COMMITTEE AMENDMENT ADOPTED

February 18, 2016

**H. 4857**

Introduced by Reps. Hiott, Clary and Collins

S. Printed 2/18/16--S.

Read the first time February 11, 2016.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58‑27‑255 SO AS TO REQUIRE COAL COMBUSTION RESIDUALS RESULTING FROM THE PRODUCTION OF ELECTRICITY TO BE PLACED IN A CLASS 3 LANDFILL AND TO PROVIDE EXCEPTIONS.

Amend Title To Conform

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

SECTION 1. Article 1, Chapter 27, Title 58 of the 1976 Code is amended by adding:

“Section 58-27-255. (A) Coal combustion residuals that result from an electrical utility, an electric cooperative, a governmental entity, a corporation, or an individual producing electricity for sale or distribution by burning coal must be placed in a commercial Class 3 solid waste management landfill, unless the coal combustion residuals are:

(1) located contiguous with the electric generating unit;

(2) intended to be beneficially reused;

(3) placed into beneficial reuse; or

(4) placed in an appropriate landfill which meets the standards of the Department of Health and Environmental Control Regulation 61-107, and that is owned or operated by the entity that produced the electricity which resulted in the coal combustion residuals.

(B) The ‘beneficial reuse’ of coal combustion residuals, as used in this section, is subject to the applicable regulations as promulgated by the Department of Health and Environmental Control.”

SECTION 2. Nothing in this act affects any other provisions or requirements of law or regulation applicable to coal combustion residuals.

SECTION 3. The provisions of this act are repealed five years from the act’s effective date, unless reenacted or otherwise extended by the General Assembly.

SECTION 4. This act takes effect on the date of the Governor’s approval, and applies to the disposal of coal combustion residuals placed in a landfill on or after that date.

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