



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

ROBERT J. MARTINEAU, JR.
COMMISSIONER

BILL HASLAM
GOVERNOR

December 21, 2017

Via Electronic Mail to Kristi.Ashley@FAA.gov

Attn: Kristi Ashley, Environmental Specialist
Memphis Airports District Office
Federal Aviation Administration
2491 Winchester Road, Suite 113
Memphis, TN 38116

Dear Ms. Ashley:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the FedEx Express (FedEx) *MEMH Relocations Project # 8648976 Draft Final Short Form Environmental Assessment* (Draft Final Short Form EA) prepared by the Federal Aviation Administration (FAA). The applicant, FedEx, proposes to deconstruct or demolish 24 outdated structures at the Memphis International Airport in Memphis, TN. Under the proposed action, five new facilities would be constructed to modernize package sorting operations and improve traffic flow through the FedEx Memphis hub.

Actions considered in detail within the Draft Final Short Form EA include:

- Proposed Action Alternative – The Project would consist of the deconstruction or demolition of 24 outdated structures, and construction of five new facilities to replace operations, structures and equipment that are approaching the end of their useful life with modern operations, structures and equipment to improve the efficiency of FedEx's business processes. New structures would be constructed using green building standards to the extent feasible to limit environmental impacts. The project would be constructed in Phases as funding becomes available. The first Phase would feature the demolition of buildings 1-23 and the slabs removed.
- No-Action Alternative – Under the No Action Alternative the demolition, deconstruction, and new construction activities described previously would not occur, and the efficiency and safety improvements of the proposed action would not be realized.

TDEC has reviewed the Draft Final Short Form EA and provides the following comments.¹

Water Resources

The Draft Final Short Form EA states that “Prior to commencement of demolition or construction activities, FedEx would submit a completed and signed Notice of Intent (NOI) for Construction Activity – Stormwater Discharges to the Tennessee Department of Environment and Conservation (TDEC) Division of Water Resources. FedEx would also develop and submit a site-specific SWPP with the NOI.” TDEC acknowledges the inclusion of this statement and the need for the project to submit this information to the Department.²

Solid Waste Management

It should be reiterated that permitted solid waste landfills (Class 1, 2, 3/4) in Tennessee are not allowed to accept Hazardous Wastes for disposal. No information was provided in the Draft Final Short Form EA to identify where potential Hazardous Wastes generated during the project would be disposed. TDEC recommends that the Final Short Form EA include discussion regarding how Hazardous Waste will be disposed of.

As mentioned in the previous TDEC Solid Waste Management (SWM) NEPA review response (i.e., December 16, 2016), all asbestos-containing materials (ACM) generated as a result of the project must be disposed of at an approved disposal facility. TDEC SWM has two policies which detail asbestos disposal requirements in the State of Tennessee. TDEC recommends that this consideration be included in the Final Short Form EA.³

Regarding the disposal and management of lead-based paint debris, TDEC SWM Policy⁴ states that if the paint is adhered to the debris surface, TDEC does not require that the paint be sanded, scraped, blasted, or otherwise mechanically removed to be tested for lead. The debris may go to a Class I, II (depending on permit conditions), III, or IV disposal facility. However, if the volume of waste makes it bulky or difficult to manage, the generator would be required to submit an application for a Special Waste Approval from TDEC before disposal occurs.⁵ TDEC recommends that this consideration be included in the Final Short Form EA.

¹ TDEC has no additional comments regarding the state’s air resources other than those presented in the comments submitted on the Federal Aviation Administration FedEx MEMH Relocation Project 140 in December of 2016.

² The appropriate contact for the Division of Water Resources in the Memphis area is Joellyn Brazile, manager of the DWR Memphis Field Office. She can be reached at Joellyn.brazile@tn.gov or 901-371-3025..

³ The Solid Waste Policies pertaining to Asbestos disposal are pn118 (non-friable asbestos) and pn043 (friable asbestos), which can be found in the SWM Policy Manual at <https://www.tn.gov/environment/program-areas/solid-waste/solid-waste-management/solid-waste-policies-guidance.html>.

⁴ SWM Policy pn115, “Management and Disposal of Lead-Based Paint” can be found in the SWM Policy Manual at <https://www.tn.gov/environment/program-areas/solid-waste/solid-waste-management/solid-waste-policies-guidance.html>.

⁵ For more information regarding Special Waste and the Special Waste Application process, please visit <https://www.tn.gov/environment/permit-permits/waste-permits1/special-waste-approval.html>.

TDEC appreciates the opportunity to comment on this Draft Final Short Form EA. Please note that these comments are not indicative of approval or disapproval of the proposed action or its alternatives, nor should they be interpreted as an indication regarding future permitting decisions by TDEC. Please contact me should you have any questions regarding these comments.

Sincerely,

A handwritten signature in cursive script that reads "Kendra Abkowitz".

Kendra Abkowitz, PhD
Director of Policy and Sustainable Practices
Tennessee Department of Environment and Conservation
Kendra.Abkowitz@tn.gov
(615) 532-8689

cc: Lisa Hughey, TDEC, SWM
Tom Moss, TDEC, DWR