

House Bill 1028

By: Representatives Werkheiser of the 157th, Nimmer of the 178th, Burns of the 159th,
Abrams of the 89th, Caldwell of the 20th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to waste management, so as to require the
3 Environmental Protection Division of the Department of Natural Resources to provide notice
4 to affected localities upon the occurrence of certain events relating to permitted solid or
5 hazardous waste facilities; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to waste management, is amended by adding a new Code section
11 to read as follows:

12 "12-8-3.

13 (a) As used in this Code section, the term:

14 (1) 'Division' means the Environmental Protection Division of the Department of Natural
15 Resources.

16 (2) 'Hazardous waste facility' means any property which requires a permit issued by the
17 division pursuant to Code Section 12-8-66 in order to operate.

18 (3) 'Solid waste handling facility' means any property which requires a permit issued by
19 the division pursuant to Code Section 12-8-24 in order to operate.

20 (b) Within five days of receiving any application for a permit to operate a solid waste
21 handling facility or hazardous waste facility, the division shall provide written notice
22 thereof to the governing authority of the local jurisdiction within which the permit
23 applicant desires to operate and shall also mail such notice to each residential address
24 within a two-mile radius of the site for which the permit application is made.

25 (c) Within two days of receiving credible evidence of a violation or release at any facility
26 holding a permit issued pursuant to Code Section 12-8-24 or 12-8-66, the division shall

27 provide written notice thereof to the governing authority of the local jurisdiction within
28 which such facility is operating and shall also mail such notice to each residential address
29 within a two-mile radius of such facility."

30

SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.