



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

ROBERT J. MARTINEAU, JR.  
COMMISSIONER

BILL HASLAM  
GOVERNOR

MEMORANDUM

**TO:** Governor Bill Haslam  
Lieutenant Governor Ron Ramsey, Speaker of the Senate  
Speaker Beth Harwell, Speaker of the House

**FROM:** Robert J. Martineau, Jr. *RJM*  
Commissioner

**DATE:** February 21, 2013

**RE:** Department of Environment and Conservation  
Environmental Permitting Efficiency Report

Tennessee Code Annotated (T.C.A.) 4-3-506 et. seq. enacted in 2012 requires the Commissioner of the Department of Environment and Conservation (the Department) to submit electronically a report to the Governor and the General Assembly on the Department's efficiency in reviewing and acting on permits within a regulatory time frame. Our first Environmental Permitting Report is attached with this memorandum.

The statute requires the Department to report all permit applications that have been submitted to the Department for each reporting period. There are two main reporting categories; (1) performing permit completeness review within regulatory time periods and (2) making permit final permit decisions for complete permit applications. This first Environmental Permitting report includes all permit applications that were on hand but not processed on July 1, 2012 and all permit applications submitted from July 1, 2012 thru January 1, 2013 that are subject to this statute. For this report, the Department defined "permit" as any permit, license, certification, accreditation or registration with a specific regulatory time period for completeness review and/or a permit decision. The statute requires the Department to report:

- The number of permit application completeness reviews performed within the time period specified by rule;
- The number of permit completeness reviews that exceeded the regulatory time period;
- The reasons permit application reviews were not completed within the regulatory time period;
- Actions the Department will take to improve application completeness review time;
- The number of permit application decisions the Department made within the regulatory time period;
- The number of permit applications decisions the Department that exceeded the regulatory time period;
- The reason permit decisions were not made within the regulatory time period;
- The reasons that permit decision were not made within the regulatory time period; and
- Actions the Department will take to improve the permit decision making process.

Attached with this memorandum is an electronic copy of the February 1, 2013 report. The Department will also post this report on its website, Please feel free to contact me if you have any questions.



**Tennessee Department of Environment and Conservation**  
**Environmental Permitting Report**  
**February 2013**

**Robert J. Martineau, Jr., Commissioner**

## Table of Contents

<b>Section</b>	<b>Page Number</b>
<b>Executive Summary</b>	<b>3</b>
<b>Introduction</b>	<b>5</b>
<b>Land</b>	<b>8</b>
<b>Air</b>	<b>21</b>
<b>Water</b>	<b>25</b>
<b>Conclusions</b>	<b>46</b>
<b>Appendices</b>	<b>49</b>



## **Tennessee Department of Environment and Conservation Environmental Permitting Report February 2013**

### **Executive Summary**

The Tennessee Department of Environment and Conservation (the Department) is committed to protecting and improving the quality of Tennessee's air, land and water. Department programs and initiatives protect human health and the environment and support economic development, job creation and quality of life through education of citizens and the regulated community regarding natural resource issues, and effective implementation of state and federally delegated environmental laws.

Environmental permitting is an important aspect of the department's charge to protect Tennessee's natural resources and preserve the quality of life that makes Tennessee an attractive place to work, live and play. Issuing protective permits in a timely and consistent fashion is critical to the success of our state's business and industry sectors and Tennessee's efforts to be the best state in the southeast for high quality jobs.

In 2012, Tennessee Code Annotated 4-5-506 was amended and requires the Department to provide the Legislature with two reports each year outlining the success we are having in reviewing permit applications for completeness and making permit decisions within regulatory time limits. This is the initial report required by the amendment.

The information in this report demonstrates the success the Department has had in meeting the requirements for reviewing permit applications for completeness and making final permit decisions based on complete applications. For permit applications subject to permit review deadlines between July 1, 2012 and December 31, 2013, the Department reviewed 98.5 percent (5,175 of 5,256) of the permit applications for completeness within the regulatory time period. The Department made permit decisions for 81 percent (10,396 of 11,317) of all complete permit applications with deadlines between July 1, 2012 and December 31, 2013.

The Department has identified three environmental program permitting areas with the need for business process improvement: air Pollution control permit decisions, confined animal feeding operation permits, and licenses for subsurface sewage disposal system installers and pumps.

The Department will review the permitting process to identify solutions for these areas. The Department is considering options for streamlining the air pollution control permitting program and working to identify permits that are good candidates for general permits, where permit coverage can be expedited for like processes that can demonstrate the ability to meet pre-set permit conditions. This approach is similar to the process used by the solid waste program for convenience center permits and the water resources program's construction stormwater permits.

The Department's primary permitting backlog in the air pollution control program is issuing new Operating permits for facilities with construction permits and re-issuing operating permits for facilities with operating permits. The Department is committed to improving the processing of operating permits. It should be noted that under the Uniform Administrative Procedures Act, T.C.A. 4-5-320(b), and the air pollution control regulations, any facility with an air pollution control construction permit where the applicant has timely submitted an application for an operating permit or where a permittee has submitted a permit application by the date specified in the regulations to renew its operating permit may continue to operate under its existing permit until the Department has made a final decision on its operating permit renewal application. The statutory and regulatory provisions ensure that permit holders can operate their businesses without any adverse impact while the Department makes a final Operating permit decision.

Additionally, the Department has identified a problem in the confined animal feeding operation (CAFO) permit process, and is working collaboratively with the Department of Agriculture on a solution. Both departments have signed a Memorandum of Understanding to streamline the review of these permit applications and are working well together. The primary reason the Department does make CAFO permit decisions within the regulatory time period is the failure of permit applicants to submit additional information requested by the Department that is needed to make final permit decisions. Under the current rule the Department does not have a mechanism to "close" the permit application when the applicant is nonresponsive.

We have experienced a delay in issuing licenses to subsurface sewage disposal (SSD) installers and pumpers. The Department cannot issue a license until the license fee has been paid. In some cases the applicant paid the application fee but payment of the fee was not reported. This is an internal communications problem we are working to resolve. The other major problem is failure of the applicant to submit additional information to the Department that is needed to make a final license decision. The Department will review the license application process to determine if the license applications can be improved to help applicants submit all the information necessary; this will allow the SSD Program to review license applications and make timely license decisions.

While those are the three most significant areas the Department has identified, this report provides additional detailed information regarding the review of environmental permit applications. We hope this information is of assistance and look forward to receiving comments from the Legislature and the citizenry at large about this report and any ideas that will improve the quality of the report and our service to our customers.

**INTRODUCTION**

The Tennessee General Assembly adopted legislation in 2012 which amended Tennessee Code Annotated (T.C.A.) 4-3-501 et. seq. This Act provides for the creation of the Department of Environment and Conservation (the Department). The 2012 amendment, included as Appendix 1., requires the Department to submit to the Legislature the status of the review of permit applications for completeness and the status of processing permits as required by statute and regulation twice per year. There are 13 different rules with specific language requiring the Department to review permit applications for completeness within set time periods and to approve or deny permit applications and permit modifications within set time periods. Please find below the regulations the Department is required to implement for permit completeness review and permit approval or denial

<b>Regulatory Citations for Permit Completeness Review and Permit Decisions</b>	
<b>Rule</b>	<b>Rule Number</b>
Solid Waste Regulations	Rules 0400-11-01 .01 thru .13
Hazardous Waste Regulations	Rules 0400-12-01-.01 thru .12
Hazardous Waste Regulations	Rules 0400-12-02 -.01 thru .3
Regulation of X-ray and Radioactive Materials	Rules 0400-20-05 -.01 thru .146
Certification of Hydrologic Professionals	Rules 0400-40-7 -.01 thru .04
Water Supply	Rules 0400-45-01 - .01 thru .40
Underground Injection Control	Rules 0400-45-06 -.01 thru .19
Safe Dams	Rules 0400-45-07 -.01 thru .10
Subsurface Sewage Disposal	Rules 1200-01-06 - .01 thru .34
Asbestos Accreditation	Rules 1200-1-20-.01 thru .08
Lead Based Paint Abatement	Rules 1200-1-18-.01 thru .06
Air Pollution Control	Rules 1200-3-01 thru 37
Water Pollution Control	Rules 1200-4-01 thru 14

The Department includes in its definition of “permit” all permits, licenses, registrations, certifications and accreditations as well as modification requests for existing permits. In this analysis, the Department developed a document (Appendix 2.) that includes the regulations setting the time periods for the Department to review permit application for completeness and for making final permit decisions.

The Department created tables for each of its environmental programs. The tables provide the status of permit applications and modifications for completeness. The tables also provide the status of the Department’s decision to approve or deny complete permit applications and modifications.

The Permit Completeness Table for each environmental program provides specific information:

1. The number and type of permit applications and modifications that were a part of our inventory on July 1, 2012;
2. The number and type of permit applications modifications received from July 1, 2012 thru December 31, 2013;
3. The total number of permit applications and modifications under completeness review from the time period of July 1, 2012 through December 31, 2013;
4. The time period the Department has to review permit applications and modifications to determine completeness;
5. The number of permit applications and modifications that were reviewed by the Department for completeness within the regulatory time period
6. The number of permit applications and modifications that were not reviewed by the Department for completeness within the regulatory time period; and
7. The number of permit applications and modifications currently under review but the time period for completeness has not ended.

The Permit Application and Modification Decision Table for each environmental program provides specific information:

1. The number and type of complete permit applications and complete permit modifications that had been received but not acted upon as of July 1, 2012;
2. The number and type of complete permit applications and modifications received from July 1, 2012 thru December 31, 2013;
3. The total number of complete permit applications and modifications to be reviewed during the time period of July 1, 2012 through December 31, 2013;
4. The time period the Department provided to the Department to either approve or deny a complete permit application or modification for each permit category;
5. The number of complete permit application and modifications that were reviewed within the time period set by rule and a decision was made to either issue or deny the permit application or modification;
6. The number of complete permit applications and modifications that were reviewed by the Department and the Department exceeded the time period set by rule to issue or deny the permit application or modification; and
7. The number of complete permit applications and modifications under review but the time period for to issue or deny the application has not ended.

We believe the information presented in the tables for each environmental program provide a comprehensive view of the Department's effectiveness in meeting the statutory and regulatory

requirements for environmental permitting. Included in the narrative for each regulatory program are the reasons regulatory deadlines were missed and the actions the Department is pursuing to improve our permitting processes.

## **LAND**

The Divisions of Solid Waste Management and Radiological Health are responsible for issuing permits, licenses, registrations, certifications and accreditations as part of their regulatory duties. There are four different environmental programs that have responsibility to meet permitting time frames for permit completeness review and permit issuance/denial:

1. Solid Waste;
2. Hazardous Waste;
3. Lead Based Paint and Asbestos; and
4. X-ray equipment and Radioactive Materials

## **SOLID WASTE**

The Solid Waste Program issues permits for processing, storing, and disposing solid waste in Tennessee. EPA Region 4 has approved the Department's Solid Waste Program for solid waste disposal. The Department issues Solid Waste permits for Solid Waste Processing facilities, Convenience Centers, Composting Operations and Demolition, Industrial and Municipal Solid Waste Landfills. The Department also reviews and approves/denies requests to dispose of "special waste" in the landfills it regulates. The permits and special waste approvals issued by the Department for solid waste management are an integral part of preventing the illegal disposal of solid wastes in Tennessee and insures that the facilities where solid waste is stored, processed or disposed are properly designed, constructed according to engineering design, operated according to the Solid Waste regulations, closed properly and then monitored after closure. Proper disposal of solid waste insures protection of public health and the environment. Members of the regulated community either pursuing a new permit or modifying a permit for an existing facility are required to submit permit applications and permit modifications and then receive approval from the Department before beginning construction or expansion activities. Under the Solid Waste regulations, the Department has specific time periods to review permit applications and modifications for completeness and then specific time periods to decide whether to approve or deny permit applications and modifications.

Table 1. provides information documenting the Department's efforts to perform completeness reviews for permit applications and modifications. Table 2. provides information about the Department's review and determinations for complete permit applications and modifications. For this reporting period the Solid Waste Program reviewed all permit applications for permit completeness review within the regulatory time periods. The Department also made the decision to either approve or deny all complete permit applications and modifications within the within time periods established by regulation.

**Table 1. Solid Waste Management Program  
 Compliance with Completeness Review Requirements**

<b>SOLID WASTE PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7/1/12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Total Applications for Completeness Review thru 1/1/13</b>	<b>Completeness Review – Time in Days per Rule in days</b>	<b>Applications Under Review - Time Frame has not Expired</b>	<b>Applications Reviewed for Completeness within the Regulatory Time Limit</b>	<b>Applications Not Reviewed for Completeness within Regulatory Time Limit</b>
Hydrogeologic Report for Disposal Facilities	0	1	1	30	0	1	0
Design and Construction Plans for Compost Facilities	0	0	0	45	0	0	0
Design and Construction Plans for Class I or II Disposal facility	0	1	1	45	0	1	0
Design and Construction Plans for Class III Disposal facility	0	2	2	45	0	2	0
Major Permit Modification - Permit Only	0	0	0	45	0	0	0
Major Permit Modification - Plans Only	0	3	3	45	0	3	0
Permit-by-Rule Facility	0	15	15	0	0	15	0
Special Waste Evaluation	0	187	187	30	0	187	0
<b>Totals</b>	<b>0</b>	<b>209</b>	<b>209</b>		<b>0</b>	<b>209</b>	<b>0</b>

**Table 2. Solid Waste Management Program  
 Compliance with Permit Application Approval/Denial Times**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7-1-12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Applications to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications Under Review - Review Period has not Expired</b>	<b>Applications Approved or Denied within Regulatory Time Limit</b>	<b>Applications Not Approved or Denied within Regulatory Time Limit</b>
Hydrogeologic Report for Disposal Facilities	0	1	1	30	0	1	0
Design and Construction Plans for Compost Facilities	0	0	0	120	0	0	0
Design and Construction Plans for Class I or II Disposal facility	0	1	1	270	0	1	0
Design and Construction Plans for Class III Disposal facility	0	0	0	240	0	0	0
Major Permit Modification - Permit Only	0	0	0	180	0	0	0
Major Permit Modification - Plans Only	0	2	2	240	0	2	0
Permit-by-Rule Facility	0	15	15	90	0	15	0
Special Waste Evaluation	0	187	187	30	0	187	0
<b>Totals</b>	<b>0</b>	<b>206</b>	<b>206</b>		<b>0</b>	<b>206</b>	<b>0</b>

## **HAZARDOUS WASTE**

The Hazardous Waste Program issues permits for hazardous waste processing, storing, transporting, treating and disposal. The Department has received delegation from EPA Region 4 to serve as the primary regulatory authority for implementation of the federal hazardous waste regulations in Tennessee. The Department issues Hazardous Waste Transporter, Treatment, Storage and Disposal permits. The permits issued for hazardous waste management are an integral part of preventing the illegal disposal of hazardous wastes in our state and helps insure that the facilities where hazardous waste is transported, stored, treated or disposed are properly designed, constructed to design criteria, operated as required pursuant to the regulations and the permit conditions, properly closed and then monitored (if needed). Proper management of hazardous waste protects public health and the environment.

Members of the regulated community who pursue either a new Hazardous Waste permit or modification of an existing permit are required to submit applications to the Department and receive approval from the Department before beginning construction of new facilities or significant improvements or construction begins at existing facilities. Under the Hazardous Waste regulations, the Department has specific time periods to review permit applications and modifications for completeness. Under the regulations, the Department also has specific time periods to either issue or deny complete permit applications and modifications.

Table 3. below, provides data for permit application and modification completeness review. Table 4. provides data for hazardous waste permit application and modification decisions. For this reporting period the Department reviewed all Hazardous Waste permit applications and modifications for completeness within the regulatory time period, with the exception of one application. For this application the completeness review period has not expired. For complete permit applications and modifications, all were reviewed and permit decisions were made within the regulatory time period.

**Table 3. Hazardous Waste Program  
 Compliance with Completeness Review Requirements**

Hazardous Waste PERMIT & APPLICATIONS MODIFICATIONS	Applications on Hand – 7/1/12	Applications Received between 7/1/12 and 1/1/13	Total Applications for Completeness Review thru 1/1/13	Completeness Review – Time in Days per Rule in days	Applications Under Review - Time Frame has not Expired	Applications Reviewed for Completeness within the Regulatory Time Limit	Applications Not Reviewed for Completeness within Regulatory Time Limit
HW Transporters	0	11	11	NA	0	11	0
Interim Status Facilities - Closure Plan	0	0	0	180	0	0	0
Interim Status Facilities - Post Closure Plan	0	0	0	180	0	0	0
Part A Application	0	7	7	45	0	7	0
Part B Application Existing TSD Facility	6	0	6	180	0	6	0
Part B Application Existing Combustion or OB/OD Facility	4	0	4	180	0	4	0
Part B Application Existing PC +/or CA Facility	4	3	7	180	1	6	0
Part B Application New TSD Facility	0	0	0	45	0	0	0
Part B Application New Combustion or OB/OD Facility	0	0	0	45	0	0	0
Part B Application New PC +/or CA Facility	0	0	0	45	0	0	0
Part B Application New Commercial TSD Facility	0	0	0	45	0	0	0
Part B Application New Commercial Combustion or OB/OD Facility	0	0	0	45	0	0	0
Part B Application New Commercial PC or CA Facility	0	0	0	45	0	0	0
Class 1 & 1 Modifications	1	4	5	60	0	5	0
Class 3 Modifications	4	1	5	180	1	4	0
<b>Total</b>	<b>19</b>	<b>26</b>	<b>45</b>		<b>2</b>	<b>43</b>	<b>0</b>

**Table 4. Hazardous Waste Program**

**Compliance with Permit Application Approval/Denial Times**

Hazardous Waste PERMIT & APPLICATIONS MODIFICATIONS	Number on Hand - 7-1-12	Number Received between 7/1/12 and 1/1/13	Number to be Reviewed thru 1/1/13	Time to Approve/Deny Application	Applications under review - Time Period has not expired	Applications Approved/Denied within Regulatory Time Limit	Applications Not Approved/Denied within Regulatory Time Limit
HW Transporters	0	11	11	15	0	11	0
Interim Status Facilities - Closure Plan	0	0	0	90	0	0	0
Interim Status Facilities - Post Closure Plan	0	0	0	90	0	0	0
Part B Application New Facility - Public Notice of Intent to Issue/Deny	0	0	0	45 days after complete application	0	0	0
Part B Application New Facility - Final Permit Decision	0	0	0	60 after public comment period	0	0	0
Part B Application New Commercial TSDF - Public Notice of Intent to Issue/Deny	0	0	0	45 days after complete application	0	0	0
Part B Application New Commercial TSDF - Final Permit Decision	0	0	0	90 days after public comment period	0	0	0
Class 1 Combustion Permit Modification MACT	0	0	0	90	0	0	0
Class 1 Combustion Permit Modification MACT	0	0	0	30	0	0	0
Class 2 Mods	1	1	2	90	0	2	0
<b>Totals</b>	<b>1</b>	<b>12</b>	<b>13</b>		<b>0</b>	<b>13</b>	<b>0</b>

## **LEAD BASED PAINT and ASBESTOS**

The Lead Based Paint and Asbestos Programs are responsible for insuring that companies and individual workers who repair, renovate and/or remove Lead Based Paint and Asbestos from buildings are properly trained. Staff members review the education, training, experience and qualifications of the staff members of companies who train Asbestos and Lead Based Paint workers. Approving training programs via accreditation ensures the curriculum and the training meets the need of the persons attending the training. The Department has agreements with EPA Region 4 to implement these programs in Tennessee.

