

**RULES
OF
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT**

**CHAPTER 0400-10-01
ADMINISTRATIVE PROCEDURES**

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0400-10-01-.01 General

0400-10-01-.01 GENERAL.

- (1) Unless otherwise specified by regulation or circumstances dictate otherwise, Chapter 1360-04-01 of the Rules of the Tennessee Department of State Administrative Procedures Division are applicable to all contested cases arising under Tennessee Code Annotated Title 68, Chapter 211 and Title 68, Chapter 212.
 - (a) In cases in which an Order and/or Assessment has been issued and a petition for review has been filed by a named party, the commissioner shall be the petitioner and the party petitioning for review shall be the respondent.
 - (b) In cases in which a permit has been denied and the applicant requests a hearing regarding the denial, the applicant shall be the petitioner and the commissioner shall be the respondent.
 - (c) In cases in which a permit holder has contested a condition of a permit or the applicability of a fee, the permit holder shall be the petitioner and the commissioner shall be the respondent.

Authority: §§ 68-211-101 et seq., 68-212-101 et seq., and 4-5-201 et seq. **Administrative History:** Original rule filed November 15, 2011; effective February 13, 2012. Rule previously numbered 1200-01-10.