Underground Storage Tanks and Solid Waste Disposal Control Board

August 5, 2026, Meeting Transcript

[No audio; standing by for meeting start]

Stacey Cothran: Oh, I'm over here! Wait a minute!

[Laughter]

Stacey Cothran: Sorry. Hold on. Scoot over.

Do I need to call Bob- Mayor Rob Rial and check on him to see if he's coming?

We've got a quorum. Okay, so we'll-

Bill Miller: Sorry, you have a quorum, you don't need to call him.

Stacey Cothran: If he doesn't show up, we're ok, so let me get my stuff out.

I'm so sorry. Let's see.

[No speaking]

Stacey Cothran: All right. Welcome everybody. Good morning.

We've got- I've told everybody we have so many new people, we're going to have a good meeting today and it's going to be a practice run. So, just bear with us and we've got lots of new- you know, welcome Rachel.

So, we're glad to have you with us and everything and I know there's several new people that will be speaking that have not spoken before, so we're going to, you know, work through today, and just everybody bear with us, but thank you.

So, also, we have a sign in sheet over to the right. So, if you'd like to make comments, please make sure you put your name on the sign-up sheet, what topic on the agenda you'll be speaking on, and you'll have 3 min to talk.

So, if anyone has anything they would like to speak on that's on our agenda, please make sure you sign up on the pad to the right. Thank you.

And then Brianna, do you want to take over from now with instructions?

Brianna Rives: Yes, good morning.

My name's Brianna Rives. We have some instructions for those who are attending virtually. You all have been muted upon entry, so please remain muted unless called on to speak.

If you are called on, please start by saying your name before you go into your comment.

The use of the chat feature is going to be minimal.

Unless called on to speak, please reserve any questions you may have for after the meeting. You can call TDEC's Division of Land Protection to have a staff member answer those questions for you.

For those who are online, and would like to speak on one of the topics during the meeting, we'll go ahead and take a minute to record your name, and the agenda topic that you would like to speak on.

When that topic pops up, we will- if there- if it requires a vote, we will call on your name.

If it does not require a vote, we will hold those comments and discussion towards the end of the board meeting.

So, there are two ways that you can let us know that you'd like to speak on a topic virtually.

We'll start by using the chat feature. If you'd like to go ahead and speak on a particular topic, please go ahead and type your full name into the chat box.

We'll go ahead and see if anybody is typing in there.

Okay, the second way you can let us know is by virtually raising your hand. So, if you're joining via the Webex app, this feature's at the bottom of your screen. If you're joining by the phone, please press star nine and we will unmute you.

Once you're unmuted, please tell us your full name and the topic that you'd like to speak on.

We'll go ahead and take a minute to allow anybody to do this.

Okay, it looks like nobody was raising their hands.

Okay, so as a reminder to everybody this meeting is being recorded.

So, board members, whenever you are speaking please make sure that you do unmute yourself in front of you so we can hear you in the recording.

Stacey Cothran: Alrighty, thank you, Brianna.

So, at this time, Rachel will do the roll call.

Rachel Meredith: Ms. Stacey Cothran?

Stacey Cothran: Here.

Rachel Meredith: Mr. Will Dean?

Will Dean: Here.

Rachel Meredith: Mr. Pat Flood?

Patrick Flood: Here.

Rachel Meredith: Dr. Andrea Gardner?

Dr. Andrea Gardiner: Here.

Rachel Meredith: Mr. Doug Giles?

Doug Giles: Here.

Rachel Meredith: Dr. George Hyfantis?

Mr. Jared Lynn?

Mr. Jeff McCormick?

Mr. William Ownby?

William Ownby: Here.

Rachel Meredith: Mr. Steve Perry?

Steve Perry: Here.

Rachel Meredith: Mr. Bob Rial?

Ms. Daphne Berry?

Daphne Berry: Here.

Rachel Meredith: Mr. Jimmy West?

Jimmy West: Here.

Rachel Meredith: Mr. Mark Williams?

Mark Williams: Here.

Stacey Cothran: Thank you Rachel.

Good job.

Okay, next, item on the agenda, if the members will take a moment, to review the minutes of our last meeting and everyone should have received a copy of those via email in advance.

[No speaking]

Jimmy West: Madam chair, I'll go ahead and make a motion that we approve the minutes as written.

Mark Williams: I'll second.

Stacey Cothran: Thank you. Are there any other comments?

If there's not, at this time, Rachel, will you call the role?

Rachel Meredith: Ms. Stacey Cothran?

Stacey Cothran: Yes.

Rachel Meredith: Mr. Will Dean?

Will Dean: Yes.

Rachel Meredith: Mr. Pat Flood?

Patrick Flood: Yes.

Rachel Meredith: Dr. Andrea Gardiner?

Dr. Andrea Gardiner: Yes.

Rachel Meredith: Mr. Doug Giles?

Doug Giles: Yes.

Rachel Meredith: Dr. George Hyfantis is not here-

Jared Lynn is not here is not here.

Do I still call their name if they're not here? Or- okay.

Mr. Jeff McCormick?

Mr. Will Ownby?

William Ownby: Here, uh, yes. Sorry.

Stacey Cothran: You're what?

[Laughter]

Rachel Meredith: Mr. Steve Perry?

Steve Perry: Yes.

Rachel Meredith: Mr. Bob Rial?

Ms. Daphne Berry?

Daphne Berry: Yes.

Rachel Meredith: Mr. Jimmy West?

Jimmy West: Yes.

Rachel Meredith: Mr. Mark Williams?

Mark Williams: Yes.

Stacey Cothran: Thank you Rachel.

Alright moving along to our agenda, first up is going to be Evan Spann, and he will be giving a DLP program update.

