

BEFORE THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

IN RE: NCL WASTE, LLC
NORTH COUNTY LINE LANDFILL
2858 NORTH COUNTY LINE ROAD
RIDGELAND, MISSISSIPPI

* ISSUANCE OF A SOLID WASTE MANAGEMENT PERMIT FOR THE CONSTRUCTION AND OPERATION OF A MUNICIPAL SOLID WASTE LANDFILL

PUBLIC HEARING

HELD ON THURSDAY, DECEMBER 15, 2011
7:00 P.M.
TOUGALOO COLLEGE HOLMES HALL AUDITORIUM
500 WEST COUNTY LINE ROAD
TOUGALOO, MISSISSIPPI

VOLUME 1 OF 3

REPORTED BY:

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1 DEPARTMENT OF ENVIRONMENTAL QUALITY
2 STAFF MEMBERS PRESENT AND ATTENDING:

3 HARRY M. WILSON, P.E., DEE
4 Chief, Environmental Permits Division
Office of Pollution Control

5 MR. BILLY WARDEN
6 Chief, Solid Waste & Mining Permitting
Branch
7 Environmental Permits Division
Office of Pollution Control

8 LYNN CHAMBERS, P.E., BCEE
9 Branch Manager, UST Compliance &
Enforcement Program
10 Solid Waste & Mining Permitting Branch
Environmental Permits Division
Office of Pollution Control

11 MS. MELISSA McGEE-COLLIER
12 Director, Office of Community Engagement
Office of Pollution Control

13 ROY FURRH, ESQ.
14 General Counsel
Legal Division

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Attachment No. 1: Composite attachment
including letters to the MDEQ, submitted
by Bryant Clark

Attachment No. 2: Composite attachment
including a statement and supporting
documentation, submitted by Gregory Harris

Attachment No. 3: Composite attachment
including letters to Mr. Mark Williams,
MDEQ; submitted by Sylvia Thomas

Attachment No. 4: Composite attachment
including letters and supporting
documentation to MDEQ, submitted by Lauren
Wilkes

INCLUDED IN VOLUME 2 OF 3:

Attachment No. 5: Composite attachment
including letter from Betty Ruth Fox to
Lynn Chambers, MDEQ, 12/15/2011; letter
and supporting documentation from Michael
Bilberry and Jim McNaughton to Lynn
Chambers, MDEQ, 12/12/2011; CD labeled
"NCL Public Comments 12/15/11, From: NCL
Waste, LLC"; copies of posters displayed
at public hearing; submitted by Betty Ruth

1 Fox

2 **INCLUDED IN VOLUME 3 OF 3:**

3 Attachment No. 6: Memorandum with supporting
4 documentation from NCL Waste, LLC, to
5 Lynn Chambers, MDEQ, 12/15/2011; submitted
6 by Betty Ruth Fox

7 Attachment No. 7: Report with supporting
8 documentation from Jo House, House
9 Engineering, LLC; submitted by Betty Ruth
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11 Attachment No. 8: Letter from Karl M. Banks,
12 Sr., Madison County Board of Supervisors,
13 to Lynn Chambers, MDEQ, 12/13/2011;
14 submitted by Betty Ruth Fox

15 Attachment No. 9: Letter from Fred L. Banks,
16 Jr., Phelps Dunbar, LLP, to Lynn Chambers,
17 MDEQ, 12/14/2011; submitted by Betty Ruth
18 Fox

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1 MR. HARRY WILSON: I guess we're
2 ready to begin. Ladies and gentlemen, we'd
3 like to begin this hearing now. I am Harry
4 Wilson. I'm chief of the Environmental
5 Permits Division with the Department -- the
6 Mississippi Department of Environmental
7 Quality.

8 This hearing by the Department
9 regards the proposal for a new municipal solid
10 waste landfill to be located in south Madison
11 County in Ridgeland, Mississippi. The
12 applicant is NCL Waste, LLC. This hearing is
13 to receive your comments on the facility and
14 related permitting issues.

15 This hearing follows a comprehensive
16 review by staff engineers. And at the table
17 with me tonight are Mr. Billy Warden, chief
18 of the Solid Waste Permitting Branch; Lynn
19 Chambers, branch manager of the UST Branch
20 as well as the permitting project manager
21 for this facility; Melissa Collier, the
22 director of the Office of Community
23 Engagement; Mr. Roy Furrh who is chief legal
24 counsel for the Department of Environmental
25 Quality. Mr. Warden and those here, as well

1 as other Department staff, have participated
2 in the review of the solid waste permit
3 application.

4 The decisions in these matters will
5 be made by the Environmental Quality Permit
6 Board. The Permit Board is created by
7 Mississippi law for the purposes of issuing or
8 denying, under such conditions and limitations
9 as it may prescribe, for -- as it may
10 prescribe, environmental protection permits
11 and coverages to control and prevent the
12 release of contaminants into the air and
13 waters of the state. The composition of this
14 board is established by statute. The statute
15 identifies the heads of a number of agencies
16 which have interest in environmental
17 matter- -- permitting matters of the state. I
18 will not take the time to identify them now,
19 but -- however, at the end of the hearing, if
20 you wish so, I will then.

21 As the hearing begins tonight,
22 Mr. Warden of the pollution control staff will
23 briefly describe the permit application of the
24 permit. After his presentation, then we'll
25 begin receiving your comments.

1 Mr. -- Billy.

2 MR. BILLY WARDEN: Good evening.

3 AUDIENCE MEMBERS: Good evening.

4 MR. BILLY WARDEN: As Mr. Wilson
5 stated, this hearing is to accept comments
6 regarding the proposed North County Line Road
7 Municipal Solid Waste Landfill in south
8 Madison County. The proposed landfill would
9 be located at 2858 North County Line Road in
10 Ridgeland, Mississippi, directly north of the
11 existing Little Dixie Municipal Landfill.

12 The proposed NCL landfill is a
13 municipal waste landfill which is allowed to
14 accept residential, commercial, industrial,
15 and other -- other nonhazardous waste. Any
16 new landfill proposed in Mississippi has to be
17 designed to the standards of the Federal
18 Environmental Protection Agency. In addition,
19 Mississippi has more stringent conditions than
20 the EPA, including si- -- siting criteria,
21 such as setback distances.

22 Normally when the Department
23 schedules a public notice for a landfill, we
24 have a complete application which addresses
25 all the issues of the project, including, but

1 not limited to, the landfill design, the
2 proposed capacity of the waste disposal, the
3 geologic information, operating and closure
4 plans, stormwater controls and management
5 plans, a Wetlands Protection Determination
6 from the Corps of Engineers, the financial
7 assurance mechanism to ensure money is
8 available for closure, and a 30-year
9 postclosure sampling plan.

10 However, this hearing tonight is not
11 a typical landfill public hearing because we
12 do not have a complete application or a draft
13 permit at this time. MDEQ has been unable to
14 reconcile with NCL Waste, LLC, a minimum
15 setback distance from the property boundary to
16 the actual disposal area where the waste will
17 be placed and buried. This prevents MDEQ from
18 being able to complete our review of the solid
19 waste management permit. Therefore, MDEQ
20 plans to recommend denial of the solid waste
21 permit application.

22 The Mississippi Nonhazardous Solid
23 Waste Management Regula- -- Regulations
24 require a minimum of 500 feet separa- --
25 separation distance from the property line to

1 the actual disposal area. The regulations do
2 allow for a reduced setback as low as 250
3 feet, if there is adequate on-site screening
4 that can restrict the off-site view of the
5 landfill. Currently, the NCL Waste solid
6 waste management permit application requests a
7 setback distance of 250 feet from the NCL
8 Waste disposal boundary to -- to all
9 properties, including North County Line.

10 During review of the Madison County
11 Solid Waste Management Plan in 2005 after a
12 full evidentiary hearing, the Commission on
13 Environmental Quality requested the Permit
14 Board to review and consider a greater
15 than 500-foot setback property line to the
16 disposal area. MDEQ asserts that the setback
17 distance of at least 500 feet between the
18 disposal boundary and all adjacent property --
19 properties is necessary. Consequently, we are
20 bringing this matter before you tonight to
21 solicit your input on a minimum setback
22 distance.

23 At this time we would like to remind
24 the audience that this public hearing is only
25 the first public hearing related to this

1 proposed landfill. After tonight's hearing,
2 all public comments will be provided to the
3 Permit Board for their consideration of this
4 matter and brought before the Permit Board
5 meeting. Permit Board meetings are open to
6 the public, and you can attend them.

7 Upon hearing a recommenda- --
8 recommendation from MDEQ and considering your
9 comments and the facts of the case, the Permit
10 Board will act on the solid waste management
11 permit application. The Permit Board may
12 impose additional requirements on any landfill
13 on a case-by-case basis, in order to prevent,
14 abate, control, or correct groundwater con- --
15 contamination, public endangerment, or
16 otherwise determined necessary to protect
17 human health, welfare, or the environment.

18 Regardless of the Permit Board
19 decision, MDEQ provided an additional 30-day
20 public comment period and will hold the
21 public hearing on the project once it is
22 brought into comple- -- brought to completion,
23 unless, of course, the application is
24 withdrawn.

25 In conclusion, the Department has

1 deemed the application technically
2 unacceptable with a 250-foot setback distance.
3 At this time, we will record any and all
4 concerns and issues presented tonight during
5 the comment period. Your comments will be
6 evaluated and considered to ensure that all
7 relevant issues have been properly and
8 adequately addressed. Once the Department
9 staff has evaluated the information and issues
10 presented, the staff will finalize the
11 recommendation concerning the application and
12 the setback distance and present the
13 recommendation to the Permit Board for a final
14 decision.

15 MR. HARRY WILSON: Thank you, Billy.
16 We're now ready to receive your
17 comments. And because many people may wish to
18 comment, we ask that you keep your comments
19 brief as po- -- as brief as possible and that
20 you focus on environmental issues, since that
21 is the subject of this hearing.

22 We will take comments from those in
23 the order that you registered on your
24 registration cards. We'll first take comments
25 from those individuals that indicated that

1 they'd like to make a comment. And after
2 that, we'll receive comments from anyone else
3 and I'll open the floor. And then finally
4 we'll take comments from anybody that has --
5 that has already commented, and I'll probably
6 open the floor at least once more.

7 We want to make it clear, again, that
8 all comments received here tonight and
9 concerns will be thoroughly evaluated by our
10 staff prior to making a recommen- -- the final
11 recommendation to the Environmental Quality
12 Permit Board.

13 It is very important to remember that
14 we're establishing a hearing record tonight
15 and -- to be presented to the Permit Board,
16 and, for your views to be considered, it's
17 necessary that you comment into the
18 microphone. Again, please come to the
19 microphone.

20 So we'll begin with Ms. Sylvia
21 Thomas.

22 MS. SYLVIA THOMAS: I didn't know I
23 was the first one to sign up.

24 MR. HARRY WILSON: You were the very
25 first one.

1 MS. SYLVIA THOMAS: Oh, my goodness.
2 All right. Good evening.

3 AUDIENCE MEMBERS: Good evening.

4 MS. SYLVIA THOMAS: I am Sylvia
5 Thomas. I reside at 150 Ledora Lane in
6 Ridgeland, Mississippi, and I live within
7 several miles of the proposed Bilberry North
8 County Line Landfill. I'm president of the
9 North Livingston Road Homeowners Association
10 and represent a majority of the 140-plus
11 homeowners within the boundary that begins at
12 West County Line and North Livingston and ends
13 at the point where Lake Cavalier begins.
14 Others from our association will be commenting
15 tonight as well.

16 The first thing I'd like to say is,
17 we do not support a 250- or a 500-foot buffer.
18 We are adamantly opposed to a third landfill
19 in Madison County. Two, which we currently
20 have, are too many. We believe that another
21 landfill developed near the current Little
22 Dixie creates an environmental injustice
23 within our community.

24 In Mississippi, there are 18
25 landfills, each county with only one, except

1 Madison County who has two, Little Dixie and
2 the one in Canton. Why does Madison County,
3 MDEQ, need a third one, and right across the
4 street from where Little Dixie now sits?

5 MDEQ, at last year's community
6 engagement meeting we asked you if there had
7 been a need assessment done to determine the
8 need for this proposed development. We ask
9 the same question tonight. But we also want
10 to know what are the results and where may we
11 review those results.

12 Most of us are aware of the many
13 dangers landfills cause to the environment
14 and to human health, regardless of what you
15 say about taking all the necessary precautions
16 during and after develop. What we also know
17 is that when the earth and the soil move, few,
18 if any, man-made structures can predict what
19 happens next in most cases. Cells leak, and
20 I quote what others have been saying for
21 years. Where there are landfills, cells leak
22 and contaminate the surrounding environment.

23 Landfills can cause cancer,
24 encephalitis and other mosquito-borne
25 diseases, emphysema and other lung-related

1 illnesses, just to name a few. Anyone driving
2 around or near the current Little Dixie
3 Landfill can see the damage done to
4 infrastructure as well as prevention of
5 further development. Streets and roads are in
6 terrible condition. Stench, buzzards,
7 rodents, and other critters just have their
8 way there. Timber that was once at a time
9 thriving no longer exists or is diseased and
10 near death. These things and others will only
11 worsen with a third landfill in Madison
12 County.

13 MDEQ, tell us, why would you want to
14 have a hand in this environmental injustice?
15 Do not -- do not permit this facility. Thank
16 you very much.

17 (AUDIENCE MEMBERS APPLAUD)

18 MR. HARRY WILSON: Thank you,
19 Ms. Thomas.

20 Next I have Ms. Cynthia Ray.

21 MS. CYNTHIA RAY: Hi. My name is
22 Cynthia Ray. I live at 2080 Greens Crossing
23 Road, which is within a two-mile radius. I
24 represent four families of the Rays that live
25 on Greens Crossing. We all live side by side

1 and are three generations.

2 I too want to know have you
3 demonstrated or have the owners demonstrated a
4 need for a third landfill. That answer has
5 not come.

