DISCLAIMER: This document is policy only and does not create legal rights or obligations. It is intended to provide the Department's Bureau of Environment staff guidance on how to apply decisions, procedures and practices pertaining to the internal operation or actions of the division. Decisions affecting the public, including the regulated community, in any particular case will be made applying applicable laws and regulations to the specific facts.

EFFECTIVE DATE: June 22, 2018

SIGNATURES:

[Signature]
Division Director

[Signature]
Drafter / Preparer

[Signature]
Drafter / Preparer
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SECTION 1: INTRODUCTION

The purpose of this Standard Operating Procedure (SOP) is to provide a consolidated reference document for use in the training and orientation of employees. This manual also serves as a useful reference tool for more experienced employees. The SOP identifies the technical information and procedural requirements for completing a Complaint Investigation of the unlawful disposal of solid waste. This SOP will delineate the required steps in the process, including responsible personnel, and approximate process milestones. Additional information includes statute and rule authorization, a process flow chart, and supporting documentation (when necessary). This SOP is only intended to describe routine conditions normally encountered with a Complaint Investigation of the unlawful disposal of solid waste. Additional processes and/or irregular conditions that could be involved with conducting a Complaint Investigation of the unlawful disposal of solid waste will be considered independently of this SOP. In such cases, the staff will consult with their supervisor and/or section manager and, as appropriate, the Deputy Director of Field Office Operations.
SECTION 2: STATUTORY AND REGULATORY AUTHORITY

Tennessee Statutory Authority

T.C.A. § 68-211-104 – Unlawful methods of disposal.

It is unlawful to:

(1) Place or deposit any solid waste into the waters of the state except in a manner approved by the department or the Tennessee board of water quality, oil and gas;

(2) Burn solid wastes except in a manner and under conditions prescribed by the department and the Tennessee air pollution control board;

(3) Construct, alter, or operate a solid waste processing or disposal facility or site in violation of the rules, regulations, or orders of the commissioner or in such a manner as to create a public nuisance; or

(4) Transport, process or dispose of solid waste in violation of this chapter, the rules and regulations established under this chapter or in violation of the orders of the commissioner or board.


This part does not apply to any private, natural person disposing waste generated in such natural person’s own household upon land owned by such natural person; provided, that such disposal does not create a public nuisance or a hazard to the public health; however, further provided, that after January 1, 2005, this section shall not exempt a private natural person from this part if that person deposits such household waste in a sinkhole.

Tennessee Regulatory Authority

Rule 0400-11-01-.02(1)(b)

The requirements of this rule apply as specified to operators of facilities in Tennessee. Except as otherwise provided in this rule, no facility can lawfully store, process, or dispose of solid waste unless the operator has a permit.
**SECTION 3: COMPLAINT INVESTIGATION PROCEDURES**

