**A** **BILL**

TO AMEND SECTION 44‑96‑40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO EXCLUDE STEEL ELECTRIC ARC SLAG FROM THE DEFINITION OF SOLID WASTE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44-96-40(46) of the 1976 Code is amended to read:

“(46) ‘Solid waste’ means any garbage, refuse, or sludge from a waste treatment facility, water supply plant, or air pollution control facility and other discarded material, including solid, liquid, semi‑solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. This term does not include solid or dissolved material in domestic sewage, recovered materials, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to NPDES permits under the Federal Water Pollution Control Act, as amended, or the Pollution Control Act of South Carolina, as amended, or source, special nuclear, or by‑product material as defined by the Atomic Energy Act of 1954, as amended. Also excluded from this definition are application of fertilizer and animal manure during normal agricultural operations or refuse as defined and regulated pursuant to the South Carolina Mining Act, including processed mineral waste, which will not have a significant adverse impact on the environment. This term excludes steel slag that is a product of the electric arc furnace steelmaking process; provided, that it is sold and distributed in the stream of commerce for consumption, use, or further processing into another desired commodity and is managed as an item of commercial value in a controlled manner and not as a discarded material or in a manner constituting disposal.”

SECTION 2. This act takes effect upon approval by the Governor.

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