<p>West Carroll Middle School          Claudia Argo, Principal          PO Box 278          Trezevant, TN 38258</p>	<p>West Carroll High School          Judy McGregor, Principal          Atwood, TN 38220</p>
<p>Central K-12 Schools          Jackie McGee, Principal HS          Robert Cursey, Principal K-6          Box 135          Bruceton, TN 38317</p>	<p>Bethel College          Dr. Bill J. Elkins, President          Cherry Street          McKenzie, TN 38201          901/352-1000</p>
<p>Carroll County Development Center          Mrs. Barbara Gray, Director          13345 Paris Street          Huntingdon, TN 38344          901/986-8913</p>	

**TABLE 9-3  
 HENRY COUNTY SCHOOLS**

<p><b>Buchanan School</b>          Gordon Taylor, Principal          Buchanan, TN 38222          642-1348</p>	<p><b>Cottage Grove</b>          Don Cate, Principal          Cottage Grove, TN 38224          784-3401</p>	<p><b>Grove Jr. High School</b>          Thomas H. Rushing, Principal          215 Grove Blvd.          Paris, TN 38242          642-4586</p>
<p><b>Henry</b>          Jerry N. Muzzall, Principal          Henry, TN 38231          243-7114</p>	<p><b>Henry Co. High School</b>          John T. Hinson, Jr., Principal          Rt. 4, 315 Wilson St.          Paris, TN 38242          642-5232</p>	<p><b>Puryear</b>          Garry M. Smith, Principal          Puryear, TN 38251          247-5121</p>
<p><b>Springville</b>          Janis L. Hill, Principal          Springville, TN 38256          593-3461</p>	<p><b>Central High School</b>          Jones Bend Rd.          Paris, TN 38242          642-9938</p>	<p><b>W.O. Inman School</b>          400 Harrison Street          Paris, TN 38242          642-8131</p>
<p><b>Atkins-Porter School</b>          500 Walnut          Paris, TN 38242          642-2221</p>	<p><b>W.G. Rhea School</b>          School Lone Oak Rd.          Paris, TN 38242          642-0961</p>	<p><b>Lakeside Christian Academy</b>          2920 Highway 641 N          Paris, TN 38242          644-0111</p>
<p><b>City of Paris School</b>          402 Lee Street          Paris, TN 38242          642-9322</p>	<p><b>Seventh Day Adventist Church</b>          Highway 641 N          642-2252</p>	

## **Selected Material**

### **Chapter 9**

### **Public Information and Education**

## **JUNK MAIL**

**Tired of junk mail? Write to the Mail Preference Service asking them to stop giving your name and address to mailing list companies. Simply mail your name (and any variations) and address to:**

**Mail Preference Service  
Direct Marketing Association  
11 West 42nd Street  
P. O. Box 3861  
New York, NY 10163-3861**

## Federal Sources of Information

SOURCE	PHONE NUMBER
Center for Environmental Research Information	(513) 569-7562
Solid and Hazardous Waste (RCRA) and Superfund (CERCLA) Hotline	(800) 424-9346
Emergency Planning and Community Right to Know Hotline	(800) 535-9810 or 800-535-0202
Air Control Technology (Clean Air Act)	(919) 541-0800
Stratospheric Ozone Protection (CFCs - Clean Air Act)	(800) 296-1996
Toxic Substances Control Act (TSCA) & Asbestos Information/Referral	(202) 554-1404
Acid Rain (Emissions Trading, Auctions, General Information)	(617) 674-7377
Storm Water NPDES Permitting Hotline	(703) 821-4823
Wetland Information	(800) 832-7828
National Pesticide Telecommunications Network (spill handling, disposal, clean up, health effects)	(800) 858-7378
National Response Center (reporting oil spills or hazardous substance releases)	(800) 424-8802
Information Exchange-Hazardous Materials (transportation of hazardous materials)	(800) 752-6367
Centers for Disease Control (CDC)	(404) 639-3535
Solid Waste Assistance Program	(800) 677-9424
National Fire Protection Association	(617) 770-3000
National Institute for Occupational Safety & Health (NIOSH)	(513) 533-8236
National Safety Council	(708) 285-1121
Nuclear Regulatory Commission	(202) 366-4220
Occupational Health and Safety Administration (OSHA), Health Standards	(202) 523-6091
US Department of Transportation (DOT)	(202) 366-4000
US Environmental Protection Agency (EPA)	(202) 260-2090
New England Solid Waste Research Library	(617) 573-9687
Rural Information Center (USDA)	(301) 344-2547
USEPA Procurement Hotline	(703) 941-4452

**Table 2: PUBLIC INVOLVEMENT TECHNIQUES**

**DIRECT METHODS OF INFORMATION DISSEMINATION**  
TECHNIQUES

Briefings	Guest speaking	Open houses
Brochures	Handbills	Personalized letters
Direct mailings	Information fairs	Purchased advertising
Door-to-door visits	Information hotline	Slide shows
Drop-in center	Mobile office	Telephone
Fact sheets	Newsletters	Video
Flyers	Newspaper inserts	Volunteers

PURPOSE

To provide detailed information to a targeted audience in your own words and on your schedule.

**INDIRECT METHODS OF INFORMATION DISSEMINATION**  
TECHNIQUES

Feature stories	Press conference	Public service announcements
Guest editorials	Press interviews	
News releases	Press kits	

PURPOSE

To provide information to the media and the general public.

**INFORMATION GATHERING**  
TECHNIQUES—PURPOSES

**Information contact person**—Identify a point of contact where the public can place a single call and receive either an answer or be called back with information.

**Interviews of community leaders, key individuals**—To identify reactions to, and knowledge of, project. To identify issues of concern and historical controversies. To identify other groups or individuals to be contacted or added to the mailing list. To assess the political climate and relationships among various interest groups.

**Mailed surveys or questionnaires**—To assess public awareness of project actions, public issues, and concerns. To assess values and issues of concern to the public.

**Telephone survey**—To assess public awareness of meetings, project actions, public hearings, etc. To track the movement of public opinion to the project.

**Focus groups**—To gather emotional/intellectual reaction to possible activities.

**Door-to-door**—Give site neighbors the opportunity to directly express opinions.

**Open forums**—For the public to have an opportunity to ask questions and express views.

**Brain-storming sessions**—Give diverse group of public opportunity to define problems and develop alternatives.

**CITIZEN AND AGENCY INVOLVEMENT**  
TECHNIQUES—PURPOSES

**Advisory groups of key publics**—To advise on policy and technical matters, critically review results, help find compromises between competing local interests, advise on public involvement approaches, and promote consensus with constituents.

**Public workshops/task forces**—Small diverse groups to explore on specific topics solutions to particular problems.

**Project liaison**—Contact person in key public groups and agencies that is kept fully informed of project activities.

**CONFLICT RESOLUTION/CONSENSUS BUILDING**  
TECHNIQUES—PURPOSES

**Facilitation leader**—To impartially lead discussions.

**Mediation process**—To reestablish communication when all positions are polarized and move parties to mutual understandings and agreement.

**Nominal group workshop**—To build consensus on project conditions, issues, or mitigation plans.

**Delphi technique**—To identify options using independent experts.

**Public values assessment**—To combine public values with technical facts to identify alternatives that most closely meet what the public has said is important to them.

**ANALYSIS AND DOCUMENTATION**  
TECHNIQUES—PURPOSES

**Computerized comment storage and retrieval system**—To objectively summarize and make available public comments.

**Summary and evaluation reports**—To provide written documentation of activity, attendees, issues, and comments, and to evaluate the public involvement program.



INTEGRATED  
WASTE SERVICES  
ASSOCIATION

August 12, 1993

Mr. William E. Griggs, P.E.  
Principal, Griggs & Maloney Inc.  
P.O. Box 2968  
Murfreesboro, TN 37133-2968

Dear Mr. Griggs:

Thank you for your request for information on **WasteWorld**, the solid waste management and energy curriculum guide that we are providing at no cost right now to 500 middle schools nationwide. This is a National Pilot Study underwritten by the U.S. Department of Energy. Upon reviewing the results of the Pilot Study in December, the DOE will evaluate whether to provide additional funds for a broader distribution of WasteWorld in 1994. I have enclosed this information for you in hopes that your municipal clients may know of teachers that are interested in participating in the Pilot Study.

The WasteWorld program was designed to teach 6-8th graders about integrated solid waste management and the energy implications involved. The program includes an interactive computer software program based on Macintosh software, a slide show, workbook materials, a teacher's guide, and supplementary materials. In addition to learning about substantive environmental issues, the students also learn valuable decision-making and research skills, as well as how to exchange their views in a group setting. Depending on how a teacher incorporates these materials into existing coursework, the teacher could plan for anywhere from 2 to 6 weeks for WasteWorld.

Thank you for reviewing these materials. Please let me know if you are aware of any teachers that may be interested in participating as a pilot site.

Best regards,

Margaret Ann Charles, Director  
State Programs and Policy



• Telephone: (310) 420-6814 • FAX: (310) 420-1485  
MAIL TO: EDS, 5505 East Carson Street, Suite 250, Lakewood, CA 90713-3093

Order Placed By: _____ <small>(Name) (Telephone) (Date)</small>
--

<b>BILL TO:</b> _____ _____ _____ _____ _____	<b>SHIP TO: (Street address please)</b> _____ _____ _____ _____ _____
--	--

Purchase Order No.: _____	Imprinting: YES <input type="checkbox"/> NO <input type="checkbox"/>
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**COMPLETE UNITS**

*(See other side for materials included in each unit.)*

UNIT	MAJOR THEME	PRICE	NUMBER ORDERED	EXTENDED PRICE
Kindergarten	<i>Conserving Trees &amp; Other Resources</i>	\$40.00		
Grade 1	<i>Conserving Natural Resources</i>	\$40.00		
Grade 2	<i>The 3 R's — Reduce, Reuse, Recycle</i>	\$40.00		
Grade 3	<i>Creating Less Pollution</i>	\$40.00		
Grade 4	<i>Reducing Solid and Liquid Waste</i>	\$40.00		
Grade 5	<i>Pollution Solutions</i>	\$40.00		
Grade 6	<i>Sustaining Natural Resources</i>	\$40.00		

**SCHOOL PACKS**

K - 3	Includes four units—one each for grades K-3— and one <i>Think Earth</i> video	\$120.00		
4 - 6	Includes three units—one each for grades 4-6— and one "e" video	\$95.00		

**ADDITIONAL MATERIALS**

Units Without Video	___ K ___ 1 ___ 2 ___ 3 ___ 4 ___ 5 ___ 6	\$25.00		
Videos	___ <i>Think Earth</i> for K-3 ___ "e" for 4-6	\$25.00		
Badges	Set of 50	\$10.00		
Watches	___ Men's ___ Women's	\$29.95		
T-Shirts	___ Youth Large ___ Adult Large ___ Adult X-Large	\$14.95		
Tote-Bag		\$7.50		
Regular Tree Wafer		\$ .99		
Mini Tree Wafer		\$ .49		

**Quantity Discounts**

Select your discount on total number of units purchased.

50 - 249 units	.....5%
250 - 499 units	.....10%
500 units or more	.....15%

**Now Available!**

- Spanish Translations (family activity sheets and stories) for grades K-3
- Blackline Masters reproduced in sets of 35 for each unit

Subtotal	\$ _____
Quantity Discount	-\$ _____
<b>Materials Total</b>	<b>\$ _____</b>

*Note: The costs for shipping, and, if applicable, imprinting and sales tax (California only) will be added when invoiced.*

# THINK EARTH™ PROGRAM MATERIALS

<b>KINDERGARTEN</b> <i>Conserving Trees &amp; Other Resources</i>	<b>GRADE 1</b> <i>Conserving Natural Resources</i>	<b>GRADE 2</b> <i>The 3 R's—Reduce, Reuse, Recycle</i>	<b>GRADE 3</b> <i>Conserving Natural Resources</i>
<p><b>THINK EARTH</b> Video</p> <ul style="list-style-type: none"> <li>◆Teacher guide</li> <li>◆Poster, <i>THINK EARTH</i></li> <li>◆Poster, <i>The Environment</i></li> <li>◆Story cards, <i>Jay's Tree</i></li> <li>◆Story cards, <i>The Tree-house Party</i></li> </ul> <ul style="list-style-type: none"> <li>◆Blackline masters:               <ul style="list-style-type: none"> <li>• Practice exercises</li> <li>• Family activity sheet</li> <li>• Mini-poster</li> <li>• Hanging badge</li> </ul> </li> </ul>	<p>◆<b>THINK EARTH</b> Video</p> <ul style="list-style-type: none"> <li>◆Teacher guide</li> <li>◆Poster, <i>THINK EARTH</i></li> <li>◆Poster, <i>Everything Comes From The Environment</i></li> <li>◆Story cards, <i>Bye, Bye, Bernie</i></li> <li>◆Story cards, <i>Bernie is Back</i></li> <li>◆Natural resources and products cards</li> </ul> <ul style="list-style-type: none"> <li>◆Blackline masters:               <ul style="list-style-type: none"> <li>• Pretest</li> <li>• Posttest</li> <li>• Practice exercises</li> <li>• Family activity sheet</li> <li>• Mini-poster</li> </ul> </li> </ul>	<p>◆<b>THINK EARTH</b> Video</p> <ul style="list-style-type: none"> <li>◆Teacher guide</li> <li>◆Poster, <i>THINK EARTH</i></li> <li>◆Poster, <i>Reduce, Reuse, Recycle</i></li> <li>◆Story cards, <i>The Rascals</i></li> <li>◆Story cards, <i>The 3 R's</i></li> <li>◆Trash/resource cards</li> </ul> <ul style="list-style-type: none"> <li>◆Blackline masters:               <ul style="list-style-type: none"> <li>• Pretest</li> <li>• Posttest</li> <li>• Practice exercises</li> <li>• Family activity sheet</li> <li>• Mini-poster</li> </ul> </li> </ul>	<p>◆<b>THINK EARTH</b> Video</p> <ul style="list-style-type: none"> <li>◆Teacher guide</li> <li>◆Poster, <i>THINK EARTH</i></li> <li>◆Poster, <i>Our Community</i></li> <li>◆Story cards, <i>Trashbot</i></li> <li>◆Story cards, <i>A Little Means a Lot</i></li> </ul> <ul style="list-style-type: none"> <li>◆Blackline masters:               <ul style="list-style-type: none"> <li>• Pretest</li> <li>• Posttest</li> <li>• Practice exercises</li> <li>• Family activity sheet</li> <li>• Mini-poster</li> </ul> </li> </ul>
<p><b>GRADE 4</b> <i>Reducing Solid and Liquid Waste</i></p> <p>◆"e" Video</p> <ul style="list-style-type: none"> <li>◆Teacher guide</li> <li>◆Poster, <i>Trash: Where Does It Go?</i></li> <li>◆Poster, <i>Water: Where Does It Go?</i></li> <li>◆Poster, <i>Ways To Help Think Earth</i></li> <li>◆Hazardous and solid waste cards</li> </ul> <ul style="list-style-type: none"> <li>◆Blackline masters:               <ul style="list-style-type: none"> <li>• Pretest</li> <li>• Posttest</li> <li>• Practice exercises</li> <li>• Take-home exercises</li> <li>• Family activity sheet</li> <li>• Mini-posters</li> </ul> </li> </ul>	<p><b>GRADE 5</b> <i>Pollution Solutions</i></p> <p>◆"e" Video</p> <ul style="list-style-type: none"> <li>◆Teacher guide</li> <li>◆Poster, <i>What Causes Pollution?</i></li> <li>◆Poster, <i>Ways to Help Think Earth</i></li> </ul> <ul style="list-style-type: none"> <li>◆Blackline masters:               <ul style="list-style-type: none"> <li>• Pretest</li> <li>• Posttest</li> <li>• Handouts</li> <li>• Practice exercises</li> <li>• Family activity sheet</li> <li>• Mini-posters</li> </ul> </li> </ul>	<p><b>GRADE 6</b> <i>Sustaining Natural Resources</i></p> <p>◆"e" Video</p> <ul style="list-style-type: none"> <li>◆Teacher guide</li> <li>◆Poster, <i>Nature to Neighborhoods</i></li> <li>◆Poster, <i>Ways to Help Think Earth</i></li> </ul> <ul style="list-style-type: none"> <li>◆Blackline masters:               <ul style="list-style-type: none"> <li>• Pretest</li> <li>• Posttest</li> <li>• Handouts</li> <li>• Practice exercises</li> <li>• Family activity sheet</li> <li>• Mini-posters</li> </ul> </li> </ul>	<p><b>THINK EARTH VIDEO (VHS)</b>  <b>THINK EARTH</b> is an animated video that introduces children to the environment and to the need for all of us to conserve natural resources, reduce waste, and minimize pollution.</p> <hr/> <p><b>"e"</b>  <b>VIDEO (VHS)</b></p> <p>"e" is a live-action video incorporating computer graphics, animation, and environmental footage. Part one introduces students to the environmental problems of overusing natural resources, creating too much waste, and polluting the environment. In part two, students learn what they do to help the environment....</p>

# THINK EARTH

ENVIRONMENTAL EDUCATION PROGRAM



## ORDERING INFORMATION

The Think Earth Environmental Education Program has been developed to be environmentally-conscious and cost-effective. Materials are printed on recycled paper, and blackline masters are provided to allow teachers to reproduce just the number of student handouts they need. Providing reproducible masters also keeps your costs down since no resupply is needed. Teachers will use the Think Earth program year after year at a one-time cost to you.

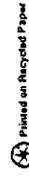
Educational Development Specialists can provide you with a variety of personal services to help you implement the Think Earth program in your community, including:

- ✓ Free teacher brochures
- ✓ Imprinting
- ✓ Promotional items
- ✓ And much more!

For ordering and other information, write or call:

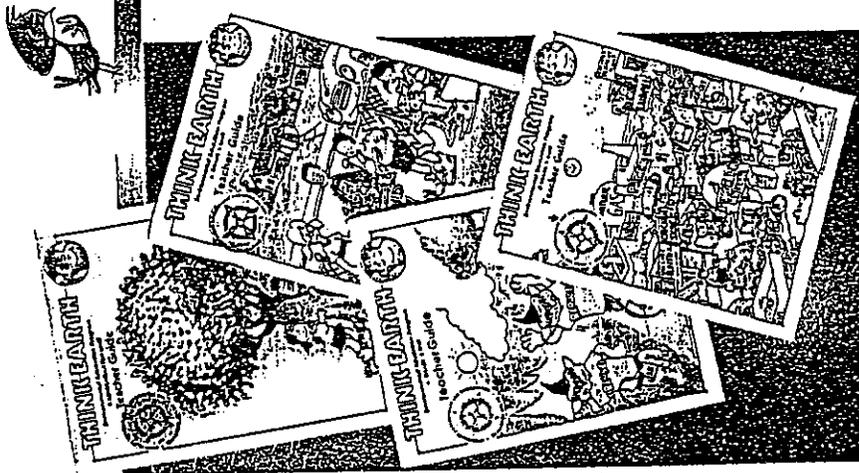
Educational Development Specialists  
5505 E. Carson Street, Suite 250  
Lakewood, CA 90713

(310) 420-6814 • Fax (310) 420-1485



Our most valued acknowledgments are those we receive from the students, teachers, parents, and sponsors - like you.

- ◆ "What a great program - easy to teach - I like the family involvement." [teacher]
- ★ "I liked going home and discussing the Think Earth program with my mother. We have decided to do many things to help." [student]
- ▲ "Thanks so much for sharing the Think Earth curriculum with our kid. My son came home and explained what environment meant. Others wanted their parents to walk to work. And I am constantly reminded not to waste water." [parent letter to sponsor]
- Ⓜ "My agency could never have produced such a program. We're getting parents and educational activists who could never have achieved by ourselves." [sponsor]
- Ⓜ "The children were surprised to see how little they knew... they averaged only 30% on the pretest. Then they averaged 54% on the posttest!" [teacher]
- Ⓜ "I will turn off the lights when I leave the room, and when I grow up I'll make a solar-powered car." [student]



# Think Earth Units contain...

## Grades K-3

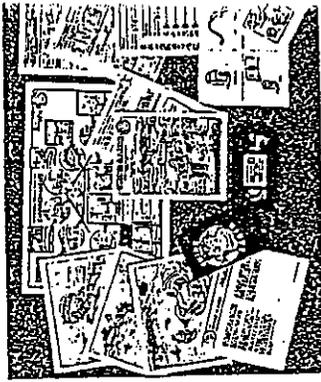
The Kindergarten Unit focuses on conserving trees and other resources. Students learn that trees provide us with many benefits, including fresh air, wood, and paper, and they learn the importance of using paper, water, electricity, and other resources wisely.

The Grade 1 Unit focuses on conserving natural resources. Students learn that everything comes from the environment. They discover that recycling, along with using water, paper, electricity, and natural gas wisely, are important ways to conserve natural resources.

The Grade 2 Unit focuses on the 3 R's—reduce, reuse, and recycle. Students learn that by practicing the 3 R's, we not only reduce the amount of solid waste that we bury in landfills, but we also conserve natural resources, save energy, and reduce pollution.

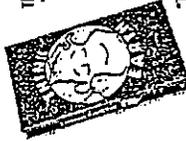
The Grade 3 Unit focuses on creating less pollution. Students learn that waste from producing, distributing, consuming, and disposing of products can pollute our land, water, and air. They discover what they can do to help control pollution and improve the quality of our environment.

- ✓ Teacher guide, with procedures for 58 lessons
- hands-on enrichment activities
- background information
- children's literature list
- additional sources for information & materials
- ✓ 2-3 full-color posters
- ✓ Story cards
- ✓ Resource / Product / Trash cards
- ✓ Reproducible masters for:
  - Priest and poster
  - Student handouts
  - Practice exercises
  - Mini-poster
  - Family activity sheet
- ✓ Video



## K-3 Video

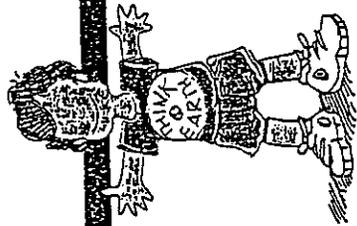
The video for grades K-3, entitled "Think Earth," is an animated presentation that introduces children to how we use natural resources from the environment and shows what we can all do to help the environment. The videotape contains two 7-minute versions of "Think Earth." The first version is narrated. The second version is presented without words so that children, both English speaking and non-English speaking, can supply their own narration.



## 4-6 Video

The video for grades 4-6, entitled "e," is a 27-minute, live-action presentation that incorporates computer graphics, animation, and environmental footage. In part 1, "e," a surrealistic character who magically appears through a computer, presents several environmental problems. In part 2, possible solutions to these problems are explored. Students learn that if everyone helps just a little, the environment will be helped a lot.

# OPPOSE...



all of the children in your community began to:

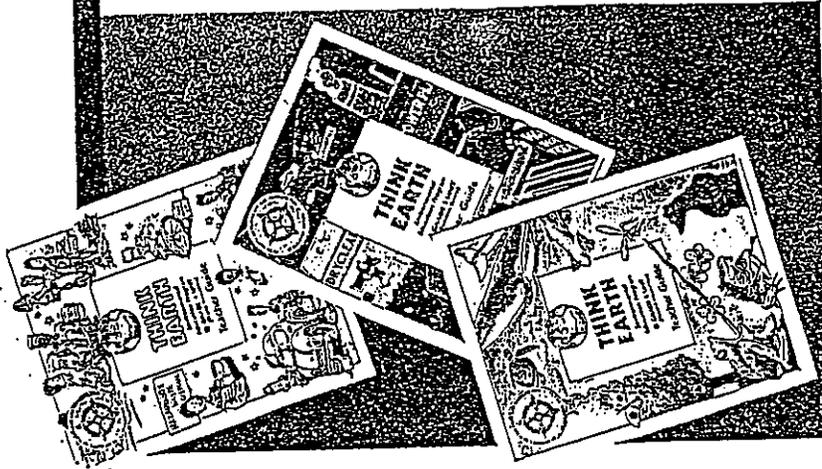
- ✓ recycle papers, bottles, and cans
- ✓ dispose of wastes properly
- ✓ walk, bike, or carpool whenever possible
- ✓ use electricity, water, natural gas, paper, and other resources wisely

Students in your community can learn these and other responsible environmental behaviors with the *Think Earth* Environmental Education Program. By providing *Think Earth* to the schools in your area, you can show your commitment to the community, to education, and to the environment, while also teaching a lot of kids and their families to "think earth."

*Think Earth* is a comprehensive environmental education program for children in kindergarten through grade 6. The program addresses all elements of the environment—air, land, water, and energy. Students learn the importance of a clean, healthy environment and learn what they can do to conserve natural resources, reduce waste, and minimize pollution.

An instructional unit is provided for each grade level of the *Think Earth* program. Each unit interrelates all elements of the environment, while emphasizing a specific theme.

## Grades 4-6

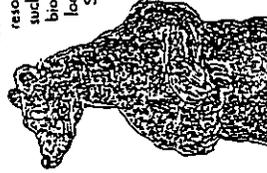


The Grade 4 Unit focuses on reducing solid and liquid waste. Students learn where our trash and wastewater come from and where they go. They discover ways to reduce the amount of solid waste, hazardous waste, and wastewater we produce, which will help conserve natural resources, limit pollution, and keep the environment clean.

The Grade 5 Unit focuses on pollution solutions. Students learn about the causes and effects of smog, global warming, ozone depletion, acid rain, groundwater and soil pollution, and surface water and ocean pollution. They identify ways that everyone can help minimize pollution.

The Grade 6 Unit focuses on sustaining natural resources. Students learn about the benefits of the natural environment and learn that overuse of our natural resources can cause problems, such as loss of habitat, loss of biodiversity, pollution, and food and water shortages.

Students discover many ways to conserve natural resources and use them in sustainable ways.



# AWARDS

The *Think Earth* program has been honored with a number of awards. In addition, among these honors are:

- The President's Environmental and Conservation Challenge Award (nation's top environmental honor)
- The Excellence Award for K-12 Curriculum by the Solid Waste Association of North America
- The Clean Air Award: Excellence in Public Education on Air Quality Issues by the South Coast Air Quality Management District
- A Top 10 rating by *Think Earth* video environmental video from the North American Association of Environmental Education

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**Informational Flyers Distributed By the  
Tennessee Department of Environment and Conservation**

## Chapter 10

### Problem Wastes

#### General

The Solid Waste Management Act addresses four areas of problem wastes which must be addressed. Some of these wastes are banned from disposal in Class I landfills and others are simply acknowledged as items in need of evaluation. This section will examine these wastes and the Region's options for their handling and disposal.

#### Household Hazardous Waste

Household Hazardous Waste (HHW) are those wastes discarded from homes which are listed by the EPA as hazardous or displaying hazardous characteristics. These include paints, aerosol sprays, medicines, pesticides batteries, etc. These wastes pose serious problems to the environment when improperly discarded. Class I landfills are not designed to accept these wastes because of the unique problems presented by these wastes. It is estimated that each household in Tennessee generates 15 pounds of HHW annually. Table 10-1 shows the estimated annually generation rates for the region.

**Table 10-1**  
**Estimated Household Hazardous Waste Generated**

County	Number of Households <sup>1</sup>	HHW Generated Annually (Tons)
Benton	5,784	43
Carroll	10,727	80
Henry	11,362	85
<b>Total</b>	<b>27,873</b>	<b>208</b>

*1- Source: Tennessee Department Of Environment and Conservation, Bureau of Resource Management*

To help in the proper disposal of HHW, the State of Tennessee has established a mobile collection and disposal program. This program allows each county in the state to schedule a HHW collection event at which the collection contractor will accept these wastes for transportation and disposal at a licensed facility. It is the county's responsibility to schedule and advertise these events.

Each county within the Benton, Carroll and Henry County Solid Waste Region will schedule such events at least annually for the duration of the program. Should public response warrant, these events will be scheduled more frequently.

Each county will select and provide a site at which the collection event can be held. These sites can be located at a convenience center with adequate space for the event. The county will provide a single man, the recycling coordinator if available, to aid in security, traffic control and emergency response. Area volunteers may also be requested if it is deemed necessary. It is expected that this system will be sufficient for initial collection events. Collection events will be evaluated and scheduling revised as necessary following each event. West Camden Sanitary Landfill has agreed to assist Benton County with this effort.

The initial collection events should be relatively inexpensive with the major cost being for the education and advertising needed to inform the citizens of the event and its purpose. It is expected that such events can be held for under \$1,000 for the duration of the State Program. At the termination of the State program, the response to and expense of such services will be examined and continued as needed.

Table 10-2 lists the types of wastes acceptable for the State Household Hazardous Waste Collection Events.

**Table 10-2**  
**List of Acceptable Materials**

**Household Hazardous Waste Mobile Collection and Disposal Program**

<b>Household Cleaners</b>	Drain Openers Oven Cleaners Wood and Metal Cleaners and Polishers Toilet Bowl Cleaners Disinfectants
<b>Automotive Products</b>	Oil and Fuel Additives Grease and Rust Solvents Carburetor and Fuel Injector Cleaners Air Conditioning Refrigerants Starter Fluids Body Putty Anti-Freeze/Coolant Waste Oil
<b>Home Maintenance and Improvement Products</b>	Paint Thinners Paint Strippers and Removers Adhesives Paint
<b>Lawn and Garden Products</b>	Herbicides Pesticides/Rodenticides Fungicides/Wood Preservatives
<b>Miscellaneous</b>	Batteries Fingernail Polish Remover Pool Chemicals Photo Processing Chemicals Low-level Radioactive Compounds Medicines/Drugs Reactives (aerosols/compressed gas)

As a means of reducing the HHW disposed of at Class I landfills, an extensive public outreach program is needed. It is expected that the education and public outreach program will begin at the commencement of the 1994-95 school year. County and city schools will be used as a major source of public communication. Area media will be used to disseminate information as the collection date approaches and newspapers will be asked to announce the event throughout the months preceding the event.

An implementation period follows:

Commencement of School Based Education	Fall 1994
Begin Radio and Newspaper Advertisements	Fall 1994
Announce Collection Date	Fall 1994
Collection Date	Fall 1994

This schedule will be revised as the program progresses and at the discretion of each county involved. Each county will develop its own collection event and cooperation between counties for regional events will be evaluated as the program proceeds.

## **Waste Tires**

Whole waste tires are no longer allowed to be disposed of in Class I landfills. Each county within the region currently collects waste tires. When a sufficient number of tires are collected, the county will contact the State and the State shredding unit will be dispatched to the site and shred the tires. After the tires are shredded, they will be disposed of in a landfill. Henry County has made arrangements for whole tires to be shipped to Memphis for disposal.

At the current rate, each county must contact the state shredder three or four times a year. During storage, the tires are to be covered and sprayed to control insect populations. Access to the area is to be controlled.

At present it is estimated that not all of the waste tires within the region are disposed of through the solid waste system. Some tires are burned or dumped throughout the Region. Any waste tires illegally dumped will be collected as part of the County's litter control program and properly disposed of.

## **Waste Oil**

Waste oil is currently not accepted through the existing collection systems within the region. All counties within the region possess private industries which accept waste oil for reprocessing. These include most "quick" oil change facilities within the region. This system handles the waste oil in the region reasonably well and the disposal of waste oil through these facilities will be encouraged by the counties.

In addition, as mandated by T.C.A. § 68-31-866, each county will provide a single site to collect these fluids and store them until transfer is possible. This site will be located at a centrally located convenience center or at the regional recycling centers and will accept all items mandated by the above statute. The facility will comply with all applicable regulations for do-it-yourself, used oil collection centers. The site is expected to be operational in late 1994. Since the collection site will be incorporated into an existing or previously planned site the cost associated with this collection should consist mainly of the cost of the collection tank itself. The collected waste fluids will be disposed of as inexpensively as possible, perhaps by burning or recycling at an approved facility. The cost of this disposal will be considered as part of the recycling center budget and should not add appreciably to these costs.

### **Lead Acid Batteries**

Lead acid batteries are currently not accepted at the Region's landfills. All counties within the region possess private industries which buy back such batteries for recycling. These include most facilities which sell these batteries within the region. This system efficiently handles the batteries in the region and the disposal through these facilities will be encouraged by the counties.

In addition, as mandated by T.C.A. § 68-31-866, each county will provide a single site to collect these items and store them until transfer is possible. This site will be located at a convenience center and will accept all items mandated above. The facility will comply with all applicable regulations for lead acid battery collection centers. The site is expected to be operational in late 1994. Since the collection site will be incorporated into an existing or previously planned site, the cost of lead acid battery collection should be minimal. Also, since these items are regularly purchased for recycling, the cost of disposing for the collected batteries should also be minimal.

### **Litter**

The Benton, Carroll and Henry County Region has an estimated unmanaged waste amount of 26,120 tons (see Table 2-5) of waste annually. According to the Needs Assessment, roughly 2,050 tons of this is litter in illegal dumps and along highways. The regional counties all have Adopt-a-Highway programs to aid in cleaning up major highways. The establishment of regional convenience centers and weekly collection services are also expected to greatly reduce illegal dumping and minimize the litter problems.

## **Advertisement**

Each County will advertise to the general public the day(s), hours and location of the Household Hazardous Waste Collection Event(s). The following is a copy of § 68-211-829 of the Solid Waste Act of 1991:

*Each County, or Solid Waste Authority, if created, shall provide a service site and shall advertise in newspapers of general circulation in the county the day(s) and hours and location where the household hazardous wastes will be collected by the mobile unit. The advertisement shall also identify examples of household hazardous wastes that the mobile unit shall receive. The county or solid waste authority shall also furnish at least one (1) person to represent the county or solid waste authority at the service site on the days of collection, who will assist the persons operating the mobile collection unit. [Acts 1991, ch. 451, § 35; T.C.A., § 68-31-829.]*

## **Special Wastes**

Special wastes (as defined by the Division of Solid Waste Management) will be dealt with on an individual, case by case, basis as required by the Division of Solid Waste Management.

## **Grants**

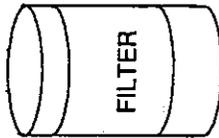
The Tennessee Legislature passed the Used Oil Collection Act of 1993 establishing a program for the collection and safe disposal of used motor oil. It is funded by a new two cent (\$0.02) tax on motor oil to go into effect on July 1, 1993. The tax revenues will fund grants to assist local governments in establishing collection sites for used oil, educational programs, and technical assistance in identifying and implementing acceptable used oil disposal plans. The grants will be administered by the special waste section of the Tennessee Department of Environment and Conservation. The contact person is Mr. Don Manning at (615) 532-0076.

The State will also award a grant for the collection of HHW to the counties with a 1980 population of 100,000 or more or to a municipality with a 1980 population of 287,000 or more (§ 68-211-828). No county or Municipality in the Benton, Carroll and Henry County Solid waste Region qualifies for this grant.

## **Summary**

Each County will establish a site for its residents to bring their household hazardous waste for proper disposal. The collection site and date will be well publicized and coordinated with the State appointed contractor.

## About Oil Filters:



If you change your oil filter, drain the old one by punching an air hole in the top and drain a minimum of 12 hours.

Dispose of the oil filter only after it is properly drained.

Check to see if there is a filter crushing and recycling program in your community.

*NOTE: Commercial handlers of used oil and oil filters may be subject to more stringent requirements than those specified for do-it-yourselfers.*

The information contained in this pamphlet is based on current state laws and best management practices. Recommendations may change over time as new laws and information are developed. Contact the Division of Solid Waste Assistance if you have any questions.

