

## Session 119 - (2011-2012)

**H\*4654 (Rat #0255, Act #0198 of 2012) General Bill, By Hardwick, Harrell, Loftis, Sandifer, White, Harrison, Owens, Crosby, Anderson, Bingham, Sottile, Corbin, Chumley, Forrester, Hearn, Henderson, Lucas, D.C. Moss, V.S. Moss, Ott, Parker, Southard, Murphy, Clemmons, Hixon, Knight and Patrick**

**Similar (S 1126)**

**Summary:** Exemptions and limitations on pollutants

AN ACT TO AMEND SECTION 48-1-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITING THE DISCHARGE OF POLLUTANTS INTO THE ENVIRONMENT AND REMEDIES FOR VIOLATIONS, SO AS TO PROVIDE EXEMPTIONS AND LIMITATIONS ON THESE EXEMPTIONS AND TO SPECIFY THAT NO PRIVATE CAUSE OF ACTION IS CREATED BY OR EXISTS UNDER THE POLLUTION CONTROL ACT; TO AMEND SECTION 48-1-130, RELATING TO FINAL ORDERS OF THE DEPARTMENT DISCONTINUING DISCHARGE OF POLLUTANTS, SO AS TO DELETE PROVISIONS RELATING TO REQUIRED PROCEDURES PRECEDING THE ISSUANCE OF A FINAL ORDER, TO PROVIDE THAT AN ORDER IS SUBJECT TO REVIEW PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, AND TO PROVIDE THIS SECTION DOES NOT ABROGATE ANY EMERGENCY POWER OF THE DEPARTMENT; TO AMEND SECTION 48-1-250, RELATING TO WHOM BENEFITS FROM CAUSES OF ACTION RESULTING FROM POLLUTION VIOLATIONS INURE, SO AS TO PROVIDE THAT NO PRIVATE CAUSE OF ACTION IS CREATED BY OR EXISTS UNDER THE POLLUTION CONTROL ACT, AND TO MAKE THESE PROVISIONS RETROACTIVE AND EXTINGUISH ANY RIGHT, CLAIM, OR CAUSE OF ACTION ARISING UNDER OR RELATED TO THE POLLUTION CONTROL ACT, SUBJECT TO EXCEPTIONS FOR THE STATE AND ITS SUBDIVISIONS; TO CREATE THE "ISOLATED WETLANDS AND CAROLINA BAYS TASK FORCE" TO REVIEW, STUDY, AND MAKE RECOMMENDATIONS CONCERNING ISSUES RELATED TO ISOLATED WETLANDS AND CAROLINA BAYS IN SOUTH CAROLINA, TO PROVIDE FOR THE OBLIGATIONS OF THE TASK FORCE, AMONG OTHER THINGS; AND TO PROVIDE THE TERM "PERMIT" AS USED IN THE POLLUTION CONTROL ACT IS INCLUSIVE AND TO SPECIFY ITS INTENDED MEANING. - ratified title

01/24/12	House	Introduced and read first time (House Journal-page 17)
01/24/12	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs (House Journal-page 17)
01/25/12	House	Member(s) request name added as sponsor: Murphy, Southard
01/31/12	House	Member(s) request name added as sponsor: Clemmons
02/08/12	House	Member(s) request name added as sponsor: Hixon
02/23/12	House	Committee report: Favorable Agriculture, Natural Resources and Environmental Affairs (House Journal-page 4)
02/28/12	House	Member(s) request name removed as sponsor: Clyburn
02/29/12	House	Requests for debate-Rep(s). Agnew, R.L. Brown, Hiott, Hodges, Whipper, Anderson, Gambrell, Murphy, Gilliard, Owens, J.R. Smith, Hixon, Taylor, Bowen, Weeks, Pope, Bedingfield, Nanney, Henderson, Sandifer, Mack, Jefferson, King, Sabb, Brantley, Erickson, Tallon, Hart, Cobb-Hunter, J.H. Neal, Funderburk, McLeod, Hardwick, Dillard, Chumley, Crosby, Southard, Patrick, Forrester, Williams, McEachern, Govan, Tools, Pitts, Clyburn and Knight (House Journal-page 124)
02/29/12	House	Member(s) request name added as sponsor: Knight
03/01/12	House	Member(s) request name added as sponsor: Patrick
03/07/12	House	Member(s) request name removed as sponsor: McEachern
03/07/12	House	Debate interrupted (House Journal-page 71)
03/08/12	House	Debate adjourned until Wed, 03-21-12 (House Journal-page 48)
03/21/12	House	Debate adjourned until Thur., 03-22-12 (House Journal-page 85)
03/22/12	House	Read second time (House Journal-page 64)
03/22/12	House	Roll call Yeas-85 Nays-22
03/28/12	House	Read third time and sent to Senate (House Journal-page 59)
03/29/12	Senate	Introduced and read first time (Senate Journal-page 7)
03/29/12	Senate	Referred to Committee on Medical Affairs (Senate Journal-page 7)
04/12/12	Senate	Committee report: Favorable with amendment Medical Affairs (Senate Journal-page 9)
04/17/12		Scrivener's error corrected
05/01/12	Senate	Motion For Special Order Failed (Senate Journal-page 35)
05/01/12	Senate	Roll call Ayes-22 Nays-16 (Senate Journal-page 35)
05/29/12	Senate	Committee Amendment Tabled (Senate Journal-page 51)

05/29/12	Senate	Amended (Senate Journal-page 51)
05/30/12		Scrivener's error corrected
05/30/12	Senate	Amended (Senate Journal-page 41)
05/30/12	Senate	Read second time (Senate Journal-page 41)
05/30/12	Senate	Roll call Ayes-41 Nays-0 (Senate Journal-page 41)
06/06/12	Senate	Read third time and returned to House with amendments (Senate Journal-page 6)
06/06/12	House	Concurred in Senate amendment and enrolled (House Journal-page 81)
06/06/12	House	Roll call Yeas-103 Nays-0 (House Journal-page 82)
06/06/12		Ratified R 255
06/06/12		Signed By Governor
06/18/12		Effective date 06/06/12
06/18/12		Act No. 198