

SENATE BILL 2155

By Johnson

AN ACT to amend Tennessee Code Annotated, Section 4-3-506; Section 68-211-305; Section 68-212-118 and Section 68-212-212, relative to reports of the department of environment and conservation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-3-506(b), is amended by deleting the subsection and substituting instead the following:

(b)

(1) The commissioner shall prepare semiannual permitting efficiency reports that include statistics demonstrating whether the department has acted on permit applications within the time frames established by rule. The statistics may be summarized by organizational unit established under § 4-3-503. The reports are due February 1 and August 1 of each calendar year.

(2)

(A) The report due February 1 must report data for the first six (6) months of the current fiscal year.

(B) The report due August 1 must report data for the entire previous fiscal year and must also specify any program or system changes to be made if the commissioner determines that program or system changes are necessary to achieve compliance with any time frame.

(3) If a report indicates that a division is not complying with the specified time frames, then the report must include a determination of the cause of the noncompliance.

(4) The reports must be posted on the department's website and electronically submitted to the governor and members of the general assembly.

SECTION 2. Tennessee Code Annotated, Section 68-211-305(c), is amended by deleting the language "a quarterly" and substituting instead the language "an annual".

SECTION 3. Tennessee Code Annotated, Section 68-212-118, is amended by deleting the section and substituting instead the following:

68-212-118. Annually, no later than December 1, the board and the commissioner shall submit a written report to the speakers of both houses of the general assembly evaluating all aspects of the performance of the hazardous waste regulatory program during the prior fiscal year. The annual report must include, but not necessarily be limited to, the following data:

- (1) The number and type of hazardous waste handlers permitted and/or registered by the commissioner;
- (2) A list of hazardous waste generators, transporters, and disposal facilities in Tennessee;
- (3) Fees due, paid, and past due;
- (4) The amount of hazardous wastewater and other hazardous waste generated or handled in Tennessee, including the amount shipped into Tennessee from other states and the amounts shipped from Tennessee to other states;
- (5) The number of permit applications received, granted, requested, and pending, by type;
- (6) The number and type of enforcement actions in process and initiated during the reporting period; and
- (7) Any recommendations for legislative action to improve the hazardous waste regulatory program.

SECTION 4. Tennessee Code Annotated, Section 68-212-212(a), is amended by deleting the language "On October 1" and substituting instead the language "No later than January 1".

SECTION 5. Tennessee Code Annotated, Section 68-212-212(a), is amended by deleting the language "preceding twelve (12) months" and substituting instead the language "previous fiscal year".

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.