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Session 119 - (2011-2012)

H 3615 General Bill, By Lucas, J.M. Neal, Long and Delleney

Summary: Municipal solid waste disposal facility

A BILL TO AMEND SECTION 44-96-470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NEGOTIATION PROCESS FOR FACILITY ISSUES WHEN A MUNICIPAL SOLID WASTE DISPOSAL FACILITY PERMIT HAS BEEN FILED, SO AS TO PROVIDE THAT BEFORE A PERMIT APPLICATION FOR A MUNICIPAL SOLID WASTE DISPOSAL FACILITY IS SUBMITTED TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE PERMIT APPLICANT AND THE HOST GOVERNMENT SHALL EXECUTE A HOST AGREEMENT WHICH MUST BE APPROVED BY THE HOST GOVERNMENT BY ORDINANCE; BEFORE EACH READING OF THE ORDINANCE, PUBLIC NOTICE MUST BE GIVEN THAT THE HOST GOVERNMENT WILL BE CONSIDERING THE PERMIT APPLICATION; THE AGENDA FOR A MEETING AT WHICH THE HOST GOVERNMENT WILL CONSIDER THE HOST AGREEMENT MUST CLEARLY STATE THAT THE HOST AGREEMENT WILL BE CONSIDERED; WHEN ENTERING INTO A HOST AGREEMENT, THE PERMIT APPLICANT AND HOST GOVERNMENT MUST BE REPRESENTED BY SEPARATE, INDEPENDENT LEGAL COUNSEL AND IF NOT, THE ATTORNEY GENERAL MUST REPRESENT THE HOST GOVERNMENT BODY UNTIL THE HOST AGREEMENT MUST NOT BE CONSIDERED FOR APPROVAL BY THE HOST AGREEMENT REQUIREMENTS; AND THE DEPARTMENT OF HEALTH AND ENVIRONMENT CONTROL MUST NOT APPROVE A PERMIT APPLICATION UNTIL THE HOST AGREEMENT REQUIREMENTS ARE COMPLIED WITH.

02/08/11 House Introduced and read first time (House Journal-page 50)

02/08/11 House Referred to Committee on Agriculture, Natural Resources and Environmental Affairs (House

Journal-page 50)