



April 6, 1999

ENGROSSED SENATE BILL No. 83

DIGEST OF SB 83 (Updated March 29, 1999 6:30 pm - DI 69)

Citations Affected: IC 13-18; IC 36-9.

Synopsis: Ground water quality and stormwater runoff from developed real property. Requires the water pollution control board to adopt rules establishing groundwater quality standards that include numeric and narrative criteria, a groundwater classification plan, and a method of determining where the groundwater quality standards must apply. Requires counties and municipalities to establish a policy by January 1, 2001, for the management of stormwater runoff from developed real property. Provides that the policy may, but is not required to, provide for the actual management of stormwater runoff. Establishes the geographic scope that a policy must cover.

Effective: Upon passage; July 1, 1999.

Wheeler, Lewis, Wolf, Meeks R
(HOUSE SPONSORS — LYTLE, DILLON, RICHARDSON)

January 6, 1999, read first time and referred to Committee on Natural Resources.
January 26, 1999, reported favorably — Do Pass.
February 1, 1999, read second time, ordered engrossed. Engrossed.
February 2, 1999, read third time, passed. Yeas 45, nays 2.

HOUSE ACTION

March 3, 1999, read first time and referred to Committee on Environmental Affairs.
April 5, 1999, amended, reported — Do Pass.

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ES 83—LS 6519/DI 2+



April 6, 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. 83

A BILL FOR AN ACT to amend the Indiana Code concerning the environment and local government.

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

- 1 SECTION 1. IC 13-18-17-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The water
3 pollution control board shall adopt rules under IC 4-22-2 establishing
4 groundwater quality standards **that include numeric and narrative**
5 **criteria, a groundwater classification plan, and a method of**
6 **determining where the groundwater quality standards must apply.**
7 The standards established under this subsection shall be used for the
8 following purposes:
9 ~~(1)~~ **(1)** To select targets for groundwater cleanups.
10 ~~(2)~~ **(1)** To establish minimum compliance levels for groundwater
11 quality monitoring at regulated facilities.
12 ~~(3)~~ **(2)** To ban the discharge of effluents into potable groundwater.
13 ~~(4)~~ **(3)** To establish health protection goals for untreated water in
14 water supply wells.
15 ~~(5)~~ **(4)** To establish concentration limits for contaminants in
16 ambient groundwater.

ES 83—LS 6519/DI 2+



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1 (b) The following agencies shall adopt rules under IC 4-22-2 to
 2 apply the groundwater quality standards established under this
 3 section apply to activities regulated by the following agencies:

- 4 (1) The department.
 5 (2) The department of natural resources.
 6 (3) The state department of health.
 7 (4) The office of the state chemist.
 8 (5) The office of the state fire marshal.

9 SECTION 2. IC 36-9-28.5 IS ADDED TO THE INDIANA CODE
 10 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 1999]:

12 **Chapter 28.5. Management of Stormwater Runoff From**
 13 **Developed Real Property**

14 **Sec. 1. This chapter applies to counties and municipalities.**

15 **Sec. 2. As used in this chapter, "policy" refers to a policy**
 16 **adopted under this chapter for the management of stormwater**
 17 **runoff from developed real property.**

18 **Sec. 3. By January 1, 2001, the legislative body of a unit shall**
 19 **establish a policy of the unit for the management of stormwater**
 20 **runoff from developed real property in the unit. The legislative**
 21 **body may establish the policy by resolution or ordinance.**

22 **Sec. 4. The policy may, but is not required to, provide for the**
 23 **actual management of stormwater runoff from developed real**
 24 **property.**

25 **Sec. 5. (a) If the unit is a city, the geographic scope of the city's**
 26 **policy must include all territory located within the city.**

27 **(b) If the unit is a town, the geographic scope of the town's**
 28 **policy must include all territory located within the town unless the**
 29 **legislative body of the town specifies by resolution that the**
 30 **territory of the town be included in the policy of the county where**
 31 **the town is located.**

32 **(c) If the unit is a county, the geographic scope of the county's**
 33 **policy must include:**

- 34 **(1) all territory of the county that is not located within a**
 35 **municipality; and**
 36 **(2) all territory of a town located in the county that has**
 37 **adopted a resolution under subsection (b).**

38 **SECTION 3. An emergency is declared for this act.**

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SENATE MOTION

Mr. President: I move that Senator Lewis be added as second author of Senate Bill 83.

WHEELER

SENATE MOTION

Mr. President: I move that Senators Wolf and Meeks R be added as coauthors of Senate Bill 83.

WHEELER

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COMMITTEE REPORT

Mr. President: The Senate Committee on Natural Resources, to which was referred Senate Bill No. 83, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 83 as introduced.)

SERVER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Senate Bill 83, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning the environment and local government.

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

"SECTION 1. IC 13-18-17-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The water pollution control board shall adopt rules under IC 4-22-2 establishing groundwater quality standards **that include numeric and narrative criteria, a groundwater classification plan, and a method of determining where the groundwater quality standards must apply.** The standards established under this subsection shall be used for the following purposes:

- (1) ~~To select targets for groundwater cleanups.~~
- (2) **(1)** To establish minimum compliance levels for groundwater quality monitoring at regulated facilities.
- (3) **(2)** To ban the discharge of effluents into potable groundwater.
- (4) **(3)** To establish health protection goals for untreated water in water supply wells.
- (5) **(4)** To establish concentration limits for contaminants in ambient groundwater.

(b) **The following agencies shall adopt rules under IC 4-22-2 to apply the groundwater quality standards established under this section apply to activities regulated by the following agencies:**

- (1) The department.
- (2) The department of natural resources.
- (3) The state department of health.
- (4) The office of the state chemist.
- (5) The office of the state fire marshal."

Page 2, after line 12, begin a new paragraph and insert:

"SECTION 3. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

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and when so amended that said bill do pass.

(Reference is to SB 83 as printed January 27, 1999.)

STURTZ, Chair

Committee Vote: yeas 13, nays 0.

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