

Senate Bill 426

By: Senators Strickland of the 17th, Tillery of the 19th, Kirkpatrick of the 32nd, Rhett of the 33rd, James of the 35th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated,
2 relating to air quality, so as to provide for the reporting of any unpermitted release of
3 ethylene oxide to the Environmental Protection Division of the Department of Natural
4 Resources; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to air
8 quality, is amended by revising subsection (a) of Code Section 12-9-7, relating to permit
9 required, application, issuance, revocation, suspension, or amendment, as follows:

10 "(a)(1) As used in this subsection, the term 'spill or release' shall have the same meaning
11 as set forth in paragraph (10) of Code Section 12-14-1.

12 (2) No person shall, and it shall be unlawful and a violation of this article to, construct,
13 install, modify, own, or operate any facility or stationary source or any equipment,
14 device, article, or process capable of causing or contributing to the emission of air
15 contaminants from such source or facility or designed to prevent air pollution from such
16 facility or source unless permitted by and in compliance with a permit from the director.

17 A permit shall be issued to an applicant on evidence satisfactory to the director of
18 compliance with this article and any standards, limitations, requirements, or rules and
19 regulations pursuant to this article. Notwithstanding any other provision of this article,
20 the director shall not issue a Title V permit to a facility or source if the administrator
21 objects in writing and in a timely manner to the issuance of such permit.

22 (3) As a condition of a permit for operations that include the emission of ethylene oxide,
23 any unauthorized spill or release of ethylene oxide, regardless of the amount, shall be
24 reported to the division in writing within 24 hours of discovering such release. Any
25 person who violates such reporting requirement shall be subject to penalties under
26 Article 1 of this chapter."

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SECTION 2.

28 All laws and parts of laws in conflict with this Act are repealed.