6 I think, as you -- as you have said,
7 you, at this point, are opposed to the
8 proposal. Since the setback -- the owners are
9 not agreeing -- agreeing to the setback, I
10 would think that it doesn't need to go any
11 further.

12 If they don't agree to it, I -- this
13 may be the first public meeting, but this is
14 not the first meeting I know most of us have
15 been to. I've been to three or four meetings
16 concerning this, and it seems to be that it's
17 becoming a waste of time or it's a "trying to
18 wear us down" type of issue. And I'm -- and
19 I'm getting tired. I will be at every single
20 one. I'm not going to be worn down, and I'm
21 going to fight till there's no fight left. I
22 am thoroughly opposed, and our whole family on
23 Greens Crossing is completely opposed.

24 I also agree -- I know this is
25 supposed to be an environmental issue, but

1 there are more issues at hand. One is, my
2 road is in Hinds County. The proposed
3 landfill is in Madison County. We can't get
4 our road fixed now. It's just going to be
5 worse. There's only two ways to get there,
6 North County Line Road or Greens Crossing
7 Road.

8 So our whole family is opposed to it.
9 That's all.

10 MR. HARRY WILSON: Thank you -- thank
11 you, Ms. Ray.

12 (AUDIENCE MEMBERS APPLAUD)

13 MR. HARRY WILSON: Lap Baker.

14 MR. LAP BAKER. I didn't know I was
15 that early also.

16 But I'm here representing Hinds
17 County. I am an employee with the Hinds
18 County Department of Public Works, and I
19 oversee the solid waste programs and services
20 for Hinds County.

21 As was mentioned a few minutes ago, a
22 few seconds ago, by Ms. Ray, with respect to
23 our road which we have maintained the service
24 of, and that's North County Line Road, it is
25 basically in ruin. It shouldn't be traveled

1 on at all. The cost estimate right now just
2 to get that road back into standard condition
3 is well over \$4.5 million. That's for
4 reconstruction and everything.

5 I'd always -- for 13 years, I've been
6 involved in this issue here. And I received a
7 call before the meeting started from our
8 president -- from the president of the board,
9 Charles Smith, who wanted me to relate to you
10 that a letter will be forthcoming from the
11 board of supervisors opposing this third
12 landfill.

13 And one has to keep in mind, if you
14 look at the status reporting information from
15 DEQ, 2010, it will show, first of all, that
16 Canton -- the City of Canton's landfill has
17 permitted acreage of 139 acres, the Little
18 Dixie 150. Well, if you are looking at
19 providing services for Madison County, you
20 sent 83.6 thousand tons of waste away from
21 Madison County to Clearview Landfill. Utilize
22 what you have. You already have two
23 landfills, the only county in the state with
24 two landfills, the only. And it is an
25 environmental injustice against the people who

1 reside across the street of that proposed
2 landfill.

3 So we do have -- we are in opposition
4 for approving it, do not want it. It is
5 unnecessary. The need has not been
6 demonstrated. It might have been considered,
7 but considering a need is not justifying or
8 substantiating a need. The need has not been
9 done. And I understand that that will be
10 presented to the Permit Board if it goes
11 there. Evidentially the State legislature
12 saw fit in their response in 2006, it
13 proposed that the need be considered at the
14 Commission level, on the front end, not the
15 back end.

16 So with that, I'm through. You know
17 I talk a lot, but I'm through.

18 MR. HARRY WILSON: Thank you,
19 Mr. Baker.

20 (AUDIENCE MEMBERS APPLAUD)

21 MR. HARRY WILSON: Mr. H.C. Friday.

22 DR. H.C. FRIDAY: Howard.

23 MR. HARRY WILSON: Howard.

24 DR. H.C. FRIDAY: I'm Howard Friday.
25 I'm a retired physician. I have been out in

1 that country since 1967. If you want my
2 address, it's 3946 Greens Crossing Road 39213.

3 Today is December 15th. It's my
4 first girlfriend's birthday. And the reason I
5 say that tonight is because I might go home
6 with my second wife after that.

7 But I'm real happy today, and I'm not
8 going to speak long. When I went out there
9 in '67, North County Line Road was a trail.
10 Some of you may remember. It wasn't paved.
11 It wasn't graveled. It was dirt, D-I-R-T,
12 dirt. As a matter of fact, it was safer then
13 than it is now, if you've been down that
14 road -- and I can say "road."

15 The issues here are not concerned
16 with more money. If this thing goes through,
17 somebody is going to make a whole lot of
18 money, and everybody in this room and others
19 are going to lose some money.

20 (AUDIENCE MEMBERS RESPOND
21 AFFIRMATIVELY)

22 DR. H.C. FRIDAY: Environment. I
23 very seldom go up North County Line Road. But
24 one day I said, Well, I'll just go see if
25 they've fixed any potholes or done anything

1 any different. When I went by where the Old
2 Trace goes through, it was right below right
3 where the Old Trace is, the smell hit me. I
4 had to put on the -- I put my foot on the
5 pedal to the metal, whatever the hell that is,
6 to get down to the other end of the road to
7 roll the windows up.

8 Two or three years ago, I asked the
9 garbage dump, is what I call it, if they would
10 do something about the smell. They put a
11 little funnel up there that burns some gas
12 that we've seen, a little bit, but that
13 doesn't do anything. Depending on where you
14 are and where the wind is blowing, what --
15 what I smelled today -- again, if you're old
16 enough -- if you ever broke a rotten goose
17 egg, it's called "hydrogen sulfide," and it's
18 pretty pungent.

19 Let's see. You'll have to put up
20 with me for a minute.

21 Safety. As I said, I don't go up
22 North County Line Road anymore. And I think
23 it's Hinds County's problem and Madison
24 County's problem. It's a -- it's a dual deal.
25 Somebody is going to get hurt or they're going

1 to get killed. If you meet a truck or another
2 car coming the other way, both of you better
3 get off on the dirt, or you're going to have a
4 head-on.

5 Almost through. Let's see.

6 I looked up today the acreage, the
7 size of Madison County, 741.97 square miles.
8 Why do they want to put four garbage dumps in
9 four square miles, in the southeastern part of
10 the county?

11 And then, would -- would I be rude if
12 I asked those to stand that oppose it? Would
13 I be out of order?

14 MR. HARRY WILSON: It won't be
15 captured on the record.

16 DR. H.C. FRIDAY: Sir?

17 MR. HARRY WILSON: It will -- it will
18 not be captured on the record that we're
19 developing tonight.

20 DR. H.C. FRIDAY: But -- but would I
21 be out of order just to ask them to stand if
22 they oppose this?

23 MR. HARRY WILSON: I -- I think
24 they could raise their hand. We don't want
25 to --

1 DR. H.C. FRIDAY: Okay. Raise your
2 hands.

3 (AUDIENCE MEMBERS RESPOND)

4 DR. H.C. FRIDAY: No need to count
5 them.

6 UNIDENTIFIED MALE AUDIENCE MEMBER
7 (Not at microphone): Sounds like a majority
8 to me.

9 DR. H.C. FRIDAY: Sir?

10 UNIDENTIFIED MALE AUDIENCE MEMBER
11 (Not at microphone): Sounds like a majority
12 to me.

13 DR. H.C. FRIDAY: Thank you.

14 MR. HARRY WILSON: Thank you,
15 Mr. Friday.

16 (AUDIENCE MEMBERS APPLAUD)

17 MR. HARRY WILSON: Mr. Jesse Brown.

18 MR. JESSE BROWN: Good evening.

19 AUDIENCE MEMBERS: Good evening.

20 MR. JESSE BROWN: I'm Jesse Brown. I
21 live at 124 Lubertha Road in Ridgeland.

22 And at the risk of being redundant,
23 I'm only going to say a couple of things. I
24 certainly concur with everything that has been
25 said.

1 I'm retired military. I have some
2 familiarity with chemicals and hazardous
3 waste. My concern primarily is the health
4 factor and the environmental factor. There
5 was a study done, as I was researching, on the
6 incidence of hospitalization and diabetes that
7 was located near a landfill. And this
8 concerns me. Additionally, the devaluation of
9 property in the area or near it.

10 Now, I would imagine that none of
11 the persons that are standing for trying to
12 get this landfill really understand the
13 liability of these landfills. We already
14 have one landfill. We are struggling with
15 the potential of having another one, and
16 another one would certainly compound our
17 destruction. It may not happen to me or
18 the next generation, but certainly it will
19 happen.

20 And so, for that reason, I am
21 adamantly opposed to adding one inch. Do
22 not issue this permit. Thank you.

23 MR. HARRY WILSON: Thank you,
24 Mr. Brown.

25 (AUDIENCE MEMBERS APPLAUD)

1 MR. HARRY WILSON: Mr. D.I. Smith.
2 Is Mr. -- oh.

3 MR. D.I. SMITH: I am D.I. Smith, 348
4 Indian Gate Circle, Ridgeland, Mississippi
5 39157. I serve as Madison County supervisor
6 for District 3, and I am representing myself
7 as the District 3 supervisor. The comments
8 that I have tonight do not reflect the split
9 opinion or the majority opinion of the Madison
10 County Board of Supervisors but my own
11 personal opinion.

12 I've worked with these people in this
13 room for the last four years, looked at the
14 issue. And I want -- I want to point out one
15 thing that hasn't been mentioned tonight, and
16 that is that Judge Lutz, the special appointed
17 judge that first heard the appeal of Hinds
18 County against Madison County Solid Waste
19 Plan, he affirmed. It was later affirmed by
20 the Mississippi Supreme Court.

21 All of that has a 500-foot setback
22 distance. This didn't just appear in the last
23 few weeks. It's been very obvious for many
24 years that it was a split opinion about the
25 need or the importance or the environmental

1 impact of an additional solid waste facility
2 out there. And because of that split opinion
3 by the Mississippi Commission on Environmental
4 Quality, they inserted this recommendation for
5 at least a 500-foot setback, in fact, greater
6 than 500-foot setback. And now that has been
7 affirmed by two different courts, Judge Lutz
8 the special chancellor that heard it, and the
9 Mississippi Supreme Court. No one ever
10 challenged the greater than 500- -- or at
11 least 500-foot setback distance that was
12 specified and affirmed in each one of those
13 cases.

14 I live four miles from the projected
15 proposed landfill. I own property, and I
16 certainly don't want to see any more landfills
17 here boxing in the area where I live,
18 Ridgeland, Mississippi, stopping the last
19 avenue of growth out that direction. And I
20 won't go into all the other things that have
21 been mentioned, but I certainly agree that we
22 don't want south Madison County to become the
23 land of landfills. I'm opposed to any change
24 in the setback distance from 500 feet.

25 MR. HARRY WILSON: Thank you, sir.

1 (AUDIENCE MEMBERS APPLAUD)

2 MR. HARRY WILSON: I believe it's
3 Mr. John Bryant perhaps.

4 MR. JOHN BRYANT, JR.: That was
5 "J.W." My name is John Bryant, Jr. I live
6 at 273 Rouser Road around the corner there
7 from our president, Ms. Sylvia Thomas. She
8 said "several miles." We are less than two
9 miles from Little Dixie dump.

10 Little Dixie dump is owned by BFI.
11 Years ago, that dump was cited for smell and
12 odor. And as the doctor said, they put up
13 some pipes. That was to burn off the methane.
14 On any given hot day where I stay during the
15 summer, we get a foul odor.

16 I have noticed BFI is in the business
17 of making money. I have noticed trucks from
18 Alabama coming and dumping. Why would we want
19 to take somebody else's waste from another
20 state to put into our state? Money,
21 M-O-N-E-Y.

22 I oppose of it. I live out there.
23 I've got a son that's six years old. I
24 recently retired from the Jackson Fire
25 Department. I have two degrees from the

1 Mis- -- from the Mississippi Firefighter's
2 Association out there, Mississippi State Fire.
3 I'm a HAZMAT technician I and II. In the long
4 run, I want to see my son grow up.

5 I've already lived three-quarters of
6 my life. Let the young people out there --
7 there used to be a ridge -- I used to ride my
8 horses down there on Rouser Road. We used to
9 call it the "boondocks." On any given hot
10 day, if your horse don't want to go, he's
11 telling you, "Don't go." Thank you.

12 MR. HARRY WILSON: Thank you,
13 Mr. Bryant.

14 (AUDIENCE MEMBERS APPLAUD)

15 MR. HARRY WILSON: Dr. George French.

16 DR. GEORGE FRENCH: Good evening,
17 ladies and gentlemen of the Board. I'm -- I'm
18 here to speak on behalf of supporting the
19 permit.

20 I support the NCL/Bilberry --
21 Bilberry Landfill which has been widely
22 discussed and examined for Madison County, and
23 copies of letters from several of us have been
24 given to you for the record.

25 Madison County continues to enjoy

1 steady growth in its businesses and a number
2 of residents. A necessary consideration as we
3 plan for continued future growth is waste
4 disposal.

5 BFI's current landfill capacity has
6 been subject to various studies and
7 determinations. Regardless of what life
8 expectancy it is given, it will one day become
9 full to capacity. The proposed NCL/Bilberry
10 site, which is in between BFI's two existing
11 properties, will increase the Metro area's
12 ability to dispose of its own waste.

13 By opening a third landfill, Madison
14 County is not becoming the dumping ground for
15 central Mississippi. Indeed, Madison County
16 is responsibly looking into the future needs
17 of its residents and also the future needs of
18 surrounding metropolitan areas who have to
19 contract for their waste disposal.

20 Thank you very much.

21 MR. HARRY WILSON: Thank you,
22 Dr. French.

23 I have Jean and Jim Enochs.

24 MS. JEAN ENOCHS: I'm Jean Enochs,
25 and my family has had property on West County

1 Line Road for 69 years. Our property is
2 at 1972 West County Line Road in Ridgeland.
3 And I have stood in opposition to this
4 particular landfill project for about one
5 decade.

