RULES
OF
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
CHAPTER 0400-12-01
HAZARDOUS WASTE MANAGEMENT
Revision “January 4, 2018”

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  3. Closure and/or Post-closure Letter of Credit
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  7. Financial Test and Corporate Guarantee for Closure and/or Post-closure Care
(h) Use of Multiple Financial Mechanisms [40 CFR 265.143 and 40 CFR 265.145]
(j) Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care [40 CFR 265.146]
(k) Substituting Alternate Financial Assurance
(l) Procedures for Forfeiture of Financial Assurance
(m) Management of Collateral Filed With the State
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  2. Coverage for Nonsudden Accidental Occurrences
3. Request for Variance
4. Adjustments by the Commissioner
5. Period of Coverage
6. Financial Test for Liability Coverage
7. Guarantee for Liability Coverage
8. Letter of Credit for Liability Coverage
9. Surety Bond for Liability Coverage
10. Trust Fund for Liability Coverage
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(o) Incapacity of Owners or Operators, Guarantors, or Financial Institutions [40 CFR 265.148]

(9) Use and Management of Containers [40 CFR 265 Subpart I]
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   (b) Condition of Containers [40 CFR 265.171]
   (c) Compatibility of Waste with Container [40 CFR 265.172]
   (d) Management of Containers [40 CFR 265.173]
   (e) Inspections [40 CFR 265.174]
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   (c) Design and Installation of New Tank System or Components [40 CFR 265.192]
   (d) Containment and Detection of Releases [40 CFR 265.193]
   (e) General Operating Requirements [40 CFR 265.194]
   (f) Inspections [40 CFR 265.195]
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   (i) Special Requirements for Ignitable or Reactive Waste [40 CFR 265.198]
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(b) Definitions of Terms [40 CFR 264.141]
(c) Cost Estimate for Closure [40 CFR 264.142]
(d) Financial Assurance for Closure [40 CFR 264.143]
(e) Cost Estimate for Post-closure Care [40 CFR 264.144]
(f) Financial Assurance for Post-closure Care [40 CFR 264.145]
(g) Mechanism for Financial Assurance [40 CFR 264.143 and 264.145]
1. Closure and/or Post-closure Trust Fund
2. Surety Bond Guaranteeing Payment into a Closure and/or Post-closure Trust Fund
3. Surety Bond Guaranteeing Performance of Closure and/or Post-closure
4. Closure and/or Post-closure Letter of Credit
5. Closure and/or Post-closure Insurance
6. Personal Bond Supported by Securities
7. Personal Bond Supported by Cash
8. Financial Test and Corporate Guarantee for Closure and/or Post-closure Care
(h) Use of Multiple Financial Mechanisms
(i) Use of a Financial Mechanism for Multiple Facilities
(j) Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care [40 CFR 264.146]
(k) Substituting Alternate Financial Assurance
(l) Procedures for Forfeiture of Financial Assurance
(m) Management of Collateral Filed With the State
(n) Liability Requirements [40 CFR 264.147]
1. Coverage for Sudden Accidental Occurrences
2. Coverage for Nonsudden Accidental Occurrences
3. Request for Variance
4. Adjustments by the Commissioner
5. Period of Coverage
6. Financial Test for Liability Coverage
7. Guarantee for Liability Coverage
8. Letter of Credit for Liability Coverage
9. Surety Bond for Liability Coverage
10. Trust Fund for Liability Coverage
11. Reserved [40 CFR 264.147(k)]

(o) Incapacity of Owners or Operators, Guarantors, or Financial Institutions [40 CFR 264.148]

1. Trust Agreement for a Trust Fund
2. A Surety Bond Guaranteeing Payment into a Trust Fund
3. Surety Bond Guaranteeing Performance of
   Closure and/or Post-closure Care
4. Irrevocable Standby letter of Credit
   (For Closure and/or Post-closure Requirements)
5. Certificate of Insurance for Closure and/or Post-closure Care
6. Letter from Chief Financial Officer
   (For Closure and/or Post-closure Costs only)
7. Letter from Chief Financial Officer (For Closure and/or Post-closure Care and Liability Coverage)
8. (i) Corporate Guarantee for Closure or Post-closure Care
    (ii) Guarantee for Liability Coverage
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11. Irrevocable Standby Letter of Credit (For Liability Requirements)
12. Payment Bond (Surety Bond)
13. (i) Trust Agreement
    (ii) Certification of Acknowledgment
14. (i) Standby Trust Agreement
    (ii) Certification of Acknowledgment
15. Personal Bond Supported by Securities
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(9) Use and Management of Containers [40 CFR 264 Subpart I]

(a) Applicability [40 CFR 264.170]
(b) Condition of Containers [40 CFR 264.171]
(c) Compatibility of Waste With Container [40 CFR 264.172]
(d) Management of Containers [40 CFR 264.173]
(e) Inspections 40 CFR [264.174]
(f) Containment [40 CFR 264.175]
(g) Special Requirements for Ignitable or Reactive Waste [40 CFR 264.176]
(h) Special Requirements for Incompatible Wastes [40 CFR 264.177]
(i) Closure [40 CFR 264.178]
(j) Air Emission Standards [40 CFR 264.179]

(10) Tank Systems [40 CFR 264 Subpart J]

(a) Applicability [40 CFR 264.190]
(b) Assessment of Existing Tank System’s Integrity [40 CFR 264.191]
(c) Design and Installation of New Tank System or Components [40 CFR 64.192]
(d) Containment and Detection of Releases [40 CFR 264.193]
(e) General Operating Requirements [40 CFR 264.194]
(f) Inspections [40 CFR 264.195]
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(h) Closure and Post-closure Care [40 CFR 264.197]
(j) Surveying and Recordkeeping [40 CFR 264.309] 0.06.196
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(17) Chemical, Physical, and Biological Treatment

(18) Underground Injection
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Explanatory Note

These rules are patterned after federal regulations promulgated by the EPA at 40 CFR Parts 260 through 40 CFR 270, 273, and 40 CFR 279. A parenthetical citation to each rule’s entry which contains the corresponding EPA citation.

NOTE: 1. When the 40 CFR citation is:
   a) Written as “RESERVED” the regulation is reserved in the CFR; and
   b) Written as “Reserved” the regulation exists in the CFR but is not adopted into the State regulations. The enforcement of such regulation is left to the discretion of EPA.