

TAAAR



July 13, 2001
Volume 27, Number 7

RILEY C. DARNELL
Secretary of State

Division of Publications
8th Floor, Snodgrass Tower
312 8th Avenue North
Nashville TN 37243 - 0310

DEPARTMENT OF STATE NONDISCRIMINATION POLICY STATEMENT

Pursuant to its policy of nondiscrimination, the Department of State does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in, its programs, services, or activities.

Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the Department of State, Bard G. Fisher, EEO/AA Coordinator, 7th Floor, Snodgrass Tower, 312 Eighth Avenue North, Nashville, TN, 37243-0311 or call (615) 741-7411, Tennessee Relay Center TDD 1-800-848-0298, Voice 1-800-848-0299. ADA inquiries or complaints should be directed to Mr. Fisher at the above mentioned location.

PUBLIC INSPECTION OF DOCUMENTS

A certified copy of each document filed with the Department of State, Division of Publications is available for public inspection from 8 A.M. to 4:30 P.M., Monday through Friday. Copies of documents may be made at a cost of 25 cents per page and \$2 for the certification page, payable in advance if requested. The Division of Publications is located on the Eighth Floor, Snodgrass Tower, 312 Eighth Avenue North, Nashville, TN 37243 - 0310. Telephone inquiries may be made by calling (615) 741-0522, Tennessee Relay Center TDD 1-800-848-0298, Voice 1-800-848-0299. Individuals with disabilities who wish to inspect these filings should contact the Division of Publications to discuss any auxiliary aids or services needed to facilitate such inspection. Such contact may be made in person, by writing, telephonically or otherwise and should be made at least ten (10) days in advance of the date such party intends to make such inspection to allow time for the Division of Publications to provide such aid or service.

Department of State, Authorization No. 305084, 475 copies, October 2000. This public document was promulgated at a cost of \$ 2.30 per copy.

PREFACE

The Tennessee Administrative Register (T.A.R) is an official publication of the Tennessee Department of State. The *T.A.R.* is compiled and published monthly by the Department of State pursuant to *Tennessee Code Annotated, Title 4, Chapter 5*. The *T.A.R.* contains in their entirety or in summary form the following: (1) various announcements (e.g. the maximum effective rate of interest on home loans as set by the Department of Commerce and Insurance, formula rate of interest and notices of review cycles); (2) emergency rules; (3) proposed rules; (4) public necessity rules; (5) notices of rulemaking hearings and (6) proclamations of the Wildlife Resources Commission.

Emergency Rules are rules promulgated due to an immediate danger to the public health, safety or welfare. These rules are effective immediately on the date of filing and remain in effect thereafter for up to 165 days. Unless the rule is promulgated in some permanent form, it will expire after the 165-day period. The text or a summary of the emergency rule will be published in the next issue of the *T.A.R.* after the rule is filed. Thereafter, a list of emergency rules currently in effect will be published.

Proposed Rules are those rules the agency is promulgating in permanent form in the absence of a rulemaking hearing. Unless a rulemaking hearing is requested within 30 days of the date the proposed rule is published in the *T.A.R.*, the rule will become effective 105 days after said publication date. All rules filed in one month will be published in the *T.A.R.* of the following month.

Public Necessity Rules are promulgated to delay the effective date of another rule that is not yet effective, to satisfy constitutional requirements or court orders, or to avoid loss of federal programs or funds. Upon filing, these rules are effective for a period of 165 days. The text or summary of the public necessity rule will be published in the next issue of the *T.A.R.* Thereafter, a list of public necessity rules currently in effect will be published.

Once a rule becomes effective, it is published in its entirety in the *official compilation-Rules and Regulations of the State of Tennessee*. Replacement pages for the compilation are published on a monthly basis as new rules or changes in existing rules become effective.

Wildlife Proclamations contain seasons, creel, size and bag limits, and areas open to hunting and/or fishing. They also establish wildlife and/or public hunting areas and declare the manner and means of taking. Since Wildlife Proclamations are published in their entirety in the *T.A.R.*, they are not published in the official compilation-Rules and Regulations of the State of Tennessee.

Subscription Orders - The subscription rate, payable in advance, is \$ 50 per year. An order form may be found in the back of each issue of the *Tennessee Administrative Register*.

Back Issues - Some back issues of the *Tennessee Administrative Register* are available. Please send \$ 1.50 per issue along with the volume, number and date you wish to order to the address in the back of this issue.

Copies of Rules from Back Issues of the *Tennessee Administrative Register* may be ordered from the Division of Publications for 25 cents per page with \$ 1.00 minimum. Back issues presently available start with the August, 1975 edition. The mailing address of the Division of Publications is shown on the order form in the back of each issue.

Reproduction - There are no restrictions on the reproduction of official documents appearing in the Tennessee Administrative Register.

Blank

pg. iv

TABLE OF CONTENTS

ANNOUNCEMENTS

Financial Institutions, Department of
Announcement of Formula Rate of Interest 1
Announcement of Maximum Effective Rate of Interest 1
Government Operations Committees
Announcement of Public Hearings 1
Health Facilities Commission
Notice of Beginning of Review Cycle 5
Revenue, Department of
Notice of Determination of Interest Rate 6
Notice of Determination of Interest Rate for Installment Payments 6
Health, Department of
Petition of Declaratory Order 7

EMERGENCY RULES

Emergency Rules Now in Effect 11
Safety, Department of 13

PUBLIC NECESSITY RULES

Public Necessity Rules Now in Effect 17

RULEMAKING HEARINGS

Commerce and Insurance, Department of 19
Communications Disorders and Sciences, Board of 20
Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists, Board for Professional 24
Environment and Conservation, Department of 30
Finance and Administration, Department 46
Human Services, Department of 51
Opticians, Board of Dispensing 56
Podiatry, Board of 58
Real Estate Appraiser Commission 61
Wildlife Resources Commission 62

WILDLIFE PROCLAMATIONS

01-04 65
01-05 70
01-06 74
01-07 76
01-09 88
01-12 125
01-13 132
01-14 132

CERTIFICATION 133

CHANGE OF ADDRESS FORM 135

ORDER FORM 137

Blank

pg. vi

ANNOUNCEMENTS

DEPARTMENT OF FINANCIAL INSTITUTIONS - 0180

ANNOUNCEMENT OF FORMULA RATE OF INTEREST

Pursuant to the provisions of Chapter 464, Public Acts of 1983, the Commissioner of Financial Institutions hereby announces that the formula rate of interest is 11.00 per cent.

This announcement is placed in the Tennessee Administrative Register for the purpose of information only and does not constitute a rule within the meaning of the Uniform Administrative Procedures Act.

DEPARTMENT OF FINANCIAL INSTITUTIONS - 0180

ANNOUNCEMENT OF MAXIMUM EFFECTIVE RATE OF INTEREST

The Federal National Mortgage Association has discontinued its free market auction system for commitments to purchase conventional home mortgages. Therefore, the Commissioner of Financial Institutions hereby announces that the maximum effective rate of interest per annum for home loans as set by the General Assembly in 1987, Public Chapter 291, for the month of August, 2001 is 9.66 per cent per annum.

The rate as set by the said law is an amount equal to four percentage points above the index of market yields of long term government bonds adjusted to a thirty (30) year maturity by the U. S. Department of the Treasury. For the most recent weekly average statistical data available preceding the date of this announcement, the published rate is 5.66 per cent.

Persons affected by the maximum effective rate of interest for home loans as set forth in this notice should consult legal counsel as to the effect of the Depository Institutions Deregulation and Monetary Control Act of 1980 (P. L. 96-221 as amended by P. L. 96-399) and regulations pursuant to that Act promulgated by the Federal Home Loan Bank Board. State usury laws as they relate to certain loans made after March 31, 1980, may be preempted by this Act.

GOVERNMENT OPERATIONS COMMITTEES

ANNOUNCEMENT OF PUBLIC HEARINGS

For the date, time, and, location of this hearing of the Joint Operations committees, call 615-741-3642. The following rules were filed in the Secretary of State's office during the month of June, 2001. All persons who wish to testify at the hearings or who wish to submit written statements on information for inclusion in the staff report on the rules should promptly notify Fred Standbrook, Suite G-3, War Memorial Building, Nashville, TN 37243-0059, (615) 741-3074.

SEQ	FILE DATE	DEPT. & DIVISION	TYPE OF FILING	DESCRIPTION	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
06-01	June 4, 2001	0400 Environment and Conservation Bureau of Environment Division of Air Pollution Control	Rulemaking Hearing Rules	Amendment	<i>Chapter 1200-3-2 Definitions</i> 1200-3-2-.01 General Definitions	Mr. John D. Patton Division of Air Pollution Control 9th Fl L & C Annex 401 Church St Nashville, TN 37243-1531 (615)532-0604	Aug 18, 2001
06-11	June 11, 2001	0400 Environment and Conservation Division of Superfund	Rulemaking Hearing Rules	Amendments	<i>Chapter 1200-1-13 Hazardous Substance Remedial Action</i> 1200-1-13-.13 List of Inactive Hazardous Substance Sites 40-508	Robert L. Powell Division of Superfund 4th Fl Annex, L & C Bldg Nashville, TN 37243-1538 (615)532-0916	Aug 25, 2001
06-12	June 11, 2001	0400 Environment and Conservation Division of Superfund	Rulemaking Hearing Rules	Amendments	<i>Chapter 1200-1-13 Hazardous Substance Remedial Action</i> 1200-1-13-.13 List of Inactive Hazardous Substance Sites 47-506	Robert L. Powell Division of Superfund 4th Fl Annex, L & C Bldg Nashville, TN 37243-1538 (615)532-0916	Aug 25, 2001
06-13	June 11, 2001	0400 Environment and Conservation Division of Superfund	Rulemaking Hearing Rules	Amendments	<i>Chapter 1200-1-13 Hazardous Substance Remedial Action</i> 1200-1-13-.13 List of Inactive Hazardous Substance Sites 47-524	Robert L. Powell Division of Superfund 4th Fl Annex, L & C Bldg Nashville, TN 37243-1538 (615)532-0916	Aug 25, 2001
06-14	June 11, 2001	0400 Environment and Conservation Division of Superfund	Rulemaking Hearing Rules	Amendments	<i>Chapter 1200-1-13 Hazardous Substance Remedial Action</i> 1200-1-13-.13 List of Inactive Hazardous Substance Sites 47-533	Robert L. Powell Division of Superfund 4th Fl Annex, L & C Bldg Nashville, TN 37243-1538 (615)532-0916	Aug 25, 2001
06-15	June 11, 2001	0400 Environment and Conservation Division of Superfund	Rulemaking Hearing Rules	Amendments	<i>Chapter 1200-1-13 Hazardous Substance Remedial Action</i> 1200-1-13-.13 List of Inactive Hazardous Substance Sites 47-559	Robert L. Powell Division of Superfund 4th Fl Annex, L & C Bldg Nashville, TN 37243-1538 (615)532-0916	Aug 25, 2001
06-16	June 11, 2001	0400 Environment and Conservation Division of Superfund	Rulemaking Hearing Rules	Amendments	<i>Chapter 1200-1-13 Hazardous Substance Remedial Action</i> 1200-1-13-.13 List of Inactive Hazardous Substance Sites 86-506	Robert L. Powell Division of Superfund 4th Fl Annex, L & C Bldg Nashville, TN 37243-1538 (615)532-0916	Aug 25, 2001
06-17	June 11, 2001	0400 Environment and Conservation Division of Superfund	Rulemaking Hearing Rules	Amendments	<i>Chapter 1200-1-13 Hazardous Substance Remedial Action</i> 1200-1-13-.13 List of Inactive Hazardous Substance Sites 94-508	Robert L. Powell Division of Superfund 4th Fl Annex, L & C Bldg Nashville, TN 37243-1538 (615)532-0916	Aug 25, 2001

ANNOUNCEMENTS

SEQ	FILE DATE	DEPT. & DIVISION	TYPE OF FILING	DESCRIPTION	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
06-18	June 12, 2001	0780 Commerce and Insurance Division of Fire Prevention	Rulemaking Hearing Rules	Amendments	Chapter 0780-2-2 Codes and Standards 0780-2-2-.01 Adoption by Reference 0780-2-2-.03 Retroactive Enforcement Chapter 0780-2-3 Review of Construction Plans and Specifications 0780-2-3-.01 Definitions 0780-2-3-.02 Submission of Plans 0780-2-3-.03 Requirements 0780-2-3-.05 Approval of Plans 0780-2-3-.06 Inspection of Construction 0780-2-3-.07 Issuance of Permits 0780-2-3-.08 Local Exclusions 0780-2-3-.10 Certificate of Occupancy	Christy A. Allen Acting Chief Counsel for Fire Prevention Commerce and Insurance 312 8th Ave, N TN Twr, 25th Fl Nashville, TN 37243 (615) 741-3072	Aug 25, 2001
06-21	June 19, 2001	0680 Board for Licensing Contractors	Rulemaking Hearing Rules	New Rules	Chapter 0680-3 Limited Licensed Electricians 0680-3-.01 Definitions 0680-3-.02 Application and Examination 0680-3-.03 Fees 0680-3-.04 Change of Address 0680-3-.05 License Renewal 0680-3-.06 Disciplinary Action and Civil Penalties	E. Ross White, Staff Attorney Dept of Commerce and Insurance 312 8 th Ave N TN Twr, 25 th Fl Nashville, TN 37243-0569 (615) 741-3072	Sept 2, 2001
06-22	June 19, 2001	0520 Education	Rulemaking Hearing Rules	Amendments	Chapter 0520-1-9 Special Education Programs and Services	Brenda Bledsoe State Dept of Education 5 th Fl, Andrew Johnson Twr 710 James Robertson Pkwy Nashville, TN 37243-0375	Sept 2, 2001
06-29	June 22, 2001	1340 Dept of Safety Division of Driver License Issuance	Emergency Rules	New Rules Amendments	Chapter 1340-1-13 Classified and Commercial Driver Licenses 1340-1-13-.12 Proof of Date of Birth and Identification 1340-1-13-.12 Proof of Date of Birth and Identification	Wanda Adams Assistant Director Driver License Issuance Dept of Safety 1150 Foster Ave Nashville, TN 37249-1000 615.251.5310	June 22, 2001 through Dec 4, 2001
06-30	June 26, 2001	0400 Environment And Conservation Bureau of Environment Division of Air Pollution Control	Rulemaking Hearing Rules	Repeal	Chapter 1200-3-26 Administrative Fees Schedule 1200-3-26-.03 Open Burning Application Fees	Mr. Jeff Cales Air Pollution Control Division Cookeville EAC 1221 South Willow Ave. Cookeville, TN 38501 931-432-7621	Sept 7, 2001

SEQ	FILE DATE	DEPT. & DIVISION	TYPE OF FILING	DESCRIPTION	RULE NUMBER AND RULE TITLE	LEGAL CONTACT	EFFECTIVE DATE
06-31	June 26, 2001	0400 Environment And Conservation Bureau of Environment Division of Air Pollution Control	Rulemaking Hearing Rules	Amendments	Chapter 1200-3-4 Open Burning 1200-3-4-.01 Purpose 1200-3-4-.02 Definitions 1200-3-4-.03 Open Burning Prohibited 1200-3-4-.04 Exceptions to Open Burning	Mr. Jeff Cales Air Pollution Control Division Cookeville EAC 1221 South Willow Ave. Cookeville, TN 38501 931-432-7621	Sept 7, 2001
06-41	June 29, 2001	0520 Education	Rulemaking Hearing Rules		<i>Chapter 0520-1-10</i> <i>Tennessee's Early Intervention System</i> 0520-1-10-.01 Definitions 0520-1-10-.06 Interagency Agreements 0520-1-10-.02 Programs & Service 0520-1-10-.07 Identification & Coordination of Resources 0520-1-10-.03 Procedural Safeguards 0520-1-10-.08 TEIS Interagency Coordinating Council (ICC) 0520-1-10-.04 Resolution of Individual Child Complaints 0520-1-10-.09 Local Interagency Coordinating Council (LICC) 0520-1-10-.05 State Administration 0520-1-10-.10 Data Collection	Brenda Bledsoe State Dept of Education 5 th Fl, Andrew Johnson Twr 710 James Robertson Pkwy Nashville, TN 37243-0375	Sept 10, 2001
06-46	June 29, 2002	0400 Environment and Conservation Board of Water and Wastewater Operator Certification	Rulemaking Hearing Rules	Amendments	<i>Chapter 1200-5-3</i> 1200-5-3-.01 Application for Certificate 1200-5-3-.03 Fees 1200-5-3-.07 Classifications and Qualifications of Water Treatment Plant Operators and Water Distribution System Operators 1200-5-3-.08 Classification of Wastewater Treatment Plants and Wastewater Collection Systems 1200-5-3-.09 Classifications and Qualifications of Wastewater Treatment Plant Operators and Wastewater Collection System Operators 1200-5-3-.13 Effective Date	W. Brent Ogles, Technical Secretary for the Board c/o Fleming Training Center 2022 Blanton Drive Murfreesboro, TN 37129 (615) 898-8090	Sept 10, 2001

HEALTH FACILITIES COMMISSION -0720**NOTICE OF BEGINNING OF REVIEW CYCLE**

Applications will be heard at the August 22, 2001 Health Facilities Commission Meeting except as otherwise noted.

**Denotes applications being placed on the Consent Calendar.*

+Denotes applications under simultaneous review.

This is to provide official notification that the Certificate of Need applications listed below have begun their official 90-day review cycle effective June 1, 2001. The review cycle includes a 60-day period of review by the Division of Assessment and Planning within the Tennessee Department of Health or the Department of Mental Health and Mental Retardation. During this 60-day period, the Department of Health may hold a public hearing, if requested, with respect to each application and will conclude the period with a written report. Pursuant to Public Chapter 120, Acts of 1993, certain unopposed applications may be placed on a "consent calendar." Such applications are subject to a 60-day review cycle, including a 30-day period of review by the Department of Health, Division of Assessment and Planning or the Department of Mental Health and Mental Retardation. Applications intended to be considered on the consent calendar, if any, are denoted by an asterisk.

Pursuant to T.C.A., Section 68-11-108(h)(1) effective April 5, 2000, any health care institution wishing to oppose a Certificate of Need must file a written objection with the Tennessee Health Facilities Commission and serve a copy on the contact person no later than fifteen (15) days before the regularly scheduled Tennessee Health Facilities Commission meeting at which the application will be heard.

For more information concerning each application or its review cycle, you may contact the Tennessee Department of Health/ Division of Assessment & Planning (615/741-0244), their designee, or the Health Facilities Commission (615/741-2364).

NAME AND ADDRESS

DESCRIPTION

+Tulahoma Ambulatory Surgery Center
1801 North Jackson Street
Tulahoma (Coffee Co.), TN 37388
John Wellborn – (615)—665-2022
CN0105-029

The establishment of a multi-specialty ambulatory surgical treatment center (ASTC) on the campus of Harton Regional Medical Center at 1801 North Jackson Street in Tulahoma, located in Coffee County, Tennessee. The ASTC will consist of approximately 13,500 square feet and will contain three (3) operating rooms.
\$ 5,159,920.00

Extendicare of West Tennessee, Inc.
103 Jane Street
Paris (Henry Co.), TN 38242
James Rogers – (423)—332-4444
CN0105-030

The expansion of home health services into the counties of Madison, Chester, Crockett, and Dyer in western Tennessee. The current service area includes Benton, Carroll, Gibson, Henderson, Henry, Houston, Humphreys, Obion, Stewart, and Weakley Counties.
\$ 3,000.00

NAME AND ADDRESS	DESCRIPTION
+Ambulatory Surgical Associates, Inc. 700 Block of Kings Lane close to Washington Street Tullahoma (Coffee Co.), TN 37215-2874 CN0105-031	The establishment of a multi-specialty surgery treatment center (ASTC) located in the 700 block of Kings Lane close to Washington Street, adjacent to the American Legion in Tullahoma (Coffee County), Tennessee. The ASTC will consist of approximately 7,490 square feet and will contain two (2) operating rooms. \$ 2,837,240.00

DEPARTMENT OF REVENUE - 1320

NOTICE OF DETERMINATION OF INTEREST RATE

Pursuant to Tenn. Code Ann. §67-1-801(a)(1) through (3), notice is hereby given that the rate of interest on all taxes collected or administered by the Department of Revenue shall be eleven percent (11%) effective on and after July 1, 2001 through June 30, 2002.

Ruth E. Johnson
Commissioner of Revenue

DEPARTMENT OF REVENUE - 1320

NOTICE OF DETERMINATION OF INTEREST RATE FOR INSTALLMENT PAYMENTS

Pursuant to Tenn. Code Ann. §67-1-801(a)(4)(D), notice is hereby given that the rate of interest on all tax liabilities paid in installments by agreement with the Commissioner of the Department of Revenue shall be fourteen percent (14%) effective on and after July 1, 2001.

Ruth E. Johnson
Commissioner of Revenue

- (1) Adopt reasonable rules governing the practice of veterinary medicine as are necessary to enable it to carry out and make effective the purpose and intent of this chapter. Such rules shall be adopted pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.
- (b) T.C.A. § 63-12-139 PREMISES PERMITS.
 - (a) Any person who owns or operates any veterinary facility, including mobile clinics, or any other premises where a licensed veterinarian practices or where the practice of veterinary medicine occurs, shall apply for and secure a premises permit from the board prior to the commencement of any services which would subject the provider of those services to licensure under this chapter. Any premises in operation on January 1, 1997 shall register with the board by filing out an application as is required by the board.
 - (b) Any premises, at which veterinary services are provided and not owned or leased by a licensed veterinarian on January 1, 1997, shall be inspected prior to the opening of such premises. Upon receipt of the application and payment of the application and inspection fee established by the board, the board shall cause such premises to be inspected by an authorized agent of the board within thirty (30) days of receipt of the application. Any premises in which a licensed veterinarian operates a practice on January 1, 1997, shall be granted a temporary permit upon submission of the registration required by subsection (a), which temporary permit shall remain in effect until the premises are inspected by the board. Any premises, for which a permit has been granted on or after January 1, 1997, shall be inspected by the board within sixty (60) days of any change of ownership or legal responsibility for the premises. If the board is unable to complete any inspection of the premises within the thirty (30) or sixty (60) day time periods prescribed herein, it shall issue a temporary premises permit which shall remain in effect until the inspection required by this section is completed.
 - (c) A premises permit shall be issued if the premises meet minimum standards established by board rules and regulations as to sanitary conditions and physical plant. In lieu of the above procedures, the board may issue a premises permit upon certification by the applicant that the premises have been inspected and accredited by a recognized organization, the standards of which are found by the board to meet or exceed the minimum standards established by board rules and regulations. All veterinary facilities located in retail establishments shall have an entrance to into the permitted premises that is directly on a public street or public parking area and such entrance shall be separate from the entrance used by regular retail customers. For purposes of this chapter, "retail establishment" means any retail store in excess of two thousand five hundred (2,500) square feet that primarily sells goods not related to the practice of veterinary medicine, or any veterinary facility located in an enclosed shopping mall or enclosed shopping center. The costs of any inspection undertaken by the board shall be set by the board and paid, in advance, by the applicant, in addition to the fee established by the board for the premises permit.
 - (d) Each application for a premises permit submitted by a person not licensed under this chapter shall state the name and address of the licensed veterinarian who will be responsible for the provision of veterinary medicine on the premises. The supervising veterinarian shall be licensed in Tennessee. The applicant shall also include the name(s) and Address(es) of the licensee(s) who will be on-site when veterinary medical services are provided. The applicant shall affirm that no veterinary medical services shall be provided without the physical presence of a veterinarian licensed in Tennessee. An application for a premises permit submitted pursuant to this subsection may be denied if any veterinarian submitted by the applicant has been previously disciplined by the board. The holder of a premises permit shall notify the board of any change in ownership or legal responsibility for premises for which a permit has been issued, any change as to the supervising veterinarian for the premises, and any change as to the licensed

veterinarian(s) who will be employed to provide veterinary medical services at the premises at least thirty (30) days prior to the effective date of the change unless the change arises from unforeseen circumstances, in which case, notice shall be given within five (5) days of the effective date of change.

- (e) The board shall deny any application for a premises permit if the inspection reveals that the premises do not meet the minimum standards established by the board. The applicant shall pay the inspection fee for each additional re-inspection required to determine whether any deficiencies found by the board have been brought into compliance with the minimum standards established by board rules and regulations as to sanitary conditions and physical plant.
 - (f) Any practitioner who provides veterinary services on a house-call basis and does not maintain a veterinary facility for the receipt of patients shall not be required to secure a premises permit, but must provide for appropriate equipment and facilities as established by the board.
 - (g) Any practitioner who provides veterinary services solely to agricultural animals and does not maintain a veterinary facility for the receipt of patients shall not be required to obtain a premises permit, but must provide for appropriate equipment and facilities as established by the board.
 - (h) Mobile large and small animal veterinary clinics operating in more than one (1) location and examining and/or treating animals belonging to multiple clients whose animals are not permanently housed or boarded at that location(s) shall have a premises permit for the mobile facilities that are utilized unless exempted by state or local public health officials. Such mobile clinics shall also specify the locations at which such mobile clinics will operate. Such information shall be considered as part of the application for a premises permit. Any change in the locations at which the mobile clinics will operate shall be reported to the board at least thirty (30) days in advance of the effective date of change.
 - (i) The following are exempt from this section:
 - (1) veterinary facility owned by a person, corporation or other similar organization, public or private, for-profit or not-for-profit, to treat such employer's animal(s);
 - (2) A veterinary facility operated by an official agency of the federal or state government; and
 - (3) licensed research facility.
 - (j) The board shall be authorized to employ such persons who may be required, in its discretion, to inspect premises under the jurisdiction of the board. The board shall establish a fee schedule for inspections required under this chapter. Applicants for a premises permit shall remit to the board an application fee which shall be equal to the license fee required of licensed veterinarians. A licensed veterinarian shall not be required to submit an additional fee for a premises permit but shall be required to submit the required inspection fee, if such licensed veterinarian or applicant also submits an application for a premises permit.
- (c) **Rule 1730-2.02 VETERINARY FACILITY AND INSPECTIONS PERMIT.** The costs of any inspection undertaken by the Board shall be set by the Board and paid, in advance, by the applicant in addition to the fee established by the Board for the premises permit.
- (1) The Board shall be authorized to employ such persons who may be required in its discretion to inspect premises under the jurisdiction of the Board. The Board shall establish a fee schedule for inspections required under this chapter. Applicants for a premises permit shall remit to the Board an application fee

which shall be equal to the license fee required of licensed veterinarians. Licensed veterinarians or applicants for licensure as a veterinarian shall not be required to submit an additional fee for a premises permit but shall be required to submit the required inspection fee if such licensed veterinarian or applicant also submits an application for a premises permit.

- (2) The Board shall make periodic inspections of veterinary premises. Inspections shall be done by licensed veterinarian(s) representing the Board.
- (3) Inspections shall ensure that each veterinary facility meets minimum standards. Inspections shall include, but not be limited to, determination of sanitary conditions, physical equipment, method of operation, keeping of records, surgical area, etc., with re-inspections as necessary.
- (4) All veterinary premises shall be inspected once every two years.
- (5) All veterinarians and veterinary medical technicians working at the site shall have posted in a conspicuous location at the site their Board issued license and renewal certificate and premises permit.
- (6) Upon request by the inspector, all veterinarians and veterinary medical technicians working at the site shall provide for inspection evidence of having completed continuing education pursuant to Rule 1830-1-.12 and Rule 1720-3-.12.
- (7) For the purpose of these rules, the written records shall be “owned” by the facility.
- (8) Any facility, permanent or mobile, where a licensed veterinarian practices must have a premises permit issued by the Board. Upon application and payment of fees as set by rule of the Board, the Board shall cause such facility to be inspected. A premises permit shall be issued if the facility meets minimum standards, to be adopted by rule of the Board, as to sanitary conditions, recordkeeping, equipment, services required and physical plant.
- (9) Each application for a premises permit shall set forth the name of the licensed veterinarian who will be responsible for the management of the facility and the name and address of the owners of the establishment.
- (10) The premises permit may be revoked, suspended, or denied when the inspection reveals that the facility does not meet the standards set by rule or when the license/premises permit of the responsible veterinarian has been suspended or revoked.
- (11) Each person to whom a license or premises permit is issued shall keep such document conspicuously displayed in his office, place of business, or place of employment, whether a permanent or mobile veterinary facility or clinic, and shall, whenever required, exhibit said document to any member or authorized representative of the Board, pursuant to T.C.A. §63-12-139.
- (12) The following are exempt from obtaining a premises permit:
 - (a) veterinary facility owned by a person, corporation or other similar organization, public or private, or not for profit, to treat such employer’s animal(s);
 - (b) veterinary facility operated by an official agency of the federal or state government; and
 - (c) licensed research facility.

A contested case hearing has been scheduled for August 16, 2001 at 9:00 a.m. Before the Board of Veterinary Medical Examiners in the Big Tennessee Room of the Cordell Hull Building, Ground Floor, 425 5th Avenue North, Nashville, Tennessee 37247.

If you have questions, you may contact the Petitioner's attorney, James A. DeLanis, Baker, Donelson, Bearman & Caldwell, Commerce Center, Suite 1000, 211 Commerce Street, Nashville, Tennessee 37201, (615) 726-5600.

The Notice of Hearing of Petition for Declaratory Order set out herein was properly filed in the office of the Secretary of State, Publications Division, on this the 29th day of June, 2001.

Blank

pg. 12

EMERGENCY RULES

EMERGENCY RULES NOW IN EFFECT

0080 - Department of Agriculture - Division of Animal Industries - Emergency rules regarding the threat of foot and mouth disease, Chapter 0080-2-1 Health Requirements For Admission And Transportation Of Livestock And Poultry, 5 T.A.R. (May 2001) - Effective April 4, 2001 through September 16, 2001. (04-01)

DEPARTMENT OF SAFETY - 1340 **DIVISION OF DRIVER LICENSE ISSUANCE**

STATEMENT OF NECESSITY REQUIRING EMERGENCY RULES

For a copy of this emergency rule, contact: Wanda Adams, Assistant Director Driver License Issuance, 1150 Foster Avenue, Nashville, TN 37249-1000, Department of Safety, 615.251.5310.

Pursuant to Tennessee Code Annotated §4-5-208, I am promulgating emergency rules regarding verification of residence and identification for those seeking driver licenses upon initial issuance.

It is the intent of the Department of Safety that this rule be immediately effective based upon the Department's finding that an immediate danger to the public health, safety and welfare exists, and that the nature of this danger is such that the use of any other form of rulemaking authorized by Tennessee Code Annotated, Title 4, Chapter 5, would not adequately protect the public. Specifically, Senate Bill 1266/ House Bill 983 was enacted on May 3, 2001, and designated as Public Chapter 158. Passage of this bill has led to a greatly increased number of applicants for driver licenses.

These emergency rules are necessary to ensure that only Tennessee residents are receiving driver licenses pursuant to law. Delay in the implementation of these rules would continue the possibility of non-residents receiving driver licenses resulting in an immediate danger to the public welfare. In addition, the masses of persons seeking driver licenses have overwhelmed the Department and have had a crippling effect on our ability to issue driver licenses to residents. Qualified individuals have been unable to receive driver licenses due to the lengthy delays, and many, consequently, have driven illegally. Without the proper testing provided by the Department, these unlicensed drivers present an immediate danger to the public health, safety, and welfare. Furthermore, the number of applicants has exceeded the physical capacity of the driver testing centers, creating a danger to the public health, safety, and welfare. Public Chapter 158 has also led to increased tensions between applicants, therefore heightening the Department's safety concerns. Finally, these emergency rules will aid in ascertaining the true identity of those applying for driver licenses, therefore lessening the danger to law enforcement officers who could be deceived by those individuals who might have otherwise fraudulently or improperly obtained driver licenses for purposes of identification. The documents required by this emergency rule will help properly identify persons with similar names and thereby resolve this danger to the public welfare. It is our belief that these emergency rules will help to mitigate these immediate dangers.

Mike Greene
Department of Safety
State of Tennessee

**EMERGENCY RULES
OF
TENNESSEE DEPARTMENT OF SAFETY
DIVISION OF DRIVER LICENSE ISSUANCE**

**CHAPTER 1340-1-13
CLASSIFIED AND COMMERCIAL DRIVER LICENSES**

NEW RULES

TABLE OF CONTENTS

1340-1-13-.12 Proof of Date of Birth and Identification.

1340-1-13-.12 PROOF OF DATE OF BIRTH AND IDENTIFICATION.