I still think it sounds like a rap group.

[Laughter]

Evan Spann: Evan Spann, I'm an Environmental Fellow with the Division of Land Protection, just here to give you an update on the division's current status.

As you know, we merged the Division of Remediation and the Division of Solid Waste Management into this new beast called the Division of Land Protection.

Effective August 1st, the Materials Management Program internal to Solid Waste is moving to the Division of Stakeholder Engagement. We really think that this is an improvement.

It allows the Materials Management people to be more out in the field, less, sort of, stuck in our central office cubbyholes and allows them to engage with the folks that they should be out there serving, the communities, the cities, to do all the things that Material

Management needs to do, increase diversion rates, increase recycling opportunities, and the grants, the grant work that they're doing in that program.

So that was effective August 1st. We will still obviously continue to engage with the folks in Materials Management on things like statewide plan, the county plans, and also, any matters of finance.

So, what have we been working on in the division over the last few months? Firstly, to improve reporting consistency, strengthen our regulatory alignment across both CERCLA and RCRA.

I'll tell a success story on that at the end of this presentation.

And then have better communication with our federal counterparts. In fact, Steve is absent today because he's at the ASTSWMO meeting for Brownfields in Chattanooga this week.

As you know, we've organized the Division of Land Protection into Waste Management Branch and the Remediation Branch. We are currently consolidating both the administrative and financial groups of both sections into a common section that will kind of sit in between the two branches and serve both organizations.

We're still looking at our organizational structure, trying to make better decisions rather than quick decisions.

We are working on data management issues, budgets, SOPs, and any operational procedures that we can help to make our work in the field more effective and more efficient.

So this is our broad organizational chart. We, as I said, we continue to refine program level stuff.

Rob Ashe is the Deputy Director for Field Operations on the Waste Management side.

Justin Meredith is the Deputy Director for Field Operations on the Remediation Branch.

Robert Wilkinson is the Central Office Deputy Director for Remediation.

We currently have a vacancy on the Waste Management Branch Deputy Director with Craig Almanza retiring in the last month or so.

Some staffing updates, we have hired Michael Perry as the division's financial manager, so he will take over the administration of the division's finances as a whole.

He is currently buried under mountains and mountains of numbers and papers trying to learn our systems and understand where we're at.

We've moved all compliance review functions out of the former compliance and enforcement section to the Environmental Fellow on the Waste Management side, Beverly Philpot.

All administrative services have been centralized under Rachel Meredith, and we've had a lot of retirement since the merger, and our current plans are to not backfill those higher cost positions.

We would transition them to lower cost positions and make decisions after that, trying to control our personnel costs a little bit better.

Alright, time to put you guys to sleep with a financial update.

On the Hazardous Waste Remedial Action Fund, so the Remediation Branch, our revenues, and this is through May of this fiscal year were $9.5 million.

You can see our total expenses of $7 million with personnel and operating expenses separated out.

I broke out there the fund balances showing you obligated funds versus our unobligated funds, and you can see that our obligations well exceed those unobligated funds, so we've got money for Oak Ridge Reservation, the TN Clean program, DCERP, our NPL SSCs in the BRAG program.

I should have- I have failed. We have a new BRAG Program Manager, Shay Smith.

She started last month as well. She's been hitting the ground, talking to all the communities that she can possibly talk to. My apologies, Shay.

On the Waste Management Branch side, there are three accounts. You won't see these numbers again. I'll just start talking about the actual programs that they fund, but the Used Oil Program had revenues, again, through May of this fiscal year of $973,000.

Solid Waste Management had revenues of 17 million and Solid Waste Assistance 13 million.

The expenses are broke out, again, along the same revenue codes there. So you've got personnel costs and operating costs for each of those different fund balances, and then the current fund balances, again, as of May for the Used Oil Program. That's 23, 35 - Solid Waste Management. And then 42 Solid Waste Assistance.

And you can see that the vast majority of our money is in the Solid Waste Assistance. That's the Materials Management group for grants and other activities. You will see, though, that the revenue- or sorry, the fund balance for the Solid Waste Management Fund is pretty low on both the Solid Waste side, the Hazardous Waste side.

Those fund the operations of our folks out in the field doing inspections on solid waste facilities or hazardous waste facilities.

One of the things that, when I came to you as a Remediation representative, we didn't ever talk about was the Environmental Protection Fund.

Now that the divisions are merged, I'll speak to the Environmental Protection Fund a little bit more.

This is a fund set up in statute that funds from permits go into to cover costs across the divisions.

So, any division which issues permits, so Water, Air, Solid Waste, historically gets access to the EPF to help fund its personnel costs.

Those personnel costs are siloed through statutes, so division X has to balance a ratio of state fees versus regulatory fees or state funding, rather, versus a regulatory fee.

Our projected revenue for DLP on the Waste Management side is expected to, over the next three years, have a continued negative impact on our reserve fund in the EPF. Hazardous Waste EPF has the exact same problem.

So, we are draining our reserves in the EPF because we're not bringing enough revenue on both the hazardous waste and solid waste side.

So, we bring a couple of proposals today to you for rule updates. I'll speak first to the Solid Waste Program fees, in rule, there is a fee for the disposal- or for the inspection of a solid waste facility that's commonly called the tipping fee.

As you guys know, $0.90 of that goes into the Hazardous Waste- to the Waste Management Branch. $0.35 of that $1.25 total goes into the Solid Waste Assistance Fund.

Those funds, again, fund the work of the division. We've seen those funds decrease over the last few years and we're seeing pressures from other sources, namely that the last change to these fees was back in 2006. Inflation and other changes in the economic conditions of the state are putting pressures on our funding sources.

So our proposal is to raise the facility inspection fee from $0.35 to $0.70 per ton.

