

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Solid Waste Management
5th Floor, L & C Tower
401 Church Street
Nashville, Tennessee 37243-1535
(615) 532-0780

PUBLIC NOTICE OF INTENT TO DENY PERMIT
FOR A SOLID WASTE DISPOSAL FACILITY

The Commissioner of the Tennessee Department of Environment and Conservation (TDEC) has tentatively decided to deny a major modification to Cedar Ridge Landfill, Inc. for construction, operation, closure, and post-closure care of the Phase 7 expansion to the existing Cedar Ridge Class I Landfill.

The facility, identified as SNL 59-0238, is located in Marshall County, at 2340 Mooresville Highway (approximately one (1) mile west of Lewisburg), Lewisburg, Tennessee (latitude 35°27'43" N/ longitude 86°50'13" W). No hazardous wastes, as regulated by the Tennessee Hazardous Waste Management Act (Tennessee Code Annotated, Section 68-212-101, et. seq.) and the Rules adopted pursuant to the Act, shall be accepted for disposal at this facility. The official responsible for operation of the facility is Mr. Charles R. Gillian, Waste Management, Inc., 2555 Meridian Drive, Suite 200, Cool Springs, TN 37067; telephone: 615-764-4702.

It is the present intent of the Commissioner, pending consideration of any contrary technical information received during the public comment period ending on February 8, 2010, that this permit be denied. Following an in-depth review of the application, the Commissioner has made a tentative decision that the applicant has failed to submit proof that the geological formation of the proposed expansion area and the design of the facility are capable of containing the disposed wastes, so that ground water protection standards are not exceeded. [Refer to Tennessee Code Annotated Section 68-211-105] Further, the Commissioner has made the tentative decision that the applicant has failed to demonstrate that, relative to the proposed expansion area: (1) There is no significant potential for surface collapse; (2) The ground water flow system is not a conduit flow which would contribute significant potential for surface collapse or which would cause significant degradation to the ground water; and (3) Location in the Karst terrane will not cause any significant degradation to the local ground water resources. [Refer to Tennessee Rule 1200-1-7-.04 (2)(q)] Lastly, the Commissioner has made the tentative decision that the applicant has failed to demonstrate that the proposed facility meets the General Facility Standard that a facility must be located, designed, constructed, operated, maintained, closed, and cared for after closure in such a manner as to minimize to the extent practicable the potential for releases of solid wastes, solid waste constituents, or other potentially harmful materials to the environment except in a manner authorized by state and local air pollution control, water pollution control, and/or waste management control agencies. [Refer to Tennessee Rule 1200-1-7-.04(2)(a)] Further information concerning the Commissioner's tentative decision is contained in the fact sheet available to the public as explained below.

Any interested person is invited to submit comments on the Commissioner's tentative decision to deny this permit. Any such comments must be submitted in writing to: Mr. Mike Apple, Director, Division of Solid Waste Management (DSWM), 5th Floor, L&C Tower, 401 Church Street, Nashville, TN 37243-1535; telephone: 615-532-0780. Comments must be received by 4:30 p.m. (CST) on Monday, February 8, 2010, to assure consideration. If you wish to review the permit application, fact sheet and other data for this proposal or obtain further information, please contact the DSWM at the TDEC Columbia Environmental Field Office, 1421 Hampshire Pike, Columbia, TN 38401; telephone: 931-380-3371. Copies of the application, fact sheet and other data for this proposal may also be viewed at the Marshall County Memorial Library, 310 Old Farmington Road, Lewisburg, TN 37091-2861; telephone: 931-359-3335. During the public comment period any interested person may request a public hearing. Any request for a public hearing must be submitted in writing to Mr. Apple at the above address and the request must state the nature of the issues proposed to be raised in the hearing.

Following the close of the public comment period the Commissioner will issue a final permit decision and responses to comments. If the Commissioner's final permit decision is to deny the permit or issue it subject to conditions with which the applicant disagrees, the applicant may appeal this decision to the Solid Waste Disposal Control Board by filing a written appeal as provided in Tennessee Code Annotated Section 68-211-113(b).

The Tennessee Department of Environment and Conservation is committed to the principles of equal opportunity, equal access, and affirmative action. Individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such contact may be in person, by writing, telephone, or other means, and should be made no less than ten days prior to the scheduled meeting date, or date such party intends to review such filings, to allow time to provide such aid or service. Contact the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service, telephone: 1-800-848-0298.

Persons who wish to be on the Division of Solid Waste Management's mailing list should obtain a Mailing List Request form by calling or writing the Public Participation Officer, Division of Solid Waste Management, Tennessee Department of Environment and Conservation, 5th Floor, L & C Tower, 401 Church Street, Nashville TN 37243-1535, telephone: (615) 532-0798, email: solid.waste@tn.gov.

NOTICE ISSUED: December 23, 2009