

The Senate Natural Resources and the Environment Committee offered the following substitute to HB 1059:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to solid waste management, so as to change
3 certain provisions relating to permits for solid waste or special solid waste handling, disposal,
4 or thermal treatment technology facilities and inspection of solid waste generators; to
5 prohibit production or conveyance of methane gas by solid waste or special solid waste
6 handlers as consideration for certain contracts; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,
11 relating to general provisions relative to solid waste management, is amended in Code
12 Section 12-8-24, relating to permits for solid waste or special solid waste handling, disposal,
13 or thermal treatment technology facilities and inspection of solid waste generators, by
14 revising paragraph (1) of subsection (e) as follows:

15 "(e)(1)(A) Reserved.

16 (B) The director may suspend, modify, or revoke any permit issued pursuant to this
17 Code section if the holder of the permit is found to be in violation of any of the permit
18 conditions or any order of the director or fails to perform solid waste handling in
19 accordance with this part or rules promulgated under this part.

20 (C)(i) The director may modify any permit issued pursuant to this Code section in
21 accordance with rules promulgated by the board. All modifications of existing
22 permits shall be classified by the board as either major or minor modifications.

23 (ii) All modifications of existing permits to allow vertical or horizontal expansion of
24 existing disposal facilities, except a facility operated by a utility regulated by the
25 Public Service Commission, shall be classified as major permit modifications and
26 shall not be granted by the director sooner than three years from the date any such

27 facility commenced operation; provided, however, that a permit may be modified by
 28 the director to allow a vertical or horizontal expansion one time within three years
 29 from the date the facility commenced operation so long as the capacity of the facility
 30 is not increased more than 10 percent.

31 (iii) All modifications of permits for existing municipal solid waste disposal facilities
 32 for the addition at such facility of a recovered materials processing facility shall be
 33 classified as minor permit modifications, provided the location of such facility
 34 complies with the same buffer requirements applicable to the disposal facility. Such
 35 materials shall be reported at the disposal facility separately from waste materials
 36 destined for disposal. Operators of such disposal facilities may report to the
 37 Department of Community Affairs on an annual basis the total amounts of such
 38 materials diverted from landfill disposal.

39 (iv) The disposal facility permit holder shall provide written notification to the chief
 40 elected official of the jurisdiction in which the facility is located at least 30 days prior
 41 to starting any recovered materials processing facility. This notification shall include
 42 an indication of whether or not the ten-year demonstrated capacity of the landfill will
 43 be reduced. The permit holder shall comply with all applicable local zoning
 44 ordinances. If necessary to satisfy local solid waste planning and reporting
 45 requirements, disposal facility operators may be required by the county, municipality,
 46 or solid waste management authority for the jurisdiction in which the disposal facility
 47 is located to report the total amounts of such materials diverted from landfill
 48 disposal."

49 SECTION 2.

50 Said part is further amended by revising Code Section 12-8-27, which is reserved, as follows:

51 "12-8-27.

52 ~~Reserved.~~ No person engaged in solid waste or special solid waste handling under this
 53 article shall produce or convey methane gas as a condition of or consideration for a contract
 54 with a public entity."

55 SECTION 3.

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