- (6) An applicant seeking to obtain a driver license upon initial issuance shall provide acceptable proof of residency which shall consist of providing two (2) documents including, but not limited to, the following, which must include the applicant's name or the name of the applicant's spouse, if the applicant has a spouse, or if the applicant is a minor, the name of a parent or legal guardian:
- (a) Utility bill, including telephone service, showing a valid Tennessee residence address;
 - (b) Bank Statement showing a valid Tennessee residence address;
 - (c) Rental contract or receipt showing a valid Tennessee residence address;
 - (d) Employer verification acceptable by the Department;

- (e) Automobile, Life, or Health Insurance Policies showing a valid Tennessee residence address;
 - (f) Driver License issued by State of Tennessee to a parent, legal guardian or spouse;
 - (g) Tennessee motor vehicle registration showing a valid Tennessee residence address;
 - (h) Internal Revenue Service Tax Reporting W-2 form;
 - (i) Receipt for personal or real estate taxes paid within the last year showing a valid Tennessee residence address;
 - (j) In the case of a student enrolled in a public or private education institution in this state, the student may provide a photo student I.D. and documentation acceptable to the Department that the student resides on campus.
- (7) Should an applicant be unable to provide two (2) of the documents described in paragraph 6, the applicant may provide acceptable proof of residency by providing one (1) of the documents listed in paragraph 6 and one (1) of the following:
- (a) The Individual Taxpayer Identification Number (ITIN) issued by the Internal Revenue Service resulting from the submission of a Form W-7 to the Internal Revenue Service;
 - (b) Form I-94 issued to the applicant by the Immigration and Naturalization Service;
 - (c) Employment authorization document (E.A.D.) issued to the applicant by the Immigration and Naturalization Service;
 - (d) I-551 issued to the applicant by the Immigration and Naturalization Service.

Authority: T.C.A. §55-50-202.

AMENDMENTS

Rule 1340-1-13-.12 Proof of Date of Birth and Identification is amended by adding the following language, “, Residency,” after the word “Birth” in the Rule Title so that as amended, the Rule Title shall read:

1340-1-13-.12 PROOF OF DATE OF BIRTH, RESIDENCY, AND IDENTIFICATION

Authority: T.C.A. §55-50-202.

Paragraph (1) of Rule 1340-1-13-.12 is amended by adding the following language, “, residency,” after the word “birth” so that as amended the paragraph shall read:

- (1) The Driver License Examiner will require positive proof of date of birth, residency, and identification of any person applying for any class of driver license or photo identification license.

Authority: *T.C.A. §55-50-202.*

The emergency rules set out herein were properly filed in the Department of State on the 22nd day of June, 2001, and will be effective from the date of filing for a period of 165 days. These emergency rules will remain in effect through the 4th day of December, 2001. (06-29)

PUBLIC NECESSITY RULES

PUBLIC NECESSITY RULES NOW IN EFFECT

- 0780 - Department of Commerce and Insurance - Public Necessity Rules regarding the privacy of nonpublic personal information, chapter 0780-1-72 Privacy of Consumer Information Regulations, 6 T.A.R. (June 2001) - Filed May 14, 2001: effective through November 19, 2001. (05-21)

- 1200 - Department of Health, Tennessee Cancer Registry, Public Necessity Rules implementing the program operated by the Cancer Reporting System administered by the Tennessee Cancer Registry of the Tennessee Department of Health, chapter 1200-7-2 Cancer Reporting System, 3 T.A.R. (March 2001) - Filed February 22, 2001; effective through August 6, 2001. (02-10)

Blank

pg. 18

RULEMAKING HEARINGS

DEPARTMENT OF COMMERCE AND INSURANCE - 0780 DIVISION OF INSURANCE

There will be a hearing before the Department of Commerce and Insurance to consider the promulgation of rules respecting the privacy of nonpublic personal information, pursuant to 2001 Tenn. Pub. Acts ch. 107, § 1. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-204, and will take place in Conference Room A on the Fifth Floor of the Davy Crockett Tower located at 500 James Robertson Parkway, Nashville, Tennessee at nine (9) o'clock in the morning on the 20th day of August, 2001.

Any individuals with disabilities who wish to participate in these proceedings should contact the Department of Commerce and Insurance to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date to allow time for the Department of Commerce and Insurance to determine how it may reasonably provide such aid or service. Initial contact may be made with the Department of Commerce and Insurance's ADA Coordinator, Ms. Verna Norris, at Fifth Floor, Davy Crockett Tower, 500 James Robertson Parkway, Nashville, Tennessee 37243, and (615) 741-0481.

For a copy of this notice of rulemaking hearing, contact: Robert E. Moore, Jr., Deputy General Counsel for Insurance, Securities and Consumer Affairs, 312 Eighth Avenue North, Twenty-Fifth Floor, William R. Snodgrass Tennessee Tower, Nashville, Tennessee 37243, Department of Commerce and Insurance, and (615) 741-2199.

SUMMARY OF PROPOSED RULES

The Department of Commerce and Insurance has filed a notice of rulemaking hearing respecting the privacy of nonpublic personal information, pursuant to 2001 Tenn. Pub. Acts ch. 107, § 1.

0780-1-72-01	Authority
0780-1-72-02	Purpose and Scope
0780-1-72-03	Rule of Construction
0780-1-72-04	Definitions
0780-1-72-05	Initial Privacy Notice to Consumers Required
0780-1-72-06	Annual Privacy Notice to Customers Required
0780-1-72-07	Information to be Included in Privacy Notices
0780-1-72-08	Form of Opt Out Notice to Consumers and Opt Out Methods
0780-1-72-09	Revised Privacy Notices
0780-1-72-10	Delivery
0780-1-72-11	Limitation on Disclosure of Nonpublic Personal Information to Nonaffiliated Third Parties
0780-1-72-12	Limits on Redislosure and Reuse of Nonpublic Personal Information
0780-1-72-13	Limits on Sharing Account Number Information for Marketing Purposes
0780-1-72-14	Exception to Opt Out Requirements for Disclosure of Nonpublic Personal Information for Service Providers and Joint Marketing
0780-1-72-15	Exceptions to Notice and Opt Out Requirements for Disclosure of Nonpublic Personal Information for Processing and Servicing Transactions
0780-1-72-16	Other Exceptions to Notice and Opt Out Requirements for Disclosure of Nonpublic Personal Information

0780-1-72-.17	[Reserved]
0780-1-72-.18	[Reserved]
0780-1-72-.19	[Reserved]
0780-1-72-.20	[Reserved]
0780-1-72-.21	[Reserved]
0780-1-72-.22	Protection of Fair Credit Reporting Act
0780-1-72-.23	Nondiscrimination
0780-1-72-.24	Violation
0780-1-72-.25	Severability
0780-1-72-.26	Effective Date
Appendix A	Sample Clauses

For a copy of the entire text of this notice of rulemaking hearing, contact: Robert E. Moore, Jr., Deputy General Counsel for Insurance, Securities and Consumer Affairs, 312 Eighth Avenue North, Twenty-Fifth Floor, William R. Snodgrass Tennessee Tower, Nashville, Tennessee 37243, Department of Commerce and Insurance, and (615) 741-2199.

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-34)

BOARD OF COMMUNICATIONS DISORDERS AND SCIENCES - 1370

There will be a hearing before the Tennessee Board of Communications Disorders and Sciences to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-17-105. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Johnson Room of the Cordell Hull Building located at 425 5th Avenue North, Nashville, TN at 2:30 p.m. (CDT) on the 28th day of August, 2001.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

SUBSTANCE OF PROPOSED RULES**AMENDMENTS**

Rule 1370-1-.01, Definitions, is amended by deleting paragraph (2) in its entirety, and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-107, 63-17-105, and 63-17-116.

Rule 1370-1-.04, Qualifications for Licensure, is amended by deleting paragraph (3) in its entirety.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-17-105, 63-17-111, and Public Chapter 288 of the Public Acts of 2001.

Rule 1370-1-.05, Procedures for Licensure, is amended by deleting paragraph (4) in its entirety.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-17-105, 63-17-111, and Public Chapter 288 of the Public Acts of 2001.

Rule 1370-1-.06, Fees, is amended by deleting subparagraph (1) (e), part (3) (b) 4., and part (3) (c) 4. in their entirety and renumbering the remaining subparagraphs and parts accordingly.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-17-105, 63-17-111, 63-17-115, and Public Chapter 288 of the Public Acts of 2001.

Rule 1370-1-.08, Examinations, is amended by deleting the introductory language, paragraph (1), and paragraph (2) in their entirety, and substituting instead the following language, so that as amended, the new introductory language, and new paragraphs (1), (2), (3), (4), and (5) shall read:

1370-1-.08 EXAMINATIONS. All persons intending to apply for licensure as a Speech Language Pathologist or Audiologist in Tennessee must successfully complete an examination pursuant to this Rule.

- (1) The examination must be completed prior to application for licensure.
- (2) Evidence of successful completion must be submitted by the examining agency directly to the Board's Administrative Office as part of the application process pursuant to Rule 1370-1-.05.
- (3) The Board adopts the Professional Assessments for Beginning Teachers (Praxis Test), or its successor examination, as its licensure examination. Successful completion of examination is a prerequisite to licensure pursuant to Rule 1370-1-.05.
- (4) The Board adopts the ASHA determination as to the passing score on the Praxis Test or successor examination.
- (5) Application and fees necessary to take the Praxis Test, or its successor, must be forwarded to the appropriate examining agency and not the Board.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-17-105, 63-17-110, 63-17-111, 63-17-115, and Public Chapter 288 of the Public Acts of 2001.

Rule 1370-1-.09, Renewal of License, is amended by deleting subparagraphs (1) (b), (1) (d), and paragraph (3) in their entirety and substituting instead the following language, and is further amended by adding the following language, so that as amended, the new subparagraphs (1) (b), (1) (d), and the new paragraph (3) shall read:

- (1) (b) For licensees who have not renewed their license online via the Internet, a renewal application form will be mailed to each licensee to the last address provided to the Board. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal.
- (1) (d) Licensees who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses processed pursuant to rule 1200-10-1-.10.
- (3) Reinstatement of an Expired License.
 - (a) Licensees who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licensure processed pursuant to Rule 1200-10-1-.10.
 - (b) Reinstatement of a license that has expired for less than five (5) years may be accomplished upon meeting the following conditions:
 - 1. Payment of all past due renewal fees and state regulatory fees, pursuant to Rule 1370-1-.06; and
 - 2. Payment of the Late Renewal fee, pursuant to Rule 1370-1-.06; and
 - 3. Provide documentation of successfully completing continuing education requirements for every year the license was expired, pursuant to Rule 1370-1-.12.
 - 4. License reinstatement applications hereunder shall be treated as license applications, and review and decisions shall be governed by Rule 1370-1-.07.
 - (c) Licenses that have expired for more than five (5) years may not be reinstated, reissued, or restored. The Board will consider an application for a new license if such application is made pursuant to this chapter of rules and the Licensure Act for Communication Disorders and Sciences, T.C.A. 63-17-101, et seq.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-17-105, 63-17-116, and 63-17-124.

Rule 1370-1-.11, Retirement and Reactivation of License, is amended by deleting subparagraph (3) (c) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (3) (c) shall read:

- (3) (c) Provide documentation of successfully completing continuing education requirements for every year the license was retired, pursuant to Rule 1370-1-.12.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-17-105, 63-17-116, and 63-17-124.

Rule 1370-1-.12, Continuing Education, is amended by adding the following language as new subparagraph (1) (e) and new parts (3) (a) 1., (3) (a) 2., and (3) (a) 3., and is further amended by deleting subparagraphs (3) (b) and (3) (c) in their entirety and substituting instead the following language, and is further amended by deleting paragraph (4), but not all its subparagraphs, and subparagraph (4) (b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1) (e), the new parts (3) (a) 1., (3) (a) 2., and (3) (a) 3., the new subparagraph (3) (b), the new paragraph (4), but not all its subparagraphs, and the new subparagraph (4) (b) shall read:

- (1) (e) Multi-Media - With successful completion of a written post-experience examination to evaluate material retention, multi-media courses may be taken for continuing education credit.
 1. A maximum of five (5) hours of the ten (10) hours required in subparagraph (a) may be granted for multi-media courses during each calendar year.
 2. For persons who hold dual licenses (Speech Language Pathology and Audiology), a maximum of ten (10) hours of the twenty (20) hours required in subparagraph (c) may be granted for multi-media courses during each calendar year.
 3. Multi-Media courses may include courses utilizing:
 - (i) The Internet
 - (ii) Closed circuit television
 - (iii) Satellite broadcasts
 - (iv) Correspondence courses
 - (v) Videotapes
 - (vi) CD-ROM
 - (vii) DVD
 - (viii) Teleconferencing
 - (ix) Videoconferencing
 - (x) Distance learning
- (3) (a) 1. Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrant the intended action.
- (3) (a) 2. The licensee has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the license.
- (3) (a) 3. Any licensee who fails to show compliance with the required continuing education hours in response to the notice contemplated by part (3) (a) 1. above may be subject to disciplinary action.
- (3) (b) Education hours obtained as a result of compliance with the terms of a Board order or settlement in any disciplinary action shall not be credited toward the continuing education hours required by this rule.
- (4) Continuing Education for Reactivation of Retired or Expired Licenses.
 - (b) Reactivation of an Expired License. Continuing education hours obtained as a prerequisite for reactivating an expired license may not be counted toward the current calendar year continuing education requirement.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-17-105, 63-17-117, and 63-17-124.

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-34)

**BOARD FOR PROFESSIONAL COUNSELORS, MARITAL AND FAMILY THERAPISTS,
AND CLINICAL PASTORAL THERAPISTS - 0450**

There will be a hearing before the Tennessee Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-22-102. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Johnson Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 2:30 p.m. (CDT) on the 29th day of August, 2001.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

SUBSTANCE OF PROPOSED RULES

AMENDMENTS

Rule 0450-1-.01, Definitions, is amended by deleting paragraph (5) in its entirety and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§4-5-202, 4-5-204, and 63-22-102.

Rule 0450-1-.09, Renewal of Certificate or License, is amended by deleting subparagraph (1) (b), part (1) (c) 3, subparagraph (1) (d), paragraph (2) but not all its subparagraphs, subparagraph (2) (a), but not its parts, and part (2) (a) 3. in their entirety and substituting instead the following language, and is further amended by deleting subparagraph (2) (b) in its entirety and renumbering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (1) (b), subparagraph (1) (d), paragraph (2) but not all its subparagraphs, subparagraph (2) (a) but not its parts, and part (2) (a) 3. shall read:

- (1) (b) For licensees or certificate holders who have not renewed their license or certificate online via the Internet, a renewal application form will be mailed to each licensee and certificate holder to the last address provided to the Board. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal.
- (1) (d) Licensees or certificate holders who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses or certificates processed pursuant to rule 1200-10-1-.10.

- (2) Reinstatement of an Expired Certificate or License
 - (2) (a) Certificates or licenses that have expired may be reinstated upon meeting the following conditions:
 - (2) (a) 3. Submission of evidence of completion of continuing education requirements pursuant to Rule 0450-1-.12.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.

Rule 0450-1-.12, Continuing Education, is amended by deleting subparagraph (6) (b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraphs (6) (c) and (6) (d), and is further amended by deleting paragraph (7) in its entirety and substituting instead the following language, so that as amended, the new subparagraphs (6) (b), (6) (c), and (6) (d), and the new paragraph (7) shall read:

- (6) (b) Reactivation of revoked licensure or certification - No person whose license or certificate has been revoked for failure to comply with continuing education may be reinstated without complying with these requirements. Continuing education will accumulate at the same rate as that for those licenses and certificate holders which are active. The required clock hours of continuing education must have been begun and successfully completed within twelve (12) months immediately preceding the date of reinstatement. A license or certificate which has been revoked for noncompliance with the continuing education requirement shall also be subject to the late renewal fee pursuant to rule 0450-2-.06.
- (6) (c) Reactivation of expired licensure - No person whose license or certificate which has expired may be reinstated without submitting evidence of continuing education. The continuing education hours documented at the time of reinstatement must equal the hours required, had the license remained in an active status, and must have been successfully completed within twelve (12) months immediately preceding the date of reinstatement.
- (6) (d) Continuing education hours obtained as a prerequisite for reactivating a license or certificate may not be counted toward the calendar year requirement.
- (7) Violations
 - (a) Any licensee or certificate holder who falsely certifies attendance and completion of the required hours of continuing education requirements, or who does not or can not adequately substantiate completed continuing education hours with the required documentation, may be subject to disciplinary action.
 - (b) Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrant the intended action.
 - (c) The licensee or certificate holder has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the license or certificate.
 - (d) Any licensee or certificate holder who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraph (7) (b) above may be subject to disciplinary action.
 - (e) Continuing education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any renewal period.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.

Rule 0450-1-.12, Continuing Education, is amended by deleting paragraph (5) in its entirety and renumbering the remaining paragraphs accordingly,

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.

Rule 0450-2-.01, Definitions, is amended by deleting paragraph (6) in its entirety and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§4-5-202, 4-5-204, and 63-22-102.

Rule 0450-2-.05, Procedures for Licensure, is amended by deleting subparagraphs (1) (e) and (1) (h) in their entirety and substituting instead the following language, so that as amended, the new subparagraphs (1) (e) and (1) (h) shall read:

- (1) (e) An applicant shall submit verification of having completed a supervised practicum or internship pursuant to the authority granted in T.C.A. § 63—22—106 and 63—22—115.
- (1) (h) It is the applicant's responsibility to request a graduate transcript from his degree granting institution, pursuant to T.C.A. § 63—22—106, be submitted directly from the school to the board's administrative office. The institution granting the degree must be accredited at the time the degree was granted. The transcript must show that the degree has been conferred and carry the official seal of the institution and reference the name under which the applicant has applied for licensure. The transcript must show a masters or doctoral degree with a major in marriage and family therapy or equivalent. The applicant must demonstrate to the board, by a preponderance of the evidence, that the degreed program documented by the transcript meets the requirements of T.C.A. § 63—22—106. The educational requirement contained in this rule must be completed prior to the date of application for licensure.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-22-102, 63-22-106, and 63-22-115.

Rule 0450-2-.09, Renewal of Certificate or License, is amended by deleting subparagraph (1) (b), part (1) (c) 3, subparagraph (1) (d), paragraph (2) but not all its subparagraphs, and subparagraph (2) (a), but not its parts, and substituting instead the following language, and is further amended by deleting subparagraph (2) (b) in its entirety and renumbering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (1) (b), subparagraph (1) (d), paragraph (2) but not all its subparagraphs, and subparagraph (2) (a) but not its parts shall read:

- (1) (b) For licensees or certificate holders who have not renewed their license or certificate online via the Internet, a renewal application form will be mailed to each licensee and certificate holder to the last address provided to the Board. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal.
- (1) (d) Licensees or certificate holders who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses or certificates processed pursuant to rule 1200-10-1-.10.
- (2) Reinstatement of an Expired Certificate or License
 - (2) (a) Certificates or licenses that have expired may be reinstated upon meeting the following conditions:

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.

Rule 0450-2-.10, Supervision, is amended by deleting paragraph (2) and its subparagraphs in its entirety, and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-22-102, 63-22-106, and 63-22-115.

Rule 0450-2-.12, Continuing Education, is amended by deleting subparagraph (6) (b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraphs (6) (c) and (6) (d), and is further amended by deleting paragraph (8) in its entirety and substituting instead the following language, so that as amended, the new subparagraphs (6) (b), (6) (c), and (6) (d), and the new paragraph (8) shall read:

- (6) (b) Reactivation of revoked licensure or certification - No person whose license or certificate has been revoked for failure to comply with continuing education may be reinstated without complying with these requirements. Continuing education will accumulate at the same rate as that for those licenses and certificate holders which are active. The required clock hours of continuing education must have been begun and successfully completed within twelve (12) months immediately preceding the date of reinstatement. A license or certificate which has been revoked for noncompliance with the continuing education requirement shall also be subject to the late renewal fee pursuant to rule 0450-2-.06.
- (6) (c) Reactivation of expired licensure - No person whose license or certificate which has expired may be reinstated without submitting evidence of continuing education. The continuing education hours documented at the time of reinstatement must equal the hours required, had the license remained in an active status, and must have been successfully completed within twelve (12) months immediately preceding the date of reinstatement.
- (6) (d) Continuing education hours obtained as a prerequisite for reactivating a license or certificate may not be counted toward the calendar year requirement.
- (8) Violations
 - (a) Any licensee or certificate holder who falsely certifies attendance and completion of the required hours of continuing education requirements, or who does not or can not adequately substantiate completed continuing education hours with the required documentation, may be subject to disciplinary action.
 - (b) Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrant the intended action.
 - (c) The licensee or certificate holder has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the license or certificate.
 - (d) Any licensee or certificate holder who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraph (7) (b) above may be subject to disciplinary action.
 - (e) Continuing education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any renewal period.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.

Rule 0450-2-.12, Continuing Education, is amended by deleting paragraphs (5) and (7) in their entirety and renumbering the remaining paragraphs accordingly,

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.

Rule 0450-3-.01, Definitions, is amended by deleting paragraph (4) in its entirety and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§4-5-202, 4-5-204, and 63-22-102.

Rule 0450-3-.09, Renewal of Certificate, is amended by deleting subparagraph (1) (b), part (1) (c) 3, subparagraph (1) (d), paragraph (2) but not all its subparagraphs, and subparagraph (2) (a), but not its parts, and substituting instead the following language, and is further amended by deleting subparagraph (2) (b) in its entirety and renumbering the remaining subparagraphs accordingly, so that as amended, the new subparagraph (1) (b), subparagraph (1) (d), paragraph (2) but not all its subparagraphs, and subparagraph (2) (a) but not its parts shall read:

- (1) (b) For certificate holders who have not renewed their certificate online via the Internet, a renewal application form will be mailed to each certificate holder to the last address provided to the Board. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal.
- (1) (d) Certificate holders who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their certificates processed pursuant to rule 1200-10-1-.10.
- (2) Reinstatement of an Expired Certificate
 - (2) (a) Certificates that have expired may be reinstated upon meeting the following conditions:

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.

Rule 0450-2-.10, Supervision, is amended by deleting paragraph (2) and its subparagraphs in its entirety, and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-22-102, 63-22-106, and 63-22-115.

Rule 0450-3-.12, Continuing Education, is amended by deleting subparagraph (5) (b) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraphs (5) (c) and (5) (d), and is further amended by deleting paragraph (6) in its entirety and substituting instead the following language, so that as amended, the new subparagraphs (5) (b), (5) (c), and (5) (d), and the new paragraph (6) shall read:

- (5) (b) Reactivation of revoked certificate - No person whose certificate has been revoked for failure to comply with continuing education may be reinstated without complying with these requirements. Continuing education will accumulate at the same rate as that for those certificates which are active. The required clock hours of continuing education must have been begun and successfully completed within twelve (12) months immediately preceding the date of reinstatement. A certificate which has been revoked for noncompliance with the continuing education requirement shall also be subject to the late renewal fee pursuant to rule 0450-3-.06.

- (5) (c) Reactivation of expired certification - No person whose license which has expired may be reinstated without submitting evidence of continuing education. The continuing education hours documented at the time of reinstatement must equal the hours required, had the certificate remained in an active status, and must have been successfully completed within twelve (12) months immediately preceding the date of reinstatement.
- (5) (d) Continuing education hours obtained as a prerequisite for reactivating a certificate may not be counted toward the calendar year requirement.
- (6) Violations
 - (a) Any certificate holder who falsely certifies attendance and completion of the required hours of continuing education requirements, or who does not or can not adequately substantiate completed continuing education hours with the required documentation, may be subject to disciplinary action.
 - (b) Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrant the intended action.
 - (c) The certificate holder has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the certificate.
 - (d) Any certificate holder who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraph (6) (b) above may be subject to disciplinary action.
 - (e) Continuing education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any renewal period.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-22-102, 63-22-108, 63-22-110, and 63-22-111.

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-39)

DEPARTMENT OF ENVIRONMENT AND CONSERVATION - 0400
DIVISION OF AIR POLLUTION CONTROL

There will be a public hearing before the Technical Secretary of the Tennessee Air Pollution Control Board to consider the promulgation of an amendment to the Tennessee Air Pollution Control Regulations and the State Implementation Plan pursuant to Tennessee Code Annotated, Section 68-201-105. The comments received at this hearing will be presented to the Tennessee Air Pollution Control Board for their consideration in regards to the proposed regulatory amendment. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-201 et. seq. and will take place in the 9th Floor Conference Room of the L & C Annex, located at 401 Church Street, Nashville, Tennessee 37243-1531 at 9:30 a.m. on the 20th day of August, 2001.

Written comments will be included in the hearing records if received by the close of business August 20, 2001, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531.

Any individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be in person, by writing, telephone, or other means, and should be made no less than ten (10) days prior to (August 20, 2001) or the date such party intends to review such filings, to allow time to provide such aid or service. Contact the Tennessee Department of Environment and Conservation ADA Coordinator, 21st Floor, 401 Church Street, Nashville TN 37243, (615) 532-0103. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298)

If you have any questions about the origination of this rule change, you may contact Mr. John Patton at 1-800-511-7991. For complete copies of the text of the notice, please contact Mr. Malcolm Butler, Department of Environment and Conservation, 8th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243, telephone 615-532-0600.

SUBSTANCE OF PROPOSED RULE

CHAPTER 1200-3-9
CONSTRUCTION AND OPERATING PERMITS

AMENDMENTS

Subparagraph 1200-3-9-.01(4)(b) is amended by making amendments to three definitions in the subparagraph and adding eight definitions as follow:

Item (II) of subpart (i) of part 1 is amended by deleting the number "50" and inserting in its place the number "250" so that, as amended, the item shall read:

- (II) Municipal incinerators (or combinations thereof) capable of charging more than 250 tons of refuse per day.

Part 2 is amended by adding five items so that, as amended, the part shall read:

2. "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under this Division 1200-
3. (i) A physical change or change in the method of operation shall not include:

- (I) Routine maintenance, repair, or replacement;
- (II) Use of an alternative fuel or raw material by reason of any order under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to an applicable federal statute;
- (III) Use of an alternative fuel by reason of an order or rule under section 125 of the Clean Air Act;
- (IV) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste as determined by the Tennessee Division of Solid Waste Management.
- (V) Use of an alternative fuel or raw material by a stationary source which the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under a legally enforceable permit condition which was established after January 6, 1975, or under regulations of this Division 1200-3, or under regulations approved by the Environmental Protection Agency pursuant to 40 CFR 51.160-51.166;
- (VI) An increase in the hours of operation or in the production rate, unless such change would be prohibited under a legally enforceable permit condition which was established after January 6, 1975, or under regulations of this Division 1200-3.
- (VII) Any change in ownership at a stationary source.
- (VIII) The addition, replacement, or use of a pollution control project at an existing electric utility steam generating unit, unless the Technical Secretary determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:
 - I. When the Technical Secretary has reason to believe that the pollution control project would result in a significant net increase in representative actual annual emissions of any criteria pollutant over levels used for that source in the most recent air quality impact analysis in the area conducted for the purpose of achieving and maintaining an ambient air quality standard, if any, and
 - II. The Technical Secretary determines that the increase will cause or contribute to a violation of any ambient air quality standard or PSD increment, or visibility limitation.
- (IX) The addition, replacement, or use of a pollution control project on any existing unit other than an electric utility steam generating unit, unless the Technical Secretary determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:
 - I. When the Technical Secretary has reason to believe that the pollution control project would result in a significant net increase in representative actual annual emissions of any criteria pollutant over levels used for that source in the most recent air quality impact analysis in the area conducted for the purpose of achieving and maintaining an ambient air quality standard, if any, and

- II. The Technical Secretary determines that the increase will cause or contribute to a violation of any ambient air quality standard or PSD increment, or visibility limitation.
- (X) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with:
 - I. The state implementation plan, and
 - II. Other requirements necessary to attain and maintain the ambient air quality standards during the project and after it is terminated.
- (XI) The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.
- (XII) The reactivation of a very clean coal-fired electric utility steam generating unit.

Part 22 is amended by deleting “subparts (i) through (iii)” in the opening to the part and inserting in its place “the subparts,” inserting “(other than an electric utility steam generating unit specified in subpart (v) below)” between “unit’ and “which” in subpart (iv), and adding a subpart so that, as amended, the part shall read:

- 22. “Actual emissions” means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with the subparts below.
 - (i) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The Technical Secretary may allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit’s actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.
 - (ii) The Technical Secretary may presume that source specific allowable emissions for the unit are equivalent to the actual emissions of the unit.
 - (iii) For any emissions unit (other than an electric utility steam generating unit specified in subpart (v) below) which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.
 - (iv) For an electric utility steam generating unit (other than a new unit or the replacement of an existing unit) actual emissions of the unit following the physical or operational change shall equal the representative actual annual emissions of the unit, provided the source owner or operator maintains and submits to the Technical Secretary on an annual basis for a period of 5 years from the date the unit resumes regular operation, information demonstrating that the physical or operational change did not result in an emissions increase. A longer period, not to exceed 10 years, may be required by the Technical Secretary if he determines such a period to be more representative of normal source post-change operations.

Subparagraph (b) is amended by adding eight parts as follow:

33. “Electric utility steam generation unit” means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

“Pollution control project” means any activity or project undertaken at an existing electric utility steam generating unit for purposes of reducing emissions from such unit. Such activities or projects are limited to:

- (i) The installation of conventional or innovative pollution control technology, including but not limited to advanced flue gas desulfurization, sorbent injection for sulfur dioxide and nitrogen oxides controls and electrostatic precipitators;
- (ii) An activity or project to accommodate switching to a fuel which is less polluting than the fuel in use prior to the activity or project, including, but not limited to natural gas or coal re-burning, or the co-firing of natural gas and other fuels for the purpose of controlling emissions;
- (iii) A permanent clean coal technology demonstration project conducted under Federal appropriations up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the EPA; or
- (iv) A permanent clean coal technology demonstration project that constitutes a repowering project.

“Representative actual annual emissions” means the average rate, in tons per year, at which the source is projected to emit a pollutant for the two-year period after a physical change or change in the method of operation of a unit, (or a different consecutive two-year period within 10 years after that change, where the Technical Secretary determines that such period is more representative of normal source operations), considering the effect any such change will have on increasing or decreasing the hourly emissions rate and on projected capacity utilization. In projecting future emissions the Technical Secretary shall:

- (i) Consider all relevant information, including but not limited to, historical operational data, the company’s own representations, filings with the Technical Secretary, and compliance plans for control of emissions of acid deposition pollutants; and
- (ii) Exclude, in calculating any increase in emissions that results from the particular physical change or change in the method of operation at an electric utility steam generating unit, that portion of the unit’s emissions following the change that could have been accommodated during the representative baseline period and is attributable to an increase in projected capacity utilization at the unit that is unrelated to the particular change, including any increased utilization due to the rate of electricity demand growth for the utility system as a whole.

“Clean coal technology” means any technology, including technologies applied at the precombustion, combustion, or post combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

“Clean coal technology demonstration project” means a project using funds appropriated under the heading “Department of Energy – Clean Coal Technology,” up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the EPA. The Federal contribution for a qualifying project shall be at least 20 percent of the total cost of the demonstration project.

“Temporary clean coal technology demonstration project” means a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the state implementation plan and other requirements necessary to attain and maintain the ambient air quality standards during the project and after it is terminated.

“Repowering” means the replacement of an existing coal-fired boiler with one of the following clean coal technologies: atmospheric or pressurized fluidized bed combustion, integrated gasification combined cycle, magnetohydrodynamics, direct and indirect coal-fired turbines, integrated gasification fuel cells, or as determined by the Technical Secretary and Administrator, in consultation with the US Secretary of Energy, a derivative of one or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990. It shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the US Department of Energy.

“Reactivation of a very clean coal-fired electric utility steam generating unit” means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit:

- (i) Has not been in operation for the two-year period prior to November 15, 1990, and the emissions from such unit continue to be carried in the Technical Secretary’s emissions inventory at the time of enactment;
- (ii) Was equipped prior to shutdown with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of no less than 85 percent and a removal efficiency for particulates of no less than 98 percent;
- (iii) Is equipped with low-NO_x burners prior to the time of commencement of operations following reactivation; and
- (iv) Is otherwise in compliance with all applicable requirements, as that term is used in paragraph .02(11) of this chapter.

Authority: *T.C.A. §§68-201-105 and 4-5-202 et. seq.*

This notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-33)

DEPARTMENT OF ENVIRONMENT AND CONSERVATION - 0400
DIVISION OF AIR POLLUTION CONTROL

There will be a public hearing before the Technical Secretary of the Tennessee Air Pollution Control Board to consider the promulgation of an amendment to the Tennessee Air Pollution Control Regulations, Title V Program, and the State Implementation Plan pursuant to Tennessee Code Annotated, Section 68-201-105. The comments received at this hearing will be presented to the Tennessee Air Pollution Control Board for their consideration in regards to the proposed regulatory amendment. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-201 et. seq. and will take place in the 9th Floor Conference Room of the L & C Annex, located at 401 Church Street, Nashville, Tennessee 37243-1531 at 9:30 a.m. on the 20th day of August, 2001.

