**A** **BILL**

TO AMEND CHAPTER 96, TITLE 44 OF THE 1976 CODE, BY ADDING SECTION 44‑96‑195, TO PROVIDE THAT A RECOVERED MATERIALS PROCESSING FACILITY SHALL REGISTER WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, REPORT ANNUALLY TO THE DEPARTMENT, AND PROVIDE FINANCIAL RESPONSIBILITY MECHANISMS FOR CLOSURE.

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

SECTION 1. Chapter 96, Title 44 of the 1976 Code is amended by adding:

“Section 44‑96‑195. (A) No person shall operate a recovered materials processing facility without being registered with the department.

(B) Recovered materials processing facilities must submit, in a format approved by the department, an annual report for the fiscal year beginning on July first and ending on June thirtieth. This report shall be submitted to the department on or before September first. The report shall identify the actual weight in tons or volume in cubic yards of materials received during the fiscal year and used, reused, recycled, or transferred to a different site for use, reuse, or recycling. Any records required by the department shall be retained at the facility for a period of no less than three years.

(C) Recovered materials processing facilities must provide financial responsibility mechanisms to cover the costs for the closure of the facility by a third party.

(D) The department shall promulgate regulations governing the registration, reporting, and financial responsibility requirements for recovered materials processing facilities.”

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

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