The purpose of the Lead Based Paint and Asbestos accreditation and certification programs is to insure that:

1. The companies and especially the workers for these companies are capable of managing the removal of asbestos and/or lead based paint;
2. The renovation or repair of buildings with asbestos and/or lead based paint is performed using techniques to protect worker health and safety;
3. Lead based paint debris and asbestos removed from buildings is properly disposed; and
4. Once work is completed, the building is safe for human occupation.

Table 5. provides data for Asbestos and Lead Based Paint certification and accreditation applications received. Under this program, all applications are reviewed for completeness and a determination made to issue accreditation and/or certification are completed within the same regulatory time period. For this reporting period, the Asbestos and Lead Based Paint Programs have met all requirements for reviewing applications for completeness and issuing or denying applications within the regulatory time periods.

**Table 5. Lead Based Paint and Asbestos Programs**

<b>Applications - Completeness Review &amp; Approval/Denial</b>							
<b>APPLICATIONS are reviewed for completeness and approved or denied concurrently</b>	<b>Number on Hand - 7-1-12</b>	<b>Number Received between 7/1/12 and 1/1/13</b>	<b>Number to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications under review - Time Period has not expired</b>	<b>Applications Approved/Denied within Regulatory Time Limit</b>	<b>Applications Not Approved/Denied within Regulatory Time Limit</b>
<b>Toxics - Lead-Based Paint</b>							
LBP - Initial Course Training Programs - Accreditation	0	0	0	180		0	0
LBP Refresher Course Training – Accred.	0	1	1	180		1	0
LBP - Individuals Applying for Certification	51	28	79	NA		79	0
LBP - Firms Applying for Abatement Certification	5	23	28	90		28	0
<b>Total</b>	<b>56</b>	<b>52</b>	<b>108</b>		<b>0</b>	<b>108</b>	<b>0</b>
<b>Toxics - Asbestos</b>							
Asbestos Training Provider Accreditation	2	2	4	180	0	4	0
Asbestos Training Provider Accreditation Amended Application	0	2	2	30	0	2	0
Re-accreditation Asbestos Trng Provider	0	14	14	NA	0	14	0
Accredited Asbestos Professional Certification - Initial Applications**	246	430	676	60	0	676	0
Re-Accreditation - Asbestos Prof. Cert.***	359	1131	1490	NA	0	1490	0
Accreditation of an Asbestos Firm - Initial Application	25	23	48	60	0	48	0
Re-Accreditation of an Asbestos Firm	49	154	203	60	0	203	0
<b>Total</b>	<b>681</b>	<b>1756</b>	<b>2437</b>		<b>0</b>	<b>2437</b>	<b>0</b>
<b>Grand Total</b>	<b>737</b>	<b>1808</b>	<b>2545</b>		<b>0</b>	<b>2545</b>	<b>0</b>

## **X-RAY EQUIPMENT and RADIOACTIVE MATERIALS**

The Radiological Health Program issues licenses and certifications for equipment and devices that contain radioactive materials and for equipment and machines that generate X-rays. The Program also issues licenses to businesses that process low level radioactive waste. The Nuclear Regulatory Commission has granted the Department authority to operate the Radioactive Materials Licensing Program for facilities in Tennessee in lieu of the NRC except for Department of Energy, Nuclear Fuel Services in Erwin and TVA facilities. The Department issues radioactive material licenses and X-ray registrations to a wide variety of facilities/locations; i.e. hospitals, doctor's offices, dentists, veterinarians, industries, businesses, and building contractors. The licenses and registrations issued by the Department contain provisions that prevent the citizens of Tennessee from over exposure to ionizing radiation. The licenses and registrations require the recipients to monitor and repair equipment and devices and protect public health. Licenses for radioactive material processing insure that the companies performing this work ship the final waste to facilities designed to accept this waste for disposal.

The regulation of X-ray equipment and equipment containing radioactive materials and the regulation of radioactive materials protects the citizens of Tennessee from exposure to radiation that may impact their personal health. Insuring that radioactive materials are managed properly also insures that this material is not released into the environment.

Members of the regulated community pursuing a new radioactive material license, modification of an existing radioactive material license or registration of equipment and devices that produce X-rays are required to submit applications to the Department. Under the Radiological Health regulations, the Department has specific time periods to review applications and modifications for completeness. The Department also has the responsibility to review and decide to issue or deny complete applications within a specific time period.

Table 6. below, reports the Department's review of license and registration applications and modifications for completeness, Table 7. reports the Department's decisions to issue/deny license and registration applications and modifications within regulatory requirements. For this reporting period the Radiological Health Program reviewed all license and registration applications for completeness within the time periods specified by the regulations. The Radiological Health Program also made the decision to approve or deny all complete license applications, license modifications and registrations within specified regulatory time periods.

**Table 6. Radiological Health – License & Registration**

**Licensing & Registration – Compliance with Completeness Review Requirements**

Radioactive Material Licenses and License Modifications	Applications on Hand – 7/1/12	Applications Received between 7/1/12 and 1/1/13	Total Applications for Completeness Review thru 1/1/13	Completeness Review – Time in Days per Rule in days	Applications Under Review - Time Frame has not Expired	Applications Reviewed for Completeness within the Regulatory Time Limit	Applications Not Reviewed for Completeness within Regulatory Time Limit
Category GL	0	6	6	60	0	6	0
Category 1	0	0	0	60	0	0	
Category 2	0	2	2	60	0	2	0
Category 3	0	3	3	60	0	3	0
Category 4	0	0	0	60	0	0	0
Category 5	0	1	1	60	0	1	0
Category 6	0	1	1	60	0	1	0
Category 7	0	0	0	60	0	0	0
Category 8	0	0	0	60	0	0	0
Category 9	0	0	0	60	0	0	0
Category 10	0		0	60	0	0	0
Category 11	0	0	0	60	0	0	0
Category 12	0	0	0	60	0	0	0
Category 13	0	0	0	60	0	0	0
Category GL - mod	0	0	0	NA	0	0	0
Categories 1 thru 11 - mod	0	205	205	NA	0	205	0
Category 12 - mod	0	0	0	NA	0	0	0
Category 13 – mod	0	0	0	NA	0	0	0
Reciprocity Notices		144	144	NA	0	144	0
License for Delivery	0	151	151	NA	0	151	0
License for Processing		0	0	NA	0	0	0
License for Disposal		0	0	NA	0	0	0
Totals	0	513	513		0	513	0

**Table 6. continued - X-ray Equipment and Radioactive Materials**

<b>Compliance with Completeness Review Requirements</b>							
<b>X-ray Registrations</b>	<b>Applications on Hand – 7/1/12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Total Applications for Completeness Review thru 1/1/13</b>	<b>Completeness Review – Time in Days per Rule in days</b>	<b>Applications Under Review - Time Frame has not Expired</b>	<b>Applications Reviewed for Completeness within the Regulatory Time Limit</b>	<b>Applications Not Reviewed for Completeness within Regulatory Time Limit</b>
<b>X-ray Program</b>							
Class 1	0	589	589	NA	0	589	0
Class 2	0	220	220	NA	0	220	0
Class 3	0	205	205	NA	0	205	0
Class 4	0	1	1	NA	0	1	0
Class 5	0	51	51	NA	0	51	0
Class 6	0	16	16	NA	0	16	0
Class 7	0	9	9	NA	0	9	0
Private Inspector	0	0	0	NA	0	0	0
Private installer	0	0	0	NA	0	0	0
<b>Totals</b>	<b>0</b>	<b>1091</b>	<b>1091</b>		<b>0</b>	<b>1091</b>	<b>0</b>
<b>Grand Total</b>							
<b>Grand Total</b>	<b>0</b>	<b>1604</b>	<b>1604</b>	<b>0</b>	<b>0</b>	<b>1604</b>	<b>0</b>

**Table 7. - X-ray Equipment and Radioactive Materials**

**Compliance with Application Processing Times**

Radioactive Materials License and License Modifications	Number on Hand - 7-1-12	Number Received between 7/1/12 and 1/1/13	Number to be Reviewed thru 1/1/13	Time to Approve/Deny Application	Applications under review - Time Period has not expired	Applications Approved/Denied within Regulatory Time Limit	Applications Not Approved/Denied within Regulatory Time Limit
Category GL	0	6	6	365	0	6	0
Category 1	0	0	0	365	0	0	0
Category 2	0	2	2	365	0	2	0
Category 3	0	3	3	365	0	3	0
Category 4	0	0	0	365	0	0	0
Category 5	0	1	1	365	0	1	0
Category 6	0	1	1	365	0	1	0
Category 7	0	0	0	365	0	0	0
Category 8	0	0	0	365	0	0	0
Category 9	0	0	0	365	0	0	0
Category 10	0	0	0	365	0	0	0
Category 11	0	0	0	365	0	0	0
Category 12	0	0	0	1825	0	0	0
Category 13	0	0	0	365	0	0	0
Category GL - mod	0	0	0	365	0	0	0
Categories 1 thru 11 - mod	0	205	205	365	0	205	0
Category 12 - mod	0	0	0	365	0	0	0
Category 13 - mod	0	0	0	365	0	0	0
Reciprocity Notices	0	144	144	365	0	144	0
License for Delivery	0	151	151	365	0	151	0
License for Processing	0	0	0	365	0	0	0
License for Disposal	0	0	0	365	0	0	0
<b>Totals</b>		513	513	365	0	513	0

**Table 7. continued - X-ray Equipment and Radioactive Materials**

<b>Compliance with Application Processing Times</b>							
<b>X-ray Program Registration</b>	<b>Number on Hand - 7-1-12</b>	<b>Number Received between 7/1/12 and 1/1/13</b>	<b>Number to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications under review - Time Period has not expired</b>	<b>Applications Approved/Denied within Regulatory Time Limit</b>	<b>Applications Not Approved/Denied within Regulatory Time Limit</b>
Class 1	0	589	589	NA	0	589	0
Class 2	0	220	220	NA	0	220	0
Class 3	0	205	205	NA	0	205	0
Class 4	0	1	1	NA	0	1	0
Class 5	0	51	51	NA	0	51	0
Class 6	0	16	16	NA	0	16	0
Class 7	0	9	9	NA	0	9	0
Private Inspector	0	0	0	NA	0	0	0
Private Installer	0	0	0	NA	0	0	0
<b>Totals</b>		1091	1091		0	1091	0
<b>Grand Totals</b>							
	0	1604	1604		0	1604	0

## AIR

The Department is responsible for maintaining the quality of the air across the state to protect public health and environment. As a part of the Air regulatory program, the Department works with business, industry, local governments and local citizens to improve air quality in those parts of the state where air quality does not meet federal standards. One method of maintaining and improving air quality is the regulation of equipment which produces air emissions. The Department, via the Division of Air Pollution Control, issues permits for sources that generate air pollution. Given the complexity of air quality analysis and the need to protect our natural resources, the Department issues air pollution control permits that are protective of public health and the environment. The United States Environmental Protection Agency (EPA) Region IV has given the Department delegated authority to implement federal air pollution control regulations promulgated by EPA under the Clean Air Act. This includes issuing or denying permit requests to release air contaminants into the atmosphere.

During the air permitting process, the Department reviews permit applications and modifications for completeness. Given that clean air is important to Tennesseans, EPA and the state of Tennessee have developed standards that allow specific levels of emissions to be released into the atmosphere without adversely affecting public health or the environment. The Department is required to evaluate permit applications and modifications for completeness. Once the Department has a complete permit application or modification, it is required to decide whether to approve or deny the permit modification request with specified times as set by the regulations. For some permit types, the Department is required to exchange permit application/modification with EPA. Making permit decisions within regulatory time periods, allows the state of Tennessee to be competitive in recruiting business and industry to the state.

For this reporting period, all permit and modification applications under review for completeness were deemed complete within the regulatory time period as demonstrated in Table 8. There are some permit applications and modifications that are under review for completeness at this time but the time period for completeness review has not expired.

In this review period, the Department identified construction permit applications and operating permit applications and modifications where the Department did not process complete permit applications and modifications within the regulatory permitting time period. For construction permits, the Department processed 68 percent (185 of 268) of all complete construction permit applications within the time period. Set by regulation. Within the construction permit category, the Department issued permits for 75 percent of the major and conditional major sources within the regulatory time periods. For "complete" operating permit applications and modifications the Department processed 19 percent of the complete operating permit applications (52 of 272) within the regulatory time period. Delays in issuing operating permits does not adversely businesses and industries with valid construction permits or existing operating permits. **This is explained in the following paragraph in greater detail.** For all permit applications and modifications with specific regulatory time periods for approval or denial, the Department met the regulatory deadline for 43.6 percent (237 of 540) of the applications. Table 9. provides all data for Air Pollution Control Permit decisions made during this time period

Business, industry and federal agencies in Tennessee depend upon the Department to issue air pollution construction permits in a timely fashion. New and existing facilities must receive a construction permit before construction or modifications can begin. Recognizing the impact on economic growth, the Department has emphasized processing air pollution construction permits. In

the air pollution regulations, once a construction permit is issued and the source is constructed or modified, the permittee can operate until the issuance of an operating permit, provided the applicant applies for the operating permit within the time frame specified in the construction permit. This also applies to sources requesting renewal of existing operating permits; the source can continue to operate until issuance a new operating; provided that the permit holder applies for renewal within the time frame specified in the previous permit. The Department has not met the regulatory deadlines for many reasons, including differences between the Department and the applicant about technical issues, slow response by applicants to requests from the Department for additional information about their specific permit, interest from the local community with the need for public meetings and hearings, EPA involvement in the permitting process, limited staff, and training new staff.

The Department recognizes the need to improve the air pollution permit application review process. The Department is investigating opportunities to adopt general permits or a permit by rule process for small regulated businesses such as drycleaners, paint and body shops, and gasoline stations. The Department will also identify specific types of air permits to undergo LEAN business process analysis to increase quality and efficiency and decrease the review time for permit applications and modifications.

**Table 8. Air Pollution Control**

**Compliance with Completeness Review Requirements**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Number on Hand - 7-1-12</b>	<b>Number Received between 7/1/12 and 1/1/13</b>	<b>Number to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications under review - Time Period has not expired</b>	<b>Applications Approved/Denied within Regulatory Time Limit</b>	<b>Applications Not Approved/Denied within Regulatory Time Limit</b>
<b>Construction Permits</b>							
True Minor Sources	135	101	236	30/90	12	224	0
Title V Sources minor NSR	12	19	31	30	2	29	0
Conditional Major Sources	25	56	81	30/90	4	77	0
Major Source Construction (PSD, new and modified sources)	3	4	7	30	0	7	0
Major Source Construction (NA/NSR, new and modified sources)	0	0	0	30	0	0	0
<b>Total</b>	<b>175</b>	<b>180</b>	<b>355</b>		<b>18</b>	<b>337</b>	<b>0</b>
<b>Operating Permits</b>							
Title V Operating	86	12	98	60	5	93	0
Significant Mod – Title 5	28	7	35	60	2	33	0
Conditional Major - 1st Issuance	11	1	12	60	1	11	0
<b>Total</b>	<b>125</b>	<b>20</b>	<b>145</b>		<b>7</b>	<b>138</b>	<b>0</b>
<b>Grand Total</b>	<b>300</b>	<b>200</b>	<b>500</b>		<b>25</b>	<b>475</b>	<b>0</b>

## Table 9. - Air Pollution Control

### Compliance with Processing Times

PERMIT APPLICATIONS & MODIFICATIONS	Number on Hand - 7-1-12	Number Received between 7/1/12 and 1/1/13	Number to be Reviewed thru 1/1/13	Time to Approve/Deny Application	Applications under review - Time Period has not expired	Applications Approved/Denied within Regulatory Time Limit	Applications Not Approved/Denied within Regulatory Time Limit
<b>Construction Permits</b>							
True Minor Sources	135	101	236	115	46	134	56
Title V Sources minor NSR	12	19	31	180	12	18	1
Conditional Major Sources	25	56	81	115	23	32	26
Major Source Construction (PSD, new and modified sources)	3	4	7	180 or 365	6	1	0
Major Source Construction (NA/NSR, new/modified sources)	0	0	0	180 or 365	0	0	0
<b>Total</b>	<b>175</b>	<b>180</b>	<b>355</b>		<b>87</b>	<b>185</b>	<b>83</b>
<b>Operating Permits</b>							
Title V	86	12	98	540 days	30	8	60
Significant Mod – Title 5	28	7	35	270 or 540	13	6	16
Title 5 Minor Mods	78	41	119	90 days or 15 days after EPA's review	30	15	74
Group Permit Modifications				90 days or 15 days after EPA's review	0	0	0
Administrative Amendment Major Sources	81	41	122	60	32	21	69
Conditional Major - 1st Issuance	11	1	12	540	9	2	1
<b>Total</b>	<b>284</b>	<b>102</b>	<b>386</b>		<b>114</b>	<b>52</b>	<b>220</b>
<b>Grand Total</b>							
<b>Grand Total</b>	<b>459</b>	<b>282</b>	<b>741</b>		<b>201</b>	<b>237</b>	<b>303</b>

## **WATER**

The Department of Environment and Conservation, through its Water Resources Division, is responsible for issuing permits that protect the quality and quantity of two of Tennessee's most valuable natural resources; surface water (springs, creeks, rivers and lakes) and ground water. As Tennessee continues to grow in population, as more businesses and industries come to Tennessee, and as existing Tennessee industries expand; providing drinking water to our citizens and providing industry with the water resources necessary to operate; providing water to our citizens and industry resources become more important and more complex. Wise management of our water resources becomes more important every year.