6 I appreciate everything Mr. Baker
7 had to say. I appreciate Ms. Thomas, and I
8 won't -- I don't want to repeat everything
9 that she said, but I -- I back what she
10 said 100 percent.

11 We have -- I want to point out too
12 that -- that it doesn't get so overlooked that
13 there is another rubbish dumping facility on
14 North County Line Road, the Ballard project.
15 And that involves trucks just as the Little
16 Dixie involves trucks, lots of them, heavy,
17 and often speeding on the neighborhood
18 surrounding roads. It affects all of us in
19 the neighborhoods out there.

20 I am completely opposed to the NCL
21 Waste Landfill project. I guess because this
22 meeting is set up to discuss the setback
23 distance, I most certainly support greater
24 than 500 feet. But I am opposed to the
25 project on -- even with that setback because I

1 believe that there is a justice issue involved
2 for the surrounding area and the surrounding
3 residents and property owners.

4 When Little Dixie reaches its
5 capacity, it's time to cover it in some
6 beautiful way and let the neighborhood
7 blossom. I also believe that we have to look
8 at where the waste comes from for the Little
9 Dixie Landfill. Thirteen counties, however
10 many counties now, are sending their waste to
11 Little Dixie. Where will the waste come from
12 for NCL? There are several states who send
13 their waste to Mississippi to the Little Dixie
14 Landfill. I wonder what the plan is for the
15 NCL Waste project.

16 These are some of my objections.
17 I've been involved in the past about it, and I
18 stand firm in opposition. Thank you very
19 much.

20 MR. HARRY WILSON: Thank you, ma'am.

21 (AUDIENCE MEMBERS APPLAUD)

22 MR. HARRY WILSON: Ms. Lauren Wilkes.

23 MS. LAUREN WILKES: My name is Lauren
24 Wilkes. I grew up in Warren County. I lived
25 in Hinds County for seven years, then went

1 back to Warren County. Now I'm back in Warren
2 County. I live in Utica.

3 Trash is never the most exciting
4 subject in the world, but it's something that
5 we all have to deal with. I grew up on a farm
6 where we separated our trash because we didn't
7 have trash pickup. I'm sure several other
8 people in this room have dealt with the same
9 thing. Where trash goes and how to dispose
10 of it is a big issue.

11 The way I understand it, this
12 project would be the only one on North County
13 Line Road that would meet all of the modern
14 standards for responsible disposal. I think
15 a lot of the people who are here tonight don't
16 really fully understand what has been
17 grandfathered in with the other two
18 landfills. I think they would be wise to go
19 look at that.

20 The Little Dixie is eventually going
21 to run out of capacity. Well, what are you
22 going to do then? You're going to have to
23 take it somewhere else. This landfill would
24 be restricted to only accept waste from inside
25 of Mississippi, whereas the existing two

1 landfills can accept waste from pretty much
2 anywhere.

3 I think it's really important for
4 everybody to think really hard about what you
5 are advocating for tonight or what you are
6 asking them to overlook. The other landfills
7 in Madison County do not meet all the
8 standards that they ought to. This one is a
9 whole lot closer. The issue of the distance
10 of the setback is a technicality, and I don't
11 think it's fair to impose a greater
12 technicality on this piece of property than is
13 allowed for the other existing facilities.

14 Environmental justice is a big issue.
15 I grew up in a very rural area, and I think
16 it's beautiful. And I understand how people
17 feel about odors when they come floating
18 across the spaces that are close to you.
19 Where I grew up in Warren County, there's an
20 International Paper mill, and I understand
21 about the smell. It's not exactly the same as
22 pungent, and you -- you have to learn to
23 accept what's best for everybody, so --

24 (SEVERAL AUDIENCE MEMBERS MAKE
25 SIMULTANEOUS, UNINTELLIGIBLE COMMENTS)

1 MS. LAUREN WILKES: It's never an
2 easy thing to make a decision that's right for
3 everyone. And I'll stop there. Thank you.

4 MR. HARRY WILSON: Thank you,
5 Ms. Wilkes.

6 I have Mr. Lanny Ellis.

7 MR. LARRY ELLIS: Good evening.

8 AUDIENCE MEMBERS: Good evening.

9 MR. HARRY WILSON: Good evening.

10 MR. LARRY ELLIS: Larry -- Larry
11 Ellis?

12 MR. HARRY WILSON: Oh, I'm sorry.
13 Larry Ellis. I'm sorry.

14 MR. LARRY ELLIS: That's my name on
15 the Dr. Pepper (phonetic) sign on Greens
16 Crossing Road. I live on Robinson Springs
17 Road, but I have land that I have been
18 developing -- well, I've owned it since 1989.
19 I have 33 acres I'm developing that I'm
20 planning on building houses on. I'm planning
21 on building me a house on it, and I will be
22 the closest neighbor on the east side of this
23 property.

24 The way things are going now, it's
25 hard enough to get anything, asphalt, water.

1 A new water tower has been built. I met with
2 the City of Ridgeland. They -- you know,
3 they -- the water tower is just for
4 Ridgeland's water. They don't want to give
5 everybody else water. I need asphalt. But
6 now these people coming in here trying to do a
7 development that we don't need, and I
8 guarantee you, everybody will roll it out to
9 them if they get the permit, you know. I need
10 help.

11 We don't need anything taking the
12 community down. So we've got South Madison
13 Refuse, and then right next to where this
14 proposed plant -- plant is right here, then
15 we've got Little Dixie, you know. If we have
16 a dumping ground, what are we going to do
17 about Woodland Springs and then Rouser Road?
18 What are the people going to have to keep the
19 community up if you just make a dumping ground
20 out of it?

21 Everybody's property value is going
22 to -- it's already -- you've already got the
23 smell. Over in Woodland Springs on the south
24 end, you can smell the odor from -- from
25 Little Dixie Landfill. Now, I can't smell it

1 because my land don't go deep enough, but if
2 you put another landfill out there, it's
3 not -- you're not going to -- everybody's
4 property is going to go -- property value is
5 going to go down. Not only that, the standard
6 of living.

7 And right now a lot of times I have
8 to pick up trash on the road, you know. I've
9 been to the supervisors' meeting, and I've
10 told them all of this. Nobody ever came to
11 look at one thing about anything about the
12 asphalt or about picking up the trash. But,
13 now, all of that stuff, it needs to be
14 addressed. I appreciate your time.

15 MR. HARRY WILSON: Thank you,
16 Mr. Ellis.

17 (AUDIENCE MEMBERS APPLAUD)

18 MR. HARRY WILSON: Mr. Larry D.
19 Henderson.

20 MR. LARRY D. HENDERSON: Good
21 evening.

22 MR. HARRY WILSON: Good evening.

23 MR. LARRY D. HENDERSON: My name is
24 Larry Henderson. I live at 212 Walter Payton
25 Lane. And I'm a little bit further from the

1 landfill, but I'm adamantly opposed against
2 it.

3 And, now, I did a little research and
4 got to looking, and some people may say this
5 is out of line, but there's environmental
6 racism that goes on with most landfills. I
7 looked back and looked at an average. In
8 1971, it started to get actual research on it,
9 and they said generally African-Americans,
10 Hispanics, Native Americans, and other
11 darker-skinned people usually have dumps and
12 landfills put in their areas.

13 And what it does, it affects your
14 health. You've got asthma. You've got
15 leukemia. I believe Mr. Brown said something
16 about diabetes. You've got leakage of
17 different chemicals that go into the soil and
18 water. And if you look around most dumps
19 throughout Mississippi, throughout the
20 Southeast, they're always in conflict, New
21 Orleans, and they've made all kinds of
22 studies, people start having health problems.

23 They either have cancer or, as I
24 said, asthma or -- even the fumes that go off,
25 they can cause respiratory problems. If you

1 have -- some people have allergies or --
2 especially if you look at a lot -- if you look
3 at asthma -- and I keep harping on asthma
4 because a lot of African-Americans
5 predominantly, a lot of kids now, are affected
6 by asthma.

7 And if you're looking at fumes or --
8 if you're riding down the road -- and I smell
9 it. I travel County Line Road. I smell it.
10 Now, where I live, the scent doesn't come
11 there, but eventually it will. It will --
12 affects property value. It affects our
13 community, the morale, and I'm saying "no"
14 against the 500 feet, "no" against the 250
15 feet, and "no" against the landfill. Thank
16 you.

17 MR. HARRY WILSON: Thank you,
18 Mr. Henderson.

19 (AUDIENCE MEMBERS APPLAUD)

20 MR. HARRY WILSON: I have
21 Katiedeloris Har- -- Harrion.

22 MS. KATIEDELORIS HARRION: Harrion.

23 MR. HARRY WILSON: Harrion.

24 MS. KATIEDELORIS HARRION: Good
25 evening.

1 AUDIENCE MEMBERS: Good evening.

2 MR. HARRY WILSON: Good evening.

3 MS. KATIEDELORIS HARRION: I am a
4 resident. I grew up in Madison County, as a
5 matter of fact, on Old Agency Road. And our
6 whole house had to be moved because of the
7 Trace, to give you just a little background.

8 MR. HARRY WILSON: Yes, ma'am.

9 MS. KATIEDELORIS HARRION: And at
10 present, it is on Livingston Road North --
11 what's that address?

12 UNIDENTIFIED FEMALE AUDIENCE MEMBER
13 (Not at microphone): 458.

14 MS. KATIEDELORIS HARRION: 458 North
15 Livingston Road. And where Payton property --
16 I mean Subdivision begins on Livingston Road,
17 most of you don't know that, but when I was a
18 teenager, there was a landfill there. You
19 didn't know that. Then when they closed that
20 one, they moved up Livingston Road where you
21 turn off -- where the road veers off to a Y,
22 Lake Cavalier Road or Castle Road, whatever
23 that name is, South Cavalier Road, and
24 Livingston Road, and before you get to the
25 four-way -- the three-way stop on Lake

1 Cavalier Road, you might remember, there was
2 another landfill. That's two already. And I
3 know -- I'm sure some of you are aware of it.
4 Then, and we have property, and I have plans
5 to move out on Greens Crossing Road, which
6 won't be too very far from where that is, the
7 landfill is.

8 Okay. Right at the present, I'm in
9 Hinds County. But on some nights, especially
10 in the summertime when the wind is blowing the
11 right way, going down 220 there's a foul odor.
12 Now, the lady said, "Learn to deal with it."
13 What?

14 (LAUGHTER FROM AUDIENCE MEMBERS)

15 MS. KATIEDELORIS HARRION: Learn to
16 deal with it? Unh-unh. (Negative) No. No.
17 No way. No way. I feel that I am the
18 landfill princess because after where I stayed
19 in Hinds County over in -- it's not too far
20 from Presidential Hills, they put a landfill
21 there. So I'm the landfill princess, a queen.

22 Okay. Now, we are not fortunate to
23 live in clean, well-manicured, gated
24 communities. Why are we as taxpayer --
25 -payers required to pay our -- and we pay our

1 taxes, our fair share; I know I do -- to
2 support an environment that is detrimental to
3 our health? We would like to have decent
4 homesites as well as lakeside homes like some
5 residents on Lake Cavalier Road and Lake
6 Castle Road, clean air and everything.

7 Those of us know that when -- my mom
8 was a teacher on Greens Crossing Road, and
9 they built a re- -- a subdivision there. And
10 she got on her knees begging for that road to
11 be gravel from Livingston Road North to where
12 the little school -- country schoolhouse was.
13 Did she get it? No. No, she didn't. Now,
14 why didn't -- okay. We learned to live with
15 it then. Will the residents get a fair share
16 and not have to pay taxes -- taxes if I
17 live -- to live in an environment that is
18 detrimental to our health?

19 My granddaughter lives within about a
20 mile and a half from there. You notice all
21 the high-powered lines coming through our
22 communities. That isn't fair. That is very
23 unjust, unjust to the residents of that
24 immediate area. And I'm going to have second
25 thought- -- second thoughts before I build out

1 there because where I am, I smell it. And
2 don't -- and she -- I think the company -- the
3 company came to her. She's in the very near
4 proximity of the power lines and those
5 landfills.

6 Why can't we go -- because I know
7 that there is on North Greens Crossing Road,
8 there are a lot of places that I don't think
9 anybody is living there, and rather than to
10 put something off on someone who doesn't want
11 it. That's okay. I mean, it's okay for you
12 to do the injustice to us because you will see
13 it again. The Heavenly Father sees it. We
14 can't do anything about it, but the Father
15 will, and you-all need to think about this.
16 Think about it.

17 Every disease that comes up, we,
18 people like me, are seen as being nasty and
19 disease-carrying people. How can we be clean?
20 When we go off to places and trying to develop
21 something, and everywhere we go, all the
22 concrete places -- I know right across from
23 where I am, there was nothing out there.
24 Nothing. And I went there because I grew up
25 in the country where we had a lot of clean

1 air, and I wanted to have the same thing. Do
2 I have it where I live? No. No. You know,
3 and I worked -- I worked in Rankin County
4 where that paper factory was, but I do not
5 think I smelled it like it was when I was
6 there.

7 But, please, please, if you have a
8 heart, do not, do not do this to us, please.
9 Thank you.

10 (AUDIENCE MEMBERS APPLAUD)

11 MR. HARRY WILSON: Thank you,
12 Ms. Harrion.

13 Mr. Jerome Manuel.

14 MR. JEROME MANUEL: Jerome Manuel. I
15 live at 2095 North County Line. Where they're
16 wanting to put the site at is right at my
17 front door. I love my family and my
18 grandkids. No.

19 (AUDIENCE MEMBERS APPLAUD)

20 MR. HARRY WILSON: Thank you,
21 Mr. Manuel.

22 Mr. Johnny Hughes.

23 MR. JOHNNY HUGHES: Good evening.

24 AUDIENCE MEMBERS: Good evening.

25 MR. JOHNNY HUGHES: My name is

1 Reverend Johnny L. Hughes. I live at 287
2 Rouser Road. Of course, I will be brief
3 tonight.

4 Much has been said about the
5 landfill, but I'd like to ask DEQ this
6 question: Have you-all had an opportunity to
7 review the health data from Madison County?
8 If you have not, please read it. Madison
9 County has one of the highest cancer rates in
10 the entire state. It has one of the highest
11 asthma rates in the entire state, not counting
12 some other key health issues that exist. I
13 would like to encourage you, before you make
14 this decision, please review this information.
15 Thank you.

