

House Bill 260

By: Representatives Smith of the 103rd and Hanner of the 159th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-9-9 of the Official Code of Georgia Annotated, relating to
2 notification requirements for air quality permit applications and actions regarding permits,
3 so as to require the publication of notification of a permit application or permit action by
4 certain electrical generating facilities; to provide for a public hearing; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 12-9-9 of the Official Code of Georgia Annotated, relating to notification
9 requirements for air quality permit applications and actions regarding permits, is amended
10 by inserting at the end thereof the following:

11 "(c) Upon receipt of a completed application for issuance of a permit or permit
12 modification, amendment, or renewal for any electricity generating facility capable of
13 generating 50 megawatts or more of electricity, in addition to any requirement imposed by
14 subsections (a) and (b) of this Code section and as otherwise provided by rule or regulation,
15 the director shall require a public notice to be published in a paper of general circulation
16 in the county in which the source or facility proposes to operate and any county whose
17 border is within five miles of any portion of the property proposed for the location of such
18 facility notifying the citizens that an application for a permit has been received and
19 providing the public with an opportunity to request a public hearing and submit public
20 comment. All such notices shall include a brief description of the proposed activity.
21 Responsibility for publishing such notice shall rest with the applicant. If the division
22 receives a request for a public hearing, it shall provide such a hearing after due notice has
23 been given."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.