

HOUSE BILL 1814

By Hawk

AN ACT to amend Tennessee Code Annotated, Section 69-3-105, relative to board of water quality, oil, and gas rules concerning the effect of national pollutant discharge elimination system permits in an enforcement proceeding.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 69-3-105, is amended by adding the following as a new subsection:

() The board is authorized to promulgate rules, pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, concerning the effect of a national pollutant discharge elimination system (NPDES) permit in an enforcement proceeding. The effect must be comparable to that provided under federal law and must not apply to any activity that is causing, or has caused, pollution. The rules must not apply to enforcement proceedings commenced before the effective date of the rules.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.