That would bring the total tipping fee to $1.60.

What that does for us is presents us an opportunity to- and after this fee increase, have sufficient operational costs for at least the next ten years.

One of the things that we've done in preparing this rule is look at neighboring states. The range of tipping fees in neighboring states is- where are my notes?

75- it ranges from $0.75 to $2 a ton, so a $1.60 puts us right in that range, we're not too far out of whack with those numbers.

The average disposal cost for a class I landfill is $65 per ton, so adding an additional $0.35 on top of that we don't believe is a significant cost, but it will result in a significant increase for the division's funds to get our work done.

One of the things we've also noted in looking at the way things are funded is that tipping fees are not charged for waste being exported outside the state.

So, I just quickly did a quick calculation over the last five years, looking at waste that went across transfer stations and then waste that left the transfer station going out of state.

If we'd applied tipping fees to that waste, it would have been an additional $8.1 million in revenue, so that is revenue lost in our eyes, and that's the way we're, kind of, thinking about that.

That is going to- that is not addressed in this proposal. That is something though that we're going to continue to examine and look for solutions to try and cover that lost revenue cost.

All right. The next is a proposal to increase the hazardous waste rules- or hazardous waste fees. I'm going to ask Beverly to come and speak to this.

Beverly Philpot: I may need to lower that a bit. [Chuckles]

So I'm Beverly Philpot, I'm the Environmental Fellow for the Division of Land Protection on the Waste Management Branch. I'll get used to saying it.

I, you know, it's easy to kind of drift back into the old language, but we wanted to come today and introduce a proposal for rule making to the board first, before, you know, it goes out for anything else.

Our fees have not been increased since May of 2010 for the Hazardous Waste Program. And so, you know, as you've heard, we've been running off of reserves and taking some- drawing some money down from the EPF.

And so, you know, looking at this and so this is the first opportunity, once we've met our internal procedures, that we've had to bring it to the board, and then we wanted to bring it here first before we go out and ask for a public comment on it and public participation on this.

So, what the proposed rule would do, it would amend the fee schedule for the Hazardous Waste Management to more accurately reflect the cost associated with the regulatory oversight.

So, it would increase the fees and establishes a new fee structure for regulated activities that had previously been included within fee categories prior to the current fiscal year.

So back when we- the fee structure was set up back in 2010. You basically had a large quantity generator and a small quantity generator. And at that time, I think it was called a CESQG. And with changes over time, they're now a VSQG, a very small quantity generator, and they do not pay fees.

But we've had changes to the rules that has affected the numbers that are included as the large and the small such as the Generator Improvements Rule and then also the Pharmaceutical Rule, which was streamlined for the medical industry so that, you know, they didn't get bogged down with all of the RCRA rules and there was a more streamlined approach for them to take keeping their focus on providing medical care.

And so this would be looking at pulling those facilities back into a fee structure because we still have the regulatory oversight and it's trying to adjust that, so that the amount of time associated with regulatory oversight is consistent, you know, with how much time it is estimated to account for that.

And so today we're, you know, we're introducing this and then we would like to, you know, move forward with the public comment period time, but did want to introduce this to the board first before we did that.

Evan Spann: Oh, thank you. I wanted to also make you aware of legislation that came out of this last General Assembly session.

Firstly, the DCERP Modernization Act, which is going to require the drafting of a rule update. We are- have already started with that. What this bill did was change the way that the DCERP fund is utilized.

It would move us from a reimbursement program to a fund managed and utilized by the commissioner to address dry cleaner facilities. It also made a number of changes to those dry cleaner facilities that were eligible for access to the fund.

The Part 8 Solid Waste Plan statute was revised by public chapter 814, so it establishes state policy- you guys can read that, I'm not going to read that out loud.

We are currently working on the rule set which the statute did direct us to promulgate by December of next year.

Also passed was the Office of Cooperative Marketing for Recyclables. This is standing up an office for a recycling program that the Waste Management- sorry, the Materials Management group is currently working on.

And then a bill that was passed, it will not require us to create any rules but is going to change the way that that certain fees are addressed, is the Regulatory Freedom Act. We can give you guys- OGC rather, could give a more in-depth review of that.

Suffice it to say that it will require us to take additional steps as we move forward with the increase rules.

Before I tell this success story I did, want to let you guys know I've come before you before to talk about our funding and on the Remediation side and that we get funds from the Department of Defense under a cooperative agreement called DSMOA, a Defense and State Memorandum of Agreement, that pays for our oversight and work on sites where the Department of Defense, or some agency of the Department of Defense, is a responsible party.

We were notified last week, as were at least Florida and South Carolina- we think most all of the states, if not all 50 states, were notified, That they immediately- they were going to suspend indefinitely all DSMOA reimbursement activities.

So, what does that mean for us? We don't know exactly yet. We got this letter on July 31. ASTSWMO has already pushed out some guidance to the states on how to respond to this.

I think there will be a cooperative agreement or cooperative response through ASTSWMO on that.

I did want to present to you guys this success story. In 2024, the Chattanooga Lookouts announced that they needed a new stadium. If you've driven into Chattanooga recently, you will have seen this one.

If you drove in a few years ago, you would have seen U.S. Pipe Property. This Brownfield that had sat there for years and years and years sort of waiting on the right reuse plan and the right reuse plan finally came along.

The stadium looks great. It opened in April. I've seen pictures of game day from the stadium. It looks like a great experience for the folks in Chattanooga and we're proud of this.

What I wanted to highlight, beyond another successful Brownfield project for this division is that this site really showed a coordination between the Division of Solid Waste Management and Remediation at the time because there was a lot of foundry related waste on this site that needed to be relocated for the construction of the facility.