16 (AUDIENCE MEMBERS APPLAUD)

17 MR. HARRY WILSON: Thank you,
18 Reverend Hughes.

19 Ms. Barbara Gray.

20 MS. BARBARA GRAY: I'm sure someone
21 else is going to come up to say something else
22 about what I'm about to say. I'm Barbara
23 Gray. I live at 258 Dinkins Road. The ZIP
24 Code is 39146, but I am in Madison County.

25 How does this affect me? My

1 daughter, who will probably come up later on,
2 is a professor at Tougaloo. I have come to
3 learn and to meet many of the children there,
4 the students and the -- the young men and
5 women there. In the generations to come, this
6 type of endeavor will affect the health of
7 these students. These students are coming to
8 get an education, not to be penalized for
9 coming to Tougaloo College.

10 So what I'm going to do is to impose
11 upon you to not put a facility like this in a
12 place like this. You're not going to put it
13 at Jackson State. You're not going to put it
14 at Ole Miss. You're not going to put it at
15 Delta State. Respect Tougaloo College like
16 you would anybody else. Respect our students.
17 Thank you.

18 (AUDIENCE MEMBERS APPLAUD)

19 MR. HARRY WILSON: Thank you,
20 Ms. Gray.

21 Mr. Bryant Clark.

22 MR. BRYANT CLARK: Good evening.

23 MR. HARRY WILSON: Good evening.

24 MR. BRYANT CLARK: My name is Bryant
25 Clark, and I'm an attorney from Holmes County,

1 and I represent the Thomas Lane Homeowners
2 Association, which is a homeowners association
3 of most of the residents who live on Thomas
4 Lane which is directly in front of the
5 proposed site, as well as most of the
6 residents that live on North County Line Road.

7 We recently learned -- and I want to
8 start off by saying that the members, my
9 clients, are actually in favor of the proposed
10 landfill. One reason is that they've had an
11 opportunity to meet with the developers of
12 the -- of the proposed landfill, and they have
13 been willing to sit down at the table and
14 listen at the concerns that -- that they have
15 about it.

16 Now, there has been a lot of
17 discussion today about the scents and odors
18 that come from a landfill. And the fact of
19 the matter is, that if a landfill is operated
20 properly, and the keyword is "properly," that
21 a lot of the problems which people are
22 complaining about, they wouldn't have those
23 problems.

24 Now, as far as it relates to the
25 setback, the -- it's my understanding that the

1 Commission -- the MDEQ's recommendation to the
2 Commission will be to deny the application for
3 failure of retaining 500 feet. They're going
4 to give this recommendation despite the fact
5 that the Canton Solid Waste Plan -- it's in
6 com- -- it's in compliance with the Canton
7 Solid Waste Plan, or despite the fact that
8 it's in compliance with all federal and state
9 regulations, as well as that the residents
10 that live -- most of the residents in that
11 immediate area are actually in support of it.

12 It is my understanding that
13 in 2004 -- this whole "500 feet" question
14 came up in 2004. It came up in 2004 at a
15 Commission meeting when a staff person for
16 MDEQ gave what I call "misleading information"
17 to the Commission. At that -- and then
18 explained it to them, and that person said
19 that it required -- the regulation
20 required 500 feet, which is untrue.

21 There is an exception, and the
22 exception is, it's 200 feet if you have proper
23 screening and proper vegetation. I've
24 personally gone to the site, and right now,
25 with the natural screening and the natural

1 vegetation there, there's clearly no
2 visibility where the proposed site is.

3 Now, if all of this is based upon
4 environmental justice, which it's required
5 that these hearings have to take place, so the
6 community can have meaningful involvement in
7 the decision process for things like this
8 coming into a community. But when I look at
9 the entire situation, I think the spirit, the
10 spirit of environmental justice has been -- is
11 not carried out.

12 Right now, BFI, the landfill that
13 everybody is complaining about, is expanding.
14 Most of the people in this room probably don't
15 know the fact that they have been issued a
16 permit to expand and they're actually in the
17 process of expanding. People have went around
18 to get letters, to get documents signed, to
19 get people to come to public hearings, but
20 none of these individuals have made one
21 word -- or said one word about the fact that
22 BFI is presently on North County Line Road
23 expanding. So where are the public hearings
24 for the expansion of BFI? The company which
25 everybody is complaining about here today is

1 not, in my opinion, properly maintaining the
2 landfill the way that they should.

3 Now, the people from NCL came and met
4 with the individuals on that road, some of
5 the -- some of the corporate executives, and
6 asked them -- and they are experts in their
7 own right -- asked them what are the problems
8 and concerns you've had for the 30 years you
9 lived before that came from this landfill?

10 And they made a commitment that
11 they're going to address those concerns. They
12 made a commitment that they're going to do
13 everything they can to address those concerns
14 with those individuals. Now, BFI, a
15 multimillion-dollar company, CEO is probably
16 in New York, what are the chances of getting
17 him to come to a hearing or even to go to sit
18 down at the table with the people in the
19 community.

20 So I said that to say that my
21 clients -- and I have letters, if I can submit
22 it to become part of the record, from several
23 of my clients who have signed letters, and
24 they are in favor of the 250-foot setback and
25 are okay with the landfill.

1 MR. HARRY WILSON: Yes, you may --
2 you may submit those. We'll mark those as
3 Exhibit 1.

4 (ATTACHMENT 1 MARKED)

5 MR. HARRY WILSON: Thank you,
6 Mr. Clark.

7 Mr. Gregory Harris.

8 MR. GREGORY HARRIS: Thank you. My
9 name is Gregory Harris. I live on Thomas
10 Lane. I own property directly across from the
11 proposed NCL Landfill. I plan to use it -- or
12 I do use it for my home and my family.

13 We think that 200 feet is fine for a
14 setback for NCL. The trees are more than
15 enough.

16 Okay. There is talk about Madison
17 County being the land of landfills, but I
18 would like to encourage the Permit Board to be
19 responsible. If you fairly enforce the
20 permitting laws, you will find Madison County
21 is not the land of landfills. You will also
22 see that Mr. Smith is trying to defeat the
23 only landfill that meets all the laws, while
24 saying nothing about breaking laws.

25 What the Per- -- what the Permit

1 Board is going to find is that 78 acres of the
2 Canton Landfill were permitted illegally,
3 according to Order 4-3 9 6-02 states.

4 But if MD- -- if MDEQ follows the law
5 and was truthful about what it told the people
6 in Potters Church, the landfill permit will be
7 revoked because it was approved by Canton and
8 not Madison County who was over it.

9 Next is the BFI Landfill. It has no
10 buffer and the setback is only 50 feet. Last
11 year I wrote about BFI expanding. They told
12 me it was not expanding. It was called a
13 "redesign" or a "modification." Last year at
14 the church, Mr. Williams called it a
15 "redesign" and said it wasn't going to go any
16 higher. BFI applied for a 10-foot vertical
17 expansion in 2008 trying to add two million
18 yards to the capa- -- two million yards of
19 capacity. It wants DEQ to let BFI remove the
20 liner that's needed to prevent the gas from
21 leaving the property, which causes the odors
22 that people complain about. Mr. Smith knows
23 BFI is not -- is not zoned to go but 500 feet
24 by Madison County, but, in case he doesn't,
25 I'm sending him a document from the Brunini

1 Law Firm that requested the 500-foot
2 expansion.

3 In theory, the laws of Mississippi
4 are designed to protect people who live a mile
5 from the landfill. It does this by not
6 allowing landfills within a mile from 20 or
7 more residents.

8 If BFI had trees around it and the
9 synthetic liner and wasn't so high, none of us
10 would be dealing with these problems. Trees
11 would block the wind hitting the landfill and
12 when it left the landfill.

13 In Mississippi, by law there is
14 always going to be less than 20 people near a
15 landfill.

16 Unlike Dr. Friday, we did not try to
17 use our land for a landfill, and we don't get
18 money for our land like farm subsidy websites
19 show that he does. Ms. Enochs complains about
20 not being able to sell her land. She needs to
21 realize that part of her problem are that she
22 has those power lines and everything going
23 through her property. You need to get DEQ to
24 come tell all these people about taking the
25 liner out that protects groundwater and

1 prevents odors.

2 Why we are here today goes back to a
3 meeting in 2004 when DEQ approved Madison
4 County's plans. If I -- if I will, I'll be
5 reading from the transcript.

6 A commissioner asked Mr. Williams:
7 "What is the width of the buffer that they
8 have agreed to place around the landfill and
9 what difference is there between that
10 requirement they've agreed to and the State
11 requirements?"

12 Now, this is Mr. Williams' reply:
13 "They haven't really agreed to anything as a
14 result of this planning process. In the
15 environmental per-" -- "permitting process,
16 there is a buffer zone that is required of
17 them. If they don't agree to it, it's
18 required. It's a 500-foot setback distance
19 from the property line to the edge of the
20 disposal area."

21 Now, the law actually says, Envir- --
22 the Environmental Quality Regulation W.2,
23 "Nonhazardous solid waste management
24 regulations and criteria. For landfills, the
25 setback shall be 500 feet, except where

1 adequate on-site screening, whether natural or
2 artificial, will restrict the off-site view of
3 the landfill, in which case the setback shall
4 be no less than 250 feet." This is the law.

5 Mr. Williams didn't tell the
6 commissioner it is 250 feet, just like he
7 didn't tell BFI -- tell us BFI was going
8 higher.

9 That's why Mr. Smith wants DEQ to
10 have your comments. Rather than being
11 accountable to the law, he wants the will of
12 the majority. We all know that leads to
13 injustice.

14 Whether you support or oppose NCL,
15 they are right to ask DEQ to follow the law
16 and maintain the integrity that comes from
17 being consistent.

18 Madison County and the State of
19 Mississippi are going to waste a lot of money
20 in court over this, not to mention what is
21 going to happen with Canton.

22 If Mr. Smith were honest and
23 accountable, he would try to be respecting the
24 laws. Instead, he wants people to break them.

25 Mr. Smith made fun of the

1 African-American officials in Canton when they
2 tried to annex the area around Nissan. He
3 said Mississippi had a contract with Canton.
4 He said in Japan people would kill themselves
5 rather than break a contract. He said a
6 contract is a contract and the government
7 ought to honor its contracts.

8 Four different board of supervisors
9 adopted a contract with this NCL. Not only
10 has Mr. Smith spoken out against NCL, he tried
11 to influence a judge not to follow the law by
12 trying to get a lot of people there. He
13 thinks he is right and he is above democracy
14 of the board vote, the rule of law, and the
15 scales of justice.

16 Mr. Smith turned on me, he turned on
17 the will of his county, and he turned on the
18 law. Be careful or he will turn on you.

19 Okay. I challenge you to go to the
20 Jackson Jambalaya website. Write it down,
21 "Jackson Jambalaya." Search "Canton
22 annexation." When the video pops up, click
23 it. If four Madison County Board members
24 signed a contract with Madison County, see if
25 you think Mr. Smith is going to be a hypocrite

1 on that video.

2 If Mr. Smith cared about not putting
3 garbage --

4 MR. HARRY WILSON: Sir, we may want
5 to keep the personal --

6 MR. GREGORY HARRIS: Okay. All
7 right.

8 MR. HARRY WILSON: Respectful as I
9 can be.

10 MR. GREGORY HARRIS: Everything is
11 all right.

12 If he is accountable to the law, he
13 would ask DEQ to enforce the law and revoke
14 the Canton permit that is illegal and on
15 Madison County property.

16 And I have other documents I would
17 like to submit.

18 MR. HARRY WILSON: Yes, sir, please.

19 MR. GREGORY HARRIS: Thank you.

20 (ATTACHMENT 2 MARKED)

21 MR. HARRY WILSON: Those are all the
22 registration cards that I have that indicated
23 they would like to speak. So at this time,
24 I'm going to open the floor to anybody that
25 did not indicate that they wished to speak and

1 hasn't spoken already tonight. And I'm going
2 to try to call you as I first saw you.

3 Sir, would you come to the microphone
4 and please state your name.

5 MR. MICHAEL SMITH: Yeah. My name is
6 Mike Smith. I live at 123 Sawbridge Drive in
7 Ridgeland, Mississippi.

8 And first I'd like to thank DEQ for
9 having the meeting tonight and for your
10 diligence in this matter. I missed your last
11 meeting, and I sent a letter with a number of
12 questions that I had about the -- well, I sent
13 it to your office, and your people responded
14 very promptly and very thoroughly to the
15 questions I had.

16 I would like to suggest you strike
17 the personal attacks that were made in the
18 last comment from the record. I think we're
19 here to discuss the --

20 (AUDIENCE MEMBERS APPLAUD)

21 MR. MICHAEL SMITH: I think we're
22 here to discuss the feasibility of the setback
23 issue and the site in general, as opposed to
24 making this thing a personal issue, and I
25 think it has no place in the record.

1 You know, I'm not the strongest tool
2 in the shed around here, but I want to say
3 this: If I have to come out in favor of
4 something, I would come out in favor of
5 the 500-foot setback. But I'd actually prefer
6 that we not have any additional sites in south
7 Madison County. I don't think the additional
8 site has been demonstrated that they have a
9 need for it. And also one has to wonder about
10 the wisdom of expanding landfill operations as
11 well as the massive extending of life of this
12 industry in the most densely populated area of
13 Madison County.

14 The City of Ridgeland's growth path
15 lies to the west, in the direction of this
16 landfill operation. The current population
17 density is 12 times greater than the county
18 average reported for the 2000 census, and
19 certainly the 2010 census is not going to make
20 it any less. The City of Madison has a
21 current population density ten times the
22 county average, and the City of Canton has a
23 population density that is seven times the
24 county average.

