



# Local Solid Waste Management Reporting and Planning Instructions

2019 Annual Progress Report

## Introduction

The Solid Waste Management Act of 1991 states that the Tennessee Department of Environment and Conservation (TDEC)<sup>1</sup> “shall make available on its website, by January 1 of each year, the forms and information to be used by the regions to file an Annual Progress Report (APR).” It also states that “each region shall submit the annual report to the commissioner by March 31 for the immediately preceding calendar year...which will include data on the following: collection, recycling, transportation, disposal, public costs, and any other information that the board, by rule, deems relevant to solid waste planning and management.”<sup>2</sup> Furthermore, regions are also required to submit an APR on the implementation of their approved Municipal Solid Waste (MSW) Regional Plans in conjunction with the annual report.<sup>3</sup>

Ultimately, each MSW Region is responsible for all waste streams and how they are managed in the region. County control and responsibility of specific waste streams and proportions are defined by the region’s Solid Waste Plan and approved by the region’s Solid Waste Board. If municipalities operate solid waste systems, they are responsible for waste in their jurisdiction; otherwise, the county is responsible.

This document is intended to assist regions in further understanding the importance of reporting, the reporting requirements, and the current reporting process. Please note that plan updates are not covered in this document. For plan update assistance or technical assistance on the APR, please contact a DSWM staff member:

### Annual Progress Report Contacts

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<sup>1</sup> The Tennessee Department of Environment and Conservation (TDEC) is Tennessee’s state environmental regulatory agency with delegated authority to implement programs under the Resource Conservation and Recovery Act, federal law pertaining to the generation, transportation, treatment, storage, and disposal of hazardous wastes and management of non-hazardous solid wastes.

<sup>2</sup> T.C.A. § 68-211-871.

<sup>3</sup> *Id.*

## **Definitions for Common Solid Waste Management Terms**<sup>4</sup>

The definitions below apply to this year's reporting process. Please note that definitions may change under implementation of the State Plan. If you have a question regarding the meaning of a term not listed here or how to interpret a term used in the reporting process, please contact TDEC.

- I. Landfill: a facility where solid wastes are disposed of by burial in excavated pits or trenches or by placement on land and covering with soil or other approved material
- II. Municipal Solid Waste (MSW): any garbage, refuse, industrial lunchroom or office waste, household waste, household hazardous waste, yard waste, and any other material resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities; provided, that "municipal solid waste" does not include the following:
  - a. Radioactive
  - b. Hazardous waste as defined in 68-212-104;
  - c. Infectious waste;
  - d. Materials that are being transported to a facility for reprocessing or reuse; provided further, that reprocessing or reuse does not include incineration or placement in a landfill; and
  - e. Industrial waste which may include office, domestic or cafeteria waste, managed in a privately owned solid waste disposal system or resource recovery facility, if such waste is generated solely by the owner of the solid waste disposal system or resource recovery facility
- III. Recovered materials: those materials which have been diverted or removed from the solid waste stream for sale, use, reuse or recycling, whether or not requiring subsequent separation processing. Such recovered materials are not solid waste
- IV. Recycling: the process by which recovered materials are transformed into new products, including the collection, separation, processing, and reuse of recovered materials either directly or as raw materials for the manufacture of new products
- V. Reuse: Reusing an item in its current state<sup>5</sup>
- VI. Solid waste: garbage, trash, refuse, abandoned material, spent material, byproducts, scrap, ash, sludge, and all discarded material including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, and agricultural operations, and from community activities. Solid waste includes, without limitation, recyclable material when it is discarded or when it is used in a manner constituting disposal<sup>6</sup>

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<sup>4</sup> As defined in T.C.A. § 68-211-802 unless otherwise noted.

<sup>5</sup> TDEC 2015 - 2025 Solid Waste and Materials Management Plan, April 2015, P. 59.

<sup>6</sup> As defined in T.C.A. § 68-211-103.

