

SWM-SWP-P-137- Unlawful Solid Waste Disposal Complaint Investigations – 04/14/23  
Standard Operating Procedure (SOP) - Unlawful Solid Waste Disposal Complaint Investigations –  
Policy

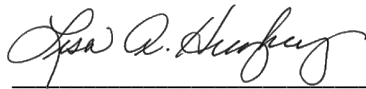
---

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 information 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.

**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.**

**EFFECTIVE DATE: 04/14/23**

**SIGNATURES:**

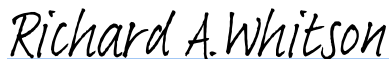


\_\_\_\_\_  
Lisa A. Hughey, CHMM, Director, Division of Solid Waste Management  
Approver



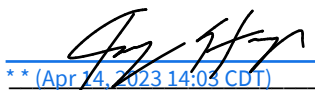
\_\_\_\_\_  
[\\*\\* \(Apr 15, 2023 05:16 CDT\)](#)

Rob Ashe, Deputy Director of Field Operations, Division of Solid Waste Management  
Reviewer



\_\_\_\_\_  
[Richard A. Whitson \(Apr 14, 2023 15:05 EDT\)](#)

Richard A. Whitson, Environmental Fellow, Division of Solid Waste Management  
Drafter / Preparer



\_\_\_\_\_  
[\\*\\* \(Apr 14, 2023 14:05 CDT\)](#)

Jeremy Hooper, Environmental Consultant 3, Division of Solid Waste Management  
Drafter / Preparer

## TABLE OF CONTENTS

	<b>Page</b>
SECTION 1: INTRODUCTION .....	3
SECTION 2: STATUTORY AND REGULATORY AUTHORITY .....	4
SECTION 3: COMPLAINT INVESTIGATION PROCEDURES .....	5
SECTION 4: ENTERING A COMPLAINT INTO WASTEBIN .....	9
SECTION 5: CLOSING A COMPLAINT.....	10
SECTION 6: CREATE A SITE AND NRS NUMBER .....	11
SECTION 6A: CREATING A SITE AND VERIFYING THAT A SITE DOES NOT ALREADY EXIST.....	11
SECTION 6B: CREATING A NRS .....	14
SECTION 7: UPLOADING DOCUMENTS INTO WASTEBIN .....	18
SECTION 8: UPDATE “RESPONSE RECIEVED” IN WASTEBIN .....	20
APPENDIX A ACCESS TO PROPERTY EXAMPLES .....	22
APPENDIX B OTHER WASTEBIN INSTRUCTIONS .....	24

## **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.*

#### **T.C.A. § 68-211-110 – 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.*

### **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**

STEP	RESPONSIBLE PERSON	ACTIVITY
1	EFO Staff	Receive and enter complaint into WasteBin as shown in Section 4. All complaints must be entered into WasteBin no more than 3 days after receipt of the complaint. Note, all complaints investigated by EFO staff must reviewed and closed out by the EFOM. Proceed to step 2.
2	EFO Staff	If there could be an immediate threat, or management directs, then the complaint must be investigated as soon as possible. <i>(See some situational examples and guidance when investigating sites located on private property in Appendix A.)</i> 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. <b>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.)?</b> If <b>YES</b> , go to step 3. If <b>NO</b> , go to step 8.
3	EFO Staff	<b>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.)?</b> If <b>YES</b> , go to step 8. If <b>NO</b> , go to step 4.
4	EFO Staff	<b>Is the site a business or rental property?</b> If <b>YES</b> , send out the Notice of Violation (NOV) #1 found in Wastebin, create a Non-Registered Site (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 <b>NO</b> , go to step 5.
5	EFO Staff	<b>Is this a residence, and was the only household waste being disposed at the site generated onsite by the property owner (not a renter)?</b> If <b>YES</b> , go to step 6. If <b>NO</b> , 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.