25 Now, all this boils down to the fact

1 that there's got to be less populated land in
2 Madison County that can serve as a landfill in
3 the future if that need ever arises. The
4 combined four square miles of the area
5 including Ridgeland and Madison County
6 represents only 6 percent of the total dry
7 land mass, including the Canton area,
8 available in Madison County for its future
9 landfill consideration.

10 Basically the property in south
11 Madison County has become some of the most
12 expensive property in the state of
13 Mississippi. And as far as this being for
14 landfill purposes, this is not in the best
15 interest of south Madison County, it's not in
16 the best interest of this historic college
17 here, and it's certainly not in the best
18 interest of our good neighbors from south
19 Madison County.

20 And so I'm asking, at the very least,
21 the 500 be maintained, and we'd really prefer
22 to see no more landfill sites in south Madison
23 County. Thank you.

24 (AUDIENCE MEMBERS APPLAUD)

25 MR. HARRY WILSON: Thank you, sir.

1 We're taking comments from people
2 that have not already made a comment. I've
3 got a "Miss," then we'll get to you in a
4 second.

5 MS. BIANCA GARNER: You know, I think
6 we're losing site of --

7 MR. HARRY WILSON: Would you please
8 state your name. I'm sorry.

9 MS. BIANCA GARNER: Can I try to make
10 a little statement first, and then I'll say my
11 name and all that good stuff.

12 There was a comment made earlier that
13 people don't understand what's happening here.
14 Right? You don't have to have a Ph.D. to
15 understand what's going on around you. But
16 just in case you need one, I'm Dr. Bianca
17 Garner. I have a B.A. in chemistry, a B.S. in
18 microbiology, a Ph.D. in microbiology. I'm
19 registered by the FBI to work with anthrax.
20 I've worked with the CDC to register labs. I
21 am a proponent of research in infectious
22 disease. I did training at UMC's infectious
23 disease department. I saw black people 12
24 years old with AIDS. I know diseases. Right?
25 I know bacteria. You have every right to be

1 upset about a landfill.

2 (AUDIENCE MEMBERS APPLAUD)

3 MS. BIANCA GARNER: Every study that
4 has looked at bacteria around a landfill has
5 found several key issues. One, what kinds of
6 bacteria are there? You've heard of MRSA.
7 Right? That's a bad bacteria. That's the
8 stuff that antibiotics can't treat you. Where
9 are you going to find it? Landfills.

10 Wastewater runoff. The key is this:
11 When you're looking at these facilities,
12 whether it's BFI or ABC, whatever, one, what
13 is the water quality surrounding the facility?
14 What are you talking about when you talk about
15 runoff?

16 Society. What is a biological waste?
17 You know what that is. Right? If you go to a
18 hospital and somebody loses an arm or when
19 we're doing experiments on animals and we
20 throw them away, where do you think that ends
21 up? Now, again, I'm a proponent of research,
22 but how much biological waste is coming to
23 this facility? What is the maximum limit that
24 you're going to have?

25 What is the air quality? Smell is

1 just a blanket. Right. It's like taste.
2 There's some chemical behind that taste, isn't
3 there? When you smell something, there's a
4 chemical behind it. When you smell methane,
5 that's chloride gas.

6 What is the water quality, air
7 quality going to be? What is emitted in terms
8 of how much waste you're going to allow per
9 day? What is the impact to the environment
10 for water systems around this facility?

11 What about safeguards? Having that
12 amount of waste and all other kinds of waste,
13 like people who are -- my mother is a
14 diabetic. She puts her needles in the garbage
15 can. Those needles end up at the landfill.
16 Who's keeping the children out of the
17 landfill?

18 What is the socioeconomic level of
19 the people who live around that landfill?
20 Mississippi has a habit of looking down upon
21 the poor, the black, the elderly. So if you
22 fall into that demographic, typically you get
23 everybody else's junk. Right?

24 So what are the socioeconomic
25 demographics of this area? What are the

1 socioeconomic demographics of the other
2 landfills, because that's been mentioned? And
3 I hate to point it out, but I think what
4 you'll find, it's confined to one particular
5 race and one particular economic group.

6 So when you're talking about
7 environmental impact, you-all don't stand
8 back. Don't be silent. The law is on your
9 side, and we will fight, fight, fight.

10 Again, if this were biological
11 research and included a safe building,
12 Dr. Bianca Garner would be the first one to
13 stand up here and say, "This is jobs. This is
14 economy. This is safe." This is an open-air
15 landfill, somebody else's dump. Say "no."
16 Say "no." Say "no."

17 (AUDIENCE MEMBERS APPLAUD)

18 MR. HARRY WILSON: Thank you, ma'am.

19 Yes, sir. Yes, you first, and would
20 you please state your name when you get to the
21 microphone.

22 MR. MICKEY JONES: My name is Mickey
23 Jones. I live at 288 Rouser Road in
24 Ridgeland, Mississippi.

25 I should have let you went behind

1 her.

2 (LAUGHTER FROM AUDIENCE MEMBERS)

3 MR. MICKEY JONES: But the fact --
4 the fact is, I -- I was in the military. And,
5 you know, in the military, you go to the war
6 zone, and sometimes they don't send you if
7 your time has been. They'll say, "Well, you
8 did your time. You don't have to go there
9 anymore."

10 That's -- that's what I'm kind of
11 thinking about the landfill. The people in my
12 community, we have did our time with the
13 landfill. I mean -- and not only that, when
14 they send you to the war zone, they pay you
15 hazard pay. We -- I want to recognize the
16 community in this one, you know, in my
17 community, for dealing with everything that
18 they'd just slide in there, and I've been
19 there 30 years.

20 And, you know, the diseases and the
21 smell and all that, and somebody mentioned
22 what kind of studies have you did. I really
23 have a concern about that because myself, my
24 wife died earlier this year in January, and
25 Mr. Hughes -- Mr. Hughes has stand up --

1 stood -- his father died. They died of the
2 same disease. Now, I can't say that that had
3 anything to do with it, but the doctors told
4 me they don't know what the cause was. So
5 this is my concern.

6 And not only that, not only that,
7 what else is being developed that we don't
8 know about as far as disease and germs? And
9 you've just heard the doctor. What have you
10 put in your trash -- you know, I mean, you
11 don't have to observe what she did, just what
12 you throw away. You know what you throw away
13 that you wouldn't want back in your house.

14 And this is what I want to say,
15 the 250 feet is definitely not far enough. As
16 far as I'm concerned, the 500 feet is not far
17 enough. I don't want it there at all. But I
18 know things have ways of working out the way
19 the 1 percent want it to. It's probably not
20 even 1 percent. It's probably like .5
21 percent, you know.

22 But for your consideration, I'm
23 asking you to consider what I said and what
24 everybody else said. And not only just
25 consider. Put yourself in our residents, live

1 in our neighborhood, and then you make the
2 decision whether you want to give them another
3 opportunity to make our lives worse than it
4 already is or, you know.

5 UNIDENTIFIED FEMALE AUDIENCE MEMBER
6 (Not at microphone): Or let us go to
7 Bridgewater and let them come on Rouser Road.

8 MR. MICKEY JONES: And, I mean,
9 you shouldn't have them all in the middle
10 of Ridgeland, as far as I'm concerned,
11 because, as somebody said, there's only one
12 per county.

13 But that's not -- that's not even the
14 point. The point is, is fairness. You have
15 to start being fair. You have to start to put
16 yourself in the other person's shoes, to -- to
17 not say, "Well, this is not my problem. This
18 is not my neighborhood. This is not my
19 family. This is not my child, my wife."
20 That's -- that's what I'm trying to relate to
21 you. Consider that. Thank you.

22 (AUDIENCE MEMBERS APPLAUD)

23 MR. HARRY WILSON: Thank you.

24 Yes, sir. And please state your
25 name.

1 MR. HOLINESS BARNES, JR.: Good
2 evening.

3 AUDIENCE MEMBERS: Good evening.

4 MR. HOLINESS BARNES, JR.: My name is
5 Minister Holiness Barnes, Jr., and I live
6 at 135 Lake Castle Road in Madison,
7 Mississippi. I've been at that address -- I
8 am 64 years old, and I've been there since
9 about eight or nine years of my life. My
10 parents bought land there, and we've lived
11 there. Now, as -- as the young lady said
12 earlier, we have witnessed landfills in
13 different areas since my little childhood.

14 I also represent the Southwest
15 Madison County Neighborhood Association, and I
16 want to go on the record tonight as saying
17 that we do oppose any more landfills in
18 Madison County in the propo- -- proposed area.

19 And after saying that, let me just
20 say that I am a retired schoolteacher, and I
21 said this at one of the meetings before, and I
22 think it's worth repeating. I taught
23 youngsters seventh and eighth grade science.
24 In fact, when I signed on in Copiah County, I
25 was teaching earth science. And, man, did my

1 eyes open up to some things when we got to
2 study -- or when we began to study how water
3 comes down out of the sky and drains down
4 through all different types of material and
5 how it ends back up in our drinking water.

6 Now, I know I don't have to tell you
7 that because you -- because this is your job.
8 You are aware of these type of things. That
9 groundwater, I know what it does. If the land
10 comes up -- there's a landfill behind the
11 fence, "Well, we've got this." You can't --
12 we can't -- can't none of us deter- --
13 determine with any success what's going to
14 happen down in our earth. Can't any of us.
15 We can say what we think is going to happen.

16 And I'm going to make it -- make it
17 short tonight because we've had a lot of --
18 there's some -- there's some good things that
19 have been said here tonight. One of the
20 things that I want to say is that I feel sorry
21 for those people who live right close to that
22 landfill because, whether they know it or not,
23 they are slowly leaving here because some of
24 the problems are coming out of that air that
25 they breathe in each day. And also, down the

1 road, our grandchildren, our grandchildren --
2 I have grandchildren. I have -- we have
3 three. They are going to have the effects of
4 groundwater even where we live.

5 You know, we can sit and -- and go
6 around and around and around all we want to,
7 but the fact of the matter is, that water --
8 and one -- one of the young ladies said
9 something about who knows what dumping --
10 what's being dumped. I'll give the answer to
11 that. No one can verify all that's being
12 dumped in those dumps. The one that they had
13 closer to our home, that's why they closed it
14 down. The federal government went in and
15 found -- somebody from the government went in
16 and found that there was some deadly stuff
17 being dumped there, and that's the reason it
18 was closed down.

19 My concern is our children. I
20 believe I'll be able to manage whatever
21 situation that comes, but my grandchildren,
22 your grandchildren, might want to move in that
23 area. Your children's children and after them
24 might want to move in that area. What type of
25 environment are we leaving for our future

1 that's coming along behind us?

2 Again, the Southwest Madison County
3 Neighborhood Association says "no" to the
4 proposal. Thank you.

5 (AUDIENCE MEMBERS APPLAUD)

6 MR. HARRY WILSON: Thank you, sir.

7 The floor is open right now to
8 anybody that has not made a comment already.

9 Yes, ma'am.

10 MS. EUNICE COLEMAN: Good evening.

11 My name is Eunice Coleman, and I graduated
12 from Madison Central in 2006. This is my
13 first meeting to actually come to and listen
14 to all the science, and it actually opened my
15 eyes to what is going on around me.

16 I live at 199 Powell Road, Ridgeland,
17 Mississippi. I've lived there all my life.
18 And I -- I knew it had always been down there,
19 as far as where the dump is, and over the
20 years I've seen it grow and I've smelled the
21 smell. And I just feel like -- and when I
22 tell people -- and I don't want to tell people
23 that I'm from Madison County because they "Oh,
24 that's the rich county. That's a beautiful
25 county. They have some beautiful brick

1 buildings." But when they find out that
2 Madison County has two dumps, it's not going
3 to look so beautiful to them anymore.

4 I'm living my best years, and that --
5 if this new landfill does not continue to
6 building of a beautiful environment, you
7 know -- it doesn't. And I just hope that it's
8 not falling on deaf ears. And I told y'all my
9 age to let y'all know that it's not stopping
10 with this generation of people. There are
11 people my age coming up behind and listening
12 and reading and making notes, and we will be
13 there (unintelligible) if this ever comes up
14 again. Thank you.

15 (AUDIENCE MEMBERS APPLAUD)

16 MR. HARRY WILSON: The floor is open
17 to anybody that has not already made a comment
18 tonight.

19 (NO RESPONSE)

20 MR. HARRY WILSON: Okay. Would
21 anybody that's already spoke would like to
22 come make an additional comment.

23 I believe -- I believe you were --
24 you were first.

25 MS. CYNTHIA RAY: Again, my name is

1 Cindy Ray.

2 I heard several people, one man in
3 particular had commented that it really only
4 concerns people within a mile radius. And I
5 have to say that I don't think any of us
6 really truly believe that. I think it affects
7 a lot more. I got a notice, and I live within
8 two miles.

9 I'd like to commend the DEQ right now
10 for turning down this application, or denying
11 it, because of the setback. I think that
12 there's a reason there's a setback, and I
13 don't think it should be changed.

14 I personally don't think we need
15 another landfill, period. I'll just reiterate
16 that. I think it's very peculiar and very
17 easy, and I'm offended by someone coming in
18 and saying that we don't really understand
19 what's going on, very easy for someone from
20 Utica to come in and say, "They don't
21 understand" -- we don't really understand --
22 when they don't live in our community.

23 I'd like to state for the record that
24 I oppose any letters that were submitted. We
25 don't know who those people are. This is a

1 public hearing. That would be up to y'all to
2 decide. I oppose any letter that was
3 submitted by the attorney. I think his name
4 was Mr. Smith, or Mr. French. All --

5 AUDIENCE MEMBERS: Clark.

6 MS. CYNTHIA RAY: Mr. Clark. All of
7 those people had the same opportunity to stand
8 here in person and speak. We don't have any
9 way of proving who -- I could have brought a
10 stack of letters too. So I oppose those
11 letters submitted into the record.

