



Department of
**Environment &
Conservation**

**Guidance and Policy
Board Briefing – August 2, 2023
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Environmental Fellow**

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After the disclaimer, the following is included in the draft Guidance and Policy documents addressed today: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

Updated Draft of the Disposal of Petroleum Contaminated Soil and Debris in Class I Landfills - Guidance

The Draft Disposal of Petroleum Contaminated Soil and Debris in Class I Landfills – Guidance has been updated to:

- 1) Be consistent with BOE Policy;
- 2) Reference new and updated guidance documents;
- 3) Provide suggested number of soil samples; and
- 4) Clarify that petroleum-contaminated media and debris that fail the test for the Toxicity Characteristic of Rule 0400-12-01-.02(3)(e) (Hazardous Waste Codes D018 through D043 only) and are subject to the corrective action regulations under 40 CFR Part 280 or Chapter 0400-18-01 are not hazardous waste.

This draft has been reviewed by an attorney with the TDEC Office of General Counsel and any comments incorporated.

Updated Draft of the Disposal of Petroleum Contaminated Soil and Debris in Class I Landfills - Guidance

Barring any unexpected issues, since the changes are minor, the DSWM intends on issuing the updated guidance after this Board meeting.

Questions or Comments?

Update Draft of the Disposal of Lead-Based Paint Waste Guidance

The Draft of the Disposal of Lead-Based Paint Waste Guidance has been updated to be consistent with BOE Policy, existing Rules, and EPA regulatory clarifications.

This draft has been reviewed by an attorney with the TDEC Office of General Counsel and any comments incorporated.

Update Draft of the Disposal of Lead-Based Paint Waste Guidance

Barring any unexpected issues, since the changes are significant, the DSWM intends on:

Posting this draft guidance on the TDEC web page and accepting comments for 30 days.

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) for Special Waste Evaluations - Policy

The new draft Standard Operating Procedure (SOP) for Special Waste Evaluations - Policy provides the procedures for DSWM employees to assist in the processing, reviewing, documenting, and evaluating special waste applications/recertifications for waste disposal in a Class I II, III, or IV Tennessee permitted disposal facility and processing at a Tennessee permitted solid waste processing facility.

The draft has been reviewed by an attorney with the TDEC Office of General Counsel.

New Draft Standard Operating Procedure (SOP) for Special Waste Evaluations - Policy

Barring any unexpected issues, the DSWM intends on issuing the policy after this Board meeting.

Questions or Comments?

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THANK YOU!!!