The Department protects our water resources to insure a healthy environment for fish and aquatic life and recreational use for Tennesseans. Through the water permitting programs, we insure that surface water and ground water across the state is usable as a drinking water source and that businesses and industries have sufficient water available to operate. Because the waters of the State of Tennessee are plentiful and of good quality our population continues to grow and business and industry finds Tennessee a great place to operate.

In the past year, the Department has consolidated its heritage water divisions – Water Pollution Control, Water Supply and Groundwater Protection into one Division, the Water Resources Division. The new Division structure, Surface Water, Public Drinking Water and Groundwater, breaks down silos and provides greater accountability and consistency in the regulation of our water resources across the state and within the Department. The Department implements the requirements of Tennessee statutes and rules to protect our water resources by:

1. Regulating the discharge of waste water from public and private waste water treatment plants;
2. Overseeing the design and operation of public water supplies;
3. Limiting the impact of construction on rivers and streams;
4. Regulating the disposal of surface water runoff and the installation and operation of septic systems (subsurface sewage disposal) to protect ground water;
5. Overseeing the construction and operation of dams; and
6. Regulating the amount of water taken from rivers and streams to insure that everyone has the quantity of water needed for local business and industry.

The Water Resources Division has the greatest number of permit types and the greatest number of permit applications to process in the Department. To fulfill the legislative commitment and report our progress in permit processing; three sections follow that provide information for the Water Resources Division.

## **SURFACE WATER**

The Surface Water Program implements the regulations that require permits for (a) the discharge of wastewater into streams (point source discharges), (b) the alteration of the chemical, physical, biological, radiological and flow of our rivers and streams, (c) non-point source pollution such as surface water runoff from construction sites and confined animal feeding operations, (d) oil and gas

production and (e) mining where the mining operations impact or potentially impact water quality. Please find below a list of the program titles and a brief description of each:

1. National Pollution Discharge Elimination System (NPDES) Permitting – This is a national EPA water pollution prevention program that regulates the direct discharge of waste water into rivers and streams. In Tennessee, EPA has delegated responsibility for implementing this program to the Department. The Department receives permit applications from business, industry, city, county, state and federal governments and other entities who wish to discharge waste water into rivers and streams. The permitting process evaluates the quality and quantity of the receiving stream, the quality of waste water to be discharged, the volume of waste water to be discharged into streams and rivers and if appropriate issues a permit that sets the quantity and quality of waste water that can be discharged directly into the river or stream. The permit sets standards that allow the receiving stream to continue to meet all its classified uses, domestic water supply, fish and aquatic life, recreational use, etc.
2. Aquatic Resource Alteration Program (ARAP) Permitting – This is a state program that requires anyone who wants to alter the chemical, biological, physical properties of a stream or change the flow of a stream to receive permission from the Department via a permit before any activity begins. Examples of some activities that require ARAP permits are changes in stream course, construction in streams (road projects, building projects) and altering the channel of a stream. Permit applications are reviewed to insure that if the Department approves the activity the quality and the quantity of the river or stream is protected.
3. State Operating Program (SOP) Permits – This is a state program that regulates treatment of wastewater when there is no direct discharge to a river or stream. A common example of this is the collection of wastewater from subdivisions, transport of the wastewater to an on-site wastewater treatment system and then using the treated wastewater to irrigate fields.
4. Stream Identification – As a part of many construction activities, the construction may occur in an area that is possibly a stream. In these situations, the permit applicant is required to determine whether the location has a wet weather conveyance or a stream. If the applicant determines, through the use of a Qualified Hydrologic Professional, that there area is a wet weather conveyance, the Department has up to thirty (30) days to review the determination.
5. Oil and Gas Permitting – In eastern Tennessee, there are deposits of oil and natural gas below the ground surface. Companies pursue the production of oil and gas by installing wells into these reservoirs. To insure that wells are installed to protect public health and environment, particularly ground water, any person installing a well for oil and gas production must apply for and receive a permit from the Department.
6. Mining – The Department does not directly regulate mining activities. However, surface mining often results in surface water runoff and the discharge of water/wastewater directly into streams. When this occurs, the mining operator must obtain a permit from the Department. The permit requires the mine operator to properly manage surface water runoff. If the mine has a direct discharge to a stream, then the operator must pursue an NPDES permit. If mining operations propose to alter a stream, then an Aquatic Resource Alteration Permit would be required.

Table 10. provides data for this reporting period for permit completeness review. The Department received 2161 permit applications to be reviewed for completeness. Table 11. provides data for

this reporting period for permit decision making. During this period, the Department received 2622 complete permit applications.

For permit completeness review during this reporting period, the Department:

1. Completed review of 91 percent (1,891 of 2,080) of the permit applications to be evaluated within the regulatory time period;
2. Has 81 permit applications that have not been reviewed for completeness because either the Department has requested additional information and it has not been received or there is a technical disagreement between the Department and the applicant; and
3. Has 189 permit applications that are under completeness review but the review time period has not expired.

The Department has worked to make timely decisions to approve or deny permit applications within the regulatory time period. The status of the complete permit applications for this time period is:

1. The Department has reviewed and approved or denied 95 percent (2,342 of 2,472) of the complete permit applications within the regulatory time period;
2. The Department did not make a decision approve or deny 130 complete permit applications within the regulatory time period;
3. The Department has 150 complete permit applications that are currently under review but the time period to approve/deny the permit application has not expired.

For those permit applications where the Department did not make a permit decision within the regulatory time period, there were reasons the permit decisions were not made:

1. The Department and the permit applicant have technical disagreements about the permit application;
2. For Ready Mix Concrete Plants, there were several individual permit applications submitted while the Department was finalizing new rules for a general permit. The Department waited until the general permit was in effect to issue these permits because it was quicker than issuing individual permits;
3. The Department has submitted the permit application (NPDES Program) to EPA Region IV for review and has not received feedback from EPA;
4. The Department and the Department of Agriculture are working together under a memorandum of Understanding to process Confined Animal Feeding Operation (CAFO) permits applications. The primary reason CAFO permits are not issued within the regulatory time periods is because the applicant has been asked for additional information and it has not been submitted;
5. The Department has asked for additional information to help make the permit decision but has not received the information in a timely manner; and
6. The Department took longer than required to approve/deny the permit application.

The Department recognizes there are opportunities to improve its permitting review process in the Surface Water Program by working with the Department of Agriculture to determine how we can encourage CAFO permit applicants to respond more quickly to requests for additional information, working more closely with EPA Region IV for major NPDES permit applications, monitoring progress of permit application review more closely and improving internal business processes.

**Table 10. Surface Water Program**

**Compliance with Completeness Review Requirements**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7/1/12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Total Applications for Completeness Review thru 1/1/13</b>	<b>Completeness Review – Time in Days per Rule in days</b>	<b>Applications Under Review - Time Frame has not Expired</b>	<b>Applications Reviewed for Completeness within the Regulatory Time Limit</b>	<b>Applications Not Reviewed for Completeness within Regulatory Time Limit</b>
<b>ARAP</b>							
401 Cert. & Individual Permits	0	56	56	30	26	26	4
Individual ARAP - Mining	1	0	1	30	0	1	0
General Permit Processing	0	542	542	30	18	511	13
General Permit Processing - Mining	4	5	9	0	0	9	0
Totals	5	603	608	30	44	547	17
<b>Construction Storm Water</b>							
Construction -General Permit	45	844	889	30	0	880	9
Construction-Individual	4	3	7	30	4	3	0
Totals	49	847	896		4	883	9
<b>Industrial Storm Water - TMSP</b>							
TMSP	6	118	124	30	6	118	0
TMSP - Mining	20	16	36	30	0	36	0
Totals	26	134	160		6	154	0
<b>Ready-Mix Concrete (RMCP)</b>							
RMCP	3	157	160	30	4	152	4
<b>Hydrostatic Testing</b>							
Hydrostatic - Individual	0	0	0	30	0	0	0
Hydrostatic - General	0	0	0	30	0	0	0
Totals	0	0	0		0	0	0

**Table 10. continued - Surface Water Program**

**Compliance with Completeness Review Requirements**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7/1/12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Total Applications for Completeness Review thru 1/1/13</b>	<b>Completeness Review – Time in Days per Rule in days</b>	<b>Applications Under Review - Time Frame has not Expired</b>	<b>Applications Reviewed for Completeness within the Regulatory Time Limit</b>	<b>Applications Not Reviewed for Completeness within Regulatory Time Limit</b>
<b>Interbasin Water Transfer</b>							
IWT	0	0	-	30	0	0	0
<b>MS4 General Permit</b>							
MS4 GP	1	1	2	30	1	1	0
<b>Wet Weather Conveyance</b>							
Stream Determination	0	0	0	NA	0	0	0
Stream Determination - Mining	0	39	39	NA	0	39	0
Totals	0	39	39		0	39	0
<b>Anti-Degradation</b>				NA			
ONR Water Determination	0	0	0	30	0	0	0
Antidegradation - Mining	0	1	0	30	0	1	0
Totals	0	1	0		0	1	0
<b>Pesticide General Permit</b>							
TNP	0	4	4	30	0	4	0
<b>UST General Permit</b>							
UST	0	0	0	30	0	0	0
<b>Water Treatment Plant Backwash</b>							
WTP General Permit	0	3	3	NA	0	2	1
<b>Conc. Animal Feeding Operations</b>							
CAFO-Individual	0	0	0	30	0	0	0
All other CAFO Types	58	22	80	30	0	21	59
Totals	58	22	80		0	21	591

**Table 10. continued - Surface Water Program**

<b>Compliance with Completeness Review Requirements</b>							
<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7/1/12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Total Applications for Completeness Review thru 1/1/13</b>	<b>Completeness Review – Time in Days per Rule in days</b>	<b>Applications Under Review - Time Frame has not Expired</b>	<b>Applications Reviewed for Completeness within the Regulatory Time Limit</b>	<b>Applications Not Reviewed for Completeness within Regulatory Time Limit</b>
<b>INDIVIDUAL NPDES Permits - Major</b>							
Municipal - POTW	19	16	35	30	19	16	0
Municipal - Domestic Wastewater	0	0	0	30	0	0	0
Primary Industry	4	4	8	30	4	4	0
Secondary Industry w/ELGs	1	0	1	30	0	1	0
Secondary Industry w/o ELG	1	1	2	30	1	1	0
Totals	25	21	46		24	22	0
<b>INDIVIDUAL NPDES Permits - Minor</b>							
Municipal - POTW	11	8	19	30	11	8	0
Municipal - Domestic Wastewater	23	25	48	30	23	25	0
Primary Industry	4	11	15	30	4	11	0
Secondary Industry w/ELGs	3	2	5	30	3	2	0
Secondary Industry w/o ELGs	17	14	31	30	17	14	0
Totals	58	60	118	150	58	60	0
<b>Non Discharging Facilities</b>							
Including Pending - unknown type	11	0	11	30	0	11	0
Collection System	4	7	11	30	4	6	1
Drip Irrigation	41	23	64	30	41	20	3
Pump and Haul	12	14	26	30	12	12	2
Spray Irrigation	6	4	10	30	6	2	2
All other SOP types	8	10	18	30	8	10	0
Totals	82	58	140		71	61	8

**Table 10. continued - Surface Water Program**

**Compliance with Completeness Review Requirements**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7/1/12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Total Applications for Completeness Review thru 1/1/13</b>	<b>Completeness Review – Time in Days per Rule in days</b>	<b>Applications Under Review - Time Frame has not Expired</b>	<b>Applications Reviewed for Completeness within the Regulatory Time Limit</b>	<b>Applications Not Reviewed for Completeness within Regulatory Time Limit</b>
<b>Oil and Gas</b>							
Permit Applications	0	95	95	NA	0	95	0
Change of Operators	0	138	138	NA	0	138	0
Amend Well Permits	0	5	5	NA	0	5	0
Bonding	0	95	95	NA	0	95	0
Mineral Test Hole	0	1	1	NA	0	1	0
Totals	0	334	334		0	334	0
<b>Mining</b>							
Coal	60	13	73	30	0	73	0
Non-coal	56	45	101	30	0	101	0
Totals	116	58	174		0	174	0
<b>Surface Mining Permits</b>							
Surface Mining Permits	0	4	4	NA	0	4	0
<b>Grand Total</b>	<b>419</b>	<b>1742</b>	<b>2161</b>		<b>168</b>	<b>1891</b>	<b>81</b>

**Table 11. - Surface Water Program**

**Compliance with Permit Application Approval/Denial Times**

PERMIT APPLICATIONS & MODIFICATIONS	Applications on Hand – 7-1-12	Applications Received between 7/1/12 and 1/1/13	Applications to be Reviewed thru 1/1/13	Time to Approve/Deny Application	Applications Under Review - Review Period has not Expired	Applications Approved or Denied within Regulatory Time Limit	Applications Not Approved or Denied within Regulatory Time Limit
<b>ARAP</b>							
401 Certification & Individual Permits	0	56	56	90	2	36	18
Individual ARAP - Mining	1	0	1	90	0	0	1
General Permit Processing	0	542	542	30	5	511	26
General Permits - Mining	4	5	9	30	0	9	0
Totals	5	603	608		7	547	45
<b>Construction Storm Water</b>							
CGP	45	844	889	15	0	880	9
Const-Individual	4	3	7	30	4	3	0
Totals	49	847	896		4	883	9
<b>Industrial Storm Water - TMSP</b>							
TMSP	6	118	124	15	6	118	0
TMSP - Mining	20	16	36	15	0	36	0
Totals	26	134	160		6	154	0
<b>Ready-Mix Concrete (RMCP)</b>							
RMCP	3	157	160	30	4	152	4
<b>Hydrostatic Testing GP</b>							
Hydrostatic	0	0	0	15	0	0	0
<b>Interbasin Water Transfer</b>							
IWT	0	0	0	0	0	0	0
<b>MS4 General Permit</b>							
MS4 GP	1	1	2	365	1	1	0

**Table 11. continued - Surface Water Program**

**Compliance with Permit Application Approval/Denial Times**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7-1-12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Applications to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications Under Review - Review Period has not Expired</b>	<b>Applications Approved or Denied within Regulatory Time Limit</b>	<b>Applications Not Approved or Denied within Regulatory Time Limit</b>
<b>Wet Weather Conveyance</b>							
Stream Determination	0	0	0	30	0	0	0
Stream Determination - Mining	0	39	0	30	0	39	0
Total	0	39	0		0	39	0
<b>Anti-Degradation</b>							
ONR Water Determination	0	0	0	30	0	0	0
Antidegradation - Mining	0	1	0	30	0	1	0
Total	0	1	0		0	1	0
<b>Pesticide General Permit</b>							
TNP	0	4	4	30	0	4	0
<b>UST General Permit</b>							
UST	0	0	0	30	0	0	0
<b>Water Treatment Plant Backwash</b>							
WTP General Permit	0	3	3	30	0	2	1
<b>Conc. Animal Feeding Operations</b>							
CAFO-Individual	0	0	0	180	0	0	0
All other CAFO Types	58	22	80	0	0	21	59
Total	58	22	80		0	21	59

**Table 11. continued - Surface Water Program**

**Compliance with Permit Application Approval/Denial Times**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7-1-12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Applications to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications Under Review - Review Period has not Expired</b>	<b>Applications Approved or Denied within Regulatory Time Limit</b>	<b>Applications Not Approved or Denied within Regulatory Time Limit</b>
<b>INDIVIDUAL NPDES Permits</b>	<b>MAJOR</b>						
Municipal - POTW	19	16	35	365	15	17	3
Municipal - Domestic Wastewater	0	0	0	365	0	0	0
Primary Industry	4	4	8	365	0	4	4
Secondary Industry w/ELGs	1	0	1	365	0	1	0
Secondary Industry w/o ELG	1	1	2	365	0	2	0
Total	25	21	46		15	24	7
<b>INDIVIDUAL NPDES Permits - MINOR</b>							
Municipal - POTW	11	8	19	180	3	14	2
Municipal - Domestic Wastewater	23	25	48	180	26	21	1
Primary Industry	4	11	15	180	8	6	1
Secondary Industry w/ELGs	3	2	5	180	4	1	0
Secondary Industry w/o ELGs	17	14	31	180	18	13	0
Total	58	60	118		59	55	4

**Table 11. continued - Surface Water Program**

**Compliance with Permit Application Approval/Denial Times**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7-1-12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Applications to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications Under Review - Review Period has not Expired</b>	<b>Applications Approved or Denied within Regulatory Time Limit</b>	<b>Applications Not Approved or Denied within Regulatory Time Limit</b>
<b>Non Discharging Facilities – State Operating Permits (SOP)</b>							
Including Pending - unknown type	11	0	11	180	11	0	0
Collection System	4	7	11	180	5	6	0
Drip Irrigation	41	23	75	180	6	69	0
Pump and Haul	12	14	26	180	12	14	0
Spray Irrigation	6	4	10	180	8	1	1
All other SOP types	8	10	18	180	4	14	0
<b>Total</b>	<b>82</b>	<b>58</b>	<b>151</b>		<b>46</b>	<b>104</b>	<b>1</b>
<b>Oil and Gas</b>							
Permit Applications	0	95	95	NA	0	95	0
Change of Operator	0	138	138	NA	0	138	0
Amend Well Permits	0	5	5	NA	0	5	0
Bonding	0	95	95	NA	0	95	0
Mineral Test Hole	0	1	1	NA	0	1	0
<b>Totals</b>	<b>0</b>	<b>334</b>	<b>334</b>		<b>0</b>	<b>334</b>	<b>0</b>

**Table 11. continued - Surface Water Program**

**Compliance with Permit Application Approval/Denial Times**

<b>PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7-1-12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Applications to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications Under Review - Review Period has not Expired</b>	<b>Applications Approved or Denied within Regulatory Time Limit</b>	<b>Applications Not Approved or Denied within Regulatory Time Limit</b>
<b>Mining</b>							
Coal, major	0	0	0	365	0	0	0
Coal, minor* 365 with hearing	0	13	13	180	0	13	0
Non-coal	0	45	45	180	0	45	0
Totals	0	58	58		0	58	0
<b>Surface Mining</b>							
Surface Mining Permits	0	4	4	60	0	4	0
<b>Grand Totals</b>	<b>306</b>	<b>2305</b>	<b>2622</b>		<b>171</b>	<b>2321</b>	<b>130</b>

## **PUBLIC DRINKING WATER**

The Department is responsible for ensuring that the citizens of Tennessee have a safe and plentiful water source of drinking water. This protection is provided by implementation of the Safe Drinking Water Program, the Underground Injection Control Program and the Safe Dams Program. Implementation of the Safe Drinking Water regulations insures that public water systems provide their customers (businesses, industry and local citizens) with water that is safe to drink, has adequate pressure and that water from the public water systems is available in quantities to meet the needs of their customers. The regulation of fluids injected into the subsurface insures that no liquids are injected that will contaminate ground water and cause it to be unsafe to use as a drinking water supply and prevents the injection of fluids in a way that adversely impacts public health or the environment. The third component of the Water Supply Program is the regulation of dams, under the Dam Safety Act. Under this Act, the Department regulates dams that are not regulated by the federal government, reservoirs that are above a specific size and does not regulate farm ponds.

