

Districts and the Department of Environmental Control to stabilize, reduce and prevent the increase or spread of ground water contamination. I'll try to outline how the bill would work. Let's suppose that some entity such as a political subdivision or state agency would file a complaint with DEC alleging that ground water contamination does exist. As the bill is written the Department of Environmental Control would conduct a preliminary investigation into the matter. If DEC finds that contamination does exist or there is evidence of such contamination, then they will conduct a full-fledged study with the appropriate NRD or state agency. After the study is completed there could be one of three determinations made. One, that there is no problem. Two, that the source of contamination is coming from a specific point source or, three, that contamination is occurring and that is nonpoint source in nature. If the contamination is point source, DEC already has specific authority under current law to correct that problem. If the contamination is nonpoint source, then the other provisions of this bill prevail. If the contamination is nonpoint source, a hearing would be held to determine whether or not the ground protection area, a ground water protection area should be formed. After the hearing the Department of Environmental Control could determine that such an area's designation would serve no good purpose in lowering the contamination. However, I think that in fact, the department will usually find that such an area should be declared and will establish such an area. The Department of Environmental Control will then establish the boundaries of those areas. Within 180 days after the designation of the area the NRD must develop an action plan and submit the action plan to the Department of Environmental Control. We think it is important that the Natural Resource District, the local entity, be involved in this type of an operation. They are the individuals who certainly would be most knowledgeable, who would be the best equipped and would be most likely to be on the scene with the proper technical help to assist. The action plan will contain the proposed protective measures which could include some combination of mandatory education or best management practices which might mean the scheduling of fertilizer application. I think it's safe to say, and I'm not sure either Senator Hefner nor Senator Beutler is here, but those two gentlemen along with others on the floor who are interested in this area felt that this...the main focus of this bill is to protect and guard against the contamination