<table>
<thead>
<tr>
<th>STEP</th>
<th>RESPONSIBLE PERSON</th>
<th>ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>EFO Staff</td>
<td>Receive and enter complaint into WasteBin as shown in Section 4. Proceed to step 2.</td>
</tr>
<tr>
<td>2</td>
<td>EFO Staff</td>
<td>If there could be an immediate threat, or management directs, then the complaint must be investigated as soon as possible. <em>(See some situational examples and guidance when investigating sites located on private property in Appendix A.)</em> Otherwise, complaints should be investigated within 20 calendar days, if possible, with a maximum of 30 calendar days from the date a complaint is received. If possible talk with a person on site, and always take pictures for documentation. <strong>Is solid waste being disposed on site (Please see DEFINITIONS BOX on page 8 and the Division’s Storage of Solid Waste Incidental to Recycling, Reuse, Reclamation or Salvage GUIDANCE – pn136.?)</strong> If YES, go to step 3. If NO, go to step 8.</td>
</tr>
<tr>
<td>3</td>
<td>EFO Staff</td>
<td>IS THERE AN EXCLUSION UNDER RULE 0400-11-01-.02(1)(b)3 (e.g. on-site farming wastes, septic tank pumping, natural rock, dirt, stumps, pavement, concrete and rebar, brick rubble, etc.)? If YES, go to step 8. If NO, go to step 4.</td>
</tr>
<tr>
<td>4</td>
<td>EFO Staff</td>
<td>Is the site a business or rental property? If YES, send out the NOV #1 found in Wastebin, create a NRS Number for the site as shown in Section 6, upload documents into WasteBin as shown in Section 7, and close the complaint as shown in Section 5; then go to step 9. If NO, go to step 5.</td>
</tr>
<tr>
<td>5</td>
<td>EFO Staff</td>
<td>Is this a residence, and was the only household waste being disposed at the site generated onsite by the property owner (not a renter)? If YES, go to step 6. If NO, send NOV #1 found in Wastebin, create a site and NRS Number for the site as shown in Section 6, upload documents into WasteBin as shown in Section 7 and close the complaint as shown in Section 5, then go to step 9.</td>
</tr>
<tr>
<td>6</td>
<td>EFO Staff</td>
<td>Is solid waste being disposed in a sinkhole? If YES, send NOV #2 found in Wastebin, create a site and NRS Number for the site as shown in Section 6, upload documents into WasteBin as shown in Section 7, and close the complaint as shown in Section 5; then go to step 9. If NO, go to step 7.</td>
</tr>
</tbody>
</table>
**SWM-SWP-P-137- Unlawful Disposal Investigations - 062218**  
Standard Operating Procedure (SOP) - Unlawful Solid Waste Disposal Complaint Investigations

<table>
<thead>
<tr>
<th>STEP</th>
<th>RESPONSIBLE PERSON</th>
<th>ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>EFO Staff</td>
<td><strong>Is the disposal creating a public nuisance or a hazard to public health?</strong> If <strong>YES</strong>, send NOV #3 found in Wastebin, create a site and a NRS Number for the site as shown in Section 6, upload documents into WasteBin as shown in Section 7, and close the complaint as shown in Section 5; then go to step 9. If <strong>NO</strong>, go to step 8.</td>
</tr>
<tr>
<td>8</td>
<td>EFO Staff</td>
<td>No letter has to be sent. If there is a possible violation of another agency’s regulations then refer to the appropriate agency. Close the complaint as shown in Section 5 then no further action is required.</td>
</tr>
</tbody>
</table>

---

1 In the legal context, a public nuisance is an unreasonable interference with the rights of the general public. This means that any harm must be to the public (as opposed to a single neighboring landowner that calls in a complaint, for example) and include a demonstrable harm, such as a condition dangerous to public health or that would affect the public right of way.

Circumstances that may constitute a public nuisance include conduct that involves an interference with the public health or public safety that may extend beyond the property where the illegal dump is located. Factors at a site with the potential to be a public nuisance could include:

- Pooling water (e.g., in tires) that could cause a breeding ground for mosquitoes that carry disease
- Sanitary garbage that could attract rats and other wildlife that could carry disease (e.g., raccoons with rabies) or be dangerous (e.g., bears or coyotes)
- The waste is inherently toxic to people or animals, even in small amounts
- Aesthetics, odor, and/or noise

This is a very fact-specific inquiry in which the nature of the waste, location, surroundings, number of people in the area, etc., could play a part. The guidance included herein is merely meant to inform the inquiry and investigation at the site and offer factors to be taken into consideration. More importantly, the facts and details of the site need to be well documented. If a NOV is issued, it needs to include all the relevant supporting facts. It is not necessary to argue in the NOV that a public nuisance exists, but it is important to document the facts and details.

