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Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Underground Storage Tanks and Solid Waste Disposal Control Board
Division:	Land Protection
Contact Person:	Nickolaus Lytle
Address:	Davy Crockett Tower 500 James Robertson Parkway Nashville, Tennessee
Zip:	37243
Phone:	(615) 854-4581
Email:	Nickolaus.Lytle@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator
Address:	Davy Crockett Tower, 6th Floor 500 James Robertson Parkway Nashville, Tennessee 37243
Phone:	615-532-0200
Phone:	Hearing-impaired callers may use the TN Relay Service 1-800-848-0298
Email:	Ask.tdec@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Conference Room 1-A
Address 2:	Davy Crockett Tower 500 James Robertson Parkway
City:	Nashville, Tennessee
Zip:	37243
Hearing Date:	09/29/2026
Hearing Time:	12:00 PM ☒ CST/CDT ☐ EST/EDT

Alternate Hearing Option

Method 1:	You may also join electronically. Join by going to this link: https://tn.webex.com/tn/j.php?MTID=ma231a159e2768904bc5c1ae11cc323ad Meeting number (access code): 2307 289 3111 Meeting password: SolidWaste (76543927 when dialing from a phone or video system)
Method 2:	Join by phone +1 615-747-4911 Webex Call-In +1-415-655-0001 US Toll

Access code: 2307 289 3111

Global call-in numbers are available online at:

[Global call-in numbers](#)

Join from a video system or application

Dial [23072893111@tn.webex.com](tel:23072893111)

You can also dial 173.243.2.68 and enter the meeting number

Additional Hearing Information:

If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Ellen Sherril at (615) 532-0105 or tdec.titlevi@tn.gov for more information. Si le resulta difícil leer, hablar o entender inglés, TDEC puede proporcionar servicios de traducción o interpretación sin cargo. Comuníquese con Ellen Sherril at (615) 532-0105 o tdec.titlevi@tn.gov para obtener más información.

The rule amends paragraph (5) of Rule 0400-11-01-.07 to increase the facility inspection fee to \$0.70 per ton of municipal solid waste disposed of at Class I municipal solid waste disposal facilities and incinerators. All Tennessee permitted Class I solid waste disposal facilities are currently assessed a facility inspection fee of \$0.35 cents per ton of waste accepted.

An initial set of draft rules has been prepared for public review and comment. The draft rules may be accessed for review at <https://www.tn.gov/environment/ppo-public-participation/ppo-public-participation/ppo-waste>.

Oral or written comments are invited at the hearing. In addition, written comments may be submitted prior to or after the public hearing to: Tennessee Department of Environment and Conservation, Division of Solid Waste Management Attention: Nickolaus Lytle; Davy Crockett Tower, 7th Floor, 500 James Robertson Parkway, Nashville, Tennessee 37243; or Nickolaus.Lytley@tn.gov. However, such written comments must be received by 4:30 PM CST, September 29, 2026, to assure consideration. For further information, please contact Nickolaus Lytle at the above address or by e-mail at Nickolaus.Lytley@tn.gov.

Revision Type (check all that apply):

- ☒ Amendment
☐ New
☐ Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0400-11-01	Solid Waste Processing and Disposal
Rule Number	Rule Title
0400-11-01-.07	Fee System for Non-Hazardous Disposal and Certain Non-Hazardous Processors of Solid Waste.

Place substance of rules and other info here. Please be sure to include a detailed explanation of the changes being made to the listed rule(s). Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/publications/services/rulemaking-guidelines>.

Chapter 0400-11-01
Solid Waste Processing and Disposal

Amendments

Paragraph (5) of Rule 0400-11-01-.07 Fee System for Non-Hazardous Disposal and Certain Non-Hazardous Processors of Solid Waste is amended by deleting it in its entirety and substituting instead the following:

- (5) Facility Inspection Fee - Any person who has a municipal solid waste disposal facility permit or incinerator permit that receives waste is assessed a facility inspection fee of \$0.70 on each ton of municipal solid waste received. This fee shall be calculated in the same manner and paid at the same time as the surcharge in Rule 0400-11-01-.08.

Authority: T.C.A. §§ 4-5-201, et seq.; 68-203-101, et seq.; 68-211-101, et seq.; and 68-211-801, et seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: July 22, 2026

Signature: 

Name of Officer: James S. Sanders

Title of Officer: Director of the Division of Land Protection

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Filed with the Department of State on: _____

Tre Hargett
Secretary of State