

PUBLIC CHAPTER NO. 1014

HOUSE BILL NO. 4184

**By Representatives McCord, Overbey, Baird, McCormick, Dean, Bell, Todd,
Lollar**

Substituted for: Senate Bill No. 4116

By Senator Southerland

AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, relative to water quality control.

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

SECTION 1. Tennessee Code Annotated, Title 69, Chapter 3, is amended by adding the following new, appropriately designated section:

Section ____.

(a) The commissioner shall submit by January 31 of each year to the chairs of the senate environment, conservation and tourism committee and the house conservation and environment committee the following information:

(1) The number of enforcement orders, including Directors' Orders and Commissioner's Orders, issued pursuant to § 69-3-109(a)(1-2) during the prior year, listed by the county in which the violation occurred;

(2) The number of orders that become final pursuant to §69-3-109(a)(3) during the prior year, including the average civil penalties and damages assessed by the department from these orders;

(3) The number of final orders and consent orders by the board that become final pursuant to § 69-3-110(d), including the average civil penalties and damages assessed by the department from these decisions during the prior year; and

(4) The number of complaints filed in any chancery court of this state appealing a decision by the board, pursuant to § 69-3-111, and any judicial proceedings initiated by the commissioner and the attorney general, pursuant to § 69-3-117, during the prior year.

(b) The commissioner shall submit by January 31 of each year to the chairs of the senate environment, conservation and tourism

committee and the house conservation and environment committee the following information:

(1) The number of individual permit applications made during the prior year, listed by county in which the activity sought to be permitted was to occur;

(2) The average length of time, in days, between date of individual permit application and the date permit applications are deemed complete by the department during the prior year; and

(3) The average length of time, in days, between date of individual permit application and the date the department grants or denies the permit application during the prior year.

(c) For purposes of this section, "permit application" and "permit applications" shall be defined to include applications for individual permits issued pursuant to § 69-3-108.

(d) The commissioner shall submit by January 31 of each year to the chairs of the senate environment, conservation and tourism committee and the house conservation and environment committee a brief report on the status of the implementation of a secure web portal for the submittal of online permit applications. This service for electronic submittal of permit applications will comply with the federal guidelines contained in 40 CFR 3, Cross-Media Electronic Reporting Rule ("CROMERR"). This reporting requirement will terminate after a secure online permit application submittal system is implemented.

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

PASSED: May 7, 2008


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 22nd day of May 2008



PHIL BREDESEN, GOVERNOR