12 (AUDIENCE MEMBERS APPLAUD)

13 MR. HARRY WILSON: Thank you,
14 Ms. Ray.

15 I believe you were first, sir.

16 DR. H.C. FRIDAY: I'm back up. As
17 best I can remember the meeting that we had
18 down at the church between North County Line
19 and County Line back three or four months ago,
20 there was a document presented to that
21 committee, which should be in your records,
22 that showed that somebody, BFI, whatever, had
23 guaranteed those people right across the road
24 that were not against it, that were not
25 against it, they'd be paid \$200 to \$500 a

1 month for 20 years.

2 (SEVERAL AUDIENCE MEMBERS MAKE
3 SIMULTANEOUS, UNINTELLIGIBLE COMMENTS)

4 DR. H.C. FRIDAY: (Facing audience)
5 Does anybody want to deny that, call me a liar
6 or --

7 UNIDENTIFIED FEMALE AUDIENCE MEMBER
8 (Not at microphone): (Unintelligible)

9 MR. HARRY WILSON: Sir, we can't
10 really have a conversation with the audience
11 like -- our reporters can't capture that, so.
12 I'm sorry.

13 DR. H.C. FRIDAY: I can't hear you.
14 Sorry.

15 MR. HARRY WILSON: I said we can't
16 capture conversations back and forth with the
17 audience, so.

18 DR. H.C. FRIDAY: I just have one
19 more comment.

20 MR. HARRY WILSON: Yes, sir.

21 DR. H.C. FRIDAY: I've been going to
22 these things for a number of years like some
23 of you. This is December 15th, 2001 [sic]. I
24 say throw all the other stuff in the last five
25 years out the window. This is today. We're

1 looking at today, tomorrow, and a year
2 down the road, not what somebody else said
3 to us in 2003 or 2005. I would like for
4 you to consider that. And look up that
5 document.

6 MR. HARRY WILSON: Thank you, sir.

7 (AUDIENCE MEMBERS APPLAUD)

8 MR. HARRY WILSON: We're taking
9 comments from anybody.

10 Yes. Ms. Thomas, Sylvia Thomas.

11 MS. SYLVIA THOMAS: I would just
12 like to ask MDEQ if we could be told when the
13 Permit Board will meet. I know that -- I
14 thought I understood you to say that there
15 would be public notices about it, but we want
16 to be sure that we are told when that Permit
17 Board meets because --

18 MR. HARRY WILSON: Before the board
19 meets? Correct?

20 MS. SYLVIA THOMAS: Before that board
21 meets. Right. So -- and can we --

22 MR. HARRY WILSON: We can -- we
23 can -- we can commit to that.

24 MS. SYLVIA THOMAS: -- if we want to
25 comment -- pardon?

1 MR. HARRY WILSON: We can commit to
2 notifying representatives of the communities
3 here --

4 MS. SYLVIA THOMAS: Okay. All right.

5 MR. HARRY WILSON: -- before the
6 Permit Board meeting would take place.

7 MS. SYLVIA THOMAS: Okay. Also, one
8 other thing: There were some letters that our
9 homeowners association sent to the MDEQ since
10 that community engagement meeting, and I want
11 to know if we could possibly ask that those
12 letters be put into the public record.
13 You-all have them, and if you don't have them,
14 then I have copies and I can get them to you,
15 but they've already been sent to you.

16 MR. HARRY WILSON: I think -- I think
17 it's fair to say they are -- they are part of
18 the public record.

19 MS. SYLVIA THOMAS: How -- how are
20 they part of the public record if they're not
21 here tonight?

22 MR. HARRY WILSON: And now that
23 you've made the comment, which we recorded,
24 we're going to know to go pull those in.

25 MS. SYLVIA THOMAS: Okay. I would --

1 I would certainly appreciate that --

2 MR. HARRY WILSON: Okay.

3 MS. SYLVIA THOMAS: -- very much.

4 Thank you.

5 MR. HARRY WILSON: Yes, ma'am.

6 (AUDIENCE MEMBERS APPLAUD)

7 (ATTACHMENT 3 MARKED)

8 MR. HARRY WILSON: Yes, ma'am, in the
9 back.

10 MS. LAUREN WILKES: I have letters to
11 submit --

12 MR. HARRY WILSON: Please state your
13 name for --

14 MS. LAUREN WILKES: Lauren Wilkes. I
15 have letters to submit as part of the record.

16 MR. HARRY WILSON: Okay, as exhibits?
17 Okay, sure.

18 We can pause for a second while we
19 get our exhibits in order.

20 (OFF THE RECORD)

21 (ATTACHMENT 4 MARKED)

22 MR. HARRY WILSON: Yes, ma'am.

23 MS. BETTY BARNES: Good evening. I'm
24 Betty Barnes, and I'm a representative of the
25 Madison County Association -- Homeowners

1 Association.

2 My concern is -- first of all, I
3 would like to say that I'm a concerned citizen
4 also tonight and a neighbor saying "no" to the
5 proposed landfill. I am concerned with the
6 letters being brought and asked to receive.
7 This is a public meeting, and so any material,
8 I believe, that is brought to the hearing
9 should be read.

10 And so all these persons who come up
11 and say, "May I present this?" -- and we are
12 here to address the concerns. So if there are
13 letters that have been written for that
14 permit, I would think that it would be
15 appropriate for these people who have come up
16 with these letters and to have signatures to
17 at least read and share with the public,
18 because that's the whole purpose. If they've
19 got something that's been written and signed,
20 it should be addressing a concern that we can
21 talk about. And so to not have it read, to
22 me, is not an appropriate thing to do. So how
23 do we correct that.

24 (AUDIENCE MEMBERS APPLAUD)

25 MR. HARRY WILSON: You're talking

1 about the letters from -- those -- those
2 letters are now part of the public record and
3 they're -- they're viewable by the public
4 at -- based on a Freedom of Information Act
5 request. Sometimes we -- sometimes we do --
6 we do accept exhibits, and sometimes
7 they're -- they're large documents that the
8 staff has to examine. And we -- and so we
9 examine all those letters, and then present
10 that information to the Permit Board members
11 for their viewing as well.

12 MS. BETTY BARNES: But we can't
13 respond to them. Why? But like, there again,
14 my concern is, if -- if they do not read the
15 letters, they could at least give a summary of
16 what it's all about. So if it's a big sheet
17 or something that would take too much time, we
18 can understand that. But to just say, "I want
19 to present something to the committee up here
20 now," and we not know what the letters say, to
21 me, it's not the appropriate, you know,
22 behavior for a public hearing.

23 So even though they presented that,
24 they need to come up and ex- -- give a summary
25 or something of what they're talking about, so

1 that we will not, you know, be in the dark as
2 to what they've said, because this is a public
3 hearing.

4 MR. HARRY WILSON: Yes, ma'am. I'll
5 take that into consideration in the way we
6 conduct future hearings. But in many cases --

7 (SEVERAL AUDIENCE MEMBERS MAKE
8 SIMULTANEOUS, UNINTELLIGIBLE COMMENTS)

9 MR. HARRY WILSON: -- the letters are
10 a -- are a more detailed summary -- you know,
11 it's a more detailed writing of what they had
12 just spoken as a comment. But I'll take that
13 into consideration.

14 UNIDENTIFIED FEMALE AUDIENCE MEMBER
15 (Not at microphone): It's not right.

16 MR. HARRY WILSON: The floor is open
17 to anybody that would like to make an
18 additional comment for tonight's record.

19 MR. HOLINESS BARNES, JR. (Not at
20 microphone): Let me do this, if you would.

21 MR. HARRY WILSON: Yes, sir.

22 MR. HOLINESS BARNES, JR. (Not at
23 microphone): I want to go on record.

24 (Approaches microphone)

25 Since this is a public hearing and I

1 represent the neighborhood association, you
2 know, I -- I have members that are not here
3 tonight. I very well could have gotten them
4 to sign letters and I could have brought them
5 if I had known. But since it said "hearing,"
6 I took it face value. And those who were not
7 able to come would not have participation, I
8 thought.

9 So now we're -- we're getting a curve
10 ball here, you see, I feel, because the lady
11 brought up something. We don't know what it
12 is, so we are guessing at a public hearing.
13 You know, we thought -- I thought when I came
14 I would hear all the concerns and everything
15 that was to be discussed in this meeting. But
16 instead, I see letters being drafted. The
17 counsel brought support. If we had known, we
18 could have had copies -- copies here.

19 You know, it said "public hearing."
20 It didn't say anything about bringing a lawyer
21 or -- maybe I should have done that, but, you
22 know, I took it face value for what it said.

23 First of all, like, we look at this
24 as you're to have our best interest at heart.
25 You understand what I'm saying.

1 MR. HARRY WILSON: Yes, sir.

2 MR. HOLINESS BARNES, JR.: We look at
3 it as being that you're doing the right thing,
4 you know. So I want to oppose any letter
5 from -- and I'm doing this as Southwest
6 Madison County Neighborhood Association, which
7 I am the president. I want to oppose any
8 letters and documents that were handed in
9 tonight. Thank you.

10 (AUDIENCE MEMBERS APPLAUD)

11 MR. HARRY WILSON: Yes, ma'am, and
12 please state your name.

13 MS. CYNTHIA RAY: My name is Cindy
14 Ray, again. And just to go -- to reiterate
15 what they're saying, I -- I have been training
16 three days a week for a year and a half to
17 participate in the obedience dog show tonight
18 that I preentered months ago before I got this
19 date, and I canceled it to be here. I think
20 if it was important for those people to write
21 letters, then they should have been here, and
22 that's the bottom line.

23 I -- I don't see -- I think it's
24 entirely unfair and it's -- and it's undue
25 prejudice on our side to -- to accept letters

1 that we know none of the content and we don't
2 have a chance to respond to anything. You can
3 read it, and we can read it at a later date,
4 but that doesn't give us the opportunity at
5 this public hearing to address that.

6 (AUDIENCE MEMBERS APPLAUD)

7 MR. HARRY WILSON: Okay. And I think
8 if you go back and read the public notice, I
9 mean, it does kind of put -- put forth that we
10 will accept written forms of comment. And
11 we're going to examine every -- every one of
12 these documents, you know, line by line. And
13 we'll -- we also look at standing. You know,
14 we -- we determine, you know, where the
15 comments -- you know, where the people live
16 that made the comment, do they have standing.
17 So --

18 MR. KEVIN BINGHAM (Not at
19 microphone): But you don't know if people
20 wrote their actual address.

21 MR. HARRY WILSON: Sir, would you
22 please come to the mike.

23 MR. KEVIN BINGHAM (Not at
24 microphone): No, I just had a question.
25 Just -- it's just that on the letters, do you

1 have their actual name and address, just like
2 when we registered, on the letters that you
3 have not seen? Is it just that the addresses
4 is on them?

5 MR. HARRY WILSON: I believe I have
6 the address of the people that -- that turned
7 in the exhibits.

8 (SEVERAL AUDIENCE MEMBERS MAKE
9 SIMULTANEOUS, UNINTELLIGIBLE COMMENTS)

10 MR. KEVIN BINGHAM (Not at
11 microphone): You have letters -- no, no,
12 let -- let me clarify my question. Not --

13 UNIDENTIFIED MALE AUDIENCE MEMBER
14 (Not at microphone): Go to the mike.

15 MR. KEVIN BINGHAM: Kevin Bingham is
16 my name, Hickory Road, Ridgeland, Mississippi.

17 Just to clarify what I'm saying, you
18 suggest that you had when you -- when you took
19 into consideration the comments that were made
20 that you would have the -- I guess the venue
21 which those people give. Is that correct, or
22 did I understand you correctly?

23 MR. HARRY WILSON: We have to
24 examine the documents, but it is perfectly
25 all right for any part of the public to --

1 to give us documents. We're going to
2 examine those to make sure that they --
3 that they don't have an impact on our
4 recommendation to the Permit Board.
5 Everything we get is taken with the -- you
6 know, with utmost seriousness and fairness,
7 and we look at every single line -- we look
8 at every single line of everything that's
9 said tonight that's captured tonight.

10 It is -- it is noticed that we do
11 accept written forms of communication. If it
12 would be fair, we could leave the comment
13 period open for y'all to submit additional
14 letters for a few more days.

15 MR. KEVIN BINGHAM: I understand
16 that, and we appreciate you for that. I guess
17 maybe I need to restate what prompted me to
18 get up in the first place. You had mentioned
19 something about the source of the information
20 that was submitted.

21 MR. HARRY WILSON: One -- one of our
22 thought processes is we look for -- when we
23 see comments, we look for do they have
24 standing. Is it -- is it okay for somebody in
25 California to write a letter commenting on

1 this landfill when they don't -- you know,
2 when they don't --

3 MR. KEVIN BINGHAM: Right.

4 MR. HARRY WILSON: -- they don't have
5 property here.

6 MR. KEVIN BINGHAM: And I think that
7 was the emphasis of my statement. You said
8 people that have standing. And what the
9 problem here was -- I was asking would you
10 know from the letters that are submitted,
11 those people who signed that, or is there a
12 prerequisite that they would have their name
13 and address, like we had to do --

14 MR. HARRY WILSON: I don't -- I don't
15 think that there's a prerequisite that they do
16 that.

17 MR. KEVIN BINGHAM: Yeah, I'm just
18 trying to marry what you just said about the
19 standing and then the lack thereof of knowing
20 the other letters that were submitted. Do you
21 understand the point of my question?

22 MR. HARRY WILSON: I think I do.

23 MR. KEVIN BINGHAM: Okay.

24 MR. HARRY WILSON: And I'm not sure
25 without reviewing the documents that I'll be

1 able to determine standing in every single
2 case.

3 MR. KEVIN BINGHAM: Right. So would
4 it be -- is it asking too much -- I think what
5 they're asking, would it be asking too much
6 to -- to divulge the contents of the letters
7 here, or is it because we're done talking
8 about that? Would it be asking too much to do
9 that?

