

**DEADLY 'TENNESSEE TWO-STEP' PUSHES LEAKY LANDFILL
AWAY FROM OFFICIALS' HOMES**

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ABSTRACT

Dickson, Tennessee elected officials are faced with a moral test of deciding whether to burden a black family with health risks that they are unwilling to bear themselves. Dickson County is less than five percent black. Local government officials are using tax dollars to fight a black family whose wells were contaminated with trichloroethylene (a suspected carcinogen) by the county-run landfill. The family's homestead is just 54 feet from the landfill property line. Where do the locally elected officials live? Only one Dickson City council member's home is within a one-mile radius of the landfill. Five of the eight city council members' homes are more than two miles from the landfill. The Dickson Mayor lives nearly four miles from the landfill. Dickson County officials live even further away from the leaky landfill than their Dickson City counterparts. Two county commissioners' homes are within two miles of the landfill; three commissioners live three to four miles from the landfill; and seven of the twelve commissioners' homes are six or more miles from the landfill. Two of the commissioners live more than fifteen miles from the landfill. The county mayor lives three miles from the landfill. On average, the twenty Dickson City council and County commissioners live nearly 5.5 miles from the controversial landfill and for years have had access to clean City tap water. It is unlikely that any of these men and women would allow their mothers, fathers, sisters, brothers, spouses, and children to drink contaminated well water for one day—and certainly not for twelve years—as in the case of the black family.

Deadly “Tennessee Two-Step” Keeps Leaky Landfills Away from Officials’ Homes

Dickson, Tennessee is a town of 12,244 located about 35 miles west of Nashville. Dickson County was 4.5 percent black in 2000. Dickson’s mostly black Eno Road community has been used as the dumping ground for garbage and toxic wastes dating back more than six decades. The black neighborhood was first used as the site of the Dickson “city dump” and subsequent city and county Class I sanitary landfills, Class III and IV construction and debris landfills, balefills, and processing centers. The site is currently being used as a C&D landfill and garbage transfer station.

The Dickson County Landfill consists of 74 acres off Eno Road, 1.5 miles southwest of Dickson. The landfill contains four parts, the City of Dickson Landfill, the County Landfill Expansion, and the Balefill; which are all now closed. The Balefill disposed solid waste that was compressed or bound. The fourth part consists of approximately 5 acres located on the eastern portion of the landfill and was operational from 1968 to 1977. The County Landfill initially started as a 41.6-acre expansion to the original City of Dickson Landfill, of which 28.6 acres was used for waste disposal. The expansion occurred after the county purchased the original City of Dickson Landfill, as well as 45 additional acres in 1977. The Balefill was established as part of the 1987 expansion (see Table 1).

For years, drums of toxic industrial waste solvents were dumped at the landfill which later contaminated the groundwater. Government records show trichloroethylene (TCE), a suspected carcinogen, was found in the Harry Holt and Lavenia Holt wells, an African American family, as early as 1988, the same year the Tennessee Department of Environment and Conservation (TDEC) issued a permit to Dickson County for operation of the facility as a sanitary landfill. The TDEC approved the Dickson County Landfill permit on December 2, 1988—even though government test results completed in November 1988 on the Harry Holt and Lavenia Holt wells showed TCE contamination.

In January 1990, government tests found 26 ppb (parts per billion) TCE in the Harry Holt well—five times above the established Maximum Contaminant Level (MCL) of 5ppb set by the federal EPA. The MCL is the maximum concentration of a chemical that is allowed in public drinking water systems.

Selective Testing of Private Wells – 1992-1999

TCE was found in the Harry Holt family well when sampled by the government on three occasions in 1991. Tennessee Department of Health and Environment officials agreed that Mr. Holt’s well should continue to be sampled. However, this was not done. The 2004 [Dickson County Landfill Reassessment Report](#) lists no government tests performed on the Holt family wells during 1992-1999 (see Table 2). No scientific explanation has been given for the gap in testing. It appears that the lack of testing the black family’s well in 1992-1999 had more to do with political science and sociology than with hydrology.