- VII. Solid waste disposal: the process of permanently or indefinitely placing, confining, compacting, or covering solid waste<sup>7</sup>
- VIII. Source reduction (also referred to as waste prevention): reducing waste so it is not generated in the first place<sup>8</sup>
- IX. Waste diversion: The prevention and reduction of generated waste through source reduction, recycling, reuse, or composting<sup>9</sup>

### **Why Local Solid Waste Management Reporting Matters**

The 1991 Solid Waste Management Plan identified the following solid waste issues: uncertainty about solid waste capacity, lack of a materials management approach (including lack of capacity in recycling collection and processing), inadequate garbage collection infrastructure, and lack of information about the cost of solid waste management.<sup>10</sup> Reporting plays a key role in addressing all of these issues. Reporting allows TDEC to assess how regional plans tie into the State Plan and better understand how regions are implementing their plans. Accurate reporting also helps determine which regions are meeting established goals, and understand why regions may not be meeting current goals. Finally, good reporting helps TDEC set goals and expectations and consider changes in waste management costs and waste capacity needs.

Reporting plays an important role for regions for the following reasons:

1. **Planning:** The APR not only serves as an update for progress, but can be used as a tool to support future planning efforts. Regions should consider their solid waste management efforts in a way that allows for the implementation of long term strategic planning initiatives. By reviewing the APRs and analyzing needs and trends, regions can develop initiatives to best address needs, implement strategies, comply with set goals, evaluate the adoption of more challenging regional goals, and align solid waste management with other strategic priority areas in their communities.
2. **Grant applications:** The Solid Waste Management Act of 1991 allows TDEC to award matching grants for assistance with establishing or upgrading convenience centers,<sup>11</sup> recycling collection site equipment,<sup>12</sup> and promoting new technologies<sup>13</sup> as well as competitive grants for the collection of household hazardous waste.<sup>14</sup> By reviewing the APRs, regions can assess their individual needs and save the necessary funds to match their desired grants. The collected data gives regions the opportunity to better prepare for future needs and fill in existing program gaps via matching and

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<sup>7</sup> *Id.*

<sup>8</sup> TDEC 2015 - 2025 Solid Waste and Materials Management Plan, April 2015, P. 59.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 5.

<sup>11</sup> T.C.A. § 68-211-824.

<sup>12</sup> T.C.A. § 68-211-825.

<sup>13</sup> T.C.A. § 68-211-830.

<sup>14</sup> T.C.A. § 68-211-828.

competitive grants. By regions having access to current waste management data can also streamline the grant application process.

3. Tracking progress: Regions can use the information provided in the APR to track their progress in completing strategies and meeting set goals. The data can also be used to assess opportunities for improvement. By reviewing the APRs, regions can view trends in performance and progress towards established goals, and identify solid waste management priority areas in the future.

By submitting and analyzing annual progress reports, regions can assess their progress and better plan for the future of their programs. It is important to note that the APR and the reporting process described within this document reflects reporting that regions are required to submit to the State of Tennessee. However, the APR and associated tools may be used by regions, counties, and others to assist with tracking progress towards local waste management and recycling goals.

### **Overview of Annual Reporting Requirements**

Regions are required to file an APR containing data on waste management collection, recycling, transportation, disposal, and public costs.<sup>15</sup> The APR serves as yearly update on the implementation of each regions required MSW plan. TDEC requires that the following information be included in the APR:

1. Demographic information (Entered by DSWM staff);
2. A current analysis of:
  - a. Waste streams, including data concerning types and amounts generated;
  - b. Collection capability, including data detailing the different types of collection systems and the populations and areas which receive and do not receive such services;
  - c. Disposal capability, including an analysis of the remaining life expectancy of landfills or other disposal facilities;
  - d. Costs, including costs of collection, disposal, maintenance, contracts and other costs;
  - e. Revenues, including cost reimbursement fees, appropriations and other revenue sources;
3. Anticipated growth trends;
4. Anticipated waste capacity needs;
5. Planned capacity assurance, including descriptions of planned or needed facilities;
6. A description of current public and private recycling efforts and planned efforts to enhance recycling within the county or region and attain the required goal;
7. A plan for the disposal of household hazardous wastes;
8. A description of education initiatives aimed at businesses, industries, schools, citizens and others, which addresses recycling, waste reduction, collection and other goals of this part;
9. A timetable for implementation of the plan.<sup>16</sup>

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<sup>15</sup> T.C.A. § 68-211-871.

<sup>16</sup> T.C.A. § 68-211-815.

All of the required information can be submitted by properly answering each question included in the APR. A specific response to each required component is important because it helps TDEC determine what information is being incorporated into the reported numbers, how regions are implementing their plans, and why some regions may not be meeting the statewide set goals. Furthermore, the required information is important for regions because it helps them to identify strategies towards achieving set goals, assess progress, and identify future regional needs as well as plan for ways to gain the resources necessary to accommodating those needs.

