STATE OF TENNESSEE

PUBLIC CHAPTER NO. 255

SENATE BILL NO. 1559

By Burchett, Yager, Marrero, Berke, Herron, Burks, Woodson, Ford

Substituted for: House Bill No. 1628

By McCord, Ferguson

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 211, relative to coal ash.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-211-106, is amended by adding the following language as a new, appropriately designated subsection:

( ) The commissioner shall not issue a permit under this section for the disposal of coal ash or for the expansion of an existing coal ash disposal facility unless the plans for such disposal facility include a liner and a final cap. However, the provisions of this subsection shall not apply to the use of coal ash for fill, to any agricultural use, to any engineered uses as a feedstock for the production of a product, to wastewater treatment units, or to the disposal of coal ash in connection with any of the foregoing, as authorized by the department pursuant to this part.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 7, 2009

RON RAMSEY
SPEAKER OF THE SENATE

KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 20th day of May 2009

PHIL BREDESEN, GOVERNOR