

Senate Bill 260

By: Senator Harper of the 7th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 2-12-80 of the Official Code of Georgia Annotated, relating to
2 promulgation and adoption of rules and regulations and sharing of information, so as to
3 exclude certain soil amendments from regulation; to limit locally adopted buffers and
4 setbacks; to require site-specific nutrient management plans; to amend Code Section 43-51-6
5 of the Official Code of Georgia Annotated, relating to certification of operators of water or
6 wastewater treatment plants and laboratory analysts, renewal, continuing education, and
7 training period, so as to provide for a registration fee for board approved continuing
8 education providers; to provide for related matters; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 2-12-80 of the Official Code of Georgia Annotated, relating to promulgation
13 and adoption of rules and regulations and sharing of information, is amended by revising
14 paragraph (1) as follows:

15 "(1) Promulgate and adopt:

16 (A) Such rules and regulations as may be necessary to enforce this article. Such
 17 regulations may relate to, but shall not be limited to, methods of inspection and
 18 examination, designation of ingredients, and identity of products; and

19 (B) Rules and regulations relative to soil amendments derived from industrial
 20 by-products which may include, but not be limited to, application rates, proper
 21 conditions for application, application record keeping and retention, ~~development and~~
 22 use of site-specific nutrient management plans, and storage and containment in or on
 23 lands where soil amendments are applied, but shall exclude forest products, soil
 24 amendments derived from industrial by-products generated solely from forest products,
 25 excluding chemical by-products of pulp digestion, slates, clays, shells, gypsum, and
 26 lime; provided, however, that pursuant to Code Section 2-1-6, no local government
 27 shall be prohibited or impaired from adopting or enforcing any zoning ordinance,
 28 including the adoption of buffers and setbacks; provided, further, that no such buffer
 29 or setback shall exceed 100 feet in width; and

30 (C) Rules and regulations that require every owner and operator of a farm on which
 31 soil amendments are being applied to procure a site-specific nutrient management plan
 32 and make a copy of such plan available for inspection at the request of the department;
 33 and"

34 **SECTION 2.**

35 Code Section 43-51-6 of the Official Code of Georgia Annotated, relating to certification of
 36 operators of water or wastewater treatment plants and laboratory analysts, renewal,
 37 continuing education, and training period, is amended by revising subsection (d) as follows:

38 "(d) Any certificate granted under this chapter shall be renewable biennially. Application
 39 for renewal of certificates shall be accompanied by a renewal fee in an amount established
 40 by the board. The board shall be authorized to require continuing education as a condition
 41 of certificate renewal and to assess a registration fee to board approved continuing

42 education providers. The board shall be authorized to waive the continuing education
43 requirement in cases of hardship, disability, or illness or under such other circumstances
44 as the board deems appropriate."

45

SECTION 3.

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