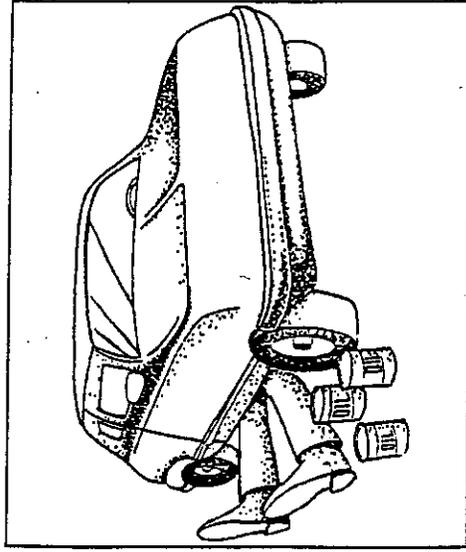
Division of Solid Waste Assistance  
Special Wastes Section  
14th Floor, L & C Tower  
401 Church Street  
Nashville, TN 37243-0455  
(615) 532-0091

**What Tennessee  
Do-It-Yourselfers  
Should Know  
About  
Disposing of**

## USED MOTOR OIL



**TENNESSEE WASTEWISE**



*Printed on recycled-content paper*



Tennessee Department of Environment and Conservation. Authorization No. 327421, 2,000 copies. This public document was promulgated at a cost of \$.09 per copy. January 1993.

BEST MANAGEMENT PRACTICES

- Buy only what you need.
- Give leftovers to someone who can use them.
- Always store such fluids in the original container.
- Take recyclable fluids to businesses or locations that recycle.
- Safely store and donate any unrecyclable fluids to your county's household hazardous waste collection program if the fluid is advertised as one the contractor will accept.

DIVISION OF SOLID WASTE ASSISTANCE  
SPECIAL WASTE SECTION  
14th FLOOR, L & C TOWER  
401 CHURCH STREET  
NASHVILLE, TN 37243-0455  
(615) 532-0091

PROPER  
DISPOSAL  
OF  
AUTOMOTIVE  
FLUIDS

TENNESSEE WASTEWISE



The information contained in this pamphlet is based on current state laws and best management practices. Recommendations may change over time as new laws and information are developed. Contact the Division of Solid Waste Assistance if you have questions.



Tennessee Department of Environment and Conservation. Authorization No. 327425; 4,000 copies. This public document was promulgated at a cost of \$.05 per copy. February 1993.

**TO AVOID DISPOSAL PROBLEMS:**

- Buy only what you need
- Use it up before buying more
- Apply another coat
- Store cans upside down to prevent hardening or moisture damage (be certain the lid is securely in place).

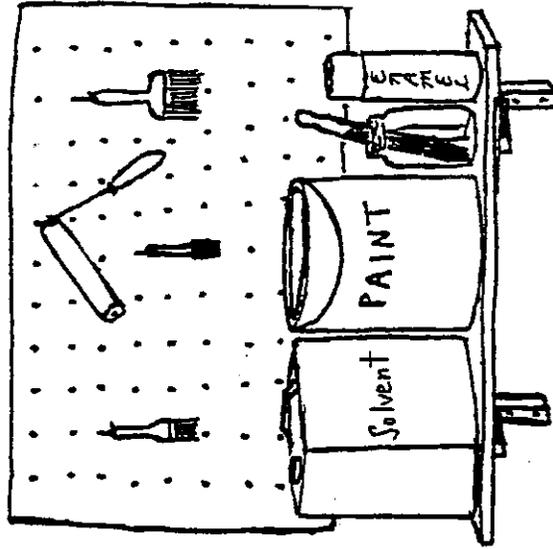
**Note:** Commercial handlers and users of paints and solvents may be subject to more stringent requirements than those specified for households.

The information contained in this brochure is based on current laws and best management practices. Recommendations may change over time as new laws and information are developed. Contact the Division of Solid Waste Assistance if you have questions.

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Special Waste Section  
14th Floor, L & C Tower  
401 Church Street  
Nashville, TN 37243-0455  
(615) 532-0091

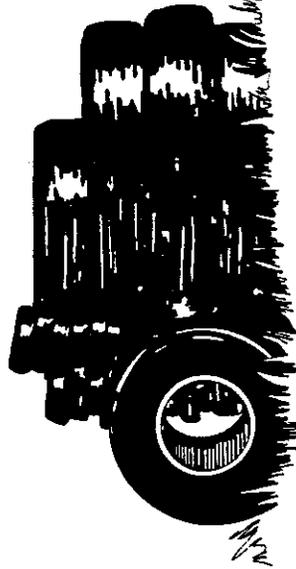
**OPTIONS FOR PAINT AND SOLVENT DISPOSAL**

**TENNESSEE WASTEWISE**



Tennessee Department of Environment and Conservation. Authorization No. 327424; 4,000 copies. This public document was promulgated at a cost of \$.05 per copy. February 1993.

# Proper Handling and Disposal of Waste Tires



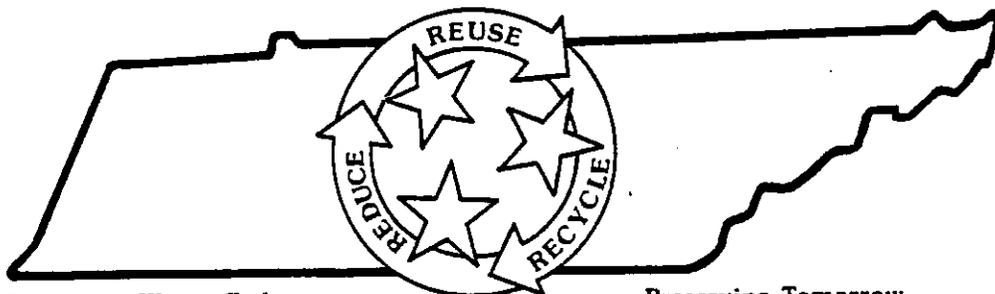
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(615) 532-0091



Tennessee Department of Environment and Conservation. Authorization No. 327422; 4,000 copies. This public document was promulgated at a cost of \$.05 per copy. February 1993.

*Printed on recycled-content paper*

## TENNESSEE WASTEWISE



Managing Waste Today . . .

. . . Preserving Tomorrow

**REMEMBER:**

- \*Buy only what you need to apply.
- \*Read the label instructions and apply product accordingly.
- \*Store pesticides in their original container in a safe, dry, well-ventilated area.

- \*Never bury or pour pesticides onto the ground.
- \*Triple rinse empty liquid containers and render them unusable.

**WHO CAN I CONTACT ?**

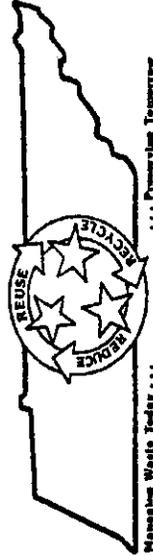
Local government agencies and agricultural organizations may be contacted for information.

The information contained in this pamphlet is based on current laws and best management practices. Recommendations may change over time as new laws and information are developed. Contact the Division of Solid Waste Assistance if you have questions.

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Special Wastes Section  
14th Floor, L & C Tower  
401 Church Street  
Nashville, TN 37243-0455  
(615) 532-0091**

**WHAT TO DO  
WITH  
UNWANTED  
PESTICIDES**

**TENNESSEE WASTEWISE**



Tennessee Department of Environment and Conservation. Authorization No. 327423; 4,000 copies. This public document was promulgated at a cost of \$.05 per copy. February 1993.

## WASTE REDUCTION TIPS:

BUY ONLY THE AMOUNT YOU NEED.

USE ALL OF THE PRODUCT (NO WASTE).

GIVE LEFTOVER PRODUCTS TO SOMEONE WHO CAN USE THEM.

CHOOSE AND USE SAFER PRODUCTS.

HANDLE ALL CHEMICALS WITH CARE.

READ THE LABEL FIRST FOR INFORMATION.

PROPERLY DISPOSE OF UNUSED LEFTOVERS.

Contact your local county officials to see if a household hazardous waste collection program is being planned in your county and if household cleaners will be accepted.

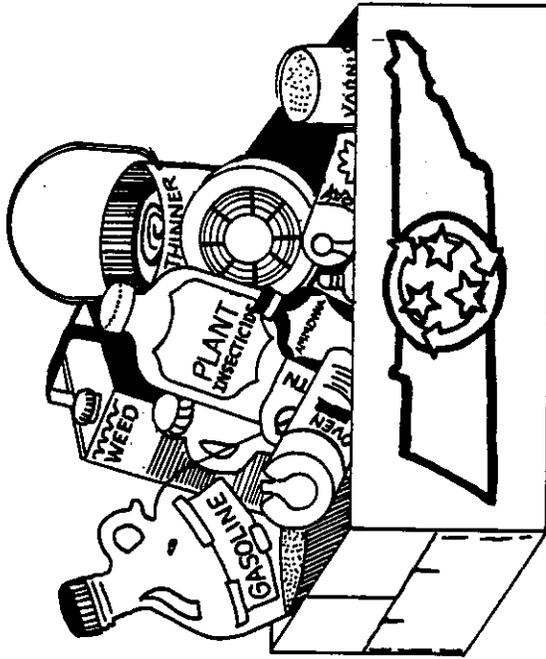
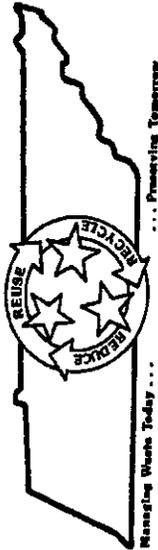
The information contained in this brochure is based on current state laws and best management practices. Recommendations may change over time as new laws and information are developed. Contact the Division of Solid Waste Assistance if you have any questions.

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Special Wastes Section  
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401 Church Street  
Nashville, TN 37243-0455  
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## HOUSEHOLD CLEANERS

POTENTIAL HAZARDOUS  
WASTE  
IN THE HOME

## TENNESSEE WASTEWISE



Tennessee Department of Environment and Conservation. Authorization No. 327432, 4,000 copies. This public document was promulgated at a cost of \$.05 per copy. March 1993.

## SUGGESTED DISPOSAL

In the absence of a better method for the proper disposal of dry cell batteries, the suggested procedure is to put them in a sealed plastic bag and place in the trash.

The practice of storing used batteries in the home could create a potential danger for small children who may ingest button batteries or put them in their ears. Possible leakage from other types of dry cell batteries may also cause injury and property damage.

The use of rechargeable batteries could reduce the volume of batteries sent to landfills. Rechargeable batteries and a battery charger may be practical substitutes for dry cell batteries in the home.

The information contained in this pamphlet is based on current state laws and best management practices. Recommendations may change over time as new laws and information are developed. Contact the Division of Solid Waste Assistance if you have questions.

Division of Solid Waste Assistance  
Special Wastes Section  
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401 Church Street  
Nashville, TN 37243-0455  
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WHAT WE KNOW

ABOUT

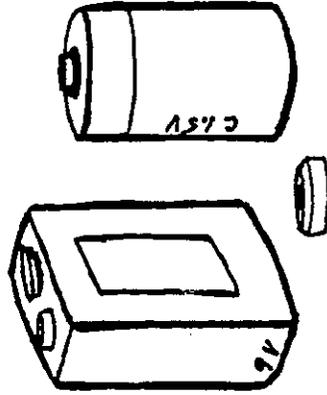
DRY CELL BATTERIES

AND

THEIR PROPER

DISPOSAL

## TENNESSEE WASTEWISE



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Tennessee Department of Environment and Conservation, Authorization No. 327499, 4,000 copies. This public document was promulgated at a cost of \$.05 per copy, March 1993.

**REMEMBER:**

- Don't Trash
- Don't Burn
- DO Recycle!

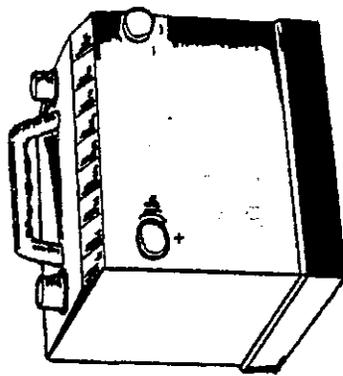
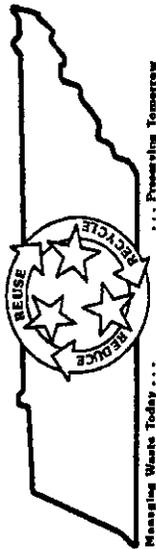
Lead-Acid Batteries.

The information contained in this pamphlet is based on current state laws and best management practices. Recommendations may change over time as new laws and information are developed. Contact the Division of Solid Waste Assistance if you have any questions.

Division of Solid Waste Assistance  
Special Wastes Section  
14th Floor, L & C Tower  
401 Church Street  
Nashville, TN 37243-0455  
(615) 532-0091

**PROPER DISPOSAL  
OF  
LEAD-ACID  
BATTERIES**

**TENNESSEE WASTEWISE**



Tennessee Department of Environment and Conservation. Authorization No. 327420. 2,000 copies. This public document was promulgated at a cost of \$ .09 per copy. January 1993.

## Chapter 11 Implementation: Schedule, Staffing, and Funding

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## Chapter 11

### Implementation: Schedule, Staffing, and Funding

#### System Definition

1. Region's Components and Structure
2. Region's Goals, Objectives, and Strategy
  - a. Goals
    1. It is the goal of the B-C-H Solid Waste Planning Region to make the Region's citizens, commercial businesses, industries, and institutions active, participating partners in the reduction, reuse, recycling, management, collection, and disposal of the Region's solid waste.
    2. It is the goal of the B-C-H Solid Waste Planning Region to reduce, reuse, and/or recycle as much of the Region's waste as practical.
    3. It is the goal of the B-C-H Solid Waste Planning Region to dispose of the remaining solid waste in an environmentally safe manner as inexpensively as possible.
    4. It is the goal of the B-C-H Solid Waste Planning Region to provide adequate collection services to its residents.
  - b. Objectives
    1. It is the objective of the B-C-H Solid Waste Planning Region to present/supply information concerning our goals to the citizens of the region.
    2. It is the objective of the B-C-H Solid Waste Planning Region to educate our adults and children as to the importance of solid waste reduction, recycling, reuse, and the environmental safe disposal of the remaining solid wastes.
    3. It is the objective of the B-C-H Solid Waste Planning Region to assist our industries, commercial business, governmental agencies, and institutions to reduce, reuse, and/or recycle their wastes as much as practical and to recycle as much as practical.
    4. It is the objective of the B-C-H Solid Waste Planning Region to inform the tax payers in our Region of the costs of solid waste collection, recycling and disposal.

c. Strategy

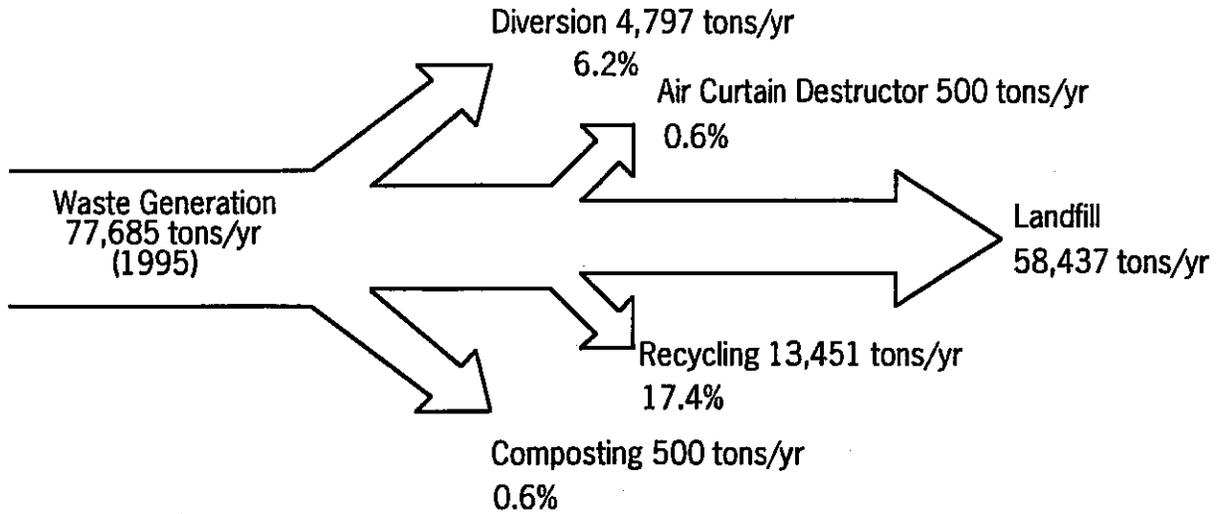
The Region will achieve its goals and objectives by launching and maintaining an effective education system to obtain the voluntary social action of our citizens. We will also operate our recycling and collection services in a cost effective, market and customer responsive manner. We will also secure the least expensive, but environmentally sound, method of disposal of our remaining wastes.

3. Projected Solid Waste Generation to be Collected and Managed

**Table 11-1**  
**Solid Waste to Be Collected and Managed After 25% Reduction, tons/yr**

Year	Benton Co.	Carroll Co.	Henry Co.	Total
1993	—	—	—	—
1994	13,977	26,351	26,581	66,909
1995	12,224	23,018	23,191	58,433
1996	12,200	22,945	23,089	58,234
1997	12,175	22,873	22,989	58,037
1998	12,152	22,800	22,888	57,840
1999	12,129	22,728	22,789	57,646
2000	12,104	22,657	22,690	57,451
2001	12,067	22,557	22,565	57,189
2002	12,043	22,489	22,509	57,041
2003	12,018	22,422	22,419	56,859

\*Note: From Tables 8-1, 8-2, and 8-3.



Diversion Figures From Table 4-6

Recycling From Table 6-5

Waste Generation for 1995 population (Table 1-6) x 1.13 tons/person/year (page 4-2)

Composting From 6% of Yard Wastes, Table 2-4

Air Curtain Destructor from 50% of "other," Table 4-6



Figure 11-1  
Proportional Flow Diagram  
B-C-H Solid Waste Region

#### **4. Proportional Flow Diagram**

Figure 11-1 shows a proportional flow diagram.

#### **5. Composite Map**

Figure 11-2 shows a composite map of the Regional Solid Waste System as planned.

#### **6. Institutional Structure for Plan Implementation**

B-C-H Region will establish a citizen advisory board. This board will advise the Region and serve as a liaison between the public and the Region. The County Commission and County Executive of each county currently has the authority and responsibility for all solid waste matters. If, in the future, a solid waste authority is formed, the authority will assume most of the responsibilities for implementing this plan. Until an authority is formed or if an authority is not formed, the responsibility for all solid waste matters will remain with the individual county commissions and county executives.

### **Citizen Advisory Committee**

#### **Mission Statement**

The Regional Solid Waste Advisory Committee shall support and provide public guidance and input to the B-C-H Solid Waste Planning Region Board such that the Board may provide the region with an improved solid waste management system to; control costs, protect the environment, better use our natural resources, develop a long range solid waste plan, educate the citizens of the region in solid waste matters, reduce and minimize solid waste generation, and develop alternative methods of waste disposal. The Committee shall consider the needs of the total region's citizens, general commercial establishments and industry when providing input and recommendations to the Board.

#### **Role and Responsibilities**

It shall be the duty of the members of the Advisory Committee to provide the communications link between the regional planning board and the region's citizens and commercial, industrial and educational institutions in an effort to meet the above goals. Upon completion of the initial regional plan, the Advisory Board members will assist the Board in the implementation, education and promotion of the regional plan as appropriate, providing feedback and independent assessment on the effectiveness of the regional plan.

### **Length of Service**

The individuals should serve a two year term staggered such that the entire advisory committee does not turn over every two years.

### **Structure**

The Advisory Committee shall meet separately from the Solid Waste Planning Board as necessary to gather data, review policy recommendations, develop action plans, develop work committees, etc., as requested by the Solid Waste Planning Board. Members may attend the Solid Waste Planning Board meetings as they feel necessary. However, at least one Advisory Committee member should attend the Solid Waste Planning Board meeting to maintain continuity and aid in idea exchange and information flow.

### **Possible Advisory Committee Membership Representatives**

1. Business
2. Environmental
3. Waste Management
4. Recycling
5. Citizen at large
6. Education

**DRAFT LETTER to Solid Waste Region Board Advisory Committee Appointees**

**(Each county executive should send their letters on their own letterhead.)**

Dear (appointee):

The purpose of this letter is to inform you that you have been nominated to serve on the Advisory Committee to the B-C-H 10-Year Solid Waste Planning Region Board. You have been selected because of your familiarity and involvement in local solid waste issues and your familiarity with the needs of our Region.

As recommended by the State of Tennessee's Solid Waste Management Act of 1991, Benton, Carroll, and Henry Counties have chosen to work together to prepare a ten year solid waste plan to meet the solid waste needs of our three counties. The benefit and purpose of forming a multi-county region is to work towards cost savings due to volume and to increase the range of solid waste program options available to each county.

You are being asked to serve a \_\_\_\_ year term on this advisory committee which will probably involve meeting approximately one time per month, depending on the level of planning activity occurring in our solid waste region each month. The advisory committee will meet separately from the regional planning board to gather data, review policy recommendations, develop action plans, develop work committees and so forth as needed. You are always welcome to attend any of the solid waste planning board meetings as you see fit. This committee will help implement the plan and continue to advise the regional solid waste planning board.

At your first meeting, we will go over the mission statement of his committee and answer any questions you might have about serving on the committee. You will be contacted as soon as the date for the first meeting is determined. I appreciate your willingness to serve in this important capacity and look forward to your insight and involvement with this project.

## **Implementation Schedule and Milestones**

### **1. State Deadlines**

March 19, 1994	Certification of landfill operators must be implemented
June 30, 1994	Solid waste regional plans are due
December 31, 1994	Whole waste tires will no longer be accepted for landfilling
January 1, 1995	Site to accept and store whole waste tires, used automotive fluids/oils, and lead-acid batteries must be established
January 1, 1995	Solid waste collection and disposal system must be available in each county
December 31, 1995	Requirements for 25% waste reduction becomes effective
January 1, 1996	Collection sites for recyclable materials must be established
June 30, 1996	Tipping fee surcharge expires

### **2. Regional Implementation Schedules and Milestones**

#### January 19, 1994

- 1) Accept bids on disposal from area landfills and for rural collection.

#### April 19, 1994

- 1) Negotiate collections & disposal contracts.

#### June 1, 1994

- 1) Form a Solid Waste Authority.

#### July 1, 1994

- 1) Have Paris-Henry County landfill operator certified.
- 2) Submit 10-year plan.
- 3) Obtain recycle/reduction/education coordinator for each county.
- 4) Prepare educational program to begin in Fall, 1994 (see Chapter 9).
- 5) Begin preparation for advertisement of collection of household hazardous waste (see Chapter 10).

6) Begin program of contacting industries regarding waste separation and reduction, coordinate with the University of Tennessee.

7) Begin rural, residential collection services

December 1, 1994

1) Establish waste tire storage, used automotive fluids/oils, and lead-acid batteries in each county.

2) Establish Citizen Advisory Committee.

3) Establish Speaker's Bureau.

4) Construct Convenience Centers.

July 1, 1995

1) Establish a recycling center in each county.

2) Determine if waste reduction goal of previous year met.

3) Establish Class III/IV landfill(s) to serve Carroll and Henry Counties.

July 1, 1996

1) Determine if waste reduction goal of previous year met.

July 1, 1997

1) Determine if waste reduction goal of previous year met.

July 1, 1998

1) Determine if waste reduction goal of previous year met.

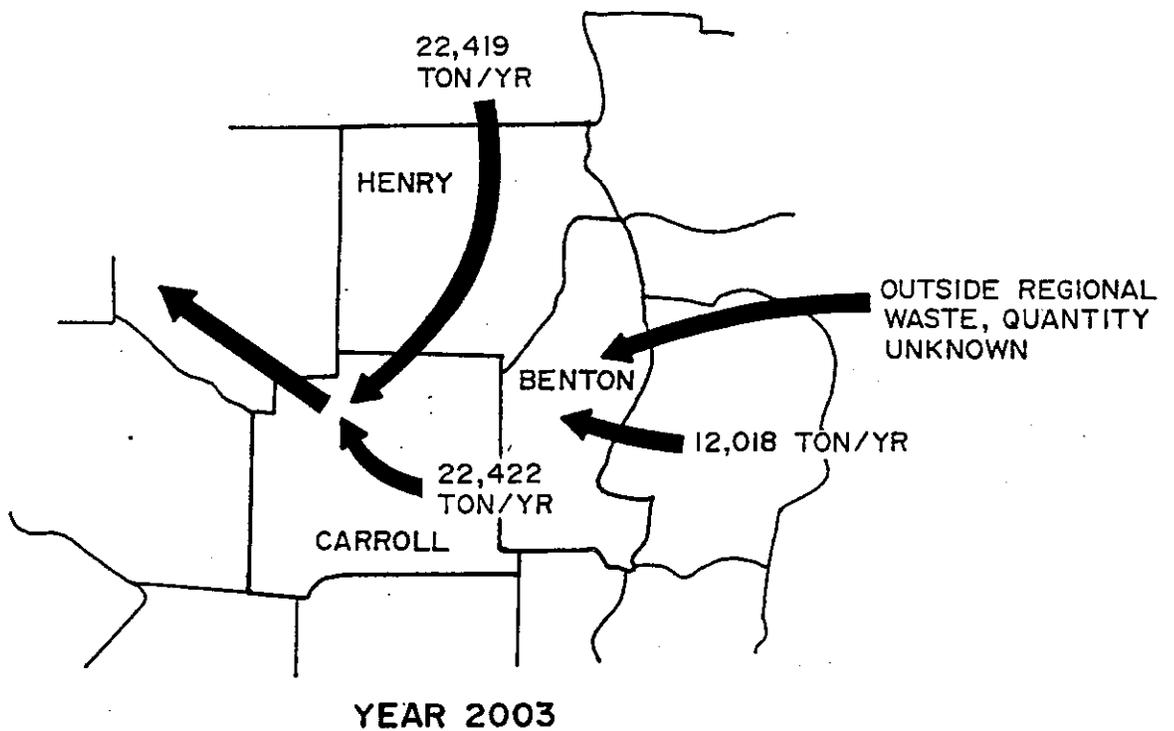
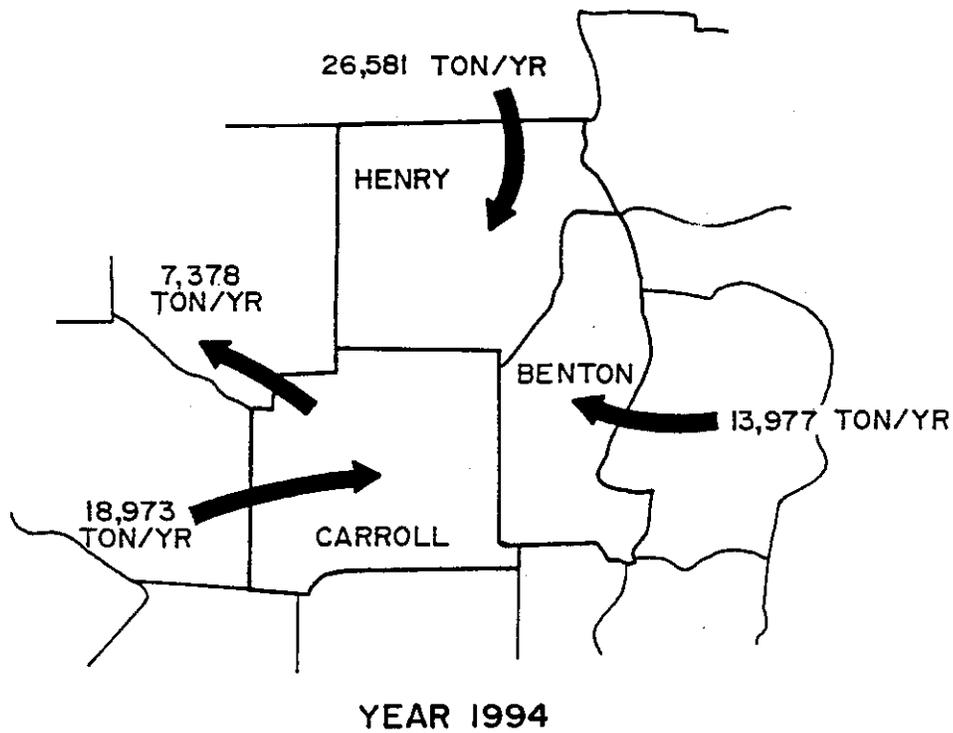
2) Establish mobile collection bins for recycling.

July 1, 1999 — July 1, 2003

1) Determine if waste reduction goal of previous year met.

**Table 11-2  
 Implementation Schedule  
 B-C-H Region**

Task	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Form an Authority (optional)	✓									
Submit 10-year plan	✓									
Paris-Henry County landfill operator certified	✓									
Establish Class III/IV Landfill for Henry and Carroll Counties		✓								
Obtain coordinator for each county	✓									
Educational program	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Collection of household hazardous wastes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Industrial waste separation & reduction	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Construct Convenience Centers	✓									
Establish speaker's bureau and Citizens Advisory Committee	✓									
Establish mobile collection bins for recycling					✓	✓	✓	✓	✓	✓
Establish recycling center		✓								
Establish rural, residential collection in Carroll & Henry County	✓									
Determine if commercial disposal of solid waste for Henry & Carroll Counties is viable; or if a Regional landfill is to be established	✓									



**NOTES**

1. ASSUMING CARROLL AND HENRY COUNTY UTILIZE BARKER BROTHERS CLASS I LANDFILL.
2. TOTAL TONNAGE FROM TABLES 8-1, 8-2, AND 8-3.

**FIGURE II-2**

**REGIONAL COMPOSITE SOLID WASTE STREAM, CLASS I ONLY  
B-C-H SOLID WASTE REGION**

## Staffing And Training Requirements

### 1. Management Positions

#### a. Recycling/Reduction Education Coordinator

Each county should appoint a Recycling/Reduction Education Coordinator. This can be either a paid or a volunteer position. The coordinator may operate with or without a staff. The coordinator's duties should include:

- Publicity of the location and operating hours of the permanent and traveling recycling drop off points.
- Education of the advantages and requirements of recycling. Only recyclables should be placed in the recycling containers.
- Policing the recycling areas.
- Working with the local industries, commercial establishments, and institutions on solid waste reduction. This will include coordination with the programs offered by the University of Tennessee.
- Working with the schools and other groups to encourage recycling contests.
- Determining markets for the recycled materials. This will include coordination with the State's Office of Cooperative Marketing For Recyclables.
- Assist with preparing annual budgets.

This person should be a "people" person. They will need to be able to communicate and present programs to an entire range of populace. They will be expected to present a recycling program to a kindergarten class in the morning, speak to a group of business leaders at lunch, and drive home a hard bargain for the sale of recyclable in the afternoon. Most of all, they have to believe in recycling and reduction and be enthusiastic.

Ideally, their training will be primarily in public speaking and they should be able to have some dealings with math and financial matters.

#### b. Collection Manager

Each county should appoint a collection manager to supervise the collection system(s). This will include the supervision of the convenience center attendants and truck drivers. This person should also be capable of handling door to door collections (if initiated) or manage the collection contracts (if initiated). This person should possess management skills and have some experience with equipment. The collection equipment will need periodic maintenance, repairs and replacement. This person's duties will include:

- Supervision of convenience center attendants.
- Supervision of truck drivers.

- Supervision of collection crews.
- Overseeing any collection contracts.
- Preparing an annual budget.
- Recruitment and hiring of personnel.
- Working with the public.

This person's training should include personnel management, planning, dealing with finances and budgets, and equipment maintenance. This position may be combined with the Recycling/Reduction/Education Coordinator.

**c. Landfill Operator**

If a Regional Class I landfill is developed and operated (other than by contract operation) the landfill should be managed by a landfill operator. The operator would be responsible for supervising all aspects of the Class I landfill including:

- All personnel.
- Preparing trenches to receive solid waste.
- Leachate collection and management.
- Groundwater monitoring.
- Providing daily, intermediate, and final cover.
- Maintaining all roads.
- Establishing traffic patterns.
- And all other items necessary to operate a landfill in the proper manner.

This person should possess management skills, be able to deal with the public, be able to prepare budgets, and be familiar with the operation and care of each piece of equipment.

The operator would be required to obtain certification as a Class I landfill operator. The Paris-Henry County Landfill is projected to be open until 1996. The current Class I landfill operator is required to be certified by March 19, 1994.

The West Camden Sanitary Landfill in Camden has agreed to receive all of Benton County's Class III/IV material into their landfill at no cost for the next 10 years. Huntingdon is considering the development of a Class III/IV landfill at the former Huntingdon municipal landfill. Henry County is considering a Class III/IV landfill. A Class III/IV landfill must be operated by a certified operator. A Class III/IV operator should be responsible for supervising all aspects of the landfill including:

- All personnel
- Preparing trenched to receive wastes
- Groundwater monitoring

- Providing the required cover
- Maintaining all roads
- Establishing traffic patterns
- And all other items necessary to operate a Class III/IV landfill in the proper manner.

This person should possess management skills, be able to deal with the public, be able to prepare budgets, and be familiar with the operation and care of each piece of equipment.

**d. Solid Waste Manager**

Each county should have a solid waste manager to be responsible for all aspects of the county's solid waste and supervise the recycling/reduction/education coordinator, collection manager, and landfill operator. Depending on the number of employees and the preference of each county, this manager can be a new, designated employee or it can be an existing official such as the county executive, or the recycling/reduction/education coordinator.

**2. Currently Authorized Solid Waste Management Positions**

**a. Benton County**

Benton County currently employs several truck drivers who work under the supervision of the county executive. Camden has several landfill employees.

**b. Carroll County**

Carroll County currently authorizes a recycling/reduction/education coordinator who works under the direction of the county executive. Huntingdon has several landfill employees. Several cities have collection crews.

**c. Henry County**

Henry County currently employs several truck drivers. Paris has several employees who operate the landfill as well as collection crews.

**3. Projected Additional Staff Requirements**

**a. Benton County**

The new commercial landfill in Camden will allow the city of Camden to close its landfill. The county will need to add convenience center attendants to its staff. The county's recycling center will be staffed by volunteers from the Development Center.

**b. Carroll County**

If Carroll County contracts for rural, residential collection, it will need to add only enough staff to man its recycling center and one convenience center. These staff members will consist mostly of volunteers from the Development Center. If the recycling center becomes successful enough, perhaps an additional manager will be necessary.

c. Henry County

If Henry County contracts for rural, residential collection, it too will need to add only enough staff to man its recycling center and one convenience center. Some of the Paris landfill staff can be used to operate the Class III/IV landfill.

e. Regional Class I Landfill

If a regional Class I landfill is developed, additional staff will be required to operate the regional Class I landfill. This would consist of a certified operator, two assistant operators, and a scale operator/billing clerk.

**Table 11-3  
 Staffing Plan: 1994 - 1996  
 B-C-H Region**

	1994			1995			1996		
<b>Benton County</b>									
Solid Waste Manager			✓						
Recycle Center Attendants			✓						
Truck Drivers	×								
Convenience Center Attendants						✓			
<b>Carroll County</b>									
Recycle/Reduction/Education Coordinator	×								
Recycle Center Attendants		✓			✓				
Truck Drivers	×								
Class III/IV Operators	×					✓			
Convenience Center Attendants						✓			
<b>Henry County</b>									
Solid Waste Manager		✓							
Recycle Center Attendants			✓		✓				
Truck Drivers	×								
Class I Landfill Operators	×								
Class III/IV Operators						×			
Convenience Center Attendants						✓			
<b>Regional Landfill (if developed)</b>									
Class I Operators								✓	
Scale Operator/Billing Clerk								✓	

× Existing  
 ✓ Additional

## **Funding**

There are several funding options to meet the estimated costs as shown on Tables 11-4, 11-5, and 11-6. Unless an authority is formed, each county will be responsible for funding its own budget. If an authority is formed, the counties will assign the desired responsibilities to the authority. The authority will then be responsible for funding the tasks assigned to it and the counties will be responsible for funding the tasks retained by them. For example, the authority may be assigned the task of disposing of the Region's solid waste (or arranging for the disposal), and the counties retain the task of operating the collection services. Convenience center construction and operation can either be assigned to the authority or retained by the counties. An Authority's source of funds would be fees charged to each county utilizing its services.