STEP	RESPONSIBLE PERSON	ACTIVITY
6	EFO Staff	<b>Is solid waste being disposed in a sinkhole?</b> If <b>YES</b> , 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 <b>NO</b> , go to step 7.
7	EFO Staff	<b>Is the disposal creating a public nuisance or a hazard to public health?</b> If <b>YES</b> , 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 <b>NO</b> , go to step 8.
8	EFO Staff	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. Note, all complaints investigated by EFO staff are reviewed and closed out by the EFOM. All complaints must be closed in WasteBin no more than 15 days after the complaint investigation is finalized.

<sup>1</sup> 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.

STEP	RESPONSIBLE PERSON	ACTIVITY
9	EFO Staff	<p><b>Does the NOV recipient request to close the solid waste in place under Rule 0400-11-01-.04(8)(g)?</b> If <b>YES</b>, 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 <b>NO</b>, then go to step 10.</p>
10	EFO Staff	<p>Does the NOV recipient requests an extension to the compliance date? If <b>YES</b>, 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 <b>NO</b>, then go to step 11.</p>
11	EFO Staff	<p>Within 10 days of the compliance date in the NOV, Closure in Place, or extension letter, conduct a site visit. <b>Is the violation(s) corrected?</b> If <b>YES</b>, 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 <b>NO</b>, send the 2nd NOV found in Wastebin and upload documents into WasteBin as shown in Section 7, then go to step 12.</p>

STEP	RESPONSIBLE PERSON	ACTIVITY
12	EFO Staff	Does NOV recipient attend the Compliance Review Meeting and agree to a compliance date <b>OR</b> the EFOM allow the NOV recipient to send in a letter agreeing to a new compliance date? If <b>YES</b> , send out Compliance Agreement letter found in Wastebin and input the information as shown in Section 7, then go to step 13. If <b>NO</b> , 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.
13	EFO Staff	Within 10 days after the new compliance date in the Compliance Agreement letter, conduct a site visit. <b>Is the violation(s) corrected?</b> If <b>YES</b> , 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 <b>NO</b> , 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.

**DEFINITIONS BOX**

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

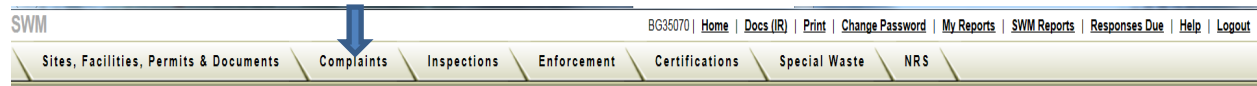
*T.C.A. § 68-211-110 states: Disposal on own land. This part does not apply to any private, natural person disposing waste generated in such natural person's own household upon land owned by such natural person; provided, that such disposal does not create a public nuisance or a hazard to the public 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

The EFOM or his/her designees are to enter complaints into WasteBin. The complaint must be entered into Wastebin no more than 15 days after a complaint is received by completing the following steps. 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 the 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).

SWM-SWP-P-137- Unlawful Solid Waste Disposal Complaint Investigations – 04/14/23  
 Standard Operating Procedure (SOP) - Unlawful Solid Waste Disposal Complaint Investigations - Policy

**SECTION 5: CLOSING A COMPLAINT**

All complaints investigated by EFO staff are reviewed and closed out by the EFOM. The EFOMs are to close all complaints in WasteBin. All complaints must be closed in WasteBin no more than 15 days after the complaint investigation is finalized. Open Wastebin and click on **Complaints**. Open the complaint by clicking on the correct **ID**.

ID	Div	Site_ID	Site	Facility ID	EFO	County	Complainant	Anon	Received	Concerning	Staff	Investigator
40687			DUPLICATE ENTRY									

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

**Search**

- General
- Sites
- Permits
- Contacts
- Documents
- HazWaste Facilities
- Solid Waste Facilities

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.

**Search conditions**

EFO %  County  Description

Site  Location

City

Latitude  Longitude

Comments

Display Rows  SITE\_ID

Below is the list of returns.

