

House Bill 487

By: Representative Watson of the 60th, Post 2

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 15 of Title 12 of the Official Code of Georgia Annotated, relating to
2 sewage holding tanks, so as to provide for regulation of removal, transport, and disposal of
3 certain waste removed from grease traps, sand traps, oil-water separators, or grit traps that
4 are not connected to on-site sewage management systems; to define certain terms; to provide
5 for rules and regulations; to provide for enforcement; to provide punishment for violations;
6 to provide for related editorial revisions; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 15 of Title 12 of the Official Code of Georgia Annotated, relating to sewage holding
10 tanks, is amended by designating the existing provisions of said chapter as Article 1 of said
11 chapter.

12 **SECTION 2.**

13 Said chapter is further amended by striking the word "chapter" and inserting in lieu thereof
14 "article" wherever the former term appears in:

- 15 (1) Code Section 12-15-1, relating to a short title;
16 (2) Code Section 12-15-2, relating to legislative findings;
17 (3) Code Section 12-15-3, relating to definitions;
18 (4) Code Section 12-15-6, relating to responsibility for ensuring compliance with said
19 chapter;
20 (5) Code Section 12-15-7, relating to enforcement of compliance with said chapter; and
21 (6) Code Section 12-15-8, relating to violations.

22 **SECTION 3.**

23 Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 2

12-15-20.

As used in this article, the term:

(1) 'Commercial waste' means:

(A) Nontoxic, nonhazardous liquid waste water from commercial facilities;

(B) Grease trap contents generated by a commercial food operation or institutional food preparation facility including without limitation fats, oil, grease, and food scraps;
or

(C) Any oil waste residue produced from vehicle maintenance or washing that discharges to an oil-water separator or sand trap.

(2) 'Department' means the Department of Natural Resources.

12-15-21.

(a)(1) Removal of commercial waste from any grease trap, sand trap, oil-water separator, or grit trap that is not connected to an on-site sewage management system for the purpose of transporting such waste to a disposal site shall be accomplished in a clean and sanitary manner by means of a vacuum hose or pump that shall remove the entire contents of the holding tank or pretreatment system being serviced; and such waste removed shall be received, unmingled with any hazardous waste or septic waste, into a leakproof tank truck approved and licensed for such service annually by the county governing authority or designee thereof for transport. Any commercial waste spilled, leaked, discharged, or otherwise released or removed from a grease trap, sand trap, oil-water separator, or grit trap that is not connected to an on-site sewage management system to any location other than a licensed leakproof tank truck shall be deemed a violation of Article 2 of Chapter 5 of this title, the 'Georgia Water Quality Control Act.'

(2) Any commercial waste tank truck shall be inspected and licensed annually for purposes of this subsection by the county governing authority or its designee in any county in this state in which the tank truck receives or disposes of commercial waste. The amount of such annual license fee shall be determined by the county governing authority but shall not exceed \$250.00.

(b) Commercial waste vacuumed or pumped from any grease trap, sand trap, oil-water separator, or grit trap that is not connected to an on-site sewage management system and which waste is carried by tank trucks and disposed therefrom in this state shall be disposed only at a facility which is otherwise authorized by law to receive and process such waste. Any disposal of commercial waste from a tank truck at any location in this state other than

1 the place inside the property boundaries of such an authorized facility designated by the
2 facility's owner shall be deemed a violation of Article 2 of Chapter 5 of this title.

3 (c) The transporter of commercial waste vacuumed or pumped from any grease trap, sand
4 trap, oil-water separator, or grit trap that is not connected to an on-site sewage management
5 system shall be responsible for maintaining a manifest system to ensure that such
6 commercial waste disposed in this state is disposed in accordance with subsection (b) of
7 this Code section. A responsible employee of the facility that receives the commercial
8 waste shall sign a manifest for each load of commercial waste received, and the transporter
9 shall make the manifests available on each tank truck at any time for inspection by the
10 division or any county governing authority or the designee thereof.

11 12-15-22.

12 The department shall promulgate such rules and regulations as are reasonable and
13 necessary for purposes of enforcement of this article.

14 12-15-23.

15 The department and respective county boards of health and their duly authorized agents are
16 authorized to enforce compliance with this article and rules and regulations promulgated
17 and adopted pursuant to this article.

18 12-15-24.

19 Any person violating the provisions of this article shall be deemed to be in violation of
20 Article 2 of Chapter 5 of this title, the 'Georgia Water Quality Control Act.' Any such
21 violation shall be punishable under the provisions of said Article 2; except that one-half of
22 the amount of any civil penalties recovered by the director pursuant to this Code section
23 shall be remitted to the governing authority of the county in which the violation occurred,
24 the provisions of Code Section 12-5-52 notwithstanding."

25 **SECTION 4.**

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