What we also had just across the road was the former Gateway Landfill, that needed some repairs. So, we were able, across the two divisions, to work out a plan where the material would be moved safely from the ballpark property over to the Gateway Landfill property, close that landfill, put a durable cap on top of that.

It was a win for both sides of the program and we're just super proud of showing how we think aligning these two divisions into one house is going to lead to more success stories like this.

Thank you all very much.

Stacey Cothran: Thank you, Evan. Are there any questions for Evan or Beverly? Doug?

Doug Giles: Doug Giles, so in the landfill fees that you spoke about, you talked about an $8.1 million loss from transfer stations going interstate-

Evan Spann: Out.

Doug Giles: Out of state, yeah. Does that take into account any import waste coming into our landfills from out of state that we do collect fees on?

Evan Spann: No, I didn't subtract out-

Doug Giles: Okay.

Evan Spann: I only- that number I gave you is only waste leaving the state.

Doug Giles: Okay. Do-

Evan Spann: We had about a million tons annually of waste coming in for disposal, maybe it's even less than that. So, it's a little less significant.

Doug Giles: Okay, so you're- so overall from import export, we're looking at about a $7 million loss in the solid waste front if we started looking at a transfer station fee model compared to a- to the landfill fee model. Correct?

Okay, thank you.

Stacey Cothran: Any other questions, Dr. Gardiner?

Andrea Gardiner: Yes, Andrea Gardiner- Dr. Gardiner.

[Laughter]

Andrea Gardiner: I guess, I don't know if it's quite in the scope of this but talking about that out of state versus in state solid waste disposal, I mean, I don't know if it necessarily falls under this, but that question of space in Tennessee for solid waste disposal, right, that is tied to this issue also.

I don't know if it's something with rules, but I don't know how that can be addressed, but also to keep waste in the state and also those fees because why are people shipping out, right?

That's a bigger issue. So, like I said, that's just a comment I want to make. I don't know if this is the place to have that conversation, obviously, but I do agree that capturing these fees is really important for the material that we dispose of.

Evan Spann: I think to answer your question that you didn't need an answer for-

[Laughter]

Evan Spann: The Solid Waste Task Force that the legislature established

is asking these same sorts of questions. We recognize that, especially in Middle Tennessee, there is a landfill space crisis coming our way.

So those are all questions we're trying to ask on top of this. They are absolutely interconnected, whether we can point to this waste as leaving this county because of a space issue or a cost issue. I don't know that we've got that granular data yet, but it's certainly in our purview to look at those kind of questions.

Stacey Cothran: Thank you. Evan, I'm going to- I did a little info, also, and I'm going to tie in what Doug said and a little bit of what you said, an overview.

Because, you know, we've been watching this along the line- I would say we did 2025 numbers, but I got 2024 instead.

You know, based on total tons moved through transfer stations in Tennessee, for 2024, was $4,221,348. The total tonnage moving through a transfer station out of state, whether it be Kentucky, Alabama Mississippi, or the three primary, that number was $1,664,570.

And I'm going to tie it back to Beverly, what she was saying, because it's the same issue- similar- is we've got to put that fee on the transfer station.

One, it makes it an even playing field for everybody, but two, the most important part is, I'm going to be my TDEC cheerleader over here for just a moment.

TDEC still has to go out and inspect those transfer stations. They have to go out and do the same work. They have to, you know, the same input goes in as it does to, you know, checking a landfill.

Are they going to get D1s? Are they going to get D2s? The same amount of work goes there and there is essentially no collection for TDEC because it's not an even playing field.

And so I just want to express how important- I know y'all have heard me- y'all that have been here, I've been preaching this for the last several years, but then it ties back to what Beverly was talking about with the haz waste fees because with the changing of the large quantity small quantity, and then they converted small quantity to very small quantity, TDEC's still going out and doing inspections on the very small quantity generators yet they're not paying anything.

So, and I- and then here's the other side of the fence that I hear and get fussed at about. Nobody wants a fee increase, nobody. But we've got to do- we've got to be smart and look at it big picture, because it's got to happen.

But I think obviously the big picture is, you know, yes, you need a fee increase, but we need to make sure it goes across the transfer stations as soon as possible because it needs to be an even playing field and they need to be paying also.

And I know that's not popular, but that- it's just the truth, so thank you.

Evan Spann: Thank you.

Stacey Cothran: Sorry. I'm getting off my soapbox at the moment, so sorry. But it's just a fact, so anyway, thank you Evan, thank you Beverly. Any other questions?

Evan Spann: One more thing before I sit down. Rachel has the revised- or the rule packages for you. I don't know if you were able to send them out this morning, but we'll get those out. We'll get those out to you. Okay.

Stacey Cothran: Thank you.

Evan Spann: Thank you.

Stacey Cothran: Than you. Okay, next on the agenda is Christopher Lewis and he'll be giving us a UST complaint response update.

Christopher Lewis: Good morning, everybody, Christopher Lewis with the Underground Storage Tanks out of the Knoxville office.

The last- first six months of 2026, we actually had a little bit of a drop off from the last six months of 2025, primarily driven by the water center. I mean, the Department of Agriculture set us less water reports than the last previous couple of six month periods. But they still hold the largest share of the complaints that we got.

During the first six months, even, it was a little less than it has been recently. As per usual, well I guess Land Protection now, I'll have to update that for next time, and Water Resources got most of the referrals from ours that we got. And bring it in, and this is kind of like the Department of Agriculture complaints.

It especially dropped off in that last three months, as you can see, they hit us pretty good in March and then April, May, June, not so much.

Again, for the first six months, Knoxville takes the title once again for having the most. Once again, it's just kind of like who- we where we get them at. Three, kind of, examples, you may remember the CSX Transportation here in Nashville from February 2025 when I was talking about it.