1 - 15

Site ID	Site Name	Location
<a href="#">109805</a>	Crystal Farms	4604 & 4618 Cato Rd.
<a href="#">84194</a>	Rhone Poulenc	4600 Centennial Blvd.
<a href="#">83712</a>	TMG#230 d/b/a Tiger Market	4601 Lebanon Road
<a href="#">70385</a>	W.R. Grace Zonolite Facility	4601 Powell Avenue
<a href="#">69089</a>	Shelbyville Warehouse, LLC	460 Jones Lane
<a href="#">60952</a>	Litton Middle School Renovations and Additions	4601 Hedgewood Dr.
<a href="#">58286</a>	Pickney Residence	4604 Dakota Ave. and 7640 River Road
<a href="#">57109</a>	Baptist Sports Park	460 Great Circle Rd.
<a href="#">53187</a>	All Star Recycling Inc.	460 Craighead Street
<a href="#">43210</a>	Buffets Holdings, Inc.	1460 Buffet Way, MN
<a href="#">39560</a>	McCabe Park Community Center	4601 Murphy Road
<a href="#">26459</a>	Ponddigger Properties Maintenance Facility	4601 Ashland City Highway
<a href="#">4899</a>	Innophos, Inc. (formerly Stauffer Chemical)	4600 Centennial Boulevard (mailing PO Box 1130)
<a href="#">3172</a>	Volunteer Thread Co Inc	460 Allied Drive
<a href="#">3142</a>	Plus Printing Inc	460 Woodycrest Ave

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.

row(s) 1 - 15 of more than 50000 [Next](#) >

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



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:

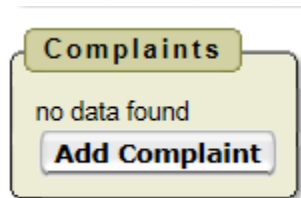
The screenshot shows the 'Locator Map' interface. It has three main sections. The left section has a 'Reset Map' button and a 'Map Help' link. Below that is the instruction 'Click map to select lat/lon values.' and two input fields for 'Lat' and 'Lon'. At the bottom of this section are 'Zoom' and 'Copy Data' buttons. The middle section has three input fields: 'Add' with the value '312 Rosa L Parks', 'City' with 'Nashville', and 'Zip' with 'Enter Zip...'. Below these are 'Zoom' and 'Copy Data' buttons. The right section is titled 'County, Watershed & Parcel' and has three empty input fields with a 'Copy Data' button at the bottom.

After:

The screenshot shows the 'Locator Map' interface after data entry. The left section now shows 'Lat' with the value '36.163892' and 'Lon' with '-86.784846'. The middle section shows 'Add' with '312 ROSA L PARKS AV', 'City' with 'NASHVILLE', and 'Zip' with '37203'. The right section remains the same with empty input fields and a 'Copy Data' button.

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.

» **Sites, Facilities, Permits & Documents**

2. Make sure Sites is selected in the Search Box.

**Search**

- General
- Sites
- Permits
- Contacts
- Documents
- HazWaste Facilities
- Solid Waste Facilities

3. Partial name searches combined with county filters are always helpful, OR simply use a known Site ID.

**Search conditions**

EFO %  County  Description

Site  Location

City

Latitude  Longitude

Comments

Display Rows  **SITE\_ID**

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

1 - 1


Site ID	Site Name	Location
38613	Demo/Training site. AKA <b>Olivia</b> site	Somewhere in Tennessee that regulation, remediation or enforcement could occur. This could also be some place that TSP,DNA could be a service to our citizens.

Export to Excel

1 - 1

5. Once on the Site Page, Find and Click the “Add NRS” in the NRS box.

**SWM Facilities on this Site**


	Division	Facility Id	Primary Name
	SWM	test1	Test1

1 - 1

**Add Facility**

**NRS (Non Registered Sites)**

no data found

**Add NRS** 



6. Populate everything<sup>2</sup> on the screen and click Create.

**NRS Information**

**Cancel (back to Page 1)** **Create**

**Xref Sites Id**  
**Division** **SWM**

**Epa Division** Local

**Primary Name** Demo/Training site.AKA Olivias site

**Registry Id**  
 **NRS ID Number** NRS010000001

**Site Id** 38613

**Status** NRS

**County** Davidson

**City** Nashville

**Address** Somewhere in Tennessee that regulation

**Category** NRS

---

<sup>2</sup> **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 1<sup>st</sup> NOV. Open Wastebin and click on **Complaints**. Open the site by clicking on the correct **Site\_ID** then click on **Add Document** (Blue Arrow).