In addition, it is recommended that Carroll County and Henry County each develop a Class III/IV landfill. Carroll County could develop one independently; however, it would be more practical to develop one jointly with Huntingdon and McKenzie. Henry County could develop a Class III/IV landfill independently, but it would be more practical to develop one jointly with Paris. The budgets shown in Tables 11-5, and 11-6 assume that the counties will retain all tasks (no authorities formed) and will be responsible for the development and operation of a Class III/IV landfill. Benton County will not develop a Class III/IV landfill since West Camden Sanitary Landfill has agreed to accept Benton County's Class III/IV material at no cost for 10 years.

If a regional landfill is developed, an authority should be formed to own and operate the facility. The authority would fund the facility by tipping fees based on tonnage.

The following is a suggested funding alternative. Each county can modify this alternative as necessary. County funding should be either fee based or be from revenue taxes such as sales tax or beer tax. Counties should not fund the solid waste program from the property tax unless all residents of the county utilize the service, such as a county side convenience center or disposal costs. If services for rural residents are funded from the property tax, it would be difficult to justify asking the cities to pay part of the cost since city residents also pay county property taxes, and it would appear that the city residents may be paying for such services twice. One funding option that is not available is a surtax on all solid waste originating outside a county's boundary and deposited in a private landfill. The legality of this option was researched by the General Assembly of Tennessee Office of Legal Services. See a copy of two letters at the end of this chapter.

Each county (and the authority, if an authority is formed) must keep an accurate record of all costs and revenues associated with disposal. Accurate records should also be kept of all costs and revenues associated with collection. Enterprise funds must be established not later than July 1, 1994.

## **Grants**

At this time, State grants are available (or are to become available) for such activities as:

- matching grant assistance to establish or upgrade convenience centers (TCA § 68-211-824)
- recycling collection site equipment (TCA § 68-211-825)
- collection of household hazardous waste (TCA § 68-211-828)

- grants to implement education programs (TCA § 68-211-847)

Since many grants are awarded on a competitive basis, and since all grants are subject to availability of funds, the following budgets assume no grant funds. See copies of the selected sections of the Act at the end of this chapter for a description of the grants.

Tipping fees and collection fees can be set and collected. However, the revenues can only be used for solid waste management purposes, they cannot be diverted to other uses. The host county of a solid waste disposal facility may impose a host county fee or surcharge, but it can only be used to offset "costs incurred and other impacts resulting from the county being host to the solid waste disposal facility or incinerator." Municipalities can share in host county fees if appropriate. Fees can also be collected to offset collection costs including convenience centers. These fees can be collected through an electric utility, subject to the agreement of the electric utility. The following is a copy of several sections of the Solid Waste Act of 1991.

§ 68-211-835. Tipping fee - Amount - Collection - Expenditure of revenues - Joint ventures - Surcharges - Solid waste disposal fees - Collection. - (a) Effective July 1, 1991; each county, municipality, or solid waste authority which owns a municipal solid waste disposal facility or incinerator may impose a tipping fee upon each ton of municipal solid waste or its volume equivalent received at such solid waste disposal facility or incinerator. Such a tipping fee shall be set by the governing body of the county or municipality, or by the board of directors of the solid waste authority. This tipping fee shall be collected by the operator of the publicly owned municipal solid waste disposal facility or incinerator and remitted to the owner. The fee imposed may be equal to, or a portion of, the estimated cost of providing solid waste management services on a per ton or volume equivalent. By July 1, 1993, such full cost shall be determined pursuant to the uniform solid waste accounting system developed by the comptroller of the treasury.

(b) Revenue from tipping fees at publicly owned solid waste disposal facilities and incinerators received by counties, municipalities and solid waste, authorities shall be expended only for solid waste management purposes.

(c) When a municipal solid waste disposal facility is operated as a joint venture by more than one (1) city or county, or combination thereof, or by an authority, the tipping fee authorized under this section shall be imposed by the joint operators or authority, and the tipping fee received shall be remitted to the participating local governments or authorities for expenditure for solid waste management purposes only.

(d) In addition to any tipping fee imposed by any local government under this section, there shall also be imposed a surcharge of eighty-five cents (85¢) per ton on each ton of municipal solid waste received at all solid waste disposal facilities or incinerators. The operator of the municipal solid waste disposal facility or incinerator will collect this surcharge and remit it to the state treasury to be paid into the solid waste management fund. The surcharge imposed by this subsection shall expire on June 30, 1996.

(e) In order to encourage regional use of solid waste disposal facilities or incinerators, a county that is host to a solid waste disposal facility or incinerator used by other counties in the same region formed pursuant to this part may impose a surcharge on municipal solid waste received at any such solid waste disposal facility or incinerator by resolution of its county legislative bodies in the region. The surcharge shall be imposed on each ton or volume equivalent of municipal solid waste so received. The revenue received by a county from the surcharge authorized by this subsection shall be expended for solid waste management purposes or for purposes related to offsetting costs incurred and other impacts resulting from the county being host to the solid waste disposal facility or incinerator. If any municipality in the host county incurs costs as a result of such a municipal solid waste facility or incinerator, then the county shall appropriate funds derived from the surcharge revenue to the municipality which shall be used by the municipality to offset such costs.

(f)(1) In addition to any fee authorized by title 5, and to any tipping fee imposed by any local government under this section, a county, municipality or solid waste authority is authorized to impose:

(A) A surcharge on each ton of municipal solid waste received at a solid waste disposal facility or incinerator for expenditure for solid waste collection or disposal purposes consistent with this part; and/or

(B) A solid waste disposal fee authorized by subsection (g).

(2) The surcharge authorized to be imposed by a county by subdivision (f)(1)(A) shall not take effect until a regional solid waste plan is approved for such county.

(g)(1) In addition to any power authorized by title 5, a county, municipality or solid waste authority is authorized to impose and collect a solid waste disposal fee. Funds generated from such fees may only be used to establish and maintain solid waste collection and disposal services, including, but not limited to, convenience centers. All residents of the county shall have access to these services. The amount of the fees shall bear a reasonable relationship to the cost of providing the solid waste disposal services. Such fees shall be segregated from the general fund and shall be used only for the purposes for which they were collected.

(2) Subject to any other requirement of law, a county, municipality or solid waste authority may enter into an agreement with an electric utility to collect the solid waste disposal fee as part of the utility's billing process. The agreement shall be approved by the governing body of the county or municipality entering into the agreement, or, in the case of solid waste authority, the agreement shall be approved by the authority's board of directors.

(3) A solid waste disposal fee shall not be imposed on any generator of solid waste when the generator's solid waste is managed in a privately owned solid waste disposal system or resource recovery facility owned by the generator. (Acts 1991, ch. 451, § 54; T.C.A., § 68-31-835.)

**Table 11-4  
Projected 10-Year Budget  
Benton County**

Item	1994 -	1995 -	1996 -	1997 -	1998 -	1999 -	2000 -	2001 -	2002 -	2003
	1995	1996	1997	1998	1999	2000	2001	2002	2003	
Solid Waste Manager ⑥	—	—	—	—	—	—	—	—	—	—
Convenience Center ①	40,000	—	—	—	—	—	—	—	—	—
Capital	75,000	79,000	83,000	87,000	91,000	96,000	101,000	106,000	111,000	
Annual ⑤	197,000	207,000	217,000	228,000	240,000	252,000	264,000	277,000	291,000	
Curbside Collection ②⑤	—	15,000	—	—	15,000	—	—	—	—	15,000
Recycling Program ③	5,300	5,500	5,800	6,100	6,400	6,700	7,100	7,400	7,800	
Education Budget ⑤	0	0	0	0	0	0	0	0	0	0
Disposal Costs ④⑦	31,700	30,500	30,200	32,900	35,600	35,300	37,900	39,600	42,200	
Misc	349,000	337,000	336,000	354,000	388,000	390,000	410,000	430,000	467,000	
<b>Totals</b>										

- Notes:
- ① From Table 5-7.
  - ② From Table 5-9 for curbside, weekly collection.
  - ③ From Table 6-8.
  - ④ Unit costs from Table 8-8.
  - ⑤ Assume 5% annual inflation.
  - ⑥ The County Executive will retain all solid waste responsibilities.
  - ⑦ West Camden Sanitary Landfill will accept county's Class I, II, III material at no cost.

**Table 11-7**  
**Benton County**  
**Estimated Annual Revenues from**  
**Proposed Funding Sources**

<b>Year</b>	<b>Disposal Costs Funded by Cities</b> ①	<b>County Revenue Tax</b>	<b>Fees</b> ②	<b>Recycling Revenue</b>	<b>Total Budget</b> ③
1994-1995	\$0	\$174,000	\$170,000	\$5,000	\$349,000
1995-1996	\$0	\$162,000	\$170,000	\$5,000	\$337,000
1996-1997	\$0	\$161,000	\$170,000	\$5,000	\$336,000
1997-1998	\$0	\$179,000	\$170,000	\$5,000	\$354,000

① Prorated based on population from Tables 1-6, 5-1, 11-4.

② Benton County has imposed a fee of \$3/month on all electric meters; revenue based on actual collection figures.

③ From Table 11-4.

**Table 11-8  
Carroll County  
Estimated Annual Revenues from  
Proposed Funding Sources**

<b>Year</b>		<b>Disposal Costs Funded by Cities ①</b>	<b>County Revenue Tax</b>	<b>Fees ③</b>	<b>Recycling Revenue</b>	<b>Total Budget ②</b>
<b>1994-1995</b>	Atwood	\$28,000				
	Bruceton	\$42,000				
	Clarksburg	\$8,000				
	Hollow Rock	\$25,000				
	Huntingdon	\$114,000				
	McKenzie	\$136,000				
	McLemoresville	\$8,000				
	Trezvant	\$23,000				
	<b>Subtotal</b>	<b>\$384,000</b>	<b>\$551,000</b>	<b>\$500,000</b>	<b>\$5,000</b>	<b>\$1,440,000</b>
<b>1995-1996</b>	Atwood	\$25,000				
	Bruceton	\$37,000				
	Clarksburg	\$7,000				
	Hollow Rock	\$22,000				
	Huntingdon	\$102,000				
	McKenzie	\$122,000				
	McLemoresville	\$7,000				
	Trezvant	\$21,000				
	<b>Subtotal</b>	<b>\$343,000</b>	<b>\$291,000</b>	<b>\$500,000</b>	<b>\$5,000</b>	<b>\$1,139,000</b>
<b>1996-1997</b>	Atwood	\$24,000				
	Bruceton	\$36,000				
	Clarksburg	\$7,000				
	Hollow Rock	\$21,000				
	Huntingdon	\$98,000				
	McKenzie	\$117,000				
	McLemoresville	\$7,000				
	Trezvant	\$20,000				
	<b>Subtotal</b>	<b>\$330,000</b>	<b>\$286,000</b>	<b>\$492,000</b>	<b>\$5,000</b>	<b>\$1,113,000</b>

① Prorated based on population for disposal costs and annual Class III/IV costs.

② From Table 11-5.

③ From Table 11-9.

## Table 11-9 Proposed Fees Carroll County

### 1. RURAL RESIDENTIAL, WEEKLY COLLECTION

**a. Collection Fees**

\$3.90/month – household for 5,573<sup>①</sup> rural households

**b. Tipping Fee**

1) County Population <sup>②</sup>	27,166
Less population receiving city pickup <sup>③</sup>	14,226
Remaining Population	12,940

2) Residential solid waste = 42.9% of waste stream<sup>④</sup>

3) Residential solid waste production

1.13 tons/year<sup>⑤</sup> x 42.9% = 0.48 tons/person-year

4) Household waste

2.48<sup>⑥</sup> people/household<sup>⑦</sup> x 0.48 tons/person-year = 1.2 ton/yr-household

5) Disposal cost per household

$(22.47/\text{ton}^{\text{⑧}} + 0.85/\text{ton}) \times 1.2 \text{ ton/yr-household} = \$27.98/\text{yr-household} =$   
\$2.33/month

**c. Total Residential Collection Fee**

$\$3.90/\text{month} + \$2.33/\text{month} = \$6.23/\text{month-household} \times 5,573 \text{ rural households} \times$   
12 months/yr = \$416,637/yr

### 2. COMMERCIAL FEES

**a. Collection Fees**

Collection by private hauler or by city crews, fees to be set by private haulers and/or city.

**b. Tipping Fee**

From City of Paris records, commercial sources account for 30.5% of waste stream.

Rural population 12,940.

Assume 30% of commercial solid waste generated in rural areas.

$39,128 \text{ tons/yr}^{\text{⑨}} \times 30.5\% \times 30\% = 3,580 \text{ tons (commercial)/year}$

$3,580 \text{ tons (commercial)/year} \times \$23.32/\text{ton}^{\text{⑩}} = \$83,486/\text{yr}$

### 3. TOTAL FEES

Rural residential collection and disposal	\$416,637/yr
Commercial	83,486/yr
	\$500,123/yr

① From Table 5-9.	⑤ From page 4-2.
② From Table 5-1.	⑥ From Table 8-8.
③ From Table 1-6.	⑦ From Table 4-1.
④ From City of Paris records.	⑧ From Table 5-9.

**Table 11-10**  
**Henry County**  
**Estimated Annual Revenues from**  
**Proposed Funding Sources**

<b>Year</b>		<b>Disposal Costs Funded by ① Cities</b>	<b>County Revenue Tax</b>	<b>Fees ③</b>	<b>Recycling Revenue</b>	<b>Total Budget ②</b>
1994-1995	Paris	\$239,000				
	Puryear	\$19,000	\$666,000	\$567,000	\$5,000	<b>\$1,496,000</b>
1995-1996	Paris	\$212,000				
	Puryear	\$17,000	\$401,000	\$567,000	\$5,000	<b>\$1,202,000</b>
1996-1997	Paris	\$204,000				
	Puryear	\$16,000	\$406,000	\$559,000	\$5,000	<b>\$1,190,000</b>
1997-1998	Paris	\$204,000				
	Puryear	\$16,000	\$430,000	\$559,000	\$5,000	<b>\$1,214,000</b>

① Prorated based on population for disposal costs and annual Class III/IV costs.

② From Table 11-6.

③ From Table 11-11.

## Table 11-11 Proposed Fees Henry County

### 1. RURAL RESIDENTIAL, WEEKLY COLLECTION

#### a. Collection Fees

\$3.90/month – household for 6,984<sup>①</sup> rural households

#### b. Tipping Fee

1) County Population<sup>②</sup> 27,403

Less Paris population<sup>③</sup> 9,332

Less Puryear population<sup>④</sup> 743

Remaining Population 17,328

2) Residential solid waste = 42.9% of waste stream<sup>⑤</sup>

3) Residential solid waste production

1.13 tons/year<sup>⑥</sup> x 42.9% = 0.48 tons/person–year

4) Household waste

2.48<sup>⑦</sup> people/household x 0.48 tons/person–year = 1.2 ton/yr–household

5) Disposal cost per household

$(\$22.47/\text{ton}^{\text{⑧}} + 0.85/\text{ton}) \times 1.2 \text{ ton/yr–household} = \$27.98/\text{yr/household} =$   
\$2.33/month

#### c. Total Residential Collection Fee

$\$3.90/\text{month} + \$2.33/\text{month} = \$6.23/\text{month–household} \times 6,984 \text{ rural households} \times$   
12 months/yr = \$522,124/yr

### 2. COMMERCIAL FEES

#### a. Collection Fees

Collection by private hauler or by city crews, fees to be set by private haulers and/or city.

#### b. Tipping Fee

From City of Paris records, commercial sources account for 30.5% of waste stream.

Rural population 17,328.

Assume 30% of commercial solid waste generated in rural areas.

$21,212 \text{ tons/yr}^{\text{⑨}} \times 30.5\% \times 30\% = 1,941 \text{ tons (commercial)/year}$

$1,941 \text{ tons (commercial)/year} \times \$23.32/\text{ton}^{\text{⑩}} = \$45,264/\text{yr}$

### 3. TOTAL FEES

Rural residential collection and disposal	\$522,124/yr
Commercial	<u>45,264/yr</u>
	\$567,388/yr

① From Table 5-9.

② From Table 5-1.

③ From Table 1-6.

④ From City of Paris records.

⑤ From page 4-2.

⑥ From Table 8-8.

⑦ From Table 4-1.

⑧ From Table 5-9.

## **Surtax Letters**

### **Regarding Imposing a Surtax On Waste Originating Outside a County and Deposited in a Private Landfill**

MILTON H. HAMILTON, JR.  
SENATOR  
24TH SENATORIAL DISTRICT  
P. O. BOX 939  
UNION CITY, TENNESSEE 38281  
AC 901/985-8234

LEGISLATIVE OFFICE  
SUITE 13, LEGISLATIVE PLAZA  
NASHVILLE, TENNESSEE 37243-0624  
AC 618/741-3148

**Senate Chamber**  
**State of Tennessee**

NASHVILLE

January 27, 1994

DEPUTY SPEAKER

CHAIRMAN  
COMMITTEE ON CALENDAR

MEMBER OF COMMITTEES  
ENVIRONMENT, CONSERVATION  
& TOURISM  
FINANCE, WAYS & MEANS  
GENERAL WELFARE, HEALTH  
& HUMAN RESOURCES  
RULES

Mr. Elvin Johnson, County Executive  
County of Benton  
P. O. Box 298  
Camden, TN 38320

Dear Elvin:

In accordance with our recent conversation, I asked our legal staff to review Benton County's request for legislation imposing a surtax on all solid waste originating outside its boundaries and deposited in any private landfill within its boundaries, in an amount not to exceed \$10.00 per ton.

Please find enclosed for your files, copy of memorandum directed to me from Legislative Staff Attorney Natalie Price stating as follows:

**"Such a bill would be contrary to current Tennessee Law as unconstitutional."**

**"Further the courts would view a surtax, surcharge, disposal fee and tipping fee as connoting the same thing although different terms are used to describe it."**

Since our attorney interprets such action as unconstitutional, I have not requested that such legislation be drafted for introduction. Should you wish me to proceed otherwise, please let me know.

Sincerely,



Milton H. Hamilton, Jr.

MHH/f  
Enclosures  
CC: Representative Don Ridgeway



General Assembly of Tennessee  
**OFFICE OF LEGAL SERVICES**

War Memorial Building  
Nashville, Tennessee 37243-0059

January 26, 1994

**M E M O R A N D U M**

**TO:** Senator Hamilton

**FROM:** Natalie Price, Session Attorney *NSP*

**SUBJECT:** Surtax on all solid waste originating outside the boundaries of Benton County and deposited in any private landfill within the boundaries of Benton county.

This memo is to confirm my conversation with Janice Fisher in response to your request for a private act permitting Benton County to impose a surtax on all solid waste originating outside its boundaries and deposited in any private landfill within its boundaries, in an amount not to exceed \$10.00 per ton. Such a bill would be contrary to current Tennessee law as well as unconstitutional.

The current Tennessee law, codified at Tennessee Code Annotated 68-211-835 (attached), allows each county, municipality or solid waste authority to impose a tipping fee only on waste received at a municipal solid waste disposal facility or incinerator which that county, municipality or solid waste authority owns. The county, municipality or solid waste authority may not impose a tipping fee, surcharge tax or disposal fee on waste received at a privately owned solid waste disposal system.

Senator Hamilton  
January 26, 1994  
Page 2

Regardless of the current Tennessee law, such a surtax is likely to be held violative of the Commerce Clause and, therefore, unconstitutional. If the only reason for such a surtax is economic protection for the county, then the surtax would be unconstitutional per se. If there is another reason, such as health and welfare, then the justification would have to outweigh the burden placed by the surtax on those using the private landfill in order to overcome a constitutional challenge.

Further, the courts would view a surtax, surcharge, disposal fee and tipping fee as connoting the same thing although different terms are used to describe it.

If I may be of further assistance in this matter, please contact me at 741-3056.

NP/th

## **Summary of State Solid Waste Grants**

**MANAGING OUR WASTE:  
SCHEDULE OF GRANTS**

The following grants are authorized in the law, to be paid from the Solid Waste Management Fund, as money becomes available.

**GRANTS TO COUNTIES, CITIES AND AUTHORITIES**

**Year 1 (July, 1991 - June, 1992)**

Grants for purchase of recycling equipment.....	up to \$ 20,000 <sup>(a)</sup>	←
Rebates for recycling to urban counties/cities.....	\$(varies) <sup>(b)</sup>	
Grants for construction of tire storage sites.....	up to \$ 5,000	

- (a) Competitive grants; assuming a maximum award of \$20,000/year; available to counties, cities or qualified nonprofit organizations.
- (b) \$600,000 annually is available as rebates to the 11 urban counties for their local recycling programs. This rebate amount is shared between cities and counties, according to population. The counties are: Shelby, Davidson, Knox, Hamilton, Rutherford, Madison, Sullivan, Montgomery, Washington, Sumner, and Blount.

**Year 2 (July, 1992 - June, 1993)**

Grants for purchase of truck scales.....	up to \$34,000 <sup>(c)</sup>	←
Grants for purchase of recycling equipment.....	up to \$20,000 <sup>(a)</sup>	←
Rebates for recycling to urban counties/cities.....	\$(varies) <sup>(b)</sup>	
Grants for development of regional plan.....	\$15,000-\$20,000 <sup>(d)</sup>	

- (c) Available to counties, cities, or authorities which continue to operate a landfill after March 18, 1994.
- (d) Available to counties or planning regions. The amount of the planning grant depends on the size of the planning region: \$15,000 to a county that opts to plan alone; \$17,500 to a county that joins a two-county region; and \$20,000 to a county that joins a three or more county region.

**Year 3-5 (July, 1993 - June, 1996)**

Grants for purchase of recycling equipment.....	up to \$ 20,000 <sup>(a)</sup>	←
Rebates for recycling to urban counties/cities.....	\$(varies) <sup>(b)</sup>	
Grants for cleanup of scrap tires/storage sites .....	up to \$10,000 <sup>(e)</sup>	
Grants for development of collection system.....	\$10,000-\$20,000 <sup>(c)</sup>	←
(convenience centers or higher levels of service)		
Grants for implementation of educational plans.....	\$ 7,500 <sup>(g)</sup>	

- (e) Available to counties only; up to \$10,000/county (if had not previously received the \$5,000 grant).

- (f) Available to counties that provide or wish to provide collection systems. Amount of match required (either 10% or 20%) will depend on an economic index. Grants would be limited to \$10,000 per convenience center to fund an average of up to five (5) convenience centers per county.
- (g) Assume an average grant of \$7,500/year.

PTC 1  
Sheet  
#4

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2 of 2

**Year 2-5 (July, 1992 - June, 1996) (Major Cities Only)**

Grant for development of a permanent household..... up to \$500,000<sup>(h)</sup>  
hazardous waste collection site per year

- (h) Available only to the cities of Chattanooga, Knoxville, Memphis and Nashville for development of a permanent household hazardous waste collection and packaging site. Funds totaling \$1,000,000 are available for FY 1993 and \$500,000 for each year thereafter.

**GRANTS TO DEVELOPMENT DISTRICTS**

**Year 1 (July, 1991 - June, 1992)**

Grant for preparation of district assessment..... \$75,000

**Years 2-5 (July, 1992 - June, 1996)**

Grant for maintaining data base and coordinating local planning. DD determines funding option ..... \$37,500/ yr. for 4 yrs.  
or  
\$50,000/ yr. for 3 yrs.

**FOR MORE INFORMATION:**

Paul Evan Davis, Director  
Department of Environment and Conservation  
Division of Solid Waste Assistance  
14th Floor, L & C Tower, 401 Church Street  
Nashville, TN 37243-0455  
(615) 532-0091

Joyce Dunlap, Manager (Grants)  
Department of Environment & Conservation  
Division of Solid Waste Assistance  
14th Floor, L & C Tower, 401 Church Street  
Nashville, TN 37243-0455  
(615) 532-0075

The Tennessee Department of Environment and Conservation is committed to principles of equal opportunity, equal access, and affirmative action. Contact the Tennessee Department of Environment and Conservation EEO/AA/ADA Coordinator, (615) 532-0103. for further information.

This public document, Authorization No. 327470, was promulgated at a cost of \$ .03 per copy. October 1993.



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## **Selected Sections of the Solid Waste Act of 1991**

From available funds in the solid waste management fund established by 68-211-821, the department may award annual grants to the University of Tennessee county technical assistance service, the University of Tennessee municipal technical advisory service, the development districts and the department of economic and community development's division of local planning. Upon receiving such grant funds, these agencies shall render technical assistance to regions, counties and municipalities as needed in the development of the plan required by this part.

**68-211-823. Initial planning grants - Annual plan maintenance grants - Planning assistance grants.**

From available funds in the solid waste management fund established in 68-211-821, the department shall award:

(1) Initial planning grants to development districts in order to assist such districts in developing the initial district needs assessment;

(2) Annual plan maintenance grants to development districts in order to assist such districts in revising data, maintaining district needs assessments, and assisting counties within the district; and

(3) Planning assistance grants to each county or solid waste region in order to assist such counties or regions in developing, revising and maintaining regional plans required by 68-211-814.

**68-211-824. Matching grant assistance to establish or upgrade convenience centers.**

From funds available in the solid waste management fund established by 68-211-821, the department shall offer matching grant assistance to counties for the purpose of establishing or upgrading convenience centers required by 68-211-851. Such grant funds may be applied to expenses for land, paving, fencing, shelters for attendants, containers and basic equipment including, but not limited to, balers, crushers, grinders and fencing. Such funds may also be applied to expenditures for developing and printing of operating manuals, but such funds may not be used for regular operating expenses of a recurring nature. The local share of the match shall be determined by the department, using an economic index promulgated by the board based upon factors which include, but are not limited to, per capita income and property values of the county applicant. Counties falling within the lower one half (1/2) of the economic scale on the index shall be eligible for lower matching rates. The board shall promulgate regulations regarding the appropriate index and matching rates.

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68-211-825. Grant program - Recycling collection site equipment -  
State surcharge on tipping fee - Rebate. ↙

(a) From funds available from the solid waste management fund, the department shall establish a grant program for the purchase of equipment needed to establish or upgrade recycling at a public or not-for-profit recycling collection site. Such equipment may include, but is not limited to, containers, balers, crushers and grinders.

(b) For the eleven (11) counties which generate the greatest amount of solid waste as recorded in the University of Tennessee's solid waste management report of February 1991 to the state planning office, under a technical assistance contract pursuant to part 6 of this chapter, or as subsequently modified by data provided by subsequent annual reports required by 68-211-871, the state shall grant a rebate against the amount due to the state under the state surcharge on the tipping fee imposed by this part. The state will rebate the amount of a county's credit to the county on an annual basis. The total amount of credits shall not exceed an amount equal to one hundred fifty percent (150%) of the funds allocated for recycling equipment grants. The rebate for any one (1) of the eleven (11) counties shall be determined pursuant to the following formula:

ZOOM TO VIEW THE FOLLOWING FORM

Rebate =

(tons of the county's solid waste)

(total tons of solid waste collected from all eleven (11) counties)

multiplied by

150% of state funds allocated for recycling grants  
Such rebate shall be in lieu of recycling equipment grants for these eleven (11) counties. Within a county, the rebate shall be allocated proportionately by population among the municipalities in the county which provide collection or disposal services and the county for the remaining population of the county. A county or municipality may only expend such rebate for recycling purposes.

68-211-826. Office of cooperative marketing for recyclables -

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## Duties.

(a) From funds available from the solid waste management fund, by July 1, 1992, the department of economic and community development shall establish an office of cooperative marketing for recyclables.

(b) The duties of the office of cooperative marketing for recyclables include:

- (1) Preparing and maintaining a directory of regional buyers, which shall include current information on product specifications, markets and price ranges;
- (2) Preparing and maintaining a directory of public and private, for profit and nonprofit recycling programs;
- (3) Collecting information on the quantity and quality of materials offered for sale by recycling programs;
- (4) Assisting counties in contract negotiation;
- (5) Creating a data base for and operating an interactive information clearinghouse and marketing service, which shall include pricing information; and
- (6) Maintaining an inventory of available quantities, qualities and locations of recyclable materials in Tennessee, and marketing such sites to industries which can utilize available materials.

### 68-211-827. Recycling market advisory council.

From funds available in the solid waste management fund established by 68-211-821, the commissioner of economic and community development shall appoint and convene a recycling market advisory council to assist the department of economic and community development in identifying markets and to advise the department on the expansion of markets for recyclables. Such council shall include representatives from the for-profit recycling business sector, nonprofit recycling sector, nonprofit or volunteer environmental organizations, and the manufacturing sector.

### 68-211-828. Competitive grants for collection of household hazardous waste.

From funds available from the solid waste management fund, the department shall award competitive grants for collection of household hazardous waste at a permanent site to municipalities with a population of one hundred thousand (100,000) or more in counties with a population of two hundred eighty-seven thousand seven hundred (287,700) or more according to the 1980 federal census or any subsequent federal census. One (1) such grant shall be awarded competitively during fiscal year 1992-1993, and each of the next three (3) successive fiscal years. An eligible municipality may only receive one (1) grant.

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**68-211-829. Household hazardous wastes - Mobile collection units.**

From funds available from the solid waste management fund, the department shall provide, directly or by contract, mobile collection units to provide collection of household hazardous wastes on designated days in each county. Each county or solid waste authority, if created, shall provide a service site and shall advertise in newspapers of general circulation in the county the day(s) and hours and location where the household hazardous wastes will be collected by the mobile unit. The advertisements shall also identify examples of household hazardous wastes that the mobile unit will receive. The county or solid waste authority shall also furnish at least one (1) person to represent the county or solid waste authority at the service site on the days of collection, who will assist the persons operating the mobile collection unit.

**68-211-830 - 68-211-834. [Reserved.]**

**68-211-835. Tipping fee - Amount - Collection - Expenditure of revenues - Joint ventures - Surcharges - Solid waste disposal fees - Collection.**

(a) Effective July 1, 1991, each county, municipality, or solid waste authority which owns a municipal solid waste disposal facility or incinerator may impose a tipping fee upon each ton of municipal solid waste or its volume equivalent received at such solid waste disposal facility or incinerator. Such a tipping fee shall be set by the governing body of the county or municipality, or by the board of directors of the solid waste authority. This tipping fee shall be collected by the operator of the publicly owned municipal solid waste disposal facility or incinerator and remitted to the owner. The fee imposed may be equal to, or a portion of, the estimated cost of providing solid waste management services on a per ton or volume equivalent. By July 1, 1993, such full cost shall be determined pursuant to the uniform solid waste accounting system developed by the comptroller of the treasury.

(b) Revenue from tipping fees at publicly owned solid waste disposal facilities and incinerators received by counties, municipalities and solid waste authorities shall be expended only for solid waste management purposes.

(c) When a municipal solid waste disposal facility is operated as a joint venture by more than one (1) city or county, or combination thereof, or by an authority, the tipping fee authorized under this section shall be imposed by the joint operators or authority, and the tipping fee received shall be remitted to the participating local governments or authorities

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for expenditure for solid waste management purposes only.

(d) In addition to any tipping fee imposed by any local government under this section, there shall also be imposed a surcharge of eighty-five cents (85) per ton on each ton of municipal solid waste received at all solid waste disposal facilities or incinerators. The operator of the municipal solid waste disposal facility or incinerator will collect this surcharge and remit it to the state treasury to be paid into the solid waste management fund. The surcharge imposed by this subsection shall expire on June 30, 1996.

(e) In order to encourage regional use of solid waste disposal facilities or incinerators, a county that is host to a solid waste disposal facility or incinerator used by other counties in the same region formed pursuant to this part may impose a surcharge on municipal solid waste received at any such solid waste disposal facility or incinerator by resolution of its county legislative bodies in the region. The surcharge shall be imposed on each ton or volume equivalent of municipal solid waste so received. The revenue received by a county from the surcharge authorized by this subsection shall be expended for solid waste management purposes or for purposes related to offsetting costs incurred and other impacts resulting from the county being host to the solid waste disposal facility or incinerator. If any municipality in the host county incurs costs as a result of such a municipal solid waste facility or incinerator, then the county shall appropriate funds derived from the surcharge revenue to the municipality which shall be used by the municipality to offset such costs.

(f) (1) In addition to any fee authorized by title 5, and to any tipping fee imposed by any local government under this section, a county, municipality or solid waste authority is authorized to impose:

(A) A surcharge on each ton of municipal solid waste received at a solid waste disposal facility or incinerator for expenditure for solid waste collection or disposal purposes consistent with this part; and/or

(B) A solid waste disposal fee authorized by subsection (g).

(2) The surcharge authorized to be imposed by a county by subdivision (f)(1)(A) shall not take effect until a regional solid waste plan is approved for such county.

(g) (1) In addition to any power authorized by title 5, a county, municipality or solid waste authority is authorized to impose and collect a solid waste disposal fee. Funds generated from such fees may only be used to establish and maintain solid waste collection and disposal services, including, but not limited to, convenience centers. All residents of the county shall have access to these services. The amount of the fee shall bear a reasonable relationship to the cost of providing the solid waste disposal services. Such fees shall be segregated from the

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general fund and shall be used only for the purposes for which they were collected.

(2) Subject to any other requirement of law, a county, municipality or solid waste authority may enter into an agreement with an electric utility to collect the solid waste disposal fee as a part of the utility's billing process. The agreement shall be approved by the governing body of the county or municipality entering into the agreement, or, in the case of a solid waste authority, the agreement shall be approved by the authority's board of directors.

(3) A solid waste disposal fee shall not be imposed on any generator of solid waste when the generator's solid waste is managed in a privately owned solid waste disposal system or resource recovery facility owned by the generator.

68-211-836 - 68-211-840. [Reserved.]

68-211-841. Tennessee municipal solid waste advisory committee.

(a) There is hereby established the Tennessee municipal solid waste advisory committee to advise the state planning office concerning solid waste management. The committee shall have ten (10) members appointed by the director of the state planning office, at least one (1) of whom is a female, and shall consist of:

(1) One (1) member representing a statewide organization of business interests;

(2) One (1) member representing a statewide organization for environmental concerns;

(3) One (1) member representing the waste management industry;

(4) One (1) member representing the recycling industry;

(5) One (1) member representing the public from each of the three (3) grand divisions of the state;

(6) One (1) member representing development districts;

(7) One (1) member representing municipalities; and

(8) One (1) member representing counties.

(b) The director of the state planning office shall appoint members of the committee in consultation with statewide organizations representing the various interests on the committee.

(c) The members shall elect a chair from among the members, and a majority of members shall constitute a quorum.

68-211-842. Education program - Guidelines.

The state planning office shall issue guidelines for the education program element of the municipal solid waste region plan. Each solid waste regional plan shall include an education

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program to assist adults and children to understand solid waste issues, management options and costs, and the value of waste reduction and recycling.

**68-211-843. Information clearinghouse - Regional workshops and conferences.**

The state planning office shall establish an information clearinghouse to acquire, review, evaluate and distribute a catalog of materials on source reduction and recycling. The state planning office shall also organize and conduct statewide and regional workshops and conferences on solid waste management, source reduction and recycling.