Table 1
History of Landfill Permitting in Dickson, Tennessee Eno Road Community

Site Name	Year Permitted	Type Permit ¹
Dickson “City Dump”	N/A ²	No Permit
Dickson City Landfill	1972	Class I
Dickson County Landfill	1977	Class I
Dickson County Landfill	1988	Class I
Dickson County Balefill	1988	Processing
Dickson County Balefill	1990	Processing
Dickson County Demolition	1992	Class III/Class IV

¹The solid waste facility permits were granted for 100 Virgil Bellar Road, Dickson, Tennessee, located in the heart of the Eno Road community.

²The City of Dickson purchased the land for the Eno Road site in 1946 and operated it as a “city dump” up until 1972 when it was first permitted by the State as a sanitary landfill.

Source: Tennessee Department of Environment and Conservation, Division of Solid and Hazardous Waste Management, [Solid Waste Facility Database](#) (2002).

Test results from the Harry Holt well in October 9, 2000 registered a whopping 120 ppb TCE and a second test on October 25, 2000 registered 145 ppb—24 times and 29 times, respectively, higher than the Maximum Contaminant Level (MCL) of 5ppb set by the federal EPA. It was only after the extremely high TCE levels in 2000 that a Dickson County Landfill official visited the Holt family home informing them that their wells were unsafe. No written reports were sent to the Holts explaining the 2000 test results. The Holt family was placed on Dickson City water on October 20, 2000—twelve years after the first government tests found TCE in their wells.

Government testing of the black Holt family’s wells differs markedly from the testing of a white family’s spring. On March 5, 1994, TCE was detected in Sullivan Spring used by two white families. On September 1, 1994 tests were conducted on the spring to confirm it was indeed contaminated. The spring is located one-third mile from the landfill.

A total of nine tests were performed on the white family’s spring between June 25, 1994 and September 20, 2000. Three tests were performed in 1994, after the initial Mach 5, 1994 test turned up contamination in the spring. The spring was again tested in 1995, 1996 (two separate tests), 1997, 1999, and on September 20, 2000. Government tests were conducted on the white family’s spring even after its members were placed on the City water system.

Table 2
Summary of TCE and DCE Results, Springs and Private Water Supplies
Dickson County, Tennessee

Residence/Water Supply	Date	TCE (*g/L)	DCE (*g/L)
L. Gorley/ private well	October 25, 2000	0.6	BDL
L. Gorley/ private well	October 31, 2000	0.5J	BDL
H. Holt/private well	October 12, 2000	3.5	BDL
H. Holt/private well	January 28, 1990	26.0	BDL
H. Holt/private well	August 17, 1990	3.9	BDL
H. Holt/private well	August 23, 1991	3.7	BDL
H. Holt/private well	October 9, 2000	120.0	6.6
H. Holt/private well	October 25, 2000	145.0	8.6
H. Holt/private well	January 2001	64.0	2.9
H. Holt/private well	October 2001	160.0	2.0
H. Holt/private well	May 2002	34.0	1.0
H. Holt/private well	April 2003	16.0	1.1
L. Holt/private well	October 25, 2000	1.2J	BDL
L. Holt/private well	October 2001	BDL	BDL
L. Holt/private well	May 2002	BDL	BDL
L. Holt/private well	October 2002	BDL	BDL
L. Holt/private well	April 2003	BDL	BDL
R. Holt/private well	November 2000	5.0	BDL
R. Holt/private well	January 2001	8.0	BDL
R. Holt/private well	October 2001	3.0	2.2
R. Holt/private well	May 2002	2.0	BDL
R. Holt/private well	October 2002	2.0	BDL
R. Holt/private well	April 2003	9.0	134
Sullivan Spring	March 5, 1994	18.0	5.0
Sullivan Spring	June 25, 1994	83.0	19.0
Sullivan Spring	September 1, 1994	59.0	9.8
Sullivan Spring	September 28, 1994	84.0	17.0
Sullivan Spring	May 22, 1995	31.0	6.8
Sullivan Spring	August 19, 1996	<5	<5
Sullivan Spring	December 3, 1996	<5	<5
Sullivan Spring	May 14, 1997	230.0	31.0
Sullivan Spring	August 26, 1999	160.0	39.0
Sullivan Spring	September 20, 2000	16.0	25.0
Sullivan Spring	May 2002	23.0	1.0
Sullivan Spring	November 2002	110.0	26.0
Sullivan Spring	April 2003	130.0	34.0

Source: Tetra Tech EM, Inc., *Dickson County Landfill Reassessment Report. A Report Prepared for the U.S. EPA, Region IV.* Atlanta: March 4, 2004, Table 2, p. 16.

