



Department of
**Environment &
Conservation**

**Guidance and Policy
Board Briefing – April 5, 2023
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Guidance and Policy

After the disclaimer, the following is included in the draft Guidance and Policy documents addressed today:

THIS DOCUMENT IS NOT REGULATION. IT DOES NOT HAVE THE FORCE AND EFFECT OF LAW. IT IS INTENDED ONLY TO PROVIDE INFORMATION CONCERNING EXISTING STATUTORY AND REGULATORY OBLIGATIONS. GUIDANCE OR POLICY IS NOT TO BE CITED AS THE BASIS FOR ENFORCEMENT ACTIONS, PERMIT DENIALS, INFORMATION REQUESTS, ETC.

New Draft Guidance for Clarification of the Definition of Recovered Materials

The New Draft Guidance for Clarification of the Definition of Recovered Materials has been prepared to provide clarification on the definition of recovered materials. The draft guidance was developed with attorneys of the TDEC Office of General Council.

New Draft Guidance for Clarification of the Definition of Recovered Materials (continued)

Barring any unexpected issues, the DSWM intends on:

1. Posting this draft guidance on the TDEC web page and accepting comments for 30 days.
2. Reviewing any comments with an attorney(s) (TDEC Office of General Counsel), making appropriate changes, and then finalizing the guidance.

Questions or Comments?

New Draft Standard Operating Procedure (SOP)- Processing Post-closure Plan Certifications and Long-term Custodial Care Documents

The new draft Standard Operating Procedure - Processing Post-closure Plan Certifications and Long-term Custodial Care Documents provides the procedures for DSWM employees to assist in the processing, reviewing, and evaluating the certification verifying that post-closure has been completed in accordance with the post-closure care plan and the adequacy of proposed Long-term Custodial Care Documents.

This SOP provides the procedures for DSWM Staff to follow. The draft SOP has been reviewed by an attorney with the TDEC Office of General Counsel.

Draft Updated Standard Operating Procedure (SOP) - Unlawful Solid Waste Disposal Complaint Investigations - Policy

The draft Standard Operating Procedure (SOP) - Unlawful Solid Waste Disposal Complaint Investigations – Policy was updated based on audit comments to include:

- 1) Adding to the “Logging Information into WasteBin” Section of the SOP, and a timeframe for both logging initial complaints and closing a complaint after the related investigation is completed.
- 2) Adding into the SOP procedures for supervisory review of the complaint; and
- 3) Other very minor changes.

This SOP provides the procedures for DSWM staff to follow.

Draft Updated Standard Operating Procedure (SOP) - Inspection Frequency of Solid Waste Facilities - Policy

The draft Standard Operating Procedure (SOP) - Inspection Frequency of Solid Waste Facilities - Policy was updated to include:

- 1) Define operating status for facilities;
- 2) Inspection frequency for Recovered Materials Processing Facilities, Land Application Facilities, Tier II/III Composting Facilities, Never Operating Facilities, and Closed Facilities.

This SOP provides the inspection frequencies for Solid Waste facilities.

New Draft SOP and Two Updated Draft SOPs

Barring any unexpected issues, The DSWM intends on finalizing all three policies. The SOP - Inspection Frequency of Solid Waste Facilities – Policy would become effective on July 1, 2023 at the start of the new Tennessee Fiscal Year.

Questions or Comments?

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THANK YOU!!!