

SENATE BILL 634

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, Part 1, relative to inspections and enforcement by the commissioner of environment and conservation.

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

SECTION 1. Tennessee Code Annotated, Section 69-3-107(5), is amended by adding after the semi-colon “;” the following language:

provided, however, no such inspections and investigations shall be conducted based in whole or in part upon an anonymous communication, either oral or written;

SECTION 2. Tennessee Code Annotated, Section 69-3-109(a), is amended by adding the following language as a new, appropriately designated subdivision:

() Any complaint issued pursuant to this section for pollution or discharge without a permit to a watercourse the commissioner has determined to be an unnamed stream shall include a summary of the scientific basis for the commissioner’s finding that the watercourse is not a wet weather conveyance, including whether the watercourse is above the ground water table, whether the watercourse flows only in response to precipitation, and whether the watercourse is capable of supporting the classification for fish and aquatic life for such stream as established by the board.

SECTION 3. This act shall take upon becoming law, the public welfare requiring it.