Proximity of County Landfill to Elected Officials' Homes

Dickson city and county officials have the power to right a terrible injustice. However, the elected officials have chosen instead to use tax dollars to defend the indefensible—the poisoning of the Holt family's wells. It appears that “NIMBY” (Not in My Backyard) is being practiced by these officials. Harry Holt's property line is just 54 feet from the landfill property line. His well is 313 feet from the landfill property line.

How far is the landfill from city and county officials' homes? Only one Dickson City council member's home is within a one-mile radius of the landfill. Five of the eight city council members' homes are more than two miles from the landfill. The Dickson Mayor lives 3.85 miles from the landfill (see Figure 1 and Table 3).

Dickson County elected officials live even further away from the leaky landfill than their Dickson City counterparts. Two county commissioners' homes are within two miles of the landfill; three commissioners live three to four miles from the landfill; and seven of the twelve commissioners' homes are six or more miles from the landfill. Two of the commissioners live more than fifteen miles from the landfill. The county mayor lives three miles from the landfill (see Figure 2 and Table 4).

Waiting for Government to Do the Right Thing

Government officials allowed the Holt family to drink TCE-contaminated well water from 1988-2000. In 2003, the Holt family filed a lawsuit against the City of Dickson, County of Dickson, and Scovill, Inc. (Scovill Inc. is the company that owned the former Scovill-Shrader Automotive manufacturing plant in Dickson). In November 2004, Dickson County Circuit Court Judge George Sexton ruled that a racial discrimination amendment could be added to the Holt family's complaint involving the alleged toxic poisoning of their well water near the Dickson County Landfill. The lawsuit is pending in Dickson County Circuit Court.

Unlike the Holts, the vast majority of Dickson city and county elected officials live far from the landfill and for years have had access to clean City tap water. One must wonder how these elected officials would respond if their homes were 54 feet from the Dickson County Landfill property line or if toxic chemicals were found in their wells. It is unlikely that any of these men and women would allow their mothers, fathers, sisters, brothers, spouses, and children to drink contaminated well water for one day—and certainly not for twelve years.

Dickson city and county elected officials are faced with a moral test of deciding whether to distribute health risks that they are not willing to bear themselves. They have failed this test. These same officials are duly bound to provide equal protection of all of its citizens without regard to race, color, or national origin. They have failed the Holt family and Dickson's Eno Road black community in the worst way.