Therefore, any NOV issued for public nuisance must be approved by the Deputy Director of Field Office Operations.
<table>
<thead>
<tr>
<th>STEP</th>
<th>RESPONSIBLE PERSON</th>
<th>ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>EFO Staff</td>
<td>Does the NOV recipient request to close the solid waste in place under Rule 0400-11-01.04(8)(g)? If YES, then the Division must determine if the site geology, hydrology, waste types, quantities and other pertinent factors are such that closure in place, under Rule 0400-11-01.04(8)(g), would not pose a hazard to public health or the environment. The Division may also require monitoring of the site for unpermitted discharges to waters of the state as may be necessary to protect public health and the environment. Before allowing solid waste to be closed in place, discuss with the Deputy Director of Field Office Operations. If the Division determines that closure in place is allowable then send Closure in Place # 1 in Wastebin, upload documents into WasteBin as shown in Section 7, then go to step 10. If the Division determines that closure in place is not allowable then send Closure in Place # 2 in Wastebin, upload documents into WasteBin as shown in Section 7, then go to step 10. If NO, then go to step 10.</td>
</tr>
<tr>
<td>10</td>
<td>EFO Staff</td>
<td>Does the NOV recipient requests an extension to the compliance date? If YES, then the Environmental Field Office Manager (EFOM) may grant one extension and establish a new compliance date in an extension letter. (Additional extensions may only be approved after consultation with the Deputy Director of Field Office Operation). If an extension letter is issued, then upload the letter into WasteBin as shown in Section 7 and update the “Response Received” date for the NOV or the Closure in Place letter as shown in Section 8; then go to step 11. If NO, then go to step 11.</td>
</tr>
<tr>
<td>11</td>
<td>EFO Staff</td>
<td>Within 10 days of the compliance date in the NOV, Closure in Place, or extension letter, conduct a site visit. Is the violation(s) corrected? If YES, document observations in a RTC letter in Wastebin, upload documents into WasteBin as shown in Section 7, and update the “Response Received” date for the NOV, Closure in Place, or extension letter as shown in Section 8 and no further action is required (Closure in Place requires proof that an appropriate notice is put on the deed before the RTC letter can be sent). If NO, send the 2nd NOV found in Wastebin and upload documents into WasteBin as shown in Section 7, then go to step 12.</td>
</tr>
</tbody>
</table>
## SWM-SWP-P-137- Unlawful Disposal Investigations - 062218
### Standard Operating Procedure (SOP) - Unlawful Solid Waste Disposal Complaint Investigations

<table>
<thead>
<tr>
<th><strong>STEP</strong></th>
<th><strong>RESPONSIBLE PERSON</strong></th>
<th><strong>ACTIVITY</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>EFO Staff</td>
<td>Does NOV recipient attend the Compliance Review Meeting and agree to a compliance date <strong>OR</strong> the EFOM allow the NOV recipient to send in a letter agreeing to a new compliance date? If <strong>YES</strong>, send out Compliance Agreement letter found in Wastebin and input the information as shown in Section 7, then go to step 13. If <strong>NO</strong>, make another site visit then send 3rd NOV # 1 found in Wastebin to the recipient documenting the failure to attend the meeting or agree to a new compliance date, upload documents into WasteBin as shown in Section 7, update the “Response Received” date for the NOV or extension letter as shown in Section 8, and submit an Enforcement Action Request.</td>
</tr>
<tr>
<td>13</td>
<td>EFO Staff</td>
<td>Within 10 days after the new compliance date in the Compliance Agreement letter, conduct a site visit. <strong>Is the violation(s) corrected?</strong> If <strong>YES</strong>, document observations in a RTC letter in Wastebin, upload documents into WasteBin as shown in Section 7, and update the “Response Received” date for the Compliance Agreement letter, as shown in Section 8 and no further action is required (Closure in Place requires proof that an appropriate notice in the deed before the RTC letter can be sent). If <strong>NO</strong>, send 3rd NOV # 2 to the recipient documenting the failure to attend the meeting or agree to a compliance date, upload documents into WasteBin as shown in Section 7, update the “Response Received” date for the NOV or extension letter as shown in Section 8, and submit an Enforcement Action Request.</td>
</tr>
</tbody>
</table>

### DEFINITIONS BOX

“Solid waste disposal” means the process of permanently or indefinitely placing, confining, compacting, or covering solid waste.