## **Overview of the Reporting Process**

Like many other states, Tennessee uses Re-TRAC Connect, a web based service that does not require specialized software to be installed on the user's computer, in order to request and collect data for annual reports. This service simplifies the process of submitting data for the APR and allows users to readily generate charts and graphs and create customized reports so they can monitor program and trends.

### **Log In:**

In a web browser, go to <https://connect.re-trac.com/> and enter your login credentials, following on-screen prompts. If you do not have an account, contact a DSWM representative to set one up.

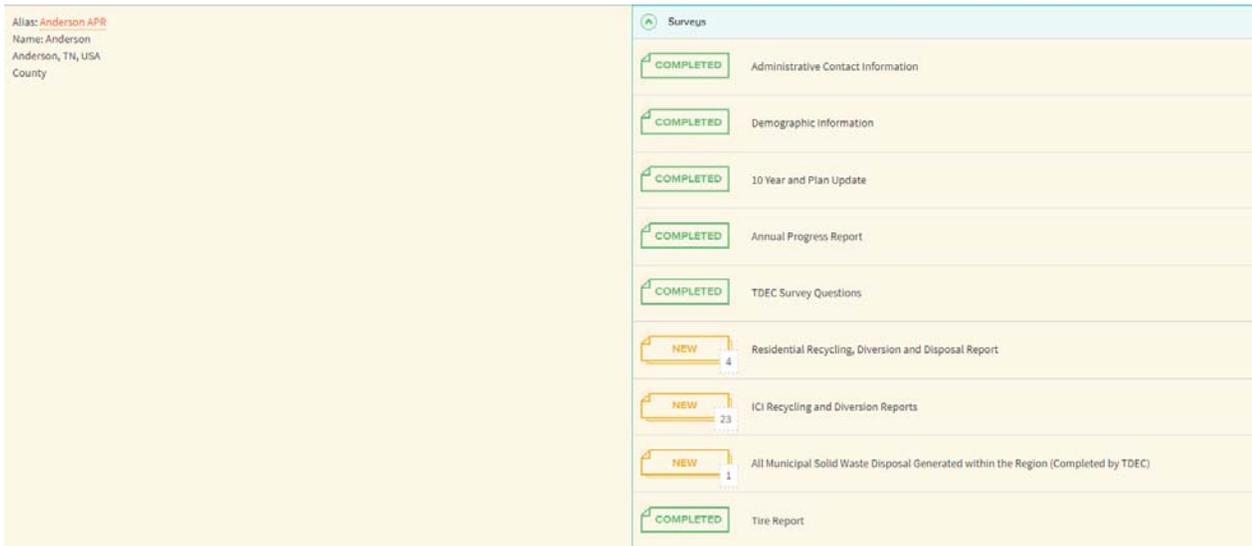
### **Select Reporting Option:**

On the Dashboard page, select "Tennessee Annual Progress Report".



### **Enter Data:**

Enter your annual reporting information by category. Note that DSWM will enter "Demographic Information" data.



**This information is crucial for measuring progress towards achieving statewide waste reduction and diversion goals and, therefore, it is important to record the data accurately in the correct report under the correct section. If the system pre-populated APR and Plan data from the previous reporting year, please verify the accuracy of that data before proceeding to the next item.**

The yellow “new” icon creates a new survey page for numerical data entry. Note that some surveys, such as “Annual Progress Report,” have multiple pages that each need to be completed.

Each county and municipality will need to create (or complete) a separate Residential Recycling, Diversion and Disposal Report. Each industry, commercial entity, and institution will need to create (or complete) a separate ICI Recycling and Diversion Report. Click the “new” icon and to create a separate report as many times as needed. You may review saved reports of each type by clicking on the number in the bottom right corner of the icon.

DSWM will provide a cover letter template and Recycling and Diversion Survey template to assist in the collection of this information. To use the template, county specific information should be entered in the appropriate areas indicated in red font. The recycling and diversion survey and cover letter should be customized and sent by the APR author or solid waste board chair to local governments, businesses, and/or industries. The information received should then be entered by the APR author into Re-TRAC Connect.

## Overview of Mayor and Solid Waste Board Chair Signatures

Before March 31, Solid Waste Board Chairs and Mayors must complete signoff forms. Only the county executive/mayor and solid waste board chair have access to their respective signature pages. The signature sign-off page can be accessed from the Dashboard.

