

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: February 26, 1995

SUBJECT: **SB 1299 - HB 1825**

This bill, if enacted, shall be known as the *Hunters' and Fishermen's Right to Know Act* and requires all persons who discharge toxic substances into the waters of Tennessee to give a clear and concise disclosure of all pollutants released.

Every person who discharges water pollution directly into waters and is required to obtain a water pollution control National Pollutant Discharge Elimination System (NPDES) permit or individual permit and whose discharge contains any toxic pollutant identified by the U.S. Environmental Protection Agency pursuant to Section 307(a)(1) of the Federal Water Pollution Control Act or successor provisions shall erect or post and maintain a conspicuous and legible sign which shall disclose in clear and concise language the chemical names of all pollutants so discharged. The sign shall contain, at a minimum, the following statement: **Public Notice (Name of Discharger) Discharges the Following Toxic Pollutants Into This Water.**

The toxic pollutants shall then be identified by the chemical name. The sign shall be placed on land owned, leased, or on which an easement has been obtained by the permittee within approximately 50 feet of the point on land where the discharge pipe, conveyance, or ditch enters the receiving water. The sign shall be visible and legible to persons on or near the water and shall be of four inch block type. The sign shall also list the name and telephone number of a person at the permittee's place of business that the members of the public can contact for further information.

Any sign required by this act to be posted shall be posted and maintained within 30 days of the effective date of this act. The attorney general and reporter shall give written notice to any person in violation. Any person receiving written notice shall comply within 30 days following the notice. The enforcement shall be by the attorney general and reporter and shall be commenced by a civil action not less than 30 days following notice, for injunctive relief in the chancery court of the county in which the violation occurred.

The fiscal impact from enactment of this bill is estimated to be an increase in first year recurring state expenditures of approximately \$108,700 for three positions and related expenses and a one-time increase in state expenditures of \$22,200. Details are shown below:

1 Attorney 2 @ \$3,335/mo.	\$40,000
1 Secretary @ \$1,334/mo.	\$16,000
1 Environment Specialist 2 @ \$1,567/mo.	18,800
Benefits @ 22%	16,500
Travel	7,000
Printing	1,100
Communications	1,400
Professional Services	1,000
Supplies (\$7,200 one-time)	7,800
Rent	6,300
Equipment (computers, one-time)	<u>15,000</u>
	\$130,900

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director