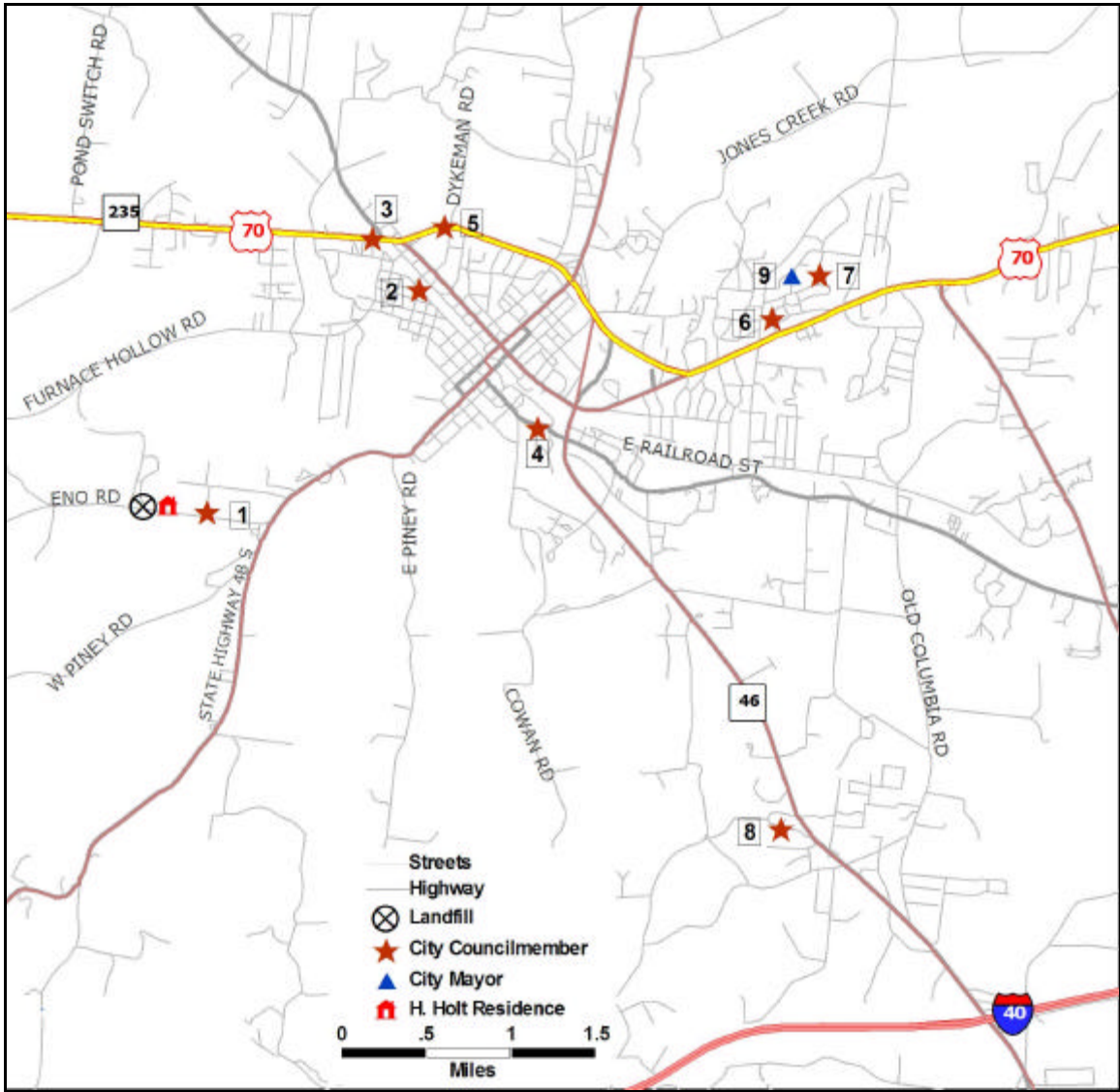


Figure 1 – Map of Dickson City Officials and Proximity to Dickson County Landfill

Table 3
Distance Dickson City Officials Homes to the Dickson County Landfill

City Official	Home Address	Ward Number	Distance to Landfill (Miles)
1. R. Arnold	119 Edgewood Pl. Dickson, TN	2	0.33
2. J.R. Monsue	702 West 3 rd St. Dickson, TN	3	1.85
3. M. Corlew	105 Marley Dr. Dickson, TN	3	1.95
4. R. Blue	115 Miller St. Dickson, TN	4	2.22
5. R.S. England	711 Henslee Dr. Dickson, TN	2	2.30
6. B. Rial	106 Forest Hills Circle Dickson, TN	1	3.65
7. M. Legg	105 Steven Nicks Dr. Dickson, TN	1	4.04
8. J. Jennings	122 Shady Brook Circle Dickson, TN	4	4.10
9. D. Weiss, Jr.	100 Belford Dickson, TN	Mayor	3.85

Source: City of Dickson, Tennessee, "City Council," found at <http://cityofdickson.com/Council.aspx> (Accessed March 15, 2006).