Written comments will be included in the hearing records if received by the close of business August 20, 2001, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531.

Any individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be in person, by writing, telephone, or other means, and should be made no less than ten (10) days prior to (August 20, 2001) or the date such party intends to review such filings, to allow time to provide such aid or service. Contact the Tennessee Department of Environment and Conservation ADA Coordinator, 21st Floor, 401 Church Street, Nashville TN 37243, (615) 532-0103. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298)

If you have any questions about the origination of this rule change, you may contact Mr. Barry Stephens at 1-800-511-7991. For complete copies of the text of the notice, please contact Mr. Malcolm Butler, Department of Environment and Conservation, 8th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243, telephone 615-532-0600.

SUBSTANCE OF PROPOSED RULE

CHAPTER 1200-3-26
ADMINISTRATIVE FEES SCHEDULE

AMENDMENT

Subparagraph (d) of paragraph (9) of rule 1200-3-26-.02 Construction and Annual Emission Fees is amended by deleting the current subparagraph (d) and substituting a new subparagraph (d) in its place with the following language "The rate at which major source actual based annual emission fees are assessed shall be \$25 per ton for the annual accounting period July 1, 2001 to June 30, 2002. The rate at which major source allowable based annual emission fees are assessed shall be \$15.00 per ton for the annual accounting period July 1, 2001 to June 30, 2002. An annual revision must result in the collection of sufficient fees to fund the activities identified in subparagraph 1200-3-26-.01(1)(c). These annual rates shall be supported by the Division's annual workload analysis that is approved by the Board." so that, as amended, the new subparagraph shall read:

- (d) The rate at which major source actual based annual emission fees are assessed shall be \$25 per ton for the annual accounting period July 1, 2001 to June 30, 2002. The rate at which major source allowable based annual emission fees are assessed shall be \$15.00 per ton for the annual accounting period July 1, 2001 to June 30, 2002. An annual revision must result in the collection of sufficient fees to fund the activities identified in subparagraph 1200-3-26-.01(1)(c). These annual rates shall be supported by the Division's annual workload analysis that is approved by the Board.

Authority: T.C.A. §68-201-105 and, 4-5-202 et. seq.

This notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-32)

**DEPARTMENT OF ENVIRONMENT AND CONSERVATION - 0400
DIVISION OF RADIOLOGICAL HEALTH**

There will be a hearing before the Tennessee Department of Environment and Conservation, Division of Radiological Health, to consider the promulgation of amendments pursuant to T.C.A. 68-202-101 *et seq.*, and 68-202-501 *et seq.* The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the 17th Floor Conference Room of the L & C Tower located at 401 Church Street, Nashville, Tennessee at 1:00 p.m. (CDT), on the 17th day of August 2001.

Any individuals with disabilities who wish to participate in these proceedings should contact the Division of Radiological Health to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days before the scheduled meeting date to allow time for the Division to determine how it may reasonably provide such aid or service. Contact the Tennessee Department of Environment and Conservation, ADA Coordinator, Isaac Okoreeh-Baah, 401 Church Street, L & C Annex, Seventh Floor; Nashville, TN 37243; (615) 532-0009 or 1-888-867-2757. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

For a copy of this notice of rulemaking hearing, contact: Barbara A. Davis; Division of Radiological Health, L & C Annex, Third Floor; 401 Church Street; Nashville, TN 37243-1532, 615-532-0364.

SUBSTANCE OF PROPOSED AMENDMENTS

Paragraph (3) of Rule 1200-2-10-.24 Registration is amended by deleting the paragraph in its entirety and substituting the following, so that as amended the paragraph shall read:

- (3) Classification and fee schedule. For purposes of inspections and payment of fees the classification and fee schedule shall be as follows:

Class I	Dental Radiation Machines: All diagnostic equipment used exclusively for dental diagnostic procedures.	\$ 65.00 per tube
Class II	Priority Two Medical Radiation Machines: All medical diagnostic x-ray equipment, not in Class III, used exclusively for medical or veterinary diagnostic procedures.	\$ 150.00 per tube
Class III	Priority One Medical Radiation Machines: All diagnostic x-ray equipment used in radiologists' offices, orthopedic surgeons' offices or hospitals exclusively for medical diagnostic procedures.	\$ 200.00 per tube
Class IV	Therapy Medical Radiation Machines: All x-ray equipment with energies less than 0.9 MeV used for the purpose of medical or veterinary radiation therapy.	\$ 300.00 per tube
Class V	Priority Two Industrial and Educational Radiation Machines: Closed-beam analytical radiation machines, gauges or industrial radiation machines used in shielded room or cabinet radiography.	\$ 600.00 per tube
Class VI	Priority One Industrial and Educational Radiation Machines: All x-ray machines used for industrial radiography and all open-beam analytical x-ray machines not specifically included in Class I, II, III, IV, V or VII.	\$ 900.00 per tube
Class VII	Accelerators: All devices defined as accelerators as per "State Regulations for Protection Against Radiation."	\$ 2,000.00 annual fee plus an initial review fee of \$ 375.00 per maximum

nominal rated MeV (initial review fee not to exceed \$ 150,000.00)

A person providing inspection services under paragraph 1200-2-10-.27(4), except as provided by part 1200-2-10-.24(2)(a)4, shall pay an annual registration fee of six hundred dollars. \$ 600.00

A person providing assembly/installation/servicing, except as provided by part 1200-2-10-.24(2)(a)4, shall pay an annual registration fee of six hundred dollars. \$ 600.00

Paragraphs (6) through (19) of Rule 1200-2-10-.31 Fees for Licenses are amended by deleting the paragraphs in their entirety and substituting the following, so that as amended the paragraphs shall read:

- (6) Category GL Any person possessing radioactive material, under the terms of any general license issued under these regulations, in a form or device on which a test for leakage of radioactive material is required. \$ 150.00
- (7) Category 1 A specific license for source material used exclusively for shielding radiation. \$ 300.00
- (8) Category 2 \$ 600.00
- 2a Reserved.
- 2b The application, use or possession of radioactive material as chromatography sources or gauges not requiring assignment to another category.
- 2c The application, use or possession of radioactive material for in vitro use only, total quantity not to exceed 200 microcuries.
- 2d Any person who packages or containerizes, loads transport vehicles or ships radioactive materials to a licensed disposal/processing facility in Tennessee. In addition to application and annual maintenance fees, there is also levied a fee of one and one-half cent per pound (\$0.015/lb) on all items contaminated or potentially contaminated with radioactive material or on low-level radioactive waste received at a processing, storage, disposal or refurbishing facility in Tennessee. Notwithstanding the requirements of this paragraph 1200-2-10-.31(10) and Rule 1200-2-10-.32, licensees with multiple sites within the state will be levied only one fee if items are moved directly from one site to another. The operator of the disposal/processing facility shall collect the fee of one and one-half cent per pound (\$0.015/lb). For each calendar month, he shall remit the total of fees collected for the month to the Division of Radiological Health by the 25th day of the following month.

- 2e The application, use or possession of radioactive material for the calibration for hire of radiation detection, monitoring and measuring instruments.
- 2f The performance for hire of leak tests on sealed sources of radioactive material.
- (9) Category 3 \$ 900.00
- 3a The application, use or possession of radioactive material, unless specific to a higher numbered category, by an academic institution, but does not include licenses authorizing all radioisotopes with atomic number 3 through 83.
- 3b The possession and use of radioactive material for civil defense activities.
- 3c The application, use or possession of radioactive material by a medical institution or physicians for use in radiopharmaceuticals for the diagnosis or therapy of humans.
- 3d Reserved.
- 3e Reserved.
- 3f Reserved.
- 3g The application, use or possession of radioactive material for demonstration or training purposes.
- 3h The application, use or possession of radioactive material for in vitro use only, total quantity exceeding 200 microcuries.
- 3i The use of sealed sources for soil and/or construction materials testing at temporary job-sites by licensees with licensed authorization for no more than two (2) devices.
- 3j The use of radioactive material as chromatography sources at temporary job-sites by licensees with licensed authorization for no more than two (2) devices.
- 3k The use of gauging and measuring devices at temporary job-sites by licensees with licensed authorization for no more than two (2) devices.
- (10) Category 4 \$ 1,500.00
- 4a The application, use or possession of radioactive material by a medical institution or physicians for interstitial, intracavitary or superficial treatment of humans using sealed sources, seeds or wires.
- 4b The application, use or possession of radioactive material in sealed sources for irradiation of materials in which the source is not removed from its shield (self-contained irradiators).
- 4c The application, use or possession of radioactive material for analytical testing purposes.
- (11) Category 5 \$ 2,100.00

- 5a The use of radioactive material in research and development, manufacturing, testing, processing and assembling of products. This group includes the use of source material in the manufacture of items such as mantles, alloys, gases, liquids, metals, ceramics, glass or photographic products.
 - 5b The use of radioactive material in a process that incorporates that material into a product in exempt concentrations.
 - 5c The possession and use of radioactive material in curie quantities in a number of sources in gauges and gauging applications that require frequent changes and therefore frequent review of the program to ensure that the hazard potential does not exceed the scope of the radiation safety program.
 - 5d The use of a single radioactive material in the fabrication of sealed sources or ampoules.
 - 5e The receipt of prepackaged radioactive material waste from other persons by a nuclear waste handler for storage for less than three (3) months before transfer only to persons licensed to receive or dispose of the material.
 - 5f The use of sealed sources for soil and/or construction materials testing at temporary job-sites by licensees with licensed authorization for more than two (2) devices.
 - 5g The use of radioactive material as chromatography sources at temporary job-sites by licensees with licensed authorization for more than two (2) devices.
 - 5h The use of gauging and measuring devices at temporary job-sites by licensees with licensed authorization for more than two (2) devices.
 - 5i The application, use or possession of radioactive material by a medical institution or physicians for the treatment of humans with sealed sources contained in teletherapy devices.
 - 5j The application, use or possession of radioactive material by a veterinarian for the treatment of animals using sealed sources, seeds or wires.
- (12) Category 6 \$ 6,000.00
- 6a The application, use or possession of radioactive material including source and/or special nuclear material in unsealed form in less than multicurie quantities for use in the fabrication of sealed sources without regard to amount of contained radioactivity.
 - 6b The manufacture of devices and/or sources that require in-depth review before approval by the Division. Each device and/or source reviewed shall be subject to this fee.
 - 6c The preparation, use or distribution of radiopharmaceuticals to locations other than the licensee's address for use in medical diagnosis or therapy.
 - 6d The use of radiography (the examination of the structure of materials by nondestructive methods using radioactive material) on the licensee's premises in a permanent shielded facility or temporary job-sites.
 - 6e The possession and use of radioactive material by academic and medical institutions under a license authorizing all radioisotopes with atomic numbers 3 through 83.

- 6f Reserved.
 - 6g The application of radioactive material to soil, water, air, plants and animals, if the application involves an actual or potential release in or to unrestricted areas.
 - 6h The possession, use and distribution of radioactive material at one or more satellite facilities, or the possession and use of radioactive material at one or more satellite facilities, by medical institutions.
 - 6i The application, use or possession of radioactive material by a medical institution or physicians for research using humans and/or animals.
- (13) Category 7 \$ 4,000.00
- 7a Reserved.
 - 7b Reserved.
 - 7c The application, use or possession of radioactive material for well logging, well surveys or tracer studies.
- (14) Category 8 \$ 11,250.00
- 8a The receipt of radioactive material waste from other persons by a nuclear waste handler, to package or repackage the material before transfer only to persons licensed to receive or dispose of the material.
 - 8b The commercial collection, laundering or dry cleaning of wearing apparel that is contaminated with radioactive material.
- (15) Category 9 \$ 15,000.00
- 9a The possession of radioactive material or equipment contaminated or potentially contaminated with radioactive material as a result of operations involving the recovery of an element, compound or mixture from ores not subject to licensure because of the radioactive material content of the ore.
 - 9b Facilities that possess radioactive material as a result of operations (not directly involving radioactive decontamination activities) involving recovery of materials or other manufacturing processes (not directly manufacturing radioactive items or products).
- (16) Category 10 \$ 22,500.00
- 10a Facilities storing radioactive material, contaminated equipment and/or potentially contaminated equipment for transfer to authorized recipients as a service to the nuclear industry.
 - 10b Possession and refurbishment of contaminated equipment and/or potentially contaminated equipment that has been used at nuclear power plants.
- (17) Category 11 \$ 30,000.00
- 11a The collection, transfer, sorting and/or brokerage of radioactive material as sealed source, residue,

product or as material in or on equipment; and/or

The decontamination of products and/or equipment containing radioactive material and/or contaminated with radioactive material; and/or The possession, storage and incineration of radioactive material or items contaminated with radioactive materials.

- 11b On site possession and storage of radioactive material and/or equipment contaminated with radioactive material as a result of operations involving the recovery of an element, compound or mixture from ores subject to licensure because of the radioactive material content of the ore or concentration of the radioactive material during the processing of the ore.
- 11c Facilities involved in the manufacture of product lines containing radioactive material in the manufactured product.
- 11d Possession of radioactive material for processing. This material may exist in ores, concentrates, compounds or metals.
- 11e The possession of multicurie quantities of unsealed radioactive material either as waste or for further processing and/or conversion into specific marketable products.
- 11f Operations involving the fabrication of sealed sources or manufacture of compounds for distribution to other specific or general licensees.
- 11g The possession and use of radioactive material in a sealed source for irradiation of materials in which the source is exposed for irradiation purposes (non self-contained irradiators).

- (18) Category 12 The application for and/or operation of a low-level radioactive waste disposal facility. \$ 375,000.00

The maximum length of reviewing time (the period of time when there are no outstanding unanswered questions) after receipt of a new application and the appropriate fee for a Category 12 specific license and the issuance of a license is 60 months.

- (19) Category 13 The application, use or possession of radioactive material for uses or procedures not specifically included in any other category. ————— At least \$ 150.00 not greater than \$ 375,000.00

The fee shall be determined on a case-by-case basis. The determination shall be based on an analysis of the hazard, the scope of the difficulty encountered in the review process and the specifics of the activity following the categories established above.

Authority: T.C.A. §68-202-101, et seq. and 4-5-201, et seq., and 68-203-101 et seq.

OTHER INFORMATION

Oral or written comments are invited at the hearing. In addition, written comments may be submitted to Barbara A. Davis at the Division of Radiological Health, Central Office, address below, prior to or following the public hearing. However, the Division must receive such written comments in its Central Office by 4:30 p.m. CDT, August 31, 2001, in order to assure consideration.

Copies of draft rules are available for review in the Public Access Areas of the following Departmental Environmental Assistance Centers:

Chattanooga Environmental Assistance Center
State Office Building
540 McCallie Avenue, Suite 550
Chattanooga, TN 37402-2013
(423) 634-5745 / 1-888-891-8332

Knoxville Environmental Assistance Center
2700 Middlebrook Pike, Suite 220
Knoxville, TN 37921-5602
(865) 594-6035 / 1-888-891-8332

Memphis Environmental Assistance Center
Perimeter Park
2510 Mt Moriah Road, Suite E-645
Memphis, TN 38115-1520
(901) 368-7939 / 1-888-891-8332

Nashville Environmental Assistance Center
711 R S Gass Boulevard
Nashville, TN 37243
(615) 687-7000 / 1-888-891-8332

Copies are also available for review at the Division of Radiological Health, Central Office:
Division of Radiological Health
L & C Annex, Third Floor
401 Church Street
Nashville, TN 37243-1532.

The "DRAFT" rules may also be accessed for review at the Department's World Wide Web Site located at <http://www.state.tn.us/environment.htm>

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-43)

**DEPARTMENT OF ENVIRONMENT AND CONSERVATION - 0400
DIVISION OF SUPERFUND**

There will be a hearing conducted by the Division of Superfund on behalf of the Solid Waste Disposal Control Board to receive public comments regarding the promulgation of amendment of rules pursuant to T.C.A. Sections 68-212-203 and 68-212-215. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place at the Tennessee Department of Environment and Conservation, Chattanooga Environmental Assistance Center, 5th Floor Conference Room, 540 McCallie Street, Chattanooga, TN 37402 on August 20, 2001 at 7:00 p.m. Individuals with disabilities who wish to participate should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such contact may be in person, by writing, telephone, or other means and should be made no less than ten (10) days prior to the hearing date to allow time to provide such aid or services. Contact: Tennessee Department of Environment and Conservation, ADA Coordinator, 7th Floor Annex, 401 Church Street, Nashville, TN 37248, (615)532-0059. Hearing impaired callers may use the Tennessee Relay Service, (1-800-848-0298)

SUBSTANCE OF PROPOSED RULES

**CHAPTER 1200-1-13
HAZARDOUS SUBSTANCE SITE REMEDIAL ACTION**

AMENDMENTS

Rule 1200-1-13-.13 List of Inactive Hazardous Substance Sites is amended by deleting the following site from the list, such deletion being made in a manner so that the entire list remains in numerical order:

Site Number	Site Name
Hamilton County (33)	
33-542	Hamill Road Dump #2 Chattanooga, TN

Authority: T.C.A. § 68-212-206(e) and § 68-212-215(e).

The notice of rulemaking set out herein was properly filed in the Department of State on the 20th day of June, 2001. (06-25)

**DEPARTMENT OF ENVIRONMENT AND CONSERVATION - 0400
DIVISION OF SUPERFUND**

There will be a hearing conducted by the Division of Superfund on behalf of the Solid Waste Disposal Control Board to receive public comments regarding the promulgation of amendment of rules pursuant to T.C.A. Sections 68-212-203 and 68-212-215. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place at the Tennessee Department of Environment and Conservation, Chattanooga Environmental Assistance Center, 5th Floor Conference Room, 540 McCallie Street, Chattanooga, TN 37402 on August 20, 2001 at 6:00 p.m. Individuals with disabilities who wish to participate should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such contact may be in person, by writing, telephone, or other means and should be made no less than ten (10) days prior to the hearing date to allow time to provide such aid or services. Contact: Tennessee Department of Environment and Conservation, ADA Coordinator, 7th Floor Annex, 401 Church Street, Nashville, TN 37248, (615)532-0059. Hearing impaired callers may use the Tennessee Relay Service, (1-800-848-0298)

SUBSTANCE OF PROPOSED RULES

**CHAPTER 1200-1-13
HAZARDOUS SUBSTANCE SITE REMEDIAL ACTION**

AMENDMENTS

Rule 1200-1-13-.13 List of Inactive Hazardous Substance Sites is amended by deleting the following site from the list, such deletion being made in a manner so that the entire list remains in numerical order:

Site Number	Site Name
Hamilton County (33)	
33-617	Birchwood Pike Chattanooga, TN

Authority: T.C.A. § 68-212-206(e) and § 68-212-215(e).

The notice of rulemaking set out herein was properly filed in the Department of State on the 20th day of June, 2001. (06-26)

**DEPARTMENT OF ENVIRONMENT AND CONSERVATION - 0400
DIVISION OF SUPERFUND**

There will be a hearing conducted by the Division of Superfund on behalf of the Solid Waste Disposal Control Board to receive public comments regarding the promulgation of amendment of rules pursuant to T.C.A. Sections 68-212-203 and 68-212-215. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place at the Tennessee Department of Environment and Conservation, Chattanooga Environmental Assistance Center, 5th Floor Conference Room, 540 McCallie Street, Chattanooga, TN 37402 on August 20th, 2001 at 6:30 p.m. Individuals with disabilities who wish to participate should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such contact may be in person, by writing, telephone, or other means and should be made no less than ten (10) days prior to the hearing date to allow time to provide such aid or services. Contact: Tennessee Department of Environment and Conservation, ADA Coordinator, 7th Floor Annex, 401 Church Street, Nashville, TN 37248, (615)532-0059. Hearing impaired callers may use the Tennessee Relay Service, (1-800-848-0298)

SUBSTANCE OF PROPOSED RULES

**CHAPTER 1200-1-13
HAZARDOUS SUBSTANCE SITE REMEDIAL ACTION**

AMENDMENTS

Rule 1200-1-13-.13 List of Inactive Hazardous Substance Sites is amended by adding the following site to the list, such addition being made in a manner so that the entire list remains in numerical order:

Site Number	Site Name
Hamilton County (33)	
33-635	Tennessee Transformer Chattanooga, TN

Authority: T.C.A. § 68-212-206(e) and § 68-212-215(e).

The notice of rulemaking set out herein was properly filed in the Department of State on the 20th day of June, 2001. (06-27)

DEPARTMENT OF FINANCE AND ADMINISTRATION - 0620
BUREAU OF TENNCARE

There will be a hearing before the Commissioner to consider the promulgation of amendments of rules pursuant to Tennessee Code Annotated, 71-5-105 and 71-5-109. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Room 16 of the Legislative Plaza, 6th Avenue North, Nashville, Tennessee, at 9:00 a.m. C.D.T. on the 16th day of August 2001.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Department of Finance and Administration, Bureau of TennCare, to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings) to allow time for the Bureau of TennCare to determine how it may reasonably provide such aid or service. Initial contact may be made with the Bureau of TennCare's ADA Coordinator by mail at the Bureau of TennCare, 729 Church Street, Nashville, Tennessee 37247-6501 or by telephone at (615) 741-0155 or 1-800-342-3145.

For a copy of this notice of rulemaking hearing, contact George Woods at the Bureau of TennCare, 729 Church Street, Nashville, Tennessee 37247-6501 or call (615) 741-0145.

SUBSTANCE OF PROPOSED RULES

Rule 1200-13-12-.01 Definitions is amended by adding a new paragraph (38) which shall read as follows:

- (38) TennCare Select shall mean a managed care health plan established by the Bureau of TennCare to provide medical services to certain eligible enrollees. TennCare Select will be operated as a managed care health plan utilizing the primary care clinician model of providing services.

Subparagraph (j) of paragraph (1) of rule 1200-13-12-.03 Enrollment, Disenrollment, Re-enrollment, and Reassignment is deleted in its entirety and replaced by a new subparagraph (j) which shall read as follows:

- (j) If an enrollee elects family coverage through TennCare, all enrollees in the family, to the extent that the Bureau of TennCare can identify all members of the family, shall be enrolled in the same health plan and the same mental health plan, except those family members who are enrolled in TennCare Select.

The language of paragraph (4) of rule 1200-13-12-.03 Enrollment, Disenrollment, Re-enrollment, and Reassignment is to be revised to make the introductory paragraph subparagraph (a) and subparagraphs (a)-(d) are to be renumbered as parts 1.-4. A new subparagraph (b) is to be added and the last sentence following renumbered part 4. is to be made subparagraph (c) so as amended paragraph (4) shall read as follows:

- (4) Reassignment
- (a) Reassignment to an MCO other than the current plan in which the enrollee is placed is subject to an MCO's capacity to accept new enrollees, must be approved by the Bureau of TennCare, and is the result of one of the following:
1. During the initial 45-day period of eligibility, an enrollee may request transfer to an MCO other than the one to which he/she was assigned. Effective July 1, 2001, enrollees can make this change in ninety (90) days.
 2. During an annual period in which enrollees are given the opportunity to transfer to another MCO.

3. An enrollee must change MCOs if he/she moves outside the MCO's community service area (CSA), and that MCO is not authorized to operate in the enrollee's new place of residence. Until an enrollee selects or is assigned to a new health plan and his/her enrollment is deemed complete, his/her medical care will remain the responsibility of the original health plan. Once reassigned, an enrollee will have ninety (90) calendar days to change his/her choice of health plans in the new CSA, effective July 1, 2001.
 4. Enrollees will be given the opportunity to select a new health plan if their MCO withdraws from participation in TennCare and is no longer available. If the enrollee does not make a selection within the allotted time frame, the Bureau will assign him/her to an MCO operating in their CSA.
- (b) An enrollee in TennCare Select may be reassigned to the same health plan as other family members if the family decides that all family members should be in the same health plan. A written request must be submitted to the Bureau of TennCare – Member Services, to reassign the individual(s) in TennCare Select to the health plan in which other family members are enrolled.
- (c) Enrollees may change health plans at any time if they have gone through the grievance procedure and have obtained approval from the Bureau of TennCare.

Rule Chapter 1200-13-12 Bureau of TennCare is amended by adding rule 1200-13-12-.13 which shall read as follows:

1200-13-12-.13 TENNCARE SELECT.

- (1) Definitions. For the purposes of this rule, the following definitions apply:
- (a) Child shall mean:
 1. An individual who is in the physical or legal custody of the Tennessee Department of Children's Services (DCS); or
 2. An individual who qualifies as a child for Medicaid/TennCare pursuant to the rules of the Tennessee Department of Human Services (DHS); or
 3. An individual under age 21 who qualifies for Supplemental Security Income (SSI) through the Social Security Administration (SSA) and who is automatically enrolled in Medicaid/TennCare.
 - (b) Potentially ineligible enrollee – shall be defined as those enrollees who have not responded to requests for reverification of their eligibility (the non-Medicaid population served by TennCare) and who have not used TennCare-covered services for an extended period of time.
- (2) Eligibility. Placement of eligible enrollees in TennCare Select shall be limited to the categories below. Assignment of an eligible enrollee to TennCare Select is an exception to the Bureau's principle of keeping all identifiable family members in the same MCO. TennCare Select shall not be an optional choice for enrollment for new or existing enrollees. An enrollee eligible for enrollment in TennCare Select may at his/her own choosing, or that of his/her responsible party, decide to not be placed in, or withdraw from TennCare Select as otherwise specified in these rules.
- (a) A child who is in the physical or legal custody of the Tennessee Department of Children's Services (DCS); or
 - (b) A child who has been determined eligible to receive Supplemental Security Income (SSI) by the Social Security Administration (SSA), which automatically qualifies a child for Medicaid/TennCare; or

- (c) A child who is receiving services in an institution or through the State Home and Community Based Services (HCBS) waiver program; or
- (d) A TennCare-eligible individual (of any age) residing in an area of the State where all existing MCOs in that service area have reached maximum capacity for enrollment; or
- (e) A TennCare-eligible individual (of any age) who is currently residing out-of-state. An enrollee residing out-of-state is one who is either:
 - 1. A child that has been placed for foster care by the State with a family who resides outside of the State of Tennessee and for whom the State is still responsible for the individual's medical care; or
 - 2. A person who has been determined eligible for SSI and has relocated outside the State of Tennessee and has not yet requested transfer to the Medicaid program of the state of residence; or
 - 3. A person who has been determined to live out-of-state but has not been disenrolled due to legal restraints placed on the State; or
- (f) Potentially ineligible enrollees; or
- (g) Any other eligible or category of eligibles where the Bureau finds it to be in the best interest of TennCare or the individual(s) for such persons to be placed in TennCare Select for the provision of medical services.

(3) Amount, Scope, Duration, and Provision of Services

- (a) Enrollees placed in TennCare Select shall have all TennCare covered services available to them to the same extent as any other category of TennCare eligible enrollee in any other MCO or BHO participating in the TennCare program.
- (b) TennCare Select shall cover, at a minimum, the services and benefits covered by TennCare as listed at rule 1200-13-12-.04.
- (c) A contractor shall be selected by the Bureau to provide management services and a network of medical providers sufficient to meet the time and distance criteria established by contract between the Bureau and the selected contractor to serve this population. The Bureau shall be responsible for providing the contractor all information on enrollees including, but not limited to, eligibility start and end dates, category of eligibility, available third party resources, etc.

(4) Length of Enrollment in TennCare Select

- (a) An individual may remain in TennCare Select subject to the provisions below. An individual, or the individual's responsible party, may request reassignment to another MCO at any time subject to the Bureau's normal process for accommodating such requests to change as set forth in this chapter.
 - 1. A child who is in the physical or legal custody of DCS may remain in TennCare Select for a minimum of six (6) months or the duration of the period of time he/she remains in DCS custody. When a child is no longer in DCS custody, he/she may remain in TennCare Select for a period of six (6) months. If this six-month period ends outside of an optional MCO change period, such child may remain in TennCare Select until the next optional change period.

2. A child who has been determined eligible to receive Supplemental Security Income (SSI) may remain in TennCare Select until he/she reaches the age of 21 years. If the individual's birthday falls outside an MCO optional change period, he/she may remain in TennCare Select until the next MCO optional change period.
 3. A child who is receiving services in an institution or through the State HCBS waiver program may remain in TennCare Select until he/she reaches the age of 21 years. If the individual's birthday falls outside an MCO optional change period, he/she may remain in TennCare Select until the next MCO optional change period.
 4. A TennCare-eligible individual (of any age) residing in an area of the State where all existing MCOs in that service area have reached maximum capacity for enrollment may remain in TennCare Select until the next MCO optional change period. During the optional change period such enrollees will be informed that they must select from other MCOs in their area that are open and accepting new enrollees.
 5. A TennCare-eligible individual (of any age) who is currently residing out-of-state may remain in TennCare Select pursuant to the following.
 - (i) A child that has been placed for foster care by the State with a family who resides outside of the State of Tennessee and for whom the State is still responsible for the individual's medical care may remain in TennCare Select until the State no longer has responsibility for the child's health care.
 - (ii) A person who has been determined eligible for SSI and has relocated outside the State of Tennessee and has not yet requested transfer to the Medicaid program of the state of residence may remain in TennCare Select until such request for reassignment has been made or until this person is no longer eligible for SSI.
 - (iii) A person who has been determined to live out-of-state but has not been disenrolled due to legal restraints placed on the State will remain in TennCare Select until the Bureau has issued due process notice of termination of TennCare eligibility, pursuant to Rules 1200-13-12-.11 and 1200-13-12-.12.
 6. Potentially ineligible enrollees may remain in TennCare Select until the Bureau has issued due process notice of termination of TennCare eligibility, pursuant to Rules 1200-13-12-.11 and 1200-13-12-.12.
 7. Any other eligible or category of eligibles where the Bureau finds it to be in the best interest of TennCare or the individual(s) for such persons to be placed in TennCare Select for the provision of medical services, may remain in TennCare Select until the Bureau determines the best interests of such eligible(s) may adequately be served in other MCOs.
- (b) A child, as described in paragraph (2), subparagraphs (a) through (c) above, enrolled in TennCare Select, whose parent or legally responsible party has the child reassigned to another MCO during the MCO optional change period, may be re-enrolled in TennCare Select within ninety (90) days of the reassignment.

Rule 1200-13-12-.07 Managed Care Organization Payment is amended by deleting all of the language following the first sentence so as amended rule 1200-13-12-.07 shall read as follows:

1200-13-12-.07 MANAGED CARE ORGANIZATION PAYMENT. Payment shall be made to each enrolled managed care organization on a monthly basis for the organization's satisfactory performance of its duties and responsibilities as specified in the contract between the organization and the Tennessee Department of Finance and Administration.

Authority: T.C.A. §§4-5-202, 4-5-203, 71-5-105, 71-5-109, Executive Order No. 23.

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-44)

**DEPARTMENT OF FINANCE AND ADMINISTRATION - 0620
BUREAU OF TENNCARE**

There will be a hearing before the Commissioner to consider the promulgation of amendments of rules pursuant to Tennessee Code Annotated, 71-5-105 and 71-5-109. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Room 16 of the Legislative Plaza, 6th Avenue North, Nashville, Tennessee, at 9:00 a.m. C.D.T. on the 16th day of August 2001.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Department of Finance and Administration, Bureau of TennCare, to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings) to allow time for the Bureau of TennCare to determine how it may reasonably provide such aid or service. Initial contact may be made with the Bureau of TennCare's ADA Coordinator by mail at the Bureau of TennCare, 729 Church Street, Nashville, Tennessee 37247-6501 or by telephone at (615) 741-0155 or 1-800-342-3145.

For a copy of this notice of rulemaking hearing, contact George Woods at the Bureau of TennCare, 729 Church Street, Nashville, Tennessee 37247-6501 or call (615) 741-0145.

SUBSTANCE OF PROPOSED RULES

Subparagraph (c) of paragraph (1) of rule 1200-13-12-.05 Enrollee Cost Sharing is deleted in its entirety and replaced with a new subparagraph (c) which shall read as follows:

- (c) Effective July 1, 2001, the Bureau will implement the TennCare Premium Sliding Scale Schedule as approved by the Centers for Medicare and Medicaid Services, based on the 1999 poverty levels, and it shall apply for both the uninsured and uninsurable designations.

Paragraph (1) of rule 1200-13-12-.05 Enrollee Cost Sharing is amended by adding new subparagraphs (d), (e) and (f) which shall read as follows:

- (d) Effective January 1, 2002, and each subsequent January 1, the Bureau will update its Premium Sliding Scale Schedule monthly income brackets used for the determination of enrollee cost sharing to reflect the most current poverty levels as published by the Centers for Medicare and Medicaid Services.
- (e) Beginning January 1, 2002, the Bureau of TennCare will annually review and revise as appropriate, the premiums that the uninsured and uninsurable enrollees are required to pay based on income and family size, as approved by the Centers for Medicare and Medicaid Services.
- (f) Notice will be given to enrollees prior to the implementation of changes to the TennCare Sliding Scale Premium Schedule as the result of changes to the poverty levels used and/or changes in the amount of monthly premiums.