WM BG35070 | [Home](#) | [Docs \(IR\)](#) | [Print](#) | [Change Password](#) | [My](#)

» [Sites, Facilities, Permits & Documents](#) / [Complaints](#) / [Inspections](#) / [Enforcement](#) / [Certifications](#) / [Special Waste](#) / [NRS](#)

**SITE INFORMATION** [Cancel](#) [Apply Changes](#) [Get LL](#)

Site ID **111188**

Site:

County: **Campbell** ..... EFO - Knoxville

Other Counties:

Site Location:

Site City:

Zip:  Zip+4

Site Description:

Latitude:

Longitude:

Lat Long source:

Entered by:

Entered on:

Owner:

Comments:

Last updated: 04-OCT-2016 07:51AM  
 Updated by: BG35008 (Ryan Miller)

[ACME Mapper](#) [Google Map](#) [TDEC GIS](#)

**Locator Map**

[Reset Map](#) [Map Help](#)

Click map to select location values.

Lat:   
 Lon:

[Zoom](#) [Copy Data](#)

Add:   
 City:   
 Zip:

[Zoom](#) [Copy Data](#)

County, Watershed & Parcel:

[Copy Data](#)

0 0.2 0.4mi

**SWM Facilities on this Site**

no data found  
[Add Facility](#)

**NRS (Non Registered Sites)**

Division	Facility Id	Primary Name
SWM	NRS070001228	19 street

1 - 1

[Add NRS](#)

**Other TDEC Facilities on this Site** x

**Permits and other Non-Inspection Documents**

[Add Document](#)

View	Description	File Type	Permit No	Effective Date	Last updated
	Pictures of Illegal dump at 515 19th Street, La Follette, TN	Photo		04-OCT-16	04-OCT-16

Continue to next page

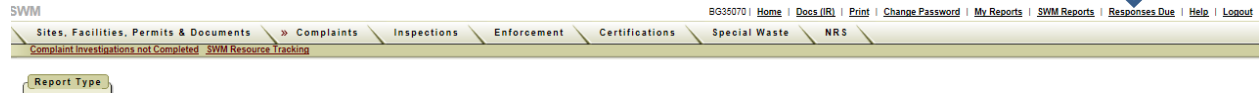
Click on **Browse** (Blue Arrow) and locate the NOV, then select the NRS number; type “First NOV” in the **Description/Keywords** (Green Arrow); Select “Outgoing” (Yellow Arrow); Select “Notice of Violation” for Type of File (Purple Arrow); Select Inspector’s Initials for Author (Orange Arrow); Select 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).

The screenshot shows a web form titled "SUBMIT FILE to TBL\_DOCUMENTS" with a "Cancel" button in the top right. The form contains the following fields and controls:

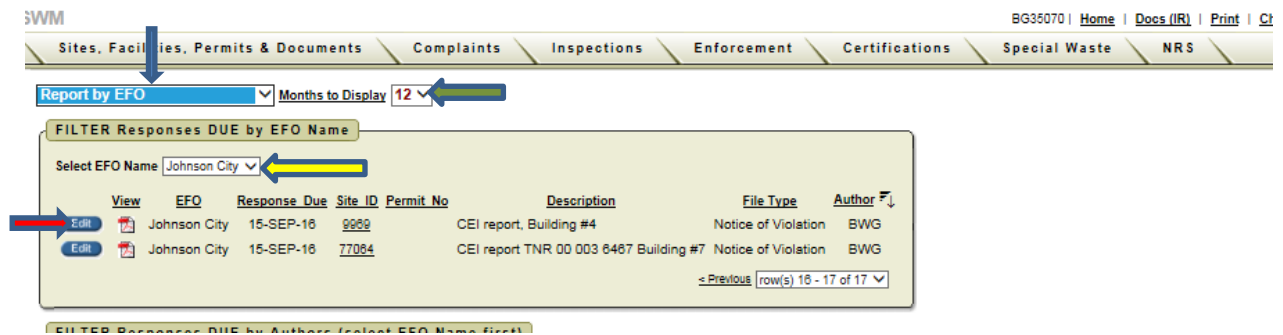
- Site ID:** 111188 (radio button selected)
- Permit No (if available):** % (dropdown menu)
- Facility Id:** NRS070001228 19 street (dropdown menu)
- File Name:** C:\Users\Public\Pictures\Sample Pictures\Koala.jpg (text input) with a "Browse..." button (blue arrow pointing to it)
- Description / Keywords:** FIRST NOV (text input) (green arrow pointing to it)
- Outgoing or Incoming:** Outgoing (dropdown menu) (yellow arrow pointing to it)
- Type of File:** Notice of Violation (dropdown menu) (purple arrow pointing to it)
- Author:** NBL (text input) (orange arrow pointing to it)
- Effective Date:** 04-Apr-2017 (calendar icon) (black arrow pointing to it)
- Mailed Date:** 04-Apr-2017 (calendar icon) (black arrow pointing to it)
- Response Due Date:** 11-May-2017 (calendar icon) (gold arrow pointing to it)
- Inspection Number:** (empty text input)
- Submit:** (button) (red arrow pointing to it)