T.C.A. § 68-211-110 states: *Disposal on own land. This part does not apply to any private, natural person disposing waste generated in such natural person’s own household upon land owned by such natural person; provided, that such disposal does not create a public nuisance or a hazard to the public health; however, further provided, that after January 1, 2005, this section shall not exempt a private natural person from this part if that person deposits such household waste in a sinkhole.*

**Notes:** Open burning is processing and only lawful under DSWM statute if authorized by the Division of Air Pollution Control (DAPC) and exempt under 0400-11-01-.02(1)(b)3.
SECTION 4: ENTERING A COMPLAINT INTO WASTEBIN

Open Wastebin and click on Complaints

Click on Add Complaint

Type in the following information at a minimum in the Complaint box (Blue Arrow): Date Received; Received by; How Received; Concerning; Assigned Date; and, Assigned To. Type in the following information at a minimum in the Location box (Green Arrow): County; and, Location. Type any available information in Complainant box (Yellow Arrow). Type in the description of the complaint in the Complaint Description and Writeup Box (Purple Arrow). When finished entering information, click on Create again to save (Red Arrow).
SECTION 5: CLOSING A COMPLAINT

The EFOM or his/her designees are to close complaints. Open Wastebin and click on Complaints. Open the complaint by clicking on the correct ID.

Enter the Date Investigated (Blue Arrow); Select "No Jurisdiction", "No Problem Found", “NOV”, “Referred to Another Agency”, OR “Corrected (No NOV)” in Status (Green Arrow); Document your observations in Status Detail (why there is no jurisdiction, no problem, NOV or referred to another agency – Yellow Arrow) then click on Apply Changes (Red Arrow). Request that the complaint be "Closed". The person closing the complaint will need to select the Date Closed (Purple Arrow) and then click on Apply Changes (Red Arrow).
SECTION 6: CREATE A SITE AND NRS NUMBER

**Items to know!**

1. If a Complaint yields a NOV, it must have an associated NRS Number.
2. A NRS Number must have a Site.
3. Therefore, in order to issue an NOV, you must either:
   a. Add an NRS to an existing Site; or
   b. Create a new Site, and add the NRS to it.

SECTION 6a: CREATING A SITE AND VERIFYING THAT A SITE DOES NOT ALREADY EXIST

The TDEC definition of a Site: a location, parcel, or other area of land that contains one or more permitted features, environmental features, facilities, enforcement locations, or any other items that may be of interest to TDEC. Sites are shared among all TDEC Divisions and Programs.

1. Login
2. Click “Sites, Facilities, Permits & Documents”
3. Make sure the “Sites” radio button is selected

4. Verify that the Site does not already exist. As Sites are shared by TDEC Divisions, often APC, DWR, or other Divisions have already created Sites for a location you are interested in, especially if it is a business that might have another TDEC permit. Sometimes DSWM Enforcement or someone else within DSWM has created a Site.

Example: A NOV is to be issued at All Star Recycling Inc. 460 Craighead St, Nashville TN. Urban sites are sometimes harder to verify than rural sites, and there will be many TDEC sites already in the system. It is best to type a partial address and then select the County of interest. In this case you would enter Davidson County and the Street #. Click “Apply Filter” after completing these two fields.
Below is the list of returns.

