

1 SB491
2 118866-3
3 By Senator Little (T)
4 RFD: Commerce, Transportation, and Utilities
5 First Read: 02-MAR-10

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8 SYNOPSIS: This bill would prohibit the establishment
9 of a new landfill or junk yard outside of the
10 corporate limits of any municipality within one
11 mile of the Chattahoochee River.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT

16
17 Relating to the Chattahoochee River and the public
18 waters of this state; to regulate the establishment of new
19 landfills or junk yards outside the corporate limits of any
20 municipality within a certain distance of the river.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. After the effective date of this act,
23 outside of the corporate limits of any municipality, no new
24 landfill required to obtain a license or permit from the
25 Alabama Department of Environmental Management (ADEM),
26 including, but not limited to, a construction and demolition
27 landfill, a solid waste landfill, a hazardous waste landfill,

1 or an industrial landfill, or new junk yard as defined in
2 Section 11-80-10 of the Code of Alabama 1975, shall be
3 established on any property located within one mile of the
4 Chattahoochee River. This section may be enforced by
5 injunctive relief in the circuit court of the county where a
6 violation occurs. Notwithstanding the foregoing, nothing in
7 this section shall apply to any landfill or junk yard located
8 on-site at an industrial facility.

9 Section 2. All laws or parts of laws which conflict
10 with this act are repealed.

11 Section 3. This act shall become effective
12 immediately following its passage and approval by the
13 Governor, or its otherwise becoming law.