

House Bill 904 (AS PASSED HOUSE AND SENATE)

By: Representative McCall of the 33rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-2-2 of the Official Code of Georgia Annotated, relating to permit
2 applications and appeals procedures relative to laws enforced by the Environmental
3 Protection Division of the Department of Natural Resources, so as to establish that persons
4 are not aggrieved by listings on the hazardous site inventory that occur after a certain date;
5 to provide for an effective date; 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 permit
9 applications and appeals procedures relative to laws enforced by the Environmental
10 Protection Division of the Department of Natural Resources, is amended by revising
11 subparagraph (c)(3)(B) as follows:

12 "(B) Persons are not aggrieved or adversely affected by the listing of property in the
13 hazardous site inventory in accordance with Code Section 12-8-97 if such property was
14 so listed prior to July 1, 2014, nor are persons aggrieved or adversely affected by an
15 order of the director issued pursuant to Part 2 of Article 3 of Chapter 8 of this title, the
16 'Georgia Hazardous Site Response Act,' unless or until the director seeks to recover
17 response costs, enforce the order, or recover a penalty for violation of such order;
18 provided, however, that persons are aggrieved or adversely affected if the director
19 designates property as needing corrective action pursuant to paragraph (8) of subsection
20 (a) of Code Section 12-8-97. Any person aggrieved or adversely affected by any such
21 listing occurring after July 1, 2014, or any such designation shall be entitled to a
22 hearing as provided in Code Section 12-8-73."

23 **SECTION 2.**

24 This Act shall become effective on July 1, 2014.

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SECTION 3.

26 All laws and parts of laws in conflict with this Act are repealed.