

SENATE BILL No. 634

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-18-3-13.

Synopsis: Storm water runoff and construction activity. Provides that an operator who is required to: (1) submit a notice of intent letter under the administrative rules concerning the NPDES general permit rule program; and (2) comply with the terms of the administrative rules concerning storm water runoff associated with construction activity is presumed to have complied with all applicable provisions of the administrative rule concerning storm water runoff associated with construction activity unless the commissioner of the department of environmental management determines that the operator has not complied with an applicable provision of the rule. Provides that, if the commissioner determines that an operator has not complied with an
(Continued next page)

Effective: Upon passage.

Clark

January 22, 1999, read first time and referred to Committee on Environmental Affairs.

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Digest Continued

applicable provision of the rule, the department of environmental management must determine which person is responsible for the operator's noncompliance by using public records of ownership or building permits issued by local units of government. Requires the water pollution control board to amend the administrative rules concerning storm water runoff associated with construction activity to reflect these changes before February 1, 2000.

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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. 634



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 13-18-3-13 IS ADDED TO THE INDIANA CODE
 2 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
 3 **UPON PASSAGE]: Sec. 13. (a) An operator (as defined in 327 IAC**
 4 **15-5-4(7)) is presumed to have complied with all applicable**
 5 **provisions of 327 IAC 15-5 concerning storm water runoff**
 6 **associated with construction activity unless the commissioner**
 7 **determines that the operator has not complied with an applicable**
 8 **provision of 327 IAC 15-5.**
 9 (b) If the commissioner determines that an operator has not
 10 complied with an applicable provision of 327 IAC 15-5 under
 11 subsection (a), the department shall determine which person is
 12 responsible for the operator's noncompliance by using public
 13 records of ownership or building permits issued by local units of
 14 government. The operator may assist the department in making a
 15 determination under this subsection.



1 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) **Before**
2 **February 1, 2000, the water pollution control board shall amend**
3 **327 IAC 15-5 to reflect IC 13-18-3-13, as added by this act.**
4 **(b) This SECTION expires February 1, 2000.**
5 SECTION 3. **An emergency is declared for this act.**

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