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Residents say 'No Dump'

Public hearing brings crowd opposed to landfill in Crab Orchard

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CROSSVILLE — Residents of the Crab Orchard community told their city council members a landfill isn't welcome in their community at a public hearing last week. Others expressed concern that a landfill would not spur the type of development they envision for the small town east of Crossville.

SCP Investments, LLC, which owns the limestone quarry inside the city limits of Crab Orchard has asked the city to allow it to pursue a permit for a Class III landfill at the site. Owners Don Hinch and Pat Stone have entered into talks with the city council on a host agreement should the request be granted that would specify the amount of a tipping fee to be paid. The tipping fee has been explored to provide an economic benefit to help the city in its future development.

Harold Holloway, a resident of Crab Orchard, said a survey by the town's economic development committee found overwhelming support for denying the landfill request, with 95 percent, 228 residents, saying they did not want a landfill in Crab Orchard. Twelve said they were in favor of the landfill and four reported they were undecided on the issue.

"It may not be quite as convenient. It may not be quite as easy, but there really are other ways to get money. Economics are important and they can be accomplished. We're small and we don't have much clout, but a lot of little dogs got a lot of fight in them," Holloway said.

Former Mayor Jody Sherrill implored the council to think hard on the request.

"These guys have a rough row to hoe," Jody Sherrill said. "They don't have as much money as they'd like to have. I'd about agree with them. I don't have as much money as I'd like to have, but I'm not going to go out and sell my soul to get enough money. We have to operate on what we've got."

Dwight Hinch, vice president of Triad Environmental Consultants, Inc. and consulting engineer for SCP Investments, LLC, said, "They've been operating the old county limestone quarry on Crab Orchard Quarry Road for the last five years. And they're about to run out of rock that they can safely harvest. There's an approximately 3 million cubic yard hole in the quarry. They want to pursue filling that hole back up with benign waste, with certain, limited types of garbage."

He said that, as a Class III landfill, the quarry could only take certain types of wastes, such as farming

wastes, landscaping wastes like tree stumps and dirt, and demolition wastes, including bricks, concrete and asphalt, and shredded tires. The landfill could take other wastes similar to the specified types of waste, such as industrial waste with inert properties. Those wastes would have to be approved on a case-by-case basis by the commissioner of the Tennessee Department of Environment and Conservation. Oil, fuel, pesticides, paint, solvents and other chemicals as well as hazardous wastes would not be allowed in a Class III landfill.

Those other wastes are a concern, said Mark Quarles, with the Statewide Organizing for Community Empowerment (SOCM) and the Sierra Club, because the state could allow the landfill to take waste the community would not want in their community.

"Those approvals happen every day with the stroke of a pen, with no public notice," he said. "You'll never know if special wastes are allowed to go in this Class III landfill."

Brian Paddock, with SOCM, said coal ash, of concern to the community, could be allowed by the state in the Class III landfill. Also, Paddock noted state rules state any standard could be waived by the commissioner of TDEC.

Another concern is the movement of groundwater through the Cumberland Plateau's limestone rock, cave systems and streams.

In the 1970s, a dye test measured the movement of groundwater through Crab Orchard, with unpredictable movements and flow into Daddy's Creek and then on to the Obed River.

Quarles much like Grassy Cove, with limited drainage out of the cove, mostly through underground cave systems.

"This idea deserves serious scrutiny if it's a good idea to put waste in, as Dwight describes it, a hole in the ground," Quarles said. "This is one of the most hazardous geological areas in the state because of the density of underground sinkholes and conduit and groundwater flow."

Terry Brooks, who operates an organic farm in Crab Orchard, said that, with only five percent of loads required to be inspected at the landfill, there was a significant chance that something could slip into the landfill that could harm the groundwater, which she uses for her crops and flock of chickens.

Gerald Nugent, a resident of Renegade Mountain, said there was no way the quarry could boast impermeable walls.

"It [waste] will wind up in the water and our children will pay the penalty," Nugent said.

Hinch said that before a permit could be considered by the state of Tennessee, SCP would have to go through the permitting process and conduct a hydrogeological investigation to see where the groundwater could be affected. However, Hinch said SCP couldn't answer many of the questions about how the landfill would be operated until after the proposal had gone through the permitting process because the landfill hasn't been designed yet.

"Another thing we've heard is that, if this landfill is permitted as a Class III landfill and SCP sells it, that

the new owner could convert it to a Class I landfill," Hinch said.

A Class I landfill takes all types of municipal waste, including household garbages, except hazardous waste.

"The answer is that, no, they can't, not without going through and re-permitting it as a Class I landfill with the state. And, in order to do that, they'll have to meet more stringent standards. It's really impractical."

Lillian Trivett, a resident of Crab Orchard, pointed back to the 1970s water movement study and said, "That study said this area is not recommended for a landfill. This is our home. You don't do that to your home."

In addition to the possible impact to the environment and ecology of the area, others expressed concern that a landfill would stifle economic development in the community as retail and other businesses looked elsewhere.

Gary Riser, a resident of Renegade Mountain, said, "Commercial businesses don't want to locate in towns with landfills. Noisy trucks during business hours, foul smells, unhealthy landfill gases and the pollution of ground water keep new businesses away."

Riser cautioned the Crab Orchard City Council against approving the request because doing so, he said, would make the city a target for other landfill operators.

"Landfill operators prey on communities like ours. They focus on finding a cheap site and maximizing their profits," he said.

John Moore, also a resident of Renegade, offered his help to the city in developing an economic development plan for the city that could help draw retail and other businesses to the community.

Moore said, "I know you can do better than a landfill."

He said the city had the opportunity to draw customers from a 35-square-mile area.

"They pass right through here on their way to Crossville to shop," Moore said. "You have a remote interstate exit. So the people that pass McDonald's at the 347 have 20 miles to get hungry and watch their fuel tank get lower and lower until they see that Crab Orchard sign."

Another individual told of a plan developed many years ago to build a chair lift from Crab Orchard to the top of Renegade Mountain so that tourists and guests could park at the base of the mountain and enjoy a scenic ride to the activities offered there. The plan was never implemented because of changes in ownership at Renegade through the years, but he said he still had the plans and it could be a viable option for the community moving forward, similar to the tourist draw of Maggie Valley in North Carolina.

Other residents questioned why the issue had come back after the Crab Orchard council voted down a similar request by the company in January 2009.

Charles Carter, a Crab Orchard resident, said, "Two years ago, this idea was voted down. I know times

change and people change. But with a landfill and the way the laws are, the way the state backs it, we're asking for trouble."

Sam Monday, a resident of Crab Orchard, asked Mayor Emmett Sherrill and Alderman Willard Sherrill, "Why would you override 95 percent of the people in this town to suit two people? I'd like to see our representatives do the right thing and represent the people."

Alderman Patrick Barnes was unable to attend the public hearing, stating the Wednesday before he had a business trip planned prior to the scheduling of the public hearing. The council did not respond to direct questions at the meeting on the advice of Crab Orchard City Attorney Kenneth Chadwell.

Billie Finley asked Dennis Hinch and Stone, "What part of no don't you understand? We don't want it. Take it somewhere else."

The Crab Orchard City Council will consider the landfill proposal at a special-called meeting Feb. 22 at 6 p.m. at the Crab Orchard City Hall. The council is scheduled to meet Feb. 10 at 6 p.m. for a work session to discuss the proposed landfill host agreement. That meeting will also be held at the Crab Orchard City Hall at 338 Hebbertsburg Rd.

Should the council approve the request, the Cumberland County Commission would also have to approve the request under the state's Jackson Law.