



March 23, 1999

**ENGROSSED
SENATE BILL No. 63**

DIGEST OF SB0063 (Updated March 17, 1999 12:44 pm - DI 69)

Citations Affected: IC 13-14.

Synopsis: National Pollutant Discharge Elimination System (NPDES) permit. Specifies that a discharger is not required to obtain a state permit for the modification or construction of a water pollution treatment facility if the discharger has an effective: (1) NPDES industrial permit; or (2) industrial waste pretreatment permit not issued by the department of environmental management for discharges to a publicly owned treatment works. Requires the discharger to file a notice of installation for certain equipment and a design summary of certain modifications not later than 30 days after beginning operation. Requires the water pollution control board to adopt a general permit rule for the approval of certain plans.

Effective: Upon passage.

Landske

(HOUSE SPONSORS — KUZMAN, STEVENSON, FESKO)

January 6, 1999, read first time and referred to Committee on Rules and Legislative Procedure.

January 21, 1999, amended; reassigned to Committee on Environmental Affairs.

February 25, 1999, amended, reported favorably — Do Pass.

March 3, 1999, read second time, amended, ordered engrossed.

March 4, 1999, engrossed. Read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 8, 1999, read first time and referred to Committee on Environmental Affairs.

March 22, 1999, reported — Do Pass.

ES 63—LS 6149/DI 13+



C
O
P
Y

March 23, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED SENATE BILL No. 63

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-108 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 108. "Industrial
3 permit", for purposes of **IC 13-14-8-11.6** and IC 13-18-20, refers to a
4 **NPDES National Pollutant Discharge Elimination System (NPDES)**
5 permit that is not otherwise defined in ~~IC 13-18-20~~; **other than a**
6 **permit issued to any of the following:**

- 7 (1) a municipal facility;
- 8 (2) a state facility;
- 9 (3) a federal facility;
- 10 (4) a semipublic facility;
- 11 (5) a public water supply facility; or
- 12 (6) a facility for storm water discharge.

13 SECTION 2. IC 13-14-8-11.6 IS ADDED TO THE INDIANA
14 CODE AS A **NEW** SECTION TO READ AS FOLLOWS:
15 [EFFECTIVE UPON PASSAGE] **Sec. 11.6. (a) A discharger is not**
16 **required to obtain a state permit for the modification or**
17 **construction of a water pollution treatment or control facility if the**

ES 63—LS 6149/DI 13+



C
O
P
Y

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

discharger has an effective:

(1) National Pollutant Discharge Elimination System (NPDES) industrial permit for direct discharges to surface water; or

(2) industrial waste pretreatment permit not issued by the department for discharges to a publicly owned treatment works.

(b) If a modification is for the treatment or control of any new influent pollutant or increased levels of any existing pollutant, within thirty (30) days after commencement of operation, the discharger shall file with the department a notice of installation for the additional pollutant control equipment and a design summary of any modifications.

(c) The water pollution control board shall adopt a general permit rule for the approval of sanitary collection system plans, lift station plans, and force main plans.

SECTION 3. An emergency is declared for this act.

C
O
P
Y



SENATE MOTION

Mr. President: I move that Senator Garton be removed as author of Senate Bill 63 and that Senator Landske be substituted therefor.

GARTON

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 63, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Environmental Affairs.

(Reference is to SB 63 as introduced.)

GARTON, Chairperson

C
o
p
y



SENATE MOTION

Mr. President: I move that Senator Garton be removed as author of Senate Bill 63 and that Senator Landske be substituted therefor.

GARTON

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 63, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 3, before "discharger" insert "**nonmunicipal**".

Page 1, line 5, delete "treatment/control" and insert "**treatment or control**".

Page 1, line 7, delete "an existing valid" and insert "**a**".

Page 1, line 10, delete "an existing valid" and insert "**a**".

and when so amended that said bill do pass.

(Reference is to SB 63 as printed January 22, 1999.)

GARD, Chairperson

Committee Vote: Yeas 8, Nays 0.

C
O
P
Y



SENATE MOTION

Mr. President: I move that Senate Bill 63 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 13-11-2-108 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 108. "Industrial permit", for purposes of **IC 13-14-8-11.6 and IC 13-18-20**, refers to a **NPDES National Pollutant Discharge Elimination System (NPDES) permit that is not otherwise defined in IC 13-18-20; other than a permit issued to any of the following:**

- (1) a municipal facility;
- (2) a state facility;
- (3) a federal facility;
- (4) a semipublic facility;
- (5) a public water supply facility; or
- (6) a facility for storm water discharge."

Page 1, line 1, delete "SECTION 1." and insert "SECTION 2."

Page 1, line 3, after "Sec. 11.6." insert "(a)".

Page 1, line 3, delete "nonmunicipal".

Page 1, line 6, after "has" insert "**an effective**".

Page 1, line 7, delete "a".

Page 1, line 8, after "(NPDES)" insert "**industrial**".

Page 1, line 9, delete "a" and insert "**industrial waste**".

Page 1, line 9, after "permit" insert "**not issued by the department**".

Page 1, after line 10 and before line 11, begin a new paragraph and insert:

"(b) If a modification is for the treatment or control of any new influent pollutant or increased levels of any existing pollutant, within thirty (30) days after commencement of operation, the discharger shall file with the department a notice of installation for the additional pollutant control equipment and a design summary of any modifications.

(c) The water pollution control board shall adopt a general permit rule for the approval of sanitary collection system plans, lift station plans, and force main plans."

Page 1, line 11, delete "SECTION 2." and insert "SECTION 3."

(Reference is to S.B. 63 as printed February 26, 1999.)

SIMPSON



C
O
P
Y

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Senate Bill 63, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STURTZ, Chair

Committee Vote: yeas 10, nays 0.

C
o
p
y

