



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2021-693

Type: Bill (Ordinance) **Status:** Passed

File created: 3/30/2021 **In control:** Metropolitan Council

On agenda: 6/1/2021 **Final action:** 6/1/2021

Title: An ordinance establishing a Special Solid Waste and Recycling Commission to review and identify solutions for the near-term and long-term disposal of Nashville's solid waste.

Sponsors: Jonathan Hall, Burkley Allen, Russ Bradford

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/4/2021	2	Mayor	approved	
6/1/2021	2	Metropolitan Council	passed on third reading	
5/18/2021	1	Metropolitan Council	passed on second reading	
5/18/2021	2	Metropolitan Council	substituted	
5/18/2021	1	Public Works Committee	approved with a substitute	
5/4/2021	1	Metropolitan Council	deferred	
4/20/2021	1	Metropolitan Council	deferred	
4/13/2021	1	Metropolitan Council	referred	
4/6/2021	1	Metropolitan Council	passed on first reading	
3/30/2021	1	Metropolitan Council	filed	

An ordinance establishing a Special Solid Waste and Recycling Commission to review and identify solutions for the near-term and long-term disposal of Nashville's solid waste.

WHEREAS, on February 2, 2021, the Metropolitan Council adopted Resolution No. RS2021-751 approving an amendment to and extension of the Metropolitan Government's contract (the "Contract") with BFI Waste Services, LLC, currently operating as Republic Services, Inc. ("Republic") for operation of a solid waste transfer station and for the disposal of solid waste; and

WHEREAS, the Contract, which has been extended through Fiscal Year 2027, requires Republic to operate a waste transfer station for all of the solid waste collected by Metro Public Works and its collection contractors, which is then trucked to the Republic-owned Middle Point landfill in Rutherford County; and

WHEREAS, the Middle Point landfill in Rutherford County is currently nearing capacity; and

WHEREAS, while the current contract with Republic requires them to dispose of Metro's solid waste through 2027 at a location outside of Davidson County, Metro will soon need to develop a long-term solution to our future solid waste disposal needs; and

WHEREAS, the Metropolitan Nashville and Davidson Solid Waste Master Plan, entitled "Achieving Zero

Waste”, has been completed, providing a thorough recitation of potential solid waste programs and proposals for achieving zero waste generation, more robust recycling, and a greater diversion of materials from landfills; and

WHEREAS, it is fitting and proper that the Metropolitan Council now turn toward implementing the recommendations of the Solid Waste Master Plan through carefully constructed legislation and policy enactments; and

WHEREAS, it is further fitting and proper that a Special Solid Waste and Recycling Commission comprised of elected officials, private citizens, staff members of Metropolitan Government departments, and others with expertise in solid waste be established to identify solutions for the near-term and long-term disposal of solid waste and to otherwise effectuate the Solid Waste Master Plan.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. There is hereby established a Special Solid Waste and Recycling Commission ("the Commission"). The Commission shall be comprised of twelve (12) members, nominated by the Mayor and confirmed by a majority of the whole membership of the Metropolitan Council. The composition of the Commission shall be as follows:

- One (1) member of the Mayor’s Sustainability Advisory Committee;
- One (1) member of the 2019 Davidson County Solid Waste Regional Board;
- Two (2) members of the Metropolitan Council recommended by the Vice Mayor, at least one (1) of whom shall be a member of the Public Works Committee;
- One (1) member of the Solid Waste Master Plan task force;
- One (1) member of the Urban Green Lab and/or Natural Resources Defense Council;
- One (1) representative of the solid waste / trash collection industry in Davidson County;
- One (1) representative of the commercial building and development profession in Davidson County;
- One (1) representative of higher education possessing credentials in sustainability, solid waste, or waste-related technology;
- One (1) member with credentials in professional finance; and
- Two (2) staff members from the solid waste division of the Metro Public Works Department or Metro Water Services.

Section 2. The purpose of the Commission is to identify solutions and make recommendations regarding the disposal of Nashville’s solid waste within the near-term as well as the long-term. As part of its work, the Commission should interview representatives from local waste collection and recycling providers, as well as consultants and former elected officials from states, municipalities, and jurisdictions that have successfully enacted effective solid waste policies and legislation. The Commission is to explore various tools and options, including but not limited to: fees for waste generators and haulers, fines for commercial establishments who do not meet a certain recycling threshold, incentives for recycling, composting, minimizing solid waste generation, and maximizing the diversion of materials from landfills, and anticipated funding mechanisms that will be needed for long-term solid waste disposal.

Section 3. The Commission shall be staffed by the Metropolitan Department of Public Works or any successor agency responsible for solid waste collection. The Commission shall submit its written findings and any recommendations for further action to the Metropolitan Council within six (6) months from the date of the first meeting of the Commission. Should the Commission determine that additional time is required prior to submission of its Report and Recommendations, an extension of the six (6) month deadline may be effectuated by resolution approved by a majority of the Council. The Commission shall terminate upon its submission of the Report and Recommendations to the Council.

Section 4. This ordinance shall take effect from and after its, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance, as substituted, would create a new Metro commission to explore solutions to Metro's short term and long term solid waste disposal needs. The recitals of the ordinance note that under Metro's solid waste disposal contract with Republic Services, Inc., Metro currently trucks its solid waste to the Middle Point Landfill in Rutherford County, which is nearing capacity. The Council recently extended Metro's contract with Republic through FY2027.

This ordinance would establish a 12 member Special Solid Waste Commission to identify solutions and make recommendations to the Metro Council regarding the disposal of Nashville's solid waste in the future. The members, who would be appointed by the Mayor and confirmed by the Council, would include the following:

- One member of the Mayor's Sustainability Advisory Committee;
- One member of the 2019 Davidson County Solid Waste Regional Board;
- Two members of Council recommended by the Vice Mayor, at least one of whom shall be a member of the Public Works Committee;
- One member of the Solid Waste Master Plan task force;
- One member of the Urban Green Lab and/or Natural Resources Defense Council;
- One representative of the solid waste / trash collection industry in Davidson County;
- One representative of the commercial building and development profession;
- One representative of higher education possessing credentials in sustainability, solid waste, or waste-related technology;
- One member with credentials in professional finance; and
- Two staff members from the solid waste division of the Metro Public Works Department or Metro Water Services.

The ordinance provides that the Commission should interview representatives from local waste collection and recycling providers, as well as consultants and former elected officials from states, municipalities, and jurisdictions that have successfully enacted effective solid waste policies and legislation. The Commission is to explore various tools and options, including but not limited to: fees for waste generators and haulers, fines for commercial establishments who do not meet a certain recycling threshold, incentives for recycling, composting, minimizing solid waste generation, and maximizing the diversion of materials from landfills, and anticipated funding mechanisms that will be needed for long-term solid waste disposal.

The Commission would be staffed by Metro Public Works and then by Metro Water Services after the transfer of the solid waste functions takes place under the terms of the memorandum of understanding approved by Resolution No. RS2021-794. The Commission would be required to submit recommendations to the Council within six months of its first meeting, but that deadline may be extended by the Council by resolution.