

S.B. 88
ENVIRONMENTAL QUALITY REVISIONS

Senator **Ralph Okerlund** proposes the following amendments:

1. Page 2, Line 30:

30 {→~~modifies the procedure for the Water Quality Board to make rules;~~}

2. Page 3, Line 63:

63 {~~19-5-105, as last amended by Laws of Utah 2011, Chapter 155~~}

3. Page 24, Lines 711 through 720:

711 (i) pollutes a {+} surface body of water, including a stream, lake, pond, marshland,
712 watercourse, waterway, river, ditch, and other water conveyance system of the state; =

= (ii)

713 pollutes the ground water of the state {+} {~~water of the state~~} ; or

714 {+} (iii) {+} {~~(ii)~~} constitutes a significant nuisance on urban land; and

715 (b) does not include:

716 (i) runoff from a farm, ranch, or feed lot or return flows from irrigated fields onto land
717 that is not part of a {+} body of {+} water {~~of the state~~} ; or

718 (ii) a release into a normally dry water conveyance [~~to an active body of water~~], unless
719 the release reaches {+} the water of a lake, pond, stream, marshland, river, or other active body

of {+}

720 {~~a~~} water {~~of the state~~} .

4. Page 32, Line 976 through Page 33, Line 992:

976 {~~Section 15. Section 19-5-105 is amended to read:~~

977 ~~—— 19-5-105. Rulemaking authority and procedure.~~

978 ~~—— (1) Except as provided in Subsections (2) and (3), [no] a rule that the board makes for~~
979 ~~the purpose of the state administering a program under the federal Clean Water Act or the~~
980 ~~federal Safe Drinking Water Act may not be more stringent than the corresponding federal~~
981 ~~regulations [which] that address the same circumstances. In making rules, the board may~~
982 ~~incorporate by reference corresponding federal regulations.~~

983 ~~—— (2) The board may make rules more stringent than corresponding federal regulations~~
984 ~~for the purpose described in Subsection (1), only if [it] the board makes a written finding after~~
985 ~~public comment and hearing and based on evidence in the record that the corresponding federal~~
986 ~~regulations are not adequate to protect public health and the environment of the state. Those~~

987 ~~findings shall be accompanied by an opinion referring to and evaluating the public health and~~
988 ~~environmental information and studies contained in the record which form the basis for the~~
989 ~~board's conclusion.~~

990 ~~—— (3) The board may make rules related to agriculture water more stringent than the~~
991 ~~corresponding federal regulations [if the commission approves] after consulting with the~~
992 ~~commission. }~~

Renumber remaining sections accordingly.