## SECTION 8: UPDATE “RESPONSE RECIEVED” 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 "EFO 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).

SWM-SWP-P-137- Unlawful Solid Waste Disposal Complaint Investigations – 04/14/23  
Standard Operating Procedure (SOP) - Unlawful Solid Waste Disposal Complaint Investigations -  
Policy

iWWM

Sites, Facilities, Permits & Documents    Complaints    Inspections    Enforcement    Certificatio

Parent Site Name	Site Location	County	EFO
Southeast Recycling Technologies Handling Facility	108 Kwickway Lane Building #4 TNR 00-002-3234	Washington	Johnson City

**Documents**

Cancel    Delete    **Apply Changes**    **Replace Document**

Site ID 9969 . . Southeast Recycling Technologies Handling Facility . . 108 Kwickway LaneBj

Facility Id

Permit Number %

Permittee

File Name 819967405257733643/TNR.00.002.3234.IN.8-2-2016.SERT.#4.NOV.pdf

Description CEI report, Building #4

In Out Ref Outgoing

File Type Notice of Violation

Priority Routine    Commish Tracking No

Author Bethanie Glynn . . (865) 854-5434    Draft Prepared on

Supervisor     Draft Approved on

Manager     Final Signed on . .

Effective Date 02-AUG-2016

E Mailed No

Mailed By     Mailed Date 18-AUG-18

Filed Date     File Folder Name

Response Due 15-SEP-2016    Response Received

Comment

Enforcment Mngr Review

## APPENDIX A

### 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 .....25  
ADDING COMPLAINTS TO A PERMITTED FACILITY .....27

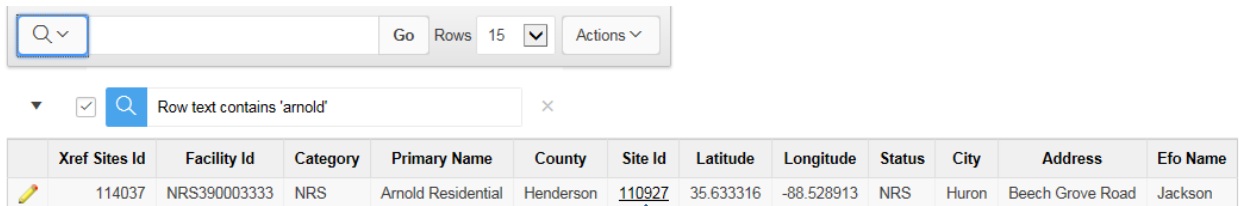


### Adding Complaints to an Existing NRS

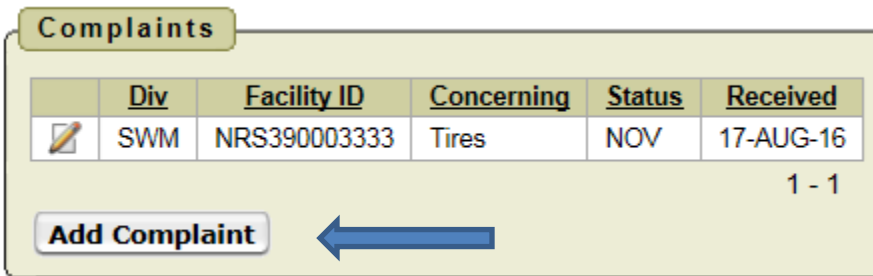
Connecting a Complaint to an NRS is very similar to connecting to a Facility. Navigate to the NRS list and click on the appropriate Site ID.



