

House Bill 147

By: Representative Rogers of the 20<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, the  
2 "Georgia Water Quality Control Act," so as to provide for the monitoring of the discharge  
3 of pollutants into the waters of the state by persons issued a National Pollutant Discharge  
4 Elimination System permit; to provide for enhanced fines for persons discharging pollutants  
5 into the waters of the state in excess of the permitted level; to provide for enhanced fines for  
6 persons discharging pollutants into the waters of the state in the absence of a National  
7 Pollutant Discharge Elimination System permit; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, the "Georgia  
12 Water Quality Control Act," is amended by inserting immediately following Code Section  
13 12-5-23.3 a new Code section to read as follows:

14 "12-5-23.4.

15 (a) Not later than December 31, 2001, the division shall devise and implement a schedule  
16 of inspection of all holders of National Pollutant Discharge Elimination System permits in  
17 this state so as to ensure that each permit holder receives an inspection and discharge  
18 monitoring not less frequently than once every three years. Such inspection shall be  
19 designed to ensure that pollution control equipment is being maintained in satisfactory  
20 condition and that the discharge from each facility is within the limits of the permit.

21 (b) In addition to all other penalties provided by law, any holder of a National Pollutant  
22 Discharge Elimination System permit which is found to be exceeding the discharge limits  
23 of such permit shall pay an additional fine of \$10,000.00 and an additional fine of \$500.00  
24 for each day of such noncompliance following actual notice of such discharge excess.  
25 When any facility is found to be exceeding its discharge level, the division shall

1 continuously monitor the discharge until the pollutant level has been within the permit level  
2 for at last three consecutive weeks.  
3 (c) In addition to all other penalties provided by law, any person other than a holder of a  
4 National Pollutant Discharge Elimination System permit which is found to be discharging  
5 any pollutant in violation of this chapter shall pay an additional fine of \$50,000.00 and an  
6 additional fine of \$1,000.00 for each day of such noncompliance following actual notice  
7 of such discharge excess. When any facility is found to be exceeding its discharge level,  
8 the division shall continuously monitor the discharge until the discharge has been free of  
9 any such pollutant for at last three consecutive weeks."

10

**SECTION 2.**

11

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