

Session 108 - (1989-1990)

H 3865 General Bill, By R.S. Corning, R.O. Kay, J.G. Mattos and L.L. Taylor

A Bill to amend Section 48-19-40, Code of Laws of South Carolina, 1976, relating to the South Carolina Mining Act and required operating permits for mining, so as to provide that no permit may be issued except in accordance with the procedures set forth in Sections 48-19-50 and 48-19-55, nor modified and renewed except in accordance with the procedures set forth in Sections 48-19-60 and 48-19-65, provide that an operating permit must be granted for a period not exceeding four rather than ten years, and provide that an operating permit may be renewed from time to time pursuant to procedures set forth in Sections 48-19-60 and 48-19-65; to amend Section 48-19-50, relating to application for and issuance or denial of a permit under the South Carolina Mining Act, so as to provide that the application must be accompanied by an environmental impact statement meeting the requirements of Section 48-19-55, provide that no permit may be issued until the environmental impact statement has been approved both by the Department of Health and Environmental Control, in accordance with Section 48-19-55, and the Land Resources Conservation Commission, provide that the Land Resources Conservation Commission shall deny the permit upon finding that, among other things, the operation will constitute a substantial physical hazard to a neighboring dwelling house, school, church, hospital, commercial or industrial building, public or private road, or other public or private property, provide that any permit issued is expressly conditioned upon compliance with all requirements of the approved reclamation plan for the operation, the environmental impact statement, and with other requirements and safeguards, and provide that any operator wishing any modification of the terms and conditions of his permit or of the approved reclamation plan shall submit a request for modification in accordance with Sections 48-19-60 and 48-19-65; to amend Section 48-19-60, relating to modification and renewal of permits under the South Carolina Mining Act, so as to provide that it is not necessary to resubmit information which has not changed since the time of a prior application, except as provided in Section 48-19-65, provide that a basis for denying a renewal permit is a failure to submit and obtain approval for a new environmental impact statement in accordance with Section 48-19-65, provide that a permit may be modified to include land neighboring the affected land and other lands, and provide that in lieu of a modification or a renewal, an operator may apply for a new permit in the manner prescribed by Sections 48-19-40, 48-19-50, and 48-19-55; and to amend Chapter 19 of Title 48, relating to the South Carolina Mining Act, by adding Sections 48-19-55 and 48-19-65 so as to provide for an environmental impact statement in situations of application for an initial permit or for modification or renewal of permits, respectively, and Section 48-19-67 so as to provide for an appeal from a decision of the Department of Health and Environmental Control to approve or disapprove an environmental impact statement under Section 48-19-55 or Section 48-19-65.

04/12/89 House Introduced and read first time HJ-8

04/12/89 House Referred to Committee on Agriculture and Natural Resources HJ-10

05/10/90 House Tabled in committee