A brief description of each Public Drinking Water Program is provided below:

1. Public Drinking Water Program – The Department reviews and approves plans to construct new drinking water treatment plants and distribution systems, plans to expand or modify existing drinking water treatment plants and the expansion of public water distribution systems. This review helps insure that drinking water treatment plants provide water to the public that is protective of public health, meets the design capacity of the drinking water treatment plant and that the distribution system has enough water pressure for the businesses, industries and local citizens served.
2. Underground Injection Control (UIC) Permits – The UIC Program oversees the injection of liquids, primarily water or wastewater into the subsurface. Before constructing UIC wells, an applicant must submit a permit application for review. The Department reviews the permit application to insure the injection activity does not contaminate ground water that is or could be used as a water supply. The permit application review also insures the injection wells are constructed to prevent any impact to public health or the environment.
3. Safe Dams Permitting – The Safe Dams Program regulates dams not regulated by the federal government and dams with reservoirs above a certain size. This program does not regulate farm ponds. The Safe Dams Program ensures that dams are constructed to limit the potential damage to people and structures downstream of the dam. The Department also reviews plans to modify or improve existing dams.

During this reporting period, the Department has reviewed all permit applications and plans for completeness within the regulatory time period. The Department has also approved or denied all complete permit applications and plans within the regulatory time period. The data for this reporting period is presented below in Tables 12. and 13.

**Table 12. - Public Drinking Water Programs**

**Completeness Review Compliance**

DWS Plans	Applications on Hand – 7/1/12	Applications Received between 7/1/12 and 1/1/13	Total Applications for Completeness Review thru 1/1/13	Completeness Review – Time in Days per Rule in days	Applications Under Review - Time Frame has not Expired	Applications Reviewed for Completeness within the Regulatory Time Limit	Applications Not Reviewed for Completeness within Regulatory Time Limit
Water System Plans Approval	50	602	652	NA	0	652	0
<b>UIC Permits</b>							
Class I Construction Permit	0	0	0	90	0	0	0
Class I Operating Permit (existing)	0	0	0	90	0	0	0
Class I Operating Permit (new)	0	0	0	90	0	0	0
Class I Renewal Permit - Operating	0	0	0	90	0	0	0
Class I Abandonment	0	0	0	90	0	0	0
Class I Refund	0	0	0	> 90	0	0	0
Class II Permit Application	0	0	0	60	0	0	0
Class II Permit Renewal	0	0	0	60	0	0	0
Class II Modification	0	0	0	60	0	0	0
Class II Refund	0	0	0	> 60	0	0	0
Class III Construction Permit Application	0	0	0	90	0	0	0
Class III Operating Permit Application	0	0	0	90	0	0	0
Class III Permit Renewal	0	0	0	90	0	0	0

**Table 12. continued - Public Drinking Water Programs**

**Completeness Review Compliance**

UIC Permits	Applications on Hand – 7/1/12	Applications Received between 7/1/12 and 1/1/13	Total Applications for Completeness Review thru 1/1/13	Completeness Review – Time in Days per Rule in days	Applications Under Review - Time Frame has not Expired	Applications Reviewed for Completeness within the Regulatory Time Limit	Applications Not Reviewed for Completeness within Regulatory Time Limit
Class III Modification	0	0	0	90	0	0	0
Class III Abandonment	0	0	0	90	0	0	0
Class III Refund	0	0	0	>90	0	0	0
Class V Operating Permit Application	8	76	84	60	0	84	0
Class V Permit renewal	6	75	81	60	0	81	0
Class V Modification	1	5	6	60	0	6	0
Class V Abandonment	0	0	0	60	0	0	0
Class V Refund	0	1	1	60	0	1	0
<b>Safe Dams Permitting</b>							
Construction of New Dams	0	0	0	NA	0	0	0
Alteration of Existing Dams	0	0	0	NA	0	0	0
<b>Totals</b>	<b>65</b>	<b>759</b>	<b>824</b>		<b>0</b>	<b>824</b>	<b>0</b>

**Table 13. Public Drinking Water Programs**

**Compliance with Processing Times**

<b>PLANS, PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7-1-12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Applications to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications Under Review - Review Period has not Expired</b>	<b>Applications Approved or Denied within Regulatory Time Limit</b>	<b>Applications Not Approved or Denied within Regulatory Time Limit</b>
<b>Water System Plans Approval</b>	50	602	652	30	0	652	0
<b>UIC Permits</b>							
<b>Class I Permit - Construction Permit</b>	0	0	0	180	0	0	0
<b>Class I Operating Permit - 90</b>	0	0	0	180	0	0	0
<b>Class I Operating Permit (new)</b>	0	0	0	90	0	0	0
<b>Class I Renewal Permit - Existing</b>	0	0	0	180	0	0	0
<b>Class I Abandonment</b>	0	0	0	90	0	0	0
<b>Class II Construction Permit</b>	0	0	0	60	0	0	0
<b>Class II Operating Permit Renewal</b>	0	0	0	60	0	0	0
<b>Class II Abandonment</b>	0	0	0	60	0	0	0
<b>Class II Modification</b>	0	0	0	60	0	0	0
<b>Class III Construction Permit Application</b>	0	0	0	90	0	0	0
<b>Class III Operating Permit Application</b>	0	0	0	90	0	0	0
<b>Class III Permit renewal</b>	0	0	0	90	0	0	0

**Table 13. continued - Public Drinking Water Programs**

**Compliance with Processing Times**

<b>PLANS, PERMIT APPLICATIONS &amp; MODIFICATIONS</b>	<b>Applications on Hand – 7-1-12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Applications to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications Under Review - Review Period has not Expired</b>	<b>Applications Approved or Denied within Regulatory Time Limit</b>	<b>Applications Not Approved or Denied within Regulatory Time Limit</b>
<b>Class III Modification</b>	0	0	0	90	0	0	0
<b>Class III Abandonment</b>	0	0	0	90	0	0	0
<b>Class III Refund</b>	0	0	0	90	0	0	0
<b>Class V Operating Permit Application</b>	8	76	84	60	0	84	0
<b>Class V Permit renewal</b>	6	75	81	60	0	80	1
<b>Class V Modification</b>	1	5	6	60	3	3	0
<b>Class V Abandonment</b>	0	0	0	60	0	0	0
<b>Safe Dams Permitting</b>							
<b>Construction of New Dams</b>	0	0	0	60	0	0	0
<b>Alteration of Existing Dams</b>	0	2	2	60	0	2	0
<b>Total</b>	<b>65</b>	<b>760</b>	<b>825</b>		<b>3</b>	<b>821</b>	<b>1</b>

## **GROUNDWATER PROGRAM**

The Department implements the Subsurface Sewage Disposal Program under the Groundwater Program in the Water Resources Division. The Subsurface Sewage Disposal (SSD) Program reviews applications for the disposal of domestic sewage via a septic tank and field lines. The SSD Program provides for the proper collection and treatment of domestic wastewater in areas without wastewater treatment plants and wastewater collection systems (sewer lines). The reason for the SSD Program is to insure that when SSD systems are installed, domestic wastewater is treated properly. When SSD systems fail in areas without public sewer service, then realistically, the home or business is not longer habitable because the domestic wastewater from the home or business cannot be treated. When SSD systems fail, untreated wastewater comes to the ground surface and then a public health hazard is created.

Each year thousands of permit applications are received for SSD permits in areas of the state without public sewer service. Once the SSD Program receives a permit application, the Department evaluates the property where the SSD system will be installed. This review ensures that the soil on the property where a home or business will be built can effectively treat the volume of wastewater generated by the home or business. The Department also visits the property and provides the applicant with a drawing that lays out where the septic tank and field lines should be installed. Once the permit application is approved, the Department visits the site during construction to insure the system is installed properly, including the location and depth of the field lines. Once the SSD system has been installed, the Department then performs a final inspection. If the SSD system has been installed properly then the Department provides the permit applicant with a final permit.

Many times, a builder or property developer plans to build a subdivision with several homes. In these cases, the Department reviews the property to be developed, with an emphasis on the type and depth of soil cover. From this soil analysis, the Department determines the size and number of lots that can be used for home construction. In many cases a private Soils Scientist performs this work. The Department reviews the Soils Scientist's plan to ensure that the property has been properly evaluated.

The Department issues licenses to persons who install SSD systems and persons who remove waste from septic tanks once the tank is full or nearly full of solid material. SSD installers are required to pass a test administered by the Department and demonstrate their ability to properly install SSD systems before receiving an SSD installer's license. The Department licenses people who "pump" septic tanks to insure the "pumper" understands that the solid material removed from septic tanks is disposed of properly. In situations where the solid material "pumped" from septic tanks cannot be taken to a local wastewater treatment plant, the Department receives requests to permit sites for domestic sewage disposal. When the Department receives these applications, the soil type and depth on the proposed site is evaluated to determine if the waste material can be safely disposed. Once a site has been approved for disposal of waste material, the Department provides the applicant with a drawing for construction of trenches for disposal.

For SSD permit applications, completeness review of the permit application and the decision to issue or deny a permit are made at the same time. During this reporting period, the Department received 2,666 SSD permit applications. The Department has reviewed and approved/denied approximately 94 percent (2,510 of 2,671) within the regulatory time period. Approximately 5 percent (133) of the SSD permit applications received are under review but the regulatory time

period has not expired. Approximately 1 percent (28) required more than the regulatory time period to be approved or denied.

The Department has issued 31 percent (212 of 672) of the license applications and license renewals for SSD installers and SSD pumpers within the regulatory time period. There are 36 license applications for SSD pumpers and installers that have been received but no decision has been made to approve or deny the application. However, the regulatory review time has not expired. Table 14. provides the data for permit and license renewal in the SSD Program for this reporting period.

The Department processes SSD applications in a timely manner. There are two primary reasons that SSD installer and SSD pumper licenses are not processed within the regulatory time period. First, the Department cannot issue a license until there is documentation that the applicant has paid the license fee. For some SSD license renewal applications, the license renewal fee has been paid but that information has not been reported to the SSD Program staff members. This is an internal problem that the Department is working to resolve. Under T.C.A. 4-3-506 (b) (2), applicants who are in this category can continue to operate because the Department has not made a decision to renew the license when the applicant has timely submitted their license application.

The second reason SSD installer and SSD pumper for failure of the Department to make timely permit decisions is that the applicant did not submit all the information needed with the application or the Department had questions about the application. In those cases, the Department cannot process the application until the applicant submits the needed information. The Department will review its business process to determine if there are improvements that can be made to decrease the number of applications that are received which are deficient.

**Table 14. Subsurface Sewage Program**

**Compliance with Processing Times**

<b>GWP Permits</b>	<b>Applications on Hand – 7-1-12</b>	<b>Applications Received between 7/1/12 and 1/1/13</b>	<b>Applications to be Reviewed thru 1/1/13</b>	<b>Time to Approve/Deny Application</b>	<b>Applications Under Review - Review Period has not Expired</b>	<b>Applications Approved or Denied within Regulatory Time Limit</b>	<b>Applications Not Approved or Denied within Regulatory Time Limit</b>
<b>Conventional SSD Permits</b>	0	2666	2666	45	133	2506	27
<b>Alternative SSD Permits</b>	0	5	5	45	0	4	1
<b>Septic Tank Installer</b>	0	630	630	45	32	188	410
<b>Septic Tank Pumper</b>	0	77	77	45	4	24	50
<b>Plan Review</b>	0	10	10	45	1	9	0
<b>Domestic Sewage Site Permit</b>	0	2	2	45	0	2	0
<b>Total</b>	0	3390	3390		170	2733	487

Data based on % of applications received and under review

## **CONCLUSIONS**

The Department has had great success in meeting its regulatory time periods for review of permit applications for completeness and making permit decisions during this reporting period. Tables 15. and 16. Below, provide summary information for completeness review of permit applications completeness and permit decisions made by the Department during this reporting period. During this reporting period, the Department has reviewed 98.5 percent (5,175 of 5,256) of the permit applications received for completeness within the regulatory time period. The Department has approved/denied 81 percent (10,396 of 11,317) of all complete permit applications within the regulatory time period.

There are three program areas that the Department recognizes the need for improvement, the air pollution control permitting program, the confined animal feeding operation permitting program, and the subsurface sewage licensing program.

For the air pollution control program, the Department will review the permitting process to identify and implement procedures to process permit applications more effectively. The Department is considering streamlining the permitting process for specific air pollution permit applications and identification of businesses that are good candidates for general permits; such as gasoline stations, drycleaners, automobile paint and body shops, etc. For less complex air permits, the Department believes the permit terms and conditions can be promulgated in regulation; eliminating the need for individual permits and allowing "permits-by-rule". This is similar to the process used by the solid waste program for convenience center permits and the Division of Water Resources for construction storm water permits.

Businesses and industries who have applied for operating permits as required by regulation and within time frames established by regulation may continue to operate under their existing construction or operating permit until the Department makes a final decision on their new operating permit application. This flexibility allows business and industry to continue operation until the Department makes a final permit decision.

Water Resources has the most significant problem in its confined animal feeding operation permit process. We believe the most significant contributor to the failure to issue CAFO permits in a timely fashion is the failure of permit applicants to submit additional information when requested by the Department. Until the applicant submits the information requested, the Department cannot make a final permit decision. The Department will continue to work with the Department of Agriculture to improve the current permitting process.

The primary problem within the Subsurface Sewage Program is approving/denying SSD installer and pumper license applications due to incomplete records for license fee payments. The Department will work internally to improve notification of payment of license application fees. The other opportunity for improvement for SSD installer and pumper licensing is reviewing the application process to determine if the license applications can be improved so that applicants submit all the information necessary for the SSD Program to review their application and make a decision.

## SUMMARY OF ALL ENVIRONMENTAL DIVISIONS – PERMIT COMPLETENESS REVIEW

**Table 15. Compliance with Completeness Review Requirements**

PERMIT APPLICATIONS & MODIFICATIONS	Applications on Hand – 7/1/12	Applications Received between 7/1/12 and 1/1/13	Total Applications for Completeness Review thru 1/1/13		Applications Under Review - Time Frame has not Expired	Applications Reviewed for Completeness within the Regulatory Time Limit	Applications Not Reviewed for Completeness within Regulatory Time Limit
Air Pollution Control	300	200	500		25	475	0
Solid Waste	0	209	209		0	209	0
Hazardous Waste	19	26	45		2	43	0
Lead Based Paint and Asbestos	56	52	108		0	108	0
Radiological Health	0	1604	1604		0	1604	0
Water Pollution Control	419	1742	2161		168	1912	81
Water Supply	65	759	824		0	824	0
Subsurface Sewage - No Completeness Review	0	0	0		0	0	0
<b>Totals</b>	<b>859</b>	<b>4592</b>	<b>5451</b>		<b>195</b>	<b>5175</b>	<b>81</b>

## SUMMARY OF ALL ENVIRONMENTAL DIVISIONS PERMIT APPLICATION APPROVAL or DENIAL PROGRESS

**Table 16. Compliance with Permit Application Approval/Denial Times**

PERMIT APPLICATIONS & MODIFICATIONS	Applications on Hand – 7-1-12	Applications Received between 7/1/12 and 1/1/13	Applications to be Reviewed thru 1/1/13		Applications Under Review - Review Period has not Expired	Applications Approved or Denied within Regulatory Time Limit	Applications Not Approved or Denied within Regulatory Time Limit
Air Pollution Control	459	282	741		201	237	303
Solid Waste	0	209	209		0	209	0
Hazardous Waste	1	12	13		0	13	0
Lead Based Paint and Asbestos	681	1756	2437		0	2437	0
Radiological Health	0	1604	1604		0	1604	0
Water Pollution Control	306	2305	2622		150	2342	130
Water Supply	65	760	825		3	821	1
Subsurface Sewage	0	3390	3390		170	2733	487
<b>Totals</b>	<b>1512</b>	<b>10318</b>	<b>11841</b>		<b>524</b>	<b>10396</b>	<b>921</b>

## **Appendices**

- Appendix 1. 2012 Amendment to the Department of Environment and Conservation Statute - Review of Permits for Completeness and Permit Decisions**
- Appendix 2. Applicable Regulations for Permit Completeness Review and Permit Issuance**

Title 4 State Government  
Chapter 3 Creation, Organization and Powers of Administrative Departments and Divisions  
Part 5 Department of Environment and Conservation

Tenn. Code Ann. § 4-3-506 (2012)

**4-3-506. Making completeness determinations and issuing or denying permits within time frame specified in department's rules and regulations.**

- (a) It is the intent of the general assembly that the department of environment and conservation seek to accomplish making a completeness determination and issuing or denying any permit within the time frames specified by the department's rules and regulations.
- (b)(1) The commissioner shall prepare semiannual permitting efficiency reports that include statistics on whether the department has timely acted on permit applications pursuant to the appropriate rule. The reports are due February 1 and August 1 of each year beginning in 2013.
- (2) For permit applications that have not met the time frame required by rule, the report must state the reasons for not meeting the time frame. In stating the reasons for not meeting the time frame, the commissioner shall separately identify delays caused by the responsiveness of the applicant, lack of staff, scientific or technical disagreements, or the level of public engagement.
- (3) The report shall specify the number of days from initial submission of the application to the day of determination that the application is complete. The report due August 1 of each year must aggregate the data for the year and assess whether the program or system changes are necessary to achieve the time frame as specified by rule.
- (4) The report shall be posted on the department's web site and electronically submitted to the governor and members of the general assembly.