Authority: T.C.A. §§4-5-202, 4-5-203, 71-5-105, 71-5-109, Executive Order No. 23.

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June , 2001. (06-45)

**DEPARTMENT OF HUMAN SERVICES - 1240
ADULT AND FAMILY SERVICES DIVISION**

There will be hearings before the Tennessee Department of Human Services to consider the promulgation of amendments to the Department's rules pursuant to TCA §§ 4-5-201 et seq. and 71-3-501 et seq. The hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place at 400 Deaderick Street, Citizens Plaza Building, Second Floor Conference Room, Nashville, TN 37248 at 6:30 PM Central Time on August 22, 2001 in Nashville; 531 Henley Street, Seventh Floor Conference Room A, Knoxville, Tennessee 37902 at 6:30 PM Eastern Time on August 27, 2001 in Knoxville; and the Second Floor Auditorium, State Office Building, 170 North Main Street, Memphis, TN 38103 at 6:30 PM Central Time on August 29, 2001 in Memphis.

Any individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Department of Human Services to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled hearing or meeting dates, to allow time for the Department of Human Services to determine how it may reasonably provide such aid or service. Initial contact may be made with the Department of Human Services ADA Coordinator, Doris Batey, at 400 Deaderick Street, Nashville, Tennessee, (615) 313-5570 (TDD)- (615) 532-8569.

For a copy of this notice of rulemaking hearing, contact: William B. Russell, Citizen's Plaza Building, 400 Deaderick Street, Nashville, Tennessee, 37248-0006 and (615) 313-4731.

**SUBSTANCE OF PROPOSED RULES
OF
THE TENNESSEE DEPARTMENT OF HUMAN SERVICES
ADULT AND FAMILY SERVICES DIVISION
CHAPTER 1240-4-12**

REGISTRATION AND ENROLLMENT OF FAMILY DAY CARE HOMES

REPEALS

Chapter 1240-4-12, Registration of Family Day Care Homes, is repealed in its entirety.

Authority: TCA §§ 4-5-201 et seq.; TCA 71-1-105(5)(B).

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-37)

**DEPARTMENT OF HUMAN SERVICES - 1240
DIVISION OF FAMILY ASSISTANCE**

There will be a hearing before the Tennessee Department of Human Services to consider the promulgation of amendments to rules pursuant to Tennessee Code Annotated §§ 4-5-201 et seq. and 71-1-105(12). The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-204 and will take place in the 15th Floor, Puett Conference Room, Citizens Plaza Building, 400 Deaderick Street, Nashville, Tennessee at 10:00 a.m. CDT on Friday, August 17, 2001.

Any individuals with disabilities who wish to participate in these proceedings or to review these filings should contact the Department of Human Services to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date or the date the party intends to review such filings, to allow time for the Department of Human Services to determine how it may reasonably provide such aid or service. Initial contact may be made with the Department of Human Services' ADA Coordinator, Citizens Plaza Building, 400 Deaderick Street, 3rd Floor, Nashville, Tennessee 37248, telephone number (615) 313-5570.

For a copy of this notice of rulemaking hearing, contact: Phyllis Simpson, Assistant General Counsel, Department of Human Services, Tennessee Tower, 312 8th Avenue North, 26th Floor, Nashville, TN 37243, telephone number (615) 741-9534.

**SUBSTANCE OF PROPOSED RULES
OF
THE TENNESSEE DEPARTMENT OF HUMAN SERVICES
FAMILY ASSISTANCE DIVISION**

**CHAPTER 1240-1-50
STANDARD OF NEED/INCOME**

AMENDMENTS

Rule 1240-1-50-.20 is amended by deleting the Rule in its entirety and by substituting instead the following language so that, as amended, the rule shall read:

1240-1-50-.20 STANDARD OF NEED/INCOME. The following table shows the maximum income level, consolidated standard of need, and the possible standard payment amounts and differential grant payment amounts (maximum payment per assistance group size) to be used in the Families First program to determine eligibility and amount of payment.

- (1) Families First Standards
 - (a) Consolidated Need Standard (CNS). The Department has developed a consolidated standard of need based on size of the assistance group (AG), which indicates the amount of income the assistance group would need to meet subsistence living costs according to allowances set by the state for items including food, clothing, shelter and utilities, transportation, medical care, personal incidentals, and school supplies. The CNS is used as the basis for determining the gross income standard (GIS), the standard payment amount (SPA), and the Differential Grant Payment Amount (DGPA).
 - (b) Gross Income Standard (GIS). This standard is set by federal law at 185% of the consolidated need standard. If the gross countable income of an assistance group exceeds this standard, the AG is not eligible for Families First.
 - (c) Standard Payment Amount (SPA). Tennessee does not meet 100% of need as defined by the consolidated need standard. Rather, a maximum payment by family size, dependent on funds available, is paid, except in the instances specified in subparagraph (e) below.
 - (d) Differential Grant Payment Amount (DGPA). A Families First Assistance Group which meets any one of the criteria for exemption from Time Limited Assistance as specified in 1240-1-51-.01(4)(a) through (d), will be eligible for a grant based on the Differential Grant Payment Amount (DGPA), which is a maximum payment by family size, dependent on funds available, except in the instances specified in subparagraph (e) below.
 - (e) Family Benefit Cap
 1. No additional benefits will be issued due to the birth of a child when the birth occurs more than ten (10) calendar months after the later of:
 - (i) the date of application for Families First, or
 - (ii) the date of implementation of the Families First program (September 1, 1996), as provided by Public Chapter 950 (1996), unless

- (I) the child was conceived as the result of verified rape or incest;
 - (II) the child is the firstborn (including all children in the case of a multiple birth) of a minor included in the Families First grant who becomes a first-time minor parent;
 - (III) the child does not reside with his/her parent;
 - (IV) the child was conceived in a month the AG was not receiving Families First;
 - (V) the child was already born prior to the later of the date of application for Families First or the date of implementation of Families First, and the child has entered or returned to the home; or
 - (VI) when a Families First case is closed, through a deliberate action, without good cause, and the family reapplies within ninety (90) days.
2. The additional child will be included in the need standard for the purpose of determining Families First eligibility. The income of the child, including child support, will be applied against the need standard in determining the Families First payment amount for the family. The child will be considered a Families First recipient for all other purposes, including Medicaid/TennCare coverage.
 3. The family benefit cap will not apply to a subsequent period of eligibility for families who reapply for Families First subsequent to receipt for an eighteen (18) month eligibility period during which the child was born, as long as the reason for prior case closure was other than a failure to comply with work or child support enforcement requirements or other Personal Responsibility Plan provisions, and the parent/caretaker had cooperated with the Department as defined in departmental policies for the Families First program.
- (f) An assistance payment is determined as follows:
1. If the assistance group's net income (after allowable exclusions and deductions) equals or exceeds their consolidated need, the assistance group is not eligible.
 2. If the assistance group's net income is less than their consolidated need, the monthly grant amount is the smaller of a maximum payment amount by family size (SPA or DGPA, as appropriate) or the deficit if it is ten dollars (\$10) or more. If the deficit is one dollar (\$1) - nine dollars (\$9), the AG is eligible for Medicaid (TennCare) only, and is deemed to be a Families First recipient group.
- In the case of an AG receiving Families First because one or both parents are unemployed, if the Principal Wage Earner (PWE) receives Unemployment Compensation (UC) the UC benefit is deducted from the grant amount determined after deducting all other countable income from the CNS, to determine the actual amount of Families First payment for the AG.
3. The minimum monthly grant which can be paid is ten dollars (\$10).
- (g) Families First Need/Payment Standards
1. Tables

TABLE I

Number of Persons in Assistance Group	1	2	3	4	5	6	7	8	9	10
Gross Income Standard	932	1312	1536	1585	1913	1931	2089	2102	2307	2316
Consolidated Need Standard	504	709	830	857	1034	1044	1129	1136	1247	1252
Maximum Payment (SPA)	95	142	185	226	264	305	345	386	425	467

Minimum Families First Payment is \$10 per Month for any Assistance Group

Number of Persons in Assistance Group	11	12	13	14	15	16	17	18	19	20
Gross Income Standard	2392	2455	2510	2559	2603	2640	2671	2701	2725	2745
Consolidated Need Standard	1293	1327	1357	1383	1407	1427	1444	1460	1473	1484
Maximum Payment (SPA)	508	549	589	630	670	711	750	790	831	871

Minimum Families First Payment is \$10 per Month for any Assistance Group

TABLE II

Number of Persons in Assistance Group	1	2	3	4	5	6	7	8	9	10
Gross Income Standard	932	1312	1536	1585	1913	1931	2089	2102	2307	2316
Consolidated Need Standard	504	709	830	857	1034	1044	1129	1136	1247	1252
Maximum Payment (DGPA)	140	192	232	242	291	305	345	386	425	467

Minimum Families First Payment is \$10 per Month for any Assistance Group

Number of Persons in Assistance Group	11	12	13	14	15	16	17	18	19	20
Gross Income Standard	2392	4559	2510	2559	2603	2640	2671	2701	2725	2745
Consolidated Need Standard	1293	1327	1357	1383	1407	1427	1444	1460	1473	1484
Maximum Payment (DGPA)	508	549	589	630	670	711	750	790	831	871

Minimum Families First Payment is \$10 per Month for any Assistance Group

2. The Families First standard payment amount (maximum payment) for an assistance group of three (3) persons represents 22.3% of the consolidated need for an assistance group of that size. The Families First maximum differential grant payment amount for an assistance group of three (3) persons represents 28.0% of the consolidated need for an assistance group of that size. The payments for groups composed of different numbers of recipients represent an upward or downward adjustment of the percentage in the preceding sentences which is necessary to maintain the payment at a level not more or less than that paid in fiscal year 2000-2001.

Authority: *TCA §§ 4-5-201 et seq.; 4-5-209; 71-1-105; 71-3-151—71-3-165, 71-3-154(i); 71-3-155(e)- (g); Senate Bill 1998/House Bill 2037 (2001); 42 USCA §§ 601 et seq.; 45 CFR 233.20; 42 USCA § 1315.*

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-38)

BOARD OF DISPENSING OPTICIANS - 0480

There will be a hearing before the Tennessee Board of Dispensing Opticians to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-14-101. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Johnson Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 2:30 p.m. (CDT) on the 9th day of October, 2001.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

SUBSTANCE OF PROPOSED RULES**AMENDMENTS**

Rule 0480-1-.01, Definitions, is amended by deleting paragraph (3) in its entirety and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§4-5-202, 4-5-204, and 63-14-101.

Rule 0480-1-.09, Renewal of License, is amended by deleting subparagraphs (1) (b) and (1) (f), paragraph (2), and subparagraph (2) (a) in their entirety and substituting instead the following language, and is further amended by deleting subparagraph (2) (c) in its entirety, so that as amended, the new subparagraphs (1) (b) and (1) (f), paragraph (2), and subparagraph (2) (a) shall read:

- (1) (b) For individuals who have not renewed their license online via the Internet, a renewal application form will be mailed to the last address provided to the Board. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal.
- (1) (f) Licensees who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses processed pursuant to rule 1200-10-1-.10.
- (2) Reinstatement of an Expired License
 - (a) Reinstatement of an expired license may be accomplished upon meeting the following conditions:
 1. Payment of all past due renewal and state regulatory fees;
 2. Payment of the renewal late fee provided in Rule 0480—1—.06; and
 3. Compliance with continuing education requirement pursuant to Rule 0480—1—.12.
 4. The Board shall require an applicant whose license has expired for a period of three years or more to apply, take and pass the examinations as required by the Board pursuant to Rule 0480—1—.08, and pay the examination fee provided in Rule 0480—1—.06 prior to being considered for reinstatement.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-14-101, 63-14-106, and 63-14-107.

Rule 0480-1-.12, Continuing Education (CE), is amended by deleting paragraph (3) and subparagraph (4) (b) in their entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraphs (4) (c) and (4) (d), and is further amended by deleting paragraph (6) in its entirety, so that as amended, the new paragraph (3) and the new subparagraphs (4) (b), (4) (c), (4) (d) shall read:

- (3) Violations
 - (a) Any licensee who falsely certifies attendance and completion of the required hours of continuing education requirements, or who does not or can not adequately substantiate completed continuing education hours with the required documentation, may be subject to disciplinary action.
 - (b) Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrant the intended action.

- (c) The licensee has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the license.
 - (d) Any licensee who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraph 3 (b) above may be subject to disciplinary action.
 - (e) Continuing education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any renewal period.
- (4) (b) For reactivation of revoked licensure - No person whose license has been revoked for failure to comply with continuing education may be reinstated without complying with the requirements. Continuing education will accumulate at the same rate as those licenses which are active. The required clock hours of continuing education must have been begun and successfully completed within six (6) months immediately following the date of revocation or suspension. A license which has been revoked for noncompliance with the CE requirement shall also be subject to the late renewal fee pursuant to rule 0480—2—.06.
 - (4) (c) For reactivation of expired licensure - No person whose license which has expired may be reinstated without submitting evidence of continuing education. The continuing education hours documented at the time of reinstatement must equal the hours required, had the license remained in an active status, and must have been successfully completed within six (6) months immediately preceding the date of reinstatement.
 - (4) (d) Continuing education hours obtained as a prerequisite for reactivating a license may not be counted toward the calendar year requirement.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-14-101, 63-14-104, 63-14-106, 63-14-107, and 63-14-111.

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-36)

BOARD OF REGISTRATION IN PODIATRY - 1155

There will be a hearing before the Tennessee Board of Registration in Podiatry to consider the promulgation of amendments to rules pursuant to T.C.A. §§4-5-202, 4-5-204, 63-3-106, and 63-3-125. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Johnson Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 2:30 p.m. (CDT) on the 4th day of October, 2001.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, 1st Fl., Cordell Hull Bldg., 425 5th Ave. North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact: Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 5th Avenue North, 1st Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

SUBSTANCE OF PROPOSED RULES

AMENDMENTS

Rule 1155-2-.01, Definitions, is amended by deleting paragraph (4) in its entirety, and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-3-106, 63-3-115, and 63-3-116.

Rule 1155-2-.09, Licensure Renewal, is amended by deleting subparagraphs (1) (b), (1) (e), and (1) (f) in their entirety and substituting instead the following language, and is further amended by deleting part (1) (c) 3. and subparagraph (1) (g) in their entirety, and is further amended by deleting paragraph (2) but not all its subparagraphs and subparagraph (2) (a) but not its parts, so that as amended, the new subparagraphs (1) (b), (1) (e) and (1) (f), and the new paragraph (2) but not all its subparagraphs and the new subparagraph (2) (a) but not its parts shall read:

- (1) (b) For individuals who have not renewed their license online via the Internet, a renewal application form will be mailed to the last address provided to the Board. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal.
- (1) (e) Licensees who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses processed pursuant to rule 1200-10-1-.10.
- (1) (f) Licensees whose licenses have expired as a result of the licensee's failure to renew pursuant to rule 1200-10-1-.10 may be reinstated upon meeting the conditions as provided in rule 1155-2-.09 (2).
- (2) Reinstatement of an Expired License
 - (a) Reinstatement of a license that has expired as a result of failure to timely renew in accordance with rule 1200-10-1-.10 may be accomplished upon meeting the following conditions:

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-3-106, 63-3-115, and 63-3-116.

Rule 1155-2-.12, Continuing Education, is amended by deleting subparagraph (7) (a) in its entirety and substituting instead the following language, and is further amended by deleting part (8) (b) 2. in its entirety, and is further amended by deleting subparagraph (9) (b) in its entirety and substituting instead the following language, so that as amended, the new subparagraphs (7) (a) and (9) (b) shall read:

- (7) (a) If the continuing education requirement is not met, a letter is issued to the last known address to the individual requiring him to show cause why his license should not be revoked for failure to comply with the continuing education requirements.
- (9) (b) Any licensee who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraph (7) (a) above may be subject to disciplinary action.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-3-106, 63-3-115, 63-3-116, and 63-3-119.

Rule 1155-2-.15, Disciplinary Actions, Civil Penalties, Assessment of Costs, and Subpoenas, is amended by deleting subparagraph (1) (e) but not all its parts in its entirety, and is further amended by deleting part (1) (e) 1. in its entirety, and is further amended by renumbering part (1) (e) 2. as subparagraph (1) (e).

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-3-106, 63-3-115, 63-3-116, and 63-3-119.

Rule 1155-3-.05, Renewal, is amended by deleting paragraphs (1), (2), (3), and (4) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (1), (2), (3), (4), (5), (6), (7), and (8) shall read:

- (1) The due date for renewal is the last day of the month in which a certificate holder's birthday falls pursuant to the Division of Health Related Board's biennial birthdate renewal system as contained as the expiration date on renewal certificates.
- (2) For individuals who have not renewed their certification online via the Internet, a renewal application form will be mailed to the last address provided to the Board. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal.
- (3) A certificate issued pursuant to these rules is renewable by the expiration date. To be eligible for renewal an individual must submit to the Division of Health Related Boards on or before the expiration date the following:
 - (a) A completed and signed renewal application form.
 - (b) The renewal and state regulatory fees as provided in Rule 1155-3-.06.
- (4) To be eligible for renewal an individual must have completed the continuing education requirements provided in Rule 1155-3-.04 and who so indicates completion by signing the renewal application. An individual who fails to obtain continuing education hours, pursuant to Rule 1155-3-.04, may be subject to disciplinary action by the Board.
- (5) Certificate holders who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their certification processed pursuant to Rule 1200-10-1-.10.
- (6) Certificate holders whose certificates have expired as a result of the certificate holder's failure to renew pursuant to Rule 1200-10-1-.10 may be reinstated upon meeting the conditions as provided in Rule 1155-3-.05 (7).
- (7) Reinstatement of a certificate that has expired as a result of failure to timely renew in accordance with Rule 1200-10-1-.10 may be accomplished upon meeting the following conditions:
 - (a) Payment of all past due renewal fees; and
 - (b) Payment of the late renewal fee provided in Rule 1155-3-.06.

- (c) Compliance with continuing education requirements pursuant to Rule 1155-3-.04.
- (8) Renewal decisions shall be governed by Rule 1155-2-.07.

The notice of rulemaking set out herein was properly filed in the Department of State on the 22nd day of June , 2001. (06-28)

REAL ESTATE APPRAISER COMMISSION - 1255

There will be a hearing before the Tennessee Real Estate Appraiser Commission to consider the promulgation of amendments to rules pursuant to Tenn. Code Ann. §62-39-203. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tenn. Code Ann. §4-5-204, and will take place on Monday, August 20, 2001 in Room 640, Davy Crockett Tower, located at 500 James Robertson Parkway in Nashville, Tennessee at 10:00 a.m. CDT.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Department of Commerce and Insurance to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings) to allow the Department to determine how it may reasonably provide such aid or service. Initial contact may be made with Verna Norris, the Department's ADA Coordinator, at 500 James Robertson Parkway, 5th Floor, Nashville, Tennessee 37243 (615) 741-0481.

For a copy of this notice of rulemaking hearing, contact the Tennessee Real Estate Appraiser Commission, attention Sandy Moore, 500 James Robertson Parkway, Sixth Floor, Nashville, Tennessee 37243 at (615) 741-1831.

SUBSTANCE OF PROPOSED RULES

CHAPTER 1255-6 RECIPROCITY

AMENDMENTS

Rule 1255-6-.02 Temporary Practice Permits is amended by deleting the text of the rule in its entirety and substituting instead the following language, so that the rule as amended shall read:

- (1) For purposes of this rule only, "assignment" shall mean one or more real estate appraisals and written appraisal reports which are covered by a contract to provide real estate appraisal services.
- (2) A nonresident of this state who shows proof of such nonresident's proper licensure or certification in another state, territory or possession of the United States, or any country, may apply to the Commission for a temporary practice permit to perform a single assignment.
- (3) An applicant for a temporary practice permit must submit an application to the Commission on a form approved by the Commission.

- (4) An applicant for a temporary practice permit shall submit with the application a nonrefundable fee of one hundred fifty dollars (\$150.00) for each assignment in this state. The applicant shall provide with the application a list of each specific parcel of real property included in the assignment. Such permit shall expire six (6) months after its issuance.
- (5) Upon appropriate written request, the Commission may grant an extension of any temporary practice permit it has issued. In no event may a temporary practice permit be valid for more than one (1) year from the date of its issuance.
- (6) An individual nonresident may obtain no more than six (6) temporary practice permits in a single calendar year.

Authority: *T.C.A. §§62-39-203, 62-39-322, 62-39-333 and 62-39-338, Chapter 81, Public Acts of 2001.*

The notice of rulemaking set out herein was properly filed in the Department of State on the 29th day of June, 2001. (06-42)

WILDLIFE RESOURCES COMMISSION - 1660

There will be a hearing before the Tennessee Wildlife Resources Commission to consider the promulgation of rules, amendments of rules, or repeals of rules pursuant to Tennessee Code Annotated, Section 70-1-206. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place at Paris Landing State Park, located in Buchanan, Tennessee, commencing at 9:00 A.M., CDT, on the 22nd day of August, 2001.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Tennessee Wildlife Resources Agency to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings), to allow time for the Tennessee Wildlife Resources Agency to determine how it may reasonably provide such aid or service. Initial contact may be made with the Tennessee Wildlife Resources Agency ADA Coordinator, James Dillard, Room 229, Tennessee Wildlife Resources Agency Building, Ellington Agricultural Center, Nashville, Tennessee 37204 and telephone number (615)781-6594.

For a copy of this notice of rulemaking hearing, contact: Sheryl Holtam, Attorney, Tennessee Wildlife Resources Agency, P.O. Box 40747, Nashville, TN 37204, telephone number (615)781-6606.

SUBSTANCE OF PROPOSED RULES

AMENDMENT

Rule 1660-2-7-.15 Chickamauga Lake is amended to add new paragraphs (9) and (10) which shall read as follows:

- (9) All vessels being operated within the Savannah Bay Area of Wolftever Creek at the Savannah Bridge, as delineated by informational signs and or buoys, shall be operated at a "Slow, No-wake" speed; towing of surfboards, tubes, skis, and similar devices is prohibited within the zoned area.

- (10) All vessels being operated on Chickamauga Reservoir in the cove of the First Presbyterian Church Camp located on the west bank at TRM 493.5L as marked by a line of informational buoys shall operate at a “Slow, No-wake” speed from June 1 through September 1.

Authority: T.C.A. §§70-1-206 and 69-10-209.

AMENDMENT

Rule 1660-2-7-.23 Watts Bar Lake is amended to add new paragraphs (6) and (7) as follows:

- (6) All vessels being operated on Watts Bar Reservoir in the cove of the Boy Scouts, Camp Buck Toms, located on the west bank at TRM 549.8L as delineated by a line of buoys and or informational signs, shall operate at a “Slow, No-wake” speed from June 1 through September 1.
- (7) All vessels being operated within the Camp Creek Cove at Lakeside Resort located off of Whites Creek on Watts Bar Reservoir as delineated by a line of buoys and or informational signs, shall be operated at a “Slow, No-wake” speed. Towing of surfboards, tubes, skis, and similar devices is prohibited within the zoned area.

Authority: T.C.A. §§70-1-206 and 69-10-209.

NEW RULE

TABLE OF CONTENTS

1660-2-7-.36 Public Facilities

1660-2-7-.36 PUBLIC FACILITIES

Launching Areas, transient boat facilities, docks, and swimming beaches intended for public use which are owned by the state, local, or federal government, including the Tennessee Valley Authority, may be marked as necessary and appropriate with informational signs or buoys as either “Slow, No-wake”, “No-towing”, or “Boats Keep Out”.

Authority: T.C.A. §§70-1-206 and 69-10-209.

The notice of rulemaking set out herein was properly filed in the Department of State on the 19th day of June, 2001. (06-23)

Blank

pg. 64

WILDLIFE PROCLAMATIONS

TENNESSEE WILDLIFE RESOURCES COMMISSION - 1660

PROCLAMATION 01-04 MANNER AND MEANS OF HUNTING, TAKING, AND TRAPPING

STATEWIDE AND ON WILDLIFE MANAGEMENT AREAS AND STATE REFUGES

Pursuant to the authority granted by Tennessee Code Annotated, Section 70-4-107 and 70-5-108, the Tennessee Wildlife Resources Commission hereby proclaims the manner and means of hunting, taking, and trapping, effective August 1, 2001.

NOTE: All sections contained herein apply to statewide and management area hunting. Special restrictions may apply on some wildlife management areas. Legislative Private Acts also apply in some counties.

SECTION I. ILLEGAL WEAPONS

- (1) Shotguns using ammunition loaded with shot larger than Number four (4) are prohibited for hunting all wildlife except beavers, coyotes and waterfowl.
- (2) Shotguns loaded with single ball or rifled slug ammunition are prohibited for hunting all wildlife except deer, bear, boar and feral hogs¹ except as follows: Coyotes and bobcats may be taken by big game hunters while hunting big game with any legal big game weapon or ammunition.
- (3) Rifles or handguns loaded with military or other full metal jacketed type of ammunition are prohibited.
- (4) Rifles or handguns loaded with center-fire ammunition are prohibited for all hunting between 30 minutes after sunset and 30 minutes before sunrise.
- (5) Rifles or handguns loaded with center-fire ammunition are prohibited during all deer, bear or boar seasons for hunting any wildlife except deer, bear, or boar. Coyotes, crows, groundhogs, beaver, feral hogs and bobcats may be taken by big game hunters while hunting big game with any legal big game weapon or ammunition as provided in the Big Game Season Proclamation.
- (6) Any arrow with poisoned or chemically treated tip or explosive head is illegal for hunting. The crossbow or any bow drawn or held by a mechanical device is prohibited (except as specified in Section III (d) below).
- (7) Weapons capable of fully automatic fire are prohibited for hunting of all wildlife.
- (8) Firearms or archery equipment with any device utilizing an artificial light capable of locating wildlife.

¹ Feral hogs are defined as any wild hog found in Tennessee, except on Catoosa, South Cherokee, Cove Mountain, and Foothills WMAs.

SECTION II. PROHIBITED ACTS

- (1) The use or possession of predator calls while night hunting of any species is prohibited.
- (2) The use or possession and/or the accompanying of anyone using or possessing raccoon calls, squallers, weapons, ammunition, or climbers while training dogs is prohibited during training season, except raccoon calls may be used during authorized field trials.
- (3) The use of dogs in taking or attempting to take deer is prohibited. Taking or attempting to take deer being pursued by dog, or dogs, is prohibited.
- (4) The use or possession of a pod arrow, any pod-type device for holding drugs or chemicals on an arrow, or any drugs or chemicals used in pod arrows while archery hunting is prohibited.
- (5) Quota hunt permits are not transferable. Anyone found hunting on a borrowed quota permit shall be deemed guilty of hunting in closed season.
- (6) Juveniles under the age of eighteen (18) are prohibited from using handguns for the purpose of hunting.
- (7) Hunting prohibited over a site where bait has been placed to feed or attract wildlife unless the bait has been removed at least ten days prior to hunting.
- (8) Evidence of species or sex of big game animals shall not be destroyed or removed prior to a permanent kill tag being issued at a checking station. (Normal field dressing is permitted)
- (9) Possession of firearms prohibited while chasing coyote, fox, and bobcat with dogs from the first Saturday in November through the end of the deer season.
- (10) Use or possession of electronic light amplifying night vision scopes is prohibited when in possession of a firearm or archery tackle between sunset and sunrise.

SECTION III. LEGAL WEAPONS

- (1) Turkey Hunting
 - (a) Shotguns 20 gauge or larger using ammunition loaded with number 4 shot or smaller.
 - (b) Longbows and compound bows.
 - (c) Weapons may be equipped with sighting devices except those devices utilizing an artificial light capable of locating wildlife.
- (2) Deer, Bear, Boar and Feral Hog Hunting
 - (a) Shotguns using ammunition loaded with single solid ball or rifled slugs.
 - (b) Rifles, except those described in Section I. (3) above, using center- fire ammunition of .24 caliber or larger, in all counties except where regulated by legislative acts.

- (c) Muzzle-loading percussion cap or flintlock rifles, handguns or shotguns of .40 caliber (.40") minimum. These muzzle-loading firearms are legal during any gun season or hunt unless otherwise specified. Muzzleloading firearms are defined as those firearms which are incapable of being loaded from the breech.
 - (d) Longbows and compound bows. Crossbows with hunting bolts and other bows drawn or held by a mechanical device may be used by hunters with disabilities during any season when archery tackle is legal. As used herein a hunter with a disability is defined to include any person who is incapable of pulling a conventional or compound bow as determined by a licensed physician. A current statement from a licensed physician, on a special form obtained from TWRA, must be in the possession of the hunter with a disability while he or she is hunting with a crossbow.
 - (e) Hunting arrows and bolts shall be of a barbless design and shall have sharpened blades.
 - (f) Center-fire handguns .24 caliber or larger having a barrel length of four (4) inches or more, in all counties except where regulated by legislative acts.
 - (g) Weapons may be equipped with sighting devices except those devices utilizing an artificial light capable of locating wildlife.
- (3) Small Game Hunting
- (a) Shotguns and handguns using ammunition loaded with Number Four (4) or smaller shot are legal for all small game hunting.
 - (b) Shotguns using ammunition loaded with BBB (0.19 inch diameter) or smaller shot are legal for hunting coyotes and beaver except during big game seasons.
 - (c) Shotguns loaded with nontoxic shot approved by the U. S. Fish and Wildlife Service are legal hunting waterfowl seasons
 - (d) Rifles and handguns using .22 caliber rim-fire ammunition and air rifles are legal for hunting small game except migratory birds.
 - (e) Rifles and handguns using center-fire ammunition are legal for hunting beaver, bobcat, coyotes, feral hogs, groundhogs, and crows, except during deer, bear or boar seasons. Rifles and handguns using center-fire ammunition prohibited for hunting all small game species on wildlife management areas (except as specified in Section I.(2)and(5) above)
 - (f) Muzzle-loading firearms (rifles, handguns, and shotguns).
 - (g) Longbows and compound bows.
 - (h) Falcons and Falconry – Subject to Tennessee Code Annotated Section 70-414.
 - (i) Gigs and angling equipment are also legal for taking bullfrogs.
 - (j) Weapons may be equipped with sighting devices except those devices utilizing an artificial light capable of locating wildlife.

SECTION IV. LEGAL TRAPPING DEVICES AND DEFINITIONS

- (1) Leg-hold traps with a jaw spread of 7-1/2 inches or less are legal for all furbearer species during the legal trapping season.
- (2) Instant-kill traps with jaw measurements no greater than 10 x 10 inches and smaller are legal for all furbearer species during the legal trapping season.
- (3) Live traps are legal for taking any species of wildlife listed as having a trapping season. Live traps are defined as those traps that act as a cage after capture.
- (4) Steel cable snares having a minimum cable diameter of 5/64 inch and a maximum cable diameter of 3/32 inch are legal for all legal furbearer species during the legal trapping season. All snares shall have affixed a tag bearing the name of the owner. Spring activated snares prohibited.
- (5) Cushion-hold traps are legal for all furbearer species during the legal trapping season. The Woodstream Soft-Catch, Duke Rubber Jaw Trap, Butera Cushion Catch traps, and any legal sized offset jawed traps equipped with "Humane Hold" universal pads by KG Enterprises meet the definition of "Cushion-hold trap" as provided in T.C.A. §§70-1-101 which may be used in accordance with T.C.A. §70-4-120.
- (6) The following species specific traps - Egg Traps, Coon Cuffs, and Duffer's Raccoon Trap, are legal for furbearers during the legal trapping season.
- (7) For trapping purposes "water set" is defined to mean traps set in water adjacent to and part of streams, ponds, lakes, wetlands or other water courses and includes floating sets.

SECTION V. AMMUNITION

- (1) Possession of ammunition except that as specifically authorized is prohibited on all wildlife management areas, state refuges and public hunting areas.
- (2) Possession or use of buckshot is specifically prohibited while hunting all species, except in those counties where authorized by Private Acts.
- (3) Possession of shotgun ammunition loaded with more than one solid ball is specifically prohibited while hunting deer, bear, boar or feral hogs except in those counties where legal by Private Act.
- (4) Possession of shot larger than No. 4 is prohibited when hunting all wildlife except waterfowl, coyotes and beaver.
- (5) Possession of rifled slugs is prohibited except while hunting deer, bear, boar and feral hogs.
- (6) Possession or use of any loose shot other than non-toxic or any shotgun shell loaded with shot other than non-toxic is prohibited while hunting waterfowl, coots, gallinules, Virginia rails, and sora rails.

SECTION VI. POSSESSION OF LIVE ANIMALS

Every game animal, wounded or unwounded by hunting and/or trapping and taken into possession by the hunter or trapper, shall be immediately slain and become part of the daily bag limit. No person shall, at any time, or by any means, possess or transport live animals taken under the authority of hunting season proclamations.

