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**OA/ID Number:** 2890  
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**Folder Title:**  
Marion County Incinerator

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## M E M O R A N D U M

DATE: June 7, 1990

TO: Al Gore, Jerry Mande, Rick Adcock, Carol Browner

FROM: Bill Mason

SUBJECT: Latest on Marion County Incinerator

### **Background**

Federated Technologies, headed by former Health and Environment Commissioner Jim Word, is looking at property in Marion County for a hazardous waste incinerator. The local people are in a virtual frenzy, with encouragement from Greenpeace, in opposition.

Opponents have challenged Governor McWherter at Altamont (where he was looking at the burned courthouse) and Al Gore at Winchester (where he was having an open meeting).

### **Governor's Position**

The Governor has pointed out that, so far, Federated Technologies does not own a site in Marion County and there is no permit application on file. He told protestors that there is "no immediate concern," and he promised to consider extending his moratorium on medical waste incinerators (imposed a couple of months ago after a similar controversy in Cumberland County) to hazardous waste incinerators.

Jim Hall said yesterday, however, that the moratorium already in effect "is unconstitutional as hell," and they do not expect it to survive much longer. He was very critical (in fact he actually ranted) of Marilyn Lloyd and Shelby Rhinehart, who have publicly opposed the incinerator and put the responsibility for stopping it squarely on the back of the Governor.

Hall blames EPA for "forcing" the state into a multi-state agreement on hazardous waste management, and says that in the final analysis their hands are tied; and when the court challenges (which he sees as inevitable) are through, Tennessee will have to issue a permit to any facility that meets the requirements of law.

Incidentally, Hall pointed out that there was only one county in Tennessee in which McWherter finished as low as third in the primary four years ago--Marion County (Fulton carried it; Eskind was second). He hastened to say that made no difference to him (but why did he mention it?). He was clearly angry about being on the spot in this issue.

### **Gore Position**

Al promised the crowd at Winchester that he would look into the matter and get back with them. We will combine the thank-you letter for the Open Meeting with an update.

In letters so far, Al has: 1) expressed his concern about the dangers associated with the incineration of waste; 2) pointed out that permitting authority rests with the State; 3) agreed that "the transportation of hazardous waste from distant states is not in the best interest of Tennesseans;" and 4) assured them that he has been in touch with EPA to make sure that "all clean air standards are strictly enforced."

Al has made it clear (and I have assured Jim Hall) that he has no intention of pressuring the Governor.

Even so, Al believes that the local people have legitimate complaints and wants to play a constructive role in helping the people there without either grandstanding or crossing McWherter. Jim Hall indicated that they would be open to any kind of help we might be able to provide.

Al suggests "a big push with EPA to force a generic look at how these incinerator risks are evaluated" and wants input from all of you about that idea.

### **EPA Position**

EPA's liaison in Atlanta says the agency indeed will have "very heavy oversight responsibility" over any incinerator permit that comes out for Marion County. They will conduct studies and apply standards that she described as "pretty strict, pretty stringent." As to whether the standards should be stricter, she indicated that evaluation of that possibility is a "constant process" and says EPA is open to more stringent standards.

For the record, she assured this office that "no permit will be approved that is not protective of public health."

EPA maintains that the State was not at all forced to become part of the multi-state agreement on hazardous wastes, but admits that EPA encouraged participation so that these disposal and incineration problems can be addressed on a regional basis. She doesn't see that there is necessarily a link between the agreement and the Marion County proposal.

EPA-Atlanta has agreed to send the Regional Director and/or other appropriate officials to Nashville for a conference with state officials, appropriate local officials and me. That was a suggestion on my part, is only a tentative suggestion, and would have to be worked out with everyone concerned. I need to know if you think that's a good idea and will only pursue it if there is something helpful that can come from it.

### **Nickajack Site**

Federated Technology's first choice of a site on Nickajack Lake likely will be rejected by the local Port Authority, which owns the land, because of a restrictive covenant in the deed. It was originally owned by TVA. But the company reportedly is pursuing privately-owned land in the county.

M E M O R A N D U M

DATE: July 3, 1990  
TO: Staff  
FROM: Katie and MMO  
SUBJECT: Potential legislation

Al wants to introduce legislation through the Rules Committee on "Simple Things the Senate can do to Help Save the Earth." We have pinpointed several and would like your help in identifying more. Here are ours; please send yours to either one of us.

1. Faucet aerators for sinks (to restrict water flow)
2. Displacement devices in toilets
3. AC settings - monitor to keep from being set too low?
4. Explore use of new compact fluorescent lighting. Saves electricity; also saves labor because bulbs last much longer.
5. Special parking permits for carpoolers.
6. Replace styrofoam with biodegradable paper.
7. Halon fire extinguishers?
8. Inside Mail repeating envelopes (such as feds use in agencies.)
9. Recycle printer cartridges. (We're already doing that both here & in state. Other offices just need to be aware that there are companies that want these.)
10. 2-sided copies the norm rather than the exception: Have Service Dept. copy 2-sided unless one side is requested (currently it's the opposite).
11. Timing of landscape sprinkling to avoid water waste.
12. Composting of grounds wastes.
13. Office mugs: Issue a mug to each staffer to reduce paper cup use in the office and need for styrofoam cups in the cafeteria.

