

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**

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 20th day of May 2009**

A handwritten signature in black ink, appearing to read "Phil Bredeesen", written over a horizontal line.

PHIL BREDESEN, GOVERNOR