

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 385:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to  
2 prevention and control of air pollution, so as to prohibit the burning of certain chemically  
3 treated railroad ties for purposes of commercial energy generation; to provide an exception;  
4 to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to prevention and  
8 control of air pollution, is amended in subsection (c) of Code Section 12-9-7, relating to  
9 permit required, application, issuance, revocation, suspension, or amendment, by adding a  
10 new paragraph to read as follows:

11 "(3.1) Permits issued for biomass boilers shall prohibit the use of railroad ties treated  
12 with creosote compounds or treated with naphthenate compounds for purposes of  
13 commercial electricity generation, unless the boiler also provides steam or electricity to  
14 any co-located forest products processing plant;"

15 **SECTION 2.**

16 All laws and parts of laws in conflict with this Act are repealed.