# Lloyd, Rhinehart oppose waste incinerator proposal

Second in a series

By Sammie Jane Mayfield

Chattanooga Times correspondent

JASPER, Tenn. — A citizens group that began the opposition to a proposed hazardous waste incinerator being built in Marion County has been picking up support from public officials lately, including state Rep. Shelby Rhinehart and U.S. Rep. Marilyn Lloyd.

Federated Technologies Inc. of Nashville has proposed building the incinerator on a 107-acre site in New Hope, a Marion County town on the Tennessee River. The company wants to buy the land from the Nickajack Port Authority that oversees development for the industrial park next to the port facility.

## Burning Issue

Controversy over the Marion County Incinerator



At an April 27 special meeting, the Marion County Commission heard Rhinehart say he would oppose the incinerator "with every ounce of strength."

Mrs. Lloyd attended an open forum about the incinerator May 26. Several days later she issued a statement that she is ready "to help any way I can."

But Federated officials have continued trying to convince the county that the incinerator is nothing for local residents to fear.

Ed Netherland, Federated's chief financial officer and a member of the company's board of directors, told the port authority at its May 3 meeting that the incinerator would reduce the volume of waste simply by reducing it to ash. The ash, he said, would then be shipped to landfills in other states.

Jim Word, president of Federated, has said that the primary emission would be steam. Any smoke from the plant, he said, would equal smoking 1½ cigarettes over

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a 70-year period. Federated officials have also stressed that the plant would be safely operated.

Rob McCormick of DRE Technologies, the consulting engineering firm retained by Federated, pointed out advantages and opportunities the incinerator would bring to Marion County. He said a \$3 million annual payroll would be added to the county with 100 jobs. And the incinerator, he said, would represent an investment of \$25 million to \$30 million, enhancing the county's tax base.

The officials said an incinerator would lure other industries.

Netherland said he has been approached by a Chattanooga food processing company interested in locating next to the incinerator. Federated has also received two offers from Marion County landowners wishing to sell, but the company does not prefer those sites, Netherland said.

On Thursday when the Port Authority considers Federated's offer to buy the land it has listed with a Chattanooga real estate agency for three years, it must consider several factors. One is whether the authority will have to pay a \$100,000 fee to the Realtor for rejecting the buyer.

The Marion County Commission's attorney, Thomas "Rusty"

Graham, said the port authority may not have to pay that amount if it rejects the proposal. Graham has discussed the fee with Frank Fly, a Murfreesboro attorney who specializes in environmental cases, and has been retained by Marion County.

Port authority member John Hewgley has said he is concerned about adequate monitoring of the plant by the federal Environmental Protection Agency. Authority member Eddie Berryhill said he is concerned that Federated could later ask for state permission to add a hazardous waste landfill.

Before the site can be purchased, the developers must meet TVA guidelines as well. The Port Authority obtained the land from TVA and the federal agency re-

tains some control on environmental issues.

In an interview, Hewgley said a wood-chip mill that wanted to locate in the area failed to meet TVA's guidelines. He thinks Federated will have similar problems. He thinks Federated's offer will ultimately have to go before a review board of representatives from TVA, South Pittsburg and New Hope.

Meanwhile Gov. Ned McWherter last week advised incinerator opponents that the company has filed no requests for a permit. And even if they had, he said, the state has just started a study that will lead to regulations for incinerators. Until those regulations are in place, he said, an application could not be acted on anyway.

# Backers insist technology makes incinerator safe

Last in a series

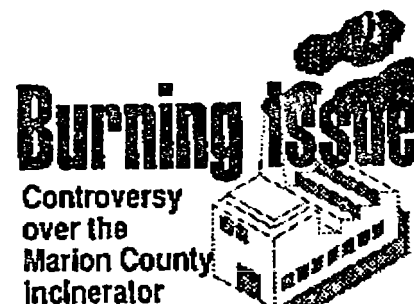
By Sammie Jane Mayfield

Chattanooga Times correspondent

SOUTH PITTSBURG, Tenn. — Federated Technologies Inc., the Nashville-based company that wants to build a hazardous waste incinerator in Marion County, says the plant would be safe.

But a citizens group plans to demonstrate its opposition Thursday when the Nickajack Port Authority considers Federated's proposal to build on a 107-acre site in New Hope. The port authority has advertised the site for sale as an industrial park for three years.

Federated was founded in 1989 by a group of individuals from business, environmental management, government and industry backgrounds. It intends, according to the plan submitted to the port authority, to apply the most proven and effective techniques for the de-



struction of hazardous industrial waste. The members of its board of directors are Jim Word, Ed Netherland, Bob Culbreath, Richard Sadler, Michael L. Duke and Robert J. McCormick.