We got another report of an unknown amount of gasoline was discovered as they're digging around on their property, connected to the existing case on that, folded it in, and it would just keep going on, trying to clean that property up that's up the hill from it.

The second one was an overfill. It's a UPS in Oakhaven, which is in the Memphis Field Office. About a hundred gallons of diesel fuel floated in the nearby storm drain, but they contained it before they got in the stream.

We referred it to Water Resources but also did a compliance inspection out there to make sure that all their equipment was functioning properly, the overfill device there was functioning properly, thankfully. I was able to close the inspection out.

The last one is in Chattanooga, the release from a UST on a residential property. According to the City of Chattanooga, got out there, determined that there was an evidence of a release, but it was not regulated by the Division.

But, regardless, we helped the city connect with some potential contractors to help close the tank. As many of you know, who work in UST know, it's kind of a niche industry, it's not something you could really look up in the phone book a lot of the time, so we helped out where we could even though it's not something that we regulate.

And that's about it.

Stacey Cothran: Great, thank you. Is there any questions for Christopher?

Christopher Lewis: Alright, thank you.

Stacey Cothran: Thank you. Okay, next on the agenda is going to be Stan Boyd and he'll be giving us an update on the UST fund balance.

Stan Boyd: Good morning, board members. My name's Stan Boyd. I'm the director of the Underground Storage Tank division.

Our fund report through May of 2026. The balance carried forward to the current fiscal year. or at that time, that that fiscal year was, $68,753,000.

We received $20,774,000 in deposits. We drew down $1.1 million in federal grants. You may notice a little bit of difference there. Federal grants are not deposits to the fund, okay? So that's why we separated those, to provide some clarity.

Our total payroll was $8.5 million. Our total operational expenses were $12.3 million. Our total expenditures, combining the both, was $20.8 million. Our fund balance at the end of May was $68,705,000 with $1.9 million in claims that were still in processing. Giving us a net fund at the end of May of $66,810,000.

The difference between July 1 and the end of May was a negative $1.9 million or 2.8%. When projecting deposits in the current fiscal year, it was- our project was $24.4 million and non-fund grant drawdowns would be $1.7 million.

Our total expense budget in the- for the current fiscal- or for that fiscal year, was $28.7 million with a total projected difference between July 1 and June 30th of $6.2 million less, or a 9% difference.

We have not received a final accounting for the last fiscal year. We have not received any information from July.

We'll generally receive three accountings. So, they'll call it a first preliminary, second preliminary, and then a final. So, there will be adjustments in there. We do not have that information yet.

The obligations at the end of May, I'm sorry, at the end of May gave us an unobligated balance of $39,617,000 in required reserves, and $51,169,000 in expected payments if you just simply looked at it as one year.

So, the fund will not go over $50 million by the end of the July. We do not have any history whatsoever of a, what, and more than a $10 million bump in the fund in any one month. So, we're going to be ok.

We don't know what the answer is, but we're going to be ok.

Are there any questions? Would you like to know more?

Stacey Cothran: Are there any questions for Mr. Boyd? Okay.

Stan Boyd: Alrighty.

Stacey Cothran: Thank you, Stan.

Stan Boyd: Thank you.

Stacey Cothran: Next on the agenda is Bethanie Kirby and she'll be giving us a UST guidance manual update. Welcome Bethanie.

Bethanie Kirby: Good morning. Like she said, I'm Bethanie Kirby.

Stacey Cothran: I'm going to do my Pat Flood, just pull the microphone down and speak loudly.

Bethanie Kirby: Oh, yes. Is that better? Okay.

Good morning, my name is Bethanie Kirby.

Stacey Cothran: Did I do okay, Pat?

Bethanie Kirby: Is it on? Okay.

So, I'm out of UST, Cookeville Environmental Field Office. I was just going to provide you with an update on our guidance manual, where we're at in that, give you a little refresher as to how it's set up.

So, our guidance manual is going to contain all of our guidance documents, Excel spreadsheets, report templates that are currently on the division website, and they're just going to be in one document, the document now that includes technical guidance documents, the EAG, the fund reimbursement, tables, application templates, and report templates. Next slide.

Okay, so this is organized based on rules, so the meat of the document is the guidance related to rule and then it has all of the guidance in each section for that.

Following the main portion of the guide of the document, there are two appendices, so appendix one has all the report templates and application templates.

Appendix two is the RGD, formerly RGD-002 now called fund reimbursement guidance.

And on this manual, there will be 19 attachments for the workbooks and everything that they'll need to complete the reports.

So, for an update as to where we are in the process, if you'll go to the next slide, please.

So, the entire manual has been reviewed, the final revisions have been made. We are just making it ADA compliant at this point. So, we're hoping for late summer.

So, by September is my goal to get it out. Yep, that's it.

Any questions?

Stacey Cothran: Any questions for Bethanie? Thank you, Bethanie.

Bethanie Kirby: Thank you!

Stacey Cothran: Next on the agenda, Mr. Harris, come on down.

Mr. Harris- Brett will be giving us a hazardous waste permitting report update.

Brett Harris: Hi, I'm Brett Harris, I'm the Hazardous Waste program manager. So, and this is the hazardous waste permitting update for the 4th quarter, April to June '26.

Alright, so we've had seven Part B applications have activity during this time period.

All of them have NODs on them, except for Safety-Kleen - Knoxville. That one we have until September to get out, so everything's well within timelines.

Alright, for the Class I modifications, and 1-1s we've had nine come in. We've issued all of those during this time period, everything that came in got out within time period.

There's the pie chart of it. So we've- six of them were emergency coordinators. We had a post-closure contact update, a SWMU map update, an appeal resolution and an update to the groundwater.

