



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
COLUMBIA ENVIRONMENTAL FIELD OFFICE
1421 HAMPSHIRE PIKE
COLUMBIA, TN 38401
PHONE (931) 380-3371 STATEWIDE 1-888-891-8332 FAX (931) 380-3397

August 26, 2022

Sidney Brian
Trinity Business Group
5800 One Perkins Drive, Suite 6A
Baton Rouge, LA 70808

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
9489 0090 0027 6350 4475 38

RE: NOTICE OF TECHNICAL DEFICIENCY (NOTD)
Proposed TBG Energy Recovery Processing Facility
SWP600001590

Dear Mr. Brian:

The Division of Solid Waste Management (DSWM) is in receipt of the Permit by Rule (PBR) application prepared and submitted by Barge Design Solutions on behalf of the above referenced facility, and received by the Division of Solid Waste Management (DSWM) on June 29, 2022.

In accordance with the Regulations Governing Solid Waste Processing and Disposal in Tennessee, Rule Chapter 0400-11-01, the Part II permit application for the above facility has been reviewed for technical deficiencies. Based on this review, the application has been deemed deficient.

The deficiencies and comments for the permit application are detailed below for your review and action. If you wish to continue the registration process, a revised permit application or revised pages that address the deficiencies should be submitted.

Your response to our deficiencies should be in the form of a totally revised, complete PBR application or revised pages to be inserted in the original submittal. If you chose to submit revised pages, please provide the following information on the revised items:

- (1) Page, map, or drawing number should be shown,
- (2) For each item submitted, indicate if it is a revision to another item in the original; and
- (3) Date or code each item.

Please submit complete hard copy/revised pages and electronic PDF versions to the following recipients:

**Three (3) hard copies and PDF version to:
Steve Wintheiser**

Tennessee Department of Environment and Conservation
Division of Solid Waste
Columbia Environmental Field Office
1421 Hampshire Pike
Columbia, Tennessee 38401

**One (1) hard copy and PDF version to:
Robert Burnette, P.E.**

Tennessee Department of Environment and Conservation
Division of Solid Waste Management
312 Rosa Parks Avenue
William R. Snodgrass Tennessee Tower, 12th Floor
Nashville, Tennessee 37243

The following are the technical deficiencies that were identified in the original PBR Application:

1. The application does not detail what type of process will be performed in the Energy Recovery Area, and this should be specified. It is assumed, based on designation of an ash cooling area and the need for an Air Pollution Control Permit, that waste incineration will be part of the energy recovery process.

Rule 0400-11-01-.02(1)(c)1.(i) states: "T.C.A. subdivision 68-211-814(b)(2) provides that an applicant for a permit for construction or expansion of a municipal solid waste landfill or incinerator must submit a copy of the application to the municipal solid waste region at or before the time the application is submitted to the department."

No evidence was provided in the application that the application has been submitted to the municipal solid waste region for approval.

2. Rule 0400-11-01-.2(2)(b)1.(i)(XIV) states: "(i) Except as specified in subpart (iv) of this part, an owner or operator of a solid waste processing facility shall: (XIV) Have alternative arrangements (e.g., contracts with other facilities) for the proper processing or disposal of the solid wastes authorized to be managed at the facility in the event the facility cannot operate."

Please provide evidence of alternate arrangements (ie. contracts with other facilities) for the proper processing and disposal of the solid wastes to be managed at the facility in the event the facility cannot operate.

3. Rule 0400-11-01-.02(2)(a)2. states: "Solid waste processing facilities, tire storage facilities, and transfer stations must not be located in a 100-year floodplain unless it is

demonstrated to the satisfaction of the Commissioner that: (i) Location in the floodplain will not restrict the flow of the 100-year flood nor reduce the temporary water storage capacity of the floodplain.”

Evidence that the proposed filling within the 100-year floodplain will not restrict the flow nor reduce the temporary storage capacity of the floodplain was not provided.

4. Rule 0400-11-01-.02(2)(b)1.(i)(XII) states: “ Except as specified in subpart (iv) of this part, an owner or operator of a solid waste processing facility shall: Ensure that all liquids which either drain from solid wastes or are created by washdown of equipment at the facility are collected and directed to either: I. A wastewater treatment facility permitted to receive such wastewaters under T.C.A. §§ 69-3-101 et seq. (Tennessee Water Quality Control Act), or Other methods approved by the Commissioner.”

Adequate detail on how liquids will be directed to a wastewater treatment facility were not provided.

Therefore, the 90-day time period (frame) for the Department to act upon (issued or denied) this PBR Application has been stayed and will remain stayed until the applicant adequately addresses all deficiencies identified in this letter.

It should be noted that additional items may be added once the above issues are addressed and additional review is conducted. If you have any questions concerning this correspondence, please contact me by e-mail at steven.wintheiser@tn.gov or by phone at (931) 449-9028.

Sincerely,

Steven D. Wintheiser
Environmental Field Office Manager
Division of Solid Waste Management

cc: Craig Almanza, DDCO
Rob Ashe, DDFO
Rob Burnette, DSWM Program Manager