1 - 15

<table>
<thead>
<tr>
<th>Site ID</th>
<th>Site Name</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>109805</td>
<td>Crystal Farms</td>
<td>4604 &amp; 4618 Cato Rd.</td>
</tr>
<tr>
<td>84194</td>
<td>Rhone Poulenc</td>
<td>4600 Centennial Blvd.</td>
</tr>
<tr>
<td>83712</td>
<td>TMG#230 d/t/a Tiger Market</td>
<td>4601 Lebanon Road</td>
</tr>
<tr>
<td>70385</td>
<td>W.R. Grace Zonolite Facility</td>
<td>4601 Powell Avenue</td>
</tr>
<tr>
<td>69068</td>
<td>Shelbyville Warehouse, LLC</td>
<td>460 Jones Lane</td>
</tr>
<tr>
<td>60962</td>
<td>Litton Middle School Renovations and Additions</td>
<td>4601 Hedgewood Dr.</td>
</tr>
<tr>
<td>68286</td>
<td>Pickney Residence</td>
<td>4604 Dakota Ave. and 7640 River Road</td>
</tr>
<tr>
<td>57109</td>
<td>Baptist Sports Park</td>
<td>460 Great Circle Rd.</td>
</tr>
<tr>
<td>53187</td>
<td>All Star Recycling Inc.</td>
<td>460 Craighead Street</td>
</tr>
<tr>
<td>43210</td>
<td>Buffets Holdings, Inc.</td>
<td>1460 Buffet Way, MN</td>
</tr>
<tr>
<td>39560</td>
<td>McCabe Park Community Center</td>
<td>4601 Murphy Road</td>
</tr>
<tr>
<td>26469</td>
<td>Pondiggor Properties Maintenance Facility</td>
<td>4601 Ashland City Highway</td>
</tr>
<tr>
<td>4889</td>
<td>Innophos, Inc. (formerly Stauffer Chemical)</td>
<td>4600 Centennial Boulevard (mailing PO Box 1130)</td>
</tr>
<tr>
<td>3172</td>
<td>VolunteerTHREAD Co Inc</td>
<td>460 Allied Drive</td>
</tr>
<tr>
<td>3142</td>
<td>Plus Printing Inc</td>
<td>460 Woodycrest Ave</td>
</tr>
</tbody>
</table>

In this case, the search returned 15 matches, including the correct match for All Star Recycling. We always suggest searching using only a partial address. In this case, if you had search for “460 Craighead St.” you would have gotten no matches, as Street was spelled out and did not have a “.” after the “t”. (Another way to check if a site already exists is to pick a known site near your complaint. Go to the site page and drag the map to the complaint location. Click on the triangles around the complaint location.)

5. If the Site already exists, as in the Example, then you need to do nothing else, unless you would like to verify the location is correct or make other edits. Be careful making any changes, as this may affect another Division's workflow in rare cases. However, if details in an existing Site are obviously incorrect, please correct them.

6. If you cannot find the Site, then create one. Remember that if it's a medium to large industry, or you suspect it has some sort of TDEC permit, then continue to try other searches as it may be in the database under a different address or name. Partial searches are always the best way to search.

7. Click “Create Site”

8. Enter the County, Name, and Street Address and Click Create.
9. Once you click Create, your new Site will be the last one created. It may be at the top of the list or you may need to search for it to find the ID number. Take note of the ID number; write it down somewhere for future reference. At this point it’s a good idea to click on the Site ID number and add more info if you have it.

<table>
<thead>
<tr>
<th>Site ID</th>
<th>Site Name</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>119766</td>
<td>Generic Site of No Consequence</td>
<td>312 Rosa L. Parks Ave. 14th Floor</td>
</tr>
<tr>
<td>119765</td>
<td>Longwall Associates Inc</td>
<td>212 Kendall Avenue</td>
</tr>
<tr>
<td>119764</td>
<td>BASF Corporation</td>
<td>100 Bridgeport Road</td>
</tr>
<tr>
<td>119763</td>
<td>Joshua Payne property</td>
<td>103 Green Acres</td>
</tr>
<tr>
<td>119762</td>
<td>River Road Rip Rap</td>
<td>River Road Pike</td>
</tr>
<tr>
<td>119761</td>
<td>Disposal of 500 acres</td>
<td>Hermitage</td>
</tr>
<tr>
<td>119760</td>
<td>2202 Unaka Springs Road</td>
<td>2202 Unaka Springs Road</td>
</tr>
<tr>
<td>119759</td>
<td>Darl Smith property</td>
<td>759 Fred Cooper Road</td>
</tr>
</tbody>
</table>

10. Having a location for the Site is always useful. Use the Locator Map to determine a Lat/Long for the location; this is also a quick way to get a postal code and to normalize the street address. Enter the Address and City and Zip (if you have it) in the locator, and in most cases it will return a fairly accurate point. Click Zoom.