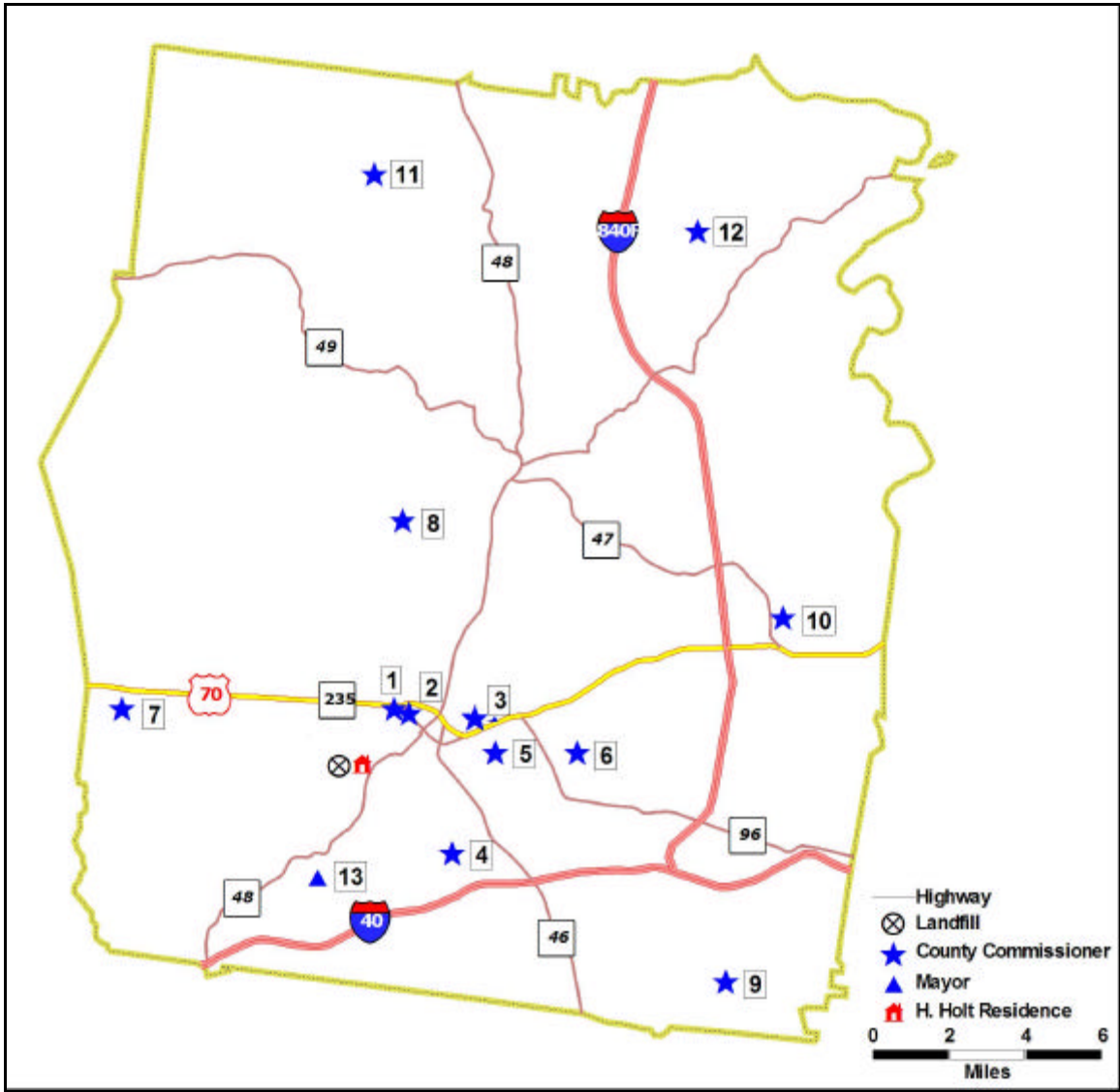


Figure 2 – Map of Dickson County Officials and Proximity to Dickson County Landfill

Table 4
Distance Dickson County Officials Homes to the Dickson County Landfill

County Official	Home Address	District Number	Distance to Landfill (Miles)
1. D. Corlew	1006 West 1 st Street Dickson, TN	8	1.79
2. D. England	615 W. College St. Dickson, TN	9	1.95
3. B. Reed	108 Lone Oak Dr. Dickson, TN	10	3.55
4. V. Gray	665 Murrell Rd. Dickson, TN	7	3.70
5. D. Tidwell	209 Robinson Dr. Dickson	11	4.00
6. J. Loggins	345 Loggins Rd. Burns, TN	12	6.00
7. R. Wetterau	325 McElhiney Rd. Dickson, TN	2	6.17
8. S. Batey	1128 Old Stage Rd. Dickson, TN	1	6.42
9. B. Spencer	885 Tidwell Rd. Burns, TN	6	11.50
10. G. Larkin	315 School Rd. White Bluff, TN	5	11.88
11. G. Suggs	2645 Wood Valley Rd. Cumberland Furnace, TN	3	15.40
12. J.B. Smith	1765 Maple Valley Rd. Charlotte, TN	4	16.50
13. L. Frazier	825 North Mount Sinai Rd. Dickson, TN	Mayor	3.00

Source: Dickson County Chamber of Commerce, "County Offices, Elected Officials and County Offices," found at <http://www.dicksoncountychamber.com/community/offices.html> (accessed February 26, 2006).

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