**HISTORY:** Acts 2012, ch. 980, § 1

## Appendix 2. Applicable Regulations for Permit Completeness Review and Permit Issuance

Division	Rule Citation	Statute or Rule Language	Completeness Review Time	Approval Denial Time or
TN WQCA	T.C.A. 69-3-108(r)	<p>(r) A person desiring to alter a specific water of the state may request a determination from the commissioner that it is a wet weather conveyance and submit a report from a qualified hydrologic professional in support of the request. If the report contains all information that is required in rules promulgated by the board, and in accordance with department procedures and guidance, and is certified by a qualified hydrologic professional to be true, accurate and complete and, if submitted after promulgation of the rules required by § 69-3-105(l), contains all information that is required in those rules, then the determination made in the report shall be presumed to be correct, unless the commissioner notifies the person, in writing, within thirty (30) days of submittal of the report, that the commissioner has affirmatively determined that there is a significant question about whether the water of the state in question is a stream or a wet weather conveyance and states the reasons for that determination. In that event, the commissioner must, within thirty (30) days following the initial notification, determine whether the water of the state in question is a stream or a wet weather conveyance and notify the person in writing of that decision and the reasons for that determination. A person may appeal a determination by the commissioner that the specific water is a stream by filing a petition for appeal with the board within thirty (30) days of receiving the commissioner's decision. For purposes of this subsection (r), a qualified hydrologic professional is a person holding a bachelor's degree in biology, geology, ecology, engineering or related sciences, having at least five (5) years of relevant experience in making hydrologic determinations and who has been certified as a hydrologic professional pursuant to rules promulgated by the board.</p>	Statutory Authority & Specified Time Period	

Coal & Surface Mining Act	59-8-205(a)(8)	(8) The applicant for a surface mining permit shall give public notice at least one (1) day prior to the filing of an application in a newspaper of general circulation covering the county where the proposed surface mine is to be located of the applicant's intent to operate a surface mine, and its proposed location. The information to be included in the public notice shall conform to regulations issued by the commissioner. In addition, the commissioner will receive any written statements from any interested person or groups of persons, and such statements shall be taken into consideration when the commissioner makes a determination of the application. The commissioner shall then, in not less than forty-five (45) nor more than sixty (60) days from the filing of the application for a permit, either approve application or notify the operator in writing, stating in detail the reason for not approving the application. If the application is approved, the permit will be granted upon the posting of the required bond. The action on the part of the commissioner in failing to grant any permit may be appealed to the board and the courts as provided in the Tennessee Coal Surface Mining Law of 1980, compiled in part 3 of this chapter.	Statutory Authority & Specified Time Period	60 days to approve/deny surface mining permit & prospecting permit
WRD - Wet Weather Conveyance	0400-40-17-.04(3) - Page 4	(3) If the department has made such a determination that there is a significant question regarding such a submittal, then the department shall, within thirty (30) days following the date of such notification, determine whether the water of the state in question is a stream or wet weather conveyance, and notify such person in writing, or by electronic mail, of that decision and the reasons for that determination.		30 days to question wet weather conveyance determination
WRD - Wet Weather Conveyance	0400-40-17-.04(4) - Page 4	If the department rejects the hydrologic determination submitted by a certified QHP on behalf of a person desiring to alter a specific water of the state who has requested a determination from the commissioner that the watercourse is a wet weather conveyance, that person may appeal the department's determination that the specific water is a stream by filing a petition for appeal with the board within thirty (30) days of receiving the department's rejection.		30 days for QHP to appeal TDEC decision on WWC

Plans for Construction & Operation	1200-04-02-.10(2)	Reports may be required weekly, monthly, or as deemed reasonable and necessary and directed by a representative of the Commissioner. These reports will serve to ascertain the continuous and satisfactory operation of the works in such manner as to insure the protection of water quality. These reports shall be true and accurate and shall not contain false or misleading information. An authorized representative of the Commissioner shall review the submittals and shall, within thirty (30) days of receipt of same, notify the responsible person or the responsible person's agent, in writing, of any deficiencies in operation so noted.		Requires review of all wastewater reports and response within 30 days of receipt
WRD - Antidegradation Rule	1200-04-03-.06(4)(a)7. Page 29 - Exceptional Tennessee Waters	Other waters with outstanding ecological, or recreational value as determined by the department. When application of this provision is a result of a request for a permit, such preliminary application is to be made within 30 days of a complete application.		30 days for determination of ONR waters
WRD - WPC Permit Requirements	1200-04-05-.05(1) and (2). - Page 10	1. Any person who plans to engage or is engaging in any of the activities outlined in Section 69-3-108(b) or (c) of the Act must make application in writing to the commissioner for a permit, or for modification of an existing permit; except where a person discharges into a publicly owned sewerage system or into a septic tank connected only to a subsurface drain field. 2. Applicants must complete and submit standard application forms supplied by the commissioner together with such engineering reports, plans and specifications as are required. The commissioner may subsequently request additional reasonable information as required in order to make the permit decision. If an environmental impact statement is required by federal regulation, the commissioner may require the applicant to pay for its preparation. Processing of an application shall not be completed until all requested information has been supplied. The applicant will be provided notice of completeness of the application and re-submitted material within 30 days of a determination that such material constitutes a complete application. This provision does not preclude the commissioner from later requesting additional material that subsequent to the notice of completeness is determined to be necessary for permit processing.	30 day completeness determination for all water permits	ITB, Water Withdrawal CAFO, Pretreatment, ARAP, Construction Stormwater, Municipal Stormwater etc.
WRD - WPC Permit Requirements	1200-04-11-.03(1)(a) - Page 14	Permits required under Rule 1200-04-11-.02 (2)(a)1 shall be issued or denied within 90 days of receipt of the application. If a public hearing is scheduled, in response to comments by interested parties or the applicant requests additional time, an additional 90 days may be added to the allowable timeframe. - Permit Types - ARAP & 401 Certifications		90 days for 401 & ARAP permits; 90 more days under certain circumstances

WRD - WPC Permit Requirements	1200-04-11-.03(1)(b) - Page 14	Permits required under Rule 1200-04-11-.02 (2)(a)2 shall be issued or denied within 30 days of receipt of application		30 days for Construction stormwater permits
WRD - WPC Permit Requirements	1200-04-11-.03(1)(c) - Page 14	Permits for major industries or sewage treatment facilities with flow over 1 MGD shall be issued within 1 year of receipt of the application. If a public meeting is scheduled into comments by interested parties, additional time is requested by the applicant or EPA requests additional time, an additional 90 days may be added to the allowable timeframe		365 days for NPDES permits wit flow of 1 MGD or more
WRD - WPC Permit Requirements	1200-04-11-.03(1)(d)	All other permits for wastewater treatment systems required under rule 1200-4-11-.02(b) shall be issued within 180 days of receipt of the application. If a public meeting is scheduled into comments by interested parties, additional time is requested by the applicant or EPA requests additional time, an additional 90 days may be added to the allowable timeframe		180 days for all other NPDES [permits
WRD - WPC Permit Requirements	1200-04-11-.03(1)(e)	(e) The Division shall complete its review of plan documents within 30 days of receipt, provided the plans contain sufficient information to make the necessary determinations	30 days for plan review	
WRD - WPC Permit Requirements	1200-04-11-.03(1)(f)	If the Division fails to issue or deny the permit or review plans within the time frames specified above, the permit application filing/processing fee and/or plans review fee will be refunded to the applicant. EPF Fee Refund		Requires refund of fees if TDEC deadlines not met.
APC Construction Permits	1200-03-09-.01(1)(a) - Page 1	(1) Application for Construction Permit (a) Except as specifically exempted in Rule 1200-03-09-.04, no person shall begin the construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants without first having applied for and received from the Technical Secretary a construction permit for the construction or modification of such air contaminant source.		
APC Construction Permits	1200-03-09-.01(4)(a)1. - Page 4	(4) Prevention of Significant Air Quality Deterioration - (a) General Provisions 1. No new major stationary source or major modification, as defined in parts (b) 1. and (b) 2. of this paragraph, shall begin actual construction unless the requirements of this paragraph, as applicable, have been met.		
APC Construction Permits	1200-03-09-.01(2)(l)1. Page 37	(l) Public Participation - 1. Within 30 days after receipt of an application to construct, or any addition to such application, the Technical Secretary shall advise the applicant of any deficiency in the application or in the information submitted. In the event of such a deficiency, the date of receipt of the application shall be, for the purpose of this section, the date on which the Technical Secretary received all required information.	30 days after receipt to determine deficiencies	

APC Construction Permits	- 1200-03-09-.01(2)(l)2. Page 37	2. The Technical Secretary shall make a final determination on the application no later than 6 months after receipt of a complete application. If there is a need for a longer period of time for review, it shall be agreed upon by mutual consent. In no case may this review period be longer than 1 year. The review process involves performing the following actions:		6 months for Construction Permit Decision
APC - Operating Permits	1200-03-09-.02(11) - Page 100	Any person planning to operate an air contaminant source constructed or modified in accordance with a construction permit issued by the Technical Secretary in rule 1200-03-09-.01 of this chapter shall apply for and receive an operating permit from the Technical Secretary after initial start-up of this said air contaminant source. Ninety (90) days shall be allowed for this, provided paragraph (3) of this rule is complied with. This time period is extended from ninety (90) to one hundred twenty (120) days if stack sampling has been required as a condition on the construction permit, which is further extended to sixty (60) days after the stack sampling report is required on the construction if a certain time is specified, provided the stack sampling report is filed with the Division within sixty (60) days of initial start-up or the time specified on the construction permit as that paragraph (3) of this rule is complied with.		90 days to issue with extensions based on conditions with options to increase to 120 days and 180 days

APC - Operating Permits	1200-03-09-.02(11)(a)1 Page 102	<p>Initial Start-Up of the Major Stationary Source Operating Permit Program - Consistent with the provisions of subparagraph 1200-03-09-.02(11)(d), all operating permits in the possession of sources subject to the requirements of paragraph 1200-03-09-.02(11) are subject to permit revocation proceedings if the source does not file a timely, complete major source operating permit application within 120 days after the Technical Secretary files his written notification to the source that their major stationary source operating permit applications are due, regardless of the expiration date on the permit. Anything in this paragraph 1200- 03-09-.02(11) to the contrary notwithstanding, the current permit(s) in the possession of the source shall be effective until superseded by the issuance of major source operating permits under the provisions of this paragraph 1200-03- 09-.02(11), except that if a complete application or additional information requested by the Technical Secretary is not timely filed, then (i) the effectiveness of the current operating permits shall be suspended until such application or information is filed, and (ii), the current operating permits shall be subject to revocation proceedings at the discretion of the Technical Secretary. The preceding sentence shall also apply to renewals of major source operating permits. In addition, any operating permit application that does not seek to amend an existing operating permit without first undergoing construction permit review being processed by the Technical Secretary for such a source will be canceled upon such notification and the source shall abide by the terms of their most recent permit until it is superseded by the major source operating permit.</p>		Requires permittee to submit operating permit within 120 days of notification by TS. If not permit subject to revocation
APC - Operating Permits	1200-03-09-.02(11)(a)2 Page 103	<p>Once an operating permit has been issued to a source pursuant to the provisions of paragraph 1200-03-09-.02(11), the permit, its shield, (if one was granted) and its respective conditions will be extended and effective after its expiration date provided that the source has submitted a timely, complete renewal application to the Technical Secretary consistent with the provisions of item 1200-03-09-.02(11)(d)1.(i)(III) and section 1200-03-09-.02(11)(d)1.(ii)(I)III. The extension shall cease upon final permit action by the Technical Secretary. If the Technical Secretary's final permit action is contested, the provisions of TCA 4-5-320(b) shall rule as to the continued validity of the previous permit.</p>		Permit shield for operating permit if TS does not take timely action

APC - Operating Permits	1200-03-09-.02(11)(a)3.(ii) Page 103	(ii) The Technical Secretary's failure to take timely final action on an application filed under the provisions of paragraph 1200-03-09-.02(11) is grounds for seeking administrative/judicial review. Timely, final action shall be determined according to the schedules for action established in paragraph 1200-03-09-.02(11).	Allows administrative action if TS does not approve/deny Operating Permit	
APC - Operating Permits	1200-03-09-.02(11)(a)4.(i) Page 104	Operational Flexibility - The owner or operator of a source subject to paragraph 1200-03-09-.02(11) may make certain changes at their facility that are contrary to or not addressed by the permit as provided in part 1200-03-09-.02(11)(a)4. (i) The following changes can be made by the permittee without requiring a permit revision, if the changes are not modifications under Title I of the federal Act or Division 1200-03 and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in the terms of total emissions): Provided, that the facility provides the Administrator and Technical Secretary with written notification as required below in advance of the proposed changes, which shall be a minimum of 7 days. The Technical Secretary may waive the 7 day advance notice in instances where the source demonstrates in writing that an emergency necessitates the change. Emergency shall be demonstrated by the criteria of part 1200-03-09-.02(11)(e)7 and in no way shall it include changes solely to take advantages of an unforeseen business opportunity. The source, Technical Secretary and EPA shall attach each such notice to their copy of the relevant permit: (I) The source may make a Section 502(b)(10) change if their written notification: I. Contains a brief description of the change within the permitted facility; II. Specifies the date on which the change will occur; III. Declares any change in emissions; and IV. Declares any permit term or condition that is no longer applicable as a result of the change. A. The permit shield provisions of part 1200-03-09-.02(11)(e)6 shall not apply to Section 02(b)(10) changes.		

<p>APC - Operating Permits</p>	<p>1200-03-09-.02(11)(a)4.(ii) Page 105</p>	<p>(ii) The source may make operational flexibility changes that are not addressed or prohibited by the permit without a permit revision subject to the following requirements: (I) The change cannot be subject to a requirement of Title IV of the Federal Act or Chapter 1200-03-30. (II) The change cannot be a modification under any provision of Title I of the federal Act or Division 1200-03. (III) Each change shall meet all applicable requirements and shall not violate any existing permit term or condition. (IV) The source must provide contemporaneous written notice to the Technical Secretary and EPA of each such change, except for changes that are below the threshold of insignificant activities and emission levels that are specified in Rule 1200-03-09-.04. (V) Each change shall be described in the notice including the date, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change. (VI) The change shall not qualify for a permit shield under the provisions of part 1200-03- 9-.02(11)(e)6. (VII) The permittee shall keep a record describing the changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes. The records shall be retained until the changes are incorporated into subsequently issued permits.</p>		
<p>APC - Operating Permits</p>	<p>1200-03-09-.02(11)(c)1. Page 114</p>	<p>(c) Applicability - 1. The following air contaminant sources are subject to the requirements of paragraph 1200-03-09-.02(11): (i) Any major source; (ii) Any source, including an area source, subject to a standard, limitation, or other requirement under section 111 of the Federal Act, Part 1200-03-07- .07(4), part 1200-03-07-.07(5) or Chapter 1200-03-16; (iii) Any source, including an area source, subject to a standard or other requirement under section 112 of the Federal Act, chapter 1200-03-11, or chapter 1200-03-31 except that a source is not required to obtain a permit solely because it is subject to regulations or requirements under section 112(r) of the Federal Act or Chapter 1200-03-32; (iv) Any affected source; and (v) Any source in a source category designated by the Administrator or Technical Secretary pursuant to the federal 40 C.F.R. Part 70 rules (FR Vol. 57, No. 140, Tuesday, July 21, 1992 p 32295-32312) or this paragraph respectively.</p>	<p>Requires APC Operating Permit</p>	

APC - Operating Permits	1200-03-09-.02(11)(c)2. Page 114 & 115	The following air contaminant sources are exempt from the requirements of paragraph 1200-03-09-.02(11): (i) All non-major sources including those subject to Section 112 of the Federal Act or chapter 1200-03-11 or Chapter 1200-03-31 and section 111 of the Federal Act or chapter 1200-03-16. If the Administrator promulgates future regulations which prohibit the exemption of a non-major source from the requirements of paragraph 1200-03-09-.02(11), such source will be so permitted by the Technical Secretary. Upon the Administrator's written notification to the Technical Secretary that such sources must be permitted according to the provisions of this paragraph 1200-03-09-.02(11), the Technical Secretary shall notify the sources that the applications are due within 180 days of his written notice. The Technical Secretary shall have up to 90 days to accomplish the notification commencing upon his notification from the Administrator. (ii) An affected source does not qualify for exemption from the provisions of paragraph 1200-03-09-.02(11) even if it is a non-major source. (iii) A solid waste incinerator unit that is required to obtain a permit pursuant to section 129(e) of the Federal Act does not qualify for exemption from the provisions of paragraph 1200-03-09-.02(11) even if it is a non-major source. (iv) All sources and source categories that would be required to obtain a permit solely because they are subject to 40 C.F.R. part 60, Subpart AAA - Standards of Performance for New Residential Wood Heaters are exempt from the provision of paragraph 1200-03-09-.02(11). (v) All sources and source categories that would be required to obtain a permit solely because they are subject to 40 C.F.R. part 61, Subpart M – National Emissions Standard for Hazardous Air Pollutants for Asbestos, section 61.145, Standard for Demolition and Renovation are exempt from the provision of paragraph 1200-03-09-.02(11).	Exempt from APC Operating Permit	
APC - Operating Permits	1200-03-09-.02(11)(d)1.ii(I) I and IV	II. Sixty (60) days will be allotted to the Technical Secretary from his receipt of the application for the purpose of determining whether or not the application is complete according to the Board-approved completeness checklist. This timeline is not applicable to minor modifications conducted under the provisions of subparts 1200-09-.02(11)(f) 5.(ii) & (iii).	Operating Permits - 60 days for completeness review	
APC - Operating Permits	1200-03-09-.02(11)(d)1.(ii)(I) I and IV Page 117	IV. The Technical Secretary shall have up to 60 days from his receipt of the application to review an application for completeness. At the conclusion of that period, the Technical Secretary shall notify the applicant of his findings in writing. In the absence of his timely notification that an application is incomplete, an application will be considered to be complete	Operating permits - 60 days for completeness review	

APC - Operating Permits	1200-03-09-.02(11)(e)6(i) Page 127	Except as provided in paragraph 1200-03-09-.02(11), the Technical Secretary shall if requested by the applicant, expressly include in a permit issued pursuant to paragraph 1200-03-09-.02(11) a provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issue, provided that with any applicable requirements as of the date of permit issue, provided that conditions are met	Permit Shield	
APC - Operating Permits	1200-03-09-.02(11)(f)1.(ii) Page 130	Except as otherwise required by subparagraph 1200-3-30-.06(4)(d) affected sources shall have final action taken on permit applications filed with the Technical Secretary within 18 months of the date that they file their complete permit application. The Technical Secretary is authorized to set the due date of their initial applications to mesh with their Phase II acid rain permit applications such that their initial permit will contain both acid rain requirements and standard emission/procedural requirements. The Technical Secretary is instructed to consider any guidance promulgated by the Administrator relative to meshing Title V and Title IV at affected facilities when setting such application submittal dates.		18 months for TS to approve/deny permit application
APC - Operating Permits	1200-03-09-.02(11)(f)1.(iii) Page 130	To the extent practicable, the Technical Secretary shall give priority to the processing of operating permit applications to sources which are subject to either paragraph 1200-03-09-.01(4) or paragraph 1200-03-09-.01(5). Sources subject to paragraph 1200-03-09-.02(11) shall have final action taken on permit applications filed with the Technical Secretary within 18 months of the date that their application is deemed complete.		18 months for TS to approve/deny permit application
APC - Operating Permits	1200-03-09-.02(11)(f)1.(iv) Page 130	(iv) The Technical Secretary shall provide notice to the applicant of whether the application is complete within 60 days of receipt of an application in his office. Unless the Technical Secretary requests additional information or otherwise notifies the applicant of incompleteness within 60 days of receipt of an application, the application shall be deemed complete. For modifications processed through minor permit modification procedures, such as those in subpart 1200-03-09-02(11)(f)5(ii) or subpart 1200-03-09-.02(11)(f)5(iii) a completeness determination shall not be required of the Technical Secretary. An application that defaults to complete status through the Technical Secretary's failure to notify the applicant of its incompleteness within 60 days of his receipt, does not relieve the applicant of the duty to provide such supplemental information that the Technical Secretary must have in order to process the permit application	60 days for permit application permit determination	