SECTION VII. LEGAL HUNTING HOURS

- (1) All big game and small game species (except bullfrogs, raccoons, opossums, migratory birds, and the chasing of foxes) daylight hours only (30 minutes before official sunrise and until 30 minutes after official sunset) except turkey open only until official sunset.
- (2) Hunting of bullfrogs, raccoons, opossums, the chasing of foxes and the trapping of furbearers is permitted day or night unless restricted by Proclamation.
- (3) Migratory birds - To comply with federal regulations for migratory birds, unless restricted by proclamation.

SECTION VIII. MISCELLANEOUS MIGRATORY BIRD REGULATIONS

- (1) Federal regulations relative to baiting, firearms, bag and possession limits, wanton waste, tagging, and methods of hunting are hereby adopted and will be applicable to hunting and/or taking of species listed.
- (2) No person shall hunt migratory game birds with a shotgun of any description capable of holding more than three (3) shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, so its total capacity does not exceed three (3) shells.
- (3) All persons who hunt migratory game birds are required to have in their possession a valid Tennessee Migratory Bird Permit (TMBP) in addition to other required Tennessee licenses and permits, with the following exceptions:
 - disabled veterans
 - landowners hunting on their own land
 - lifetime license holders
 - residents of Tennessee under 13 years of age
 - residents of Tennessee who are 65 or older

Military personnel on leave or furlough will be required to possess the TMBP when hunting migratory game birds even though they are not required to possess a hunting and fishing license.

- (4) Refer to federal regulations 50 CFR Ch. 1 (21.41 and 21.43) for conditions and restrictions applicable to the taking of crows in certain depredation or health hazard situations outside of the crow sport hunting season.

SECTION IX. REPEAL OF PRIOR PROCLAMATION

This proclamation repeals Proclamation No. 00-7 dated May 24, 2000 .

Proclamation No. 01-4 received and recorded the 6th day of June, 2001. (06-02)

TENNESSEE WILDLIFE RESOURCES COMMISSION - 1660

PROCLAMATION 01-5

OPENING HATCHIE, LOWER HATCHIE, REELFOOT, LAKE ISOM, CROSS CREEKS, CHICKASAW, AND TENNESSEE NATIONAL WILDLIFE REFUGES TO HUNTING

Pursuant to the authority granted by Tennessee code annotated sections, 70-4-107, 70-5-108 and 70-5-111 thereof, the Tennessee Wildlife Resources Commission, after making a survey of Hatchie, Lower Hatchie, Reelfoot, Lake Isom, Cross Creeks, Chickasaw, and Tennessee national wildlife refuges and finding that the supply of game is sufficient to allow hunting thereof as hereinafter described without the danger of extinction or depletion hereby proclaims the following regulations for the 2001-2002 season, effective August 1, 2001.

A federal permit required for all hunts. Quota permits are required for quota hunts and special federal regulations apply as specified. A signed refuge brochure serves as the permit for non-quota hunts.

All deer taken count in Unit A Bag Limit, unless otherwise noted as Bonus deer.

SECTION I. HATCHIE NATIONAL WILDLIFE REFUGE

	Seasons	Bag & Possession Limit
Dove, opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel and Woodcock	Same as statewide seasons (except closed during deer hunts and no spring squirrel season)	Same as statewide regulations. (Non-toxic Shot Only)
Deer (Archery) (No Quota)	Sept. 22 – Oct. 7, 2001.	Four Deer-Either Sex (No more than two antlered) Unit A Bag
Deer (Gun-Archery) (Quota)**	Oct. 20 –21, 2001 (Hunter Quota 225 plus 4 wheel-chair bound hunters & their aides)	Two Deer-Either Sex (Bonus)
Deer (Gun-Archery) (Quota)**	Oct. 27-28, 2001 (Hunter Quota 225 plus 4 wheel-chair bound hunters & their aides)	Two Deer-Either Sex (Bonus) Two Deer-Either Sex (Bonus)
Ducks and Coots only *** (Porter Tract Only) **** No geese may be taken	Tues., Thurs. and Sat. of both the early and regular statewide seasons (Hunting until 12:00 noon only).	In accordance with statewide regulations

- * Opossum and raccoon - hunting hours from sunset to one hour before sunrise. Beaver and coyote may be taken on any hunt. Non-toxic shot only.
- ** Deer taken on quota gun hunts must be checked out at the refuge check station.
- *** Only portable blinds or blinds of native vegetation may be used. Blinds and decoys must be removed each day.
- **** Porter Tract is that portion of the refuge that lies at the extreme east end of the refuge lying east of Richland Creek and the Big Eddy Road.

SECTION II. CHICKASAW AND LOWER HATCHIE NATIONAL WILDLIFE REFUGES AND SUNK LAKE PUBLIC USE MANAGEMENT AREA (NORTHERN UNIT ONLY)

All small game and waterfowl hunting seasons and bag limits in accordance with statewide regulations. Squirrel, rabbit, quail, dove, woodcock, and snipe hunting is closed during all gun deer hunts. All hunting blinds will be portable and nothing of a permanent nature will be constructed. No axes or saws allowed on raccoon hunts. Waterfowl hunting until 12:00 Noon only. Temporary blinds and decoys must be removed at the end of each day's hunt. Non-toxic shot only. No geese may be taken.

Beaver and coyote may be taken during any scheduled hunt with any weapon legal for the hunt.

	Season	Bag & Possession Limit
Deer (Archery)	Sept. 22-Nov 2 , 2001	Four deer - either-sex *
Deer (Gun-Archery) (Young Sportsman)	Nov. 3-4, 2001	One deer - either-sex *
Deer (Gun-Archery)	Nov. 17-Dec. 2, 2001 and Dec. 15-31, 2001	Two deer - buck only *
Deer (Gun-Archery)		Two deer - buck only *
Deer (Muzzleloader-Archery)	Nov. 5-11, 2001	One deer - either sex *
Deer (Muzzleloader-Archery)	DEC. 3-9, 2001	Two deer - either sex *

* All deer harvested count against Unit A bag limit.

SECTION III. TENNESSEE NATIONAL WILDLIFE REFUGE - SPECIAL FEDERAL PERMIT REQUIRED
(Except designated closed areas)

Quota Deer Hunts	Hunter Quota for Each Hunt	Bag and Possession Limit
	Big Sandy Peninsula - 75 Duck River Bottoms Unit -100 Duck River Uplands Unit - 50 Britton Ford Peninsula - 35 Busseltown Unit - 50	All deer taken on quota hunts count as Bonus deer
	Season	Possession and Bag Limit
Deer (Archery)	One 2-day hunt Sept. 15-16, 2001	Two deer- either sex
Deer-Youth (Gun/Archery/Muzzleloader)*	Sept. 29-30,2001	Two deer- either sex
Deer (Gun/Archery/Muzzleloader)*	Oct. 13-14, 2001	Two deer- antlerless only

	Season	Possession and Bag Limit
Deer (Gun/Archery/Muzzleloader)*	Oct. 27-28,2001	Two deer- One must be antlerless
Non-quota Deer Hunts		
Deer (Archery)	Sept. 22-Oct. 31, 2001 Closed during quota hunts	Deer counts in Unit A Bag Limit
Squirrel	Aug 25 - Oct. 31, 2001 Closed during quota hunts	In accordance with statewide regu- lations
Raccoon Hunts	Oct.15-17, Oct.29-31, 2001	In accordance with statewide regu- lations

**Note - Beaver and coyote may be taken on a scheduled hunt for other species with any weapon legal for the hunt.

SECTION IV. REELFOOT AND LAKE ISOM NATIONAL WILDLIFE REFUGES

	Seasons	Bag & Possession Limit
Squirrel	Aug. 25-Oct 12, 2001	In accordance with statewide regu- lations
Raccoon *	Oct 5-20 , 2001	No limit
* Hunting hours-7:00pm until midnight only. Hunters must check out all raccoons for tagging.		
Deer (Archery)	Sept. 22-Nov.2, 2001	Four deer-no more than two antlered (counts as bonus deer)
Deer (Gun/Archery) (Reelfoot Refuge only)	Nov. 10-11, 2001 Hunter Quota -150 (75 per hunt unit)	Two deer- no more than one antlered. Deer must be checked out at refuge check station. (counts as bonus deer)
Deer (Muzzleloader)	Nov. 17-18, 2001 Hunter quota - 60 (30 per hunt unit)	Two deer-antlerless only. Must be checked out at refuge check station. (counts as bonus deer)

SECTION V. CROSS CREEKS NATIONAL WILDLIFE REFUGE
(North Cross Creeks Section Only)

Squirrel	Aug. 25-Oct. 31, 2001	In accordance with statewide regu- lations
Deer (Archery)	Sept. 22 -Oct. 31, 2001	Counts in Unit A Bag Limit

SECTION VI. GENERAL REGULATIONS FOR HUNTING REFUGES

- (1) Vehicles must remain on established roads. Roads may be closed due to adverse weather conditions. Park vehicles in a manner that will not interfere with the normal flow of traffic.
- (2) Camping and fires are prohibited except in designated areas.
- (3) It is unlawful to drive a nail, spike, or other metal object into any tree or to hunt from any tree in which a nail, spike, or other metal object has been driven.
- (4) Dogs are prohibited except when used during the small game and migratory bird hunts.
- (5) Designated areas of refuges will be closed to all public entry to provide sanctuaries for waterfowl.
- (6) Small game hunters may only possess and use shotgun shells containing non-toxic shot in areas designated as high waterfowl use areas.
- (7) Hunters must possess a signed refuge brochure/permit.

SECTION VII. REPEAL OF PRIOR PROCLAMATIONS

This proclamation repeals proclamation No. 00-8 dated May 24, 2000.

Proclamation 01-5 received and recorded this 6th day of June. (06-03)

TENNESSEE WILDLIFE RESOURCES COMMISSION - 1660

**PROCLAMATION 01-06
DOVE, WOODCOCK, SNIPE, CROW, AND SEPTEMBER WATERFOWL REGULATIONS**

Pursuant to the authority granted by, Tennessee Code Annotated, Sections 70-4-107 and 70-5-108, the Tennessee Wildlife Resources Commission hereby proclaims the following migratory bird hunting regulations effective August 1, 2001.

Season dates and limits are pending in lieu of federal frameworks.

SECTION I. SEASON AND DAILY BAG LIMITS

Species	Opens	Closes	Daily Bag
Dove			
1st segment	1st day of Sept.	Sept. 26	15
2nd segment	2nd Sat. in Oct.	4th Sun. in Oct.	
3rd segment	3rd Sat. in Dec. and continues for 18 consecutive days		
Woodcock	Maximum days allowed by federal regulations beginning the last Saturday in October		Maximum bag limit allowed by federal regulations
Wilson Snipe	107 consecutive days ending Feb. 28		8
Crow	Fridays, Saturdays and Sundays only from June 1 - end of February		No limit
Wood Duck/Teal	2nd Sat. in Sept. and continues for five consecutive days		4 ¹
Teal (Only if Wood Duck/Teal Season is not offered)	2nd Sat. in Sept. and continues for sixteen consecutive days		4 ¹
Canada Goose			
Middle Tennessee Zone ²	Sept. 1	Sept. 15	3
East Tennessee Zone ³	Sept. 1	Sept. 15	5

¹ In aggregate not to exceed 2 wood ducks. Not to exceed 4 teal.

² Houston, Humphreys, Montgomery, Perry, and Wayne counties east of Hwy. 13; and Bedford, Cannon, Cheatham, Coffee, Davidson, Dickson, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Macon, Marshall, Maury, Moore, Robertson, Rutherford, Sumner, Trousdale, Williamson, and Wilson counties.

³ All counties east of and including Clay, Smith, DeKalb, Warren, Grundy, and Marion.

SECTION II. SHOOTING HOURS

Shooting hours same as federal frameworks.⁴

SECTION III. POSSESSION LIMITS

The possession limit for all species listed herein is twice the daily bag limit except opening day when it shall be the same as the daily bag limit.

SECTION IV. DOVE SEASON OPENING DATE

For the 2002, 2003, and 2004 seasons, the dove season opening date for the first segment will be the first Saturday in September or Labor Day whichever comes first.

SECTION V. REPEAL OF PRIOR PROCLAMATION

This proclamation repeals Proclamation No. 00-9, dated May 24, 2000.

Proclamation No. 01-6 received and recorded this 6th day of 2001. (06-04)

⁴ Except for dove hunting on opening day when shooting hours will begin at 12:00 noon.

TENNESSEE WILDLIFE RESOURCES COMMISSION - 1660

PROCLAMATION 01-7
STATEWIDE SMALL GAME HUNTING AND FURBEARER HUNTING
AND TRAPPING SEASONS AND BAG LIMITS
(EXCLUSIVE OF WILDLIFE MANAGEMENT AREAS AND REFUGES)

Pursuant to the authority granted by Tennessee Code Annotated, Section 70-4-107 and 70-5-108, the Tennessee Wildlife Resources Commission hereby proclaims the statewide small game hunting and furbearer hunting and trapping seasons and bag limits effective August 1, 2001.

SECTION I. SMALL GAME HUNTING

Species	Opens	Closes	Daily Bag
Squirrel	4th Saturday in August	Last day in February	10
	2nd Saturday in May	2nd Sunday in June	10
Grouse ¹	2nd Saturday in October	Last day in February	3
Rabbit	2nd Saturday in November	Last day in February	5
Quail	2nd Saturday in November	Last day in February	8
Armadillo	Year-round		No limit

SECTION II. FURBEARERS**A. Hunting**

Species	Opens	Closes	Daily Bag
Groundhog, Coyote, Nutria, Striped Skunk	Year-round		No Limit
Fox, Mink, Muskrat, Spotted Skunk, Weasel	Friday before Thanksgiving	Feb. 15	No Limit
River Otter ²			
That portion of Tennessee south and west of Kentucky Lake and Pickwick Lake.	Opens Friday before Thanksgiving	Closes Feb. 15	Daily Bag No Limit

¹ Grouse hunting season closed west of Interstate 65.

² All river otters harvested must be tagged by harvester with Tennessee US CITES tags.

Hunting: River Otter (Cont.) Experimental Season in that portion of Tennessee north and east of Kentucky Lake and Pickwick Lake excluding Bedford, Coffee, Franklin, Giles, Lincoln, Marshall, and Moore counties and all counties in TWRA, Region IV.

	Opens	Closes	Daily Bag
	Friday before Thanksgiving	Feb. 15	No Limit

Restrictive Experimental Season in Bedford, Coffee, Franklin, Giles, Lincoln, Marshall, and Moore counties.

	Opens	Closes	Daily Bag
	Friday before Thanksgiving	Dec. 15	No Limit

Bobcat	Friday before Thanksgiving	Feb. 15	1
--------	----------------------------	---------	---

Beaver

That portion of Tennessee west of and including Scott, Morgan, Roane, Loudon, McMinn, and Polk counties.

	Opens	Closes	Daily Bag
	Year-round		No Limit

Remainder of the state

	Opens	Closes	Daily Bag
	Friday before Thanksgiving	Feb. 15	No Limit

Hunting: Raccoon, Opossum³

Western Unit

That portion of Tennessee west of and including Scott, Morgan, Roane, Meigs, and Bradley counties.

	Opens	Closes	Daily Bag
Taking Season	Sunset 3 rd Friday in September	Sunrise Feb. 15	2 per person per night ⁴
Training Season	Year-round except where regulated by Private Act		No Taking Permitted

Eastern Unit

That portion of Tennessee east of Scott, Morgan, Roane, Meigs, and Bradley counties.

	Opens	Closes	Daily Bag
Taking Season	Sunset 1 st Friday in November	Sunrise Feb. 15	1 per person per night ³
Training Season	Year-round except where regulated by Private Act		No Taking Permitted

³ No limit on opossum

⁴ Night defined as one 24-hour period commencing at sunset.

B. Trapping

Species	Opens	Closes	Daily Bag
Groundhog, Coyote, Nutria	Year-round		No Limit
Bobcat, Fox, Mink, Muskrat, Opossum, Raccoon, Spotted Skunk, Striped Skunk, Weasel	Friday before Thanksgiving	Feb. 15	No Limit

Beaver

That portion of Tennessee west of and including Scott, Morgan, Roane, Loudon, McMinn, and Polk counties.

	Opens	Closes	Daily Bag
	Year-round		No Limit
Remainder of the state	Friday before Thanksgiving	Feb. 15	No Limit

River Otter⁵

That portion of Tennessee south and west of Kentucky Lake and Pickwick Lake.

	Opens	Closes	Daily Bag
	Friday before Thanksgiving	Feb. 15	No Limit

Experimental Season in that portion of Tennessee north and east of Kentucky Lake and Pickwick Lake excluding Bedford, Coffee, Franklin, Giles, Lincoln, Marshall, and Moore counties and all counties in TWRA, Region IV.

	Opens	Closes	Daily Bag
	Friday before Thanksgiving	Feb. 15	No Limit

Restrictive Experimental Season in Bedford, Coffee, Franklin, Giles, Lincoln, Marshall, and Moore counties.

	Opens	Closes	Daily Bag
	Friday before Thanksgiving	Dec. 15	No Limit

⁵ All river otters harvested must be tagged by harvester with Tennessee US CITES tags.

The following counties are included in the statewide fox hunting and trapping seasons, after determining a need for the opening thereof:

Blount	Johnson	Overton
Carter	Knox	Pickett
Clay	Loudon	Putnam
Cocke	Macon	Rhea
Fentress	McMinn	Robertson
Hamblen	Meigs	Sevier
Haywood	Monroe	White
Jefferson		

SECTION III. CONTROLLED AND COMMERCIAL SHOOTING PRESERVES

(by special Commission Permit only)

	Opens	Closes	Daily Bag
Upland Game Birds and Waterfowl	Year-round		No Limit
Big Game - (Feral Hogs and Exotic Species only, excluding Exotic Cats and all species of Bear)	Year-round		No Limit
Small Game Mammals (fenced enclosures only) Bobcat specifically prohibited	Year-round		No Limit

SECTION IV. UNPROTECTED ANIMALS

	Opens	Closes	Daily Bag
English Sparrow, Starling	Year-round		No Limit

SECTION V. BULLFROG HUNTING

	Opens	Closes	Daily Bag
Bullfrog	Year-round		20 per person per night ⁶

Only domestically raised or legally imported bullfrogs or parts thereof may be sold.

⁶ Night defined as one 24-hour period commencing at sunset.

Waters Open: All waters of the state are open except:

- (1) Waters within state and federal wildlife refuges.
- (2) Special Season applies on TWRA lakes (June 1-June 30).

NOTE: The use of firearms for the taking of bullfrogs in wildlife management areas and TWRA lakes is prohibited. Also, the taking of bullfrogs is defined as hunting. Permit not required on wildlife management areas.

SECTION VI. POSSESSION LIMITS

The possession limit for all species listed herein is twice the daily bag limit except opening day when it shall be the same as the daily bag limit.

SECTION VII. REPEAL OF PRIOR PROCLAMATION

This proclamation repeals Proclamations No. 00-10, dated May 24, 2000.

Proclamation No. 01-7, received and recorded this 6th day of June, 2001. (06-05)

WILDLIFE RESOURCES COMMISSION - 1660

PROCLAMATION 01-08 STATEWIDE BIG GAME HUNTING SEASONS AND BAG LIMIT (EXCLUSIVE OF WILDLIFE MANAGEMENT AREAS AND REFUGES)

Pursuant to the authority granted by Tennessee Code Annotated Sections 70-4-107 and 70-5-108, the Tennessee Wildlife Resources Commission hereby proclaims the statewide big game seasons and bag limits, effective August 1, 2001.

SECTION I. WHITE-TAILED DEER

A. White-tailed Deer Hunting Seasons

For the purpose of these hunting regulations and better wildlife management, the State of Tennessee is hereby divided into two (2) deer units, as follows:

Unit

- A. Bedford, Benton, Bledsoe, Bradley, Cannon, Carroll, Cheatham, Chester, Clay, Coffee, Crockett, Davidson, Decatur, Dekalb, Dickson, Dyer, Fayette, Franklin, Gibson, Giles, Grundy, Hamilton, Hardeman, Hardin, Haywood, Henderson, Henry, Hickman, Houston, Humphreys, Jackson, Lake, Lauderdale, Lawrence, Lewis, Lincoln, McMinn, McNairy, Macon, Madison, Marion, Marshall, Maury, Meigs, Montgomery, Moore, Obion, Overton, Perry, Polk, Putnam, Rhea, Roane, Robertson, Rutherford, Sequatchie, Shelby, Smith, Stewart, Sumner, Tipton, Trousdale, Van Buren, Warren, Wayne, Weakley, White, Williamson, Wilson.
- B. Anderson, Blount (that area west of Hwy. 411 and east of Hwy. 129 is archery/muzzleloader equipment only), Campbell, Carter, Claiborne, Cocke, Cumberland, Fentress, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, Monroe, Morgan, Pickett, Scott, Sevier, Sullivan, Unicoi, Union, Washington.

Deer Unit A ¹	Season Opens	Season Closes
Deer (Archery)	Sept. 22, 2001 Nov. 12, 2001 Dec. 10, 2001	Nov. 2, 2001 Nov. 16, 2001 Dec. 14, 2001
Deer (Muzzleloader-Archery)	Nov. 5, 2001	Nov. 11, 2001
Deer (Gun-Muzzleloader-Archery)	Nov. 17, 2001 Dec. 15, 2001	Dec. 2, 2001 Jan. 6, 2002
Deer (Muzzleloader-Archery)	Dec. 3, 2001	Dec. 9, 2001
Deer Unit B ¹	Season Opens	Season Closes
Deer (Archery)	Sept. 22, 2001 Nov. 12, 2001	Nov. 2, 2001 Nov. 16, 2001
Deer (Muzzleloader-Archery)	Nov. 5, 2001	Nov. 11, 2001
Deer (Gun-Muzzleloader-Archery)	Nov. 17, 2001 Dec. 15, 2001	Nov. 25, 2001 Jan. 1, 2002
Deer (Muzzleloader-Archery)	Dec. 7, 2001	Dec. 9, 2001

B. White-tailed Deer unit bag limits

The total number of antlered deer taken may not exceed 3 per year. No more than 1 antlered deer may be taken per day.

Unit	Archery Season Bag
A	4 Deer – No more than 2 antlered

¹ Dates inclusive.

B	2 Deer - Either Sex except antlered only after Oct. 22
Unit	Gun-Muzzleloader-Archery Season Bag
A	2 Deer - Antlered Only
B	2 Deer - Antlered Only
Unit	Muzzleloader-Archery Season Bag
A	2 Deer - No more than 1 antlered—first segment—except 1 Deer either sex in Grundy, Marion, and Polk. 2 Deer - No more than 1 antlered—second segment—except buck only in Grundy, Marion, and Polk.
B	1 Deer - Antlered Only, except either sex during the last 3 days—first segment 1 Deer - Antlered Only—second segment

Note: Deer taken at Fort Campbell and on the special antlerless hunts are not considered in the regular season bag and possession limit unless otherwise specified.
Antlered deer must have antlers a minimum of three inches (3") in length on buck only or antlered only hunts.
Antlerless deer are defined as deer with no antlers or deer with antlers less than three inches (3") in length.

C. Special Hunts

The following deer units are open for two 2-day (Young Sportsman) deer hunts on November 3-4, 2001 and January 12-13, 2002. Young sportsmen 10-16 years of age may participate. Each young sportsman must be accompanied by a non-hunting adult who must also comply with fluorescent orange regulations, as specified for legal hunters. No more than one deer may be taken on each hunt. (See bag limit restrictions in Section B)

Unit	Hunt Dates
A,B	November 3-4, 2001 One deer—either sex
A,B	January 12-13, 2002 One deer—either sex

SECTION I. ANTLERLESS WHITE-TAILED DEER SPECIAL HUNTS

The following counties and portions of counties are open to antlerless only deer hunting during the regular gun season as specified.

- Quota Hunts - Special quota permit required. Bag limit-one deer per permit except where otherwise specified.
- Non-quota Hunts - No hunter quota but a Type 94 permit or Sportsman License is required. Bag limit for each Non-quota hunt is 2 deer per hunt with the following exceptions. A hunter may harvest one additional antlerless deer in each non quota hunt if this additional deer is harvested in Fayette, Giles, Hardeman, Henry, Marshall,

Maury, Montgomery, Moore, Rutherford, or Williamson counties. A hunter may harvest two additional antlerless deer in each non quota hunt if these deer are harvested in Lincoln county.

COUNTY	Quota Hunts				Non-quota Hunts		
	Nov 17- Nov 18	Nov 19- Nov 22	Nov 23- Nov 27	Nov 28- Dec 2	Dec 15- Dec 22	Dec 23- Dec 30	Dec 31- Jan 6
Bedford**	525	525	525	525	X	X	X
Benton							X
Cannon		300	300	300	X	X	X
Carroll	1000		1000		X	X	X
Cheatham	250		350	350	X	X	X
Chester					X	X	X
Claiborne ²							
Clay			250	250			X
Coffee	700	700	700	700	X	X	X
Davidson*	350	350	350	350	X	X	X
Decatur					X	X	X
Dickson	200		600	600	X	X	X
Fayette**	1000	1000	1000	1000	X	X	X
Franklin*	400	400	400	400	X	X	X
Gibson (E of 45W)							X
Giles**	1250	1250	1250	1250	X	X	X
Hancock ³							
Hardeman**	1350	1350	1350	1350	X	X	X
Hardin			400	400	X	X	X
Hawkins ⁴							
Hawkins (Holston Army Plant Only) ⁵							
Haywood					X	X	X
Henderson	400				X		X
Henry*	1100	1050	1050	1050	X	X	X
Hickman*	1100	1100	1100	1100	X	X	X
Houston					X	X	
Humphreys	575	575	575	575	X	X	X
Jefferson ⁶							
Lawrence*	600	600	600	600	X	X	X
Lewis	500		500		X	X	X
Lincoln***	900	900	900	900	X	X	X
McNairy					X	X	X

* - Indicates bag limit of 2 deer per permit for quota hunts

** - Indicates bag limit of 3 deer per permit for quota hunts

*** - Indicates bag limit of 4 deer per permit for quota hunts

² Claiborne County quota hunt on Dec. 29-30. 100 Hunter Quota

³ Hancock County quota hunt on Dec. 29-30. 100 Hunter Quota

⁴ Hawkins County quota hunt on Dec. 29-30. 800 Hunter Quota

⁵ Holston Army Plant - two quota hunts on Nov. 17 and Nov. 18 (Hunter quota 80). Two quota hunts on Nov. 25 and Dec. 8 (Hunter quota 70). Bag limit 2 deer per permit.

⁶ Jefferson County quota hunt on Dec. 29-30. 100 Hunter Quota

COUNTY	Quota Hunts				Non-quota Hunts		
	Nov 17- Nov 18	Nov 19- Nov 22	Nov 23- Nov 27	Nov 28- Dec 2	Dec 15- Dec 22	Dec 23- Dec 30	Dec 31- Jan 6
Macon	550	550	550	550	X	X	X
Madison	650	650	650	650	X	X	X
Marshall**	400	400	400	400	X	X	X
Maurry**	1200	1200	1200	1200	X	X	X
Montgomery**	550	550	550	550	X	X	X
Moore**	200	200	200	200	X	X	X
Obion						X	X
Overton				300			X
Perry					X	X	X
Robertson	400	400	400	400	X	X	X
Rutherford**	600	600	600	600	X	X	X
Shelby (south of I-40)							X
Smith			500	500	X	X	X
Stewart					X	X	X
Sumner	400	400	400	400	X	X	X
Trousdale	200		200	200	X	X	X
Wayne			500		X	X	X
Weakley	500	500	500	500	X	X	X
Williamson**	750	750	750	750	X	X	X
Wilson**	750	750	750	750	X	X	X

D. Special Regulations

1. Big Game Tagging - Upon harvesting the first big game animal of the day, except for feral hogs, the hunter must punch the date of harvest on the temporary kill tag and attach it to the animal immediately. The hunter may continue to big game hunt until he reaches the big game bag limit for that season, to the conclusion of the hunt or until the end of legal hunting time for that day, whichever comes first. All animals harvested must be accompanied by one tagged animal and must be taken together to the nearest big game checking station by the most reasonably direct route where one new temporary kill tag will be issued. The permanent harvest tag is a legal document and must be signed by the hunter. By signing the permanent harvest tag, the hunter is affirming that the information, as it appears on the permanent tag, is correct and valid. The permanent game tag must remain with each carcass until final processing. Persons legally hunting without a license are also required to take any big game animal harvested to a check station. After receiving a temporary harvest tag from checking in their first kill, these persons must comply with all tagging regulations. All big game taken to a taxidermist to be mounted must be accompanied by documentation showing the permanent game tag number, checking station number, and date of kill.

SECTION II. FERAL HOG

Feral Hogs⁷

Feral hogs are defined as any wild hog found in Tennessee except on Catoosa, South Cherokee, Cove Mtn, and Foothills WMA's. Feral hogs are considered big game but are not required to be tagged or checked in at big game checking stations.

** - Indicates bag limit of 3 deer per permit for quota hunts

⁷ No dog hunting allowed.

Private lands (Public Hunting Areas are considered private land)

Year round season, except inholdings on Catoosa WMA and South Cherokee where season is open with statewide deer seasons with no dogs. No limit -either sex

Publicly owned lands

Open during scheduled white-tailed deer hunts unless otherwise specified. No limit -either sex

In the Following Counties Dogs May Be Used For Feral Hog Hunting On The Dates Indicated⁸:

Monroe

Gun-Muzzleloader-Archery Oct. 8-17, 2001
(Dogs Permitted) No limit-Either Sex

Blount and Sevier

Gun-Muzzleloader-Archery Sept. 22-Oct. 1, 2001
(Dogs Permitted) No limit-Either Sex

Cocke (South of I-40)

Gun-Muzzleloader-Archery Sept. 22-28, 2001
(Dogs Permitted) No limit-Either Sex

Blount, Cocke, Greene, Monroe, Sevier, Unicoi, and Washington

Gun-Muzzleloader-Archery Nov. 14-15, 2001
(Dogs Permitted) No limit-Either Sex

Blount, Cocke, Monroe, Sevier

Gun-Muzzleloader-Archery Nov. 29-Dec.12, 2001
(Dogs Permitted) No limit-Either Sex

SECTION III. BEAR.The Following Counties Are Open For Bear Hunting⁹:

Blount, Cocke, Greene, Monroe, Sevier, Unicoi, and Washington

Gun-Muzzleloader-Archery Nov. 14-15, 2001
(Dogs Permitted) 1 per year-Either Sex

⁸ Dates inclusive.

⁹ Dates inclusive.

Blount, Cocke, Greene, Monroe, Sevier, Unicoi, and Washington

Gun-Muzzleloader-Archery (No Dogs)	Nov. 24-25, 2001 1 per year-Either Sex
---------------------------------------	---

Blount, Cocke, Greene, Monroe, Polk (that portion north of Hwy 64), Sevier, Unicoi, and Washington.

Gun-Muzzleloader-Archery (Dogs Permitted)	Nov. 29-Dec.12, 2001 1 per year-Either Sex.
--	--

Carter, Johnson, and Sullivan (that portion east of I-81)

Gun-Muzzleloader-Archery (Dogs Permitted)	Nov. 29-Dec. 3, 2001 1 per year-Either Sex.
--	--

Blount, Cocke (South of I-40), and Sevier

Gun-Muzzleloader-Archery (Dogs Permitted)	Sept. 22-28, 2001 1 per year-Either Sex.
--	---

Blount and Sevier

Archery Only (No Dogs)	Oct. 13-21, 2001 1 per year-Either Sex.
---------------------------	--

The Following Counties Are Open For A Bear Dog Training Season:

Cocke, Greene, and Sevier Counties.	Sept. 4-19, 2001. No bears may be taken. No weapons may be possessed. Daylight hours only.
-------------------------------------	---

Special Bear Hunting Regulations:

1. The limit of bears for any person participating in the statewide or managed hunts or both shall not exceed one (1) bear per calendar year.
2. Cubs or female bears with cubs at side may not be taken at any time. A cub is defined as any bear weighing seventy-five (75) pounds or less.
3. All bears must be checked out at an official bear checking station designated by TWRA.
4. The reproductive sex organs shall remain attached to each bear harvested at least until the bear has been officially checked out at an official bear checking station.

SECTION IV. FALL TURKEY (SHOTGUN/ARCHERY)

The following counties are open for archery only fall turkey hunting during Sept. 22 – Nov. 2. Bag limit for this season is one turkey either-sex. These same counties are open for a quota gun fall turkey hunt on Oct. 26-31 with a bag limit of one turkey either sex per permit with the exception that those counties indicated by an asterisk (*) have a bag limit of 2 either sex turkeys per permit.

