

HOUSE BILL 259

By Marsh

AN ACT to amend Tennessee Code Annotated, Title 69,  
Chapter 3, Part 1, relative to the Water Quality  
Control Act of 1977.

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

SECTION 1. Tennessee Code Annotated, Section 69-3-108, is amended by deleting subsection (g) and substituting the following:

(g)

(1) The commissioner may grant permits authorizing the discharges or activities described in subsection (b), including, but not limited to, land application of wastewater, but in granting such permits shall impose such conditions, including effluent standards and conditions and terms of periodic review, as are necessary to accomplish the purposes of this part, and as are not inconsistent with the regulations promulgated by the board.

(2) Under no circumstances shall the commissioner issue a permit for an activity that would cause a condition of pollution either by itself or in combination with others.

(3) If a permit is required under this part for a public transportation project commissioned by a federal, state, or local government, any alternatives analysis or other evaluation or study required to examine alternatives to the action proposed by the federal, state, or local government for the purpose of avoiding and minimizing the impact of the proposed project, or for any other purpose, must not be required to include an evaluation of alternative locations, routes, or alignments to be considered complete and compliant with this part.

(4) In addition, the permits shall include:

(A) The most stringent effluent limitations and schedules of compliance, either promulgated by the board, required to implement any applicable water quality standards, necessary to comply with an area wide-waste treatment plan, or necessary to comply with other state or federal laws or regulations;

(B) A definite term, not to exceed five (5) years, for which the permit is valid. This term is subject to provisions for modification, revocation, or suspension of the permit;

(C) Monitoring, recording, reporting, and inspection requirements;  
and

(D) In the case of permits authorizing discharges from publicly owned treatment works, terms and conditions requiring the permittee to enforce user and cost recovery charges, pretreatment standards, and toxic effluent limitations applicable to industrial users discharging into the treatment works.

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