**68-211-844. Educational and training programs.**

The state planning office shall collect, prepare and disseminate information and conduct educational and training programs designed to assist in the implementation of solid waste management programs and inform the public of the relationship between an individual's consumption of goods and services and the generation of different types and quantities of solid waste. The state planning office, in consultation with the department of education, shall prepare the information and programs on a statewide basis for the following groups:

- (1) Municipal, county and state officials and employees;
- (2) Kindergarten through graduate students and teachers;
- (3) Businesses that use or could use recycled materials or that produce or could produce projects from recycled materials, and persons who provide support services to those businesses; and
- (4) The general public.

**68-211-845. Promotion of education concerning solid waste management.**

In order to promote education of children in grades kindergarten through twelve (K-12) concerning solid waste management, source reduction and recycling, the department of education, in conjunction with the state planning office, shall:

- (1) Review, evaluate and publish a list of approved curriculum materials relative to solid waste management, source reduction and recycling;
- (2) Sponsor workshops on the curriculum materials for educators;
- (3) Provide in-service training for teachers on solid waste management, recycling and source reduction, environmental protection and conservation of materials; and
- (4) Establish peer assistance programs for teachers within a solid waste management region.

**68-211-846. Education programs - Awards.**

The state planning office shall establish an awards program for outstanding school-based solid waste, source reduction or recycling education programs.

**68-211-847. Grants to implement education programs.**

After a region or county's plan is approved, the department shall award grants for implementing the education program component of the plan from funds available in the solid waste management fund.

**68-211-848. Recognition of university and college programs - Awards program.**

The state planning office shall develop an awards program for recognition of university and college programs concerning waste management, source reduction and recycling.

**68-211-849, 68-211-850. [Reserved.]**

**68-211-851. Municipal solid waste collection and disposal systems - Convenience centers - Technical assistance.**

(a) Effective January 1, 1995, each county shall assure that one (1) or more municipal solid waste collection and disposal systems are available to meet the needs of the residents of the county. Such systems shall complement and supplement those provided by any municipality. The minimum level of service that the county shall assure is a system consisting of a network of convenience centers throughout the county. Unless a higher level of service, such as household garbage pickup, is available to the residents, a county shall provide directly, by contract, or through a solid waste authority, convenience centers which shall meet minimum design standards to be developed by the department and established by regulation. The department, in consultation with the state planning office, shall also develop regulations to be promulgated by the board for determining the minimum requirements for and number of convenience centers or other forms of collection that a county shall maintain. Such regulations shall consider county population, area, distances to possible convenience center sites, and staffing requirements.

(b) As part of the local plan required by 68-211-814, each county or multi-county municipal solid waste disposal region shall submit a plan for the adequate provision of collection services to the state planning office. Such plan shall identify unmet needs and shall be updated annually.

(c) If requested, the University of Tennessee county

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**Chapter 12**  
**Allocation Of Implementation Responsibilities:**  
**Plan Adoption and Submission**

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## **Chapter 12**

### **Allocation Of Implementation Responsibilities: Plan Adoption and Submission**

#### **SPECIFIC RESPONSIBILITIES PER COUNTY AND MUNICIPALITY**

Specific responsibilities for each County and Municipality is shown in Chapter 11, Section B.

#### **ADOPTION**

1. Regional Administrative Board

The B, C, & H Solid Waste Planning Region adopted this 10 year plan on February 23, 1994.

2. Benton County Commission

The Benton County Commission adopted this 10 year plan on March 29, 1994.

3. Carroll County Commission

The Carroll County Commission adopted this 10 year plan on April 11, 1994.

4. Henry County Commission

The Henry County Commission adopted this 10 year plan on April 5, 1994.

#### **LOCAL PLANNING COMMISSION REVIEW**

1. Carroll County Regional Planning Commission

The Carroll County Regional Planning Commission adopted this 10 year plan on April 18, 1994.

2. Henry County Regional Planning Commission

This 10 year plan was adopted by the Henry County Planning Commission on April 11, 1994.

## **Forming an Authority**

The B-C-H Solid Waste Planning Region has not yet decided to form an authority. If an Authority is not formed, the responsibility for implementing the 10 year plan will rest with each county. The Implementation Schedule is shown in Chapter 11. If a Regional landfill is developed, an Authority should be formed to develop and operate the landfill.

Even if a Regional landfill is not developed, it would be advantageous to form an Authority to permit the counties to work together in an efficient and business-like manner. The formation of an Authority would allow the counties to jointly determine potential landfill sites, conduct hydrogeological investigations, site and construct transfer stations, coordinate recycle/reuse/reduction programs and facilities and markets, receive bids for solid waste disposal at private landfill, etc. An Authority would allow these activities without the political pressure that individual counties acting alone would be subject to.

It is possible for all three counties to form an Authority. It is possible for any two counties to form an Authority if an Authority is formed, the member counties and municipalities would define or limit the Authority's powers and could retain any of the powers in their own governing body.

The Solid Waste Act of 1991 gives a procedure to follow if an Authority would be created. An Authority would be created by actions of the member county commissions. It would consist of representatives from each county, have the power to enter into contracts, sell bonds, and bill the member counties. An Authority can issue revenue bonds (§ 68-211-910 and § 68-211-911 of the Act) but cannot obligate any county or municipality to "guarantee or otherwise secure the payment of bonds" without the county or municipality's consent (§ 68-211-911(b) of Act). If a county or municipality chooses to guarantee an Authority bond issue, it must hold a public hearing (§ 68-211-911(b) of the Act).

Following is a copy of the section of the Solid Waste Act of 1991 that deals with Solid Waste Authorities. Forming an Authority has its advantages and disadvantages. The disadvantages are that each county commission would give up some of the power that it now exercises. This disadvantage is not irreversible in that a county in an Authority could withdraw from the Authority. The advantages of an Authority lie primarily in the fact that the Authority would be one step removed from political pressure when making difficult and/or potentially unpopular decisions. And by banning together potential savings could be realized in disposal, collection, and recycling costs.

An Authority can be formed at anytime, even before the Regional 10-year plan is prepared.

Table 12-1 gives the steps to form an Authority. At the end of this chapter are selected portions of the Act dealing with Solid Waste Authorities.

## Table 12-1 Forming a Solid Waste Authority

1. Develop a resolution to be adopted by participating counties and cities [§ 68-211-903.(a)].
  - a. The resolution must include a name for the Authority [§ 68-211-903.(a)].
  - b. The resolution must provide for a Board a Directors (Board). The number of members shall be odd and shall be between 5 and 15. Each participating entity shall have at least one Board member [§ 68-211-904.(a)].
  - c. Board members can, but need not, be members of the county or municipal governing bodies, county executives, mayors, county or municipal officials or department heads [§ 68-211-904.(b)].
  - d. The resolution must specify if compensation will be provided to the Board members [§ 68-211-904.(c)].
  - e. Compensation may be set up such that the members mentioned in c, above, receive no compensation except reimbursement of actual expenses [§ 68-211-904.(c)].
2. Provide for public comment on the resolution [§ 68-211-904.(c)].
3. All parties adopt the resolution [§ 68-211-903.(a)].
4. Adopted resolution shall be certified to the Secretary of State by participating county court clerks, city clerks or recorders [§ 68-211-903.(a)].
5. The Board is appointed in the number and content outlined in the creating resolution lby the County Executives and Mayors and approved by their respective governing bodies [§ 68-211-904.(a)]. Initially,  $\frac{1}{3}$  for 6 year terms so that the Board members terms are staggered. After the initial appointments, all terms will be 6 years [§ 68-211-904.(a)].
6. The Board meets and organizes as a Board. Elect one person Chairperson, one person Vice-chairperson, one person Secretary and one person Treasurer. One person may hold both Secretary and Treasurer positions [§ 68-211-905.(a)].
7. After organization, Board shall function and have powers as outlined in § 68-211-905 through § 68-211-924.

*Note: References are to the Solid Waste Act of 1991.*

**Selected Portions of  
The Solid Waste Act of 1991**

and recovery of recyclable materials from the solid waste stream, including facilities or systems for the storage, conversion or transportation thereof;

(8) "Revenue" means all rents, fees and other charges received by the authority for use of its projects, facilities and services including, without limitation, all amounts received for the collection, transportation, disposal or processing of solid waste, the operation of any project, or the sale, storage, distribution or transportation of energy, energy producing materials or other materials or commodities by the authority;

(9) "Solid waste" means solid waste as defined in 68-211-103(7);

(10) "Solid waste disposal facility" means land, rights in land, buildings, facilities and equipment suitable or necessary for collecting, receiving, transferring, placing, confining, compacting, treating or covering solid waste or for processing solid waste by, without limitation, incinerating, composting, separating, grinding, shredding, reducing or otherwise modifying the characteristics or properties thereof, including all property, real and personal, appurtenant thereto or connected with such work; and

(11) "State of Tennessee" means the state of Tennessee and, unless otherwise indicated by the context, any agency, authority, branch, bureau, commission, corporation, department or instrumentality thereof now or hereafter existing.

(b) The definition of a term in subsection (a) applies to each grammatical variation of the term.

68-211-903. Solid waste authority - Creation - Resolutions - Agreements among creating counties and municipalities - Name.

(a) A county or any of the counties in a municipal solid waste region may create a solid waste authority, by resolution of the respective county governing bodies; provided, that opportunity shall be provided for public comment on such resolution. Any municipality, the majority of the territory of which lies within a county that is creating or participating with other counties in creating an authority, may join in creating the authority upon such terms as may be agreed upon and adopted by resolution of the respective county and municipal governing bodies. No authority may be formed unless each county governing body in the region has approved the resolution. If more than one (1) county or municipality participates in creating an authority, an agreement creating the authority shall be approved by the governing body of each county and municipality that is a party to the agreement as part of the resolution creating the authority. The resolutions creating the authority may be amended by the agreement of all of the participating governments to add or subtract participating governments or to dissolve the authority. The creating resolutions shall give the authority a name which

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shall identify it with the county or region. This name shall be used by the authority unless the name is amended by resolution approved by all participating counties and municipalities. Any resolutions creating, amending or dissolving an authority shall be certified by the county clerk or municipal clerk or recorder of the counties and municipalities participating in creating the authority and sent to the secretary of state.

(b) (1) Notwithstanding the provisions of this part and part 8 of this chapter requiring municipal solid waste regions to be created prior to the formation of a regional solid waste authority, any county which, by resolution of its county legislative body adopted prior to April 14, 1992, created a regional solid waste authority referencing this part and part 8 of this chapter, and which has appointed a governing board prior to April 14, 1992, is hereby authorized to operate such authority in the manner established pursuant to such statutes and resolution only within the political boundaries of any such county and political subdivisions thereof to which this section applies. Any such resolution shall have the force and effect for which it was adopted from the date of passage; provided, that all flow control provisions established pursuant to 68-211-813(b), 68-211-906(b) and 68-211-907 cannot be exercised by such authority until such time as those provisions become effective as provided by general law.

(2) If such county becomes part of a multi-county region pursuant to 68-211-813(a), then within thirty (30) days following such action such authority, in agreement with the legislative bodies of those counties included in such municipal solid waste region, may:

(A) Continue the operation of such authority by retaining the same board of directors appointed to such authority pursuant to this subsection;

(B) Expand such board to include representation of members from such additional counties; or

(C) Dissolve the authority operating pursuant to this section and form a new regional authority pursuant to this part.

(3) If such county forms a single-county region pursuant to 68-211-813(a), then such authority may remain as an authority, authorized to operate under this part.

#### 68-211-904. Board of directors - Members - Compensation.

(a) A resolution, creating or amending the resolution creating an authority for a county or approving an agreement to create an authority with other counties or municipalities, shall provide for the establishment of a board of directors to administer the activities of the authority. The authority's board of directors may be the same board as that of the municipal solid waste region or it may be a separate board. If a board separate from that of the region is chosen, the board of

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directors shall consist of an odd number, not less than five (5) nor more than fifteen (15) members. Each county and municipality that is a member of an authority shall be represented by at least one (1) member on the board. The members of the board shall be appointed by the county executives and municipal mayors of the participating counties and municipalities, respectively, whose appointments must be approved by the respective county or municipal governing bodies. The members of the board shall serve for terms of six (6) years or until their successors are elected and are qualified by taking an oath of office, except that the initial board shall have approximately one third ( $\frac{1}{3}$ ) of the members with terms of two (2) years and approximately one third ( $\frac{1}{3}$ ) of the members with terms of four (4) years, so as to stagger the terms of office.

(b) Members of county and municipal governing bodies, county executives, municipal mayors, county and municipal officers and department heads may serve as directors, but the board of directors is not required to include such members.

(c) Directors may receive compensation if provided for by the resolution approved by all of the county and municipal governing bodies participating in the authority. The resolution establishing the compensation may differentiate between municipal and county officials and department heads so as to compensate only those directors who are not officials or employees of a municipal or county government, except for reimbursement for actual expenses.

68-211-905. Board of directors - Officers - Quorum - Vacancies - Removal of members.

(a) The directors shall meet and organize as a board and shall elect one (1) of its members as chairperson, one (1) as vice chairperson, one (1) as secretary and one (1) as treasurer, and such officers shall annually be elected thereafter in like manner. The duties of secretary and treasurer may be performed by the same director. In the absence of any of the chairperson, vice chairperson, secretary or treasurer, another member may be elected to fill the vacancy for the anticipated term thereof. Any action taken by the directors under the provisions of this chapter may be authorized by resolution at any regular or special meeting, and such resolution shall take effect immediately and need not be published or posted. A majority of the board of directors shall constitute a quorum for the transaction of business. The concurring vote of a majority of all the directors shall be necessary for the exercise of any of the powers granted by this chapter.

(b) Any vacancy on the board shall be filled for the unexpired term by the same governing body which filled the position becoming vacant. Any member appointed to the board may, for reasonable cause, be removed from such member's office in the

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same manner and by the same governing body as such member was appointed to the office; provided, that such removal shall be preceded by a full hearing before the remaining members of the board after adequate notice of such hearing, and a report of such hearing shall be forwarded to such appointing authority. "Reasonable cause" includes, but shall not be limited to, misconduct in office, failure to perform duties prescribed by this part, part 8 of this chapter or other applicable law, or failure to diligently pursue the objectives for which the authority was created.

68-211-906. Solid waste authorities - Public instrumentalities - Powers - Exclusive jurisdiction and right to control collection of solid waste within boundaries - Disposal of waste by manufacturing firms.

(a) Each solid waste authority created pursuant to this part shall be a public instrumentality of the county and municipal government(s) participating in its creation or participating by agreement after its creation. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance of such powers, to:

- (1) Have succession by the name given in the resolution(s) creating the authority, unless dissolved as provided in this part;
- (2) Sue and be sued and prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
- (3) Have and use a corporate seal and alter the same at pleasure;
- (4) Plan, establish, acquire, whether by purchase, exchange, gift, devise, lease, the exercise of the power of eminent domain or otherwise, and construct, equip, furnish, improve, repair, extend, maintain and operate one (1) or more projects, which projects shall be situated within the boundaries of the county or counties with respect to which the authority shall have been created, including all real and personal property, facilities and appurtenances which the board of directors of the authority may deem necessary in connection therewith and regardless of whether or not any such project shall then be in existence;
- (5) Acquire, whether by purchase, exchange, gift, devise, lease, the exercise of the power of eminent domain or otherwise, any and all types of property, whether real, personal or mixed, tangible or intangible and whether or not subject to mortgages, liens, charges or other encumbrances and hold, sell, lease, exchange, donate or convey any or all of its properties, facilities or services, whenever the board of directors of the authority shall find such action to be in furtherance of the purposes for which the authority is hereby created;

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(6) Remove, receive, transport, collect, purchase, transfer or otherwise obtain solid waste for disposal or processing from any municipality, county, the state of Tennessee, the United States government or any agency thereof, the Tennessee valley authority or any person, and enter into contracts, agreements or other arrangements in connection therewith;

(7) Sell, transfer, distribute or otherwise dispose of electricity, steam, or other forms of power or energy or energy producing material or any other material, product or commodity resulting from the operation of any project, facility or service of the authority to any municipality, county, the state of Tennessee, the United States or any agency thereof, the Tennessee valley authority or any person, and enter into contracts, agreements or other arrangements in connection therewith;

(8) Make and enter into all contracts, trust instruments, agreements and other instruments with any municipality, the state of Tennessee, the United States government or any agency thereof, the Tennessee valley authority or any person, including, without limitation, bonds and other forms of indebtedness and contracts for the management and operation of any project, facility or service of the authority or the treatment, processing, storage, transfer or disposal of solid waste;

(9) Incur debts, borrow money, issue bonds and provide for the rights of the holders of such bonds;

(10) Pledge all or any part of the revenues and receipts of the authority to the payment of any indebtedness of the authority, and make covenants in connection with the issuance of bonds or other indebtedness or to secure the payment of such bonds or other indebtedness;

(11) Have control of its projects, facilities and services with the right and duty to establish and charge fees, rentals, rates and other charges for the use of the facilities and services of the authority, and the sale of materials or commodities by the authority, and collect revenues and receipts therefrom, not inconsistent with the rights of holders of its bonds;

(12) Apply for and accept donations, contributions, loans, guaranties, financial assistance, capital grants or gifts from any municipality, county, the state of Tennessee, the United States government or any agency thereof, the Tennessee valley authority or any person for or in aid of the purposes of the authority and enter into agreements in connection therewith;

(13) Operate, maintain, manage, and enter into contracts for the operation, maintenance and management of any project undertaken, and make rules and regulations with regard to such operation, maintenance and management;

(14) Exercise all powers expressly given in this part and in the creating or amending resolutions and establish bylaws and make all rules and regulations not inconsistent with the creating and amending resolutions or the provisions of this chapter,

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deemed expedient for the management of the affairs of the authority;

(15) Enter onto any lands, waters and premises for the purpose of making surveys, soundings and examinations in and for the furtherance of the purposes authorized by this part and part 8 of this chapter at reasonable times and with written notice to property owners;

(16) Employ and pay compensation to such employees and agents, including attorneys, accountants, engineers, architects and financial advisors, as the board of directors shall deem necessary for the business of the authority;

(17) Authorize its employees to participate in the Tennessee consolidated retirement system pursuant to 8-35-243 and guarantee any outstanding liability incurred by such participation out of any funds or money of the authority available therefor;

(18) Use in the performance of its functions the officers, agents, employees, services, property, facilities, records, equipment, rights and powers of any county or counties, or municipalities with respect to which the authority shall have been created, with the consent of such county or counties, or municipalities and subject to such terms and conditions as may be agreed upon; and

(19) Exercise all powers expressly given to it and establish and make rules and regulations not inconsistent with the provisions of this part and part 8 of this chapter, deemed expedient for the management of the authority's affairs.

(b) Except as otherwise provided in this part, an authority, with the concurrence of the county governing body in any county for the territory outside of municipal boundaries, and the governing body of any municipality for the territory of the municipality, may exercise exclusive jurisdiction and exclusive right to control the collection of solid waste within its boundaries, and to control the disposition of solid waste collected within its boundaries.

(c) The power granted to an authority by this section shall not prevent a manufacturing firm which holds a permit from the state of Tennessee to dispose of or utilize its own solid wastes on the property of the manufacturing firm.

68-211-907. Exclusion or regulation of waste.

To the extent that a region's plan permits, an authority may restrict access to its solid waste disposal facilities by excluding waste originating with persons or entities outside the region. An authority may regulate the flow of all municipal solid waste within the county or counties constituting the authority. The authority may require the disposal of any transported waste at a specific solid waste disposal facility.

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68-211-908. Power of condemnation.

The authority is hereby authorized and empowered to condemn in its own name any land, rights in land, easements or rights-of-way situated within the territorial limits of the authority which, in the judgment of the board of directors, are necessary for carrying out the purposes for which the authority is created, and such property or interest in such property may be so acquired, whether or not the same is owned or held for public use by persons having the power of eminent domain, or otherwise held or used for public purposes; provided, that such prior public use will not be interfered with by the use to which such property will be put by the authority. Such power of condemnation may be exercised in the manner prescribed by title 29, chapter 16, or in the manner prescribed by any other applicable statute for the exercise of the power of eminent domain.

68-211-909. Counties and municipalities - Assignment or loan of employees and provision of facilities to authority.

For the purpose of aiding and cooperating with an authority, any county or municipality with respect to which such authority is created may assign or loan any of its employees, including its engineering staff and facilities, and may provide necessary office space, equipment or other facilities for the use of such authority.

68-211-910. Bonds - Issuance - Execution - Sale - Negotiability - Refunding bonds - Amount - Notice of issuance - Application of proceeds.

(a) The authority has the power to issue bonds from time to time in order to accomplish its purposes. Except as herein otherwise expressly provided, all bonds issued by the authority shall be payable solely out of the revenue and receipts derived from the authority's projects or of any thereof as may be designated in the proceedings of the board of directors under which the bonds shall be authorized to be issued, including debt obligations of the lessee or contracting party obtained from or in connection with the financing of a project. Such bonds may be issued in one (1) or more series, may be executed and delivered by the authority at any time and from time to time, may be in such form and denomination and of such terms and maturities, may be subject to redemption prior to maturity either with or without premium, may be in fully registered form or in bearer form registerable either as to principal or interest, or both, may bear such conversion privileges and be payable in such installments and at such time or times not exceeding forty (40) years from the date thereof, may be payable at such place or

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places whether within or without the state of Tennessee, may bear interest at such rate or rates payable at such time or times and at such place or places and evidenced in such manner, and may contain such provisions not inconsistent herewith, all as shall be provided in the proceedings of the board of directors whereunder the bonds shall be authorized to be issued.

(b) Bonds of the authority shall be executed in the name of the authority by such officers of the authority and in such manner as the board of directors may direct, and shall be sealed with the corporate seal of the authority. If so provided in the proceedings authorizing the bonds, the facsimile signature of any of the officers of the authority may appear on such bonds and a facsimile of the corporate seal of the authority may appear on the bonds in lieu of the manual signature of such officer and the manual impress of such seal; provided, that at least one (1) of the signatures appearing on such bonds shall be a manual signature. Interest coupons attached to such bonds shall be executed with the facsimile signatures of the officers who shall execute the bonds, who shall adopt as and for their own signatures their respective facsimile signatures appearing on such coupons. Bonds issued under this chapter, and the coupons appurtenant thereto, bearing the signature of any officer in office on the date of signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof such person shall have ceased to be an officer of the authority.

(c) Any bonds of the authority may be sold at public or private sale for such price and in such manner and from time to time as may be determined by the board of directors of the authority to be most advantageous, and the authority may pay all expenses, premiums and commissions which its board of directors may deem necessary or advantageous in connection with the issuance thereof.

(d) All bonds of the authority and the interest coupons applicable thereto are hereby made and shall be construed to be negotiable instruments.

(e) Interim certificates or notes or other temporary obligations issued by the authority pending the issuance of its revenue bonds shall be payable out of revenues and receipts in like manner as such revenue bonds, and shall be retired from the proceeds of such bonds upon the issuance thereof, and shall be in such form and contain such terms, conditions and provisions consistent with the provisions of this part and part 8 of this chapter as the board of directors may determine.

(f) (1) Any bonds or notes of the authority at any time outstanding may at any time and from time to time be refunded by the authority by the issuance of its refunding bonds in such amount as the board of directors may deem necessary, but not exceeding the sum of the following:

(A) The principal amount of the obligations being refinanced;

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(B) Applicable redemption premiums thereon;

(C) (i) Unpaid interest on such obligations to the date of delivery or exchange of the refunding bonds;

(ii) In the event the proceeds from the sale of the refunding bonds are to be deposited in trust as hereinafter provided, interest is to accrue on such obligations from the date of delivery to the first or any subsequent available redemption date or dates selected, in its discretion, by the board of directors, or to the date or dates of maturity, whichever shall be determined by the board of directors to be most advantageous or necessary to the authority;

(D) A reasonable reserve for the payment of principal of and interest on such bonds and/or a renewal and replacement reserve;

(E) If the project to be constructed from the proceeds of the obligations being refinanced has not been completed, an amount sufficient to meet the interest charges on the refunding bonds during the construction of such project, and for two (2) years after the estimated date of completion (but only to the extent that interest charges have not been capitalized from the proceeds of the obligations being refinanced); and

(F) Expenses of the authority, including bond discount, deemed by the board of directors to be necessary for the issuance of the refunding bonds.

(2) A determination by the board of directors that any refinancing is advantageous or necessary to the authority, or that any of the amounts provided in the preceding sentence should be included in such refinancing, or that any of the obligations to be refinanced should be called for redemption on the first or any subsequent available redemption date or permitted to remain outstanding until their respective dates of maturity, shall be conclusive; provided, that prior to the adoption by the board of directors of the resolution authorizing the issuance of refunding bonds under this section, the plan for refunding shall be submitted to the state director of local finance for review, and the state director may report thereon to the board of directors within fifteen (15) days from the date the plan is received by the state director, and the state director shall immediately acknowledge receipt in writing of the proposed refunding plan. After receiving the report of the state director or after the expiration of fifteen (15) days from the date the refunding plan is received by the state director, whichever date is earlier, the board of directors may take such action with reference to such proposed refunding plan as it deems advisable.

(g) Any such refunding may be effected whether the obligations to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations to be refunded thereby, or by the exchange of the refunding bonds for the obligations to be refunded thereby with

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the consent of the holders of the obligations so to be refunded, and regardless of whether or not the obligations to be refunded were issued in connection with the same projects or separate projects, and regardless of whether or not the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

(h) Unless the obligations to be refunded are to be retired at the time of delivery of the refunding bonds, the board of directors shall, prior to the issuance of the refunding bonds, cause notice of its intention to issue the refunding bonds to be given to the holders of the outstanding obligations by publication of an appropriate notice one (1) time each in a newspaper having general circulation in a municipality with respect to which the corporation was organized and in a financial newspaper published in New York, New York, and having national circulation. Such notice shall identify the obligations proposed to be refunded and set forth the estimated date of delivery of the refunding bonds. As soon as practicable after the delivery of the refunding bonds, and whether or not any of the obligations to be refunded are to be called for redemption, the board of directors shall cause notice of the issuance of the refunding bonds to be given in the manner provided in this subsection. If any of the obligations to be refunded are to be called for redemption, the board of directors shall cause notice of redemption to be given in the manner required by the resolution or ordinance authorizing such outstanding obligations.

(i) The principal proceeds from the sale of any refunding bonds shall be applied, only as follows, to either:

(1) The immediate payment and retirement of the obligations being refunded; or

(2) To the extent not required for the immediate payment of the obligations being refunded, then such proceeds shall be deposited in trust and together with any investment income thereon to provide for the payment and retirement of the obligations being refunded, and to pay any expenses incurred in connection with such refunding, but provision may be made for the pledging and application of any surplus for any purposes of the authority including, without limitation, provision for the pledging of any such surplus to the payment of the principal of and interest on any issue or series of refunding bonds or other obligations of the authority. Money in any such trust fund may be invested in direct obligations of, or obligations the principal of and interest on which are guaranteed by, the United States government, or obligations of any agency or instrumentality of the United States government, or in certificates of deposit issued by a bank or trust company located in the state of Tennessee, if such certificates shall be secured by a pledge of any of the obligations having an aggregate market value, exclusive of accrued interest, equal at least to the principal amount of the certificates so secured. Nothing herein

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shall be construed as a limitation on the duration of any deposit in trust for the retirement of obligations being refunded but which shall not have matured and which shall not be presently redeemable or, if presently redeemable, shall not have been called for redemption.

68-211-911. Principal of and interest on bonds - Security - Guarantees.

(a) The principal of and interest on any bonds issued by the authority shall be secured by a pledge of such revenues and receipts out of which the same may be made payable. The proceedings under which the bonds are authorized to be issued may contain any agreements and provisions respecting the maintenance of the projects or other facilities covered thereby, the fixing and collection of rents, fees or payments with respect to any projects, facilities, or systems or portions thereof covered by such proceedings, the creation and maintenance of special funds from such revenues and from the proceeds of such bonds, and the rights and remedies available in the event of default, all as the board of directors shall deem advisable and not in conflict with the provisions of this part and part 8 of this chapter. To the extent provided in the proceedings authorizing any bonds of the authority, each pledge and agreement made for the benefit or security of any of the bonds of the authority shall continue effective until the principal of and interest on the bonds for the benefit of which the same were made shall have been fully paid or adequate provision for the payment thereof shall have been made by the authority. In the event of default in such payment or in any agreements of the authority made as a part of the proceedings under which the bonds were issued, such payment or agreement may be enforced by suit, mandamus, or the appointment of a receiver in equity, or any one (1) or more of such remedies, all as provided in the proceedings under which the bonds are issued.

(b) Any county or municipality that participates in the creation or organization of an authority may guarantee or otherwise secure the payment of bonds, notes or similar obligations of the authority by resolution of the county governing body or by municipal ordinance. Any county or municipality seeking to guarantee or secure the payment of a bond obligation of an authority may pledge any discretionary revenues and/or may pledge the full taxing powers of the county or municipality. Prior to any meeting of a county or municipal governing body considering action to guarantee or secure the payment of any bond, note or similar obligation of an authority, reasonable public notice shall be published describing the matter to be considered and containing an estimate of the dollar amount of any contingent liability that may be authorized. Any resolution or ordinance of a county or municipality approving of

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a guarantee or otherwise providing security for the payment of an authority's bonds, notes or similar obligations shall specify the officer or officers of the county or municipality authorized to execute documents necessary to implement the governing body's action.

**68-211-912. Counties and municipalities - Liability.**

No county or municipality shall be liable for the payment of the principal or interest on any bonds, notes or other instruments evidencing indebtedness of the authority except as provided in this part. Neither shall any county or municipality be liable for the performance of any pledge, mortgage, obligation or agreement of any kind whatsoever which may be undertaken by the authority except as provided in this part.

**68-211-913. Revenues and income of authority - Directors and employees.**

No part of the revenues or income of the authority shall inure to the benefit of any director or employee of the authority except as expressly authorized by this part.

**68-211-914. Authority as public instrumentality - Exemption from taxation - Bonds deemed to be securities.**

(a) The authority is hereby declared to be performing a public function in behalf of each county or municipality with respect to which it is organized and to be a public instrumentality of such county, counties, municipality or municipalities. Accordingly, the authority and all properties at any time owned by it and the income therefrom and all bonds issued by it and the income therefrom shall be exempt from all taxation in the state of Tennessee.

(b) Also, for purposes of the Tennessee Securities Act of 1980, compiled in title 48, chapter 2, part 1, bonds issued by the authority shall be deemed to be securities issued by a public instrumentality or a political subdivision of the state of Tennessee.

**68-211-915. Annual audit - Cost - Copies of audit available to public.**

Except as otherwise approved by the comptroller of the treasury, any authority created pursuant to this chapter has the power and shall cause to be made an annual audit of the accounts and records of the authority. The audit shall include all funds of the authority, whether held by the authority or pursuant to trust indentures. The comptroller shall be responsible for ensuring that the audits are prepared in accordance with

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generally accepted governmental auditing standards and determining if the audits meet minimum audit standards which shall be prescribed by the comptroller. No audit may be accepted as meeting the requirements of this section until such audit has been approved by the comptroller. The audits may be prepared by certified public accountants, public accountants or by the division of state or county audit. In the event the authority shall fail or refuse to have the audit prepared, then the comptroller may appoint a certified public accountant or public accountant or direct the division of state or county audit to prepare the audit. The cost of such audit shall be paid by the authority. All such audits shall be completed as soon as practicable after the end of the authority's fiscal year. One (1) copy of the audit shall be furnished to each member of the board of directors, the chief executive officer(s) of the county or counties with respect to which the authority has organized and the comptroller. Copies of each audit shall also be made available to the public.

68-211-916. Contracts with governmental entities authorized - Duration - Payments to authority - Funding.

(a) The state of Tennessee or any county or municipality within the solid waste region is hereby authorized, whenever the same shall be found desirable by its governing body, to enter into contracts, agreements or other arrangements with the authority regarding any project, facility or service of the authority, including, without limitation, the collection, transfer, storage, transportation, processing or disposal of solid waste or the purchase, sale, lease or other disposition of energy, energy producing materials and other materials, commodities or properties of the authority. Any such contract or agreement may extend for any period not exceeding forty (40) years from the date thereof.

(b) Any payments to be made to the authority pursuant to an agreement may be payable from general funds, to the extent permitted by law, or from such limited source as may be agreed upon between the authority and such entity, and in the case of payments to be made from general funds, the governing body of any municipality having the taxing power may provide for the levy and collection of a direct, annual tax sufficient to make such payments to the authority when the same become due. Such tax shall be assessed, levied, collected and paid in like manner as other taxes of such municipality and shall be in addition to all other taxes now or hereafter authorized to be levied by such municipality. Such tax shall not be included within any statutory or other limitation as to rate or amount for such municipality, but shall be excluded therefrom and be in addition thereto and in excess thereof.

(c) The governing body of any municipality not having the

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taxing power shall, upon entering into an agreement with the authority, make adequate provision for the timely payment of all amounts to be paid to the authority.

(d) No payments shall be construed to be an indebtedness of a municipality within the meaning of any constitutional or statutory provision.

68-211-917. Powers of authorities cumulative - Powers of governmental entities.

Neither this part nor anything herein contained shall be construed as a restriction or a limitation upon any powers which the authority might otherwise have under any laws of this state, but shall be construed as cumulative of and supplemental to any such powers. No proceeding notice or approval shall be required with respect to the issuance of any bonds of the authority or any instrument as security therefor except as provided in this part, notwithstanding any law to the contrary; provided, that nothing herein shall be construed to deprive the state of Tennessee and its governmental subdivisions of their respective police powers over properties of the authority, or to impair any power of any official or agency of this state and its governmental subdivisions which may be otherwise provided by law.

68-211-918. Counties and municipalities - Powers - Violation of ordinances or resolutions - Penalty - Injunctive relief.

(a) Any county or municipality with respect to which the authority was organized has all necessary powers in order to further the purposes of this part, including, without limitation, the power to:

(1) Provide that any funds available to it for solid waste or resource recovery purposes shall be paid directly to the authority; and

(2) Sell, lease, dedicate, donate or otherwise convey to the authority any of its interest in any existing solid waste disposal or resource recovery facility or other related property, or grant easements, licenses or other rights or privileges therein to the authority.

(b) The governing body of each county or municipality participating in the organization of the authority may appropriate general funds or unappropriated moneys from any other fund, to pay expenses of the authority or provide for the operation of any of the projects, facilities and systems authorized by this part, and each such governing body may levy a tax, in addition to all other taxes, upon all taxable property within the respective county or municipality, sufficient to pay such appropriation to the authority. Any such tax on property shall be collected in the same manner as other property taxes of the county or municipality are collected and, similarly, all laws

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for the enforcement of county and municipal tax liens shall apply.

(c) Any person who willfully violates any of the ordinances or resolutions passed by any of the municipalities or any county or counties with respect to which the authority was organized or willfully fails, neglects or refuses to comply with such ordinances or resolutions commits a Class A misdemeanor. Each day of continued violation constitutes a separate offense.

(d) In addition to the penalties provided herein, the municipalities and any county or counties with respect to which the authority was organized may enforce any ordinances, resolutions or contracts issued or entered into to carry out the provisions of this section by instituting legal proceedings to enjoin the violation of the provisions of this section, in any court of competent jurisdiction, and such court may grant a temporary or permanent injunction restraining the violation of this section.

**68-211-919. Acquisition of project sites - Method - Authorization.**

Any county or municipality with respect to which the authority was organized may acquire a project site by gift, purchase, lease or condemnation, and may transfer any project site to the authority by sale, lease or gift. Such transfer may be authorized by a resolution of the governing body of such county or municipality without submission of the question to the voters, and without regard to the requirements, restrictions, limitations or other provisions contained in any other law.