Bedford*	600 Hunter Quota
Cannon*	400 Hunter Quota
Cheatham*	300 Hunter Quota
Claiborne	100 Hunter Quota
Cocke	100 Hunter Quota
Coffee	250 Hunter Quota
Dekalb	200 Hunter Quota
Dickson*	750 Hunter Quota
Franklin*	600 Hunter Quota
Giles*	1000 Hunter Quota
Grainger	100 Hunter Quota
Greene	100 Hunter Quota
Hancock	100 Hunter Quota
Hardeman	50 Hunter Quota
Hardin	50 Hunter Quota
Hawkins	100 Hunter Quota
Hickman*	500 Hunter Quota
Humphreys	100 Hunter Quota
Lawrence*	300 Hunter Quota
Lincoln*	1200 Hunter Quota
McNairy	50 Hunter Quota
Macon*	400 Hunter Quota
Marshall*	500 Hunter Quota
Maury*	300 Hunter Quota
Montgomery*	600 Hunter Quota
Moore*	200 Hunter Quota
Robertson	200 Hunter Quota
Rutherford*	800 Hunter Quota
Smith*	500 Hunter Quota
Stewart	100 Hunter Quota
Sumner*	400 Hunter Quota
Trousdale*	150 Hunter Quota
Wayne*	300 Hunter Quota
Williamson	200 Hunter Quota
Wilson*	400 Hunter Quota

SECTION V. REPEAL OF PRIOR PROCLAMATIONS

This proclamation repeals Proclamation No. 00-11 , dated May 24, 2000.

Proclamation No. 00-8 received and recorded this 6th day of June, 2001. (06-06)

* - Indicates bag limit of 2 deer per permit for quota hunts

TENNESSEE WILDLIFE RESOURCES COMMISSION PROCLAMATION - 1660**PROCLAMATION 01-9
WILDLIFE MANAGEMENT AREAS
HUNTING SEASONS, LIMITS AND MISCELLANEOUS REGULATIONS**

Pursuant to the authority granted by Tennessee Code Annotated Sections 70-4-107 and 70-5-108, the Tennessee Wildlife Resources Commission hereby proclaims the wildlife management areas hunting seasons, limits and miscellaneous regulations, effective August 1, 2001.

Note: Migratory Bird Season Dates and Limits are Pending in Lieu of Federal Frameworks.

SECTION 1. GENERAL**A. Hunting Season**

1. Management areas open on dates shown and as otherwise indicated.
2. Small game hunting and dog training closed at sunset on the day before and during scheduled big game hunts on the following Wildlife Management Areas, unless special exception indicated: A.E.D.C., Bridgestone/Firestone Centennial Wilderness, Buffalo Springs, Catoosa, Chuck Swan, Cove Creek, Cumberland Springs, Eagle Creek, Foothills, Laurel Hill, Prentice Cooper, Reelfoot, the Thief Neck Island Unit of Watts Bar, and Williamsport.
3. Coyote may be taken on any hunt.
4. Season open on groundhog, fox and skunk on all wildlife management areas during any scheduled small game hunt unless special exception is indicated. Crow may be taken on small game hunts days that coincide with statewide crow season.
5. Raccoon and opossum hunting is from sunset of the date shown to sunrise of the next day.
6. Bobcat may be taken on any big game or small game hunt that coincides with the statewide bobcat season, except Oak Ridge WMA.
7. Falconry open with statewide falconry seasons.
8. Small game (except raccoon) and retriever field trials permitted year-round with approval of the Area Manager unless otherwise specified.
9. Raccoon hound field trials permitted Sept. 1-Apr. 30 unless prohibited.
10. Dog training Sept. 1-Mar. 15 unless otherwise indicated. Dog training prohibited on Cove Mountain, Doe Mountain, Eagle Lake Refuge, Fall Creek Falls State Park, Foothills, Ft. Loudoun, Gallatin Steam Plant, Joachim Bible Refuge Unit of Lick Creek Bottoms, Nathan Bedford Forrest State Park, Oak Ridge, Niles Ferry Unit of Tellico Lake, and South Fork Refuge.
11. Spring squirrel season May 11 – June 9, 2002, except closed on the following areas: Cherokee, Edgar Evins, Fall Creek Falls, Flintville Hatchery, Foothills, Forks of the River, Gallatin Steam Plant, Haley-Jaqueth, Henderson Island, Hermitage, Kingston Refuge, Kyker Bottoms Refuge, Lick Creek Bottoms, Nathan Bedford Forrest, Oak Ridge, Paint Rock Refuge, Rankin, Shelby Forest, and Tellico Lake

(McGhee-Carson and Niles Ferry Units only), and Yuchi Refuge at Smith Bend. Daily bag limit is 10 squirrels and the possession limit is 20. No hunting with dogs permitted.

12. Waterfowl hunting from temporary blinds-no blinds or decoys left overnight unless otherwise specified by rule or proclamation.
13. Feral hogs¹ may be taken during any big game hunt on wildlife management areas or refuges, unless otherwise specified. Wild boar seasons are open as indicated.
14. All game killed or crippled shall be retrieved if possible and retained in the custody of the hunter in the field. No game may be discarded on the premises of the management area.

B. Bag and Possession Limits

1. One deer may be taken on each managed hunt where a permit is required except as otherwise indicated. Deer taken on buck-only hunts must have antlers a minimum of three inches (3") in length.
2. Statewide bag and possession limits shall apply unless special exception is indicated.

C. Miscellaneous Regulations

1. Muzzleloading weapons legal on all Gun-Archery hunts except where indicated.
2. Possession of shotgun ammunition loaded with more than one solid ball is specifically prohibited while hunting deer, bear or boar.
3. Dogs allowed for small game hunting. Special regulations apply where indicated.
4. On all "Young Sportsman Hunts", youths must be 10-16 years of age and be accompanied by an adult. Adults must comply with fluorescent orange regulations, as specified for legal hunters when accompanying young sportsmen on "Young Sportsman Hunt", except as indicated.
5. If WMAs are designated as being open with the statewide season, then deer harvested count towards the statewide bag limit. If a specific hunt date and bag limit are listed, the deer are considered bonus deer and are not counted against the statewide bag limit unless otherwise noted. WMA bag limits listed are per hunt.
6. The placement or depositing of any type of food to feed or attract wildlife on WMA's is prohibited.
7. Where persons are required to wear fluorescent orange, they must wear on their upper body and head a minimum of 500 square inches of daylight fluorescent orange visible front and back.
8. Wheelchair bound hunts, zones, or blinds are hunts, zones, or blinds open to hunters who are totally and permanently confined to a wheelchair as certified by a physician.
9. On wheelchair bound deer hunts, each wheelchair bound hunter must be accompanied by a non-hunting assistant (age 16 years or older). On wheelchair bound waterfowl hunts, each wheelchair bound hunter

¹ Feral hogs are defined as any wild hog found in Tennessee, except on Catoosa, South Cherokee, Cove Mountain and Foothills WMA's.

must be accompanied by at least one, but not more than three assistants (at least one of whom must be age 16 years of age or older), who may also participate in hunting.

10. Persons already holding a blind permit may not participate in wheelchair blind permit drawings. If a wheelchair bound blind is not occupied by legal shooting hours, it may be occupied by another wheelchair bound hunter for that day. Applications for wheelchair bound waterfowl blind permits must be received by the appropriate regional office by noon on the 4th Friday in October.

SECTION II. WILDLIFE MANAGEMENT AREAS AND REFUGES – SEASON AND BAG LIMITS

The following areas or units are open to hunting as set out in the statewide seasons:

Alpine Mountain	Keyes-Harrison
Anderson Tully	Lick Creek (22)(9)
Bark Camp Barrens	M.T.S.U.
Barkley Unit II (22)	Mt. Roosevelt
Bean Switch Refuge (10)(11)(18)	New Hope (9)(22)
Big Sandy (5)(6)(9)(22)	Normandy
Camden Unit II (9)(22)	Obion River (22)
Cedar Hill Swamp (8)	Perryville (4)
Chickasaw (22)(26)(28)(30)	Pickett
Cove Creek (3)	Standing Stone (2)
Cove Mountain (3)(23)(24)	South Fork Refuge (10)(11)(18)
Cypress Pond Refuge (10)(11)	Tigrett (1)(22)
Doe Mountain (3)(25)	Watts Bar (7)(14)(16)(17)
Harmon Creek (9)(22)	West Sandy (1)(6)(9)(12)(22)(29)
Hop-In Refuge (10)(11)(18)	White Lake Refuge (10)(11)(18)
Horns Bluff Refuge (10)(11)	White Oak (4)(13)(19)(22)(27)(30)
Jarrell Switch Refuge (10)(11)	Whites Mill Refuge (15)(20)(21)

1. Waterfowl hunting shall close at 3:00 P.M. (CST) each day of the regular statewide waterfowl seasons, except the last day of duck seasons and remaining goose seasons when hunting shall close at sunset.
2. No fox taking.
3. Season closed March 1 – August 25, except during turkey and spring squirrel season(s) where applicable. Dog training Sept. 1-Mar.1.
4. Retriever field trials permitted year-round.
5. Hunting of waterfowl during the late duck and goose seasons permitted only on Wednesday, Thursday, Saturday, Sunday, Monday, and the first and last day of each segment of the late duck and goose seasons. During the late duck season, all activities are prohibited in the subimpoundments when waterfowl hunting is closed.
6. All activities are prohibited in the subimpoundments six days prior to the opening day(s) of the statewide duck season.

7. Thief Neck Island Unit – Same as statewide deer season (Archery tackle only). Young Sportsman deer (Gun-Archery) hunt on Oct. 13-14. No hunter quota. One deer, either sex. Statewide archery season closed on these areas during this hunt. Shotguns for small game only.
8. Firearms prohibited for deer hunting.
9. Dove hunting to begin at 12 noon each day of the first segment of the statewide season.
10. Closed to all hunting and dog training Nov. 1-Mar. 1.
11. Closed to waterfowl hunting.
12. Dog training open Sept. 1-Mar. 15, except closed during the late duck season.
13. Waterfowl hunting closes at 1:00 p.m. (CST) during the late duck season(s) and all types of water traffic prohibited after 2:00 p.m.
14. Paint Rock Refuge is closed to all forms of public use, including all forms of trespass, from Oct. 15 through Feb. 1, except as otherwise indicated. Public entry and fishing is permitted while on the main river channel passing through the refuge. Paint Rock Refuge is open to Canada goose hunting Sept. 1-8; bag limit of 5 geese per day.
15. Closed to all forms of public use, including all forms of trespass, from Sept. 1 through the last day of February, except as otherwise indicated. Horseback riding prohibited.
16. Long Island Unit – Archery equipment, muzzleloader and shotguns only.
17. Dog training (daylight hours only) Sept. 1-Oct.14, Feb. 2-Mar. 15 on Paint Rock Refuge.
18. No dove hunting.
19. Archery only deer hunting the second segment of Unit A Gun-Archery season.
20. Open to dog training Feb. 15-28
21. Open to bullfrog hunting July 1-Aug. 31, gigs only.
22. Young Sportsman deer (Gun-Archery) hunt on Oct. 13-14. No hunter quota. One deer, either sex. Statewide archery season closed on these areas during this hunt.
23. Wild boar hunts (dogs permitted) will be held on Sept. 22-Oct. 1 and Nov. 29-Dec. 12. No hunter quota. One boar, either sex. No feral hog seasons.
24. Young Sportsman deer-boar (Gun-Archery) hunt Oct. 27-28. No hunter quota. One deer, either sex; one boar, either sex.
25. Young Sportsman deer (Gun-Archery) hunt Oct. 27-28. No hunter quota. One deer, either sex.
26. Closed to county special season antlerless quota hunts.

27. All water traffic prohibited six days prior to the opening day(s) of the statewide duck season.
28. Open to Dec. 31-Jan. 6 county antlerless non-quota hunt.
29. Waterfowl – wheelchair bound blind provided.
30. Not open to fall turkey hunting.

AEDC and Woods Reservoir Refuge

Beaver, Grouse, Quail, Opossum, Rabbit Raccoon, Snipe, Squirrel, Woodcock	Same as statewide season, except that beaver may be taken only during other small game hunts. Woods Reservoir Refuge – small game hunting closed Dec. 1 – Jan. 31.
Dove	Same as statewide season except opens at noon each day during the first segment of the dove season.
Deer (Archery)	One 3-day hunt. Sept. 21-23. Hunter quota 1500. One deer, either sex.
One 3-day hunt.	Sept. 28-30. No hunter quota. One deer, either sex.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 6-7. Hunter quota 850. One deer, either sex.
Deer (Gun-Archery)	One 2-day hunt. Oct. 10-11. Hunter quota 300. One deer, either sex. Hunting allowed in the National Guard Training Area and Rifle Range Safety Zone only. Scouting days: Oct. 8-9.
Deer (Gun-Archery)	Two 2-day hunts. Oct. 20-21, Nov. 24-25. Hunter quota 750. One deer, either sex.
Deer (Gun-Archery)	One 2-day hunt. Oct. 27-28. Hunter quota 700. One deer, antlerless only.
Deer (Gun-Archery)	One 2-day hunt. Nov. 3-4. Hunter quota 400. One deer, either sex.
Deer (Archery)	One 3-day hunt. Nov. 30-Dec. 2. No hunter quota. One deer, either sex. Waterfowl hunting permitted during deer hunt.
Deer (Gun-Archery) (Wheelchair Bound Only)	Two 2-day hunts. Nov. 3-4, Nov. 24-25. No hunter quota. One deer, either sex. “Wheelchair Bound Hunter Zone” only.
Wheelchair Bound Hunter Zone	Wheelchair bound hunters only in the old “Camp Forrest” area of A.E.D.C. (north of Wattendorf Hwy., west of Rifle

	Range Rd., and south of the railroad track) during the following hunts: Nov. 3-4, Nov. 24-25
Dog Training (Daylight hours only)	Sept. 1- Mar.15
Waterfowl	Hunting from registered blind sites only on Woods Reservoir except during the early duck season; also, Canada goose hunting is allowed outside of blinds upstream from Morris Ferry bridge except during the duck season. Same as state-wide seasons except open on Wednesday, Thursday, Saturday and Sunday of the late duck season and the first and last day of each segment of the late duck season. Waterfowl hunting allowed on Woods Reservoir during deer hunts when waterfowl season is open. During the September and October waterfowl seasons, hunting is permitted outside of registered blinds on Woods Reservoir except 150 yards out from the bank beginning at the Pumping Station and going west to Arnold Village slough and beginning at the Famcamp slough and going west to the Rowlands Creek causeway. During the youth waterfowl hunting season, hunting on Woods Reservoir allowed outside blinds upstream from Morris Ferry Bridge. Downstream from Morris Ferry registered blind sites only.
Arms and Ammunition	Shotguns and archery equipment. Muzzleloading rifles on deer gun hunts only.
Closure	Public use of Woods Reservoir Refuge, including all forms of trespass, is prohibited Dec. 1-Jan.31, except as otherwise indicated.
Barkley	
UNIT I – (Hwy 79 downstream to River Mile 85)	
All activities are prohibited in the unit six (6) days prior to the opening day(s) and on Tuesdays and Fridays of the late duck season.	
Dove, Opossum, Quail, Rabbit, Raccoon, Snipe Squirrel, Waterfowl, Woodcock	Same as statewide seasons except that waterfowl hunting is permitted only on Wednesday, Thursday, Saturday, Sunday, Monday and the first and last day of each segment of the late statewide duck and goose season.
	Fishing, trapping and hunting of all species other than waterfowl prohibited in the sub-impoundments during the late duck season.
	Dog training permitted Sept. 1-Mar. 15 except closed during the late duck season.
Deer	Same as the statewide seasons, except closed to statewide archery during the Young Sportsman hunt on Oct 13-14.

Deer (Gun-Archery)(Young Sportsman) One 2-day hunt. Oct. 13-14. No hunter quota. One deer, either sex.

Black Bayou Refuge

Rabbit (Quota Hunt) Four 1-day hunts. Oct. 13,14, 20,21. Six parties per hunt. Six hunters per party. Six dogs per party. Five rabbits per hunter. Nontoxic shot approved by the U.S. Fish & Wildlife Service only. Sign-up for hunt will be at the Reelfoot Lake WMA office parking lot at Reelfoot Lake, Sept. 15, between the hours of 9:00 am and 12:00 noon. A drawing for permits will be held immediately following the sign-up period.

Dove, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Woodcock Same as statewide seasons, closed to all hunting after Nov. 14.

Deer (Gun-Archery) (Young Sportsman) One 2-day hunt. Nov. 3-4. No hunter quota. One deer, either sex.

Deer (Archery) Two hunts. Sept. 22- Nov. 2 and Nov. 5-13. No hunter quota. Three deer, either sex.

Dog Training Sept. 1- Nov. 14.

Bridgestone/Firestone Centennial Wilderness

Dove (Young Sportsman) Sept. 1. Each Young Sportsman must be accompanied by a non-hunting adult. Hunting starts at noon.

Dove Sept. 2, and the remainder of the statewide season.

Grouse, Rabbit, Snipe, Squirrel Waterfowl, Woodcock Same as statewide seasons

Opossum, Raccoon Same as statewide season, except hunting will be limited to Friday and Saturday nights only. All hunting ends Jan. 6.

Deer (Archery) Three 3-day hunts. Sept. 22-24, 25-27, 28-30. No hunter quota. One deer, either sex. Deer counts toward statewide bag.

Deer (Gun-Archery)(Young Sportsman) One two-day hunt. Nov. 3-4. No hunter quota. One deer, either sex. Deer counts toward statewide bag.

Deer (Gun-Archery) Two 2-day hunts. Nov.17-18, Dec. 17-18. No hunter quota. One deer, buck only. Deer counts toward statewide bag.

Dog Training Sept. 1-Mar. 15

Buffalo Springs

Waterfall parking area closed one hour after sunset until one hour before sunrise.
Small game hunters (except waterfowl) must wear fluorescent orange during the big game gun hunts.

Dove

Sept. 1, 3, 8, noon until sunset only. Open every day thereafter during the statewide dove season. Hunter quota 55. Staked positions only. A random drawing will be held at 11 a.m. on Sept. 1. Otherwise, first come, first served.

Deer, Grouse, Opossum, Quail, Rabbit,
Raccoon, Snipe, Squirrel, Turkey, Waterfowl,
Woodcock

Same as statewide seasons.

Camden Unit I

Dove, Opossum, Quail, Rabbit, Raccoon, Snipe
Squirrel, Waterfowl, Woodcock

Same as statewide seasons, except that waterfowl hunting shall end at 3:00 P.M.(CST) each day of the late statewide waterfowl season, and dove hunting shall begin at 12 noon each day of the first segment of the statewide season.

On the last day of each segment of the late duck and remaining goose seasons hunting shall end at sunset. Hunting of all species other than waterfowl is prohibited during the late duck season. Dog training permitted Sept. 1-Mar. 15 except during the late duck season.

All activities are prohibited in the sub-impoundments six days prior to the opening day(s) of the late duck season.

Deer

Same as statewide seasons, except closed to statewide archery season during the Young Sportsman deer hunt on Oct. 13-14, and closed during the late duck season.

Deer (Gun-Archery)(Young Sportsman)

One 2-day hunt. Oct. 13-14. No hunter quota. One deer, either sex.

Catoosa

Dove, Grouse, Quail, Rabbit, Snipe, Squirrel,
Waterfowl, Woodcock

Same as statewide seasons, except all hunting ends Jan. 31.

Opossum, Raccoon

Sunset Nov. 1 to Sunrise Dec. 31

Deer/Boar (Archery)

Three 3-day hunts. Oct. 20-22, 23-25, 26-28. No hunter quota. Area checking stations operated. Entire area open. One deer, either sex. One boar, either sex.

Deer/Boar (Muzzleloader-Archery)

One 3-day hunt. Nov. 29-Dec. 1. No hunter quota. Entire

	area open. One deer, buck only. One boar, either sex.
Deer/Boar (Gun-Archery)	Two 3-day hunts. Nov. 15-17, Dec. 13-15. Station quota: Genesis 1,250; Bicolor 1,250. One deer, buck only. One boar, either sex.
Deer/Boar (Gun-Archery)	One 3-day hunt. Dec. 20-22. No hunter quota. Entire area open. One deer, buck only. One boar, either sex.
Boar (Gun-Archery)(Dogs Permitted)	One 3-day hunt. Jan. 3-5. Station quota: Genesis 200; Bicolor 200. Entire area open. One boar either sex.
Bullfrog Apr. 1- Sept. 1.	No hunting during turkey hunts.
Special Regulations:	Buck deer must have a minimum of 4 points on one antler on all hunts. Points must be at least 1 inch or longer. Catoosa WMA will be closed to all users Feb. 1 – last Friday in March. Guides prohibited on all hunts.
Dog Training (Daylight hours only)	Sept. 1 – Jan. 31.
 Cheatham	
Quail, Rabbit, Snipe, Squirrel, Woodcock	Same as statewide seasons.
Deer	Same as statewide seasons, except all deer hunting closed after Dec. 14. Deer counts toward statewide bag.
Dove	Same as statewide season except opens at noon each day during the first segment of the dove season.
Opossum, Raccoon	Dec. 15 –Jan. 31.
Firing Range	Open as posted. Automatic weapons prohibited.
Archery Range	Open daily. Field points only.
Dog Training (Daylight Hours Only)	Sept. 1 –Mar. 15.
 Cheatham Lake	
Deer, Opossum, Quail, Rabbit, Raccoon, Snipe Squirrel, Turkey, Waterfowl, Woodcock	Same as statewide seasons on Sycamore Creek upstream from railroad trestle, Harpeth River upstream from Highway 49, and on Johnson Creek upstream from Johnson Creek Bridge.
	Hunting on remainder of Cheatham Lake WMA same as statewide season except during the late duck season when hunting is open only on Wednesday, Thursday, Saturday, Sunday, and the first and the last day of each segment of the late statewide duck season. Waterfowl hunting is permitted

only from registered blind sites and from staked temporary blind sites during the late duck season.

Hunting on Harpeth Island, Marks Creek, and Bluff Creek wade-in areas is not restricted to registered or staked temporary sites. Night hunting, trapping, and fishing prohibited in waterfowl impoundments during the waterfowl season. The sub-impoundment units as posted are closed to all types of activity six days prior to the opening of the first segment of the late duck season.

Waterfowl (Wheelchair-bound only blind site)	Same as statewide seasons.
Beaver	May be taken during any hunt.
Dove	Same as statewide season except opens at noon each day during the first segment of the dove season. Hunting allowed from designated fields only.
Dog Training	Sept. 1-Mar. 15, except closed during duck seasons.
Cheatham Lake – Pardue Pond Refuge and Dyson Ditch Refuge	
Deer (Archery)	Sept. 22- Oct. 13, Bag limit same as statewide.
Dog Training	Sept. 1- Mar.15, except closed Oct. 15-Feb.14
Closure	Public use, including all forms of trespass, is prohibited from Oct. 15 through Feb. 14, except as otherwise indicated.
Cherokee ²	
Horseback riding regulations same as USFS regulations.	
North Cherokee	That portion of the Cherokee WMA lying north of the Great Smoky Mountains National Park.
South Cherokee	That portion of the Cherokee WMA lying south of the Great Smoky Mountains National Park.
Ocoee Unit	That portion of the South Cherokee lying south of the Hiwassee River.
Tellico Unit	That portion of the South Cherokee lying north of the Hiwassee River, and south of the Little Tennessee River.

North Cherokee

² Bobcat hunting with dogs prohibited. Dog training prohibited, except for Bear Dog Training Season in Cocke and Greene counties. The use of and/or possession of any tracking device from March 1 to August 31 is illegal.

Dove, Grouse, Quail, Rabbit, Snipe, Squirrel	Same as statewide seasons. ³ Small game hunting (shotguns only) allowed during all big game hunts, but small game hunters (except raccoon and opossum hunters between sunset and sunrise) must wear 500 sq. in. of fluorescent orange during big game hunts.
Deer, Turkey	Same as statewide seasons.
Opossum, Raccoon	Same as statewide season, except the season is closed Dec. 2-sunset Dec. 15 in the Bear Reserves.
Bear Dog Training Season (Cocke and Greene Counties only)	Sept. 4-19. No bears may be harvested. No weapons may be possessed. Daylight hours only. No training in bear reserves.
Bear	Same as statewide season. Feral hog hunting closed in bear reserves during bear season.

South Cherokee⁴

Special Weapons Regulations:

1. .22 caliber short, long and long rifle are the only legal weapons on a raccoon hunt.
2. It is illegal to possess firearms with any breed of dog other than pointing breeds during daylight hours, excluding Bear and Boar season, except as provided.

Dove, Grouse, Quail, Rabbit, Snipe, Squirrel Waterfowl, Woodcock	Same as statewide seasons, except, no season shall open prior to Oct. 6. Small game hunting closed at sunset the day before and during big game hunts. When specified portions of the Cherokee are hunted, this closure applies only to those specific areas and to the Tellico Bear Reserve during bear hunts. Dogs permitted for squirrel hunting west of Hwy. 68 and north of Ocoee River Jan.1-Feb. 28.
---	---

Ocoee Unit

Opossum, Raccoon	Same as statewide season, except closed at sunset the day before and during big game hunts.
Deer/Boar (Archery)	One 9-day hunt. Sept. 15-23. No hunter quota. One deer, either sex. One boar, either sex.
Deer/Boar (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 13-14, south of Ocoee River only. No hunter quota. One deer, either sex. One boar, either sex.

³ Only pointing breed dogs are allowed in the bear reserve one day before and during bear hunts.

⁴ No feral hog hunting on South Cherokee WMA; boar hunting is allowed as indicated.

Deer/Boar (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 27-28. No hunter quota. One deer, either sex. One boar, either sex.
Deer/Boar (Muzzleloader-Archery)	One 3-day hunt. Nov. 2-4. No hunter quota. One deer, either sex. One boar, either sex.
Deer/Boar (Gun-Archery)	One 3-day hunt. Nov. 9-11. No hunter quota. One deer, buck only. One boar, either sex.
Deer/Boar (Gun-Archery)	One 9-day hunt. Nov. 17-25. No hunter quota. Two deer, buck only. One boar, either sex.
Boar (Gun-Archery)(Dogs Permitted)	Two 5-day hunts. Oct. 13-17, Jan. 5-9. No hunter quota. One boar, either sex. Between Ocoee River and Hiwassee River.
Bear/Boar (Gun-Archery)(Dogs Permitted)	One 14-day hunt. Nov. 29-Dec. 12. No hunter quota. One bear per person per year. One boar either sex. Between Ocoee River and Hiwassee River.
Deer/Boar (Gun-Archery)	One 14-day hunt. Nov. 29-Dec. 12. No hunter quota. Two deer, buck only. One boar, either sex. South of Ocoee River only.
Tellico Unit	
Opossum, Raccoon (Raccoon hunters must wear fluorescent orange during bear season)	Oct. 29 – Nov. 15, Nov. 27-Dec. 12, Dec. 17- Jan. 6. Tellico bear reserve sunset Dec. 13- Jan. 7 only.
Deer/Boar (Archery)	One 9-day hunt. Sept. 15-23. No hunter quota. Two deer, either sex. One boar either sex.
Deer/Boar (Gun-Archery)	One 9-day hunt. Nov. 17-25. No hunter quota. Two deer, buck only. One boar either sex.
Deer/Boar (Muzzleloader-Archery)	One 3-day hunt. Sept. 28-30. No hunter quota. One deer, buck only. One boar either sex.
Deer/Boar/Bear (Muzzleloader-Archery)	One 3-day hunt. Dec. 14-16. No hunter quota. One deer, buck only. One boar either sex. One bear, either sex.
Deer/Boar (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 27-28. No hunter quota. One deer, either sex. One boar, either sex.
Boar (Gun-Archery)(Dogs Permitted)	One 10-day hunt. Oct. 8-17. One boar, either sex. Hunting confined to that area outside the Tellico Bear Reserve and the party dog area.
Bear/Boar (Gun-Archery)(Dogs Permitted)	One 14-day hunt. Nov. 29-Dec. 12. No hunter quota. One bear per person per season. One boar, either sex. Hunting

confined to that area outside the Tellico Bear Reserve and the party dog area.

Deer/Boar (Gun-Archery)(Party Still Hunts)
(No Dogs Allowed)

One 3-day hunt. Oct. 19-21. One party permitted in each of the following areas: Jake Best, Double Camp, North Fork Citico and South Fork Citico. One deer, buck only. One boar, either sex.

Boar (Gun-Archery)
(Party Dog Hunts)

One 3-day hunt. Oct. 19-21. One boar either sex. One party permitted in each of the following areas: Upper Tellico, Lower Tellico, Upper Bald River, Lower Bald River.

Bear/Boar (Gun-Archery)
(Party Dog Hunts)

Two 2-day hunts. Oct. 4-5, Nov. 27-28. One bear per person per season. One boar, either sex. One party permitted in each of the following areas: Upper Tellico, Lower Tellico, Upper Bald River, Lower Bald River.

Chickamauga

(Soddy Creek, Sale Creek, Mud Creek, New Bethal, Moon Island, Cottonport, Washington Ferry, Goodfield Creek, Gillespie Bend, Agency Creek, Sugar Creek, South Mouse Creek Units)

Deer, Dove, Furbearers, Quail, Rabbit, Snipe
Squirrel, Waterfowl, Woodcock

Same as statewide hunting and trapping seasons. No waterfowl hunters allowed on Units prior to 90 minutes before sunrise.

(Candies Creek, Rogers Creek, Yellow Creek, Johnson Bottoms Units)

Deer, Dove, Furbearers, Quail, Rabbit, Snipe
Squirrel, Waterfowl, Woodcock

Same as statewide hunting and trapping except closed to non-waterfowl species during the late duck season. Waterfowl hunting permitted only on Tuesday, Thursday, Saturday and Sunday and the opening and closing day of the duck season. No trapping during the duck season. No waterfowl hunters allowed on Units prior to 90 minutes before sunrise.

Dog Training

Sept. 1- Mar. 15, except closed during late duck season.

Chuck Swan

Guides, deer driving, loud noises, and harassment on all deer hunts, and entering the wildlife management area from Norris Lake during the deer and turkey hunts prohibited.

Dove, Grouse, Rabbit, Squirrel, Waterfowl
Woodcock

Same as statewide seasons.

Raccoon

Six 1-day hunts. Nov. 6, 8, 10, 12, 14, 16. Fifty-four 3-man

parties per night to be drawn and assigned to compartments. Hunter must check out by 2:00 A.M. All raccoons must be checked out.

Deer (Archery)	One 3-day hunt. Oct. 12-14. No hunter quota. One deer, buck only.
Deer (Archery)	Two 2-day hunts. Oct. 19-20, 26-27. Hunter quota 800. One deer, either sex.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Nov. 3-4. Hunter quota 200. One deer, either sex. Deer counts towards statewide bag limit.
Deer (Gun-Archery)	Two 2-day hunts. Nov. 30-Dec. 1, Dec. 7-8. Hunter quota 750. One deer, buck only.
Deer (Archery)	One 2-day hunt. Dec. 14-15. Hunter quota 1000. One deer, either sex.
Deer (Muzzleloader-Archery)	One 2-day hunt. Nov. 23-24. Hunter quota 750. One deer, buck only.
Turkey (Shotgun-Archery)	Two 2-day hunts. Dec. 21-22, 28-29. Hunter quota 125. One turkey, either sex.
Dog Training (Daylight hours only)	Sept. 1-Mar. 15.

Cordell Hull

(Includes all property posted and painted with Corps of Engineers and/or TWRA WMA signs.)

Deer, Small Game, Waterfowl	Same as statewide seasons except deer hunting ends Dec. 15. Wheelchair bound hunter zone open to wheelchair bound hunters only. Deer bag limit is either-sex in the wheelchair bound zone on November 17-18, 2001.
Wheelchair-Bound Hunter Zone	That area in the old "Corps of Engineers Roaring River Campground" area of Cordell Hull WMA (north of Hwy. 135, north of Roaring River, south and east of Hwy. 85, and west of old Roaring River Iron Bridge Road.

Cordell Hull Refuge

Squirrel	Aug. 25-Nov. 14.
Dove	Sept. 1-14, noon until sunset
Canada Goose	Sept. 1-10. Bag limit 5 per day.
Deer (Archery)	Sept. 24-Nov. 2. Bag limit same as Unit A archery season.

Deer (Archery)
Wheelchair Bound Only

Sept. 22-23. No quota. One deer, either sex.

Closure

Public use, including all forms of trespass, is prohibited from Nov. 15-Mar. 1, except as otherwise indicated. Public entry and fishing permitted while on the main river channel passing through the refuge.

Dog Training

Sept. 1-Nov. 14, daylight hours only.

Cumberland Springs

Dove, Opossum, Quail, Rabbit, Raccoon,
Snipe, Squirrel, Woodcock, Waterfowl

Same as statewide seasons.