Before:

After:

Click Copy Data on both boxes to copy the data over to the Site Information Screen. Then press Apply Changes.
11. At this point you can add any additional information you would like. Note there is an Add Complaint box near the bottom of the screen. If you have already created a complaint, then don't click this box; it will just create another one. If you are making a complaint on an existing facility or for some reason created the Site first, which is rarely the case, you may use this box. **Creating the complaint from the complaint tab is the normal procedure in most cases.**

12. **Final Thoughts: DO NOT Create a Duplicate Site.**

**SECTION 6b: CREATING A NRS**

After you create or identify the Site that you wish to use for the NRS, navigate to the Site. You can do this by:

1. Clicking on Sites, Facilities, Permits & Documents from the top most menu.

2. Make sure Sites is selected in the Search Box.
3. Partial name searches combined with county filters are always helpful, OR simply use a known Site ID.

4. Click on the Site ID of the Site you intend to place the NRS on.

5. Once on the Site Page, Find and Click the “Add NRS” in the NRS box.
6. Populate everything\(^2\) on the screen and click Create.

---

\(^2\) **ASSIGNING NRS NUMBER** -
Field Offices are to assign Non-Registered Site (NRS) identification numbers as follows:

The first NRS in Shelby County to receive an identification number would be numbered:

**NRS790000001**

- **NRS** – Control Prefix that represents Non-Registered Sites
- **79** – County Code
- **000** – Three Numerals (formerly the Field Office Number)
- **0001** – Four Number Sequencing Code

If the Field Office receives multiple complaints in a day that lead to the creation of multiple NRS identification numbers being created, the sequencing number will increase based on when the complaint was received.

- **NRS790000001**
- **NRS790000002**
- **NRS790000003**
SECTION 7: UPLOADING DOCUMENTS INTO WASTEBIN

This Section provides an example of how to upload the 1st NOV. Open Wastebin and click on Complaints. Open the site by clicking on the correct Site ID then click on Add Document (Blue Arrow).

Continue to next page
Click on Browse (Blue Arrow) and locate the NOV, then select the NRS number; type “First NOV” in the Description/Keywords (Green Arrow); Select “Outgoing” (Yellow Arrow); Select “Notice of Violation” for Type of File (Purple Arrow); Select Inspector’s Initials for Author (Orange Arrow); Select the date of the NOV for “Effective Date” and “Mailed Date” (Black Arrow); Select 35 days after the “Effective Date” for the “Response Due Date” (Gold Arrows); click on Submit (Red Arrow).
SECTION 8: UPDATE “RESPONSE RECEIVED” IN WASTEBIN

On the opening page of WasteBin click on **Response Due**

Select “Report by EFO” (Blue Arrow); Select “12” for "Months to Display" (Green Arrow); Select your FO for "EFOM Name" (Yellow Arrow) – Wastebin will provide a list of documents with “Response Due” dates - click on **Edit** (Red Arrow) for the appropriate document.

Select the “Response Received” date as the date that a required document was received or the date a follow-up inspection was completed (Blue Arrow). Type in the comment area what document was received or that a follow up inspection was conducted (Green Arrow). Click on **Apply Changes** to save (Red Arrow).
Access to Property Examples

Below are some situational examples and guidance for DSWM inspectors when investigating sites located on private property.

1. If No Residence is Visible or on the Property.

If there is no residence on the property, then the inspector can conduct his or her investigation under the authority of Tenn. Code Ann. § 68-211-105(d). The inspector has the authority to investigate even if there is a No Trespassing sign posted. However, the inspector should consider where the sign is placed and how many signs are posted, as well as other important factors such as whether entry onto the property is blocked by a gate, fence, or chains.

