

SENATE BILL No. 343

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-18-3-2; IC 13-18-19-2.

Synopsis: Water pollution control. Provides that a rule adopted by the water pollution control board to designate a waterbody as an outstanding state resource water or outstanding national resource water expires one year after the date the rule takes effect unless the rule is approved in a statute enacted by the general assembly before the rule expires. Allows the department of environmental management to issue National Pollutant Discharge Elimination System permits that include provisions that take into account the effect of wet weather events and drought conditions on: (1) normal permit effluent limits; and (2) the ability of permit holders to attain required water quality standards. Specifies that, after June 30, 1999, unless otherwise required by federal (Continued next page)

Effective: July 1, 1999.

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

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Digest Continued

law, the air pollution control board, solid waste management board, water pollution control board, the department of environmental management, and the commissioner of the department may not take any action that creates or changes water quality standards concerning antidegradation, sediment criteria, or biocriteria until the earlier of: (1) July 1, 2000; or (2) the date the United States Environmental Protection Agency adopts regulations to revise the Water Quality Standards Regulation concerning the national water quality standards program as described in the Advance Notice of Proposed Rule Making published July 7, 1998, in the Federal Register.

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Introduced

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.

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SENATE BILL No. 343

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 13-18-3-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The board may
3 adopt rules under IC 4-22-2 that are necessary to the implementation
4 of:
5 (1) the Federal Water Pollution Control Act (33 U.S.C. 1251 et
6 seq.), as in effect January 1, 1988; and
7 (2) the federal Safe Drinking Water Act (42 U.S.C. 300f through
8 300j), as in effect January 1, 1988;
9 except as provided in IC 14-37.
10 (b) A rule adopted by the board to designate a waterbody as an:
11 (1) outstanding state resource water; or
12 (2) outstanding national resource water;
13 expires one (1) year after the date the rule takes effect unless the
14 rule is approved in a statute enacted by the general assembly
15 before the rule expires.



1 SECTION 2. IC 13-18-19-2 IS ADDED TO THE INDIANA CODE
2 AS NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 2. (a) The department may issue National Pollutant
4 Discharge Elimination System (NPDES) permits that include
5 provisions that take into account the effect of wet weather events
6 and drought conditions on:**

- 7 (1) normal permit effluent limits; and
8 (2) the ability of permit holders to attain required water
9 quality standards.

10 (b) The water pollution control board may adopt rules under
11 IC 4-22-2 and IC 13-14-9 to implement this section.

12 SECTION 3. [EFFECTIVE JULY 1, 1999] (a) After June 30, 1999,
13 unless otherwise required by federal law, a board (as defined in
14 IC 13-11-2-17(a)), the commissioner (as defined in IC 13-11-2-35),
15 and the department (as defined in IC 13-11-2-51) may not adopt,
16 amend, or issue a rule, a standard, a determination, a permit, an
17 order, or a nonrule policy document or statement that creates or
18 changes water quality standards concerning antidegradation,
19 sediment criteria, or biocriteria until the earlier of the following
20 dates:

- 21 (1) July 1, 2000.
22 (2) The date the United States Environmental Protection
23 Agency adopts regulations:
24 (A) to revise the Water Quality Standards Regulation at 40
25 CFR Part 131 concerning the national water quality
26 standards program; and
27 (B) as described in the Advance Notice of Proposed Rule
28 Making published July 7, 1998, in Volume 63, Number 129,
29 of the Federal Register on pages 36,741 to 36,806.

30 (b) This SECTION expires July 2, 2000.

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