10 MR. HARRY WILSON: I can ask if
11 there's a volunteer -- for the people that --
12 that presented the exhibit with the letters,
13 would they like to make a brief sentence or
14 two summary of what they submitted.

15 MR. KEVIN BINGHAM: And if they
16 refuse?

17 MR. HARRY WILSON: I'm just going to
18 accept the -- the materials.

19 MR. KEVIN BINGHAM: All right. Thank
20 you.

21 MR. HARRY WILSON: Okay. And we'll
22 still review them with the utmost fairness.
23 And it's noted that y'all -- or two or three
24 people have objected to them, I mean, so we
25 have that on record too.

1 MS. CYNTHIA RAY: I'm back, and this
2 will be the last time I'm back, just for the
3 record.

4 You said that it was clear on the --
5 on the invite that we -- that you thought you
6 made it clear. My invitation says it invites
7 "you" to a public hearing, not "you and your
8 letters."

9 MR. HARRY WILSON: Okay. Thank you,
10 ma'am.

11 Yes, sir. Please --

12 MR. MICKEY JONES (Not at microphone):
13 I just wanted to say one --

14 MR. HARRY WILSON: -- please state
15 your name again. I'm sorry.

16 MR. MICKEY JONES: I just wanted to
17 say one or two -- well, a couple of things
18 here.

19 AUDIENCE MEMBERS: Your name.

20 MR. MICKEY JONES: The main thing
21 is --

22 AUDIENCE MEMBERS: Your name.

23 MR. MICKEY JONES: Oh, my name is
24 Mr. Mickey Jones. I live at 288 Rouser Road
25 in Ridgeland, Mississippi, for those of you

1 who don't know me or can't remember that.

2 But I'm concerned about your ability
3 to authenticate those letters as being from
4 individuals other than the people that
5 presented them.

6 And second of all, you -- I believe I
7 heard you state that you will have an open --
8 a few more days open that other people can
9 submit letters.

10 MR. HARRY WILSON: I will offer a few
11 more days to accept written comment if -- if
12 that is what the audience wants.

13 MR. MICKEY JONES: Is that what the
14 audience wants?

15 (AUDIENCE MEMBERS RESPOND
16 AFFIRMATIVELY)

17 MR. HARRY WILSON: And I did -- I did
18 ask if there is -- if the -- if the person
19 that -- that gave us exhibits tonight wanted
20 to summarize what they gave us for the
21 audience, that would be -- that would be well
22 received. But if you don't want to, you don't
23 have to.

24 Yes, ma'am. Please come to the
25 microphone. I'm sorry.

1 MS. ANNA JENKINS: I'm Anna McLain
2 Jenkins. I have nine grandchildren. I call
3 them my rainbow. They are all beautiful to
4 me. Now, I live within two miles of the
5 landfill, and for the DEQ to make a decision
6 to put another landfill near our home is
7 murdering my grandchildren.

8 Now, as far as those letters are
9 concerned, I would like to go on record as
10 saying that I, along with our association,
11 oppose it. We took the time to be here.
12 Those people should have done the same thing.
13 Thank you.

14 MR. HARRY WILSON: Thank you, ma'am.

15 (AUDIENCE MEMBERS APPLAUD)

16 MR. HARRY WILSON: Sir, I'll get to
17 you in just a second. I apologize.

18 Hey, thank you, and state your name
19 again.

20 MS. LAUREN WILKES: Lauren Wilkes. I
21 think it might be helpful if someone from the
22 table could -- if you could, tell the audience
23 what the procedural rules are that govern
24 these public hearings. I think that would
25 help everyone understand what -- what can and

1 cannot happen in this kind of situation.

2 UNIDENTIFIED FEMALE AUDIENCE MEMBER
3 (Not at microphone): Why don't you just
4 summarize?

5 (SEVERAL AUDIENCE MEMBERS MAKE
6 SIMULTANEOUS, UNINTELLIGIBLE COMMENTS)

7 MR. HARRY WILSON: Yes, sir. Please
8 state your name.

9 MR. CURTIS COLEMAN: My name is
10 Curtis L. Coleman. I live at 201 Powell Road
11 in Ridgeland 39157.

12 And my concern with these papers
13 being turned in is review, because without
14 knowledge, we're -- we're lost. Now, you're
15 going to review the papers. Where are they
16 going to be posted so we can review them.

17 MR. HARRY WILSON: You may certainly
18 call my office and request to review the file
19 in its entirety.

20 MR. CURTIS COLEMAN: And what do we
21 do? Go to your office and sit down at your
22 desk or with your secretary or somebody like
23 that to read them?

24 MR. HARRY WILSON: I think we can
25 provide -- I think we can provide a room.

1 MR. CURTIS COLEMAN: Well, we have a
2 president. If our president can get a copy,
3 maybe we can make a copy, but I think we
4 should review this stuff. You shouldn't be
5 left to make a decision for us on information
6 that is turned in without our knowledge. And
7 I just -- you know, I just believe it. I
8 mean, you're saying that y'all are going to
9 review it and you're going to see it, but none
10 of us have seen it.

11 And this lady is talking about
12 procedures. I mean, why would she come to a
13 public hearing with closed documents that we
14 can't see?

15 That's all I have to say on that.

16 (AUDIENCE MEMBERS APPLAUD)

17 MR. HARRY WILSON: I will consider
18 asking if we can make a -- a copy of this
19 available in some other fashion than we --
20 than having you come to our office, and
21 I'll -- and I'll get back with the community
22 representatives to see if we can do that.

23 Yes, ma'am.

24 MS. PATRICIA SANDERS: Good
25 afternoon.

1 MR. HARRY WILSON: And your name,
2 please?

3 MS. PATRICIA SANDERS: My name is
4 Patricia Sanders. I live at 208 Alice Lane,
5 Ridgeland, Mississippi 39157. I live -- I
6 represent the Sanders and Burnett families.
7 There are two families on that road, and we
8 have two rental homes on that road. That
9 would make four families.

10 I just want to go on record. I'm a
11 member of North Livingston Homeowners
12 Association. I do oppose the young lady who
13 came in with the brown pants and the leopard
14 print shirt. I don't know where it's stated.
15 I don't know if it means that you accept the
16 documents, but I am opposed to any documents
17 that were submitted by her on behalf of
18 whoever she's submitting them, because we
19 can't verify who the people are and -- other
20 than signatures -- they may have nothing to
21 do with their family being affected by them.

22 MR. HARRY WILSON: All right. Thank
23 you, ma'am.

24 (AUDIENCE MEMBERS APPLAUD)

25 MR. HARRY WILSON: Yes, sir. Yes,

1 sir. Would you please state your name for the
2 record.

3 MR. AMBROSE WILLIAMS: Good evening.
4 My name is Ambrose Williams. I'm at 458 North
5 Livingston Road, and I oppose the landfill as
6 well.

7 And I would also just like to make a
8 statement about the young lady that brought
9 the letters to submit to you-all. She had an
10 opportunity when she came up here the second
11 time -- third time -- excuse me -- to at least
12 say what the documents were about, and she
13 chose not to do it again and she went back to
14 her seat. To me, that's -- that's kind of
15 cheesy, for lack of a better word. I'm not
16 trying to attack her, but it just doesn't
17 seem --

18 MR. HARRY WILSON: To try to -- just
19 to try to allay the fears that y'all have, I
20 do a lot of these public hearings, and it's
21 very commonplace for us to get multiple stacks
22 of documents that we have not seen before.
23 And as I said earlier, we go through those and
24 we examine those, and we make sure that it --
25 it has the right effect on our decision.

1 We -- we consider the whole thing, everything
2 we hear tonight.

3 And obviously we've heard plenty
4 of -- plenty of verbal comments from people
5 that are -- who have objected to this -- you
6 know, to these exhibits. But it's very
7 commonplace for us to get materials that are
8 too voluminous for us to -- to read on the
9 spot here. And it -- it is acknowledged in
10 our public notice that you can do that. Okay.

11 MR. MELVIN ROUSER (Not at
12 microphone): Do you-all --

13 MR. HARRY WILSON: Sir, you must come
14 to the microphone. I'm sorry. And please
15 state your name.

16 MR. MELVIN ROUSER: My name is Melvin
17 Rouser. I live at 198 Samuels Lane.

18 Do you-all --

19 MR. HARRY WILSON: We didn't catch
20 your name. I'm sorry.

21 MR. MELVIN ROUSER: Melvin Rouser,
22 198 Samuels Lane.

23 Do you-all check on the signatures
24 and everything? Do y'all check -- do you-all
25 check everything on those -- the letters that

1 was submitted? Do y'all have a thorough
2 background look to make sure that they are
3 not, you know, like signing them or anything
4 like that? And do you-all -- after you look
5 at that signature on the letter there, do
6 y'all do all that? Do y'all -- a whole
7 background check?

8 MR. HARRY WILSON: All I can say is,
9 we look at this whole -- all of --

10 MR. MELVIN ROUSER: I'm just talking
11 about -- I'm just talking about the letters,
12 what's submitted.

13 MR. HARRY WILSON: Do we do
14 background checks, Roy?

15 MR. ROY FURRH: No.

16 MR. HARRY WILSON: No.

17 MS. EUNICE COLEMAN (Not at
18 microphone): I think what he's trying to
19 say -- I'm sorry. Excuse me. (Approaches
20 microphone) I think what he's trying to say
21 is, is there a type of verification for these
22 signatures to ensure that the people that are
23 signing -- that have signed these documents
24 that are being turned in are not just these
25 people signing other people's names? I think

1 that's what he's trying to say.

2 MR. HARRY WILSON: Okay. And we'll
3 take that as a comment. We just recorded
4 what y'all said. The Permit Board will get
5 to read all of the things that we're saying
6 here tonight, so they'll obviously see that
7 there was a lot of impact by these exhibits
8 being given to us, so this is not going
9 unheard.

10 I'm sorry. The lady in red was
11 first, I believe. You've been waiting for a
12 while. I'm sorry.

13 And I will -- I promise you I'm
14 getting to you.

15 MS. GLENDA WINDFIELD: Good evening,
16 everybody. I'm Glenda Windfield -- Williams
17 Winfield. And I represent the Williams family
18 on 458 North Livingston Road.

19 I think what is of concern is the
20 fact that we live in a society that, even with
21 a grant's letters of recommendations, we have
22 come to the place of "you give me a template,
23 and then I'll sign it." And I think that the
24 concern is whether or not a template was given
25 to these individuals and did they in fact --

1 did it come from the heart, or are these just
2 documents that have been produced for the sake
3 of making our point, and that's where the
4 concern is among the individuals who are
5 trying to bring some type of -- of doubt as to
6 the sincerity and authenticity.

7 And you have now an extra burden to
8 verify whether or not these are in fact the
9 sentiments, the true sentiments, of
10 individuals, as opposed to sentiments that
11 were kind of impressed, that were coerced,
12 influenced in some way, to skew your decision
13 toward them.

14 (AUDIENCE MEMBERS APPLAUD)

15 MR. HARRY WILSON: Thank you, ma'am.
16 Yes, ma'am.

17 MS. LAUREN WILKES: Lauren Wilkes. I
18 should have waited for my answer earlier.
19 Could the attorneys that are here please read
20 the regulations that govern the hearing and
21 the submission of documents.

22 (MR. HARRY WILSON CONFERS WITH
23 MR. ROY FURRH)

24 MR. HARRY WILSON: It's pretty much
25 explained in the public notice itself.

1 MS. LAUREN WILKES: I understand
2 that, but I think that it needs to be --

3 MR. HARRY WILSON: And we --

4 MS. LAUREN WILKES: -- explained to
5 everybody.

6 MR. HARRY WILSON: We'll go ahead and
7 read it for -- for the record, or at least a
8 paragraph of it.

9 "Person" -- "Persons wishing to
10 comment upon or object to the proposed
11 determinations are invited to submit comments
12 in writing to Lynn Chambers at the Permit
13 Board's address shown above, no later than
14 December 14th, 2011. All comments received by
15 this date will be considered in the
16 formulation of final determinations regarding
17 the application. The Permit Board is limited
18 in its scope" -- "is limited in its" -- "in
19 the scope of its analysis to environmental
20 impact. Any comments relative to zoning or
21 economic or social impacts are within the
22 jurisdiction of local zoning and planning
23 authorities and should be addressed to them.

24 "After receipt of public comments and
25 thorough consideration of all comments, the

1 staff will present its recommendation of the
2 Solid Waste Management Permit application to
3 the Permit Board."

4 (SEVERAL AUDIENCE MEMBERS MAKE
5 SIMULTANEOUS, UNINTELLIGIBLE COMMENTS)

6 MS. SYLVIA THOMAS (Not at
7 microphone): Did the letter state "submit in
8 writing by" --

9 UNIDENTIFIED MALE AUDIENCE MEMBER
10 (Not at microphone): "The 14th"?

11 MS. SYLVIA THOMAS: -- "December
12 14th"?

13 MS. LYNN CHAMBERS: It actually says
14 "15th." It actually says "15th."

15 MR. HARRY WILSON: It actually says
16 by the 15th.

17 MS. SYLVIA THOMAS: Oh, I thought you
18 said the "14th."

19 UNIDENTIFIED MALE AUDIENCE MEMBER
20 (Not at microphone): You said the "14th."

21 UNIDENTIFIED FEMALE AUDIENCE MEMBER
22 (Not at microphone): He did say the "14th."

23 MR. HARRY WILSON: I did say "14th"
24 and I need to correct that, because I'm
25 looking at an earlier draft, I think.

1 (SEVERAL AUDIENCE MEMBERS MAKE
2 SIMULTANEOUS, UNINTELLIGIBLE COMMENTS)

3 MS. SYLVIA THOMAS: So what is the --
4 what's the -- what's the real date?

5 MR. HARRY WILSON: Well, tonight is
6 the real date.

7 MS. SYLVIA THOMAS: Even though that
8 written thing that you just read says the
9 "14th"?

10 MR. HARRY WILSON: This -- this was
11 not the published document. This is the draft
12 of the real document, which I may have here
13 somewhere.