You can see that it counts to ten instead of nine. There's a consolidation for a Class 1-1, Eastman emergency coordinators, and the Eastman's SWMU map update was the same one that comes in, so why you see nine on the first table for class mods, and ten items on the pie chart.

As far as Class II modifications come in, we had Bristol Pipe and Tube, that was actually issued on 7/1/26, an update to after this was made, so it's out the door and gone.

We currently have no Class III modifications.

That's it. Is there any questions?

Stacey Cothran: Any questions for Brett? Thank you, Brett.

Brett Harris: Alright, thank you.

Stacey Cothran: Next on the agenda is Amber Greene. She'll be giving us some Materials Management Program, an MMP update.

Amber Greene: Good morning. My name is Amber Greene, So I'm the Deputy Director for the Office of Recovered Materials, and at the end of my presentation, we will be talking about the division and bureau changes that we've had recently that Evan was referring to earlier.

So, we're going to talk about the 10-year plan, the EPA grant that we've received, waste characterization study, grants update, and then bureau and division changes.

So, our 10-year plan is something we have been consistently working on. The timeline has changed. In November of 2026, we are going to publish our TDEC 10-year plan, and then the timeline for the counties is July 2028.

We have sent letters out to the mayors and the solid waste directors and let them know that we have changed the timeline and make them aware of the Part 8 changes that we have currently going on that Evan referred to this morning.

So we received a SWIFR grant. Round one was our waste characterization sort, which I'll be talking about in a minute.

Round two we just received for $598,000. We are going to be doing a statewide recycling study for a diversion of film and packaging material, and then we are going to be looking at the website for the office of Cooperative Marketing. Next slide.

And then our waste characterization study is going to be on the website soon. Once we get through our division changes, we will have this information for you. It's a current baseline of the materials being disposed, recycled, and managed across the state.

So we are really excited to get that out to the public and to everyone across the state.

Upcoming workshops and presentations. So the Tennessee Sustainability Conference is coming up in 11 days. It's the 19th through the 21st. October 26th through the 28th, we're going to attend the Solid Waste Director's Conference and go through the 10-year plan with them.

And then in November, after TDEC publishes our plan, we are going be hosting a series of workshops, so counties know about the plan.

We have a template and a guidance document to help them go through the 10-year plan because each county has- or each region has to write their own plan.

And then we'll also have annual progress reporting workshops, because we are also going to update and change our annual progress report, so it relates to the 10-year plan, and the objectives in our 10-year plan.

So our grants program, for FY 25, we gave out right at $6.9 million worth of grants. For FY 26, we gave out right at $8.5 million worth of grant funding. And then for FY 27, we are offering these grants.

You can see where the solid waste planning grant is going to open tentative in January and February of 2027.

So our bureau and division changes on August 1st, the Material Management Program name changed to the Office of Recovered Materials, and we rolled into the Bureau of Operations, Strategy. and Engagement.

Karen Simo is our Deputy Commissioner and Chief Operating Officer. Tara Pedraza is our Director and then I am the Office of Recovered Materials Deputy Director.

And then on the next slide, we have those changes to where you can see we have the Office of Environmental Stewardship, the Office of Recovered Materials, the Office of External Affairs, and then you can see the Office of Cooperative Marketing coming soon.

Does anyone have any questions?

Stacey Cothran: Are there any questions for Amber?

Amber is- I have a question. The 10-year plan, is it going to be put back out for comments again? And if yes, do you know when that will be?

Amber Greene: Yes ma'am, it definitely will be put back out for comments again, because of our rule changes in Part 8. We do not have a tentative date yet, but we're thinking of end of November, beginning of December.

Stacey Cothran: Okay, perfect.

Amber Greene: And I will get those out to you soon. With our division changes, we're going through that now with my director, Tara.

Stacey Cothran: Yep. Wonderful. Thank you for clarifying.

Amber Greene: Thank you.

Stacey Cothran: Any other questions? Alright, thank you Amber.

Amber Grenee: Thank you.

Stacey Cothran: Next on the agenda is Brian Wolf. He'll be giving us a Solid Waste permitting update. Welcome Brian.

Brian Wolf: Good morning board. This is our quarterly Solid Waste permitting updates. I'm Brian Wolf, the Program Manager for Solid Waste.

I'm going to be doing my best Nick Lytle impression while he's on his exotic excursions.

[Laughter]

Brian Wolf: Hopefully it doesn't bring me the same notoriety as him, so.

So, this is a list of permits that have come through, that are currently in our hopper. The only major mods are for our Class I, II, and III landfills.

The first one is the Waste Management White County Landfill. We got the Part I in late last year, and the hydro, early this spring, and we finally got the Part II in in June. I know we are working on a notice of deficiency for that facility. The expansion is going to give them approximately nine years and adds about 27 acres. Piggybacking over an old Class III landfill.

And there's a picture of it, so you can see that southeastern part is the part that's currently permitted, the expansion goes to the northeast there.

And then the second one is the Bi-County Class I lateral expansion. This one is a is a pretty big one. We issued a notice of deficiency a month ago. It adds 65 acres.

This one is separated. There's two different parts to this one, one piggyback backing on an existing class I. The other one piggybacking on an existing class III with a jurisdictional watershed going between them with the proper setbacks to the solid waste boundary there.

The next one is Hamblen County. This one has kind of been in our- in the process of getting an approval for a long time.

Most of it has been trying to work with the consultant to get a properly designed facility. We are expecting a resubmittal to some of those NODs here soon. This one is a separate footprint from what they currently have. I think it's like 15 acres to give them about 20 years of life.

Next is the Jefferson County Class I. This one is kind of in the same boat as Hamblen. This one is more of a procedural major mod to fix some of the way that they've developed their facility.

