



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
COLUMBIA ENVIRONMENTAL FIELD OFFICE
1421 HAMPSHIRE PIKE
COLUMBIA, TN 38401
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September 14, 2022

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
9489 0090 0027 6428 5242 92

RE: NOTICE OF TECHNICAL DEFICIENCY #2 (NOTD2)
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. DSWM issued a Notice of Technical Deficiency (NOTD) of the PBR application on August 26, 2022. Barge Design Solutions prepared a response to the NOTD, dated September 9, 2022, and received by DSWM via e-mail on September 13, 2022.

In accordance with the Regulations Governing Solid Waste Processing and Disposal in Tennessee, Rule Chapter 0400-11-01, the NOTD response for the above facility has been reviewed for technical deficiencies. Based on this review, the NOTD response 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 NOTD response:

1. 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.”

Rule 0400-11-01-.01(2) provides the definition of incinerator as follows: ““Incinerator” means an enclosed device using controlled flame combustion, the primary purpose of which is to thermally break down solid waste. Examples of incinerators are rotary kiln, fluidized bed, and liquid injection incinerators.”

The NOTD response describes a thermal demanufacturing process using a chamber with applied heat to break down waste tires. Please provide more details to indicate that the proposed process does not use controlled flame combustion, and/or how the process does not meet the definition of incineration.

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-.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 II. Other methods approved by the Commissioner.”

The NOTD response indicates “Any liquid generated from the processing of the materials for recycling and recovery will be collected and managed separate from stormwater should constituents of concern from the to be acquired TMSF permit indicate an issue with discharge.”

Per Rule 0400-11-01-.02(2)(b)1.(i)(XII)I., all liquids which drain from solid wastes must be collected and directed to a permitted wastewater treatment facility. Compliance with this Rule cannot be contingent upon constituent detections in stormwater discharge.

The NOTD response includes the addition of three 6,000-gallon contact water tanks that will be used to collect and route generated liquids off-site. The proposed collection system consisting of three 6,000-gallon tanks are represented solely by three dots on Sheets C3 and C5 of the drawings. Additional detail (i.e. location of floor drains, piping, berms, grading, etc.) must be provided to indicate how compliance with Rule 0400-11-01-.02(2)(b)1.(i)(XII)I. will be achieved.

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