

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1892 - SB 1830

February 5, 2016

SUMMARY OF BILL: Prohibits any general permit from imposing post construction storm water requirements that are more restrictive than the Federal Water Pollution Control Act or any federal regulations.

Requires that any general permit requiring the management of post construction storm water to allow local entities administering a municipal separate storm water system to exercise the maximum permissible discretion in selecting appropriate measures to meet requirements.

Requires the Commissioner of Environment and Conservation (TDEC) to promulgate rules pursuant to Tennessee Code Annotated, Title 4, Chapter 5, prior to implementation of any general permit that imposes post construction storm water requirements.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

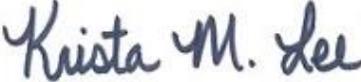
Assumptions:

- According to TDEC, the state currently manages urban storm water discharges by small municipal systems through a general NPDES permit process designed to provide broad statewide guidance to meet local implementation strategies. Currently, there are 93 Phase II MS4s with general permits and one Phase II MS4 with an individual permit.
- According to TDEC, a Phase II MS4 general permit is currently issued for a term of five years pursuant to state and federal law. The process to issue a general permit takes approximately one year and includes a public comment period.
- The proposed rule promulgation requirement is estimated to add approximately nine additional months to the current one year process to issue or modify a general permit. However, it is estimated that TDEC will accommodate the additional requirements using existing Division of Water Resources staff, without a significant increase in state expenditures.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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