

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 144, 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:

1 Delete everything after the enacting clause and insert the following:

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3 "SECTION 1. IC 13-11-2-237.5, AS AMENDED BY
4 P.L.224-2003, SECTION 131, IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 237.5. "Transient
6 noncommunity water system", for purposes of IC 13-18-11,
7 **IC 13-18-16**, and IC 13-18-20.5, means a noncommunity water system
8 that does not regularly serve at least twenty-five (25) of the same
9 persons over six (6) months per year.

10 SECTION 2. IC 13-18-16-17 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2004]: **Sec. 17. A transient noncommunity water system
13 that:**

14 **(1) serves a population of two hundred fifty (250) or less;**
15 **and**

16 **(2) uses groundwater as a source;**
17 **is not subject to 327 IAC 8-3-3(c), 327 IAC 8-3.4-3, or 327**
18 **IAC 8-3.4-27.**

19 SECTION 3. IC 13-18-16-18 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2004]: **Sec. 18. (a) A transient noncommunity water
22 system described in section 17 of this chapter may use an
23 alternative to the technical standards in 327 IAC 8-3 and 327**
24 **IAC 8-3.4 if the alternative technical standard is approved under**

1 subsection (b).

2 (b) The commissioner may approve an alternative technical
3 standard if the alternative will require drinking water of at least
4 the same:

5 (1) quality; and

6 (2) normal operating pressure at the peak flowrate;

7 required by the technical standards in 327 IAC 8-3 and 327
8 IAC 8-3.4.

9 (c) The commissioner may discontinue an approved
10 alternative technical standard if the system is not operated in the
11 manner approved by the commissioner.

12 SECTION 4. IC 13-18-16-19 IS ADDED TO THE INDIANA
13 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2004]: **Sec. 19. (a) For a transient noncommunity system**
15 **described in section 17 of this chapter, the commissioner shall, if**
16 **requested by the system, modify an isolation area (as defined in**
17 **327 IAC 8-3.4-1(13)) to make an alternative modified isolation**
18 **area if:**

19 (1) the well is located at an existing system; and

20 (2) the system does not own, lease, or otherwise control a
21 sufficient area to meet the isolation requirements of 327
22 IAC 8-3.4-9.

23 (b) The modified isolation area must place the well at the
24 greatest distance possible from contaminant sources using the
25 area owned, leased, or otherwise controlled by the system.

26 (c) The commissioner may require additional monitoring
27 based on the proximity of the well to contaminant sources.

28 SECTION 5. [EFFECTIVE JULY 1, 2004] (a) Before December
29 31, 2005, the water pollution control board shall amend 327
30 IAC 8-3 and 327 IAC 8-3.4 to reflect this act.

31 (b) This SECTION expires January 1, 2006."

(Reference is to SB 144 as introduced.)

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

GARTON

Chairperson

