

Senate Bill 636

By: Senator Bulloch of the 11th

**AS PASSED**

**A BILL TO BE ENTITLED**

**AN ACT**

1 To amend Part 1 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia  
 2 Annotated, relating to sale of petroleum products, so as to prohibit the production, offering  
 3 for sale, or sale of biodiesel fuel for certain purposes unless such fuel meets certain  
 4 standards; to amend Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating  
 5 to prevention and control of air pollution, so as to define a term; to authorize and urge the  
 6 director of the Environmental Protection Division to develop for consideration by the Board  
 7 of Natural Resources rules and regulations phasing out the use of gasoline containing a  
 8 certain chemical; to authorize the adoption of such rule and regulations; to provide for a  
 9 study relating to gasoline additives; to provide for related matters; to repeal conflicting laws;  
 10 and for other purposes.

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

12 **SECTION 1.**

13 Part 1 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,  
 14 relating to sale of petroleum products, is amended by adding a new Code section to read as  
 15 follows:

16 "10-1-151.1.

17 It shall be unlawful for any person to produce, offer for sale, or sell any biodiesel fuel to  
 18 be used in blending such biodiesel fuel with petroleum diesel fuel to create a blended fuel  
 19 for subsequent sale for use in diesel engines unless the biodiesel fuel meets the  
 20 specifications of American Society for Testing and Materials Standard D 6751."

21 **SECTION 2.**

22 Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to prevention and  
 23 control of air pollution, is amended by adding a new Article to read as follows:

1 "ARTICLE 3.

2 12-9-70.

3 (a) As used in this Code section, the term 'MTBE' means methyl tertiary butyl ether.

4 (b) The director of the Environmental Protection Division of the department is authorized  
5 and urged to study and review the use of gasoline additives in this state and to develop  
6 rules and regulations not later than January 1, 2008, for consideration by the Board of  
7 Natural Resources to provide for a phase out of the permissible use of gasoline containing  
8 MTBE in a manner designed to coordinate such phase out with other states adjacent to this  
9 state to the extent practicable; and the board is authorized to adopt rules and regulations for  
10 such purpose. In developing such rules and regulations, the director is urged to consider  
11 the need to ensure adequate supplies of gasoline in this state, environmental issues such as  
12 air quality and ground-water protection, the overall benefits and concerns with various  
13 gasoline additives, the use of additives by adjacent states, and the viability of ethanol for  
14 use as an additive to the greatest extent practicable."

15 **SECTION 3.**

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