**A** **BILL**

TO AMEND SECTION 44‑96‑380, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONSTRUCTION, DEMOLITION, AND LANDCLEARING LANDFILLS, SO AS TO PROVIDE A SPECIFIC MANNER FOR THE CONSTRUCTION OF THESE LANDFILLS.

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

SECTION 1. Section 44‑96‑380 of the 1976 Code is amended to read:

“Section 44‑96‑380. (A) Not later than eighteen months after this article is effective, the department shall promulgate regulations establishing minimum standards for land application facilities and composting facilities. The regulations shall, at a minimum, establish operational requirements and siting requirements. The department may, by regulation, exempt certain facilities from all or part of the requirements of this section.

(B)(1) Not later than eighteen months after this article is effective, the department shall promulgate regulations establishing minimum standards for construction, demolition, and land clearing debris landfills. The department may, by regulation, exempt certain sites or facilities from all or part of the requirements of this section. The department shall exempt a landfill for the disposal of trees, stumps, wood chips, and yard waste when generation and disposal of such waste occurs on properties under the same ownership or control. The regulation shall, at a minimum, contain the following requirements:

(~~1~~a) site selection;

(~~2~~b) construction;

(~~3~~c) hydrogeologic;

(~~4~~d) operation; and

(~~5~~e) closure and postclosure.

(2) Notwithstanding another provision of law, a sanitary landfill for the disposal of construction and demolition debris waste must be constructed with a liner system that consists of a flexible membrane liner over two feet of soil with a maximum permeability of 1 x 10‑5 centimeters per second. The flexible membrane liner must have a minimum thickness of thirty one‑thousandths of an inch, except that a liner that consists of high‑density polyethylene must be at least sixty one‑thousandths of an inch thick. The flexible membrane liner shall be installed in direct and uniform contact with the soil layer. The department may approve an alternative to the soil component of the liner system if the department finds, based on modeling, that the alternative liner system will provide an equivalent or greater degree of impermeability.”

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

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