APC - Operating Permits	1200-03-09-.02(11)(f)4.(iii) Page 132	Administrative permit amendment procedures shall be made according to the following criteria: (I) The Technical Secretary shall take no more than 60 days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected States provided that he designates any such permit revisions as having been made pursuant to part 1200-03-09-.02(11)(f)4.		60 days to approve/deny administrative permit modification
APC - Operating Permits	1200-03-09-.02(11)(f)5.(ii)(I V) page 134	(IV) The Technical Secretary shall not issue a final permit modification until after EPA's 45-day review period or until EPA has notified the Technical Secretary that EPA will not object to the issuance of the permit modification, whichever is first, although the Technical Secretary can approve the permit modification prior to that time. Within 90 days of the Technical Secretary's receipt of an application under minor permit modification procedures or 15 days after the end of the Administrator's 45-day review period under the provisions of subpart 1200-03-09-.02(11)(g)3, whichever is later, the Technical Secretary shall: I. Issue the permit modifications as proposed; or II. Deny the permit modification application; or III. Determine that the requested modification does not meet the minor permit modification criteria and should be reviewed under the significant modification procedures; or IV. Revise the draft permit modification and transmit to the Administrator the new proposed permit modification as required by part 1200-03-09-.02(11)(g)1.		Minor permit modification - 90 days for TS to approve or 15 days after EPA Administrator's 45 day review.
APC - Operating Permits	1200-03-09-.02(11)(f)5.(iv)(I l) Pages 135 & 136	(iv) Significant modification procedures (II) Significant modifications shall meet all requirements of paragraph 1200-03-09-.02(11) including those for applications, public participation, review by affected States, and review by EPA, as they apply to permit issuance and permit renewal. The Technical Secretary shall endeavor to process all significant permit modification requests within 9 months after receipt of a complete application. The Technical Secretary is directed to program the resources of the Department's Division of Air Pollution Control such that at least 51 percent of the significant modification requests are processed within the 9 month period on a calendar year basis.		Significant/Major permit modifications - 9 months for TS to approve/deny
APC - Operating Permits	1200-03-09-.02(11)(f)5.(ii)(IV) Page 136	(IV) Timetable for issuance; The provisions of item 1200-03-09-.02(11)(f)5(ii)(IV) shall apply to modifications eligible for group processing except that the Technical Secretary shall take one of the actions specified in subitems 1200-03-09-.02(11)(f)5(ii)(IV) I through IV within 180 days of receipt of the application or 15 days after the end of the Administrator's 45 day review period under part 1200-03-09-.02(11)(g)3, whichever is later.		Group permit modifications - 90 days or 15 days after EPA Administrator's 45 day review time

<p>APC - Operating Permits</p>	<p>1200-03-09-.02(11)(f)6. Page 137</p>	<p>6. Reopening for Cause (i) Each issued permit shall include provisions specifying the conditions under which the permit will be reopened prior to the expiration of the permit. A permit shall be reopened and revised under any of the following circumstances: (I) Additional applicable requirements under the federal Act become applicable to a major source subject to paragraph 1200-03-09-.02(11) with a remaining permit term of 3 or more years. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original has been extended pursuant to part 1200-03-09-.02(11)(a)2. (II) Additional requirements (including excess emission requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.(III) The Technical Secretary or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit. (IV) The Technical Secretary or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.</p>		<p>Reopen for Cause - 18 months of rule change or error</p>
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APC - Operating Permits	1200-03-09-.02(11)(f)7. Page 138	7. Reopenings for Cause by EPA (i) If the Administrator finds that cause exists to terminate, modify, or revoke and reissue a permit pursuant to part 1200-03-09-.02(11)(f)6, he is required under federal rules to notify the Technical Secretary and the permittee of such findings in writing. Upon receipt of such notification, the Technical Secretary shall investigate the matter in order to determine if he agrees or disagrees with the Administrator's findings. If he agrees with the Administrator's findings, the Technical Secretary shall conduct the reopening in the following manner: (ii) The Technical Secretary shall within 90 days after receipt of such notification, forward to EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate. If the Administrator grants additional time to secure permit applications or additional information from the permittee, the Technical Secretary shall have the additional time period added to the standard 90 day time period. (iii) EPA will evaluate the Technical Secretary's proposed revisions and respond as to their evaluation. (iv) If EPA agrees with the proposed revisions, the Technical Secretary shall proceed with the reopening in the same manner prescribed under subparts 1200-03-09-.02(11)(f)6(ii) and (iii). (v) If the Technical Secretary disagrees with either the findings of the Administrator that a permit should be reopened or an objection of the Administrator to a proposed revision to a permit submitted pursuant to subpart 1200-03-09-.02(11)(f)7(ii), he shall bring the matter to the Board at its next regularly scheduled meeting for instructions as to how he should proceed. The permittee shall be required to file a written brief expressing their position relative to the Administrator's objection and have a responsible official present at the meeting to answer questions of the Board. If the Board agrees that EPA is wrong in their demand for a permit revision, they shall instruct the Technical Secretary to conform to EPA's demand, but to issue the permit under protest preserving all rights available for litigation against EPA.		Reopening for cause due to EPA - 90 days to make permit modification change
APC - EPF Fee Rule	1200-03-26-.02(4)(d) - Page 14	(d) Upon receipt of a construction permit application, the Division must examine it to insure that it is complete and advise the applicant in writing of its findings via certified mail. Thirty (30) days will be allowed for the review. The thirty (30) days completeness evaluation time period is extended to ninety (90) days for minor and conditional major sources of the nonattainment pollutant located within the boundary of a nonattainment area so designated by the Board and/or the United States Environmental Protection Agency. [Note: For ozone nonattainment the pollutant is Volatile Organic Compounds (VOC) and/or oxides of nitrogen.]	30 days to make completeness determination for construction permit	

APC - EPF Fee Rule	1200-03-26-.02(4)(d)4.	Upon receipt of a corrected application revised pursuant to part 1, 2, or 3 of this subparagraph, the Division shall re-evaluate the application and notify the applicant of its finding as to whether or not the application is considered to be complete. If the application is still deemed incomplete the source has the remainder of the initial one hundred eighty (180) day period to correct the deficiencies or forfeit the fee in its entirety. Unless a determination that a corrected application is not complete is made by the Division and communicated to the applicant via certified mail within thirty (30) days of receipt, the corrected application shall be deemed to be complete for the purpose of starting the Division's permit processing deadline schedule. However, if additional information is still needed to process the permit, the applicant has a duty to furnish said information or face denial of the permit.	Application deemed complete if Division does not act within 30 days of receipt of corrected application	
APC - EPF Fee Rule	1200-03-26-.02(5)(e) - Page 15	(e) The Division must make a decision to issue or deny a request for a construction permit and notify the applicant of that decision in accordance with the following time lines: 1. Major Source reviews must be completed in one hundred eighty (180) days, from receipt of a complete application unless a longer time period is agreed to in writing by the applicant. 2. Minor and Conditional Major Source reviews must be completed within one hundred fifteen (115) days from receipt of a complete application		180 days for Major Source and 115 days for Minor and Conditional Majors
APC - EPF Fee Rule	1200-03-26-.02(5)(f) and (g) - Pages 15 and 16	(f) In the event that the Division fails to process the construction permit application within the time lines established in subparagraph (e) of this paragraph, the Division will refund the permit filing/processing fee to the applicant in full. The refund will be made within thirty (30) days following the date that the deadline for a decision on that particular permit application was established. For refunds in excess of \$1,000, additional time to permit review and approval of the refund by the Tennessee Attorney General's Office shall be allowed. (g) The appropriate permit filing/processing fee shall be determined by the applicant from the following schedule: SCHEDULE A - CONSTRUCTION PERMIT FEES - Anticipated Maximum (Filing/Processing) Emission Rate Permit Fee, Less Than 10 Tons/Year \$ 100.00, 10 to < 100 Tons/Year \$ 500.00, 100 to < 250 Tons/Year \$1,000.00, 250 to < 500 Tons/Year \$2,000.00, 500 to < 1,000 Tons/Year \$3,000.00; 1,000 to < 5,000 Tons/Year \$4,000.00, 5,000 to Greater Tons/Year \$5,000.00		Division required to refund fees 30 days after decision date if permit decision is not made.

APC- Acidic Precipitation Control	1200-3-30-.06(1) Page 30	1) General. (40 CFR 72.72(b)) The Technical Secretary will issue or deny all Acid Rain permits in accordance with paragraph 1200-3-9-.02(11), including the completeness determination, draft permit, administrative record, statement of basis, public notice and comment period, public hearing, proposed permit, permit issuance, permit revision, and appeal procedures as amended by Rule 1200-3-30-.06 and Rule 1200-3-30-.07.	30 days for completeness review	see 1200-3-9
APC- Acidic Precipitation Control	1200-3-30-.06(2) Page 30	(2) Completeness. (40 CFR 72.72(b)(1)(i)(C)) The Technical Secretary will submit a written notice of application completeness to the Administrator within 10 working days following a determination by the Technical Secretary that the Acid Rain permit application is complete.	10 days to inform EPA of completeness determination	
APC- Acidic Precipitation Control	1200-3-30-.07(2)(a) Page 33	Permit modifications. (40 CFR 72.81) - (a) 1. Permit modifications shall follow the permit issuance requirements of Rule 1200-3-30-.06 and item 1200-3-9-.02(11)(f)5(iv)(II). 2. For purposes of applying part (a)1 of this paragraph, a permit modification shall be treated as an Acid Rain permit application, to the extent consistent with Rule 1200-3-30-.07.		9 months for TS to approve/deny permit modification
APC- Acidic Precipitation Control	1200-3-30-.07(2)(b) Page 33	(b) The following permit revisions are permit modifications: 1. Relaxation of an excess emission offset requirement after approval of the offset plan by the Administrator; 2. Incorporation of a final nitrogen oxides alternative emission limitation following a demonstration period; 3. Determinations concerning failed repowering projects under subpart 1200-3-30-.04 (2)(f)1(i) and part 1200-3-30-.04(2)(f)2; and 4. At the option of the designated representative submitting the permit revision, the permit revisions listed in subparagraph 1200-3-30-.07(3)(b).	Clarifies what constitutes a permit modification	
APC- Acidic Precipitation Control	1200-3-30-.07(3)(a)4. Page 34	Within 30 days of the close of the public comment period, the Technical Secretary will consider the fast-track modification and the comments received and approve, in whole or in part or with changes or conditions as appropriate, or disapprove the modification. A fast-track modification shall be effective immediately upon issuance, in accordance with item 1200-3-9-.02(11)(f)1(i)(V) as applied to significant modifications.		TS shall issue or deny fast track permit modification within 30 days of end of public notice - comment period
APC- Acidic Precipitation Control	1200-3-30-.07(4) Page 34	(4) Administrative permit amendment. (40 CFR 72.83) - (a) Administrative amendments shall follow the procedures set forth at subpart 1200-3-9-.02(11)(f)4(iii). The Technical Secretary will submit the revised portion of the permit to the Administrator within 10 working days after the date of final action on the request for an administrative amendment.		Administrative Amendments to permits - 60 days to make permit decision

APC- Acidic Precipitation Control	1200-3-30-.07(4)(a). Page 34	The draft permit shall be subject to the requirements of Rule 1200-3-30-.05 and Rule 1200-3-30-.06. (c) Any reopening of an Acid Rain permit shall not affect the term of the permit.		TS has 60 days to approve or deny administrative permit amendment
APC- Acidic Precipitation Control	1200-3-30-.07(6). Page 35	Permit reopenings. (40 CFR 72.85) - (a) As provided in part 1200-3-9-.02(11)(f)6, the Technical Secretary will reopen an Acid Rain permit for cause, including whenever additional requirements become applicable to any affected unit governed by the permit. (b) In reopening an Acid Rain permit for cause, the Technical Secretary will issue a draft permit changing the provisions, or adding the requirements, for which the reopening was necessary.		Permit re-openings - 18 months from rule change or error
DRH	0400-20-10-.18	Renewal of License - (1) Applications for renewal of specific licenses shall be filed in accordance with Rule 0400-20-10-.11. (2) In any case in which a licensee, not less than 30 days prior to expiration of his existing license, has filed an application in proper form for renewal or for a new license authorizing the same activities, such existing license shall not expire until the application has been finally determined by the Division.	RAM License Shield during renewal	
DRH	0400-20-10-.19 AMENDMENT OF LICENSES AT REQUEST OF LICENSEE.	Applications for amendment of a license shall be filed in accordance with Rule 0400-20-10-.11 and shall specify the respects in which the licensee desires his license to be amended and the grounds for such amendment		
DRH	0400-20-10-.20 DIVISION ACTION ON APPLICATION TO RENEW OR AMEND.	In considering an application by a licensee to renew or amend his license, the Division will apply the criteria set forth in Rules 0400-20-10-.12 and 0400-20-10-.13, as applicable.		

DRH	0400-20-10-.24(1) - Page 74	The owner or person having possession of any radiation machine or accelerator, except those specifically exempted in Rule 0400-20-10-.07, shall register such sources within 10 days after acquisition of such machine. The owner or possessor of any accelerator shall substitute an application for certified registration required in Chapter 0400-20-09. The application for certified registration must be received by the Department within 10 days after acquisition of the accelerator; however, an accelerator may not be energized until registered pursuant to Chapter 0400-20-09. In addition, every person who provides inspections as provided for in paragraph (4) of Rule 0400-20-10-.27 and every person who assembles, installs, or services radiation machines shall register with the Division of Radiological Health, Tennessee Department of Environment and Conservation. Registration under this rule shall be on Department Form RHS 8-4, Form RHS 8-4a or Form RHS 8-4b, as appropriate, as furnished by the Department and may be obtained from the Division of Radiological Health, L&C Annex, 3 <sup>rd</sup> Floor, 401 Church Street, Nashville, Tennessee 37243-1532. A registration fee in accordance with the Classification and Fee Schedule in paragraph (3) of this rule shall be due upon receipt of an invoice from the Division of Radiological Health following the submittal of the completed registration form. The check for the fee shall be made payable to "Treasurer, State of Tennessee."		X-Ray Registration - No time for completeness review or registration issuance
DRH	0400-20-10-.27(4) - Page 81	<b>0400-20-10-.27(4)</b> The Division will accept, as inspections for a reduced registration fee as provided for in subparagraph (3)(d) of Rule 0400-20-10-.24, inspections by individuals other than employees of the Division: (a) Whose inspections are satisfactory to the Division; (b) Who are registered with the Division; (c) Who are staff inspectors, or who have paid an annual registration fee to the Division; and (d) Who meet one set of the following criteria:		
DRH	0400-20-10-.31(5)(a) Page 101	Complete Applications (a) For the purpose of determining whether or not the Division has acted in the time frame established to process applications set forth in subparagraph (e) of this paragraph, the evaluation period shall not begin until a complete application has been filed in the Division of Radiological Health Central Office. All items on the application form shall be completed in sufficient detail to allow the Division to determine that the applicant's equipment, facilities and radiation protection program are adequate to protect health and minimize danger to life and property.	Requirement for permit completeness	

DRH	0400-20-10-.31(5)(c) Page 102	(c) Upon receipt of an application, the Division must examine it to insure that it is complete and advise the applicant in writing of its findings via certified mail. 60 days will be allowed for the initial and each subsequent review per part 3 of this subparagraph	60 days for completeness	
DRH	0400-20-10-.31(5)(e) Page 102	(e) The Division shall make a decision to issue or deny a request for a new radioactive material license, except Category 12, and notify the applicant of that decision in no more than 365 days after receipt of a complete application, unless the Division has requested technical assistance in the review of the application from the Nuclear Regulatory Commission		365 day review time except for Class 12 Disposal facilities - 60 months
SWM - Solid Waste Program	0400-11-01-.07(6)(a) page 109	(6) Schedule for timely action on permit applications: (a) A completeness determination must be reviewed and the applicant notified within the following time frames: 1. Hydrogeologic Report for Disposal Facilities 30 days 2. Design and Construction Plans for Disposal & Compost Facilities 45 days	Completeness review 30 & 45 days	
SWM - Solid Waste Program	0400-11-01-.07(6)(b) Page 109	Schedule for timely action on permit applications: (a) A completeness determination must be reviewed and the applicant notified within the following time frames: 1. Hydrogeologic Report for Disposal Facilities - 30 days, 2. Design and Construction Plans for Disposal & Compost Facilities - 45 days, Permit applications shall be acted upon (issued or denied) by the Department within the following time after the application is certified to be complete: 1. Disposal Facility - Class I - 270 days, Class II - 270 days, Class III - 240 days; 2. Processing Facility; Permit-By-Rule - 90 days, Compost Facility - 120 days; 3. Major Modification; Regulatory Requirement - 180 days, Application - Plans Only - 240 days, Hydrogeologic - 270 days; and 4. Waste Evaluation - 30 days	Permit Decision - see schedule	Permit Decision - see schedule
SWM - Solid Waste Program	0400-11-01-.12(1)(b) - Page 127	(b) Applicability - The training and certification requirements of this rule apply to operators, attendants, and responsible persons for Class I landfills. One certified operator is required to be on-site during the hours of operation. However, a certified operator is not required to be on-site during the post closure period.		Certified SW Landfill Operators - No time limits

