

House Bill 136

By: Representatives Oliver of the 82nd, Thomas of the 100th, Evans of the 42nd, Buckner of the 137th, and Gardner of the 57th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia
2 Annotated, relating to solid waste management, so as to regulate the surface storage and
3 disposal of coal combustion waste; to provide a definition; to provide for related matters; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,
8 relating to solid waste management, is amended in Code Section 12-8-22, relating to solid
9 waste definitions, by redesignating paragraph (4.1) as paragraph (4.2) and adding a new
10 paragraph to read as follows:

11 "(4.1) 'Coal combustion waste' means any fly ash, bottom ash, or boiler slag generated
12 as a result of the combustion of coal."

13 **SECTION 2.**

14 Said part is further amended in Code Section 12-8-24, relating to permits for solid waste
15 handling, by adding a new subsection (a.1) to read as follows:

16 "(a.1)(1) No person shall collect, store, or dispose of any coal combustion waste in any
17 surface impoundment unless such person obtains a permit issued by the division. For
18 purposes of this Code section, 'surface impoundment' means a pit, pond, or lagoon
19 designed to contain liquid waste material and prevent its escape into the environment.

20 (2) As a condition of holding a permit under this Code section, an applicant shall:

21 (A) Demonstrate to the director's satisfaction that an adequate ground-water monitoring
22 system has been implemented at the impoundment site;

23 (B) Maintain financial assurance, approved by the director, sufficient to ensure
24 compliance with this Code section; and

27 **SECTION 3.**
28 All laws and parts of laws in conflict with this Act are repealed.

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