

Senate Bill 356

By: Senator Ligon, Jr. of the 3rd

AS PASSED SENATE

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 general provisions regarding solid waste management, so as to allow
3 the expansion of certain municipal solid waste landfills to areas within two miles of military
4 air space used as bombing ranges; to provide for related matters; to repeal conflicting laws;
5 and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,
9 relating to general provisions regarding solid waste management, is amended by revising
10 subsection (d) of Code Section 12-8-25.3, relating to further restrictions on sites within
11 significant ground-water recharge area or near military air space used as bombing range, as
12 follows:

13 "(d)(1) Notwithstanding any other provision of law or any administrative regulation or
14 action to the contrary, no permit shall be issued for a municipal solid waste landfill within
15 two miles of a federally restricted military air space which is used for a bombing range.
16 The provisions of this subsection shall apply to all permit applications pending on or after
17 July 1, 1997, and to all permits denied prior to such date which are the subject of an
18 appeal or judicial review pending on such date.

19 (2) This subsection shall not prohibit or prevent any municipal solid waste landfill that
20 was permitted and operational on July 1, 1997, from expanding its operation into an area
21 outlined in paragraph (1) of this subsection."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.