

RE: Bill No. 2018-1280

Ordinance Approving the Plans for a Non-Hazardous Liquid Waste Processing Facility located at 2832 Whites Creek Pike, Nashville, TN 37207

I am communicating this information to you as the Attorney for the Applicant in the above-referenced matter. It is my understanding that this Ordinance will be considered by the Public Works Committee on Tuesday, August 21, 2018. The Public Works Committee should consider Section 68-211-704b of the Jackson Law providing that the governing entities in the County or Municipality that is opted into the law shall consider the following criteria when evaluating the construction of the new landfill. (See attached as **Exhibit 1**).

The current site for my client is in the same Councilmanic District and has been located there for more than 30 years. This operation generally involves 100 large trucks a day on 30 residential streets and is not consistent with the land use policy. (See **Exhibit 2** for a picture of the current site).

The proposed site is reflected on the attached rendering as **Exhibit 3** as the current requirements of the TN Department of Environment and Conservation (TDEC) mandates that the new facility will be all enclosed, (no odor outside the building), and all trucks will be limited to Briley Parkway with no contemplated residential trips. This new facility is consistent with land use policy for this area.

The members of the Council have received a communication from Lucy Kempf and Bill Herbert confirming that the proposed use is an allowed use within District B. Although a formal site plan has not been submitted to the Planning Department, the proposed uses

on the site are set out in the attached drawing by Dale & Associates. This proposal reflects a District A, District B, and District C of the property, and of course, any approval would be conditioned upon my client's operation being in District B (**Exhibit 4**) also reflects a 300' buffer, which would make the clients operation more than 600' to the closest residence.

In summary, I think it is obvious that my client's proposal is consistent with the requirements that should be considered under the Tennessee Code Annotated (see **Exhibit 1**).

1. The client's operation is not a landfill but is a facility and that is environmentally sensitive and recycles materials such as oil, grease from restaurants, and leachate.
2. Trucks will bring these materials into the facility and everything will be done at an enclosed facility that will not allow odors outside of the building.
3. There will be very little noise impact and no odor created outside by the proposed processing facility.
4. The proposed facility is allowed under the current zoning and is directly across the street from a quarry and related industrial uses.
5. Existing roads and bridges are obviously able to carry this traffic which will not increase the traffic since the traffic is generally in this area in the first place.
6. The client currently employs a significant number of persons from the local community and that work base will be increased at the new facility. The client will pay significant property and sales taxes and the current site of the client will be discontinued. The current site has been rezoned for multi-use from an old

grandfathered industrial use and the impact of the relocation will be incredibly significant for the properties in that area and Davidson County as a whole.

7. This has been addressed above.
8. The move to a new state of the art, indoor facility is obviously an upgrade in terms of traffic patterns, odor and operations in general.

Respectfully Submitted,

Thomas V. White

Re: "Jackson Law" Criteria for Approving a New Landfill

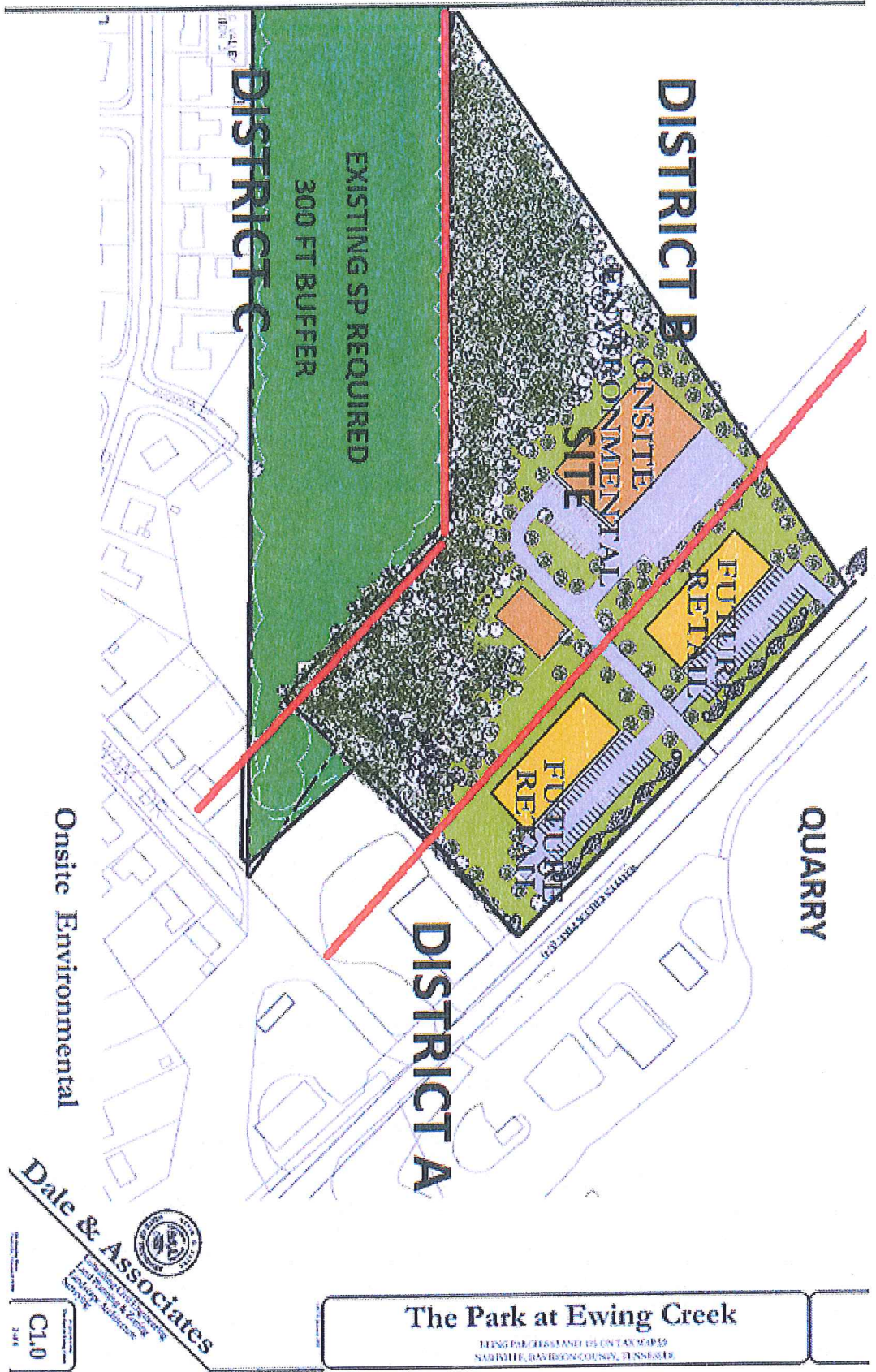
Section 68-211-704(b) of the Jackson Law provides that the governing entities, in a county or municipality that has opted into the law, shall consider the following criteria when evaluating the construction of a new landfill:

1. The type of waste to be disposed of at the landfill;
2. The method of disposal to be used at the landfill;
3. The projected impact on surrounding areas from noise and odor created by the proposed landfill;
4. The projected impact on property values on surrounding areas created by the proposed landfill;
5. The adequacy of existing roads and bridges to carry the increased traffic projected to result from the proposed landfill;
6. The economic impact on the county, city or both;
7. The compatibility with existing development or zoning plans; and
8. Any other factor which may affect the public health, safety or welfare.





Rendering of Future OnSite Environmental Site District "B"



Proposed By OnSite Environmental (Totally Enclosed Recycling Distract "B", with Future Office/Retail along Whites Creek Pike- District "A")