

Senate Bill 427

By: Senators Tolleson of the 20th, Davis of the 22nd, Rogers of the 21st, Millar of the 40th,
Chance of the 16th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 12-2-2 of the Official Code of Georgia Annotated, relating to the
2 Environmental Protection Division, the director of the division, the Environmental Advisory
3 Council, appeal procedures generally, permit applications, and inspections, so as to require
4 procedures for timely processing of and status reports regarding applications for issuance or
5 renewal of permits and variances; to repeal conflicting laws; and for other purposes.

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

7 **SECTION 1.**

8 Code Section 12-2-2 of the Official Code of Georgia Annotated, relating to the
9 Environmental Protection Division, the director of the division, the Environmental Advisory
10 Council, appeal procedures generally, permit applications, and inspections, is amended by
11 revising subparagraph (c)(1)(A) as follows:

12 "(c)(1)(A) The director shall issue all orders and shall grant, deny, revoke, or amend
13 all permits or variances provided for in the laws to be enforced by the division. The
14 director shall also issue any certification which is required by any law of this state or
15 the United States to be issued by the director, the Department of Natural Resources, or
16 the State of Georgia relating to pollution control facilities or matters. The director shall
17 develop and implement procedures for timely processing of applications made to the
18 division for issuance or renewal of permits or variances, subject to compliance with
19 requirements of law regarding such applications. Such procedures shall also provide
20 any applicant who has applied to the division for issuance or renewal of a permit or
21 variance with the ability to securely track the status of his or her application, with real
22 time updates, via the division's Internet website. The director shall notify all permit or
23 variance applicants within ten days of receipt of the application as to the completeness
24 of the application and, if the director finds the same to be incomplete, what specific
25 additional materials the applicant need submit to make the application complete. The
26 director shall notify applicants within ten days of receipt of a completed application as

27 to the name and address of the person assigned to perform the review and the date,
28 time, and location of the application review. The director shall grant or deny any
29 permit or variance within 90 days after receipt of all required application materials by
30 the division, provided that the director may for any application order not more than one
31 extension of time of not more than 60 days within which to grant or deny the permit or
32 variance."

33 **SECTION 2.**

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