So we're also working with the consultant on this one to get this one moving along again. This one is just a contour revision not a lateral expansion.

Next is Lakeway. Lakeway just submitted a part II application here at- it looks like June, so we are presently going through that, getting a note of deficiency on some of the things that they submitted. This one goes to the south of the present footprint and creates quite a bit of airspace.

The next one, Carter Valley, this one has been- we first got it at- what eight years ago now? So this one has been, on and off and on for a long time.

Finally, after some restructuring, and some redirection of where Republic wants to go, they resubmitted this back in June to us, so we do have a- some more comments on what they submitted. So, this is a counter revision as well, so just a increase in capacity from that perspective not laterally.

Most of it is- I think we're in the final throes of this one so this this one shouldn't be too far down the road. We'll keep our fingers crossed, I guess.

Now we're on the Class II landfills. So, Olin, they've resubmitted their expansion application, they- this one's kind of unique too because, what, in 2021 we were almost ready to go out for public comments on this permit but then they pulled- they rescinded their application at the last second, so this is just a resubmittal of that same Phase IV,

So, where that- that review is underway right now and there's a map of where that is.

PLTN, this is the former Waupaca facility. They are- they have submitted a major modification to basically close their facility below grade.

So, they're not going to develop the rest of their landfill. Someone else has come in and bought their property. So, this is just kind of closure- procedural modification to close their facility.

Now the Class III is Jefferson County Class III. There's some challenging geology out there that we're working with the consultant to try to get this permitted.

This one has been stalled for a little bit and we're already on our third notice of deficiency, so, working with the consultant to try to get this one to completion as well. And this is a lateral expansion to the west of the existing footprint.

Frayser is a Memphis facility. We got a part II last year. We were notified that there is a non-compliance
with the local zoning issue, so the applicant-
that review is paused, and the applicant was working
to get that resolved.

Caraway Hills- we actually just had the public hearing last night for that facility. That that's out in Milan. It's a 16-acre lateral expansion that adds, I think, five years of life for their projected waste streams.

So, it does not overlay a class I. It- basically- the class I permit was relinquished and now it's just a Class III.

It was an unconstructed permit, that is a mistake on that slide, but that's the footprint there. It goes to the north of where their existing footprint is, yeah.

Now Claiborne County, we just got the hydro on that, and we've issued a couple of notice of deficiencies on that, and waiting on getting a Part II for that. And that's a brand new- that's a piggyback of the old class I.

Fayette County, we have drafted a notice of deficiency on this one. This one has got some challenges as well, so we're working with a consultant to get this one to a point where we can approve it.

Birchwood Class III, this is down in Chattanooga. The expansion here is 34 acres and it gives them quite a bit of life as well, I think 20 years of life, but we just got an NOD issued in June there. And there's the expansion to the west of the existing facility.

And Bristol, we just got that one in. That may- so they want to close that one too, so we are we're working with Bristol and our enforcement group about whether we need to do a major mod on this one or just close it as it kind of is.

And I think that's the last one.

Oh McMinn, sorry.

Yeah, McMinn, we have a part II in for that, and we're still working on getting that- a complete document for McMinn.

We also did just get a class I in for Louden County. So, they're there- we got a part I, I think last Friday, for that.

And then Perry County is also resubmitted their groundwater plan. So, we might be getting that one back on track to get permitted.

So anyways, that's the list. So, any questions?

Stacey Cothran: Any questions for Brian? Thank you, Brian.

But now, if you're going to do Nick, we're going to have to talk about your hair a little bit, so.

[Laughter]

That was not a football joke, Bill. So. [Chuckles]

Thank you.

Next, we have Bart Marston. He'll be giving us a Solid Waste Management enforcement update.

Bart Marston: Good morning, everybody. My name's Bart Marston. I am the Division of Land Protection – Waste Management Branch, Compliance and Enforcement Manager.

Waste Management Branch, not Solid Waste Management.

So, since the last hearing, our compliance and enforcement section has issued one hazardous waste order and four solid waste orders.

For the first order we're going to talk about, it's the Opie Arnold Site in Washington County. Greater than 5,000 tires on site. The civil penalty was $6600 with damages at $317.28. This was a no show, no pay. So, a demand letter has been issued to them on July 6, 2026.

For the next one, we have a Highway 421 dump site in Sullivan County, also a director's order. This was dumping into a sink hole. Civil penalty was elevated on this one to $9,680. With $996 of damages.

This one was appealed, it's kind of a strange situation the facility that was doing the dumping was doing it on another person's property This person then sold that property to the people that were doing the dumping.

So, they have appealed this, because they want it out of their name, and they want it to go to the people who actually did the dumping who now own the site. That director's order is being drafted to be sent back out to the new owners.

For our third one, our third solid waste order, the Goldston Property in Roane County. This is just unlawful waste disposal with a little bit of everything at this site.

The civil penalty is $6600 damages at $1,798.09. This is a site that was visited quite a bit by our field office, as you can tell by the damages. They are still within the 30-day window for appeal.

The fourth site, solid waste enforcement, what do we have? Once again, waste tires, approximately 1000 was the number given. Civil penalties at $6600. Again, another lot of trips, site- damages are at $1,260.24. This one is also within the 30-day window.

For our last one, this is our haz waste facility. This is Agilent Technologies in Shelby County. They had haz waste violations that related to failure to make waste determinations, incorrect generator status, employee training, weekly inspections, and container labeling.

Civil penalties were at $4900. Damages at $1500. This did go final and was paid on March the 27th of 2026.

And that is it for the Waste Management Branch Section enforcement actions

Does anyone have any questions?

Stacey Cothran: Are there any questions for Bart?

