



State of Tennessee
PUBLIC CHAPTER NO. 980

SENATE BILL NO. 3653

By Southerland; Mr. Speaker Ramsey; Ketron, Overbey

Substituted for: House Bill No. 3689

By Hawk

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 5 and Title 68, relative to permitting by the Department of Environment and Conservation.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 5, is amended by adding the following as a new section thereto:

4-3-506.

(a) It is the intent of the general assembly that the Department of Environment and Conservation seek to accomplish making a completeness determination and issuing or denying any permit within the time frames specified by the department's rules and regulations.

(b)(1) The commissioner shall prepare semiannual permitting efficiency reports that include statistics on whether the department has timely acted on permit applications pursuant to the appropriate rule. The reports are due February 1 and August 1 of each year beginning in 2013.

(2) For permit applications that have not met the time frame required by rule, the report must state the reasons for not meeting the time frame. In stating the reasons for not meeting the time frame, the commissioner shall separately identify delays caused by the responsiveness of the applicant, lack of staff, scientific or technical disagreements, or the level of public engagement.

(3) The report shall specify the number of days from initial submission of the application to the day of determination that the application is complete. The report due August 1 of each year must aggregate the data for the year and assess whether the program or system changes are necessary to achieve the time frame as specified by rule.

(4) The report shall be posted on the department's Web site and electronically submitted to the governor and members of the general assembly.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

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PASSED: April 27, 2012



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 10th day of May 2012



BILL HASLAM, GOVERNOR