

HOUSE BILL 2168

By Holt

AN ACT to amend Tennessee Code Annotated, Title 69,
Chapter 3, Part 1 and Chapter 293 of the Public
Acts of 2017, relative to water quality.

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

SECTION 1. Chapter 293 of the Public Acts of 2017, is amended by deleting SECTION 2 in its entirety and substituting the following:

Section 2. Tennessee Code Annotated, Section 69-3-108(b), is amended by deleting subdivision (7) and substituting instead the following:

(7)

(A) The actual discharge of a pollutant from a concentrated animal feeding operation; provided, however, the department shall issue a national pollutant discharge elimination system (NPDES) permit for a concentrated animal feeding operation or animal feeding operation only to:

(i) Those concentrated animal feeding operations that are required under the federal Clean Water Act, compiled in 33 U.S.C. § 1251 et seq., to have a permit for concentrated animal feeding operations; and

(ii) Any other concentrated animal feeding operation or animal feeding operation of any classification that requests a permit;

(B) Any concentrated animal feeding operation or animal feeding operation of any classification may request, and the department shall issue, a state operating permit;

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