SWM – LBP	1200-1-18-.01(6)(b)2. - Page 9	If a training program meets the requirements in subparagraph (c) of this paragraph, then the Commissioner shall approve or disapprove the application for accreditation no more than 180 days after receiving a complete application from the training program. In the case of approval, a certificate of accreditation shall be sent to the applicant. In the case of disapproval, a letter describing the reasons for disapproval shall be sent to the applicant. Prior to disapproval, the Division may, at its discretion, work with the applicant to address inadequacies in the application for accreditation. The Division may also request additional materials retained by the training program under subparagraph (g) of this paragraph. If a training program's application is disapproved, the program may reapply for accreditation at any time.		180 days to approve/deny LBP Training Accreditation Program
SWM - LBP	1200-1-18-.01(6)(e)5.(viii) - Page 17	(viii) If a refresher-training program meets the requirements listed in this part, then the Commissioner shall approve or disapprove the application for accreditation no more than 180 days after receiving a complete application from the refresher training program. In the case of approval, a certificate of accreditation shall be sent to the applicant. In the case of disapproval, a letter describing the reasons for disapproval shall be sent to the applicant. Prior to disapproval, the Division may, at its discretion, work with the applicant to address inadequacies in the application for accreditation. The Division may also request additional materials retained by the refresher-training program under subparagraph (g) of this paragraph. If a refresher-training program's application is disapproved, the program may reapply for accreditation at any time.		180 days to approve LBP Refresher Accreditation make accreditation decision
SWM - LBP	1200-1-18-.01(7)(a)1.(v) - Page 19	(7) Certification of Individuals Engaged in Lead-Based Paint Activities: Target Housing and Child-Occupied Facilities. [40 CFR 745.226] (a)1.(v) Certification of Individuals. An individual shall pass the Commissioner's third party certification exam for all disciplines, except Project Designer and Worker, and receive certification from the Commissioner within six (6) months after completing an initial lead-based paint training course; otherwise, the individual must retake the appropriate initial training course from an accredited training program, before reapplying for certification from the Commissioner.		Receive Accreditation 6 months form submission of application
SWM - LBP	1200-1-18-.01(7)(c)1. - Page 22	(c) Re-certification 1. To maintain certification in a particular discipline, a certified individual shall apply to and be re-certified by the Commissioner in that discipline every three (3) years if the individual completed an accredited refresher-training course with a course test and hands-on assessment.		Individual Recertification - no time limits for TDEC

SWM – LBP	1200-1-18-.01(7)(d)3. Page 22	Certification of Firms to perform work - From the date of receiving the firm's complete application requesting certification, the Commissioner shall have ninety (90) days to approve or disapprove the firm's request for certification. Within that time, the Commissioner shall respond with either a Certificate of Approval or a letter describing the reasons for disapproval.		90 days to make accreditation decision
SWM – LBP	1200-1-18-.01(7)(d)5. Page 22	Recertification of LBP Remediation Firms - Firms applying for re-certification must submit the documents described in part 2 of this subparagraph and appropriate fees described in paragraph (18) of this Rule.		
SWM - Asbestos	1200-01-20-.02(2)(b) Pages 14 and 15	(2) Asbestos Training Provider Accreditation Application Process - The following are procedures a training provider shall follow to receive state accreditation from the Commissioner to offer asbestos initial and/or refresher training courses, and to obtain approval from the Commissioner for the training manager, principal and guest instructors: (b) Upon receipt, the Commissioner will review the application for completeness, and once deemed complete, evaluate the applicant's ability to comply with the requirements of paragraphs (3) and (4) of this Rule. The Commissioner will complete the review within 180 days after the application is deemed complete. The Commissioner, at his or her discretion, may work with an applicant to address inadequacies in the application for accreditation. The Commissioner may also request additional information, or consider additional information from other sources, including but not limited to a training provider's work history, and/or materials retained by that training provider under paragraph (7) of this Rule. In the case of approval, an accreditation certificate will be sent to a training provider which identifies the accredited initial and/or refresher training course or courses an accredited training provider may offer. In the case of disapproval, a letter describing the reasons for disapproval will be sent to the applicant. If disapproved, a training provider may reapply for accreditation at any time and pay the appropriate accreditation fee(s).		180 days to make accreditation decision
SWM - Asbestos	1200-01-20-.02(2)(g) - Page 15	Asbestos Training Provider Accreditation Application Process - Amended Applications - Changes to the initial and/refresher training program rosters such as the manager, principal instructor and/or guest instructor list shall be submitted by a training provider to the Commissioner for review, together with the documentation required by part (a)4 of this paragraph for each person to be approved. The Commissioner will submit written approval or disapproval within thirty (30) days of receipt of the completed amended application. An application review fee set forth in Rule 1200-01-20-.05(2)(a)1, Table 1 shall be submitted with the amended application.		30 days to approve/deny changes in accreditation

SWM Asbestos	- 1200-01-20- .02(6)(a) - Page 38	(6) Re-accreditation of training providers for Initial and/or Refresher Training Course(s) (a) A training provider's re-accreditation certificate to offer initial and/or refresher-training course(s) shall expire after two (2) years on the last day of the month of issuance. If a training provider meets the requirements of this paragraph, the training provider shall be re-accredited provided its accreditation has not be revoked or suspended due to non-compliance with part (1)(a)8 or subparagraph (1)(b) of Rule 1200-01-20-.06, or with Rule 1200-01-20-.08.		No time frame for completeness review or approval/denial
SWM Asbestos	- 1200-1-20- .03(2)(e) Page 41	Asbestos Professional Certification - Following the submittal of the information required by subparagraph (b) of this paragraph, the Commissioner will approve or disapprove a person's request for accreditation within sixty (60) days following the application being deemed complete. The Commissioner will review the completed application and any additional information, including but not limited to work history from other sources, and, after considering the requirements of subparagraph (f) of this paragraph and paragraph (3) of this Rule for the appropriate discipline, will respond with an Accreditation Certificate or a letter describing any deficiency.		60 days to approve individual accreditation
SWM - Asbestos	1200-01-20- .03(4)(a) - Page 48	Reaccreditation for Asbestos Professionals - (a) To maintain accreditation in a particular discipline, an accredited person shall complete the requirements of subparagraphs (c), (d) and (e) of this paragraph for the appropriate discipline(s) within sixty (60) days prior to or thirty (30) days after the expiration date of their current accreditation.		No specific time frames for application completeness or approval
SWM - Asbestos	1200-01-20- .03(5)(c ) Page 49	Accreditation of an Asbestos Firm - Following the submittal of a complete firm application in accordance with subparagraph (b) of this paragraph, the Commissioner will approve or disapprove a firm's request for accreditation within sixty (60) days following the application being deemed complete. The Commissioner will review the completed application and any additional information, including but not limited to work history from other sources, and respond with an Accreditation Certificate or a letter describing any deficiency.		60 days to approve/deny firm accreditation
SWM - Asbestos	1200-01-20- .03(5)(g) Page 50	(5) Accreditation and Re-accreditation of Firms - (h) A firm applying for re-accreditation shall submit the documents described in subparagraph (b) of this paragraph and the appropriate fee described in Rule 1200-01- 20-.05(2)(a)1, Table 2.		60 days to approve/deny firm re-accreditation

HW Transporters	0400-12-01-.04(2)(b)3.i Page 2	The Commissioner shall issue the permit within 15 days following his receipt of a new permit application (not a renewal), unless such application is by a person that (1) had previously held a permit that was terminated by the Commissioner for violation of the requirements of these rules, or (2) had been operating as a transporter in violation of the permit requirement of this paragraph. Such persons shall not be issued a permit unless and until they demonstrate, to the satisfaction of the Commissioner, their willingness and capability to comply with the Act and these rules. (ii) The Commissioner shall issue the permit for a renewal by January 31 following his receipt of the permit renewal application, unless such application is by a person that (1) had previously held a permit that was terminated by the Commissioner for violation of the requirements of these rules, or (2) had been operating as a transporter in violation of the permit requirement of this paragraph. Such persons shall not be issued a permit unless and until they demonstrate, to the satisfaction of the Commissioner, their willingness and capability to comply with the Act and these rules.		15 days to issue/deny transporter permit
HW - Interim Status Facilities	0400-12-01-.05(7)(a)1. Page 34	Applicability - Closure and Post-Closure Except as paragraph (1) of this rule provides otherwise: 1. Subparagraphs (b) through (f) of this paragraph (which concern closure) apply to the owners and operators of all hazardous waste management facilities; and 2. Subparagraphs (g) through (k) of this paragraph (which concern post-closure care) apply to the owners and operators of: (i) All hazardous waste disposal facilities; (ii) Waste piles and surface impoundments for which the owner or operator intends to remove the wastes at closure to the extent that these subparagraphs are made applicable to such facilities in subparagraph (11)(i) or (12)(i) of this rule;	Interim Status facilities	
HW - Interim Status Facilities	0400-12-01-.05(7)(a)2. - Page 34	2. Subparagraphs (g) through (k) of this paragraph (which concern post-closure care) apply to the owners and operators of: (i) All hazardous waste disposal facilities; (ii) Waste piles and surface impoundments for which the owner or operator intends to remove the wastes at closure to the extent that these subparagraphs are made applicable to such facilities in subparagraph (11)(i) or (12)(i) of this rule; (iii) Tank systems that are required under subparagraph (10)(h) of this rule to meet requirements for landfills; and (iv) Containment buildings that are required under subparagraph (30)(c) of this rule to meet the requirement for landfills.	Interim Status Facilities	

HW - Interim Status Facilities	0400-12-01-.05(7)(b) - Page 35	(b) Closure Performance Standard - The owner or operator must close the facility in a manner that: 1. Minimizes the need for further maintenance, and 2. Controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere, and 3. Complies with the closure requirements of this rule including, but not limited to, the requirements of subparagraphs (10)(h), (11)(j), (12)(i), (13)(k), (14)(k), (15)(l), (16)(l), (17)(e), and (30)(c) of this rule.		
HW - Interim Status Facilities	0400-12-01-.05(7)(c)4.(iv) - Page 39 - Interim Status	0400-12-01-.05(7)(c)4.(iv) The Commissioner will provide the owner or operator and the public, through a newspaper notice, published by the owner or operator, as provided for in Rule 0400-12-01-.07(7)(e) and as prepared and required by the Commissioner, the opportunity to submit written comments on the plan and request modifications to the plan no later than 30 days from the date of the notice. The owner or operator shall provide proof of the completion of all notice requirements to the Commissioner within ten (10) days following conclusion of the public notice procedures. The Commissioner will also, in response to a request or at his own discretion, hold a public hearing whenever such a hearing might clarify one or more issues concerning a closure plan. The owner or operator, as provided for in Rule 0400-12-01-.07(7)(e) and as prepared and required by the Commissioner, will give public notice of the hearing at least 30 days before it occurs. (Public notice of the hearing may be given at the same time as notice of the opportunity for the public to submit written comments, and the two notices may be combined.) <b>The Commissioner will approve, modify, or disapprove the plan within 90 days of its receipt.</b> If the Commissioner does not approve the plan he shall provide the owner or operator with a detailed written statement of reasons for the refusal and the owner or operator must modify the plan or submit a new plan [four (4) copies] for approval within 30 days after receiving such written statement. The Commissioner will approve or modify this plan in writing within 60 days. If the Commissioner modifies the plan, this modified plan becomes the approved closure plan. The Commissioner must assure that the approved plan is consistent with subparagraphs (b) through (f) of this paragraph and the applicable requirements of paragraph (6) and subparagraphs (10)(h), (11)(i), (12)(i),(13)(k), (14)(k), (15)(l), (16)(l), (17)(e), and (30)(c) of this rule. A copy of the modified plan with a detailed statement of reasons for the modifications must be mailed to the owner or operator.		Approve/Deny Closure Plan within 90 days of receipt

<p>HW - Interim Status Facilities</p>	<p>0400-12-01-.05(7)(h)6.(i) - Page 39</p>	<p>0400-12-01-.05(7)(h)6.(i) Post-closure Care and Use of Property 0400-12-01-.05(7)(h)6.(i) Post-closure Plan; Amendment of Plan 6. The Commissioner will provide the owner or operator and the public, through a newspaper notice, published by the owner or operator, as provided for in Rule 0400-12-01-.07(7)(e) and as prepared and required by the Commissioner, the opportunity to submit written comments on the post-closure plan and request modifications to the plan no later than 30 days from the date of the notice. He will also, in response to a request or at his own discretion, hold a public hearing whenever such a hearing might clarify one or more issues concerning a post closure plan. The owner or operator will give public notice, as provided for in Rule 0400-12-01-.07(7)(e) and as prepared and required by the Commissioner, of the hearing at least 30 days before it occurs. (Public notice of the hearing may be given at the same time as notice of the opportunity for the public to submit written comments, and the two notices may be combined.) The owner or operator shall provide proof of the completion of all notice requirements to the Commissioner within ten (10) days following conclusion of the public notice procedures. <b>The Commissioner will approve, modify, or disapprove the plan within 90 days of its receipt.</b> If the Commissioner does not approve the plan he shall provide the owner or operator with a detailed written statement of reasons for the refusal and the owner or operator must modify the plan or submit a new plan (four (4) copies) for approval within 30 days after receiving such written statement. The Commissioner will approve or modify this plan in writing within 60 days. If the Commissioner modifies the plan, this modified plan becomes the approved post-closure plan. The Commissioner must ensure that the approved post-closure plan is consistent with subparagraphs (h) through (k) of this paragraph. A copy of the modified plan with a detailed statement of reasons for the modifications must be mailed to the owner or operator.</p>		<p>Commissioner has 90 days to approve, modify/deny Post Closure Care Plan</p>
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HWM Individual Facilities	- 0400-12-01-.07(1)(b)7. Page 3	Owners/operators of surface impoundments, land treatment units, and waste piles closing by removal or decontamination standards under Rule 0400-12-01-.05(7)(b) must obtain a post-closure permit unless they can demonstrate to the Commissioner that the closure meets the standards for closure by removal or decontamination in Rule 0400-12-01-.06(11)(i), (12)(i) or (13)(k)5 respectively. The demonstration may be made in the following ways: (i) If the owner/operator has submitted a Part B application for a post-closure permit, the owner/operator may request a determination, based on information contained in the application, that closure by Rule 0400-12-01-.06 removal standards were met. If the Commissioner believes that Rule 0400-12-01-.06 standards were met, he/she will notify the public of this proposed decision, allow for public comment, and reach a final determination according to the procedures in part 8 of this subparagraph. See 0400-12-.01(1)(b)8.ii - 90 days from end of Public Notice and Comment period to approve or deny application. (see below)		Commissioner has 90 days after public notice and comment period to approve or deny post closure permit
HWM Individual Facilities	- 0400-12-01-.07(1)(b)(8)ii – Page 4	The Commissioner will determine whether the Rule 0400-12-01-.05 closure met Rule 0400-12-01-.06 closure by removal or decontamination requirements within 90 days of its receipt. If the Commissioner finds that the closure did not meet the applicable Rule 0400-12-01-.06 standards, he/she will provide the owner/operator with a written statement of the reasons why the closure failed to meet Rule 0400-12-01-.06 standards. The owner/operator may submit additional information in support of an equivalency demonstration within 30 days after receiving such written statement. The Commissioner will review any additional information submitted and make a final determination within 60 days.		Commissioner has 90 days from receipt of complete of clean closure report to approve or deny closure
HWM Individual Facilities	- 0400-12-01-.07(7)(b)1. Page 70	Review of the Permit Application - The Commissioner shall review every permit application for completeness. Upon completing the review, the Commissioner shall notify the applicant in writing whether the application is complete. For new facilities, the Commissioner shall complete his review and issue this notice within 45 days after receipt of the Part B permit application. If the application is incomplete, the Commissioner shall list the information necessary to make the application complete. When the application is for an existing facility, the Commissioner shall specify in the notice of deficiency a date for submitting the necessary information. The Commissioner shall notify the applicant that the application is complete upon receiving this information. After the application is completed, the Commissioner may request additional information from an applicant but only when necessary to clarify, modify, or supplement previously submitted material. Requests for such additional information will not render an application incomplete.	Completeness Review of Part B application for new facilities within 45 days of receipt.	
HWM Individual	- 0400-12-01-.07(7)(c)5.(i)	(c) Draft Permits - 5. (i) For new facilities, except as provided in subpart (ii) of this part, the Commissioner shall issue the notice of intent to deny or the draft	Commissioner must issue	

Facilities	Page 71	permit within 45 days after notifying the applicant that his application was complete (see part (b)1 of this paragraph).	denial letter within 45 days of complete application	
HWM Individual Facilities	- 0400-12-01-.07(7)(i)1. Page 78	Final Permit Decision – 1. After the close of the public comment period under subparagraph (e) of this paragraph on a draft permit (including a notice of intent to deny a permit), the Commissioner as set forth in T.C.A. §68-212-108(a) shall issue a final permit decision (or a decision to deny a permit for the active life of a hazardous waste management facility or unit under paragraph (6) of this rule). <b>For new facilities, this final decision shall be issued within 60 days after the close of the comment period.</b> The Commissioner shall notify the applicant and each person who has submitted written comments or requested notice of the final permit decision. For the purposes of this subparagraph, a final permit decision means a final decision to issue, deny, modify, revoke and reissue, or terminate a permit. 2. A final permit decision (or a decision to deny a permit for the active life of a hazardous waste management facility or unit under paragraph (6) of this rule) shall become effective 30 days after the date of the service of notice of the decision under part 1 of this subparagraph unless a different date is specified in the decision or review is requested on the permit under subparagraph (k) of this paragraph.		60 days to approve/deny new permit application after public comment period ends
HWM Individual Facilities	- Rule 0400-12-01-.07(7)(k) - Page 79	If, in his final permit decision under subparagraph (i) of this paragraph, the Commissioner denied the permit or issued it subject to conditions with which the permit applicant disagrees, the applicant may appeal the decision to the Board as set forth in T.C.A. §68-212-113(a)2 and (b). If the Commissioner fails to take any action on a permit application within 45 days after it was submitted to him/her or fails to meet the time limits imposed by parts (b)1, (c)5, and (i)1 of this paragraph, the permit applicant may appeal to the Board as set forth in T.C.A. §68-212-113(a)3 and (b).	Allows appeal to the Board if Commissioner does not act within specific time frames	