**68-211-920. Contracts with solid waste authorities - Municipal corporations and counties - With taxing power - Without taxing power.**

(a) Whenever, and as often as, a municipal corporation or county having taxing power enters into a contract with a solid waste authority or other contracting party under the provisions of this part, the governing body of such municipal corporation or county shall provide by resolution for the levy and collection of a tax sufficient to pay when due the annual amount payable under such contract as and when it becomes due and payable, and to pay any expenses of maintaining and operating the project required to be paid by the municipal corporation or county under the terms of such contract or by instrument collateral thereto and, furthermore, to pledge such tax and the full faith and credit of the municipal corporation or county to such payments. Such tax shall be assessed, levied, collected and paid in like manner as other taxes of the municipal corporation or county. Such tax shall not be included within any statutory or other limitation of rate or amount for such municipal corporation or county, but

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shall be excluded therefrom and be in addition thereto and in excess thereof, notwithstanding and without regard to the prohibitions, restrictions or requirements of any other law, whether public or private. There shall be set aside from such tax levy into a special fund an amount sufficient for the payment of the annual amount due under any such contract, and the money in such fund shall be used exclusively for such purpose and shall not be used for any other purpose until such annual amount has been paid in full. The foregoing shall not be construed to limit the power of the authority or other contracting party to enter into contracts with a municipal corporation not having the power of taxation.

(b) The governing body of any municipal corporation not having the power of taxation and the state of Tennessee shall, upon entering into a lease, loan agreement or sales contract with a public building authority or other contracting party, make adequate provision for the payment of the annual amount payable under the lease, loan agreement or sales contract.

**68-211-921. Execution of written instruments by authorities.**

Except as otherwise provided in this chapter, all leases, contracts, deeds of conveyance, or instruments in writing executed by the authority shall be executed in the name of the authority by the chairperson and secretary of the authority, or by such other officers as the board of directors, by resolution, may direct, and the seal of the authority shall be affixed thereto.

**68-211-922. Joint exercise of power by authorities.**

The powers herein conferred upon authorities created under this chapter may be exercised by two (2) or more such authorities acting jointly.

**68-211-923. Cumulative powers of authorities - Police powers of governmental entities - Projects.**

(a) Neither this part nor anything herein contained shall be construed as a restriction or limitation upon any powers which an authority, as a public corporation, might otherwise have under any laws of this state, but shall be construed as cumulative of any such powers.

(b) No proceedings, notice or approval shall be required for the organization of the authority or the issuance of any bonds or any instrument as security therefor, except as herein provided, notwithstanding any other law to the contrary; provided, that nothing herein shall be construed to deprive the state and its governmental subdivisions of their respective police powers over properties of the authority, or to impair any power thereover of

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any official or agency of the state and its governmental subdivisions which may be otherwise provided by law.

(c) Projects may be acquired, purchased, constructed, reconstructed, improved, bettered and extended and bonds may be issued under this chapter for such purposes, notwithstanding that any other general, special or local law may provide for the acquisition, purchase, construction, reconstruction, improvement, betterment and extension of a like project, or the issuance of bonds for like purposes, and without regard to the requirements, restrictions, limitations or other provisions contained in any other general, special or local law.

**68-211-924. Dissolution of authority - Procedure - Allocation of assets.**

Any resolution of dissolution of the authority shall be approved by all county and municipal governing bodies participating in the organization of the authority. A resolution to dissolve the authority shall contain adequate provisions to divide the assets and liabilities of the authority among the participating county and municipal governments in an equitable manner if the authority has assets in excess of liabilities. In the event that the authority has liabilities in excess of assets, the authority may be dissolved only after it has ceased to substantially perform the functions for which it was created due to insolvency. In such cases of insolvency of the authority, the assets of the authority shall be allocated among the creditors of the authority in an equitable manner by agreement of the creditors with the board of directors of the authority, or if such agreement cannot be reached within ninety (90) days of the passage of the resolution to dissolve the authority and approval of such a resolution by all participating county and municipal governing bodies, then the board of directors shall petition the chancery court for an equitable allocation of assets. The chancery court shall hear the cause and shall enter a decree for the allocation of the assets of the authority. After the final disposition of the assets of the authority, the board of directors and the authority shall cease to exist.

**68-211-925. Liberal construction.**

The provisions of this part are remedial in nature and shall be liberally construed to effect its purpose of providing for a systematic and efficient means of solid waste disposal and encouraging the best utilization and conservation of energy and natural resources.

**68-211-1001. Short title.**

This part shall be known and may be cited as the "Used Oil

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## Chapter 13 Flow Control and Permit Application Review

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## Chapter 13 Flow Control and Permit Application Review

### General

The following is from the Solid Waste Management Act of 1991 (§ 68-211-814):

*"A region or solid waste authority may not impair the obligations of contracts entered into before the date of approval of the region's plan in violation of Article I, Section 20, of the Constitution of the State of Tennessee.*

*"A region or solid waste authority may not restrict the movement of recovered materials into, out of, or within the region."*

### Out of Region Ban

Out of region bans are permitted by the Solid Waste Management Act of 1991 in order to permit a region to carefully shepherd the capacity of its solid waste management facilities. The following is from the Solid Waste Management Act of 1991:

*The region or authority may restrict access to any landfills and incinerators which dispose of municipal solid waste by excluding waste originating with persons or entities outside the region in order to effectuate the plan. If a facility within a region has accepted waste from a specific source outside the region prior to July 1, 1991, the region may not prohibit that facility from continuing to accept waste from that source, unless the facility's acceptance of that waste significantly impairs the region's ability to effectuate its plan.*

To preserve available landfill capacity to serve the B-C-H Solid Waste Region, the B-C-H Solid Waste Planning Region elects to restrict the amount of solid waste originating from outside the region that may be received from outside the region. Solid waste from outside the region may be received from outside the region so long as planned capacity exists, but is hereby banned if and when there is no planned capacity remaining. The following formula shall be used to determine if planned capacity remains:

*"The remaining permitted capacity of the landfill as determined by the Tennessee Division of Solid Waste Management divided by the remaining years of this solid waste plan less the volume being received at the landfill from within the B-C-H Solid Waste Region."*

### Intra-region Flow Control

The Solid Waste Management Act of 1991 permits a region to exercise intra-region flow control in order to address public health and safety, and transportation management concerns in a coordinated manner, and to permit regions to guarantee a flow of waste as a revenue stream for financing bonds for municipal solid waste facilities. Obviously, this is a significant issue if the region constructs regional facilities such as landfills, incinerators, balers, or other facilities that require large capital outlays. It is also an advantage if private

bids are accepted for disposal, a better price can be obtained if the counties offer their commodity (solid waste) as a lump offering.

The following is from the Solid Waste Management Act of 1991:

(b)(1)(A) If the director of the state planning office approves the plan, the region or solid waste authority, by resolution and subsequent adoption of ordinances by counties and municipalities in the region, may also regulate the flow of collected municipal solid waste generated within the region. Prior to the adoption of any resolution declaring the necessity of requiring mandatory flow of municipal solid waste, the region or authority, following one or more public hearings, shall demonstrate in writing to the Director of State planning office that it has considered the utilization of any municipal solid waste management facility in existence within the region of the effective date of this act which meets the proposed or final federal Resource Conservation and Recovery Act (RCRA) Subtitle D regulations.

At this time, the B, C & H Solid Waste Planning Region elects not to impose intra-region flow control on solid waste from private industries or private commercial businesses or municipal solid waste. The region reserves the right to modify this position in the future.

If in the future, the region or a county or a municipality chooses to fund, construct, operate or impose a host fee on a solid waste facility, the region, county, or municipality may impose intra-region flow on the public waste generated within its jurisdiction if it so chooses.

### **Plans Review for New Solid Waste Facilities**

The Solid Waste Management Act of 1991 *requires* a region with an approved plan, or an authority formed by the region, to review plans for a new solid waste disposal facility or incinerator to determine whether the proposed facility is consistent with the regional plan.

The following is taken from the Solid Waste Management Act of 1991 (§ 68-211-814):

"After the plan is approved, the region must approve any application for a permit for a solid waste disposal facility or incinerator within the region as an consistent with the region's disposal needs before any permit is issued by the commissioner pursuant to Tennessee Code Annotated, Title 68, Chapter 31.

"An applicant for a permit for construction or expansion of a solid waste disposal facility or incinerator shall submit a copy of the application to the region at or before the time the application is submitted to the commissioner. The region shall review the application for compliance with the provisions of the section, and shall conduct a public hearing after

public notice has been given in accordance with Tennessee Code Annotated, title 8, chapter 44, prior to making the determination provided for in this subdivision. The hearing shall afford all interested persons an opportunity to submit written and oral comments, and the proceeding shall be recorded and transcribed. The region shall render a decision on the application within ninety (90) days after receipt of a complete application. The region shall immediately notify the commissioner of its acceptance or rejection of an application.

"(B) The region may reject an application for a new solid waste disposal facility or incinerator or expansion of an existing solid waste disposal facility or incinerator within the region only upon determining that the application is inconsistent with the solid waste management plan adopted by the county or region and approved by the state planning office and the region shall document in writing the specific grounds on which the application is inconsistent with such plan.

"(C) Where a region rejects an application, the commissioner shall not issue the permit unless the commissioner finds that the decision of the region is arbitrary and capricious and unsupported in the record developed before the region.

"(D) Appeal of final actions of the region, including any determination under subsection (b)(2)(B) of this section, shall be taken by an aggrieved person within thirty (30) days to the Davidson County Chancery Court. The court shall exercise the same review as it would in a case arising under Tennessee Code Annotated, Title 4, Chapter 5. For the purposes of this section, an 'aggrieved person' shall be limited to persons applying for permits, persons who own property or live within a three (3) mile radius of the facility or site that is proposed for permitting, or cities and counties in which the proposed facility is located.

"If the region has formed a solid waste authority pursuant to this act, then the authority shall approve any such permit applications as provided for in this section instead of the region.

"(C) Appeal of final actions of the region or authority, including any determinations under subdivision (b)(1), shall be taken by an aggrieved person within thirty (30) days to any chancery court in the region or authority which took such final action."

An applicant for a permit for construction or expansion of a solid waste disposal facility or incinerator shall submit a complete copy of the Part I and Part II application to the chairman of the region (or subsequent authority) at the time the application is submitted to

the commissioner. The chairman shall call a meeting of the region members within 30 days of receipt of the copy of the application and set a date for a public hearing in each county of the region. The public hearing is to be held within 60 days after receipt of the copy of the application (either Part I or Part II). The region shall review and determine if the facility is consistent with the region's solid waste plan within 90 days after receipt of a complete Part II application. The region will immediately notify the commissioner of its acceptance or rejection of the application. If the application is rejected, the region will document in writing to the commission the specific grounds on which the application is inconsistent with the solid waste plan.

In addition, the application must be reviewed by the County legislative body of the host county. If the facility is located within the city limits of Paris, the application must be reviewed by the city, but Henry County approval will not be required. Host county or Paris approval or rejection must take place within 120 days after receipt by the region of a complete Part II. Appeal of final actions of the host county or Paris shall be as prescribed in the same manner as the region's final actions.

**APPENDIX A**

**LEGAL DOCUMENTATION**

## **APPENDIX A**

---

### **PART I**

To demonstrate that the Benton, Carroll and Henry Counties Solid Waste Planning Region was established and is operating in accordance with T.C.A. Section 68-31-813, the following exhibits are provided:

Exhibit 1a. - Certified copy of the Resolution by the Benton County Commission establishing the Region.

Exhibit 1b. - Certified copy of the Resolution by the Carroll County Commission establishing the Region.

Exhibit 1c. - Certified copy of the Resolution by Henry County Commission establishing the Region.

Exhibit 2 - A list of the Regional Solid Waste Planning Committee members, including the current officers, terms in office and jurisdiction of each representative.

Exhibits 3(a-j) - A copy of the resolutions/appointment letters for each Regional Solid Waste Planning Committee member and their terms of office..

R E S O L U T I O N

WHEREAS, on the 24 day of November, 1992, the County Commission of Benton County, Tennessee, adopted a Resolution creating a municipal solid waste planning region between Benton, Henry, and Carroll Counties; and

WHEREAS, said Resolution contained inconsistent statements as to the number of members composing the board of said region; and

WHEREAS, said inconsistency needs to be clarified.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the County Commission of Benton County, Tennessee, meeting in regular session on this the 19th day of April, 1993, that the Municipal Solid Waste Region Board of the Benton, Henry, and Carroll County Municipal Solid Waste Planning Region shall be composed of nine members.

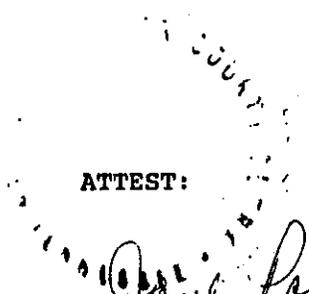
BE IT FURTHER RESOLVED that the members of the Board of the Municipal Solid Waste Region shall serve a six year term except that, as pursuant to T.C.A. § 68-211-813(b)(1) and as part of the participating counties agreement as evidenced by this Resolution, the following shall be the initial terms of office: one member representing Benton County and the Cities or Towns of Camden and Big Sandy for a six (6) year term, one member representing Carroll County and Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntingdon, McKenzie, McLemoresville and Trezevant for a six (6) year term, one member representing Henry County and the Cities or Towns of Paris and Puryear for a six (6) year term, one member representing Benton County and the Cities or Towns of Camden and Big Sandy for a four (4) year term, one member representing Carroll County and the Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntingdon, McKenzie, McLemoresville, and Trezevant for a four (4) year term, one member representing Henry County and the Cities or Towns of Paris and Puryear for a four (4) year term, one member

representing Benton County and the Cities or Towns of Camden and Big Sandy for a two (2) year term, one member representing Carroll County and Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntingdon, McKenzie, McLemoresville and Trezevant for a two (2) year term, and one member representing Henry County and the Cities or Towns of Paris and Puryear for a two (2) year term.

BE IT FURTHER RESOLVED that all other provisions of the November 24, 1992, Resolution are hereby reaffirmed.

Upon motion of Commissioner Harold Loveall, second of Commissioner Ronal Dickey, 21 members voted "aye", 0 members voted "nay", 0 passed and 3 were absent.

ATTEST:

  
Jane Poyard  
COUNTY CLERK

Elvin W. Johnson  
ELVIN JOHNSON  
COUNTY EXECUTIVE

**RESOLUTION NO. 12-1-92**  
**A RESOLUTION**  
**CREATING CARROLL, BENTON, AND HENRY COUNTIES**  
**MUNICIPAL SOLID WASTE**  
**PLANNING REGION**

**WHEREAS**, the adoption of the Subtitle D landfill regulations by the United States Environmental Protection Agency and companion regulations adopted by the Tennessee Solid Waste Control Board will impact on both the cost and method of disposal of municipal solid waste; and

**WHEREAS**, at the urging and support of a coalition of local government, environmental, commercial and industrial leaders, the 97th Tennessee General Assembly enacted T.C.A. § 68-211-801 et seq. titled "Solid Waste Management Act of 1991"; and

**WHEREAS**, with the view that better planning for solid waste will help control the additional cost that will be imposed by the new landfill regulations, help protect the environment, provide and improve solid waste management system, better utilize our natural resources, and promote the education of the citizens of Tennessee in the areas of solid waste management including the need for and desirability of reduction and minimization of solid waste, local governments in Tennessee supported and worked for the passage of this Act; and

**WHEREAS**, one of the stated public policies of this Act is to institute and maintain a comprehensive, integrated, statewide program for solid waste management; and

**WHEREAS**, as per T.C.A. § 68-211-881, the nine development districts in the State of Tennessee have completed a district needs assessment which are inventories of the solid waste systems in Tennessee; and

**WHEREAS**, Carroll County's Board of County Commissioners has given consideration to the needs assessment prepared by the Northwest Tennessee Development District; and

**WHEREAS**, T.C.A. § 68-211-813, requires that counties in the State of Tennessee form municipal solid waste regions no later than December 12, 1992; and

**WHEREAS**, the Act's stated preference in the formation of multi-county regions with counties having the option of forming single or multi-county municipal solid waste regions; and

**WHEREAS**, the State of Tennessee will provide grant monies of varying amounts to single county, two county, and three or more county municipal solid waste regions to assist these regions in developing their municipal solid waste regions plans; and

**WHEREAS**, the primary and prevailing purpose of the municipal solid waste regions are the preparation of municipal solid waste regions plans which among other requirements must identify how each region will reduce its solid waste disposal per capita by twenty-five percent (25%) by December 31, 1995, and a planned capacity assurance of its disposal needs for a ten (10) year period; and

**WHEREAS**, the development of a municipal solid waste regional plan that results in the most cost effective and efficient management of municipal solid waste is in the best interest of the citizens of Carroll County.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of County Commissioners of Carroll County, Tennessee, acting pursuant to T.C.A. § 68-211-801 et seq., that there is hereby established a Municipal Solid Waste Region for and by Carroll, Benton and Henry Counties, Tennessee; and

**BE IT FURTHER RESOLVED**, that this Resolution by the Boards of County Commissioners of Carroll, Benton, and Henry Counties evidences and constitutes the agreement of Carroll, Benton, and Henry Counties in the joint formation of a multi-county municipal waste region; and

**BE IT FURTHER RESOLVED**, that pursuant to T.C.A. § 68-211-813(b)(1), a Municipal Solid Waste Region Board is hereby established to administer the activities of this Region; and

**BE IT FURTHER RESOLVED**, that this Municipal Solid Waste Region Board shall be composed of 9 members: and

**BE IT FURTHER RESOLVED**, that pursuant to T.C.A. § 68-211-813(b)(1), and as part of the participating counties' agreement, as evidenced and constituted by this Resolution, the Municipal Solid Waste Region Board shall be composed of the following number of members representing their respective County and the Cities or Towns within that County which collects or provides disposal services through its own initiatives or by contract:

Carroll County and the Cities and Towns of Atwood, Bruceton, Hollow Rock, ~~Clarksburg~~ Huntington, McKenzie, McLemoresville, and Trezevant 3 members

Benton County and the Cities or Towns of Camden and Big Sandy 3 members

Henry County and the Cities or Towns of  
Paris and Puryear

3 members

**BE IT FURTHER RESOLVED**, that the Municipal Solid Waste Region Board members shall be appointed by the County Executive of the respective county the member shall represent and by the Mayor of the respective city or town the member shall represent and, that the member so appointed, shall be approved by the respective Board of County Commissioners and municipal governing bodies; and

**BE IT FURTHER RESOLVED**, that the members of the Board of the Municipal Solid Waste Region shall serve a six year term except that, as pursuant to T.C.A. § 68-211-813(b)(1) and as part of the participating counties agreement as evidenced by this Resolution, the following shall be the initial terms of office: one member representing Carroll County and the Cities and Towns of Atwood, Clarksburg, Bruceton, Hollow Rock, Huntington, McKenzie, McLemoresville, and Trezevant for a six (6) year term, one member representing Benton County and the Cities or Towns of Camden and Big Sandy for a six (6) year term, one member representing Henry County and the Cities or Towns of Paris and Puryear for a six (6) year term, one member representing Carroll County and the Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntington, McKenzie, McLemoresville, and Trezevant for a four (4) year term, one member representing Benton County and the Cities or Towns of Camden and Big Sandy for a four (4) year term, one member representing Henry County and the Cities or Towns of Paris and Puryear for a four (4) year term, one member representing Carroll County and the Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntington, McKenzie, McLemoresville, and Trezevant for a two (2) year term, one member representing Benton County and the Cities or Towns of Camden and Big Sandy for a Two (2) year term, one member representing Henry County and the Cities or Towns of Paris and Puryear for a two (2) year term; and

**BE IT FURTHER RESOLVED**, that this Municipal Solid Waste Region Board shall have all powers and duties as granted it by T.C.A. § 68-211-813 et seq. and, as part of the participation counties agreement as evidenced by this Resolution, it shall have the additional rights and is empowered to utilize existing governmental personnel, services, facilities, and records of the counties which are a party to this agreement evidenced by this Resolution, and to employ or contact with persons, private consulting firms, and/or governmental, quasi-governmental, and public entities and agencies in the performance of its duty to cause a municipal solid waste region plan to be produced; and

**BE IT FURTHER RESOLVED**, that at the Municipal Solid Waste Region Board's initial organization meeting it shall select from its members a chair, vice-chair, and secretary and shall cause the establishment of a municipal solid waste advisory committee whose membership shall be chosen by the Board and whose duties are to assist and advise the Board; and

**BE IT FURTHER RESOLVED**, that the Municipal Solid Waste Region Board, in furtherance of its duty to produce a municipal solid waste region plan, is authorized to apply for and receive funds from the State of Tennessee, the federal government, the counties and municipalities that are within the Region, and donations and grants from private corporations and foundations; and

**BE IT FURTHER RESOLVED**, that the Municipal Solid Waste Region Board, will strive to coalesce with other municipal solid waste regions, to maximize education, collection, recycling and disposal of solid waste; and

**BE IT FURTHER RESOLVED**, that the Municipal Solid Waste Region Board, will plan in conjunction with other regions formed by Gibson, Crockett, Dyer, Lake, Obion, and Weakley Counties of the Northwest Tennessee Development District and Counties contiguous to the boundaries of the Northwest Tennessee Development District so as to encourage multi-county planning and make possible later mergers of smaller regions into larger regions if so desired; and

**BE IT FURTHER RESOLVED**, that upon the passage of this Resolution and at no later date than December 31, 1992, the County Clerk of Carroll shall transmit a copy of this Resolution to the Tennessee State Planning Office; and

**RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARROLL COUNTY, TENNESSEE**, this 14th day of December 1992, the welfare of the citizens of Carroll County requiring it.

Attest:

Approved:

Carolyn H. Lutz  
Carroll County Clerk  
12-14-92

Wesley Beech  
Carroll County Executive  
12-14-92

Approved as to form:

[Signature]  
Carroll County Attorney

STATE OF TENNESSEE  
COUNTY OF CARROLL

I, Carolyn H. Lutz, County Clerk of Carroll County, Tennessee do hereby certify that the foregoing is a true and accurate copy of the original filed in this cause.

This 15th day of December, 1992.

Carolyn H. Lutz  
COUNTY CLERK

RESOLUTION NO. 7-11-92

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS AUTHORIZING THE CREATION OF HENRY, CARROLL, AND BENTON COUNTIES MUNICIPAL SOLID WASTE PLANNING REGION**

**WHEREAS**, the adoption of the Subtitle D landfill regulations by the United States Environmental Protection Agency and companion regulations adopted by the Tennessee Solid Waste Control Board will impact on both the cost and method of disposal of municipal solid waste; and

**WHEREAS**, at the urging and support of a coalition of local government, environmental, commercial and industrial leaders, the 97th Tennessee General Assembly enacted T.C.A. § 68-211-801 et seq. titled "Solid Waste Management Act of 1991"; and

**WHEREAS**, with the view that better planning for solid waste will help control the additional cost that will be imposed by the new landfill regulations, help protect the environment, provide and improve solid waste management system, better utilize our natural resources, and promote the education of the citizens of Tennessee in the areas of solid waste management including the need for and desirability of reduction and minimization of solid waste, local governments in Tennessee supported and worked for the passage of this Act; and

**WHEREAS**, one of the stated public policies of this Act is to institute and maintain a comprehensive, integrated, statewide program for solid waste management; and

**WHEREAS**, as per T.C.A. § 68-211-881, the nine development districts in the State of Tennessee have completed a district needs assessment which are inventories of the solid waste systems in Tennessee; and

**WHEREAS**, Henry County's Board of County Commissioners has given consideration to the needs assessment prepared by the Northwest Tennessee Development District; and

**WHEREAS**, T.C.A. § 68-211-813, requires that counties in the State of Tennessee form municipal solid waste regions no later than December 12, 1992; and

RESOLUTION 7-11-92

**WHEREAS**, the Act's stated preference in the formation of multi-county regions with counties having the option of forming single or multi-county municipal solid waste regions; and

**WHEREAS**, the State of Tennessee will provide grant monies of varying amounts to single county, two county, and three or more county municipal solid waste regions to assist these regions in developing their municipal solid waste regions plans; and

**WHEREAS**, the primary and prevailing purpose of the municipal solid waste regions are the preparation of municipal solid waste regions plans which among other requirements must identify how each region will reduce its solid waste disposal per capita by twenty-five percent (25%) by December 31, 1995, and a planned capacity assurance of its disposal needs for a ten (10) year period; and

**WHEREAS**, the development of a municipal solid waste regional plan that results in the most cost effective and efficient management of municipal solid waste is in the best interest of the citizens of Henry County.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of County Commissioners of Henry County, Tennessee, assembled in regular session on this 16th day of November, 1992, a majority or more of said membership concurring, acting pursuant to T.C.A. § 68-211-801 et seq., that there is hereby established a Municipal Solid Waste Region for and by Henry, Carroll, and Benton Counties, Tennessee; and

**BE IT FURTHER RESOLVED**, that this Resolution by the Boards of County Commissioners of Henry, Carroll, and Benton Counties evidences and constitutes the agreement of Henry, Carroll, and Benton Counties in the joint formation of a multi-county municipal waste region; and

**BE IT FURTHER RESOLVED**, that pursuant to T.C.A. § 68-211-813 (b) (1), a Municipal Solid Waste Region Board is hereby established to administer the activities of this Region; and

RESOLUTION NO. 7-11-92

**BE IT FURTHER RESOLVED**, that this Municipal Solid Waste Region Board shall be composed of 9 members; and

**BE IT FURTHER RESOLVED**, that pursuant to T.C.A. § 68-211-813 (b) (1), and as part of the participating counties' agreement, as evidenced and constituted by this Resolution, the Municipal Solid Waste Region Board shall be composed of the following number of members representing their respective County and the Cities or Towns within that county which collects or provides disposal services through its own initiatives or by contract:

Henry County and the Cities or Towns of Paris and Puryear 3 members

Carroll County and the Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntingdon, McKenzie, McLemoresville, and Trezevant 3 members

Benton County and the Cities or Towns of Camden and Big Sandy 3 members

**BE IT FURTHER RESOLVED**, that the Municipal Solid Waste Region Board members shall be appointed by the County Executive of the respective county the member shall represent and by the Mayor of the respective city or town the member shall represent, and that the member so appointed, shall be approved by the respective Board of County Commissioners and municipal governing bodies; and

**BE IT FURTHER RESOLVED**, that the members of the Board of the Municipal Solid Waste Region shall serve a six year term except that, as pursuant to T.C.A. § 68-211-813 (b) (1) and as part of the participating counties agreement as evidenced by this Resolution, the following shall be the initial terms of office: one member representing Henry County and the Cities or Towns of Paris and Puryear for a six (6) year term, one member representing Carroll County and the Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntingdon, McKenzie, McLemoresville, and Trezevant for a six (6) year term, one member representing Benton County and the Cities or Towns of Camden and Big Sandy for a six (6) year term, one member representing Henry County and the Cities or Towns of Paris and Puryear for a four (4) year term, one member representing Carroll

RESOLUTION NO. 7-11-92

County and the Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntingdon, McKenzie, McLemoresville, and Trezevant for a four (4) year term, one member representing Benton County and the Cities or Towns of Camden and Big Sandy for a four (4) year term, one member representing Henry County and the Cities or Towns of Paris and Puryear for a two (2) year term, one member representing Carroll County and the Cities and Towns of Atwood, Bruceton, Hollow Rock, Huntingdon, McKenzie, McLemoresville, and Trezevant for a two (2) year term, one member representing Benton County and the Cities or Towns of Camden and Big Sandy for a two (2) year term; and

**BE IT FURTHER RESOLVED**, that this Municipal Solid Waste Region Board shall have all powers and duties as granted it by T.C.A. § 68-211-813 et seq. and, as part of the participation counties agreement as evidenced by this Resolution, it shall have the additional rights and is empowered to utilize existing governmental personnel, services, facilities, and records of the counties which are a party to this agreement evidenced by this Resolution, and to employ or contact with persons, private consulting firms, and/or governmental, quasi-governmental, and public entities and agencies in the performance of its duty to cause a municipal solid waste region plan to be produced; and

**BE IT FURTHER RESOLVED**, that at the Municipal Solid Waste Region Board's initial organization meeting it shall select from its members a chair, vice-chair, and secretary and shall cause the establishment of a municipal solid waste advisory committee whose membership shall be chosen by the Board and whose duties are to assist and advise the Board; and

**BE IT FURTHER RESOLVED**, that the Municipal Solid Waste Region Board, in furtherance of its duty to produce a municipal solid waste region plan, is authorized to apply for and receive funds from the State of Tennessee, the federal government, the counties and municipalities that are within the Region, and donations and grants from private corporations and foundations; and

RESOLUTION NO. 7-11-92

**BE IT FURTHER RESOLVED**, that the Municipal Solid Waste Region Board, will strive to coalesce with other municipal solid waste regions, to maximize education, collection, recycling and disposal of solid waste; and

**BE IT FURTHER RESOLVED**, that the Municipal Solid Waste Region Board, will plan in conjunction with other regions formed by Gibson, Crockett, Dyer, Lake, Obion, and Weakley Counties of the Northwest Tennessee Development District and counties contiguous to the boundaries of the Northwest Tennessee Development District so as to encourage multi-county planning and make possible later mergers of smaller regions into larger regions if so desired; and

**BE IT FURTHER RESOLVED**, that upon the passage of this Resolution and at no later date than December 31, 1992, the County Clerk of Henry County shall transmit a copy of this Resolution to the Tennessee State Planning Office; and

**BE IT FINALLY RESOLVED**, that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED

11-16-92



HERMAN JACKSON, CHAIRMAN  
HENRY COUNTY COMMISSION



JERRY D. BOMAR  
COUNTY CLERK

APPROVED

11-17-92



HERMAN JACKSON  
COUNTY EXECUTIVE

STATE OF TENNESSEE  
COUNTY OF HENRY

I, Jerry D. Bomar, County Clerk of Henry County, Tennessee do hereby certify that the foregoing is a true and accurate copy of the original filed in this cause.

This 18 day of Nov., 1992  
*Jerry D. Bomar*

**Benton-Carroll-Henry County  
Solid Waste Planning Region Board**

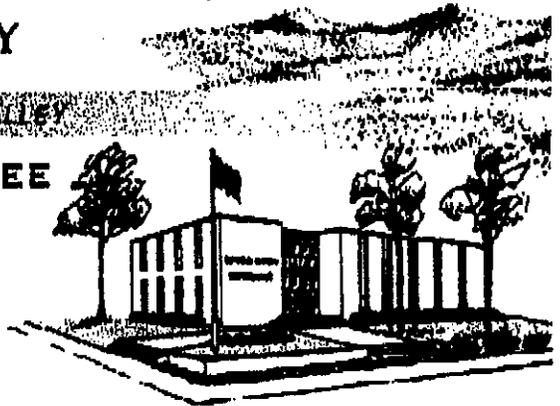
<b>Name</b>	<b>Address</b>	<b>County Affiliation</b>	<b>Term (years)</b>	<b>Jurisdiction</b>
Larry Mattingly	P.O.Box 69 Big Sandy, Tn 38221	Benton	6	Big Sandy
James Travis	113 City Street Camden, Tn 38320	Benton	4	Camden
W.A. Johnson	Rt. Box 53 Holladay, Tn 38341	Benton	2	Benton County
Wesley Beal, Jr.	P.O.Box 29 Huntingdon, Tn 38344	Carroll	4	Carroll County
Dale Kelley	111 Lexington Street Huntingdon, Tn 38344	Carroll	4	Carroll County Cities
Robert Putman	116 Cedar Avenue McKenzie, Tn 38201	Carroll	4	McKenzie
Herman Jackson	Henry County Courthouse Paris, Tn 38242	Henry	6	Henry County
Frank Gallimore	Route 1 Box 37D Puryear, Tn 38251	Henry	2	Henry County Cities
Larry Crawford	Greenvalley Drive Paris, Tn 38242	Henry	2	Paris

# BENTON COUNTY

IN THE HEART OF THE MAGNOLIA VALLEY

## CAMDEN, TENNESSEE

**ELVIN JOHNSON**  
BENTON COUNTY EXECUTIVE  
P.O. BOX 898  
1-801-684-0011  
CAMDEN, TENNESSEE 38320



January 5, 1993

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To	<i>W. A. Johnson</i>	FROM	<i>Herman Jackson</i>
Co.	<i>Executive</i>	Co.	
Dept.		Phone #	
Fax #		Fax #	

Mr. Herman Jackson  
Henry County Executive  
P.O. Box 7  
Paris, TN 38242

Dear Herman:

On December 21, 1992 the Board of County Commissioners appointed the following to the Municipal Solid Waste Regional Board to represent Benton County:

Larry Mattingly	P.O. Box 69	Big Sandy
James Travis	113 City St.	Camden
W. A. Johnson	Rt. 1 Box 53	Holladay

Sincerely,

*Elvin W. Johnson*  
Elvin W. Johnson  
County Executive

day of Dec, 1992, the welfare of the citizens of Carroll County requiring it.

Attest:

Approved:

(S) Carolyn H. Lutz  
Carroll County Clerk

(S) Wesley Beal, Jr.  
Carroll County Executive  
12-14-92

Approved as to form:

Carroll County Attorney

WESLEY BEAL, JR. COUNTY EXECUTIVE ELECTED BOARD MEMBER TO SOLID WASTE PLANNING REGION FOR CARROLL COUNTY.

Upon proper motion by Commissioner Billy Barksdale which was duly seconded by Commissioner Dale Kelley that Wesley Beal, Jr. be elected board member to Solid Waste Planning Region for Carroll County.

Upon proper motion by Commissioner Billy Smith which was duly seconded by Commissioner Billy Portis and unanimously approved by the County Legislative Body for nominations to cease and Wesley Beal, Jr., County Executive be elected by acclamation which was accordingly done.

RESOLUTION 12-2-92

COUNTY LEGISLATIVE BODY APPROVES RESOLUTION 12-2-92, RESOLUTION TO CONFIRM THE APPOINTMENTS TO THE CARROLL COUNTY REGIONAL PLANNING COMMISSION.

Upon proper motion by Commissioner Frank Robinson which was duly seconded by Commissioner Perry Kee the County Legislative Body approved the following Resolution 12-2-92.  
Roll call vote taken. 15 Commissioners voted aye. 2 Commissioners passed.

RESOLUTION  
NO. 12-2-92

RESOLUTION TO CONFIRM THE  
APPOINTMENTS TO THE CARROLL  
COUNTY REGIONAL PLANNING COMMISSION

WHEREAS, the Carroll County Quarterly Court on October 13, 1969, voted in favor of the establishment of a Carroll County Planning Region and the provision of a Regional Planning Commission with jurisdiction therein.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Carroll County, Tennessee, assembled in regular session on the 14th day of December, 1992, that the following persons be confirmed to the Carroll County Regional Planning Commission.

