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Nashville wins \$7.2 million verdict against thermal plant operator over fire

By Brian Haas
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Metro Government on Tuesday won a \$7.2 million verdict against the company that was running a city thermal plant that burned down in 2002.

Metro and its insurer at the time, Travelers Property Casualty, sued BFI Waste Services, which ran the Nashville Thermal Transfer Plant. The lawsuit alleged the company's negligence led to a catastrophic fire that destroyed the plant.

The plant, between 1st Avenue South and the river, had been used to burn garbage to provide heat and energy to several downtown buildings, including the state Capitol.

Tuesday's verdict was largely orchestrated by Metro's insurer, but Metro is expected to reap about \$2 million, said Tom Cross, associate director of Metro's Legal Department. He said the money would repay what amounts to Metro's deductible on the fire.

"It's good news for Metro and good news for the insurer," Cross said.

BFI has since been absorbed by Allied Waste, which was in turn absorbed by the Arizona-based Republic Services. Officials there have not decided whether to appeal.

"We are reviewing all of our options and haven't decided yet how to proceed," spokeswoman Peg Mulloy said.

Cross said he expected that the company would eventually appeal the verdict.