

Session 109 - (1991-1992)

H 4421 General Bill, By Sheheen, D.W. Beatty, H.M. Hallman, K.G. Kempe, H.H. Keyserling, J.T. McElveen, M. McLeod and C.Y. Waites

A Bill to amend Chapter 56, Title 44, Code of Laws of South Carolina, 1976, by adding Section 44-56-135 so as to provide that a generator of hazardous waste is liable for improper delivery of the waste; to amend Section 44-56-40, relating to powers of the South Carolina Department of Health and Environmental Control to carry out the South Carolina Hazardous Waste Management Act, so as to provide that the Department may establish and collect fees for permits and for costs incurred in conducting investigations of permit violations and in connection with issuing permits; to amend Section 44-56-60, as amended, relating to permit requirements, so as to require a demonstration of need to obtain a permit and to reopen a facility or site when closed or condemned, to provide that permits are valid for five years, unless a condition of the permit states a shorter duration, to provide criteria for evaluating new and renewal permit applications, to require applicants to pay, among other things, for costs of investigations related to the evaluation of permit applications, and to authorize the Department to require a disclosure statement upon application for a permit, to provide for the contents of the statement and grounds upon which the application may be denied; to amend Section 44-56-140, relating to penalties for violations, so as to include specific forms of injunctive relief and to authorize additional fines to be paid to the Hazardous Waste Contingency Fund and assessments for costs incurred by the Department in investigating violations; and to amend Section 44-56-160, relating to the Hazardous Waste Contingency Fund, so as to provide that financing the Fund includes certain fines assessed for violations.

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