14 (SEVERAL AUDIENCE MEMBERS MAKE
15 SIMULTANEOUS, UNINTELLIGIBLE COMMENTS)

16 MR. HARRY WILSON: Give me one second
17 while I -- while I look for the document.

18 (OFF THE RECORD)

19 MR. HARRY WILSON: And I apologize
20 for that.

21 "The MDEQ will hold a public
22 hearing on the application at 7:00 p.m. on
23 December 15th at the Tougaloo College Holmes
24 Hall Auditorium located at 500 West County
25 Line Road, Tougaloo, Mississippi 39174, to

1 solicit public comments on the proposed
2 project."

3 And at the very top, "Deadline for
4 Comment: December 15, 2011."

5 And it also says midway through,
6 "Pers-" -- as I read earlier, it says,
7 "Persons wishing to comment upon or object to
8 the proposed project are invited to submit
9 comments in writing to Lynn Chambers at the
10 Permit Board's address shown above, no later
11 than December 15, 2011."

12 So, you know, nothing is -- nothing
13 is too late as of tonight.

14 MS. SYLVIA THOMAS: Okay. So when
15 you said earlier that we were getting a chance
16 to be able to submit letters for an additional
17 several days, then what's the straight on
18 that, since that states something else?

19 MR. HARRY WILSON: How about you can
20 submit written comments through next -- next
21 Tuesday.

22 MS. SYLVIA THOMAS: Okay.

23 MR. HARRY WILSON: That gives you
24 several more days if any of the -- any of the
25 groups --

1 MS. SYLVIA THOMAS: The reason I was
2 wondering is that --

3 MR. HARRY WILSON: -- if any- -- if
4 anybody wants to add to this record, I'll keep
5 it open for a few more days. So we'll say
6 close of business next Tuesday.

7 MS. SYLVIA THOMAS: And how then
8 would that be made part of the public record
9 since this is the public hearing?

10 MR. HARRY WILSON: I'm leaving the
11 record open for submittal of further written
12 comments for a few extra days. Okay?

13 MS. SYLVIA THOMAS: Okay. All right.
14 Thank you.

15 MR. HOLINESS BARNES: I do apologize
16 to keeping coming, but, you know, some of
17 these people are here because they're being
18 paid and they don't represent Tougaloo College
19 and the community. Now, I represent Southwest
20 Madison County Neighborhood Association, and
21 the invitation that I received didn't say
22 anything about written documents, passing in
23 written documents. The one that we had the
24 meeting before did. But we were able to get
25 that information, and we were able to display

1 that to our members. But this just invited us
2 to a public hearing tonight, the 15th, here at
3 Tougaloo College. If you want to read it, you
4 can read this one here.

5 MR. HARRY WILSON: Yeah, if you
6 could -- yeah, let me -- let me take a look at
7 it.

8 MR. HOLINESS BARNES, JR.: All right.

9 MR. HARRY WILSON: That's fine. But
10 I will tell you, you've made outstanding
11 comments tonight.

12 MR. HOLINESS BARNES, JR.: Thank you.
13 Thank you. (Tenders invitation card)

14 MR. HARRY WILSON: (Reviews
15 invitation card) I think this was an
16 additional --

17 MS. LYNN CHAMBERS: It was.

18 MR. HARRY WILSON: -- this was --
19 this was --

20 MR. HOLINESS BARNES, JR.: That's all
21 I received.

22 MR. HARRY WILSON: -- over and beyond
23 what --

24 MR. HOLINESS BARNES, JR.: That's all
25 I received. I've been looking for -- I've

1 been looking for it, and I wanted to share
2 with our members because we are now quite
3 concerned about where this comes from, and we
4 want to just, you know, go over it. We want
5 to have our input. We came tonight to have
6 our input, and I'm really offended --

7 MR. HARRY WILSON: And we --

8 MR. HOLINESS BARNES, JR.: -- by
9 people bringing written documents when I
10 wasn't invited to bring documents to submit.

11 MR. HARRY WILSON: Okay. And all of
12 these -- all of these participation cards, all
13 these registration cards, are also public --
14 part of that public record. So all of this
15 will be given to the Permit Board, and they
16 will actually be given a verbatim transcript
17 of what we've talked -- that will have line by
18 line all of this -- this consternation over
19 whether written comments would be submitted or
20 not.

21 MR. HOLINESS BARNES, JR.: Okay.

22 MR. HARRY WILSON: Yes, ma'am. I'm
23 sorry.

24 MS. JEAN ENOCHS: My name is Jean
25 Enochs. I think this falls in the form of a

1 personal question.

2 Over the many years that this project
3 has been proposed, I have written a lot of
4 letters to the board, to the MDEQ, the *Madison*
5 *Daily*, the supervisors, around. I want to
6 know if my previous letters written, documents
7 submitted -- I was part of the evidentiary
8 hearing -- hearing back in '05. I want to
9 know if those things are part of this record
10 or is it a new . . .

11 MR. HARRY WILSON: A new record?

12 MS. JEAN ENOCHS: New record being --
13 or is all of that -- all of those records from
14 the pa- -- everybody on the staff that heard
15 from me each year, if all of that's still
16 there and part of the active record?

17 MR. HARRY WILSON: Let me -- let me
18 ask.

19 (MR. HARRY WILSON CONFERS WITH MDEQ
20 STAFF MEMBERS)

21 MR. HARRY WILSON: They're in --
22 they're in the public record.

23 MS. JEAN ENOCHS: All right.

24 MR. HARRY WILSON: Yes, ma'am. I
25 think I was thinking I'd get to you first.

1 MS. BETTY BARNES: This -- this will
2 be my last time. Okay? Again, I'm Betty
3 Barnes.

4 MR. HARRY WILSON: I'm not going to
5 make you comment.

6 MS. BETTY BARNES: Hopefully this
7 will be my last time.

8 My concern is basically that this is
9 a public hearing and you gave your
10 instructions. You said that you would receive
11 comments from, you know, persons who have
12 filled out a card, and you're going to ask
13 these people to come and stand, give their
14 names, et cetera, and comment. And basically
15 this took place. And so, from my point of
16 view, anything else outside of our commenting
17 and expressing how we feel should be thrown
18 out.

19 So even though they gave you papers,
20 I don't see a word that you should look at any
21 of that information. Your assessment should
22 be based upon what we, the people that have
23 come up here and followed your instructions --
24 and you gave protocols. You did not say
25 anything about, if you happened to bring

1 documents, bring them up.

2 So, if you're going to be fair about
3 doing it the right way, you gave the
4 instructions how to do it, and those people
5 that did that, I think that's what -- the
6 stenographers are here and recorded that.
7 That's what your assessment should be based
8 upon. Not any written documents that nobody
9 knows anything about except you. To me,
10 that -- that forfeits the whole idea of a
11 public hearing. And that's basically how I
12 feel about it.

13 MR. HARRY WILSON: Thank you, ma'am.

14 And, yes, ma'am? Yes, sir. I'm
15 sorry. He was first.

16 And your name, sir.

17 MR. WILLIE HUGHES, SR.: Good
18 afternoon. My name is Willie Hughes. I live
19 at 281 Rouser Road. I'd like to say that I'm
20 totally against the additional site of a
21 landfill.

22 And the next thing, I want to ask the
23 board a question. As the board, is it your
24 job to look at the betterment of the
25 community, or is it your job to more or less

1 be more concerned about corporate America,
2 investors, money, greed? I think there --
3 there has been enough sentiment that has been
4 spoken here tonight from the community. We
5 are totally against any more landfills in our
6 area.

7 As a board, I think there should not
8 be any more public hearings. I don't think
9 there's -- there are -- you need any more
10 statements. I don't think there needs to be
11 any more letters presented. I think the
12 bo- -- the community as a whole has -- has
13 spoken clearly that we are totally against
14 this and we do not want this. So I think as a
15 board, you should go back and say that the
16 community totally objects to it, and we're
17 going to vote "no." Thank you.

18 (AUDIENCE MEMBERS APPLAUD)

19 MR. HARRY WILSON: Thank you, sir.
20 Yes, ma'am.

21 MS. ANNA JENKINS: Anna Jenkins
22 again. I totally agree with Mr. Hughes. If
23 we're not going to do things in the order that
24 we were told it was going to be done upon our
25 arrival here, then perhaps we should stay

1 home, like these other people have done, and
2 send attorneys with papers. It's not fair.

3 (AUDIENCE MEMBERS APPLAUD)

4 MR. HARRY WILSON: Thank you, ma'am.

5 All right. The floor is still open
6 for comments. And -- okay. I'm sorry. Hey.
7 Yes, sir.

8 MR. KOREY HARRION: Hello. My name
9 is Korey Harrion.

10 I don't live in Madison County, but I
11 have family that do. And one of the things
12 that my family does is they raise cattle.
13 They're farmers. And, as you know, with
14 things that are being put in landfills, they
15 leach out and they get into the water. You
16 have the cows to get sick. Then doesn't that
17 kind of carry on into the meat, and then the
18 meat gets shipped all over across the state
19 or even outside the state? People can get
20 sick.

21 Also too with surface runoff and
22 water carrying diseases. People in Mad- --
23 in Madison County will get sick, but people
24 in other counties will get sick as well. So
25 that's one thing.

1 The other thing that I was wondering
2 is, why are -- why are -- is -- why is dumping
3 still being used as a way of disposing of
4 garbage? This is 2011. How come there
5 haven't been any new ways to develop
6 technology that can eliminate trash? And
7 through this way and generate unique jobs, you
8 know, like green, sustainability. There are
9 less toxic ways of removing trash other than
10 just burying it. I mean, just look -- look
11 around. There's research. There's much
12 research.

13 People can get -- they can -- people
14 can get healthy and create jobs. They can
15 really build up the economy, and they can
16 become healthier. When you have toxicity
17 that's -- that's in the water as well as the
18 land, it gets into the food. You -- it makes
19 people sick. It also makes them less
20 productive too. You can't do anything if
21 your -- if your mind and body is not right.
22 So that's something that you should think
23 about doing as a part of the environmental
24 quality. Try to come up with more ways to,
25 you know, be more sustainable, to eliminate

1 trash versus just burying it because --
2 because it's not just going to affect one
3 area, it's going to carry out to everybody.

4 And it -- and also, with stuff
5 that -- that takes as long as it does to break
6 down, which, you know, plastic doesn't break
7 down immediately. It takes hundreds and
8 hundreds of years. That's long-term toxicity
9 that can affect your grandchildren and
10 great-grandchildren. And so it causes more
11 problems to the children.

12 So what you need to look into is
13 what's more sustainable and also green ways to
14 deal with trash, but we have to have more
15 discussions like that. People can become
16 healthier and more productive too, as well as
17 improve the situation that they're in. Thank
18 you.

19 MR. HARRY WILSON: Thank you for your
20 comments.

21 (AUDIENCE MEMBERS APPLAUD)

22 MR. HARRY WILSON: And, sir, if you
23 want to call the number associated with the
24 public notice or if you want to get my number
25 after the meeting is over tonight, I'll point

1 you to some things that we're doing out of our
2 solid waste groups regarding recycling. And
3 I'll have a personal conversation with you,
4 but you had a good set of comments there.

5 The floor is open to anybody who has
6 not made a comment tonight or anybody who
7 wants to make an additional comment.

8 MR. KOREY HARRION: I forgot one
9 other thing. We also had some young people to
10 participate in the discussion (inaudible) and
11 that's something that we need to realize
12 that -- because we're the future, and if
13 you -- if you don't take care of us, we're
14 going to be screwed.

15 MR. HARRY WILSON: Thank you.

16 (AUDIENCE MEMBERS APPLAUD)

17 UNIDENTIFIED FEMALE AUDIENCE MEMBER
18 (Not at microphone): I'm wore out.

19 MR. HARRY WILSON: You think you're
20 wore out?

21 (LAUGHTER FROM AUDIENCE MEMBERS)

22 MR. HARRY WILSON: Well, I want to
23 thank everybody for their participation
24 tonight. I think we did get a very robust
25 record of comments. And as we said earlier,

1 we'll be given the opportunity, we'll go back
2 and read everything that we heard tonight line
3 by line and try to refine what our final
4 recommendation is to the Permit Board on this
5 particular matter. And, as we said before,
6 this is not the last time you'll have an
7 opportunity to comment on this project.

8 MS. CYNTHIA RAY (Not at microphone):
9 Can you make those other than -- the public
10 notices in the paper, can you make the notice
11 available other than in the newspaper?

12 MR. HARRY WILSON: We will look for
13 additional opportunities. I'm not going to
14 cite them now, but we did a lot of additional
15 things to really try to reach out.

16 MS. CYNTHIA RAY (Not at microphone):
17 Yes.

18 MR. HARRY WILSON: Okay.

19 Okay. With that, I think we'll go
20 ahead and close this hearing. I appreciate
21 it.

22 (ATTACHMENTS 5 THROUGH 9 MARKED)

23 (HEARING CONCLUDED AT 9:14 P.M.)

24

25

1 CERTIFICATE OF COURT REPORTER

2 I, Suzanne Lee, Certified Court
3 Reporter for the States of Alabama and
4 Mississippi, and Notary Public in and for the
5 State of Alabama, hereby certify that the
6 foregoing pages, and including this page,
7 contain a true and correct transcript of the
8 public hearing, as taken by me at the time and
9 place heretofore stated, and later reduced to
10 typewritten form by computer-aided
11 transcription under my supervision and to the
12 best of my skill and ability.

13 I further certify that I am not in the
14 employ of or related to any counsel or party
15 in this matter, and have no interest, monetary
16 or otherwise, in the final outcome of the
17 proceedings.

18 Witness my signature and seal this
19 the 1st day of January 2012.

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23
24
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SUZANNE LEE, CSR 1805

My Commission Expires:
December 30, 2012