- Ken Butler - 4 year term - ~~County~~ Commissioner
- Billy Murphy - 4 year term - ~~County~~ Commissioner
- Troy Warren - 4 year term - ~~County~~ Commissioner
- John Mann - 4 year term - ~~County~~ Commissioner

RESOLUTION NO. 14-12-92

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF  
COMMISSIONERS CONFIRMING THE APPOINTMENT OF COUNTY EXECUTIVE,  
HERMAN JACKSON, TO HENRY, BENTON, AND CARROLL COUNTIES  
MUNICIPAL SOLID WASTE REGIONAL BOARD**

**WHEREAS**, pursuant to Tennessee Code Annotated §68-211-801, the County Commission of Henry County has adopted Resolution No. 7-11-92, which proposes to form a municipal solid waste region with Benton and Carroll Counties; and

**WHEREAS**, the primary and prevailing purpose of the municipal solid waste region is the preparation of municipal solid waste region plans, which among other requirements, must identify how each region will reduce its solid waste disposal per capita by twenty-five percent (25%) by December 31, 1995, and a planned capacity assurance of its disposal needs for a ten (10) year period; and

**WHEREAS**, pursuant to Tennessee Code Annotated §68-211-813 (b) (1), a Municipal Solid Waste Region Board must be established to administer the activities of the Region; and

**WHEREAS**, it has been proposed that this Municipal Solid Waste Region Board shall be composed of nine (9) members, with the County of Henry having one representative on said Board.

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Henry County, Tennessee, assembled in regular session on this 21st day of December, 1992, a majority or more of the membership concurring, acting pursuant to Tennessee Code Annotated §68-211-813, requires each county in the region to have a representative on the Regional Board and such representative to be appointed by the County Executive and confirmed by the legislative body of said county and does hereby approve the appointment of Herman Jackson to a six year term on the Solid Waste Regional Board of Benton, Carroll and Henry Counties.

**BE IT FURTHER RESOLVED** that this Municipal Solid Waste Region Board shall have all powers and duties as granted it by Tennessee Code Annotated §68-211-813 et seq. and, as part of the participation counties agreement as evidenced by this Resolution,

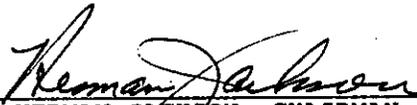
existing governmental personnel, services, facilities, and records of the counties which are a party to this agreement, and to employ or contract with persons, private consulting firms, and/or governmental, quasi-governmental, and public entities and agencies in the performance of its duty to cause a municipal solid waste region plan to be produced.

BE IT FURTHER RESOLVED that upon the passage of this Resolution and at no later date than December 31, 1992, the County Clerk of Henry County shall transmit a copy of this Resolution to the Tennessee State Planning Office.

BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED

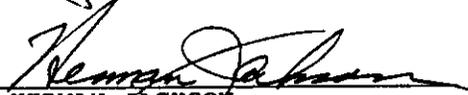
12-21-92

  
HERMAN JACKSON, CHAIRMAN  
HENRY COUNTY COMMISSION

  
JERRY D. BOMAR  
COUNTY CLERK

APPROVED

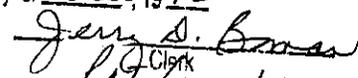
12-22-92

  
HERMAN JACKSON  
COUNTY EXECUTIVE

STATE OF TENNESSEE  
COUNTY OF HENRY

I, Jerry D. Bomar, County Clerk of Henry County, Tennessee do hereby certify that the foregoing is a true and accurate copy of the original filed in this cause:

This 23 day of Dec, 1992

  
Clerk  
  
Deputy Clerk

December 9, 1992

The Honorable Wesley Beal, Jr.  
Carroll County Executive  
P.O. Box 29  
Huntington, Tennessee 38344

Dear Mr. Beal:

Tennessee Code Annotated, Section 68-211-813 requires that municipalities providing solid waste collection or disposal services designate a representative to the regional board to be established by Carroll County, Tennessee. We do provide this service and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

As a result of the 15-member limitation on the size of the solid waste regional board, the City of Bruceton Board of Mayor and Aldermen/Councilmen, at its December 8, 1992 board meeting appointed Dale Kelley, Huntington as the City of Bruceton's representative to the regional board. Copies of the minutes evidencing this approval are attached to this letter.

Copies of this letter and attached minutes will be filed with the Honorable Bryant Millsaps, Secretary of State.

Sincerely,

  
Mayor, City of Bruceton

RESOLUTION NO 92- 12-8-92  
 A RESOLUTION  
 APPOINTING A REPRESENTATIVE TO THE  
 SOLIDWASTE REGIONAL PLANNING BOARD

WHEREAS, Tennessee Code Annotated, Section 68-211-813 requires that municipalities providing solid waste collection or disposal services (directly or indirectly by contract) designate a representative to the regional board to be established by Carroll County, Tennessee: and

WHEREAS, We do provide this service and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

NOW, THEREFORE BE IT RESOLVED, On December 8, 1992, the City of Bruceton 's Board of Mayor and Aldermen/Councilmen met and approved the appointment of Dale Kelley, Huntingdon as the representatives of the City of Bruceton, Tennessee.

Sponser:

Ken Reynolds  
 Alderman

Attest:

Michael A. Lancaster  
 City Recorder of BRUCETON

Approved:

Jay L. L. Hopper  
 Mayor of Bruceton

Approved as to form:

[Signature]  
BRUCETON City Attorney

OFFICE OF THE MAYOR

HUNTINGDON MUNICIPAL BUILDING  
111 LEXINGTON STREET - P.O. BOX 666  
HUNTINGDON, TENNESSEE 38344

DALE R. KELLEY  
MAYOR

(901) 986-4725  
FAX 986-4088

December 9th, 1992

The Honorable Wesley Beal, Jr.  
Carroll County Executive  
P. O. Box 29  
Huntingdon, Tennessee 38344



Dear Mr. Beal:

Tennessee Code Annotated, Section 68-211-813, requires that municipalities providing solid waste collection or disposal services designate a representative to the regional board to be established by Carroll County, Tennessee. We do provide these services and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

As a result of the 15-member limitation on the size of the solid waste regional board, the Town Council of the Town of Huntingdon, Tennessee, at its regular council meeting of December 8th, 1992, pursuant to adoption and approval of Resolution No. 92-11 thereat, appointed Mayor Dale R. Kelley as the Town of Huntingdon representative to the regional board. Copies of this resolution and the minutes evidencing this approval are attached hereto.

Copies of this letter and attachments will be filed with the Secretary of State of the State of Tennessee.

Sincerely,

A handwritten signature in cursive script that reads "Dale R. Kelley".

Dale R. Kelley  
Mayor

DRK:h

Encls: as stated

STATE OF TENNESSEE  
COUNTY OF CARROLL  
TOWN OF HUNTINGDON

RESOLUTION NO. 92-11

A RESOLUTION APPOINTING A REPRESENTATIVE OF THE TOWN OF HUNTINGDON, TENNESSEE, TO THE SOLID WASTE REGIONAL PLANNING BOARD.

WHEREAS, Tennessee Code Annotated, Section 68-211-813, requires that municipalities providing solid waste collection or disposal services (directly or indirectly by contract) designate a representative to the regional board to be established by Carroll County, Tennessee; and

WHEREAS, The Town of Huntingdon, Tennessee, does provide this service and therefore is required to be represented on the regional board for the purpose of solid waste regional planning:

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Huntingdon, Tennessee, that on December 8th, 1992, said council met in regular session and approved the appointment of Mayor Dale R. Kelley as the representative of the Town of Huntingdon, Tennessee, on said regional board.

BE IT FURTHER RESOLVED by said Council that pursuant to § 2.08(a) of the town's charter this resolution shall be in full force and effect from and after the date of its adoption and approval, the welfare of the town requiring it.

BE IT FURTHER RESOLVED by said Council that pursuant to § 2.08(d) of the town's charter a summary of this resolution shall be published one time in a newspaper of local circulation within ten days of its adoption and approval, the welfare of the town requiring it.

READ, ADOPTED AND APPROVED IN PUBLIC SESSION: DECEMBER 8TH, 1992.

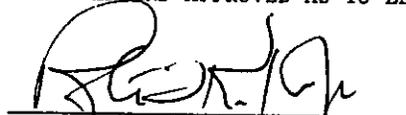
APPROVED:

ATTESTED:

  
Dale R. Kelley  
Mayor

  
J. Kenneth Houston  
Town Recorder

REVIEWED AND APPROVED AS TO LEGAL FORM AND CONTENT:

  
Robert T. Keeton, Jr.  
Town Attorney



Donald Grooms, Mayor  
D. Maddox III, City Attorney  
vian Grooms, Secretary  
Thomas Bridges, Chief of Police

*Town of Hollow Rock*  
P.O. BOX 116  
HOLLOW ROCK, TENN. 38342

PHONE (901) 586-7773

Joe Jordan, Vice Mayor  
BOARD OF ALDERMEN:  
Jack Humphrey  
Charles Kizer  
Billy Roberts  
Ronnie Webb

December 02, 1992



The Honorable Wesley Beal, Jr.  
Carroll County Executive  
P. O. Box 29  
Huntingdon, Tennessee 38344

Re: Solid Waste Regional Board Representative

Dear Mr. Beal:

Tennessee Code Annotated, Section 68-211-813 requires that municipalities providing solid waste collection or disposal services designate a representative to the regional board to be established by Carroll County, Tennessee. We do provide this service and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

As a result of the 09 member limitation on the size of the solid waste regional board, the City of Hollow Rock Board of Mayor and Aldermen, at its December 1, 1992 board meeting appointed Dale Kelley as the Town of Hollow Rock's representative to the regional board. Copies of the minutes evidencing this approval are attached to this letter.

Copies of this letter and attached minutes will be filed with the Honorable Bryant Millsaps, Secretary of State.

I am,

Very truly yours,

A handwritten signature in black ink that reads "Donald Grooms".

Donald Grooms  
Mayor Town of Hollow Rock

RESOLUTION 92-2

A RESOLUTION APPOINTING A REPRESENTATIVE TO THE SOLID WASTE REGIONAL PLANNING BOARD.

WHEREAS, Tennessee Code Annotated, Section 68-211-813 requires that municipalities providing solid waste collection or disposal services (directly or indirectly by contract) designate a representative to the regional board to be established by Carroll County, Tennessee; and

WHEREAS, The Town of Hollow Rock, Tennessee, provides solid waste collection services and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

NOW, THEREFORE BE IT RESOLVED, that the Town of Hollow Rock's Board of Mayor and Alderman met and approved the appointment of Dale Kelley as the representative for the Town of Hollow Rock, Tennessee.

ADOPTED THIS 1<sup>st</sup> DAY OF December, 1992.

*Donald Grooms*  
Mayor

Attest:

*Vivian Grooms*  
City Recorder

December 1, 1992

Board Meeting

Mayor Grooms presided.

Roll Call: Humphrey, Kizer, Roberts, Jordan, Webb.

Attorney Maddox present.

Invocation by Minnie Lou Cooper.

Minutes of November board meeting were read.

Motion by Roberts to change paragraph 7 to read Motion passed to reject bids and then accept minutes as read.

Second by Alderman Jordan.

Mayor welcomed everyone to the meeting and advised that if they had any concerns now was the time to voice those concerns. Audience advised they were just there visiting and had no complaints.

Mayor advised that he had attended a solid waste planning meeting, he attended a crime stoppers meeting and urged citizens to attend the next meeting which will be on December 15, at noon. He further advised that work on side walk is now in progress but will not be completed until spring and CDG grant seems to be slow but is still in progress.

Alderman Kizer advised that Mr. & Mrs. Dallas Brown received Yard of the Month for November.

Motion by Alderman Jordan that city employees be given a \$75.00 Christmas Bonus.

Second by Alderman Roberts.

Motion by Alderman Kizer that city employees be given a \$100.00 Christmas Bonus.

This Motion failed to receive a second.

Vote: Humphrey, yes; Webb, yes; Kizer, yes; Jordan, yes;

Roberts, yes.

Motion passed to give employees a \$75.00 Christmas Bonus.

Motion by Alderman Roberts we pass Resolution 92-2, a resolution appointing a representative to the solid waste regional planning board.

Second by Alderman Kizer.

Vote: Jordan, yes; Webb, yes; Humphrey, yes; Kizer, yes;

Roberts, yes.

Auxiliary Police was discussed.

Motion by Alderman Humphrey we find 2 or 3 people interested in auxiliary and review them.

Second by Alderman Jordan.

Vote: All aye.

Motion by Alderman Humphrey that we have open house on December 23, 1992 from 1:30 P.M. until 5:00 P.M.

Second by Alderman Roberts.

Vote: All aye.

December 1992 board meeting cont.  
page 2

Alderman Jordan will check the new well to see about installing some kind of siren or warning signal.

Under tabled business board was of the opinion that Mr. Pinkley needs to fill his lot in with dirt and that will eliminate his problem.

Motion by Alderman Humphrey to adjourn.  
Second by Alderman Roberts.  
Meeting adjourned 8:10 P.M.



## CITY OF MCKENZIE, TENNESSEE

CITY HALL  
P.O. BOX 160  
MCKENZIE, TN 38201  
901/352-2292

December 11, 1992

The Honorable Wesley Beal, Jr.  
Carroll County Executive  
P.O. Box 29  
Huntingdon, TN. 38344

Dear Mr. Beal,

Tennessee Code Annotated, Section 68-211-813 requires that municipalities providing solid waste collection or disposal services designate a representative to the regional board to be established by Carroll, County, Tennessee. We do provide this service and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

As a result of the 15-member limitation on the size of the solid waste regional board, the City of McKenzie, Board of Mayor and Councilmen, at its December 10, 1992 board meeting appointed Robert L. Putman, Mayor, as the City of McKenzie's representative to the regional board. Copies of documentation of the minutes reflecting this action are enclosed.

Copies of this letter will be filed with Honorable Bryant Millsaps, secretary of state.

Sincerely,

Robert L. Putman, Mayor

CC: The Honorable Bryant Millsaps  
Secretary of State  
State Capitol  
Nashville, TN. 37219



## CITY OF MCKENZIE, TENNESSEE

CITY HALL  
P.O. BOX 160  
MCKENZIE, TN 38201  
901/352-2292

In regular meeting of the Board of Mayor and Council, City of McKenzie, McKenzie, Tennessee on December 10, 1992, the Board appointed Robert L. Putman, Mayor, as its representative to the solid waste regional board.

This action is recorded in the official minute book of the City of McKenzie.

Attest:

*Jane H. Thompson*  
City Clerk

**RESOLUTION NO. \_\_\_\_\_**  
**A RESOLUTION**  
**DESIGNATING CITY OF MCKENZIE**  
**COUNTY FOR SOLID WASTE PLANNING**

**WHEREAS**, at the urging and support of a coalition of local government, environmental, commercial and industrial leaders, the 97th Tennessee General Assembly enacted Tennessee Code Annotated, Section 68-211-801 et seq., known as the Solid Waste Management Act of 1991; and

**WHEREAS**, better planning for solid waste will help control the additional costs that will be imposed by the new Subtitle D landfill regulations, adopted by the United State Environmental Protection Agency and companion regulations adopted by the Tennessee Solid Waste Control Board, help protect the environment, provide an improved solid waste management system, better utilize our natural resources, and promote the education of the citizens of Tennessee in the areas of solid waste management including the need for and desirability of reduction and minimization of solid waste; and

**WHEREAS**, Tennessee Code Annotated, §68-211-811 authorizes the nine development districts in the State of Tennessee to complete district needs assessments, which are inventories of the solid waste systems in Tennessee, and suggest the formation of regions; and

**WHEREAS**, T.C.A. §68-211-813, requires that counties in the State of Tennessee from municipal sold waste regions no later than December 12, 1992; and

**WHEREAS**, the City of McKenzie, Tennessee, provides solid waste collection services or solid waste disposal services; and

**WHEREAS**, the City of McKenzie, lies within the County of Carroll, the County of Weakley and the County of Henry, and under Tennessee Code Annotated, Section 68-211-813(d), must designate the county it agrees to participate with for the purpose of regional planning.

**NOW THEREFORE BE IT RESOLVED** by the board of Mayor and City Council of the City of McKenzie, Tennessee, as follows:

The City of McKenzie, Tennessee, has considered the regions purposed by the County of Carroll, Tennessee, the County of Weakley and the County of Henry, Tennessee, and desires to participate with the County of Carroll, Tennessee for the purpose of regional planning and to designate a representative to the County's regional board.

ADOPTED THIS 10 DAY OF Dec., 1992



Mayor



Recorder

RESOLUTION NO 92-  
A RESOLUTION  
APPOINTING A REPRESENTATIVE TO THE  
SOLIDWASTE REGIONAL PLANNING BOARD

WHEREAS, Tennessee Code Annotated, Section 68-211-813 requires that municipalities providing solid waste collection or disposal services (directly or indirectly by contract) designate a representative to the regional board to be established by Carroll County, Tennessee: and

WHEREAS, We do provide this service and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

NOW, THEREFORE BE IT RESOLVED, On Dec 10, 1992, the City of McKenzie's Board of Mayor and Aldermen/Councilmen met and approved the appointment of Robert L. Putman as the representatives of the City of McKenzie Tennessee.

Sponser:

Mc Hale  
Alderman

Attest:

Jane N. Thompson  
City Recorder of McKenzie

Approved:

Robert L. Putman  
Mayor of McKenzie

Approved as to form:

[Signature]  
McKenzie City Attorney

Dec. 10, 1992

The Honorable Wesley Beal, Jr.  
Carroll County Executive  
P.O. Box 29  
Huntington, Tennessee 38344

Dear Mr. Beal:

Tennessee Code Annotated, Section 68-211-813 requires that municipalities providing solid waste collection or disposal services designate a representative to the regional board to be established by Carroll County, Tennessee. We do provide this service and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

As a result of the 15-member limitation on the size of the solid waste regional board, the City of McLemoresville Board of Mayor and Aldermen/Councilmen, at its December 9, 1992 board meeting appointed Billy McKinney as the City of McLemoresville's representative to the regional board. Copies of the minutes evidencing this approval are attached to this letter.

Copies of this letter and attached minutes will be filed with the Honorable Bryant Millsaps, Secretary of State.

Sincerely,

Phillip R. Wilton  
Mayor, City of McLemoresville Inc.

RESOLUTION NO 92- 10  
A RESOLUTION  
APPOINTING A REPRESENTATIVE TO THE  
SOLIDWASTE REGIONAL PLANNING BOARD

WHEREAS, Tennessee Code Annotated, Section 68-211-813 requires that municipalities providing solid waste collection or disposal services (directly or indirectly by contract) designate a representative to the regional board to be established by Carroll County, Tennessee; and

WHEREAS, We do provide this service and therefore are required to be represented on the regional board for the purpose of solid waste regional planning.

NOW, THEREFORE BE IT RESOLVED, On December 9, 1992, the City of McLemoresville's Board of Mayor and Aldermen/Councilmen met and approved the appointment of Robert Putman - Mayor of McLemoresville as the representatives of the City of McLemoresville Tennessee. *McKenzie*

Sponser:

Billy McKinney  
Alderman

Attest:

Barbara Younger  
City Recorder of McLemoresville

Approved:

Phillip K. William  
Mayor of McLemoresville

Approved as to form:

\_\_\_\_\_  
City Attorney

MINUTES OF MEETING OF MAYOR AND ALDERMEN  
OF THE CITY OF MCLEMORESVILLE, TENNESSEE

The regular city board meeting was held on December 9,  
at 8 P.M. Board members present were: W. E. O'Neill, Billy  
McKinney, Sue Newsome, Angie Martin, Barbara Younger and  
Mayor Phil Williams.

Minutes of the previous meeting were read and approved.  
Motion by W. E. O'Neill and seconded by Sue Newsome to approve  
payment of the following bills:

Dept. of General Services	275.00
Street Light Replacements	5.43
West & West	15.00
G. & C. Supply	34.75
P.B. & S. Chemical Co.	92.45
Utility Bills	846.85
Van Blackletter	26.11
Huntingdon Auto Parts	39.35
Jerry's Muffler Shop	268.00
Watson Lumber Co.	9.00
Supplies for Nov.	79.35
Unocal	111.38

General Fund Balance: 25,057.75 Water Fund Balance 4,051.68.

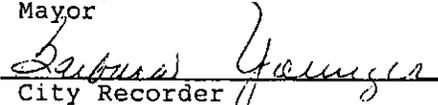
Motion by W. E. O'Neill and seconded by Billy McKinney to pay  
WTCEMA dues. Motion carried.

A Resolution was passed to appoint Mayor Bob Putman as  
Representative of City of McMoresville to the regional Board  
and Billy McKinney as a representative of the City of  
McMoresville to the Solid Waste planning board.

Bids for a storage building were opened. Motion by W. E.  
O'Neill and seconded by Billy McKinney to accept the bid of  
\$10,726.18 from Heritage Building Systems. Motion carried.

Meeting adjourned at 9:45 P.M.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Recorder

THE CITY COMMISSION  
CITY OF PARIS, TENNESSEE

January 12, 1993

AMENDMENT TO BEAR BOARD REGULATIONS

Commissioner Hooper moved to amend on first reading an ordinance to enact Title 2-210 D and amend 2-212 (7) to establish restrictions on "adult entertainment" in premises licensed to sell beer. The motion was seconded by Commissioner Smith and passed unanimously.

RESOLUTION FOR SERVICE TO CITY

The following resolution commending Curtis Neal for thirty-one years of service as a Firefighter was presented by Mayor Dunlap:

RESOLUTION

WHEREAS, CURTIS D. NEAL was employed as a fireman for the City of Paris, Tennessee, on October 11, 1961; and,

WHEREAS, Curtis D. Neal was promoted to lieutenant on March 1, 1970, and was promoted to assistant fire chief on August 27, 1979; and,

WHEREAS, the City of Paris has benefited immeasurably by the dedication of Curtis D. Neal as a fireman and assistant fire chief for the City of Paris, and,

WHEREAS, the City of Paris desired to express its respect and appreciation for the many years of faithful service rendered to the citizens of Paris, Tennessee, and to wish Curtis D. Neal a comfortable and enjoyable retirement.

NOW, THEREFORE, BE IT RESOLVED that the City of Paris, Tennessee, on an record as expressing its appreciation and gratitude to Curtis D. Neal for his years of unselfish and untiring efforts in promoting the health, safety, prosperity, and general welfare of the city of Paris; and that this Resolution become a part of and be spread upon the minutes of this meeting of the City Commission, and that a copy hereof be presented to the news media and to Curtis D. Neal so that he might have a token of the high honor, regard, affection, and esteem in which he was and is held by the City of Paris and the Board of Commissioners.

Unanimously accepted, this 12th day of January, 1993.

s/Richard L. Dunlap, III

Mayor

s/Andrew L. Hooper

Commissioner

s/Samuel D. Thayer

Commissioner

s/Larry I. Smith

Commissioner

s/John T. VanDyke, III

Commissioner

APPOINTMENTS TO BOARDS

Mayor Dunlap, with the Commission's unanimous approval, appointed himself to serve as the City's representative to the three county (Henry, Carroll and Benton) Solid Waste Regional Planning Board. Others representing Henry County include Herman Jackson, County Executive and Mike Atkinson, Mayor of Puryear.

BREWER STREET PROPERTY DISCUSSION

A motion was made by Commissioner Smith and seconded by Commissioner Hooper to authorize the City Manager to offer for sale by sealed bid Tract 1 of a parcel located on North Brewer Street, after receiving approval from the Planning Commission for a minor subdivision of the property. The portion to be offered for sale is at the rear of the lot on which a municipal parking lot has been planned.

PARKS AND RECREATION DISCUSSION

At the request of the City Manager this item was deferred to the regular February meeting when a recommendation will be presented by the Parks and Recreation Board.

AMENDMENT TO SERIAL ORDINANCE

An ordinance to amend Title 4-406 of the Paris Municipal Code to provide for the electrical portion of rental property inspections be performed by inspectors approved by the Board of Public Utilities as is

Mayor  
Frank R. Gallimore

City Recorder  
Verla Smith

City of Puryear  
P.O. Box 278 East Front Street  
Puryear, Tennessee 38291  
Phone (901) 247-3362

Aldermen  
Morris Jenkins  
Billy Robinson  
Scarlett Gore  
Myrtle L. Ray

Honorable Herman Jackson, County Executive  
Henry County, Tennessee

Dear Mr. Jackson,

Tennessee Code Annotated Section 68-211-813 requires that municipalities providing solid waste collection or disposal services designate a representative and alternate to the regional Board. We do provide this service and therefore are required to be represented for the purpose of solid waste regional planning.

On March 9, 1993 the Mayor and Board of Alderman of the City of Puryear met and approved my appointment to be an alternate in the absent of Mayor William M. Atchison as the representative of the City of Puryear, Tennessee. Mayor Atchison is no longer the Mayor of the City, I Frank Ralph Gallimore am now the Mayor leaving myself as the City representative on the 3 County Solid Waste Committee. Copies of the minutes evidencing this approval are attached to this letter, as required by law.

Sincerely,

Frank M. Gallimore

Frank Ralph Gallimore, Mayor City of Puryear, Tennessee

REGULAR MEETING CITY OF PURYEAR MARCH 9, 1993

Mayor William M. Atchison called the meeting to order at 7:00 P.M. Present were Alderman Morris Jenkins, Bill Robinson, Sue Underwood, Donald Dunning, City Recorder Verla Smith, Police Officer Greg Underwood, WSS J.T. Burton, Maint. man Rickie Hughes and guest Glenn Hall, Ralph Gallimore, City Attorney William T. Looney.

Motion by Alderman Dunning, 2nd by Alderman Robinson minutes of previous meeting was accepted as written.

The financial report was given at this time showing a total of \$ 552,701.25 in all City accounts. Motion by Alderman Underwood, 2nd by Alderman Jenkins financial report was accepted as read.

Approval of bills were presented, Vernon Nance 643.88, Jackie Hale 333.00, Postmaster 91.55, Security Bank 1845.76, Jones Iron & Metal 387.62, Gary Swayne 50.00, Wal-Mart 8.96, MTSU 180.00, Natural Gas 388.98, Board of Public Utilities 1684.74, Puryear W&S 12.87, West Ky. Rural Tel. 115.38, Amoco 93.45, Wal-Mart 19.83, P.I. 31.50, Office Concepts 134.94, Air Control 8.00, Security Bank 1879.24, Trevor Bennett 50.00, John Hart's Vinyl 492.04, City of Paris 360.00, Cheryl's Flowers 27.06, Todd 62.00, Marathon Oil Co. 103.28, Tony Wilkinson 100.00, UPS 2.77, Tn. Dept. of Revenue 270.00, Waterworks 76.38, Enviornmental Science 303.33, P.B. & S. Chemical 236.20, Utility Pipe 321.83, J.T. Burton 80.50, J.D. Equipment Center 5.53, McCoy & McCoy 15.00, Central Service 105.00, FMHA 1064.00, Utility Pipe Sales 11.20, 641 Plumbing 7.94  
Motion by Alderman Dunning, 2nd by Alderman Robinson bills were approved.

Mayor welcomed all guest and ask for any comments to address the Board. No response.

Mayor ask City Attorney to update the Board concerning the Cecil Bennett property. Mr. Looney explained that Mr. Rupert Williams had withdrawn his offer on the property and that the heirs of the Bennetts had now sold the property to Mr. Glen Hall and that Mr. Hall had been explained that the house had been condemned. Mr. Hall assured the Mayor and Board that as soon as he had received his deed to the property that this would be done.

Motion by Alderman Dunning, 2nd by Alderman Underwood for City to adjust over a 3 month period the water bills of John Hendrix, Ted Hart, Enlow Gamlin, Roger Underwood and Puryear Wastewater due to these being leaks on the City side.

Motion by Alderman Jenkins, 2nd by Alderman Dunning for City to adjust the property tax statements for the years of 1991 and 1992 of Joe and Peggy Elkins due to this being assessed wrong per letter of Henry County Property Assessor Albert Wade. Mayor turned over the delinquent tax receipts of Hobert Martin and Fern Wilson to City Attorney for collection through Chancery Court. Mr. Looney agreed to verify proper ownership on these two pieces of property.

Mayor ask Mr. Looney to explain ot the Board the situation concerning the Earl Childers property. Mr. Looney explained that the City now owned this property because the thirty days was up for protest.

Motion by Alderman Underwood, 2nd by Alderman Jenkins for City to re-measure area and spec out for bids the paving of a parking area in front of the Community Center with City receiving bids up until 3:00 P.M. on March 23, 1993 and at 4:00 P.M. the Mayor having a Special Called Meeting for bids to be opened with the City having the right to reject any and all bids, roll call vote with all votes being aye.

Motion by Alderman Dunning, 2nd by Alderman Robinson for John Hart's Vinyl to install storm windows on all windows at City Hall and install the front windows with shutters with this price being 440.00. Motion carried.

Mayor reported that the City had received a check in the amount of \$4200.00 from the Paris Henry County Public Utility District..

Mayor gave update concerning the housing grant and stated that Ms. Harris said that this grant should be coming to an end very soon. The update concerning the sewer expansion was that the electric current should be run to the pumps next week and that the City was into liquidated damages. Mayor reported that the State was now asking for an inspection on all water tanks and that Mr. Jim Hunter would be here Thursday and he could do this at a very minimum price since he was already going to be in the City.

Mayor ask any comment from the police department. No response.

Mayor ask for any comments from fire department. No one present. Mayor said he would contact Mike Shankle and set a date to administer the vaccine shot that some employees missed.

Mayor ask for any comments from the Water department. WSS J.T. Burton said the measurement of 1500' of lines would be needed to extend the water lines on Jones Mill road with the approximate cost to the customer being \$500.00 per property owner. Discussion.

Motion by Alderman Robinson, 2nd by Alderman Dunning for City to lease for five (5) years the barn that Mr. Gene Schrader has been using in at no charge in exchange for Mr. Schrader mowing the 50' strip of property of the City adjoining his property. Motion carried.

Motion by Alderman Jenkins, 2nd by Alderman Underwood for City to appoint Mr. Ralph Gallimore to be an alternate in the absent of Mike Atchison on the 3 County Solid Waste Committee. Motion carried.

Motion by Alderman Dunning, 2nd by Alderman Robinson meeting adjourned at 8:17 P.M.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Recorder

## **PART II**

To demonstrate that the Benton, Carroll and Henry Counties Solid Waste Planning Region and its inclusive municipalities are complying with the Solid Waste Act of 1991, T.C.A. 68-211-874, A letter signed by the County Executive/ Mayor of of each entity certifying the conditions have been met and stating the name of the special revenue fund(s) established are provided:



To whom it may concern:

In compliance with the Solid Waste Management Act of 1991, Benton County has established a special revenue fund expressly for the purpose of the management of solid waste within the county. Also a separate enterprise fund has also been established to account for activities specifically related to the operation of the Benton County Landfill. These funds shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The names of these funds are Meter Users Fee.

BY Edwin Johnson

County Executive  
Title

4-29-94

Date



To Whom It May Concern:

In compliance with the Solid Waste Management Act of 1991, the County of Carroll has established an enterprise fund expressly for the purpose of the management of solid waste within the County. This fund shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The name of this fund is Solid Waste/Sanitation.

By:

Wesley Beal, Jr.

County Executive  
Title

April 4, 1994  
Date

To Whom It May Concern:

In compliance with the Solid Waste Management Act of 1991, the Town of BRUCETON has established a special revenue fund expressly for the purpose of the management of solid waste within the Town. This fund shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The name of this fund is SOLID WASTE

By John Martin Allgood

Mayor  
Title

March 16, 1994  
Date

To Whom It May Concern:

In compliance with the Solid Waste Management Act of 1991, the Town of Camden has established a special revenue fund expressly for the purpose of the management of solid waste within the Town. This fund shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The name of this fund is Town of Camden Special Revenue Fund Refuse Collection (Sanitation)

By Wendell Glubay

Mayor  
Title

4-26-84  
Date

Donald Grooms, Mayor  
D. Maddox III, City Attorney  
Virian Grooms, Secretary  
Thomas Bridges, Chief of Police

*Town of Hollow Rock*  
P.O. BOX 116  
HOLLOW ROCK, TENN. 38342

PHONE (901) 586-7773

March 29, 1994

Joe Jordan, Vice Mayor  
BOARD OF ALDERMEN:  
Jack Humphrey  
Charles Kizer  
Billy Roberts  
Ronnie Webb

To Whom It May Concern:

In compliance with the Solid Waste Management Act of 1991, the Town of Hollow Rock has established a special revenue fund expressly for the purpose of the management of solid waste within the Town. This fund shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The name of this fund is the Hollow Rock Enterprise Fund.

By:

Virian Grooms

Title:

Recorder

Date:

3-29-94

OFFICE OF THE MAYOR

HUNTINGDON MUNICIPAL BUILDING  
111 LEXINGTON STREET - P. O. BOX 666  
HUNTINGDON, TENNESSEE 38344

DALE R. KELLEY  
MAYOR

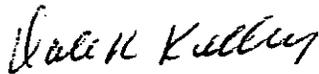
(901) 986-2900  
Fax 986-2919

March 15, 1994

To Whom It May Concern:

In compliance with the Solid Waste Management Act of 1991, the Town of Huntingdon has established a special revenue fund expressly for the purpose of the management of solid waste within the Town. This fund shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The name of this fund is the Solid Waste Management Fund.

Sincerely,



Dale R. Kelley  
Mayor of Huntingdon

ja

To Whom It May Concern:

In compliance with the Solid Waste Management Act of 1991, the Town of McKenzie has established a special revenue fund expressly for the purpose of the management of solid waste within the Town. This fund shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The name of this fund is Sanitation Fund

By Robert L. Lubman

Mayor - McKenzie  
Title

4-25-94  
Date

To whom it may concern:

In compliance with the Solid Waste Management Act of 1991, the City of Paris has established a special revenue fund expressly for the purpose of the management of solid waste within the county. Also a separate enterprise fund has also been established to account for activities specifically related to the operation of the Paris - Warren County Landfill. These funds shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The names of these funds are Solid Waste Fund.

By Eranna J. Phelan

Finance Director  
Title

April 26, 1994  
Date

To Whom It May Concern:

In compliance with the Solid Waste Management Act of 1991, the <sup>City</sup> ~~Town~~ of Paris has established a special revenue fund expressly for the purpose of the management of solid waste within the Town. This fund shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The name of this fund is Solid Waste Fund.

By Eronne J. Phifer

Finance Director  
Title

April 26, 1994  
Date

To Whom It May Concern:

In compliance with the Solid Waste Management Act of 1991, the Town of Puryear has established a special revenue fund expressly for the purpose of the management of solid waste within the Town. This fund shall be managed using a uniform solid waste accounting system and chart of accounts developed by the comptroller of the treasury and conforming to generally accepted accounting principles as required by T.C.A. 68-211-874(a). The name of this fund is Solid Waste (Special Revenue Fund)

By Franklin Holliman

Mayor

\_\_\_\_\_  
Title

4-26-94

\_\_\_\_\_  
Date

**APPENDIX B**

**DOCUMENTATION FOR ADJUSTMENTS  
TO THE BASE YEAR GENERATION**

*NONE*

## **APPENDIX C**

### **PUBLIC PARTICIPATION ACTIVITIES**

## **APPENDIX C**

### **PUBLIC PARTICIPATION ACTIVITIES**

#### **GENERAL**

The B-C-H Solid Waste Planning Region Board has met in open meetings since April 20, 1993, to develop the 10-year solid waste plan. These meetings were open to the public and various citizens have attended from time to time. Following is a list of the meetings that representatives of the engineering firm of Griggs & Maloney, Inc., have attended regarding the development of the plan. Also included are the minutes of each of the board meetings.

#### **INFORMATIONAL MEETINGS**

Representatives of the engineering firm of Griggs & Maloney, Inc., met with each county commission before the plan was finalized to brief them on the process and summarize the work to that point.

#### **PUBLIC HEARINGS**

Public hearings were held in each county to explain in detail to the public the process, the contents of the plan, and the approval procedure.

#### **FINAL APPROVAL**

Representatives of the engineering firm of Griggs & Maloney, Inc., met with each county commission to present the plan in detail before the county commission voted to adopt the plan.

