

## RECOMMENDATIONS

### DICKSON COUNTY LANDFILL EXPERT PANEL

TO: Timothy V. Potter, Esq., Reynolds Potter, Ragan & Vandivort, PLC  
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MATTER: Natural Resources Defense Council, Inc., *et al.*, v. County of Dickson, Tennessee,  
*et al.*, No.: 3:08-cv-00229  
Consent Order Entered December 9, 2011

DATE: March 20, 2012

SUBJECT: Communication No. 1  
Recommendations 1 - 3

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The Dickson County Landfill (DCL) Expert Panel provides the following recommendations for your consideration per the provisions of the referenced Consent Order, Section VI. REMEDY OPTIONS (pages 12 – 18):

In reference to Paragraph 9(a):

Recommendation 1. The Expert Panel defines the Dickson County Landfill Expanded Environmental Risk Area (DCL EERA) as the area that is so depicted in the attached exhibit entitled Dickson County Landfill Expanded Environmental Risk Area, dated March 20, 2012. Note that with respect to the County's water well regulations the DCL EERA does not require a buffer zone.

In reference to Paragraph 9(j):

The Expert Panel recognizes that the funds available to execute the Panel's recommendations are limited. We therefore believe that the interests of concerned parties will be best served if the Expert Panel has a good understanding of the costs to implement our future recommendations regarding connection of properties to public water lines

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(Paragraph 11(a)) and semi-annual monitoring (Paragraph 11(d)). It is in this regard that we provide the following recommendations:

Recommendation 2. The Expert Panel recommends that the County confirm, revise, and supplement, as appropriate, the database records identified in the attached table entitled Status of Wells and Springs. The Expert Panel also recommends that the County conduct a water use survey within the area in which the newly defined DCL EERA has been expanded beyond the perimeter of the existing ERA (described as the “Affected Area” in the County Rules and Regulations of Water Wells and Use of Springs in Dickson County, Tennessee). The water use survey in the incremental expansion area should be of a similar scope and produce information congruent with those water use surveys that have been conducted previously within the existing ERA, including, though not limited to obtaining water utility records, tax records, and, as needed, contacting property owners or visiting properties to confirm the situation regarding water use.

Recommendation 3. The Expert Panel recommends that the County proceed to engage appropriate water utility districts in discussions to identify and evaluate prospective extensions and associated costs of main water distribution lines within the newly defined DCL EERA. The Expert Panel further requests that the County report back to the Expert Panel with a proposed plan, schedule, and budget for extending water lines that could serve the area within the newly defined DCL EERA. The budget provided to the Expert Panel should be aggregate total costs associated with major sections of the water main extensions.

The Expert Panel intends to use the information requested in Recommendations 2 and 3 in support of the Expert Panel activity described in Consent Order Paragraph 11(a).