Deer (Archery)

One 14-day hunt. Sept. 22-Oct. 5. No hunter quota. Two deer, either sex.

Deer (Gun-Archery)

One 2-day hunt. Oct. 13-14. Hunter quota 500. One deer, buck only.

Deer (Gun-Archery)

One 2-day hunt. Oct. 20-21. Hunter quota 500. One deer, either sex.

Deer (Gun-Archery)

One 2-day hunt. Oct. 27-28. Hunter quota 250. One deer, either sex.

Deer (Gun-Archery)(Young Sportsman)

One 2-day hunt. Nov. 3-4. No hunter quota. One deer, either sex.

Deer (Gun-Archery)

One 2-day hunt. Dec. 1-2. Hunter quota 250. One deer, either sex.

Duck River

Dove, Opossum, Quail, Rabbit, Raccoon,
Snipe, Squirrel, Turkey, Woodcock, Waterfowl

Same as statewide seasons, except dove hunting opens at noon each day of the first segment.

Deer

Same as statewide seasons, except all deer hunting closes after Dec. 14.

Dog Training

Sept. 1- Mar. 15.

Eagle Creek

Dove, Opossum, Quail, Rabbit, Raccoon
Snipe, Squirrel, Woodcock

Same as statewide seasons.

Deer (Archery)	One 18-day hunt. Sept. 22-Oct. 9. No hunter quota. Two deer, either sex. No area checking station operated.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 13-14. No hunter quota. One deer, either sex.
Deer (Gun-Archery) (Wheelchair Bound only)	One 1-day hunt. Oct. 27. No hunter quota. One deer, either sex. "Wheelchair Bound Hunt Zone" only.
Wheelchair Bound Hunter Zone	Wheelchair bound hunters only on roads #2 through #10 on Oct. 27.
Deer (Gun-Archery)	Three 4-day hunts. Oct. 18-21, Nov. 1-4, Nov. 29- Dec. 2. No hunter quota. One deer, buck only.
Deer (Gun-Archery)	One 2-day hunt. Dec. 8-9. Hunter quota 600. One deer, either sex.
 Eagle Lake Refuge	
Dove Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Woodcock	Open Monday, Wednesday and Saturday within statewide seasons. Small game hunting allowed during deer seasons.
Closure	Eagle Lake Refuge is closed to all hunting Nov. 1- Mar. 1. Waterfowl hunting prohibited. Non-toxic shot approved by the U.S. Fish & Wildlife Service required for small game hunting. Access to the south end of Shelby Forest WMA through Eagle Lake Refuge will be allowed during hunting seasons.
 Edgar Evins State Park	
Deer, Opossum, Quail, Rabbit, Raccoon	Same as statewide seasons.
Deer (Archery)	Safety zone area only. One 2-day hunt Dec. 27-28. Hunter quota 100. Two deer, either sex. Free permit required. Sign-up for hunt will be Aug. 22 at Edgar Evins State Park Office between 8:00 a.m. and noon. Hunters must be present to sign up.
 Ernest Rice, Sr.	
Dove, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Waterfowl Woodcock	Same as statewide seasons.
Deer (Archery)	Sept. 22- Oct. 30. No hunter quota. One deer either sex.

Deer (Archery)	One 17-day hunt. Dec. 15-31. No hunter quota. One deer, either sex.
Deer (Gun-Archery)	Two 3-day hunts. Nov. 17-19, 23-25. No hunter quota. One deer, buck only.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Nov. 3-4. No hunter quota. One deer, either sex.

Fall Creek Falls State Park

Grouse, Squirrel	Dec. 1-Jan. 31. Pointing breed dogs only.
Deer (Archery)	One 3-day hunt. Nov. 3-5. Hunter quota 300. One deer, either sex. One 6-day hunt. Nov. 6-11. No hunter quota. One deer, either sex. All deer hunters must sign register at horse stables before hunting. Vehicle parking prohibited along black-top roads during deer hunts.

Flintville Hatchery

Quail, Rabbit, Snipe, Squirrel, Woodcock	Same as statewide seasons.
Deer	Same as Unit A deer season. Archery equipment only.
Dog Training (Daylight hours only)	Sept. 1- Mar. 15.

Foothills

Motorized vehicles prohibited. All small game hunters must wear 500 square inches of blaze orange during big game seasons. Small game hunters must use shotguns only during big game seasons.

Dove, Grouse, Quail, Rabbit, Snipe, Squirrel Waterfowl, Woodcock	Same as statewide seasons.
Opossum, Raccoon (Raccoon hunters must wear fluorescent orange during bear season)	Oct. 29-Nov. 16, Nov. 30-Jan. 13.
Bear, Deer	Same as statewide season, except closed to statewide archery during Young Sportsman hunt.
Boar (Gun-Archery)(Dogs permitted)	Two hunts. Sept. 22-Oct. 1 and Nov. 29- Dec. 12. No hunter quota. One boar, either sex.
Boar (Gun-Archery)(No dogs permitted)	Same as statewide deer season. No limit, either sex.
Deer/Boar (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 27-28. No hunter quota. One deer, either sex. One boar, either sex.

Forks of the River

Area closed one hour after sunset to one hour before sunrise except for raccoon and opossum hunters and scheduled events. Bicycles are restricted to greenway trail from Sept. 1- Feb. 28. Paintball guns and accessories prohibited.

Dove	Sept. 1, 3, 8, and every day thereafter during the statewide dove season. Hunting from noon to sunset only on Sept. 1, 3, 8.
Deer, Quail, Rabbit, Snipe Squirrel, Waterfowl, Woodcock	Same as statewide seasons.
Opossum, Raccoon	Nov. 2-14
Crow	Sept. 7- Feb. 28 (Fridays, Saturdays and Sundays only).
Arms and Ammunition	Shotguns and Archery equipment only.

Fort Loudoun

Waterfowl	Same as statewide seasons, except open only on Monday, Wednesday, and Friday, one half hour before sunrise until noon. Nontoxic shot, size BBB or smaller required.
-----------	---

Fourth Fractional Township

(ATVs and motorcycles prohibited)

Dove, Grouse, Quail, Rabbit, Snipe, Squirrel, Woodcock	Same as statewide seasons. Small game hunting with shotguns only with No. 6 shot or smaller. Beagles and pointing breeds only.
Deer	Same as statewide seasons, archery tackle only.
Deer/Bear (Archery)	Nov. 29-Dec. 12. No hunter quota. One deer, either sex. One bear, either sex.
Dog training	Year-round, beagles and pointing breeds only.

Gallatin Steam Plant

Deer/Turkey (Archery-Only)	Four 2-day hunts. Sept. 22-23, 29-30, Oct. 13-14, Dec. 8-9. Hunter quota 50. Two deer, either sex. One turkey, either sex.
----------------------------	--

C.M. Gooch

Dove, Opossum, Quail, Rabbit, Raccoon
Snipe, Squirrel, Woodcock

Same as statewide seasons except Unit
“A” and “E” closed during the waterfowl season. Unit “A”
closed to all activities six days prior to the first opening of the
late duck season.

Waterfowl Same as statewide season except Gooch waterfowl hunting closes at 3:00 p.m. on Units “A” and “E”.
Waterfowl hunting on the last day of each segment of the duck
and remaining goose seasons shall close at sunset. Fishing
and trapping is prohibited in Units “A” and “E” during the
waterfowl season.

Deer Same as statewide season, except closed six (6) days prior to and during statewide waterfowl seasons on
Gooch Unit A and Gooch Unit E. and closed to statewide
archery hunt during the Young Sportsman deer hunt on Oct.
13-14.

Deer(Gun-Archery)(Young Sportsman)

One 2-day hunt. Oct. 13-14. No hunter quota. One deer, either
sex.

Haley-Jaqueth

Dog Training (daylight hours only)

Sept. 1- Mar. 15.

Haynes Bottom

Opossum, Quail, Rabbit, Raccoon, Snipe
Squirrel, Turkey, Waterfowl, Woodcock

Same as statewide seasons except during the late duck season
when hunting is open only on Wednesday, Thursday, Saturday,
Sunday, and the first and last day of each segment of the late
statewide duck season. Waterfowl hunting permitted only
from registered blind sites beginning with the first day of the
late duck season. Night hunting, trapping, dog training, and
fishing prohibited in the waterfowl impoundments during
waterfowl season. Participating waterfowl hunters only in the
bottoms during waterfowl seasons.

Dove

Same as statewide season, except opens at noon during the
first segment.

Deer

Same as statewide (Unit A) seasons, except all deer hunting is
closed after Dec. 14.

Henderson Island Refuge
(Horses prohibited)

Dove

Sept. 1, 3, 8. Hunting from noon to sunset only.

Squirrel	Sept. 1, 3, 8, Oct. 14-31, Feb. 2-28. Shotguns only.
Quail, Rabbit	Feb. 2-28. Shotguns only.
Deer (Muzzleloader-Shotgun)(Young Sportsman)	Three 1-day hunts. Sept 8, 15, Nov. 10. Hunter quota 20. One deer, either sex. Sign up for drawing will be held at the Jefferson County courthouse in Dandridge between 9:00 a.m. and 11:00 a.m. on Aug. 11. Youth must be present at sign up and drawing.
Turkey (Young Sportsman)	One 1-day hunt. Oct. 13. Hunter quota 10. One turkey, either sex. Sign up and drawing same as for deer.
Deer (Archery)	Sept. 22-Oct. 7. Bag limit same as statewide. Deer counts toward statewide bag.
Canada Goose	Sept. 4-7, 9-14. Bag limit 5 geese per day.
Raccoon	Nov. 2-10.
Dog Training	Feb. 2-Mar. 15.
Closure	Public use, including all forms of trespass, is prohibited from Nov. 16 through Feb. 1, except as otherwise indicated. Public entry and fishing permitted while on the main river channel passing through the refuge.
Hermitage	
Dove	Sept. 1-15. Shooting allowed only from staked positions. For the first two days of the season, staked positions will be assigned each day by a drawing held on the site at 11:00 A.M. Shooting hours begin at noon. After the first two days, stakes may be taken on a first-come, first-served basis for the remainder of the season.
Quail, Rabbit (Young Sportsman)	Oct. 1-Feb. 28. Shotguns only. No permit required.
Archery Practice	Open year-round on designated range only. Target arrows only. No permit required.
Dog Training (Daylight hours only)	Sept. 1-Mar. 15.
Hiwassee Refuge	
Nontoxic shot required for small game hunting.	
Dove	Sept. 1, 3, 8. Noon to sunset only. No access permitted by boat.

Squirrel	To include all of the Hiwassee Refuge except Hiwassee Island. Aug. 18-Sept. 15.
Canada Goose	Sept. 1-7. Bag limit 5 geese per day. No goose hunters allowed on refuge prior to 90 minutes before sunrise.
Deer (Archery)	One 3-day hunt. Sept. 22-24. No hunter quota. Two deer, either sex.
Deer (Muzzleloader)	One 3-day hunt. Oct. 12-14. Hunter quota 200. Two deer, either sex.
Deer (Shotgun-Muzzleloader)(Young Sportsman)	One 2-day hunt. Sept. 29-30. Hunter quota 100. Two deer, either sex.
Retriever (Field Trials)	Pre-approved by area manager at least 30 days in advance of trial dates.
Arms and Ammunition	Nontoxic shot approved by the U.S. Fish & Wildlife Service required for small game hunting.
Closure	Refuge is closed to all forms of public use, including all forms of trespass, from Oct. 15 through last day of February. Public entry and fishing is permitted while on the main river channel passing through the refuge.
Dog Training (Daylight hours only)	Sept. 1-Oct. 14, Mar. 1-15.
 Jackson Swamp	
Deer, Dove, Opossum, Rabbit, Raccoon Squirrel, Waterfowl, Woodcock	Same as statewide seasons.
 Kingston Refuge	
Nontoxic shot required for small game hunting. Access by boat only.	
Dove	Sept. 1-3. Noon to sunset only. No dove hunters allowed on refuge prior to 60 minutes before legal shooting time.
Deer (Archery)	One 2-day hunt. Sept. 22-23. Hunter quota 100. One deer, either sex.
Canada Goose	Sept. 1-8. Bag limit 5 geese per day.
Closure	Public use, including all forms of trespass, is prohibited from Oct. 15 through Feb. 1.
Dog Training (Daylight hours only)	Sept. 1-Oct. 14, Feb. 2-Mar. 15.

Deer (Shotgun-Muzzleloader)
(Young Sportsman)

Two 2-day hunts. Sept. 29-30, Oct.
13-14. Hunter quota 50. One deer, either sex.

Kyker Bottoms Refuge

Shotguns, Muzzleloaders, and Archery only. Non-toxic shot required for small game hunting.

Deer, Dove, Grouse, Quail, Rabbit, Snipe
Squirrel, Waterfowl, Woodcock

Same as statewide seasons, except
closed Nov. 1- Feb. 14. On Saturdays and Sundays between
Feb. 15-28, all small game hunting is Young Sportsman(ages
10-16)/Adult only. Each youth must be accompanied by a
licensed adult who may also hunt.

Dog Training

Sept. 1-Mar. 15, except closed Nov. 1-Feb. 14.

Land Between the Lakes

Squirrel

The third Saturday in August through the fourth Friday in
September and December 1 through the last day of February.

Dove, Snipe, Woodcock

According to state and federal regulations, open on small
game hunt dates that coincide with state seasons.

Fox, Quail, Rabbit

Dec. 1 through the last day of February.

Coyote

May be taken during daylight hours only by legally licensed
hunters during any open season with weapons specified for
that season.

Opossum, Raccoon

Dec. 1-Jan. 31. Sunset to sunrise. One raccoon per person
per night. Some hunt areas may be closed to hunting as
posted at designated hunter check stations.

Crow

Open during any LBL small game season that coincides with
the statewide season.

Fox Chasing

From sunset to sunrise, third Saturday in Aug. through the
third Saturday in Sept. LBL Hunter Use Permit required.

Geese

Same as the statewide goose season, except closed on deer
gun hunt dates.

Ducks

Early duck season same as statewide season.

Waterfowl hunting will be allowed during the statewide season throughout the Tennessee portion of LBL except on designated, signed, refuge areas and public use areas, and on deer gun hunt dates. Permanent blinds will not be permitted.

Dog Training (Quail, Rabbit and Raccoon chasing only)	Oct. 1-31. LBL Hunter Use Permit required. Training allowed only in designated areas.
Bullfrog	May 15-31. Gigs only. Bag limit 15.
Small Game (Archery Only)	Squirrel, groundhog, and fox may be taken during deer archery season only by legally licensed and equipped deer archery hunters. Statewide limits apply. Arrows must be equipped with broadheads according to deer regulations.
Deer/Turkey (Archery)	Sept. 22 through Jan. 21, except closed during Quota hunts and one day immediately before each Quota hunt. One turkey, either sex. Two white-tailed deer, no more than one antlered.
Deer (Gun)(Young Sportsman)	One 2-day hunt. Oct. 27-28. Hunter quota 800. One white-tailed deer, either sex. Young sportsman 10-15 years of age. Each youth must be accompanied by an adult.
Deer (Gun/Muzzleloader)	One 2-day hunt. Nov. 9-10. Hunter quota 1000. One white-tailed deer, including 750 buck-only and 250 either-sex permits.
Deer (Gun/Muzzleloader)	One 2-day. hunt. Nov. 24-25. Hunter quota 1000. One white-tailed deer, including 650 buck-only and 350 either-sex permits.

Areas open to hunting:

All areas lying in Tennessee portion are open to hunting except:

1. Designated, signed, refuge areas and public use areas.
2. The back half of Rushing Bay is closed to all activity Nov. 1-Mar. 15

Field Trials:

Raccoon Field Trials, Bird Dogs, Beagles And Retriever Field Trials	July 1-Mar. 31. Forest Service Special Use permit required.
---	---

Laurel Hill

Dove	First segment of the statewide dove season, beginning at noon each day. All fields open. Dove hunting permitted during the second and third segments of the statewide dove season on days open to quail hunting.
Quail	Nov. 11 and each Tuesday, Thursday, Sunday through Jan. 13.
Woodcock	Oct. 27 – Nov. 12 and each Tuesday, Thursday and Sunday

	thereafter through the statewide season.
Squirrel	Same as statewide season.
Rabbit	Nov. 10 and each Monday, Wednesday and Saturday through Feb. 28.
Beaver	May be taken on any hunt day.
Opossum, Raccoon	Friday and Saturday nights, Nov. 10-Feb. 9. One raccoon per party, per night.
No Fox Chasing Allowed	
Dog Training (Daylight hours only)	Sept. 1-Mar. 15.
Deer (Archery)	Four 2-day hunts. Sept. 29-30, Oct. 1-2, 4-5, 6-7. No hunter quota. One deer, either sex.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 13-14. No hunter quota. One deer, either sex.
Deer (Gun-Archery)	Two 3-day hunts. Oct. 19-21, 26-28. Hunter quota 500. One deer, buck only.
Deer (Gun-Archery)	One 2-day hunt. Nov. 10-11. Hunter quota 350. One deer, either sex.
Shields Farm Unit	
Centerfire rifles and handguns prohibited.	Same as statewide seasons.
Lick Creek Bottoms	
Nontoxic shot is required for small game hunting as posted. No blinds or decoys left Overnight. Dove fields open as posted. Small game hunters must wear fluorescent orange during the deer gun hunts.	
Deer, Opossum, Quail, Rabbit, Raccoon, Squirrel, Turkey Waterfowl, Woodcock	Same as statewide seasons.
Dove	Sept. 1, 3, 8 and the remainder of the dove season. Hunting from noon to sunset only on Sept. 1, 3, 8.
Joachim Bible Refuge Unit (that portion Of Lick Creek WMA between Murray Bridge Road and Bibles Chapel Road.	
Dove	Sept. 1, 3, 8-25. Hunting from noon to sunset only on Sept. 1,

		3, 8.
Squirrel		Sept. 15-Oct. 31, Feb. 15-28.
Quail, Rabbit	Feb. 15-28.	On Saturdays and Sundays between Feb. 15-28, all small game hunting is Young Sportsman (ages 10-16)/Adult only. Each youth must be accompanied by a licensed adult who may also hunt.
 Maness Swamp Refuge		
Coyote, Opossum, Quail, Rabbit, Raccoon Squirrel, Woodcock		Same as statewide seasons, except all seasons closed Nov. 1-Feb. 14.
Closure		Public use, including all forms of trespass, is prohibited from Nov. 1 through Feb. 14, except as otherwise indicated.
Dog Training		Sept. 1-Oct. 31, Feb. 15-28.
Deer		Same as statewide seasons, except closed to statewide archery during Young Sportsman deer hunt on Oct. 13-14 and Nov. 1-Feb. 14.
Deer (Gun-Archery)(Young Sportsman)		One 2-day hunt. Oct. 13-14. No hunter quota. One deer, either sex.
 Moss Island		
Dove, Opossum, Quail, Rabbit, Raccoon Snipe, Squirrel, Waterfowl, Woodcock		Same as statewide season.
Deer (Archery)		Sept. 22-Oct. 30. No hunter quota. One deer, either sex.
Deer (Archery)		One 17-day hunt. Dec. 15-31. No hunter quota. One deer either sex.
Deer (Gun-Archery)		Two 3-day hunts. Nov. 17-19, Nov. 23-25. No hunter quota. One deer, buck only.
Deer (Gun-Archery)(Young Sportsman)		One 2-day hunt. Nov. 3-4. No hunter quota. One deer either sex.
 Natchez Trace		
Bobcat, Crow, Dove, Opossum, Quail, Rabbit Raccoon, Snipe, Squirrel, Waterfowl, Woodcock		Same as statewide seasons, except dove hunting begins at 12 noon each day of the first segment of the dove season. Small game hunting and dog training closes at sunset the day before and during scheduled deer gun hunts unless otherwise specified.

North of I-40

Closed to county special season antlerless hunt and the Dec. 17-Jan. 6 nonquota antlerless deer hunts.

Deer (Archery)	Sept. 22-Oct. 11, Oct. 15-Nov. 2, Nov. 12-16, Dec. 10-14. No hunter quota. Same bag limit as statewide.
Deer (Muzzleloader-Archery)	Nov. 5-8, Dec. 3-9. No hunter quota. Same bag limit as statewide.
Deer (Gun-Archery)(Young Sportsman)	Two 2-day hunts. Oct. 13-14, Nov. 3-4. No hunter quota. Same bag limit as statewide.
Deer (Gun-Archery)	Nov. 21-25, Dec. 24-Jan.6 No hunter quota. Same as statewide.

South of I-40

Closed to county special antlerless hunt and the Dec. 17-Jan. 6 nonquota antlerless deer hunts.

Deer (Archery)	Sept. 22-Oct. 11, Oct. 15-Nov. 2, Nov. 12-16, Dec. 10-14. No hunter quota. Same bag limit as statewide.
Deer (Muzzleloader-Archery)	Nov. 9-11. No hunter quota. Same bag limit as statewide.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 13-14. No hunter quota. One deer, either sex.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Nov. 3-4. No hunter quota. Same bag limit as statewide.
Deer (Gun-Archery)	Nov. 26-Dec. 2, Dec. 17-23, Dec. 31-Jan. 6. No hunter quota. Same bag limit as statewide.

Nathan Bedford Forrest State Park

Deer (Muzzleloader)	One 3-day hunt. Oct. 19-21. Hunter quota 100. One deer, either sex.
---------------------	---

Nolichucky

Area closed to all hunting and access from Byrds Bridge to the Nolichucky Dam one week before and during the late statewide duck season.

Dove	Sept. 1, 3, 8. Hunting from noon to sunset only.
Deer, Grouse, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Turkey, Woodcock	Same as statewide seasons, except closed one week before and during the late duck season.
Waterfowl	Same as statewide season except closed one week before and during late duck season.

Dog Training Sept. 1-Mar. 15.

North Chickamauga Creek

No motorized vehicles outside parking areas. Area closed after sunset except opossum and raccoon hunters. Hunting allowed on Tuesdays, Thursdays, and Saturdays only. All hunting ends on January 31. Shotguns loaded with #4 shot or smaller only (except waterfowl).

Rabbit, Snipe, Squirrel, Woodcock Same as statewide seasons.

Dove Sept. 1-3, noon till sunset only. Thereafter, hunting allowed on each Tuesday, Thursday, and Saturday during the statewide season.

Quail Dog training only. Sept. 15-Jan. 31.

Opossum, Raccoon Same as statewide season, except hunting allowed on Tuesday, Thursday, and Saturday night only. Bag limit – 1 raccoon per party per night.

Waterfowl Open each Tuesday, Thursday, and Saturday during the statewide season. Hunting ends at noon each day. Hunting from temporary blinds only. Decoys to be removed each day.

Trapping Nov. 17-Jan. 31. Traps must be checked each day.

Oak Ridge

Deer (Shotgun-Muzzleloader)(Gun zones only) One 2-day hunt. Oct. 20-21. Hunter quota 650. One deer, either sex.

Deer (Archery)(Archery zones only, excluding Tower Shielding) One 2-day hunt. Oct. 20-21. Hunter quota 300. One deer, either sex.

Deer (Shotgun-Muzzleloader)(Gun zones Only) One 2-day hunt. Nov. 10-11. Hunter quota 650. One deer, either sex.

Deer(Archery)(Archery zones only, including Tower Shielding) One 2-day hunt. Nov. 10-11. Hunter quota 400. One deer, either sex.

Deer (Shotgun-Muzzleloader)(Gun Zones only) One 2-day hunt. Dec. 8-9. Hunter quota 750. One deer, either sex.

Deer (Archery)(Archery zones only, excluding Tower Shielding) One 2-day hunt. Dec. 8-9. Hunter quota 300. One deer, either sex.

Special Regulations: Scouting dates—6:00 a.m. to 4:00 p.m. Oct. 13 for the Oct. 20-21 permit holders only. Nov. 3 for the Nov. 10-11 permit holders only. Dec. 1 for the Dec. 8-9 permit holders only. No access by boat, except for the Haw Ridge Park Unit. Dog training prohibited. All hunters must wear fluorescent orange during all hunts, including archery hunters in the Archery Only zones.

Old Hickory

Beaver may be taken on any hunt.

Unit I (Hwy 109 upstream to River Mile 267)

The sub-impoundment units as posted are closed to all types of activity six days prior to the opening of the first segment of the late duck season.

Dove, Opossum, Quail, Rabbit, Raccoon,
Snipe, Squirrel, Turkey, Woodcock

Same as statewide seasons except closed after 3:00 p.m. (CST) during the late duck season. Dove hunting begins at noon each day of the first dove season segment and is allowed from designated fields only. Non-toxic shot required for dove hunting.

Dog Training

Sept. 1-Mar. 15, except closed during duck seasons.

Waterfowl

Hunting is permitted only from registered blind sites and staked temporary blind sites during the late duck season. Same as statewide season except waterfowl hunting shall cease at 3:00 p.m. (CST) during the late duck season except hours same as statewide on the last day of each segment of the late duck season. Raccoon and opossum hunting, trapping, and fishing are prohibited in sub-impoundments during the waterfowl season. From Hwy. 231 bridge downstream to River Mile 258.5 (Headquarters Slough), the area south of the river channel is closed to waterfowl hunting during the first segment of the dove season.

Waterfowl
(Wheelchair-bound only blind site)

Applications must be received by TWRA Region II by noon on the 4th Friday in October. Persons holding a permit for another blind are not eligible.

Deer

Same as statewide.

Unit II – (Hwy 109 downstream to Old Hickory Dam)

Dove, Deer, Opossum, Quail, Rabbit,
Raccoon, Snipe, Squirrel, Turkey,
Woodcock

Same as statewide seasons.

Waterfowl

Same as statewide seasons. Hunting from a registered blind sites only except during the early duck season. All goose hunting is from registered blinds only.

Unit III – (River Mile 267 upstream to River Mile 281)

Deer, Dove, Opossum, Quail, Rabbit
Raccoon, Snipe, Squirrel, Turkey
Woodcock

Same as statewide seasons.

Waterfowl

Same as statewide seasons. Hunting from temporary blinds only. Decoys must be picked up each day.

Old Hickory Lock 5 Refuge

Deer (Archery)

Sept. 22- Oct. 31. Bag limit same as statewide.

Closure

Public use, including all forms of trespass, is prohibited from Nov. 1 through Jan 31, except as otherwise indicated. Public entry and fishing permitted while on the main river channel passing through the refuge.

Dog Training

Sept. 1- Oct. 14, Feb. 1-28.

Pea Ridge

Opossum, Rabbit, Raccoon, Squirrel
Waterfowl, Woodcock

Same as statewide seasons.

Deer

Same as statewide season, except buck only during the muzzleloader seasons.

Dove

Sept. 1, 3 hunting begins at noon each day; thereafter, same as statewide season.

Quail

Dog training only. Sept. 1- Mar. 15.

Percy Priest

Beaver

May be taken only during small game hunts.

Unit I

All activities except scheduled field trials prohibited on Fridays, Saturdays, and Sundays
From Sept. 21-Apr. 28.

Dove

Sept. 1, 2, and each Saturday and Sunday thereafter during the statewide season beginning at noon each day of the first segment of dove season. Shooting from staked and designated positions on a first-come, first-served basis.

Squirrel

Same as statewide season.

Quail, Rabbit (Young Sportsman)

Oct. 6-Dec. 31. Shotguns only. Each adult must possess a valid hunting license and an area permit.

Dog Training

Sept. 1-April 15. Small game permit required. Training from horse-back prohibited prior to Oct. 1. Participants of sanctioned

field trials may train 72 hours prior to and after scheduled dates without a small game permit. Blank ammunition only.

Retriever Dog Training and Trials. Year-round in designated areas only. Trials must be scheduled with Area Manager and special field trial permits must be obtained from the Region II Office at least 30 days in advance of trial dates. Participants of sanctioned field trials may train 72 hours prior to and after scheduled dates without a small game hunt permit.

Bird and Rabbit Dog Trials	Oct. 1-April 15. Trials must be scheduled with Area Manager and special field trial permits must be obtained from the Region II Office at least 30 days in advance of trial dates. Field trial gallery must be kept out of standing or planted crops by marshals provided by sponsoring club.
Horseback Riding	Horses permitted on all areas except freshly planted and standing crops, and special areas as posted.
Unit II No Permit Required.	Centerfire rifles, centerfire handguns, and shotgun slugs prohibited.
Deer, Dove, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Turkey, Woodcock	Same as statewide seasons, except dove hunting begins at noon each day of the first segment of dove season.
Waterfowl	Same as statewide seasons. Temporary blinds only. Blinds and decoys must be removed each day. No waterfowl hunting in the Poole Knobs Rest Area.
Dog Training	Sept. 1-Mar 15. No hunting or training from horseback.
Archery Practice	Open year-round designated range site (Poole Knobs) only. Target arrows only.
Prentice Cooper	
Dove, Grouse, Quail, Rabbit, Snipe, Squirrel, Woodcock	Same as statewide seasons
Opossum, Raccoon	First Friday in Nov. – Jan. 30, except hunting will be limited to Friday and Saturday nights only. All hunting ends Jan. 30. Bag limit is 1 per person per night.
Deer (Archery)	One 3-day hunt. Sept. 15-17. Hunter quota 500. One deer, either sex.
Deer (Archery)	Two 3-day hunts. Sept. 18-20, 21-23. No hunter quota. One deer, either sex. No area checking station opened.
Deer (Muzzleloader)	One 3-day hunt. Oct. 25-27. No hunter quota. One deer, buck only.

Deer (Gun-Archery)	One 2-day hunt. Nov. 9-10. No hunter quota. One deer, buck only.
Deer (Gun-Archery)	One 6-day hunt. Dec. 1-6. No hunter quota. Two deer, buck only.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Dec. 14-15. No hunter quota. One deer, either sex.

Presidents Island WMA

Deer (Archery Only)	Two 2-day hunts. Oct. 20-21 and Oct. 27-28. Hunter quota 75 each hunt. Bag limit two deer, which may be antlerless or spike bucks. Scouting dates - Oct. 19 for the Oct. 20-21 permit holders only; Oct. 26 for the Oct. 27-28 permit holders only.
One 2-day hunt. Dec. 8-9.	Hunter quota 30. One deer, either sex. Bucks must have at least nine antler points. Antler points must be one inch or longer. Scouting date – Dec. 7 for the Dec. 8-9 permit holders only.
	Hunters must check in at hunter check station before hunting and check out at completion of each day's hunt. Permit will be held while hunters hunt.
	Access permitted from Farm Road only. No access permitted from Mississippi River, McKellar Lake, or from the Causeway.

Rankin

No blinds or decoys left overnight. Shotguns only for small game hunting.

Deer, Dove, Grouse, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Turkey, Waterfowl, Woodcock	Same as statewide seasons. Waterfowl hunting allowed during deer season. Small game hunters (except waterfowl) must wear fluorescent hunter orange during big game hunts.
---	---

Reelfoot

Dove, Quail, Rabbit, Snipe, Squirrel, Woodcock	Same as statewide seasons.
Opossum, Raccoon	Sept. 15-Dec. 31. No bag limit.
Deer (Archery)	Three hunts. Sept. 22-Nov. 2, Nov. 5-13, Nov. 21-Jan. 1. No hunter quota. Three deer, either sex. Small game hunting open during archery hunts.

Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Nov. 3-4. One deer, either sex.
Deer (Gun-Archery)	One 4-day hunt. Nov. 17-20. No hunter quota. One deer, buck only.
Waterfowl	Same as waterfowl zone seasons. Waterfowl hunting closed at 3:00 p.m. (CST) except for last day of each segment of the late duck and the remaining Reelfoot goose seasons when hunting shall cease at sunset.
Waterfowl (Wheelchair-bound only blind sites)	Hunting restricted to wheelchair hunters and assistants only within the marked wheelchair hunting zone.

Royal Blue

All users should be aware that hazards associated with mining (deep and strip) exist on this area. Public use is allowed during all hunts. During daylight hours, all users outside of an enclosed vehicle or out of camp must wear fluorescent orange during the deer gun and muzzleloader seasons.

No person shall remove minerals, including coal, trees, plants (including vines), or building stone from the area without specific authorization.

Camping is allowed on the entire area.

ORV, horseback riding, bicycles, and all other vehicles are restricted to roads marked "open to vehicular traffic".

Ginseng season – Same as statewide.

Night time use by the general public and raccoon hunters is permitted area-wide.

Organized competition events for motorized/non-motorized vehicles prohibited.

Maximum noise limit of 93 dBa for all motorized vehicles, as measured 50 feet from the exhaust.

Reckless operation of motorized and non-motorized vehicles prohibited-reckless operation is defined as operating a vehicle in a reckless or negligent manner as to endanger the life, limb, or property of any person or damage TWRA property of developments. Speed limit is 25 mph.

Hunting Seasons:

Grouse, Opossum, Rabbit, Raccoon, Snipe, Squirrel, Waterfowl, Woodcock	Same as statewide except hunting season closed March 1 to Aug. 25, except for turkey hunts and spring squirrel season.
Deer	Same as statewide seasons.
Dog Training	Sept. 1- Mar. 1.