<p>Alias: <a href="#">Anderson Chair</a> Name: Anderson Anderson County, TN, United States Board Chair</p>	<p>Surveys</p> <p><b>COMPLETED</b> Board Chair Signoff Form</p>
<p>Alias: <a href="#">Anderson Mayor</a> Name: Anderson Anderson, TN, USA Mayor</p>	<p>Surveys</p> <p><b>COMPLETED</b> Mayor Signoff Form</p>

## Frequently Asked Questions

- **I forgot my username and/or password.**
  - For your username, contact a DSWM representative.
  - For your password, please use the “forgot password” function below the log in button for your registered email. The system will send an email to your registered address with instructions to create a new password. Check your spam folder if you do not see the email in your inbox.
- **My browser does not display all the information correctly.**
  - You may be trying to access Re-TRAC with a browser that is out-of-date or not supported. Re-TRAC Connect is compatible with Internet Explorer 9-11, latest version of Chrome and Firefox.
  - If an updated browser does not fix your problem, please contact the DSWM staff member assigned to your county as indicated in the APR territory contact map.
- **Can multiple users access the same account?**
  - Yes, please contact the DSWM staff member assigned to your county as indicated in the following APR territory contact map to setup multi-user privileges.
- **How do I access the website?**
  - The website can be found at <https://connect.re-trac.com/login>. Use correct username and password to access the APR.
- **How do I change my username or password information?**
  - Log in normally with your current username and password. Once on the dashboard, locate and click your name in the upper right hand corner.
  - Select user credentials to access current author name, user email and password. Change appropriate fields and then click update.
- **Will there be follow-up questions when the state reviews the document?**
  - Yes, DSWM reviews the plan update, recycling, diversion and disposal tonnages until August. During this time DSWM may request additional information and verify reported tonnages.
- **When will I find out if my region met the 25% waste reduction and diversion goal?**
  - DSWM will send APR approval letters in August. The letter will indicate your current waste reduction and diversion goal percentage. DSWM will send a different letter if the Region failed to meet the goal discussing the next steps for qualitative assessment.
- **How will the state use this information?**
  - DSWM will use this information for statewide planning. Statewide planning includes review of statewide needs and infrastructure requirements that will help DSWM create technical assistance tools, grant applications and workshops.
  - DSWM will use this information in the annual report to the governor and general assembly,<sup>17</sup> information requests, presentations and EPA’s state data measurement sharing program.
- **Can I access my information year around?**
  - Yes, historical data can be accessed 24/7 when internet connection is available. Also, DSWM can provide historical information upon request.

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<sup>17</sup> T.C.A. § 68-211-873.

- **What items are required for the APR to be completed by March 31?**
  - There are three items needed for the APR to be recognized as completed by TDEC.
    - The report author of the APR must submit the plan update narrative fields, recycling, diversion, and disposal reports.
    - The solid waste board must review and approve the submitted APR.
    - The county executive/mayor must review and approve the submitted APR.
- **What if the Region does not submit all the required information by March 31?**
  - Failure to submit an adequate plan update can lead to sanctions and penalties. If a municipal solid waste region fails to submit an adequate plan in a timely fashion or if the commissioner does not approve any plan submitted to it, or for any other noncompliance with a provision of this part, then the commissioner shall impose the following sanctions, as appropriate, on the noncompliant county or region:
    - On the first instance of noncompliance, the commissioner shall issue a letter of warning to the noncompliant county or region indicating the reasons for noncompliance, setting forth the sequence of graduated sanctions for noncompliance and offering technical assistance to remedy the causes of noncompliance.
    - Any noncompliance shall be resolved as soon as possible. If noncompliance continues for thirty (30) days after receipt of the warning letter, the non-complying county or region shall lose eligibility for funds from the solid waste management fund, unless the commissioner states in writing that, due to particular circumstances, a longer time is appropriate.
    - If noncompliance continues for sixty (60) days after receipt of the warning letter, then, in addition to any other penalty imposed by law, the commissioner may impose a civil penalty of not more than five thousand dollars (\$5,000) for each day of noncompliance beyond the sixty-day period.<sup>18</sup>
    - By rule 400-11-01, a region may request additional time to complete their APR. The region may request in writing prior to the due date an additional thirty (30) days to submit all required information. Additional time may be granted by the Commissioner for good cause shown.

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<sup>18</sup> T.C.A. § 68-211-816.