Word resigned his post as state commissioner of Health and Environment two years ago to help form Federated. He serves as president. He is also executive vice president of the Tennessee Hospi-

tal Association.

Netherland is president of Netherland and Associates Inc., a Middle Tennessee insurance firm. He joined Federated several months ago to handle many of the company's financial arrangements.

Culbreath is an industrialist in Portland, Tenn. According to a state health department official, a waste facility in Portland owned by Culbreath has been targeted by the state to be turned over to the federal Superfund program. Superfund deals with hazardous waste sites that fail to meet health and safety standards.

Sadler is executive director of Tennessee Health Care Association.

Duke is president of DRE Technologies Inc., the engineering firm

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working with Federated on the proposed Marion incinerator.

McCormick is vice president of DRE and was involved with a hazardous waste incinerator in El Dorado, Ark., that has been the target of much criticism by environmental groups.

An associate of Federated who is not mentioned in company literature is state Rep. Tommy Burnett. He received \$25,000 from Federated in January as a site selection specialist. Burnett has denied finding the Marion County site. He said it was located by Word and Netherland.

In a May 3 report to the port authority, Federated said the incinerator would "provide necessary, safe and environmentally sound management of industrial waste." It would employ two processes: one for organic and one for inorganic waste.

Organic waste, according to the report, would come mostly from chemicals and plastics manufacturing. It would be burned in a rotary kiln. Inorganic waste would primarily come from plating and manufacturing industries and be treated by a process that turns the waste into a ceramic material to be sold.

Last month, McCormick told the port authority the materials handled at the Marion County site would include waste oils, dirty solvents, paints and sludges, pharmaceutical wastes and contaminated soils from spill cleanups. In March, Word told the port authority the most dangerous material would be PCB oils. He acknowledged that some wastes brought to the incinerator would contain cancer-causing materials.

Dr. Russ Adcock of South Pittsburg said his concern is dioxin emissions. He said dioxins can affect the liver, lungs and central nervous system and can cause birth defects and cancer.

Danny Halderman, a member of Earthworks and Save Our Cumberland Mountains, said heavy metals, such as cadmium, lead and mercury, cannot be filtered and would eventually be in the environment. He said the metals can cause neurological disorders.

McCormick said Federated would filter heavy metals. Some metals such as mercury, he said, would almost be impossible to contain so "we would control those things at input."

According to Federated's report, "The organic waste is broken down during combustion to carbon dioxide, water, acid gases and inorganic ash. The ash is managed as a hazardous waste and treated either through solidification or the vitrification process. A caustic solution is used to remove the acids from the exhaust gas in the air pollution control system. This solution is then treated on site in preparation for recycling or off-site disposal. The remaining gas steam will consist of carbon dioxide and water vapor in air."

Inorganic waste and kiln ash would be treated by what is called the vitrification process. The wastes would be blended with reagents and heated in a stationary kiln until they form a non-toxic glass material. The gases would be scrubbed with a caustic solution to remove any toxic emissions.

The company says both systems would be monitored by a computer that would automatically shut off the waste feeding system if a problem arose. The company described an intricate system of record keeping and inspection of the waste before it is accepted to be burned. The company says it would take precautions to prevent air emissions, manage liquid and solid residues and develop contingency and training plans. Federated would maintain its own fire department and emergency team.

Federated says the traffic volume to and from the incinerator would include: for solid waste, two rail cars and five trucks a day; liquid waste, two rail cars per week and two trucks a day; Portland cement, one truck a day; solidified ash, one barge a month or one rail car a day or two trucks a day; treated brine, one barge a week or one rail car a day; caustic solution,

one rail car or three trucks a week; miscellaneous, two trucks a day.

Mark Caldwell, director of the Marion County Emergency Management Agency, said in March that although there are regulations and technology for safe transportation of hazardous waste, "You and I and our citizens and even the waste management in the county would have no control over the transportation of these hazardous wastes to and from the facility. Once the transportation gets off the interstate and travels through our communities, the danger to our citizens increases."

If it is constructed, the New Hope plant would be Federated's first incinerator. Of its board members, only one has a background that includes incinerators. McCormick was involved with constructing a hazardous waste incinerator in El Dorado, Ark. for the Environmental Systems Co. That plant has been criticized by environmental groups, such as the Citizens Clearinghouse For Hazardous Wastes Inc., for a history of leaks and spills. The Clearinghouse has reported unusually high numbers of rare cancers and other disorders in El Dorado.

Marion County Commissioner Larry Simcox recently went to El Dorado with a Chattanooga television crew. He said his look at that Arkansas community increased his fears for Marion County.

"The air was so heavy you could hardly breathe," Simcox said. He said local property values have plunged. But, he said, "Ensco (the incinerator company) focuses on monetary benefits to the community and denies the fact that any health hazards exist."

"It's really a sad situation there," Simcox said. "Until you see firsthand how bad it really is, you just can't comprehend it."