2. Residence on Site but Not Near the Disposal Area.

If there is a residence on the property, then the inspector should evaluate whether the disposal area is near the house. If the disposal area is not near the house, then the Fourth Amendment is not implicated, and the inspector can use the authority of Tenn. Code Ann. § 68-211-105(d) to conduct the investigation. Even though there is no residence on the site, it is prudent to consider the presence of No Trespassing signs and whether the property has been blocked by a fence, gate, etc.

3. If the Inspector Needs to Inspect Near the House.

If the inspector finds the need to inspect near a house in an area that may be considered the curtilage, the inspector has the right to approach the front door, knock, explain to the occupant that they are there to investigate a complaint, and ask if they could walk around the area to investigate. If the occupant questions the inspector’s authority, then the inspector can reference the statute and explain that they have the authority to be there and investigate. If the occupant does not grant access, then the inspector should leave. *Remember, at all times, regardless of whether an inspection near the house is necessary, the inspector has the option of approaching the door and knocking in order to speak to the property owner.

4. If Someone Approaches the Inspector When He or She Is Not Near a House.

If the inspector is conducting an investigation under either scenario one or two above, but someone approaches the inspector demanding that they leave, the inspector should calmly explain that Tenn. Code Ann. § 68-211-105(d) gives them the authority to be on the property. Furthermore, if the inspector deems it appropriate, he or she can tell the person that Tenn. Code Ann. § 68-211-117(a) states that the Division can assess civil penalties against a person who does not allow access. If the person is hostile, or similarly, if the person has given permission but then revoked it, the inspector should leave the premises and should document the entrance attempt and denial, including any facts gleaned about the property owner or occupant. He or she should then immediately report the incident to a supervisor and/or the Environmental Field Office Manager. At that point, a decision could be made to reach out to local law enforcement to request that an officer escort the inspector back to the site. Depending on the circumstances, the EFOM may also notify the Enforcement Manager and Deputy Director of Field Office Operations, who can bring the matter to the Office of General Counsel if necessary.
5. If a Site is Near a House, but there is a Public Vantage Point.

If a site is near a residence in an area that may be considered the curtilage, an inspector has the option to “knock and talk” as outlined in scenario three. However, an inspector also has the option of observing the area from a public vantage point. This option may be particularly useful if one or more No Trespassing signs are present or if there a gate, locks, chains, etc. A public vantage point may be a street, sidewalk, or other public property.
APPENDIX B

Other WasteBin Instructions

ADDING COMPLAINTS TO AN EXISTING NRS .................................................................24
ADDING COMPLAINTS TO A PERMITTED FACILITY ..................................................26
Adding Complaints to an Existing NRS

Connecting a Complaint to an NRS is very similar to connecting to a Facility. Navigate to the NRS list and click on the appropriate Site ID.

Use the search box to find the NRS but using partial names or other information such as directly typing in the NRS number.

Click on the Site ID
Scroll down and look for a Complaints Region in the Right Hand Column. Click Add Complaint.

Notice that, unlike starting with a blank complaint report, the location and Site ID info has been pre-populated.

Add the appropriate NRS or Facility ID from the Drop-down box.
Enter all other info and click Create.

Note that you will now be able to access this complaint from the NRS, Site or Complaint pages and clicking on the icon to make edits and changes.
Adding Complaints to a Permitted Facility

If you have a complaint against a landfill or other permitted facility, you'll want to document that against the facility's records regardless of merit.

Navigate to the facility list and click on the appropriate Site ID (red arrow).

Scroll down and look for a Complaints Region in the Right Hand Column. Click Add Complaint.
Notice that, unlike starting with a blank complaint report, the location and Site ID info has been pre-populated. Add the appropriate NRS or Facility ID from the Drop-down box (blue arrow).

Enter all other info and click Create.

Note that you will now be able to access this complaint from the Facility, Site or Complaint pages and clicking on the icon to make edits and changes.

**REVISION HISTORY TABLE**

<table>
<thead>
<tr>
<th>Revision Number</th>
<th>Date</th>
<th>Brief Summary of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>06/22/18</td>
<td>Initial</td>
</tr>
</tbody>
</table>