Shelby Forest

Special Squirrel Hunt (Young Sportsman)	Aug. 18.
Dove, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Woodcock	Open Monday, Wednesday, and Saturday within statewide seasons. Small game hunting allowed during deer seasons. Small game hunters must wear legal hunter orange during deer gun hunts. Raccoon and opossum open Monday, Wednesday and Saturday sunset to sunrise.
Dog Training	Open Monday, Wednesday, and Saturday, Sept. 1- Mar. 15.
Field Trials	Sept. 1- Apr. 30.
Deer	Open Monday, Wednesday and Saturday during statewide seasons. Successful hunters must check out at nearest county checking station. Statewide bag limits apply. Counts towards Unit A bag limit.
Waterfowl	Open Monday, Wednesday and Saturday within the statewide duck season and the last week of the statewide duck season, except Sunday. Waterfowl hunting allowed during all deer hunts. No permanent blinds. No decoys left overnight.
Beaver	Open during any hunt date.
Arms and Ammunition	Shotgun, muzzleloader, and archery equipment only.

Tellico Lake (Field Trial Permit Required)

Deer, Dove, Grouse, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Waterfowl, Woodcock	All areas except Chota and Wears Bend Units are the same as statewide seasons. No blinds or decoys left overnight.
---	--

McGhee-Carson Unit - (that peninsula of Ft. Loudoun Historic Park at LTRM 21.0)

Rabbit, Squirrel (Young Sportsman/Adult) (Shotguns and Archery only)	Each Saturday and Sunday during the statewide season, except closed during scheduled field trials, and big game hunts. Adults who accompany a young sportsman may hunt.
Field Trials- Retriever	Year-round in designated areas only. Trials must be scheduled with Area Manager and special field trial permit must be obtained from the Region IV Office at least 30 days prior to trial dates.
Dog Training	Year-round, except closed during field trials and big game hunts.

Horses	Horses permitted, except in freshly planted and standing crops and special areas as posted.
Deer (Shotgun only)(Young Sportsman)	One 1-day hunt. Oct. 27. Hunter quota 35. One deer, either sex.
Deer (Shotgun-Archery) (Wheelchair-bound Only)	One 2-day hunt. Nov. 17-18. One deer, either sex.

Chota Refuge Unit –(that portion from LTRM 26.0 upstream to the Hiwassee – Alcoa Powerline at LTRM 29.7)

Deer, Dove, Grouse, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Waterfowl, Woodcock	Same as statewide except all seasons closed Nov. 1- Feb. 14. Dove hunting allowed in fields as posted; non-toxic shot required.
Dog Training	Sept. 1- Mar. 15, except closed Nov. 1-Feb. 14.
Field Trials	Feb. 15-Oct. 31. Trials must be scheduled with Area Manager and special field trial permit must be obtained from the Region IV Office at least 30 days prior to trial dates.

Niles Ferry Unit (that portion of the Niles Ferry Industrial Park at LTRM 18.0 as posted).

Dove	In fields as posted.
Deer (Shotgun-Muzzleloader) (Young Sportsman)	Four 1-day hunts; Nov. 3,4,10,11. Hunter quota 35. One deer, either sex. Access by Industrial Rd. only. Sign up for drawing will be held at the Tellico Lake WMA Office between 9:00 a.m. and 11:00 a.m. on Oct. 6. Youth must be present at sign up and drawing.
Small game (Falconry Only)	Jan. 1-Feb. 28.

Wears Bend Unit (That portion of Tellico Reservoir Development Agency Industrial Park at LTRM 18.)

Deer, Dove, Grouse, Opossum, Quail, Rabbit, Raccoon, Snipe, Squirrel, Waterfowl, Woodcock	Same as statewide seasons.
Dog Training	Sept. 1-Mar. 15.
Horses	Horses permitted, except in freshly planted and standing crops and special areas as posted.

Williamsport

Open 1 hour before sunrise until 1 hour after sunset on hunt days. Free Survey Card (one per party) is required in addition to other licenses and permits prior to hunting rabbits and quail on the area. Cards available only at the WMA entrance and must be returned before leaving the WMA.

Dove, Quail, Rabbit, Squirrel, Woodcock	Same as statewide seasons except dove hunting begins at noon each day of the first segment of the season.
Deer (Archery)	Two 3-day hunts. Sept. 28-30, Oct. 5-7. No hunter quota. One deer, either sex. Deer counts toward statewide bag.
Deer (Gun-Archery)(Young Sportsman)	One 2-day hunt. Oct. 13-14. No hunter quota. One deer, either sex.
Deer (Muzzleloader-Archery)	One 3-day hunt. Nov. 9-11. Hunter quota 100. One deer, either sex.
Deer (Gun-Archery)	One 3-day hunt. Nov. 30-Dec. 2. Hunter quota 100. One deer, buck only.
Dog Training (Daylight hours only)	Sept. 1-Mar. 15.

Wolf River

Free Survey Card (one per party) is required in addition to other licenses and permits prior to hunting rabbits and quail on the area. Permits available only at checking station. Must be signed before the hunt and returned to checking station at conclusion of hunt.

Dove	Open with statewide seasons. Hunting permitted only from staked positions for the first day of the first segment. Positions will be assigned the first day by a drawing held on the site at 11 a.m. CST.
Furbearers, Squirrel, Waterfowl	Same as statewide seasons, except waterfowl hunting will close at 3:00 p.m. each day of the late duck season.
Quail	Opens Nov. 11 and each Tuesday, Thursday and Sunday through the last day of December.
Woodcock	Oct. 27-Nov. 9, and each Tuesday, Thursday, and Sunday thereafter during the statewide season, except closed during deer gun hunts.
Rabbit	Opens Nov. 10 and each Monday, Wednesday, Friday and Saturday through the last day of January.
Deer (Archery)	Sept. 22-Oct. 12; Oct. 15-Nov. 2; Nov. 17-Dec. 16. Deer count towards Unit A bag limit.
Deer (Muzzleloader/Archery)	Nov. 5-9. Deer count toward Unit A bag limit.
Deer (Gun-Archery)(Young Sportsman)	Two 2-day hunts. Oct. 13-14, Nov. 3-4. No hunter quota.

One deer, either sex.

Dog Training

Sept. 1- Mar. 15, except closed during deer gun hunts.

Field Trials

By permit from Area Manager.

Yuchi Refuge at Smith Bend

Nontoxic shot only in waterfowl zones. No boat access. No ATV, ORV, or horse-back riding permitted. Small game hunting closes at sunset the day before and during scheduled big game hunts.

Dove

Sept. 1. Young Sportsman only. Bag limit 10 per day. Noon till sunset only.

Sept. 3, 8-26. Noon till sunset only. Bag limit 10 per day.

Squirrel

Aug. 25-Dec. 31. Upland Zone only after Nov. 14. Bag limit 5 per day.

Opossum, Raccoon

Wednesdays and Thursdays only from Sept. 19-Nov. 14, sunset to sunrise. All dogs need to be removed from the area prior to sunrise on Friday. Bag limit on raccoons, one per party per night. No limit on opossums.

Rabbit

Nov. 12-Dec. 31. Upland Zone only after Nov. 14. Bag limit 3 per day.

Dog Training

Sept. 1-Mar. 15 in Upland zone. Sept. 1-Nov. 14 and Mar. 1-15 in Waterfowl Zone. Daylight hours only. No fox or coyote chasing.

Retriever Field Trials

Pre-approved by area manager at least 30 days in advance of trial dates.

Waterfowl

Same as statewide early duck season.

Deer (Young Sportsman)

Two 2-day hunts. Sept. 22-23, Nov. 3-4. Hunter quota 75 each hunt. One deer, either sex.

Deer (Archery)

One two day hunt. Oct. 6-7. Hunter quota 100. One deer, either sex.

Deer (Muzzleloader)

One two day hunt. Oct. 27-28. Hunter quota 50. One deer, buck only.

Deer (Gun/Muzzleloader)

One two day hunt. Nov. 10-11. Hunter quota 50. One deer, buck only.

Deer (Wheelchair Bound Only)	One 2-day hunt. Nov. 17-18. No hunter quota. One deer, either sex. Upland Zone only.
Arms and Ammunition	Nontoxic shot only in Waterfowl Zone.
Closure	Waterfowl zone closed to all forms of public use, including all forms of trespass from Nov. 15 through the last day of Feb.

The following wildlife management areas are open to trapping as set out in the statewide Season, unless otherwise indicated: (Small Game WMA permit is required to trap on all areas that require a small game hunt permit.)

Note: Red Fox may be taken during Statewide Trapping Season

AEDC	C.M. Gooch (3)	Old Hickory
Alpine Mountain	Cordell Hull	Pea Ridge
Anderson Tully	Cove Creek	Percy Priest (Unit II)
Bark Camp Barrens	Doe Mountain	Perryville
Barkley Unit I	Duck River	Pickett
Barkley Unit II	Ernest Rice, Sr.	Prentice Cooper (7)
Big Sandy	Foothills (15)	Rankin
Bridgestone/Firestone (7)	Harmon Creek	Reelfoot (16)
Buffalo Springs	Haynes Bottom (1)	Royal Blue (11)
Camden Unit I (1)	Laurel Hill (5)	Shelby Forest (10)
Camden Unit II	LBL	Standing Stone (4)
Catoosa (6)	Lick Creek	Tigrett
Cedar Hill Swamp	Lick Creek Bottoms	Watts Bar (9)
Cheatham (5)	Moss Island	West Sandy
Cheatham Lake	Mt. Roosevelt	White Oak
Cherokee-North Unit	MTSU	Wolf River
Cherokee-South Unit (12)	Natchez Trace (2)	
Chickamauga (8)	New Hope	
Chickasaw	Normandy	
Chuck Swan (13)	Obion River	

1. No trapping during duck season.
2. Dec. 8-Feb. 7. All areas open except Pin Oak Lake.
3. No trapping during the duck season in Units "A" and "E".
4. No Fox Trapping.
5. Jan. 8- Feb. 8.
6. Dec. 11- Dec. 26.
7. Dec. 20- Jan. 1.
8. No trapping during the duck season on Candies Creek, Johnson Bottoms, Rogers Creek, and Yellow Creek Units.
9. No trapping during the duck season on the Long Island Unit.
10. Beaver trapping by special permit only. Trapping of all other species prohibited.
11. Beaver trapping prohibited.
12. Jan. 1- Feb. 15.
13. No raccoons. Jan. 12- Feb. 4. Quota 1 party per compartment. Trappers must apply at WMA office. No snares or conibear traps. Trappers must report catch annually.
14. Trapping season is fourteen consecutive days beginning the second Monday in January. LBL Hunt Areas 12 and 14 and designated problem areas as assigned. All species to conform with statewide regulations. Trappers must report their harvest in accordance to LBL instructions. Beaver trapping in Feb. 1-28. All areas open except areas shaded in gray on LBL legal Road Map or posted as no hunting. Legal Traps: According to statewide regulation.

15. Raccoon trapping Jan. 1-15 only.
16. A Reelfoot Preservation Permit is required instead of a Small Game WMA permit.

SECTION III. REPEAL OF PRIOR PROCLAMATIONS

This proclamation repeals Proclamation No. 00-12, dated May 24, 2000.

Proclamation No. 01-9 received and recorded this 6th day of June, 2001. (06-07)

TENNESSEE WILDLIFE RESOURCES COMMISSION - 1660

PROCLAMATION 01-12

STATEWIDE PROCLAMATION ON THE COMMERCIAL TAKING OF FISH AND TURTLES

Pursuant to the authority granted by Title 70, Tennessee Code Annotated, and Sections 70-1-206, 70-2-205, 70-4-107, and 70-4-119 thereof, the Tennessee Wildlife Resources Commission hereby proclaims the following regulations pertaining to the commercial taking of fish and turtles, hereinafter called commercial fishing.

Commercial fishing is hereby authorized in accordance with the following provisions, except where expressly forbidden by law. All commercial fishing gear must meet the specifications and be fished in the manner provided for in Sections I, II, III, IV, and V of this proclamation.

SECTION I. WATERS OPEN TO COMMERCIAL FISHING

For purposes of this proclamation, "river" means that body of water confined within the identifiable banks. At high river stage, oxbows, sloughs, and backwaters accessible by boat from the river are open to commercial fishing, but are considered private water and may be fished only with permission of the landowner.

RIVERS

The following are open year-round to trotlines, hoop nets, fyke nets, pound nets, trap nets, gill nets, trammel nets, slat baskets, cast nets and turtle traps unless otherwise specified.

1. CLINCH RIVER - fishing authorized only downstream from Melton Hill Dam. Gill and trammel nets prohibited.
2. EMORY RIVER - fishing authorized only downstream from the Harriman Bridge. Gill and trammel nets prohibited.

3. FORKED DEER RIVER - except that portion of the Middle Fork lying within the boundaries of the Chickasaw National Wildlife Refuge.
4. FRENCH BROAD RIVER
5. HATCHIE RIVER
6. HIWASSEE RIVER - fishing authorized only downstream from U.S. 11 Bridge (Charleston).
7. HOLSTON RIVER
8. LOOSAHATCHIE RIVER - fishing authorized only downstream from the New Raleigh-Millington Road Bridge.
9. MISSISSIPPI RIVER - (except that portion from the Mississippi-Tennessee line upstream to Mississippi River Mile 745, marked by the upper, or northern, tip of Hickman Bar, which is closed. This closure includes McKellar Lake and Wolf River embayment). Wardlow's Pocket and Wardlow's Pocket Chute (except those portions lying within the boundaries of the Chickasaw National Wildlife Refuge), Heathright Pocket, Cold Creek, Cold Creek Chute, lying within the boundaries of Anderson Tully WMA in Lauderdale County are open; all other ponds, lakes, arms, sloughs, bayous, and pockets within the WMA are closed.
10. NOLICHUCKY RIVER
11. OBION RIVER
12. WOLF RIVER - Only the section from Germantown Bridge upstream is open to commercial fishing. Gill nets and trammel nets are prohibited. The section upstream of Bateman Bridge in Fayette County is open for trotlines only.
13. CUMBERLAND RIVER - As listed in Section I. RESERVOIRS except from Cordell Hull Dam upstream is closed.
14. TENNESSEE RIVER - As listed in Section I. RESERVOIRS.
15. DUCK RIVER - That portion of the Duck River from its confluence with Blue Creek at approximate DRM 13.2 downstream to the Hustburg pipeline crossing is open year-round to trotlines, hoop nets, and slat baskets. The Duck River from DRM 4.0 downstream to the Hustburg pipeline crossing at approximate DRM 1.4 is open to gill nets and trammel nets from December 1 through January 15. The rest of Duck River downstream is open year-round to all legal commercial gear types. Duck River upstream from its confluence with Blue Creek is closed to all commercial fishing.

RESERVOIRS

Group A: The following reservoirs are open year-round unless otherwise specified to trotlines, hoop nets, fyke nets, pound nets, trap nets, gill nets, trammel nets, slat baskets, cast nets and turtle traps.

1. BARKLEY - Commercial fishermen must contract with TWRA and abide by the contract provisions as determined by TWRA in order to commercial fish.

2. CHEATHAM - Commercial fishermen must contract with TWRA and abide by the contract provisions as determined by TWRA in order to commercial fish.
3. CHICKAMAUGA
4. DOUGLAS - Entanglement gear (gill and trammel nets) and hoop nets are prohibited above Point 14 from January through June. Entanglement gear (gill and trammel nets) is prohibited from the mouth to the headwaters of Indian, McGuire, Muddy and Flat Creeks from October through February.
5. GUNTERSVILLE - the taking and possessing of paddlefish is prohibited year-round.
6. NICKAJACK
7. PICKWICK
8. JOHN SEVIER
9. DAVY CROCKETT (Greene County)

Group B: The following reservoirs are open year-round except for specific restrictions as listed:

1. CHEROKEE - trammel nets and gill nets are prohibited. The taking and possession of blue catfish by commercial fishing methods is prohibited.
2. KENTUCKY - commercial fishing gear and sport fishing trotlines are prohibited in the New Johnsonville Steamplant Harbor and within 50 yards of the Danville Railroad Bridge dikes (approximate TRM 78.3).

The Duck River embayment from DRM 4.0 upstream to its confluence with Blue Creek at approximate DRM 13.2 is closed year-round to all commercial fishing gear types except trotlines, hoop nets, and slat baskets. The Duck River embayment from the Hustburg pipeline crossing at approximate DRM 1.4 upstream to DRM 4.0 is closed to commercial fishing with gill nets and trammel nets except from December 1 through January 15 each year.

Unattended entanglement type commercial fishing gear is prohibited from November 25 through March 15 in waters of the U.S. Fish and Wildlife Service Refuge located within the Big Sandy River Embayment and in all of the waters of the West Sandy Creek Arm of the Big Sandy River Embayment.

All commercial fishing gear except slat baskets and trotlines is prohibited in all creeks from 4 a.m. to 9 p.m. during the months of April and May; all commercial fishing gear is permitted in all creeks from 9 p.m. to 4 a.m. daily during the months of April and May, except that whip sets (the driving of fish into trammel and gill nets by the use of noise and disturbing the water) are not permitted in any creeks which have operating commercial docks.

3. REELFOOT
 - (a) The taking of grass carp (*C. idella*) is prohibited.
4. WATTS BAR - trammel and gill nets are prohibited.
5. OLD HICKORY
 - (a) Trammel and gill nets are prohibited from Highway 231 upstream to Cordell Hull Dam and including the Caney Fork River.

- (b) Trammel and gill nets are prohibited from Highway 109 upstream to 231 except fishing of legal entanglement nets by whipset or trammeling method are permitted by contract with the Tennessee Wildlife Resources Agency.
6. FORT LOUDOUN - the possession of all species of catfish taken by commercial methods from Fort Loudoun Dam upstream to the confluence of the French Broad and Holston rivers is prohibited.

SECTION II. LICENSE AND TAGGING REQUIREMENTS

A commercial fishing license is required by anyone engaging in or assisting anyone engaging in commercial fishing. Commercial fishermen must obtain a free Paddlefish Permit or a free Sturgeon Permit from TWRA prior to harvesting paddlefish and sturgeon from the waters of the State. A free Paddlefish and/or Sturgeon Permit may be obtained by written request. For species management purposes, TWRA may require Paddlefish and/or Sturgeon Permit Holders to affix sequentially numbered tags to harvested paddlefish and sturgeon. Commercial fishermen must obtain a free Turtle Permit from TWRA to harvest turtles from the waters of the State.

SECTION III. GENERAL PROVISIONS

- A. Fish and turtles classified as endangered, threatened, or in need of management as proclaimed by the Wildlife Resources Commission may not be taken.
- B. The following fish species may be taken and sold commercially year-round unless otherwise restricted by this proclamation, other Tennessee Wildlife Resources Commission proclamations or rules, or Tennessee Code Annotated. Paddlefish and sturgeon or parts thereof shall not be taken during the period from April 24 through October 31, nor shall they be possessed during these periods unless they were previously taken during a legal taking season. This season shall be effective through April 23, 2003. Those persons possessing paddlefish or sturgeon or parts thereof during the periods from April 24 through October 31 must have in their possession bills of lading denoting pounds of flesh or eggs (or both if applicable) in their possession, name and address of supplier/fishermen, and date of harvest or date obtained. Paddlefish must be 32 inches, eye to fork length or blocked (with the tail remaining on the fish) a minimum of 24 inches from the fork of the tail to the flesh behind the gill arch (measured along the side of the fish), to be legal for harvest.

Common Name	Scientific Name
Shovelnose sturgeon	<i>Scaphirhynchus platyrhynchus</i> (Rafinesque)
Paddlefish	<i>Polyodon spathula</i> (Walbaum)
Spotted gar	<i>Lepisosteus oculatus</i> (Winchell)
Longnose gar	<i>Lepisosteus osseus</i> (Linnaeus)
Shortnose gar	<i>Lepisosteus platostomus</i> Rafinesque
Bowfin	<i>Amia calva</i> Linnaeus
Skipjack herring	<i>Alosa chrysochloris</i> (Rafinesque)
Gizzard shad	<i>Dorosoma cepedianum</i> (Lesueur)
Threadfin shad	<i>Dorosoma petenense</i> (Guenther)
Grass carp	<i>Ctenopharyngodon idella</i> (Valenciennes)
Common carp	<i>Cyprinus carpio</i> Linnaeus
Silver carp	<i>Hypophthalmichthys molitrix</i> (Valenciennes)
Bighead carp	<i>Hypophthalmichthys nobilis</i> (Richardson)
River carpsucker	<i>Carpionodes carpio</i> (Rafinesque)
Quillback	<i>Carpionodes cyprinus</i> (Lesueur)

White sucker	<i>Catostomus commersoni</i> (Lacepede)
Smallmouth buffalo	<i>Ictiobus bubalus</i> (Rafinesque)
Bigmouth buffalo	<i>Ictiobus cyprinellus</i> (Valenciennes)
Black buffalo	<i>Ictiobus niger</i> (Rafinesque)
Spotted sucker	<i>Minytrema melanops</i> (Rafinesque)
Silver redbhorse	<i>Moxostoma anisurum</i> (Rafinesque)
Black redbhorse	<i>Moxostoma duquesnei</i> (Lesueur)
Golden redbhorse	<i>Moxostoma erythrurum</i> (Rafinesque)
Black bullhead	<i>Ameiurus melas</i> (Rafinesque)
Yellow bullhead	<i>Ameiurus natalis</i> (Lesueur)
Brown bullhead	<i>Ameiurus nebulosus</i> (Lesueur)
* Blue catfish	<i>Ictalurus furcatus</i> (Lesueur)
Channel catfish	<i>Ictalurus punctatus</i> (Rafinesque)
Flathead catfish	<i>Pylodictis olivaris</i> (Rafinesque)
Freshwater drum	<i>Aplodinotus grunniens</i> Rafinesque
Yellow bass	<i>Morone mississippiensis</i> Jordan, Eigenmann

* The taking and possession of blue catfish from Cherokee Reservoir by commercial fishing methods is prohibited.

- C. Only the Common Snapping Turtle, *Chelydra serpentina serpentina*, with a carapace (upper shell) length of at least twelve inches, measured front to back, may be taken year-round and statewide without limit by any legal commercial fishing method.
- D. Only at Reelfoot Wildlife Management Area, all sizes and species of turtles except the box turtles and those covered in Item A. above may be taken by any legal commercial fishing method.
- E. Commercial fishing gear is prohibited within 1,000 yards downstream of any TVA or Corps of Engineers Dam, within 300 yards of any commercial boat dock or resort, or within 100 yards of the mouth of any stream, river, or inlet at any time. For purposes of this proclamation, wingwalls and lock walls are considered to be a part of the "dam", and measurements will be made from their downstream end.
- F. No catfish less than 8 inches in length may be kept alive.
- G. Gill nets, trammel nets, turtle traps, and trotlines must be run at least once every 24 hour period. Other types of commercial fishing gear must be run at least once every 72 hour period.
- H. Hoop nets, fyke nets, trap nets, and pound nets with a mesh size of one (1) inch or smaller on the square may be fished only during the months of October, November, December, January, February, March, and April, except the Mississippi River, which is open year-round.
- I. A fish seine may be used in private waters and in waters which are replenished by overflows from the Mississippi, Tennessee, Obion, Hatchie, Wolf, Loosahatchie, and Forked Deer rivers, but which during the dry season of the year have no outlet to these rivers. Fish seines as defined in this proclamation may be used in the dewatering areas of Kentucky Reservoir.
- J. No commercial fishing gear shall be set so as to extend more than three-quarters (3/4) across any stream, river, chute, or embayment.

- K. Prior to sale to an in-state wholesale fish dealer's business or prior to being marketed out-of-state, paddlefish carcasses may not be altered in such a manner that the length of the fish may not be determined (measuring 32 inches from the eye to the fork in the tail or blocked a minimum of 24 inches from the fork in the tail to the flesh behind the gill arch, measured along the side of the fish).
- L. Commercially harvested paddlefish and sturgeon or parts thereof taken from the waters of the state and sold in-state must be marketed to a licensed wholesale fish dealer.

SECTION IV. COMMERCIAL FISHING GEAR

Legal gear types are trotlines, slat baskets, hoop nets, fyke nets, pound nets, trap nets, trammel nets, seines, turtle traps, and cast nets.

1. **Slat Basket**
A slat basket is defined as a device used for taking of commercial fish only. Slat baskets may have only one outside funnel opening, and may be made of wood, plastic, or cane slats or splits which are placed lengthwise and so constructed that there must be a minimum of four openings in the catching area, each being at least 1-1/2" wide and 6" long.
2. **Hoop Net**
A barrel shaped net made of synthetic cotton, linen, or nylon, and supported by hoops. A hoop net is also known as a barrel net, set net, funnel net, and trap net. One or more throats are attached inside the hoop structure. Legal mesh size of hoop nets is one (1) inch or smaller or three (3) inches or larger on the square. See Section III. for special restriction on 1" or smaller sizes.
3. **Fyke Net, Trap Net and Pound Net**

A fyke net, also known as a wing net, is a hoop net to which as many as three (3) wings or leads may be attached. Trap nets or pound nets which have rectangular or box shaped traps shall also be legal by this definition. The wings or leads are equipped with floats and sinkers, and the webbing of the wings shall be constructed of twine not smaller than Number 7 in nylon or Number 9 in cotton or linen. The maximum length of each wing is 50 feet. The legal mesh size of fyke nets and wings or leads is one (1) inch or smaller or three (3) inches or larger on the square. See Section III. for restriction on 1" or smaller sizes.
4. **Trammel Net**

A trammel net is defined as a net having three (3) webs (nets) hung to a single top (float) and bottom (lead) line. The two outside webs are called walling, and the inside web is called webbing. The inside webbing shall have a mesh size of not less than three (3) inches on the square and the outside walling shall have a mesh size of not less than four (4) inches on the square. The maximum mesh size of the outside walling shall consist of vertical ties or hobbles on each side of the webbing at six (6) foot intervals along the float and lead line. A net may not be hobbled to less than two thirds the height of the net. Maximum length of a trammel net is three hundred (300) yards. Trammel nets must be fished in a stationary manner except in the Mississippi River.
5. **Gill Net**

A gill net is defined as a single net attached to float and lead lines with a minimum mesh size of three (3) inches on the square. The maximum length of a gill net is three hundred (300) yards. Gill nets must be fished in a stationary manner except in the Mississippi River.

6. Fish Seine

A fish seine consists of a float and lead line to which netting is attached. The netting of the seine shall be constructed of twine not smaller than Number 7 nylon or synthetic fiber or Number 9 cotton or linen. The mesh size of seines shall be three (3) inches or larger on the square. Seines must be constantly attended, and may not be fished in a stationary manner.

7. Turtle Traps

A turtle trap is defined as a trap made of linen or cotton netting, wood or cane slats or strips, wire, or other similar materials with a minimum mesh size of three (3) inches on the square. Such traps must be constructed in a way as to permit the escape of fish through the three (3) inch openings. Turtle traps as defined herein may only be used in waters open to commercial fishing. Turtle traps must be set so that a portion of the catching area is positioned above the water.

8. Cast Net

A cast net is defined as a net having a maximum radius of ten (10) feet and a mesh size (square measure) of not less than one-fourth (1/4) inch and not greater than one (1) inch.

9. Trotline

A main line with drop lines to which single hooks are attached and baited in order to catch fish. Such drops must be at least 24 inches apart.

10. Dip Net

A dip net is a net constructed from natural or synthetic fibers which is attached to a frame that is attached to a pole. A dip net may only be used to commercially harvest turtles from Reelfoot Wildlife Management Area.

SECTION V. REPORT REQUIREMENTS

Commercial fishermen and wholesale fish dealers are required to submit reports to the Tennessee Wildlife Resources Agency on forms provided. Commercial fishermen and wholesale fish dealers must contact the Fisheries Management Division at (615) 781-6575 within 5 days upon purchasing a license and request the required forms. In addition to the required reports, Paddlefish and/or Sturgeon Permit Holders must provide samples, as instructed, to TWRA along with the tags if they were required. All Paddlefish and /or Sturgeon Permit holders must submit a monthly report to TWRA indicating the amount of paddlefish and sturgeon or parts thereof, including eggs (both if applicable) they have in their possession, amount sold and amount transferred or lost. Tags, when required, must remain on the paddlefish and sturgeon until the fish is in the final stage of processing. Commercial fishermen marketing out-of-state must provide TWRA with requested information on forms provided by TWRA as per the monthly reporting requirement. Commercial fishermen harvesting turtles or parts thereof from the state's waters must provide requested information to TWRA.

Wholesale fish dealers, private individuals, and businesses importing paddlefish and sturgeon or parts thereof into Tennessee must have bills of lading denoting pounds of flesh or eggs (both if applicable), name and address of supplier, and date of import. Wholesale fish dealers, private individuals, and businesses importing or purchasing paddlefish and sturgeon and/or eggs for commercial purposes must provide requested information, updated monthly, and samples to TWRA. Wholesale fish dealers purchasing turtles or parts thereof must provide requested information to TWRA.

Wholesale fish dealers must maintain records available for audit of sales of paddlefish and sturgeon. These records must contain the quantity of fish or eggs sold and the buyer's address, including city, state, and country.

SECTION VI. REPEAL OF PRIOR PROCLAMATIONS

This proclamation repeals Proclamation 00-20, dated October 25, 2000. Proclamation 01-12 will be effective immediately.

Proclamation 01-12 received and recorded this 6th day of June, 2001. (06-08)

TENNESSEE WILDLIFE RESOURCES COMMISSION - 1660

PROCLAMATION 01-13 UPPER CUMBERLAND PLATEAU ELK RESTORATION ZONE

Pursuant to the authority granted by Title 70, Tennessee Code Annotated, and Sections 70-1-302 and 70-4-116 thereof, the Tennessee Wildlife Resources Commission hereby proclaims the following areas within Tennessee as the Upper Cumberland Plateau Elk Restoration Zone:

That area in Scott County lying east of Hwy 27; that area of Morgan County lying east of Hwy 27 and north of Hwy 62; that area of Anderson County lying north of Hwy 330 or northwest of Hwy 116; that area of Campbell County lying west of Interstate 75 or northwest of the Cumberland Plateau escarpment; and that portion of Claiborne County lying northwest of the Cumberland Plateau escarpment.

The remainder of the state shall be designated a "no elk zone".

Proclamation No. 01-13 received and recorded this 6th day of June, 2001. (06-09)

TENNESSEE WILDLIFE RESOURCES COMMISSION - 1660

PROCLAMATION 01-14 TEMPORARY SUSPENSION OF RULE 1660-2-7-.31 (2) FT. PATRICK HENRY LAKE ("SLOW, NO-WAKE", USE OF WATER SKIS, SURFBOARD OR SIMILAR DEVICES PROHIBITED)



CERTIFICATE OF APPROVAL

As provided by T.C.A., Title 4, Chapter 5, I hereby certify that to the best of my knowledge, this issue of the Tennessee Administrative Register contains all documents required to be published that were filed with the Department of State in the period beginning June 1, 2001 and ending June 29, 2001.

Riley C. Darnell
RILEY C. DARNELL
Secretary of State

BLANK

pg. 134

CHANGE OF ADDRESS

If your address has changed, please supply the following information immediately:

- official compilation - Rules and Regulations of the State of Tennessee*
- Tennessee Administrative Register*

Former Address

name of firm or organization

street or box number and street or rural route

city

state

zip code

New Address

name of firm or organization

()

name of person to receive publication

telephone number

street or box number and street or rural route

city

state

zip code

Mail This Form To:

Tennessee Secretary of State
Division of Publications
8th Floor Snodgrass Tower
312 8th Avenue North
Nashville TN 37243 - 0310



BLANK

pg. 136

ORDER FORM

Please send the subscription(s) indicated below. A check in the amount of \$_____ is enclosed.

New Subscription: *official compilation – Rules and Regulations of the State of Tennessee.* The multi-volume compilation is \$ 950.00, which includes monthly replacement pages and the *Tennessee Administrative Register* for the first year.

Renewal: *official compilation – Rules and Regulations of the State of Tennessee.* After one year the compilation subscription is renewable for \$ 150.00 per year. The renewal includes monthly replacement pages for the compilation and the *Tennessee Administrative Register*.

New Subscription: *Tennessee Administrative Register (T.A.R.).* The T.A.R., a monthly publication containing notices of rulemaking hearings as well as emergency, proposed and public necessity rules, is available for \$ 50.00 per year. This does not include replacement pages for the compilation.

name of firm or organization

()

name of person to receive publication

telephone number

street address

city

state

zip code

Mail This Form To:

Tennessee Secretary of State
Division of Publications
8th Floor Snodgrass Tower
312 8th Avenue North
Nashville TN 37243 - 0310



BLANK

pg. 138