

Senate Bill 5EX2

By: Senator Streat of the 19th

AS PASSED

**A BILL TO BE ENTITLED
AN ACT**

To amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to allow a nonaccredited commercial laboratory to analyze certain water samples for turbidity; to allow the Department of Transportation to use contractors and subcontractors to monitor water quality; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, is amended by striking Code Section 12-2-9, relating to accreditation of commercial analytical laboratories submitting regulatory data, in its entirety and inserting in lieu thereof the following:

"12-2-9.

All commercial analytical laboratories submitting data for regulatory purposes shall be accredited or approved as specified in the Environmental Protection Division's rules and regulations. Such regulations shall provide for procedures, identification of accrediting organizations, reciprocity, and an effective date which allows a phase-in period; provided, however, that the effective date of such rules and regulations shall be on or after July 1, 2001. This Code section shall not apply to turbidity data submitted pursuant to individual or general permits for storm-water discharges from construction activities authorized in subparagraphs (N) and (O) of paragraph (1) of subsection (a) of Code Section 12-5-23."

SECTION 2.

Said title is further amended by striking paragraph (1) of subsection (e) of Code Section 12-7-7.1, relating to preparation, completion, and implementation of erosion and sediment control plans, in its entirety and inserting in lieu thereof the following:

"(e)(1) Through the services of independent consultants, contractors, or subcontractors, or by its own forces, the Department of Transportation shall monitor the water quality and inspect the installation and maintenance of the best management practices in accordance with the plan. All such consultants, contractors, or subcontractors shall be prequalified by the Department of Transportation as a responsible bidder for the inspection of such best management practices and shall have the necessary expertise to determine that such practices are being installed and maintained in accordance with the plan. The division shall assist the Department of Transportation in developing the prequalification approval process for purposes of this subsection."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

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