## **B-C-H Meetings 10-Year Solid Waste Plan**

### **1993**

1. Apr 20 Griggs meets with Committee
2. May 4 Robinson, Pegel, Griggs attend Committee meeting
3. May 4 Griggs meets with Jim Travis (Camden)
4. May 4 Griggs meets with Elvin Johnson (Benton Co.)
5. May 4 Robinson and Pegel meet with Herman Jackson (Henry Co.)
6. June 1 Griggs, Robinson, Pegel meet with Committee
7. June 18 Griggs meets with Henry Co. Executive Herman Jackson
8. June 18 Griggs meets with Carroll Co. Executive Wesley Beal
9. July 6 Pegel meets with Committee
10. Aug 3 Griggs and Pegel meet with Committee
11. Aug 10 Griggs meets with Wesley Beal
12. Sept 7 Griggs meets with Committee
13. Sept 13 Griggs meets with Wesley Beal
14. Sept 14 Griggs meets with Benton Co. Executive Elvin Johnson
15. Sept 14 Griggs meets with Herman Jackson
16. Sept 15 Griggs meets with Carl Holder & Dian Edwards of Paris
17. Oct 4 Robinson meets with Committee
18. Oct 8 Griggs meets with Weakley Co. Executive, Kerry Killebrew
19. Oct 8 Griggs meets with Wesley Beal and Herman Jackson
20. Oct 20 Griggs meets with Committee
21. Nov 2 Griggs meets with Committee
22. Nov 15 Griggs meets with Benton Co. Commission
23. Nov 15 Griggs meets with Henry Co. Commission
24. Nov 22 Griggs meets with Carroll Co. Commission
25. Dec 7 Griggs meets with Carl Holder in Paris, Wesley Beal out of office
26. Dec 8 Griggs meets with Committee in Camden
27. Dec 15 Griggs meets with Wesley Beal and Carl Holder in Huntingdon regarding bids
28. Dec 31 Griggs meets with Wesley Beal and Carl Holder in Huntingdon regarding bids

## B-C-H MEETINGS, cont'd

### 1994

29. Jan 19 Griggs meets with Wesley Beal, Herman Jackson, Carl Holder in Huntingdon regarding bids
30. Jan 24 Griggs meets with Committee in Huntingdon
31. Jan 27 Griggs meets with Wesley Beal, Herman Jackson, Elvin Johnson, Carl Holder in Camden regarding bids
32. Feb 7 Griggs conducts Carroll County public hearing in Huntingdon
33. Feb 8 Griggs conducts Benton County public hearing in Camden
34. Feb 15 Griggs conducts Henry County public hearing in Paris
35. Feb 23 Griggs meets with Wesley Beal, Herman Jackson, Elvin Johnson, & Carl Holder in Paris to discuss Bids
36. Feb 23 Griggs meets with Committee in Paris. Plan approved.
37. Mar 10 Griggs meets with Committee in Camden
38. Mar 14 Griggs meets with Herman Jackson in Paris
39. Mar 15 Griggs meets with Wesley Beal in Huntingdon
40. Mar 23 Griggs meets in Huntingdon with Wesley Beal, Herman Jackson, Elvin Johnson, Jim Travis, Carl Holder, & Barker Brothers to discuss bids
41. Mar 29 Griggs presented plan to Benton County commission. Plan approved.
42. Apr 4 Griggs attends meeting in Huntingdon with Wesley Beal, Herman Jackson, Elvin Johnson, Jim Travis, Carl Holder, & Barker Brothers to discuss contracts.
43. Apr 5 Griggs presents plan to Henry County commission. Plan approved.
44. Apr 11 Pegel presents plan to Carroll County Commission, plan approved. Herman Jackson presents plan to Henry County Planning Commission, plan approved.
45. Apr 18 Carroll County Planning Commission approves the plan.
46. Apr 25 Griggs meets with Committee in Paris; is directed to submit 10-year plan to the State.

DATE: April 20, 1993  
 COMMITTEE/GROUP: B.C.&H. Solid Waste Planning Regional Board  
 TIME: 12:30 PM  
 PLACE: Benton County Chamber of Commerce

Members Present

Herman Jackson  
 Wesley Beal  
 Jim Travis  
 W. A. Johnson  
 Dale Kelley  
 Bob Putman  
 Larry Mattingly  
 Larry Crawford  
 Mike Atchison

Members absentAlso Present

Bill Griggs  
 George Moore  
 Mike Stooksberry  
 Bill Bethel  
 Members of new media

The chairman, Wesley Beal called the meeting to order at 12:30 P.M. A motion by Herman Jackson and seconded by Mike Atchison to approve the minutes of the March 16, 1993 meeting. The chairman, Wesley Beal, welcomed Larry Crawford to replace Dick Dunlap as a Henry County representative.

Bill Griggs was introduced by the chairman to explain his proposal to us and answer questions. He stated his proposal would meet state guidelines and have 17 meetins including public hearings in each county. Bill Griggs requested one contact person from this committee. Chairman Wesley Beal was named. Bill Griggs or someone from his company will attend our meeting on the first Tuesday of each month.

A solid waste management plan contract was submitted for approval by the committee and the consultant. After discussion, a motion was made by Herman Jackson and seconded by Bob Putman to delete Section 8 and 9 from the contract. The motion was approved.

A motion by Dale Kelley and seconded by Larry Crawford to change Section 7 to refer to professional liability insurance instead of Errors and Omissions and Liability Insurance. Motion was approved.

Motion by Jim Travis and seconded by Mike Atchison to accept the contract as amended with Griggs & Maloney Incorporated. Motion was approved.

There was discussion of the budget. A motion by Herman Jackson and seconded by Mike Atchison to make Carroll County the fiscal agent. Motion approved.

A motion by Herman Jackson and seconded by Bob Putman was made to reimburse members of the board for travel @ 24¢ per mile and reimburse the host county for food cost. Motion was approved.  
 Meeting adjourned at 1:40 PM.

Respectfully submitted,

  
 Larry Mattingly  
 Secretary

**AGENDA**  
**B, C & H Solid Waste Planning Region Meeting**  
**May 4, 1993**  
**12:00 Noon**  
**Henry County Courthouse**

- I. Call to order.
- II. Roll call.
- III. Approval of the minutes of previous meeting.
- IV. OLD BUSINESS
- V. NEW BUSINESS
  - A. Discussion and approval of resolution to submit planning grant application and the designation of Wesley Beal, Jr., as the fiscal agent to receive and disperse plan funds for the Benton/Carroll/Henry Solid Waste Planning Region.
  - B. Discussion and approval of a budget for the Benton/Carroll/Henry Solid Waste Planning Region.
  - C. Bill Griggs presentation.
- VI. Any other business.
- VII. Adjournment.

MINUTES

DATE: May 4, 1993  
COMMITTEE/GROUP: B.C. & H. Solid Waste Planning Regional Board  
TIME: 12:30 PM  
PLACE: HENRY COUNTY COURTHOUSE

Members Present

Herman Jackson  
Mike Atchison  
Larry Crawford  
Wesley Beal  
Dale Kelley  
Robert Putman  
W.A. Johnson  
James Travis  
Larry Mattingly

Also Present

Bill Bethel  
Mike Stooksberry  
Bill Griggs  
Charlie Robinson  
~~Terry Robbins~~ *TONY PEWEL*  
Members of the news media

The meeting called to order by Chairman, Wesley Beal at 12:30 PM. Motion by Dale Kelley and seconded by Jim Travis to approve the minutes of the April 20, 1993 meeting. Motion passed.

A motion by Bob Putman and seconded by Dale Kelley to approve a resolution to designate as fiscal agent to receive and disburse solid waste grant funds for the B.C. & H. Solid Waste Planning region. Motion was approved.

A budget for the B.C. & H. Solid Waste Planning Region was submitted. Motion was made by Jim Travis and seconded by Herman Jackson to approve as submitted. Motion was approved.

Discussion was held on composting and recycling. Motion to adjourn by Herman Jackson, seconded by Jim Travis. Meeting adjourned.

## Press Release

For More Information, Call:

William E. Griggs  
(615) 895-8221

For Release 3:00 PM  
May 4, 1993

### Solid Waste Planning Region Board Meets

On May 4, 1993 the Benton-Carroll-Henry Solid Waste Planning Region Board met at noon at the Henry County Courthouse. The Board discussed several items concerning the 10 year solid waste plan currently being developed by Griggs & Maloney, Inc.

A variety of recycling options were discussed. They ranged from setting up a curb side collection system serving all the residences in the region to the placement of drop off bins. Cost estimates were developed based on the experience of other Tennessee cities and counties that have had recycling programs recently. The Board discussed the possibility of setting up drop off bins at attended convenience centers as well as selected sites such as shopping centers and commercial establishments. Based upon the success of such sites, the recycling effort could be expanded in the future. Such a program would not prevent any of the member communities from establishing a more comprehensive recycling program in their area. The possibility of naming a regional recycling coordinator to oversee the recycling program as well as determine the best markets for the material collect was also discussed.

The Board also discussed the option of composting all or part of the Region's solid waste as an alternative to landfill disposal. Potential costs as well as the ultimate disposal of the compost was considered. Composting would still require the use of a landfill for the non - compostable items. It was agreed that the composting of leaves and other yard wastes would be an attractive option even if the main solid waste stream was not composted. Several Board members expressed their concern regarding the cost and potential odors of solid waste composting.

The Board's next meeting is scheduled for noon on June 1, 1993 at the Chamber of Commerce Building in Carroll County. the scheduled topics of discussion are disposal options and the responsibilities of each county.

**AGENDA**  
B, C & H Solid Waste Planning Region Meeting  
Carroll County Chamber of Commerce Office  
June 1, 1993  
12:00 Noon

- I. Call to order.
- II. Roll Call.
- III. Approval of minutes of previous meeting.
- IV. Old Business.
- V. Bill Griggs - Disposal, Responsibilities.
- VI. Other Business.
- VII. Adjournment.

*Approved*  
*7-6-93*

MINUTES

DATE: June 1, 1993

COMMITTEE/GROUP: B. C. & H. Solid Waste Planning Regional Board

TIME: 12:30 PM

PLACE: CARROLL COUNTY CHAMBER OFFICES, HUNTINGTON, TN.

Members Present:

Herman Jackson  
Larry Crawford  
Wesley Beal  
Dale Kelley  
W. A. Johnson  
James Travis  
Larry Mattingly  
Patty Edward for Bob Putman

Members Absent:

Mike Atchison  
Bob Putman

Also Present:

Bill Bethel  
Mike Stooksberry  
Bill Griggs-Tony Pegel  
Members of News Media

The meeting was called to order by Chairman, Wesley Beal at 12:30PM. A motion by Herman Jackson and seconded by Dale Kelley to approve the minutes of the May 4, 1993 meeting. Motion passed.

The Chairman, introduced Bill Griggs who led a discussion about composting, recycling, and disposal.

A motion by Dale Kelley and seconded by Jim Travis to adjourn. Motion passed.

Meeting adjourned.

*Larry Mattingly*  
Larry Mattingly, Secretary

Received  
5/4/94

MINUTES

DATED: July 6, 1993

COMMITTEE/GROUP: B. C. & H. Solid Waste Planning Regional Board

TIME: 12:30 P.M.

PLACE: BENTON COUNTY CHAMBER OFFICES, CAMDEN, TENNESSEE

Members Present:

Larry Mattingly  
James Travis  
Wesley Beal Jr.  
Herman Jackson  
Patty Edwards for Bob Putman

Members Absent:

Dale Kelley  
Robert Putman  
Mike Atchison  
Larry Crawford

Also Present:

Joe Curtis  
Ken Houston  
Bill Bethel  
Tony Pegal  
Members of Media  
Representatives of the Benton  
County Group POET

The meeting was called to order by Chairman, Wesley Beal at 12:30 P.M. A motion by Herman Jackson, seconded by Jim Travis to approve the minutes of the June 1, 1993 meeting. Motion passed.

Under old business: The committee budget was approved by the state. A regional plan deadline was extended to July, 1994 from December 31, 1993.

New Business: Tony Pegal discussed waste reduction and collection. Joe Curtis briefed the committee on the McKenzie Recycling program.

Meeting adjourned.

Larry Mattingly, Secretary

**AGENDA**  
**B-C-H Solid Waste Planning Region Meeting**  
**Tuesday, August 3, 1993**  
**12:00 Noon**  
**Henry County Courthouse**

1. Call to order.
2. Roll Call.
3. Approval of minutes of previous meeting.
4. Old Business.
5. David Edwards - Division of Solid Waste Assistance  
Presentation on Household Hazardous Waste Mobile  
Collection Program.
6. Bill Griggs - Public Education, Problem Wastes.
7. Other Business.
8. Adjournment.

MINUTES

DATE: August 3, 1993

COMMITTEE/GROUP: B. C. & H. Solid Waste Planning Regional Board

TIME: 12:30 P.M.

PLACE: HENRY COUNTY COURTHOUSE

MEMBERS PRESENT:

Larry Mattingly  
Larry Crawford  
James Travis  
Herman Jackson  
W. A. Johnson  
Ken Huston for Dale Kelley  
Patty Edward for Bob Putman  
Howard Johns for Wesley Beal

ALSO PRESENT:

Mike Stooksberry  
Elvin Johnson  
David Edwards  
Joe Curtis  
Eddy Moody and Members of the Media  
Tony Pegal - Griggs & Maloney

The meeting was called to order by Vice-Chairman, Herman Jackson at 12:30 P.M. A motion by Jim Travis and seconded by Larry Crawford to approve the minutes of the July 6th, 1993 meeting, motion was approved.

Herman Jackson announced that Henry County plans to build a recycling center in the near future. The Henry County Fair Grounds is a possible location. He also stated two vans are to be placed at the Henry County landfill for the storage of used tires.

David Edwards of the Division of Solid Waste Assistance gave a presentation on the State's mobile collection program for household hazardous waste. This is a program where a state contractor comes to each county annually, at an approved site to collect waste from homeowners. Site requirements and more details should be available by September from the State. The county extension agent should be able to help educate the public on this program.

Tony Pegal from Griggs and Maloney discussed problem waste, such as waste oil, old batteries, and storage requirements for such waste.

Henry County Solid Waste Committee asked Benton and Carroll Counties for an opinion on hiring a recycling and education coordinator.

Motion to adjourn by Jim Travis, and seconded by Patty Edward. Meeting adjourned.

Larry Mattingly, Secretary

Wesley Beal, Jr.

COUNTY EXECUTIVE

CARROLL COUNTY

P. O. BOX 29

HUNTINGDON, TN 38344-0029

9/3/93

**TO:** B-C-H Solid Waste Planning Region Members

**FROM:** Wesley Beal, Jr., Chairman *WAB*

**DATE:** August 30, 1993

Just a reminder of the B-C-H Solid Waste Planning Region Board meeting on Tuesday, September 7, 1993, 12:00 Noon, Carroll County Courthouse, Conference Room. We will not be meeting at the Chamber of Commerce Office.

Hope to see all of you on the 7th. Have a safe and happy Labor Day.

**AGENDA**  
**B-C-H Solid Waste Planning Region Meeting**  
**Tuesday, September 7, 1993**  
**12:00 Noon**  
**Carroll County Courthouse**  
**Conference Room**

1. Call to order.
2. Roll Call.
3. Approval of minutes of previous meeting.
4. Old business.
5. Presentation by Geneil Hailey and Edith Heller, "Public Outreach, Involvement and Participation".
6. Bill Griggs, Griggs and Maloney - Review and Comments on Regional Plan.
7. Other business.
8. Adjournment.

MINUTES

DATE: September 7, 1993  
TIME: 12:00 Noon  
PLACE: Carroll County Courthouse, Huntingdon  
COMMITTEE/GROUP: Benton-Carroll-Henry Counties Regional  
Solid Waste Planning Committee

MEMBERS PRESENT

W.A. Johnson  
Herman Jackson  
Bob Putman  
Larry Crawford  
Wesley Beal

MEMBERS ABSENT

Larry Mattingly  
Jim Travis  
Mike Atchison  
Dale Kelley

ALSO PRESENT

Jeal Atwood, sub.  
for Dale Kelley  
Mayor Oglesby, sub.  
for Jim Travis  
Carl Holder, Paris  
City Manager  
Elvin Johnson, Benton  
County Executive  
Bill Bethel, NWTNDD  
Bill Griggs, Griggs  
and Maloney  
Geneil Hailey, Dept.  
of Environment and  
Conservation  
Edith Heller, Memphis  
State University  
with Clean Tennessee  
Members of the News  
Media

Chairman Beal called the meeting to order and after determination of a quorum, suggested that reading of minutes be deferred until October since Mr. Mattingly was not present with August minutes.

Regional Solid Waste Board Meeting  
September 7, 1993

OLD BUSINESS

1. HENRY COUNTY RECYCLING DROP-OFF

Herman Jackson stated that Henry County had been unsuccessful in its first effort to locate a recycling drop-off center but believed they would be successful with another site at an early date. He also stated that waste tires were now being received at Paris-Henry County Landfill.

2. STORAGE SITE LOCATED IN CARROLL COUNTY

Wesley Beal announced that Carroll County was purchasing a building to store recyclables and would invite Benton and Henry Counties to jointly use the storage site for recyclables.

3. ADVISORY COMMITTEE TO ASSIST WITH PLANNING AND PUBLIC INFORMATION

Geneil Hailey strongly urged the Regional Committee to appoint an advisory committee to assist with planning and public information. Ms. Hailey also recommended that a project notebook be prepared and maintained with all documentation.

4. OUTREACH INFORMATION AND PARTICIPATION

Edith Heller presented a workshop to committee members on how to properly deal with the public on outreach, information and participation.

5. GRIGGS AND MALONEY ON SOLID WASTE PLAN

Bill Griggs offered brief comments on the solid waste plan and then presented each member with a ten year municipal solid waste regional plan for Benton, Carroll and Henry Counties, with the understanding this is simply a draft and, after study and discussion, there will surely be some additions, deletions and modifications before the plan is finally approved by the Benton-Carroll-Henry Counties Solid Waste Planning Committee.

A motion was made by Herman Jackson and seconded by Bob Putman that Bill Griggs set up public hearings in each county on the Solid Waste Plan sometime during the month of October. The motion was adopted.

Regional Solid Waste Board Meeting  
September 7, 1993

A motion was made by Herman Jackson and seconded by W. A. Johnson to adjourn the meeting. The motion was adopted and the meeting adjourned at 2:45 P.M.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Herman Jackson", written in dark ink.

Herman Jackson  
Acting Secretary

CW

Wesley Beal, Jr.

COUNTY EXECUTIVE

CARROLL COUNTY

P. O. BOX 29

HUNTINGDON, TN 38344-0029

Received  
9/30/93

238-01

MEMORANDUM

TO: B-C-H Solid Waste Planning Region Members

FROM: Wesley Beal, Jr., Chairman

DATE: September 27, 1993

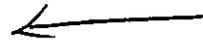
Please find enclosed an agenda and a copy of the minutes of the September meeting. I hope that all of you can attend the October meeting.

October 4, 1993

Monday Night

6:30 P.M.

Benton County Chamber of Commerce



**AGENDA**

B-C-H Solid Waste Planning Region

October 4, 1993

6:30 P.M.

Benton County Chamber of Commerce Office  
Camden, Tennessee

1. Call to order.
2. Roll call.
3. Approval of the minutes from the previous meeting.
4. Old business.
5. Review and discussion of the draft Ten Year Solid Waste Regional Plan.
6. Other business.
7. Adjournment.

MINUTES

DATE: October 4, 1993  
TIME: 6:30 P.M.  
PLACE: Benton County Chamber of Commerce, Camden, Tennessee  
COMMITTEE/GROUP: Benton-Carroll-Henry Counties Regional  
Solid Waste Planning Committee

MEMBERS PRESENT

MEMBERS ABSENT

ALSO PRESENT

Herman Jackson  
Larry Crawford  
Frank Gallimore  
Wesley Beal  
Dale Kelley  
Robert Putman  
W. A. Johnson  
James Travis  
Larry Mattingly

0

Members of News Media  
Members of POET  
Tony Pegal from Griggs & Malc  
Carl Holder

Meeting was called to order at 6:30 P.M. by Chairman, Wesley Beal. A motion to approve the minutes of the August 3, 1993 meeting was made by Herman Jackson and seconded by Robert Putman. Motion passed.

Motion to approve the minutes of the September 7, 1993 meeting was made by Robert Putman and seconded by Dale Kelley. Motion passed.

Chairman, Wesley Beal, asked Tony Pegal from Griggs & Maloney to direct the discussion of the ten year plan.

Discussion of

- 1) Region Goals?
- 2) Budget for future years?
- 3) How many meetings in future?
- 4) Will we form a regional authority?
- 5) Some questions come up about the accuracy of the figures in the plan.

Regional Solid Waste Board Meeting  
October 4, 1993

Wesley Beal stated that Carroll County is purchasing a facility for recycling and ask if all counties in the region wanted to use this facility.

There was a discussion about when to have public hearings. A motion by Jim Travis that we first meet with the county commissions before we hold public hearings. Motion was seconded by W. A. Johnson. Motion passed.

Griggs & Maloney requested some input from board members at or before the next meeting.

A motion to adjourn by Dale Kelley and seconded by Bob Putman, motion passed.

  
-----  
Larry Mattingly-Secretary

MINUTES

DATE: October 20, 1993  
TIME: 6:30 P.M.  
PLACE: Carroll County Court House  
COMMITTEE/GROUP Benton-Carroll-Henry Counties Regional  
Solid Waste Planning Committee

<u>MEMBERS PRESENT</u>	<u>MEMBERS ABSENT</u>	<u>ALSO PRESENT</u>
Herman Jackson Larry Crawford Frank Gallimore Larry Mattingly Jim Travis W. A. Johnson Wesley Beal Robert Putman	Dale Kelley	Ken Hutson for Dale Kelley Members of POET Bill Bethel Mike Stooksberry Elvin Johnson Members of the media

Before calling the meeting to order, Chairman Beal, allowed Dan Wyatt to speak. He is from the Benton County Group POET. He requested that the committee restrict the flow of refuse out of region refuse into this region.

Meeting was called to order and a motion by Herman Jackson and seconded by Larry Crawford to approve the minutes of the October 4, 1993 meeting. Motion passed.

Bill Griggs reported that there was some grant money available through the EPA and suggested we apply for money to be used in education and recycling. Jim Travis made a motion and it was seconded by Herman Jackson to apply for the EPA grants, as a region. Motion was passed and Bill Griggs was asked to process the application.

A motion by Herman Jackson and seconded by Frank Gallimore that Wesley Beal be appointed spokesman and authorized to sign the application and any other documentation to proceed with the grant. Motion passed.

Bill Griggs presented a second draft of the ten year plan. Discussion of this draft and the changes made between Griggs and board members.

After discussion of this board's authority to control the flow of garbage into this region, Jim Travis made a motion and it was seconded by Frank Gallimore to have the three county executives ask Don Ridgeway to request an opinion from the Attorney General concerning this board's authority in such matters.

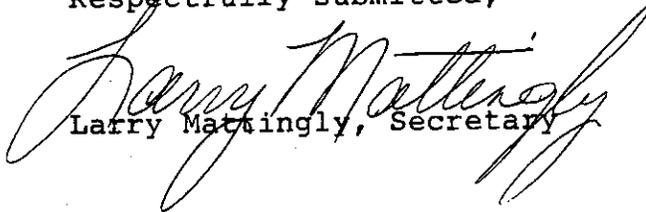
Regional Solid Waste Board Meeting  
October 20, 1993

Griggs and Maloney had intended to meet with all three county commissions during November. However, because all meetings are on the same night, it was decided he will meet with Henry and Benton Counties on November 15, 1993 and Carroll County will have a called meeting on another date.

After meeting was concluded, more comments were heard from POET members. Motion by Larry Crawford and seconded by Frank Gallimore to adjourn. Motion passed, and meeting adjourned at 9:45 PM.

Next meeting Tuesday, November 2, 1993 at 6:30 P.M. at Paris City Hal

Respectfully submitted,

  
Larry Mattingly, Secretary

Wesley Beal, Jr.  
Chairman  
901-986-1936  
Fax  
901-986-1935

## B-C-H SOLID WASTE PLANNING REGION

Benton - Carroll - Henry Counties  
P. O. Box 29  
Huntingdon, Tennessee 38344

**BENTON**  
Larry Mattingly  
James Travis  
W. A. Johnson

**CARRO**  
Wesley Beal, Jr.  
Dale Kelley  
Robert Putman

**HENRY**  
Herman Jackson  
Frank Ralph Galimore  
Larry Crawford

### MEMORANDUM

**TO:** B-C-H Solid Waste Planning Region Members  
**FROM:** Wesley Beal, Jr., Chairman *WAB*  
**DATE:** October 25, 1993  
**RE:** November 2, 1993, B-C-H Solid Waste Planning  
Region Meeting

The B-C-H Solid Waste Planning Region will meet on Tuesday night,  
November 2, 1993, 6:00 P.M. at the City of Paris City Hall.

There will be a dinner meal at 6:00 P.M. and the business meeting  
will start at 6:30 P.M. Please make every effort to attend.

MINUTES

DATE: November 2, 1993  
TIME: 6:30 P.M.  
PLACE: PARIS CITY HALL, PARIS, TENNESSEE  
COMMITTEE/GROUP: Benton-Carroll-Henry Counties Regional  
Solid Waste Planning Committee

MEMBERS PRESENT:

Jim Travis  
W. A. Johnson  
Larry Mattingly  
Larry Crawford  
Herman Jackson  
Frank Gallimore

ALSO PRESENT:

Wesley Beal  
Dale Kelley  
Bob Putman  
Elvin Johnson  
Bill Bethel  
Carl Holder  
Bill Griggs  
Members of the media  
Members of POET

Meeting was called to order at 6:30 P.M. Motion by Bob Putman and seconded by Herman Jackson to approve the minutes of the October 20, 1993 meeting. Motion approved.

Bill Griggs clarified the state regulation concerning what collection services a county must offer to comply with minimum requirements of the State law, as per his conversation with Mike Apple.

*one*  
Each county must offer adequate collection services consisting of at least ~~two~~ convenience centers or the offering of mail box pick up, to at least 90% of the population. Different methods of funding were discussed.

A request by Benton County that Griggs and Maloney estimate the cost of mail box pickup in Benton County.

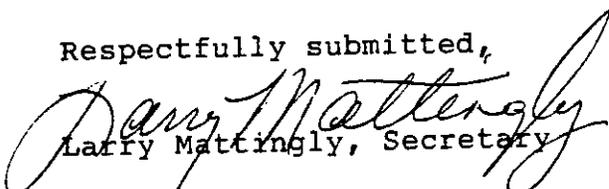
Bill Griggs reported that a request for two grants of \$15,000 each for recycling and community education was made. Bill Griggs submitted the executive summary to the board.

A motion by Larry Crawford and seconded by Frank Gallimore was made that the chairman ask for a meeting with the Weakley County Executive, Town mayors and the Henry County Solid Waste Committee. Motion was approved.

Dave Wyatt of POET requested we include controls on out of region trash in our recommendations.

Motion by Larry Crawford and seconded by Frank Gallimore to adjourn. Motion passed.

Respectfully submitted,

  
Larry Mattingly, Secretary

MINUTES

DATE: December 8, 1993  
TIME: 6:30 P.M.  
PLACE: BENTON COUNTY COURT HOUSE  
COMMITTEE/GROUP: Benton-Carroll-Henry Counties Regional  
Solid Waste Planning Committee

MEMBERS PRESENT:

Jim Travis  
Larry Mattingly  
Larry Crawford  
Herman Jackson  
Frank Gallimore

Wesley Beal  
Dale Kelley  
Bob Putman

MEMBERS ABSENT:

W. A. Johnson

ALSO PRESENT:

Elvin Johnson  
Bill Bethel  
Carl Holder  
Bill Griggs  
John Van Dyke  
Members of the media  
Members of POET  
Representative Tri-County Recycl

Meeting was called to order at 6:30 P.M. Motion by Herman Jackson, seconded by Bob Putman to approve minutes of November 2, 1993 meeting. Bill Griggs noted that in the third paragraph it should read 1 convenier instead of 2. Motion passed as corrected.

Bill Griggs discussed with the board our EPA grant applications.

A representative of Tri County Recycling requested the board consider purchasing Tri-County Recycling. Motion by Larry Crawford and seconded by Herman Jackson that the board request Carl Holder to inspect the Tri-County facility and evaluate it's operation for the board.

Bill Griggs led the discussion about setting a public hearing and what facts should be in place before the public hearings are set.

Motion by Larry Crawford and seconded by Frank Gallimore for Bill Grigg to obtain a proposal from area landfills for disposal of region waste. Motion passed.

Motion by Herman Jackson and seconded by Jim Travis for Bill Griggs to get a proposal for collection in rural areas of all three counties. Motion approved.

Discussion on forming a solid waste authority for this region. Public hearings were set for:

2/7/94 --- Carroll County  
2/8/94 --- Benton County  
2/10/94 --- Henry County

The next meeting of this board is set for January 24, 1994 at Carroll ( Motion by Jim Travis and seconded by Herman Jackson to adjourn, motion passed.

Respectfully submitted,

Larry Mattingly, Secretary

Wesley Beal, Jr.  
Chairman  
901-986-1936  
Fax  
901-986-1935

1-19-94

## B-C-H SOLID WASTE PLANNING REGION

Benton - Carroll - Henry Counties  
P. O. Box 29  
Huntingdon, Tennessee 38344

**BENTON**  
Larry Mattingly  
James Travis  
W. A. Johnson

**CARROLL**  
Wesley Beal, Jr.  
Dale Kelley  
Robert Putman

**HENRY**  
Herman Jackson  
Frank Ralph Galimore  
Larry Crawford

### MEMORANDUM

**TO:** B-C-H Solid Waste Planning Region Board Members  
**FROM:** Wesley Beal, Jr., Chairman *WAB*  
**DATE:** January 14, 1994

The Benton-Carroll-Henry Counties Solid Waste Planning Region Board will meet on Monday night, January 24, 1994, 6:30 P.M., 2nd Floor, Carroll County Courthouse, Huntingdon, Tennessee.

DATED: JANUARY 24, 1994

TIME: 6:30 P.M.

PLACE: CARROLL COUNTY COURTHOUSE

COMMITTEE: B.C. & H. REGIONAL SOLID WASTE PLANNING COMMISSION

MEMBERS PRESENT:

JIM TRAVIS  
LARRY MATTINGLY

LARRY CRAWFORD  
HERMAN JACKSON  
FRANK GALLIMORE

WESLEY BEAL  
BOB PUTMAN

W. A. JOHNSON  
MEMBERS ABSENT:  
DALE KELLEY

ALSO PRESENT:

MIKE STOOKSBERRY  
ELVIN JOHNSON

BILL BETHEL  
CARL HOLDER  
BILL GRIGGS

MEMBERS OF THE MEDIA  
MEMBERS OF POET

MEETING WAS CALLED TO ORDER BY CHAIRMAN WESLEY BEAL. A MOTION BY HERMAN JACKSON AND SECONDED BY BOB PUTMAN TO APPROVE THE MINUTES OF THE DECEMBER 8, 1993 MEETING AS SUBMITTED. MOTION APPROVED.

CHAIRMAN, BEAL INTRODUCED LYNN WALKER<sup>WALKER</sup>, THE CITY MANAGER OF BETHEL<sup>RECORD</sup> TENNESSEE AND H. A. WILLIAMS A LINCOLN COUNTY COMMISSIONER, TO SHARE WITH US THEIR OPINIONS AND EXPERIENCES WHILE FORMING A SOLID WASTE AUTHORITY FOR THEIR REGION. <sup>FAYETTEVILLE</sup>

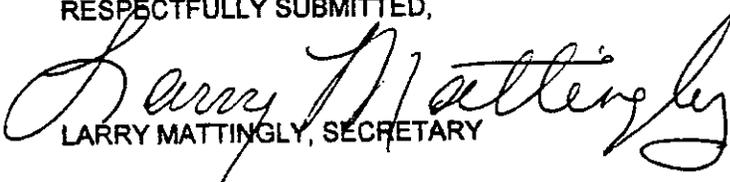
BILL GRIGGS PRESENTED BIDS THAT HAD BEEN SOLICITED ON BEHALF OF THE REGION FOR ~~BURBSIDE~~ PICK UP AND DISPOSAL. BARKER BROTHERS WAS THE LOW BIDDER FOR BOTH PICK UP AND DISPOSAL.

A MOTION BY LARRY CRAWFORD AND SECONDED BY FRANK GALLIMORE THAT THE THREE COUNTY EXECUTIVES MEET WITH BILL GRIGGS AND CARL HOLDER TO REVIEW THE BID IN DETAIL AND REPORT TO THE FULL COMMITTEE AT OUR NEXT MEETING.

THE NEXT MEETING WAS SET FOR FEBRUARY 23, 1994 AT THE HENRY COUNTY COURT HOUSE.

MOTION BY JIM TRAVIS AND SECONDED BY BOB PUTMAN TO ADJOURN, MOTION PASSED.

RESPECTFULLY SUBMITTED,

  
LARRY MATTINGLY, SECRETARY

Wesley Beal, Jr.  
Chairman  
901-986-1936  
Fax  
901-986-1935

3/19/94

## B-C-H SOLID WASTE PLANNING REGION

Benton - Carroll - Henry Counties  
P. O. Box 29  
Huntingdon, Tennessee 38344

**BENTON**  
Larry Mattingly  
James Travis  
W. A. Johnson

**CARROLL**  
Wesley Beal, Jr.  
Dale Kelley  
Robert Putman

**HENRY**  
Herman Jackson  
Frank Ralph Galimore  
Larry Crawford

### MEMORANDUM

**TO:** Benton-Carroll-Henry Counties Solid Waste  
Planning Region Board

**FROM:** Wesley Beal, Jr., *WAB* Chairman

**DATE:** February 16, 1994

**RE:** B-C-H Solid Waste Planning Region Monthly Meeting

The B-C-H Solid Waste Planning Region Board will meet on Wednesday night, February 23, 1994, 6:30 P.M., Henry County Courthouse, Paris, Tennessee.

Everyone please make an effort to attend.

DATED: FEBRUARY 23, 1994

TIME: 6:30 P.M.

PLACE: HENRY COUNTY COURTHOUSE

COMMITTEE: B.C. & H. REGIONAL SOLID WASTE PLANNING COMMISSION

MEMBERS PRESENT:

JIM TRAVIS  
LARRY MATTINGLY  
LARRY CRAWFORD  
HERMAN JACKSON  
FRANK GALLIMORE  
WESLEY BEAL  
BOB PUTMAN  
W. A. JOHNSON

ALSO PRESENT:

MIKE STOOKSBERRY  
ELVIN JOHNSON  
BILL BETHEL  
CARL HOLDER  
BILL GRIGGS  
MEMBERS OF THE MEDIA  
MEMBERS OF POET

MEMBERS ABSENT:  
DALE KELLEY

MEETING WAS CALLED TO ORDER BY CHAIRMAN WESLEY BEAL. A MOTION BY HERMAN JACKSON AND SECONDED BY BOB PUTMAN TO APPROVE THE MINUTES OF THE JANUARY 24, 1994 MEETING WITH THE FOLLOWING CHANGES. LYNN WAMPLER IS THE CITY MANAGER OF FAYETTEVILLE, TENNESSEE. MOTION APPROVED.

BILL GRIGGS STATED THAT ALL PUBLIC HEARINGS WERE COMPLETE.

THE COMPLETED 10 YEAR PLAN WAS PRESENTED TO THE BOARD AND REVIEWED.

