



State of Tennessee

PUBLIC CHAPTER NO. 523

SENATE BILL NO. 2217

By Bell, Stevens

Substituted for: House Bill No. 2317

By Hawk, Wirgau, Ragan

AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, Part 1 and Chapter 293 of the Public Acts of 2017, relative to animal feeding operations.

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

SECTION 1. Chapter 293 of the Public Acts of 2017, is amended by deleting SECTION 1 in its entirety and substituting the following:

Section 1. Tennessee Code Annotated, Section 69-3-103(6), is amended by deleting the subdivision in its entirety.

SECTION 2. Chapter 293 of the Public Acts of 2017, is amended by deleting SECTION 2 in its entirety and substituting the following:

Section 2. Tennessee Code Annotated, Section 69-3-108, is amended by deleting subdivision (b)(7) in its entirety and substituting the following language:

(7)(A) The construction, installation, or operation of a liquid waste management system supporting an animal feeding operation that stables or confines as many as, or more than, the numbers of animals specified by federal law defining a large concentrated animal feeding operation;

(B) A state operating permit issued pursuant to this subdivision (b)(7) shall be enforceable only in regards to submission and maintenance of a current approved nutrient management plan;

(C) Animal feeding operations that are not required under this subdivision (b)(7) to have a permit may apply for and be issued a state operating permit. An animal feeding operation issued a state operating permit pursuant to this subdivision (b)(7) is required to conduct such operations in accordance with the permit;

SECTION 3. Chapter 293 of the Public Acts of 2017, is amended by deleting SECTION 3 in its entirety and substituting instead the following:

Section 3. Tennessee Code Annotated, Section 69-3-108(b), is amended by adding the following language as a new, appropriately designated subdivision:

(A) Animal feeding operations that are required under the federal Clean Water Act, compiled in 33 U.S.C. § 1251 et seq., to have a permit for concentrated animal feeding operations. Such operations must be conducted in accordance with the conditions of a valid national pollutant discharge elimination system (NPDES) permit;

(B) Animal feeding operations that are not required under the federal Clean Water Act, compiled in 33 U.S.C. § 1251 et seq., to have a permit for concentrated animal feeding operations may apply for and, if eligible under federal law, be issued a national pollutant discharge elimination system (NPDES) permit. An animal feeding operation issued an NPDES permit pursuant to this subdivision (B) is required to conduct such operations in accordance with the permit;

Section 4. Tennessee Code Annotated, Section 69-3-103, is amended by adding the following language as a new, appropriately designated subdivision:

() "Animal feeding operation" means a lot or facility, other than an aquatic animal production facility, where the following conditions are met:

(A) Animals, other than aquatic animals, have been, are, or will be stabled or confined and fed or maintained for a total of forty-five (45) days or more in any twelve-month period; and

(B) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility;

() "Liquid waste management system" means a waste management system that collects, stores, or land applies manure in a liquid, flowable form;

Section 5. This act shall take effect July 1, 2018, the public welfare requiring it.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 2217

PASSED: February 22, 2018

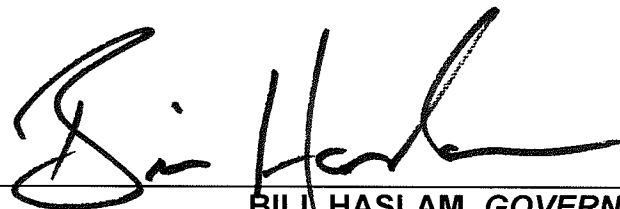


RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of February 2018



BILL HASLAM, GOVERNOR