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.

**COMPLAINT**

**Complaint Number**

**Division** SWM

**Date Received**

**Received by**

**How Received** %

**Concerning** %

**Concerning (Haz Waste & Other)**

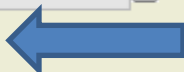
**Assigned By**

**Assigned Date**

**Assigned To**

---


**Site ID** 110927 . . Arnold Residential . . Beech Grove Road

**Facility ID or NRS** %  

**Location based on SITE\_ID**

<b>Site ID</b>	110927
<b>Site</b>	Arnold Residential
<b>Location</b>	Beech Grove Road
<b>City</b>	Huron
<b>Description</b>	Residential
<b>County</b>	Henderson
<b>EFO Name</b>	Jackson
<b>Site Owner</b>	Nancy Arnold

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).

**Search**

- General
- Sites
- Permits
- Contacts
- Documents
- HazWaste Facilities
- Solid Waste Facilities

**Solid Waste Facilities(IR)**

Search: [ ] Go 1. Primary Report [v] Rows 15 [v] Actions [v]

Row text contains 'ews' [x]

1 - 3 of 3

Facility Id	Status	Category	Primary Name	County	EFO	Address	City	Site Id
<a href="#">IDL54000079</a>	Operating	Class li	Bowater Newsprint Landfill	McMinn	Chattanooga	5020 Highway 11 South	Calhoun	<a href="#">4858</a>
<a href="#">IDL030000212</a>	Operating	Class li	EWS Camden Class II Landfill	Benton	Jackson	200 Omar Circle		<a href="#">9483</a>
<a href="#">CCC350000413</a>	Operating	Convenience	Whiteville Convenience Center	Hardeman	Jackson	897 Newsom Road	Whiteville	<a href="#">51850</a>

1 - 3 of 3

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

**Complaints**

	Div	Facility ID	Concerning	Status	Received
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	No Problem Found	20-OCT-16
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	No Problem Found	12-OCT-16
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	Corrected (No NOV)	18-AUG-16
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	NOV	29-JAN-16
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	NOV	06-JAN-16
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	NOV	16-DEC-15
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	NOV	25-NOV-15
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	No Problem Found	04-FEB-15
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	Corrected (No NOV)	19-JAN-15
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	Corrected (No NOV)	24-NOV-14
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	Referred to other Agency/Section	03-NOV-14
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	No Problem Found	05-SEP-14
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	No Problem Found	06-AUG-14
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	Corrected (No NOV)	22-JUL-14
<input checked="" type="checkbox"/>	SWM	IDL030000212	Other	No Problem Found	06-JUL-14

row(s) 1 - 15 of 29 [v] Next [v]

**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).

**COMPLAINT** Cancel Create

Complaint Number  
**Division** SWM

Date Received

Received by

How Received %

Concerning %

Concerning (Haz Waste & Other)

Assigned By

Assigned Date

Assigned To

---

Site ID 9483 . . Environmental Waste Solutions, LLC, aka EWS . .

Facility ID or NRS %

**Location based on SITE\_ID**

Site ID	9483
Site	Environmental Waste Solutions, LLC, aka EWS
Location	200 Omar Circle
City	Camden
Description	Class II Industrial Landfill presently for the disposal of gound aluminum dross
County	Benton
EFO Name	Jackson
Site Owner	Environmental Waste Solutions

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**

<b>Revision Number</b>	<b>Date</b>	<b>Brief Summary of Change</b>
0	06/22/18	Initial
1	04/14/23	Updates include: 1) Adding to the “Logging Information into WasteBin” Section of the SOP, a timeframe for both logging initial complaints and closing a complaint after the related investigation is completed. 2) Adding into the SOP procedures for supervisory review of the complaint; and 3) Other minor changes.