A MOTION BY JIM TRAVIS AND SECONDED BY LARRY CRAWFORD TO RECOMMEND THE 10 YEAR PLAN TO THE THREE COUNTY COMMISSIONERS. MOTION APPROVED.

A MOTION BY HERMAN JACKSON AND SECONDED BY BOB PUTMAN THAT BILL GRIGGS COORDINATE THE PRESENTATION OF THE PLAN TO THE THREE COUNTY COMMISSIONERS.

BILL GRIGGS REPORTED HE HAD CHECKED THE REFERENCES OF BARKER BROTHERS. ALL GAVE EXCELLANT RECOMMENDATIONS.

HERMAN JACKSON REPORTED THAT BARKER BROTHERS HAD AGREED TO PICKUP DISABLED RESIDENCES GARBAGE PICKUP AT THE FRONT DOOR AND NOT TO GIVE A 10% DISCOUNT TO RESIDENCES OVER 59 YEARS OF AGE.

A MOTION BY HERMAN JACKSON AND SECONDED BY BOB PUTMAN TO RECOMMEND THE BARKER BROTHERS BID FOR PICKUP TO THE THREE COUNTY COMMISSIONERS. MOTION APPROVED.

B-C-H FEB 23, 1994

PAGE 2----

AFTER MORE DISCUSSION A MOTION BY JIM TRAVIS AND SECONDED BY LARRY CRAWFORD TO RECOMMEND BARKER BROTHERS BID FOR DISPOSAL TO THE THREE COUNTY COMMISSIONERS. MOTION APPROVED.

CARL HOLDER SUBMITTED A WRITTEN REPORT ON TRI-COUNTY RECYCLING.

NEXT MEETING WAS SET FOR MARCH 28, 1994 AT THE BENTON COUNTY COURT HOUSE.

MOTION TO ADJOURN BY HERMAN JACKSON, SECONDED BY BOB PUTMAN, MOTION APPROVED.

RESPECTFULLY SUBMITTED,

LARRY MATTINGLY, SECRETARY

Wesley Beal, Jr.  
Chairman  
901-986-1936  
Fax  
901-986-1935

Received  
3/5/94

## B-C-H SOLID WASTE PLANNING REGION

Benton - Carroll - Henry Counties  
P. O. Box 29  
Huntingdon, Tennessee 38344

**BENTON**  
Larry Mattingly  
James Travis  
W. A. Johnson

**CARE**  
Wesley Beal, Jr.  
Dale Kelley  
Robert Putman

**HENRY**  
Herman Jackson  
Frank Ralph Galimore  
Larry Crawford

### MEMORANDUM

**TO:** B-C-H Solid Waste Planning Region Board  
**FROM:** Wesley Beal, Jr., Chairman *WJB*  
**DATE:** March 1, 1994  
**RE:** Call Meeting of the B-C-H Solid Waste Planning Region  
on Thursday night, March 10, 1994.

There will be a call meeting of the B-C-H Solid Waste Planning Region on Thursday night, March 10, 1994, 6:30 P.M., 2nd Floor of the Benton County Courthouse, Camden, Tennessee.

DATED: MARCH 10, 1994

TIME: 6:30 P.M.

PLACE: BENTON COUNTY COURTHOUSE

COMMITTEE: B. C. H. SOLID WASTE PLANNING COMMISSION

MEMBERS PRESENT:

JIM TRAVIS  
LARRY MATTINGLY  
LARRY CRAWFORD  
FRANK GALLIMORE  
WESLEY BEAL  
HERMAN JACKSON  
JOE CURTIS FOR BOB PUTMAN  
W. A. JOHNSON

ALSO PRESENT:

ELVIN JOHNSON  
BILL BETHEL  
BILL GRIGGS  
MEMBERS OF THE MEDIA  
MEMBERS OF POET

MEMBER ABSENT: DALE KELLEY

MEETING WAS CALLED TO ORDER BY CHAIRMAN, WESLEY BEAL. A MOTION BY HERMAN JACKSON AND SECONDED BY LARRY CRAWFORD TO APPROVE THE MINUTES WITH CORRECTIONS WRITTEN IN. MOTION APPROVED.

DAN WYATT A POET SPOKESMAN SPOKE TO THE COMMISSION AND REQUESTED THAT FLOW CONTROL BE PLACED IN OUR PLAN, AND BENTON COUNTY BE DROPPED FROM THE REGION.

THE COMMISSION DISCUSSED THE ATTORNEY GENERAL'S OPINION ABOUT FLOW CONTROL.

A MOTION BY W. A. JOHNSON TO INCORPORATE FLOW CONTROL IN THE PLAN. THE MOTION DID NOT GET A SECOND.

A MOTION BY JIM TRAVIS AND SECONDED BY LARRY MATTINGLY, TO PRESERVE AVAILABLE LANDFILL CAPACITY TO SERVE THE B, C, H SOLID WASTE REGION, THE B, C, H SOLID WASTE PLANNING REGION ELECTS TO RESTRICT THE AMOUNT OF SOLID WASTE ORIGINATING FROM OUTSIDE THE REGION THAT MAY BE RECEIVED FROM OUTSIDE THE REGION. SOLID WASTE FROM OUTSIDE THE

B-C-H

MARCH 10, 1994

B-C-H  
MARCH 10, 1994

REGION MAY BE RECEIVED FROM OUTSIDE THE REGION SO LONG AS PLANNED CAPACITY EXISTS, BUT IS HEREBY BANNED IF AND WHEN THERE IS NO PLANNED CAPACITY REMAINING. THE FOLLOWING FORMULA SHALL BE USED TO DETERMINE IF PLANNED CAPACITY REMAINS.

THE REMAINING PERMITTED CAPACITY OF THE LANDFILL AS DETERMINED BY THE TENNESSEE DIVISION OF SOLID WASTE MANAGEMENT DIVIDED BY THE REMAINING YEARS OF THIS SOLID WASTE PLAN LESS THE VOLUME BEING RECEIVED AT THE LANDFILL FROM WITHIN THE B, C, H SOLID WASTE REGION.  
MOTION FAILED.

MOTION BY FRANK GALLIMORE AND SECONDED BY LARRY CRAWFORD TO ADJOURN. MOTION APPROVED.

RESPECTFULLY SUBMITTED,

  
LARRY MATTINGLY, SECRETARY

Wesley Beal, Jr.  
Chairman  
901-986-1936  
Fax  
901-986-1935

received  
3/24/94

## B-C-H SOLID WASTE PLANNING REGION

Benton - Carroll - Henry Counties  
P. O. Box 29  
Huntingdon, Tennessee 38344

**BENTON**  
Larry Mattingly  
James Travis  
W. A. Johnson

**CARROLL**  
Wesley Beal, Jr.  
Dale Kelley  
Robert Putman

**HENRY**  
Herman Jackson  
Frank Ralph Galimore  
Larry Crawford

### MEMORANDUM

**TO:** B-C-H Solid Waste Planning Region Board  
**FROM:** Wesley Beal, Jr., Chairman *WAB*  
**DATE:** March 21, 1994  
**RE:** Regular meeting of the B-C-H Solid Waste Planning Region  
on March 28, 1994

There will be a regular meeting of the Benton-Carroll-Henry Solid Waste Planning Region on Monday night, 6:30 P.M., March 28, 1994, 2nd floor, Carroll County Courthouse, Huntingdon, Tennessee.

DATED: MARCH 28, 1994

TIME: 6:30 P.M.

PLACE: CARROLL COUNTY COURT HOUSE

COMMITTEE: B.C.H. SOLID WASTE PLANNING COMMISSION

MEMBERS PRESENT:

JIM TRAVIS  
LARRY MATTINGLY  
LARRY CRAWFORD  
FRANK GALLIMORE  
WESLEY BEAL  
HERMAN JACKSON  
BOB PUTMAN  
W.A. JOHNSON  
DALE KELLEY

ALSO PRESENT:

ELVIN JOHNSON  
BILL BETHEL  
BILL GRIGGS  
MEMBERS OF THE MEDIA  
MEMBERS OF P.O.E.T.

MEETING WAS CALLED TO ORDER BY CHAIRMAN, WESLEY BEAL. A MOTION BY DALE KELLEY AND SECONDED BY FRANK GALLIMORE TO APPROVE THE MINUTES OF THE MARCH 10, 1994 MEETING AS SUBMITTED. MOTION APPROVED.

A MOTION BY JIM TRAVIS AND SECONDED BY LARRY MATTINGLY TO PRESERVE AVAILABLE LANDFILL CAPACITY TO SERVE THE B, C, H SOLID WASTE REGION, THE B, C, H SOLID WASTE PLANNING REGION ELECTS TO RESTRICT THE AMOUNT OF SOLID WASTE ORIGINATION FROM OUTSIDE THE REGION THAT MAY BE RECEIVED FROM OUTSIDE THE REGION. SOLID WASTE FROM OUTSIDE THE REGION MAY BE RECEIVED FROM OUTSIDE THE REGION, SO LONG AS PLANNED CAPACITY EXISTS, BUT IS HEREBY BANNED IF AND WHEN THERE IS NO PLANNED CAPACITY REMAINING. THE FOLLOWING FORMULA SHALL BE USED TO DETERMINE IF PLANNED CAPACITY REMAINS:

THE REMAINING PERMITTED CAPACITY OF THE LANDFILL AS DETERMINED BY THE TENNESSEE DIVISION OF SOLID WASTE MANAGEMENT DIVIDED BY THE REMAINING YEARS OF THIS SOLID WASTE PLAN LESS THE VOLUME BEING RECEIVED AT THE LANDFILL FROM WITHIN THE B, C, H SOLID WASTE REGION.

PAGE 2--

MOTION BY LARRY MATTINGLY AND SECONDED BY JIM TRAVIS TO GIVE EACH COUNTY IN THE REGION THE RIGHT TO WITHDRAW FROM THE REGION WITHOUT THE CONSENT OF THE OTHER COUNTIES IN THE REGION. AFTER DISCUSSION, THE MOTION WAS WITHDRAWN.

THE NEXT MEETING WAS SCHEDULED FOR APRIL 25, 1994 AT THE HENRY COUNTY COURT HOUSE.

MOTION BY LARRY CRAWFORD AND SECONDED BY JIM TRAVIS TO ADJOURN.  
MOTION PASSED.

RESPECTFULLY SUBMITTED,

LARRY MATTINGLY, SECRETARY

## **APPENDIX D**

### **EXPORTS & IMPORTS**

Benton County has a contract with West Camden Sanitary Landfill for the disposal of their waste for the next 20 years. A copy of the contract is included in Chapter 8. Several municipalities outside the region are also using the West Camden Landfill. Flow control is adopted for this landfill, see Chapter 13.

Carroll County and Henry County are each finalizing (as of April, 1994) a disposal contract with Barker Brothers Waste, Inc., at their landfill in Obion County. A copy of the draft contract is enclosed.

# OBION COUNTY, TENNESSEE

NORRIS CRANFORD  
County Executive

Post Office Box 238

UNION CITY, TENNESSEE 38261  
(901) 885-9611

October 25, 1993

To Whom It May Concern:

This letter is to certify that Barker Brothers Waste, Inc. has a permit to pick up rubbish anywhere in the State of Tennessee. Therefore, Barker Brothers Waste, Inc. can legally and lawfully bring this rubbish to Obion County. Obion County has no objection to Barker Brothers Waste, Inc. picking up waste anywhere within the State of Tennessee for disposal at its local facility.

If further information is required, please contact me at my office (901-885-9611).

Sincerely,



Norris Cranford  
Obion County Executive

NC:kc

# Contract for Disposal Services for Solid Waste

This Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_, by and between the Barker Brothers Waste, Inc., (hereinafter referred to as "Contractor") and Carroll County and Henry County, and such municipalities as may execute this agreement (hereinafter "Generator").

Whereas, the Generator desires to contract for solid waste disposal services on a long-term basis for its non-hazardous solid waste, and

Whereas, Barker Brother Waste, Inc., desires to contract for the exclusive right to arrange for disposal of solid waste defined herein generated by the Generator on a long-term basis,

Now, therefore, the parties hereto do hereby agree as follows:

## 1. Scope of Service

Barker Brothers Waste, Inc., will furnish all labor and services necessary to satisfactorily dispose of non-hazardous solid waste, as hereinafter defined, generated in the Generator in accordance with the terms of this Contract and the Generator agrees that Barker Brother Waste, Inc., will be the exclusive provider of such services during the term of this Contract, including extensions thereof.

The services under this contract shall be rendered to Carroll and Henry Counties and all municipalities within each county that have executed this Agreement for (a) their residential solid waste and (b) to such commercial and industrial customers as are brought to the transfer station operated by Contractor in McKenzie [or the transfer station in Paris, if any, provided for in Paragraph 3(b)] directly by such customer, or its agent (the term agent shall not be construed as including established solid waste entities), or by Contractor. Contractor reserves the right to refuse disposal services under this contract to any customer brought to the transfer station by another private hauler and further reserves the right to contract with industrial and commercial customers on a direct basis for transport and disposal services.

The Contractor shall conduct its operations under compliance of the applicable Tennessee Solid Waste Regulations.

## 2. Remedy

The Generator remedy for breach of contract under this Contract or failure to perform shall be to make demand under the terms of the Performance Bond and any other remedy provided by law.

### 3. Basis and Method of Payment

#### a. Rates

For disposal serviced required to be performed pursuant to this Contract, the charges shall not exceed the rates as fixed by this Contract, as adjusted in accordance with modification to rates.

The solid waste disposal charges shall include all related costs.

The rates are as follows for non-hazardous solid waste delivered to the existing transfer station located near McKenzie, Tennessee, that is owned and operated by Barker Brothers Waste, Inc.

Total Volume form Carrol County and Henry County combined	Cost per Ton Class I Material
0-32,000 tons/year	\$21.90
32,000-38,000 tons/year	\$21.90
38,000-50,000 tons/year	\$21.90
Over 50,000 tons/year	\$21.90

b. In the future, if Henry County elects to construct and operate a transfer station, the disposal charge for that portion of the solid waste will be \$26.00 per ton, provided that such transfer station is constructed within five miles of the Henry County Courthouse.

c. In the future, if Henry County elects to have the contractor construct, own, and operate a transfer station on city or county property, the disposal charge for that portion of the solid waste will be as follows, provided that such transfer station is constructed within five miles of the Henry County Courthouse:

Volume Handled by Transfer Station	Cost per Ton Class I Material
0-32,000 tons/year	\$28.90
32,000-38,000 tons/year	\$28.26
38,000-50,000 tons/year	\$27.46
Over 50,000 tons/year	\$26.90

#### **4. Modification to Rates**

- 4.1 The fees which may be charged by the Contractor for the second and subsequent years of the term hereof shall be adjusted upward or downward annually to reflect changes in the cost of operations, as reflected by fluctuations of the Consumer Price Index. Adjustments will be 75% of the past year's annual fluctuation of the Consumer Price Index-urban wage earners.
- 4.1.1 Prices can be adjusted to offset changes in federal and state regulations regarding transfer and disposal of non-hazardous solid waste with the following limitations:
- 4.1.2 No adjustment will be allowed for present or future cost caused by existing federal or state regulations in effect as of January 19, 1994.
- 4.2 The Generators rates will be adjusted to pay for its pro-rata share of actual cost of improvements necessary to comply with changes in federal and state regulations other than existing Subtitle D regulation in effect in the state of Tennessee as of January 19, 1994.
- 4.3 The \$0.85 per ton fee imposed by the State is not included in the prices set forth. The Generator will accept only a charge based on tonnage. The price quoted is for Class I material only.
- 4.4 Any surcharge or solid waste tax by a county or the State is not included in the price per ton and shall be treated as a pass-through cost to Generator.

#### **5. Generator to Act As Fee Collector**

Each county and municipality which is a party to this agreement shall collect all fees (if any) from all customers that receive disposal services provided by the contractor under this contract.

#### **6. Contractor Billings to Generator**

The Contractor shall bill each county and municipality which is party to this Agreement for service rendered within ten days following the end of the month and each county and municipality which is party to this Agreement shall pay the Contractor on or before the 20th day following the end of such month. Such billing and payment shall be based on the rates and schedules set forth in the contract documents and will be based on actual weight or other method to be agreed upon by the parties. Delinquent payments shall be subject to an interest charge of one percent (1%) per month.

**7. Transferability of Contract**

Other than by operation or law, no assignment of the Contract or any right accruing under this Contract shall be made in whole or in part by the Contractor without the express written consent of the Generator which consent shall not be unreasonably withheld. In the event of an assignment, the assignee shall assume the liability of the Contractor. The provisions of the Contract and any subsequent contract may be transferred in whole to a solid waste Authority formed by the parties to this agreement, provided, however, that each county and municipality shall remain bound hereunder for the billing and collection of fees and for making timely payments to contractor.

**8. Ownership**

Title to the solid waste that Contractor has agreed to accept shall pass to the Contractor when placed in Contractor's facility.

**9. Indemnity**

The Contractor will indemnify and save harmless the Generator, its officers, agents, servants, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and attorney's fees to the extent resulting from a willful or negligent act or omission of the Contractor, its officers, agents, servant, and employees in the performance of this Contract, provided, however, that the Contractor shall not be liable for any suits, actions, legal proceeding, claims, demands, damages, costs, expenses, and attorneys' fees arising out of the award of this Contract or a willful or negligent act or omission of the Generator, its officers, agents, servant, and employees.

**10. Licenses and Taxes**

The Contractor shall obtain all licenses and permits (other than the license and permit granted by the Contract) and promptly pay all taxes.

**11. Contact Person**

All dealing, contracts, etc., between the Contractor and the Generator shall be directed to the contact person. The contact person for the Contractor is:

Mr. Bryan Barker, Vice-president  
Barker Brothers Waste, Inc.  
1341 North Highway 51  
Union City, TN 38261

The Generators contact shall be one or more of the following:

Carroll County Executive PO Box 29 Huntingdon, TN 38344	Henry County Executive PO Box 7 Paris, TN 38242
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## 12. Use of Subcontractors

The contractor warrants that he is qualified to perform the services required. If subcontractors are employed, they must be identified and approved by the Generator which approval shall not be unreasonably withheld.

## 13. Definitions

For the purpose of this proposal the following definitions apply:

*The Contractor:* Barker Borthers' Waste Inc. and its subcontractors proposing to transfer and dispose of the Generator's waste.

*Commercial Waste:* All solid waste generated by establishments engaged in business operations other than manufacturing. This category includes, but is not limited to, solid waste resulting from the operation of store, markets, office buildings, restaurants and shopping centers.

*Construction Waste:* Solid waste which is produced or generated during construction of structures. Construction wastes consist of lumber, wire, sheetrock, broken brick, shingles, glass, pipes, concrete, and metal and plastics if the metal or plastics are a part of the materials of construction or empty containers for such materials. Paints, coatings, solvents, asbestos, any liquid, compressed gases or semi-liquids, and garbage are not construction wastes.

*Debris Waste:* Wood, brush, and leaves from land clearing operations.

*Demolition Waste:* Solid waste which is produced by the destruction of structures and their foundations; includes the same materials as construction wastes.

*Industrial Waste:* Any solid waste generated by a manufacturing or industrial process that is not classified as hazardous or special by the regulations of the state for disposal.

*Generator:* Carroll and Henry Counties, and others as identified in § 1. Scope and successors.

*Municipal Solid Waste:* Waste which has characteristics such as those of the material ordinarily collected and disposed of as part of ordinary municipal garbage collection, including paper, cardboard, plastics, food refuse, and household trash, and specifically excluding ash, sludge, tires, bulk waste, construction and demolition waste, Industrial waste, radioactive waste, liquid waste, infectious medical waste, or hazardous or special waste as defined by any applicable state, federal or local law or regulation, or wastes which are otherwise prohibited by any applicable regulations or policies of federal, state or local entities.

*Service Area:* Carroll and Henry Counties and member municipalities. There will be no solid waste from Benton County.

*Sludge:* Any solid, semi-solid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility.

*Special Wastes:* Solid wastes that are difficult to handle, require special precautions because of hazardous properties or the nature of the waste creates waste management problems in normal operations. Examples include asbestos, hospital wastes and sludge.

#### **14. Insurance**

The Contractor shall at all times during the Contract maintain in full force and effect Employer's Liability, Workman's Compensation, Public Liability and Property coverage for the provisions of the Contract. All insurance shall be by insurers and for policy limits acceptable to the Generator and before commencement of work hereunder the Contractor agrees to furnish the Generator certificates of insurance or other evidence satisfactory to the Generator to the effect that such insurance has been procured and is in force. The certificates shall contain the following express obligation:

*This is to certify that the policies of insurance described herein have been issued to the insured for whom this certificate is executed and are in force at this time. In the event of cancellation or material change in a policy affecting the certificate holder, thirty (30) days prior written notice will be given the certificate holder.*

For the purpose of the Contract, the Contractor shall carry the following type of insurance:

<b>Coverage</b>	<b>Limits of Liability</b>
Workman's Compensation	Statutory
Employer's Liability	\$500,000
Bodily Injury Liability except Automobile	\$500,000 each occurrence \$1,000,000 aggregate
Property Damage Liability except Automobile	\$500,000 each occurrence \$500,000 aggregate
Automobile Bodily Injury Liability	\$500,000 each person \$1,000,000
Automobile Property Damage Liability	\$500,000 each occurrence
Excess Umbrella Liability	\$1,000,000 each occurrence

## **15. Bonds**

### **15.1 Performance Bond**

- a) Contractor shall furnish a corporate surety bond as security for financial performance of this contract. Such surety bond must be in the amount of \$1 million or 125% the previous year's disposal fee for Carroll County and Henry County and such cities as may execute this agreement. This bond shall be renewable annually and must be renewed thirty (30) days prior to the anniversary of the contract.
- b) The premium for the bond(s) described above shall be paid by the Contractor. A certificate from the surety showing that the bond premiums are paid in full shall accompany bond.
- c) The surety on the bond shall be duly authorized corporate surety company authorized to do business in the State of Tennessee.
- d) The rights provided by the Generator with respect to the Performance Bond are in addition to all other rights by the Generator, whether reserved by negotiation with Guarantee or authorized by law, no action, proceeding, or exercise of a right with respect to such Performance Bond shall affect any other rights the Generator may have.

### **15.2 Power of Attorney**

Attorney-in-fact who sign performance bonds or contract bonds must file with each bond a certified and effectively dated copy of their power of attorney. Power of attorney shall be in Tennessee.

## **16. Legal Relief**

Suits will be tried in Carroll or Henry County.

## **17. Right of Inspection**

The Generator reserves the right to inspect the Contractors facilities and records.

## **18. Disposal Site**

Contractor will provide for disposal of solid waste at a disposal site qualified by state and federal regulations. The Generator will deliver solid waste to the disposal site in solid waste vehicles licensed or approved by Generator such as Generator vehicles, private vehicles, industrial vehicles approved by the Generator or Generator collection contractors.

The existing transfer station owned and operated by the Contractor near McKenzie, Tennessee, shall be the site to receive the Generator's solid waste. The Contractor will transport the solid waste to the ultimate disposal site. The cost of such transportation is included in the rates listed in Section 3a. of this contract.

In the future, either Carroll or Henry County may elect to construct a transfer station. If the Contractor is directed to receive the solid waste from county transfer station for disposal, the fee for that portion of the waste will be described in paragraph 3b.

**19. Commencement Date**

The Generator's waste will be available beginning July 1, 1994 or a mutually agreeable date. Quantities will be phased in at the Generators option during the life of this contract.

**20. Terms**

The Contract shall be for a five (5) year period beginning on the commencement date, and renewable for an additional five (5) year term upon mutual agreement of the Contractor and Generator.

**21. Disposal Sites**

The Contractor hereby guarantees that the Northwest Tennessee Disposal Landfill (permit number SNL 66-101-0143) will be available to the Generator for the life of this Contract. The Contractor hereby guarantees that as of the commencement date they are not bound by out-of-region flow control must present evidence that they are not bound by out-of-region flow control.

**22. Date and Time of Operation**

The Contractor shall specify in writing to the Generator the hours and days of operation each week. The Contractor shall supply this information annually.

**23. Holiday Observance**

The Contractor shall supply a list of the holidays observed in which they will not accept solid waste. This list shall be supplied in writing annually.

**24. Types Accepted**

The Contractor will accept all solid waste presented by the Generator except hazardous or special waste or any other waste prohibited from a Class I Landfill.

**25. Documentation on Testing**

Contractor shall provide annual documentation to the Generator of all groundwater monitoring results, State inspection and violation notices for the previous year at the primary and/or back-up disposal facility. Such documentation will be due annually on the anniversary date of the contract.

**26. Disposal Site Change**

Should the Contractor's disposal site change within the first five (5) year period, the Contractor shall provide for transfer and disposal to an alternate permitted facility at no additional cost to the contracting parties.

**27. Interruption of Service**

In the event the Northwest Tennessee Disposal Landfill (permit number SNL 66-101-0143) is prohibited, restricted, or prevented for whatever reason to accept the waste of the Generator at any time, the Contractor shall provide disposal of the Generator's solid waste at no additional cost or the performance bond will be forfeited.

**28. Prior Agreement**

It is agreed by and between the parties hereto that no oral agreement or understandings of any kind or character have been entered into, that any previous contracts are hereby voided and superseded by this Contract, and that all agreements between the parties hereto are contained in this Contract and that this Contract was formed in the State of Tennessee and shall at all times be interpreted under the laws of the State of Tennessee.

In Witness Whereof, the parties hereto intending to be legally bound hereby have executed this Contract on the date and year indicated.

**29. Termination**

In the event Contractor fails to materially perform this contract in accordance with its provisions, terms and conditions, Generator may at its option terminate the contract by giving thirty (30) days written notice of such termination to Contractor. The rights of the Generator hereunder shall be continuing and the failure of the Generator to exercise any of its rights hereunder shall not constitute a waiver thereof.

In the event that the counties and municipalities that are parties to this contract are in breach of this contract by failing to pay to Contractor the amounts owed to Contractor pursuant to this contract, including any increases or adjustments in the rates provided for herein, or otherwise materially breaches this contract, Contractor may, at its option, terminate this contract on thirty (30) days written notice of such termination. The rights of Contractor hereunder shall be continuing, and the failure of Contractor to exercise any of its rights hereunder shall not constitute a waiver thereof.

If any party to this contract is prevented or delayed from performing any obligation or satisfying any condition under this contract by any labor dispute, Act of God, governmental restriction, enemy or hostile governmental action, civil commotion or insurrection, sabotage, fire or other casualty, or by any other event similar in nature to the foregoing and beyond the control of such party, then the time to perform such obligation to satisfy such condition shall be postponed by the period of time of the delay caused by such event and shall not be the basis for termination or penalty against such party under this contract.

**Barker Brothers Waste, Inc.**

\_\_\_\_\_  
Attorney By: Date

**Carroll County, Tennessee**

Approved as to form and content:

\_\_\_\_\_  
Carroll County Attorney By: Carroll County Executive Date

**Henry County, Tennessee**

Approved as to form and content:

\_\_\_\_\_  
Henry County Attorney By: Henry County Executive Date

**APPENDIX E**

**PLANNING COMMISSION**

The Henry County Planning Commission reviewed and approved the plan on April 11, 1994.

The Carroll County Planning Commission reviewed and approved the plan on April 18, 1994.

Benton County does not have a planning commission.

RESOLUTION  
NO. 4-18-94

A RESOLUTION OF THE CARROLL COUNTY, TENNESSEE  
REGIONAL PLANNING COMMISSION TO APPROVE THE  
TEN YEAR MUNICIPAL SOLID WASTE B-C-H  
REGIONAL PLAN FOR CARROLL COUNTY

WHEREAS, the Benton, Carroll, Henry Counties Solid Waste Planning Region was formed pursuant to the "1991 Solid Waste Management Act" of Tennessee; and

WHEREAS, the B-C-H Solid Waste Planning Region has been meeting the past fifteen (15) months to complete a Ten Year Municipal Solid Waste Regional Plan for the three (3) county region of Benton, Carroll, and Henry Counties pursuant to the "1991 Solid Waste Management Act" of Tennessee requirements; and

WHEREAS, the Carroll County Legislative Body has by a unanimous vote approved the Ten Year Municipal Solid Waste Regional Plan for Benton, Carroll, and Henry Counties and approved the plan to be submitted to the State of Tennessee for approval; and

WHEREAS, by law, the Carroll County Regional Planning Commission must approve the Ten Year Municipal Solid Waste Regional Plan for Benton, Henry, and particularly Carroll County and recommend approval to the State of Tennessee.

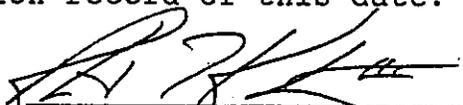
NOW, THEREFORE, BE IT RESOLVED, by the Carroll County Regional Planning Commission, assembled in regular session this 18th day of April, 1994, a majority or more of the membership concurring that:

SECTION 1. The Ten Year Municipal Solid Waste Regional Plan be approved.

SECTION 2. The Ten Year Municipal Solid Waste Regional Plan be submitted to the State of Tennessee for approval.

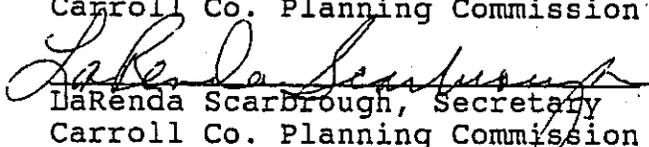
BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the Planning Commission record of this date.

APPROVED: \_\_\_\_\_



Robert T. Keeton, III, Chairman  
Carroll Co. Planning Commission

DATE: 4/18/94



LaRenda Scarborough, Secretary  
Carroll Co. Planning Commission

RESOLUTION NO. 1-1-94

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE REGIONAL PLANNING  
COMMISSION TO APPROVE THE TEN YEAR MUNICIPAL SOLID  
WASTE B-C-H REGIONAL PLAN FOR HENRY COUNTY

WHEREAS, the Benton, Carroll, Henry Counties Solid Waste Planning Region was formed pursuant to the "1991 Solid Waste Management Act" of Tennessee; and

WHEREAS, the B-C-H Solid Waste Planning Region has been meeting the past fifteen (15) months to complete a Ten Year Municipal Solid Waste Regional Plan for the three (3) county region of Benton, Carroll, and Henry Counties pursuant to the "1991 Solid Waste Management Act" of Tennessee requirements; and

WHEREAS, the Henry County Solid Waste Committee has by unanimous vote recommended to the Henry County Legislative Body that the Ten Year Municipal Solid Waste Regional Plan for Benton, Carroll, and Henry Counties be approved and submitted to the State of Tennessee for approval; and

WHEREAS, by law, the Henry County Regional Planning Commission must approve the Ten Year Municipal Solid Waste Regional Plan for Benton, Carroll, and particularly Henry County and recommend approval to the State of Tennessee.

NOW, THEREFORE, BE IT RESOLVED by the Henry County Regional Planning Commission, assembled in regular session this 11th day of April, 1994, a majority or more of the membership concurring that:

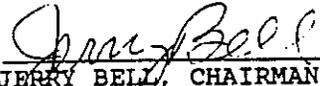
SECTION 1. The Ten Year Municipal Solid Waste Regional Plan be approved.

SECTION 2. The Ten Year Municipal Solid Waste Regional Plan be submitted to the State of Tennessee for approval.

BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the Planning Commission record of this date.

APPROVED

4-11-94

  
\_\_\_\_\_  
JERRY BELL, CHAIRMAN  
HENRY COUNTY PLANNING COMMISSION

  
\_\_\_\_\_  
JOE WILLIAMS, SECRETARY  
HENRY COUNTY PLANNING COMMISSION

## **APPENDIX F**

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The Resolutions by the Benton, Carroll and Henry County Boards of County Commissioners ratifying the Region's Municipal Solid Waste Plan is herein provided.

MINUTES, COUNTY COURT, \_\_\_\_\_ TERM, \_\_\_\_\_ 19\_\_\_\_

Ambrose-Hearville

Motion by Ronal Dickey Seconded by Larry Waters to approve the Benton, Carroll and Henry County Solid Waste Planning Region ten year plan. 12 Voted Aye. 12 Voted Naye. Tie was broken by Elvin Johnson, County Executive who voted Aye. Motion Passed.

I, Jane Pafford, County Clerk of Benton County do hereby certify the foregoing to be a true and complete copy of the minutes of the March 21st-29th, 1994 meeting.

Elvin W. Johnson  
Elvin Johnson, County Executive

Jane Pafford  
Jane Pafford, County Clerk

RESOLUTION  
NO. 4-9-94

RESOLUTION TO APPROVE THE TEN YEAR  
MUNICIPAL SOLID WASTE REGIONAL  
PLAN FOR CARROLL COUNTY

WHEREAS, the Benton, Carroll, Henry Counties Solid Waste Planning Region was formed pursuant to the "1991 Solid Waste Management Act" of Tennessee; and,

WHEREAS, the B-C-H Solid Waste Planning Region has been meeting the past fifteen (15) months to complete a Ten Year Municipal Solid Waste Regional Plan for the three county region pursuant to the "1991 Solid Waste Management Act" of Tennessee requirements; and,

WHEREAS, the Carroll County Waste Committee has by a unanimous vote, to recommend to the Carroll County Legislative Body that the Ten Year Municipal Solid Waste Regional Plan for Benton, Carroll, Henry Counties be approved and submitted to the State of Tennessee for approval.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Carroll County, Tennessee, assembled in regular session this 11th day of April, 1994, that:

Section 1. The Ten Year Municipal Solid Waste Regional Plan be approved.

Section 2. The Ten Year Municipal Solid Waste Regional Plan be submitted to the State of Tennessee for approval.

Duly passed and approved this the 11th day of April, 1994.

APPROVED:

DATE: April 11, 1994

Wesley Beale, Jr.  
County Executive

ATTEST:

DATE: April 11, 1994

Carolyn H. Lutz  
County Clerk

RESOLUTION NO. 1-48-94

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF  
COMMISSIONERS TO APPROVE THE TEN YEAR MUNICIPAL SOLID  
WASTE B-C-H REGIONAL PLAN FOR HENRY COUNTY

WHEREAS, the Benton, Carroll, Henry Counties Solid Waste Planning Region was formed pursuant to the "1991 Solid Waste Management Act" of Tennessee; and

WHEREAS, the B-C-H Solid Waste Planning Region has been meeting the past fifteen (15) months to complete a Ten Year Municipal Solid Waste Regional Plan for the three (3) county region of Benton, Carroll, and Henry Counties pursuant to the "1991 Solid Waste Management Act" of Tennessee requirements; and

WHEREAS, the Henry County Solid Waste Committee has by unanimous vote to recommend to the Henry County Legislative Body that the Ten Year Municipal Solid Waste Regional Plan for Benton, Carroll, and Henry Counties be approved and submitted to the State of Tennessee for approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Henry County, Tennessee, assembled in special session this 5th day of April, 1994, a majority or more of the membership concurring that:

SECTION 1. The Ten Year Municipal Solid Waste Regional Plan be approved.

SECTION 2. The Ten Year Municipal Solid Waste Regional Plan be submitted to the State of Tennessee for approval.

BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED

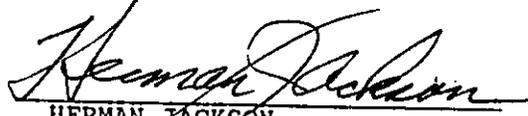
4-5-94

  
HERMAN JACKSON, CHAIRMAN  
HENRY COUNTY COMMISSION

  
JERRY D. BOMAR  
COUNTY CLERK

APPROVED

4-6-94

  
HERMAN JACKSON  
COUNTY EXECUTIVE