

SENATE BILL 1830

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, Part 1, relative to post construction storm water requirements for municipal separate storm sewer systems.

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

SECTION 1. Tennessee Code Annotated, Section 69-3-108(l), is amended by inserting the following language immediately following the first sentence:

No general permit shall impose post construction storm water requirements that are more restrictive than the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) or any federal regulation promulgated pursuant thereto. Any general permit that requires the management of post construction storm water shall allow the local entity administering a municipal separate storm sewer system to exercise the maximum permissible discretion in selecting appropriate measures to meet any such requirement. Prior to the implementation of any general permit that imposes post construction storm water requirements, the commissioner shall promulgate a rule, pursuant to Title 4, Chapter 5, which includes all provisions of the general permit.

SECTION 2. Tennessee Code Annotated, Section 69-3-131, is amended by deleting the language "§ 69-3-108(l)" and substituting the language "§ 69-3-108(n)".

SECTION 3. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.