Daphne Berry: Madam Chair, I have a question.

Stacey Cothran: Yes, Daphne?

Daphne Berry: Daphne Barry. I think it was item number two. Waste was dumped into the sinkhole.

Bart Marston: Yes.

Daphne Berry: Could you tell us what kind of waste was put in the sinkhole?

Bart Marston: This site was primarily C&D waste, but it did have some municipal solid waste that did get in there, but primarily it was C&D.

Daphne Berry: Thank you.

Bart Marston: Yeah, sure.

Stacey Cothran: Are there any other questions for Bart?

Thank you, Bart.

Bart Marston: Thank you.

Stacey Cothran: Next on the agenda is Rhonda Key, and she'll be giving us a UST enforcement update.

Rhonda Key: Good morning, I'm Rhonda Key. I'm the Enforcement Manager for the Division of Underground Storage Tanks.

From October 1st to December 31st, we issued 30 orders total. 14 of those were fund orders, five of those are in final status, one is in final remediation, two have been appealed, two were closed, two are in signed status, and two are in signed pending SOP.

We issued 16 compliance orders. Three are in final status, five were appealed, two are in signed status, and six are in signed pending SOP status. And we assessed $385,840 in civil penalties during that period.

Any questions?

Mark Williams: I've got one.

Stacey Cothran: Okay, Mr.-

Mark Williams: I can't be the one to not ask a question, right?

[Laughter]

Mark Williams: That's part of it.

Of that $385,000, how much has been collected? We- because of the way the fiscal system works and the time frame in the orders, we can't calculate exactly without opening each order, so what we do is we rely on Stan's report for his- for the money collected.

Stacey Cothran: Any other questions for Rhonda?

Stan Boyd: I can tell you civil penalties collected from July 1 through May of 2026, not on this same time frame, was $1.5 million.

You know orders are kind of a thing of their own. And I think we all know that serving them and collecting them is a vast amount of time in between. Some people will pay, some people will let them go final.

Either way, you're on a long path to ever collecting that order when you issue it. Very few people, you know, come around and say, oh, 30 days, so here's your check. So, it is a continual thing that OGC works very hard to keep track of and keep us up to date on, and also our staff in the enforcement section.

Stacey Cothran: Any other questions? Thank you, Rhonda.

And that's all I have on the agenda.

So if it's ok Rachel, I just want to do some housekeeping questions to the board members, and so, typically when we come in, we have a packet that has a copy of the presentations in our packet, although we received those by email in advance.

Do you have a preference of- is the email fine or would you prefer to have hard copies when we arrive? I mean, I just kind of wanted to get a feel from everybody of what you- what your preference is.

Does anybody have a preference?

Maybe-

Mark Williams: Mark Williams, I'm fine with emails and then if I've got the PowerPoint, I can just kind of have it right in front of me.

Stacey Cothran: Okay.

Mark Williams: It's fine by me.

Stacey Cothran: Just wanted to check with everybody. So, okay. Well, that's all we have. So if there's anything else, is there a motion to adjourn?

Oh, well, oh Rachel, sorry. We need to talk about our next meeting. Sorry.

Rachel Meredith: I think they have the next set up for Wednesday, September 2nd.

Stacey Cothran: Do we think we'll have enough on the agenda to- there's something going on. So maybe October?

Bill Miller: I believe you have a meeting also scheduled in October. I think you can just cancel the September meeting and have the one in October.

Stacey Cothran: Okay.

Bill Miller: That's what I'd suggest, this is Bill, board council, sorry.

Stacey Cothran: Yes, so, we'll just look at our next meeting being- let me get my calendar out. It would be October- Wednesday, October the 7th.

Brianna Rives: Mr. Flood does have his hand raised, if he has a question or comment.

Stacey Cothran: I'm sorry.

Patrick Flood: Yep. Patrick Flood here. Yeah, I just- and I think the numbers are fine. I just wanted to make sure that the- remind the board really, that there is a statutory minimum number of meetings that we need to hold.

It seems like if we hold a meeting in October, that does get us to the statutory minimum, but I would ask our OGC representative to make sure that we have that minimum, I believe that minimum to be four.

Bill Miller: Yes, I believe that's correct and you- I think you have that- you'll get there.

Stacey Cothran: Yes.

Patrick Flood: Great, thank you.

Stacey Cothran: Okay. Anything else at this time? Is there a motion to adjourn?

Mark Williams: So move.

[background chatter from Jeff McCormick's audio]

Jimmy West: Second.

Stacey Cothran: And Rachel will need to have a roll call vote for the adjourn.

[background chatter from Jeff McCormick's audio]

Rachel Meredith: Stacey Cothran?

Stacey Cothran: Yes.

Rachel Meredith: Mr. Will Dean?

Will Dean: Yes.

Rachel Meredith: Mr. Pat Flood?

Patrick Flood: Yes.

Rachel Meredith: Dr. Andrea Gardiner?

Dr. Andrea Gardiner: Yes.

Rachel Meredith: Mr. Doug Giles?

Doug Giles: Yes.

Rachel Meredith: Dr. George Hyfantis?

Mr. Jared Lynn?

Mr. Jeff McCormick?

Jeff McCormick: Yes.

Rachel Meredith: Mr. William Ownby?

William Ownby: Yes.

Rachel Meredith: Mr. Steve Perry?

Steve Perry: Yes.

Rachel Meredith: Mr. Bob Rial?

Ms. Daphne Barry?

Daphne Berry: Yes.

Rachel Meredith: Mr. Jimmy West?

Jimmy West: Yes.

Rachel Meredith: Mr. Mark Williams.

Mark Williams: Yes.

Stacey Cothran: Thank you, everybody.

Patrick Flood: Thanks everyone