<p>HWM Individual Facilities</p>	<p>- 0400-12-01-.07(8)(a)12. Page 81</p>	<p>Conditions Applicable to all Permits [40 CFR 270.30] The following conditions apply to all permits, and shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to this subparagraph must be included in the permit. 12. Reporting Requirements Planned changes - The permittee shall give notice to the Commissioner as soon as possible of any planned physical alterations or additions to the permitted facility. Anticipated noncompliance - The permittee shall give advance notice to the Commissioner as soon as possible of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. For a new facility, the permittee may not commence treatment, storage, or disposal of hazardous waste; and for a facility being modified, the permittee may not treat, store, or dispose of hazardous waste in the modified portion of the facility except as provided in part (9)(c)5 of this rule, until:(I) The permittee has submitted to the Commissioner by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and (II) I. The Commissioner has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or II. Within 15 days of the date of submission of the letter in item (I) of this subpart, the permittee has not received notice from the Commissioner of his or her intent to inspect, prior inspection is waived and the permittee may commence treatment, storage, or disposal of hazardous waste.</p>		<p>Allows permittee to begin operation if Commissioner has not responded within 15 days.</p>
<p>HWM Individual Facilities</p>	<p>- 0400-12-01-.07(9)(a) - Page 87</p>	<p>0400-12-01-.07(9)(a) - Continuation, Transfer, Modification, Revocation and Reissuance, and Termination of Permits (a) Continuation of Expiring Permits When a permittee has made timely and sufficient application for a new permit, the existing permit does not expire until the Commissioner has made a final determination on issuance or denial and, in case the application is denied, or the terms of the new permit limited, until the last day for seeking review of the Commissioner's order or a later date fixed by order of the reviewing court. Page 87</p>		<p>Permit Shield - Existing Permit in Place until new Permit approved 180 days or less if approved</p>

HWM Individual Facilities	- 0400-12-01-.07(9)(c)5.(i)	(i) Class I Modifications - (I) Except as provided in item II of this subpart, the permittee may put into effect Class 1 modifications listed in Appendix I to Rule 0400-12-01-.07 in paragraph (10) of this rule under the following conditions: I. The permittee must notify the Commissioner concerning the modification by certified mail or other means that establish proof of delivery within 7 calendar days after the change is put into effect. This notice must specify the changes being made to permit conditions or supporting documents referenced by the permit and must explain why they are necessary. Along with the notice, the permittee must provide the applicable information required by paragraph (4), paragraph (5) and subparagraphs (1)(e) and (f) of this rule.		Completeness Review nor Time to Make a Decision are in the rule Effective upon submittal & Mailing list issuance
HWM Individual Facilities	- 0400-12-01-.07(9)(c)5.(ii)(VI) ) Page 94	Class II Modifications - (VI) I. <b>No later than 90 days after receipt of the notification request, the Commissioner must: A. Approve the modification request, with or without changes, and modify the permit accordingly; B. Deny the request; C. Determine that the modification request must follow the procedures in subpart (iii) of this part for Class 3 modifications for the following reasons:</b> (A) There is significant public concern about the proposed modification; or (B) The complex nature of the change requires the more extensive procedures of Class 3; D. Approve the request, with or without changes, as a temporary authorization having a term of up to 180 days; or E. Notify the permittee that he or she will decide on the request within the next 30 days II. If the Commissioner notifies the permittee of a 30-day extension for a decision, the Commissioner must, no later than 120 days after receipt of the modification request: A. Approve the modification request, with or without changes, and modify the permit accordingly; B. Deny the request; C. Determine that the modification request must follow the procedures in subpart (iii) of this part for Class 3 modifications for the following reasons: (A) There is significant public concern about the proposed modification; or (B)The complex nature of the change requires the more extensive procedures of Class 3; or D. Approve the request, with or without changes, as a temporary authorization having a term of up to 180 days. III. If the Commissioner fails to make one of the decisions specified in subitem II of this item by the 120th day after receipt of the modification request, the permittee is automatically authorized to conduct the activities described in the modification request for up to 180 days, without formal Department action. The authorized activities must be conducted as described in the permit modification request and must be in compliance with all appropriate standards of Rule 0400-12-01-.05. If the Commissioner approves, with or without changes, or denies the modification request during the term of the temporary or automatic authorization provided for in subitem (ii)(VI) I, II or III of this item, such action cancels the temporary or automatic authorization. IV. A. In the case of an		90 days to approve or deny Class II Modification

		<p>automatic authorization under subitem III of this item, or a temporary authorization under section I D or II D of this item, if the Commissioner has not made a final approval or denial of the modification request by the date 50 days prior to the end of the temporary or automatic authorization, the permittee must within seven days of that time send a notification to persons on the facility mailing list, and make a reasonable effort to notify other persons who submitted written comments on the modification request, that: (A) The permittee has been authorized temporarily to conduct the activities described in the permit modification request, and (B) Unless the Commissioner acts to give final approval or denial of the request by the end of the authorization period, the permittee will receive authorization to conduct such activities for the life of the permit. B. If the owner/operator fails to notify the public by the date specified in section A of this subitem, the effective date of the permanent authorization will be deferred until 50 days after the owner/operator notifies the public. V. Except as provided in subitem VII of this item, if the Commissioner does not finally approve or deny a modification request before the end of the automatic or temporary authorization period or reclassify the modification as a Class 3, the permittee is authorized to conduct the activities described in the permit modification request for the life of the permit unless modified later under subparagraph (c) of this paragraph. The activities authorized under this subitem must be conducted as described in the permit modification request and must be in compliance with all appropriate standards of Rule 0400-12-01-.05. VI. In making a decision to approve or deny a modification request, including a decision to issue a temporary authorization or to reclassify a modification as a Class 3, the Commissioner must consider all written comments submitted to the Department during the public comment period and must respond in writing to all significant comments in his or her decision. VII. With the written consent of the permittee, the Commissioner may extend indefinitely or for a specified period the time periods for final approval or denial of a modification request or for reclassifying a modification as a Class 3.</p>		
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<p>HWM Individual Facilities</p>	<p>- Rule 0400-12-01-.07(9)(c)(5)(iii) Page 97</p>	<p>(j) Class 3 Modifications - (I) Class 3 Modifications - For Class 3 modifications listed in Appendix I to Rule 0400-12-01-.07 in paragraph (10) of this rule, the permittee must submit a modification request to the Commissioner that: I. Describes the exact change to be made to the permit conditions and supporting documents referenced by the permit; II. Identifies that the modification is a Class 3 modification; III. Explains why the modification is needed; and IV. Provides the applicable information required by paragraph (4), paragraph (5) and subparagraphs (1)(e), (f) and (j) of this rule. (II) The permittee must send a notice of the modification request, including the actual dates of the public comment period, to all persons on the facility mailing list maintained by the Commissioner and to the appropriate units of State and local government as specified in items (7)(e)3(i)(II) through (V) of this rule and must publish this notice in a local newspaper of general circulation. This notice must be mailed and published within seven days before or after the date of submission of the modification request, and the permittee must provide to the Commissioner evidence of the mailing and publication. The notice must include: I. Announcement of a 60-day comment period, and a name and address of a Department contact to whom comments must be sent; II. Announcement of the date, time, and place for a public meeting on the modification request, in accordance with item (IV) of this subpart; III. Name and telephone number of the permittee's contact person; IV. Name and telephone number of a Department contact person; V. Location where copies of the modification request and any supporting documents can be viewed and copied; and VI. The following statement: "The permittee's compliance history during the life of the permit being modified is available from the Department contact person." (III) The permittee must place a copy of the permit modification request and supporting documents in a location accessible to the public in the vicinity of the permitted facility. (IV) The permittee must hold a public meeting no earlier than 15 days after the publication of the notice required in item (II) of this subpart and no later than 15 days before the close of the 60-day comment period. The meeting must be held to the extent practicable in the vicinity of the permitted facility. (V) The public shall be provided at least 60 days to comment on the modification request. The comment period will begin on the date the permittee publishes the notice in the local newspaper. Comments should be submitted to the Department contact identified in the notice. (VI) After the conclusion of the 60-day comment period, the Commissioner must grant or deny the permit modification request according to the permit modification procedures of paragraph (7) of this rule, with the exception of subparagraph (a). In addition, the Commissioner must consider and respond to all significant written comments received during the 60-day comment period. (VII) Public</p>		<p>The Commissioner shall after the end of 60 day public comment period, follow the permit modification procedures of paragraph .07(7).</p>
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		Notice shall be provided by the permittee in accordance with subparagraph (7)(e) of this rule for the draft permit modification and the final permit modification.		
HWM Individual Facilities	- 0400-12-01-.07(9)(c)5.(x)(III) - Page 102	Combustion Permit Modification - If the Commissioner does not approve or deny the request within 90 days of receiving it, the request shall be deemed approved. The Commissioner may, at his or her discretion, extend this 90 day deadline one time for up to 30 days by notifying the facility owner or operator.		90 days to approve/deny combustion permit modification
HWM Individual Facilities	- 0400-12-01-.08(1)(i) Page 5	1. The following documents, when submitted separately, must be reviewed and the applicant notified within the following time frames: (i) Hydrogeologic Report - 180 days (Assessment Plan, Sampling and Analysis Plans, Groundwater Annual Reports, and Groundwater Monitoring Plan); (ii) Closure Plan - 180 days; (iii) Post-Closure Plan - 180 days; (iv) Review of Part A Application for Completeness - 45 days (v) Initial Review of Part B Application - 180 days Class 3 Permit Modifications (vi) Initial Review of Class 1 and 11 -Modification 60 days	Part A Application Completeness Review - 45 days, Part B Application Completeness Review 180 days,	Hydrogeologic Report, Assessment Plan, Sampling & Analysis Plans, Ground Water Annual Reports, Ground Water Monitoring Plan - 180 days to review, Closure Plan, Post Closure Plan - 180 days; Class 1 Modifications 60 days

<p>HWM Individual Facilities</p>	<p>- 0400-12-01- .09(2), Page 75</p>	<p>Solid Waste Military Munitions - Reinstatement of exemption. If any waste military munition facility loses its exemption under subpart 1(i) of this subparagraph, an application may be filed with the Commissioner for reinstatement of the exemption from hazardous waste transportation regulation with respect to such munition as soon as the munition is returned to compliance with the conditions of subpart 1(i) of this subparagraph. If the Commissioner finds that reinstatement of the exemption is appropriate based on factors such as the transporter's provision of a satisfactory explanation of the circumstances of the violation or a demonstration that the violations are not likely to recur, the Commissioner may reinstate the exemption under Solid Waste Munitions - subpart 1(i) of this subparagraph. If the Commissioner does not take action on the reinstatement application within 60 days after receipt of the application, then reinstatement shall be deemed granted, retroactive to the date of the application. However, the Commissioner may terminate a conditional exemption reinstated by default in the preceding sentence if the Commissioner finds that reinstatement is inappropriate based on factors such as the transporter's failure to provide a satisfactory explanation of the circumstances of the violation or failure to demonstrate that the violations are not likely to recur. In reinstating the exemption under subpart 1(i) of this subparagraph, the Commissioner may specify additional conditions as are necessary to ensure and document proper transportation to protect human health and the environment.</p>		<p>Solid Waste Munitions - reinstatement of exemption if Commissioner does not act within 60 days</p>
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HWM Individual Facilities	- 0400-12-01-.07(11)	Remedial Action Plan - Special Permit under Rule 0400-12-01-.07 11 - Begins at page 114		
New* Commercial HW Permits *0400-12-02-.01(2)(a)	0400-12-02-.02(3)(d)1. Page 6	Review of the Permit Application - 1. The commissioner shall review every permit application for completeness. Upon completing the review, the commissioner shall notify the applicant in writing whether the application is complete. <b>The commissioner shall complete his review and issue this notice within 45 days after receipt of the Part B permit application.</b> If the application is incomplete, the commissioner shall list the information necessary to make the application complete. The commissioner shall notify the applicant that the application is complete upon receiving this information. After the application is completed, the commissioner may request additional information from an applicant but only when necessary to clarify, modify, or supplement previously submitted material. Requests for such additional information will not render an application incomplete. The commissioner shall provide copies of all such notices of deficiency and requests for information to all appropriate local community officials promptly upon issuance.	Completeness review within 45 days of receipt of New HW Commercial Permit Application	
New Commercial HW Permits	0400-12-02-.02(3)(e)5.(i) Page 7	5. (i) Draft Permit Decision - <b>Except as provided in subpart (ii) of this part, the commissioner shall issue the notice of intent to deny or issue the draft permit within 45 days after notifying the applicant that his application was complete (see part (d)1 of this paragraph).</b>		Commissioner required to issue initial approval or denial of permit within 45 days of receipt of complete new application
New Commercial HW Permits	0400-12-02-.02(3)(l)1. Page 11 & 12	Final Permit Decision - <b>1. Within 90 days after the close of the public comment period (under subparagraph (g) of this paragraph) on a draft permit (including a notice of intent to deny a permit), the commissioner shall issue a final permit decision.</b> In reaching such a final decision, the commissioner shall consider any reports submitted from local communities as set forth in § 68-212-108(f) of the Act. For the purposes of this subparagraph, a final permit decision means a final decision to issue, deny, modify, revoke and reissue, or terminate a permit.		Commissioner required to issue final approval/denial of a new permit application within 90 days of closure of the public notice/public comment period

WRD – DWS	0400-45-01-.05(9)(f)13 Page 14	<b>The Division of Water Supply will be responsible for reviewing the application for certification and shall have up to 60 days from the receipt of the complete application to make a written response.</b> Units of local government will not be certified to review projects involving state or federal funds, raw water pump stations, new water sources, treatment facilities, sludge handling facilities, or any project designed by the staff of the local government. Any unit of local government which receives certification for plans review shall submit one copy of any plan documents it has approved to the Division of Water Supply. This shall be done within 10 days of the local government's approval. The commissioner may periodically review the unit of local government's plans review program and prescribe changes as deemed appropriate. The Division of Water Supply may execute a written agreement with a unit of local government which has received plans review certification. Failure to comply with the terms of the agreement may result in revocation of the plans review certification.		Division has 60 days to approve/deny from application receipt to delegate authority for plan review
WRD - DWS	0400-45-01-.32(2)(b)	The Department shall complete its review of plan documents within thirty days of the receipt of plans containing sufficient information to allow the Department to make the necessary determinations. Fees will not be refunded for projects that are not approved or that are withdrawn voluntarily by the applicant. Plans resubmitted within 30 days of an initial denial will be reviewed without additional fees provided the scope of the project has not changed.		30 days to approve or deny plans
WRD - DWS	0400-45-01-.32(2)(b) Page 157	<b>The Department shall complete its review of plan documents within thirty days of receipt of plans containing sufficient information to allow the Department to make the necessary determinations.</b> Fees will not be refunded for projects that are not approved or that are withdrawn voluntarily by the applicant. Plans resubmitted within 30 days of an initial denial will be reviewed without additional fees provided the scope of the project has not changed.		Division has 30 days to approve/deny complete set of plans
WRD - UIC	0400-45-06-.15(6) Page 73	Class I UIC Wells - 90 days for completeness review, 180 days for new well or existing well permit or 90 days for renewal or abandonment	90 day completeness review	90 days for permit decision
WRD - UIC	0400-45-06-16(6) - Page 74	Class II UIC Wells - 60 days for completeness review, 60 days to approve/deny permit	60 day completeness review	60 days for permit decision
WRD - UIC	0400-45-06-.17(6) Page 76	Class III UIC Wells - 90 days for completeness review, 60 days to approve/deny well	90 day completeness review	90 days for permit decision

WRD – UIC	0400-45-06-.18(3) Page 77	Class V UIC Wells - 60 days for completeness review, 60 days to approve/deny well	60 day completeness review	90 days for permit decision
WRD – GWP	1200-01-06-.21(1)(d)	Conventional, chamber, EPS and large diameter Graveless pipe subsurface sewage disposal systems permit application processing, making inspections and other regulatory activities relative to the construction of new conventional, chamber and large diameter Graveless pipe subsurface sewage disposal systems and modification or expansion of existing systems because of additions resulting in added wastewater flow, but not for repair of malfunctioning systems. Permits shall be granted or denied within forty-five (45) days of receipt of all necessary information.		Once application complete, 45 days to make permit decision
WRD - GWP	1200-01-06-.21(1)(e)	Alternative subsurface sewage disposal systems permit application up to one thousand (1,000) gpd. design flow processing (excluding chamber, EPS and large diameter Graveless pipe systems), making inspections and other enforcement activities relative to the construction of alternative subsurface sewage disposal systems and modification or expansion of existing systems because of additions resulting in added wastewater flow, but not for repair of malfunctioning systems. Permits shall be granted or denied within forty-five (45) days of receipt of all necessary information. Experimental subsurface sewage disposal systems permit application processing, making inspections and other enforcement activities relative to the construction of experimental subsurface sewage disposal systems and expansion of systems because of additions resulting in added wastewater flow, but not for repair of malfunctioning systems. Permits shall be granted or denied within forty-five (45) days of receipt of all necessary information.		Once application complete, 45 days to make permit decision
WRD - GWP	1200-01-06-.21(1)(i)	installer and pumper Permits – Enforcement activities relative to sewage system installers and septic tank pumpers. Permits shall be granted or denied within forty-five (45) days of the date of application.		Once application complete, 45 days to make permit decision
WRD - GWP	1200-01-06-.21(1)(n)	Domestic Septage Disposal Site Permit - Permit application processing, making inspections and other regulatory activity relative to domestic septage disposal sites, Permits shall be granted or denied within forty-five (45) days of receipt of all necessary information		Once application complete, 45 days to make permit decision

WRD – Dams	1200-5-7-.04(1)(d) Page 5	The Commissioner shall examine the application for a certificate of approval and cause an on-the-ground inspection to be made of the existing or proposed dam or reservoir and downstream floodplain. He shall then, within sixty (60) days of the receipt of the completed application for a certificate of approval, either grant the certificate or disapprove it in writing, stating the reasons for disapproval. In the case of applications for construction certificates, applicants who fail to submit, within 18 months from the date of the original application submittal, plans or other detailed information required by the Commissioner must refile an application and plans review fee to obtain a construction certificate.		60 days to approve or deny Safe dam Certificate
WRD - NPDES Pre-Treatment	1200-4-14-.06(1)(d) - Page 10	1. Under receipt of a complete request, the Division will consider the submission, any additional evidence that may have been requested, and any other available information relevant to the request. The Division will then make a written determination of the applicable subcategory and state the reasons for the determination. 2. The Division shall forward the determination described in this paragraph to the EPA Water Management Division Director who may make a final determination. The EPA Water Management Division Director may waive receipt of these determinations. If the EPA Water Management Division Director does not modify the Division's decision within 60 days after receipt thereof, or if the EPA Water Management Division Director waives receipt of the determination, the Division's decision is final. 3. Where the EPA Water Management Division Director elects to modify the Division's decision, the EPA Water Management Division Director's decision will be final. 4. The Division shall send a copy of the determination to the affected Industrial User and the WWF.		Division approval within 60 days of recommendation for approval to EPA Water Management Division Director and approval or EPA waiver to act