COMMITTEE REPORT

March 23, 2017

**S. 181**

Introduced by Senator Shealy

S. Printed 3/23/17--H.

Read the first time February 15, 2017.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (S. 181) to amend Section 44-56-200(b) of the 1976 Code, relating to the South Carolina Hazardous Waste Management Act, to provide that, for the purposes, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

DAVID R. HIOTT for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 10, 2017**

**State Expenditure**

This bill establishes that under the South Carolina Hazardous Waste Management Act, Chapter 56 of Title 44, a responsible party does not include a person who is excluded from liability under the Superfund Recycling Equity Act, 42 U.S.C. §9627 et seq. Under the Superfund Equity Act, a person is not a responsible party and not liable for hazardous waste cleanup costs if he arranges for recycling any material that is defined both as a recyclable material and a hazardous substance. Examples of such material include scrap metal, scrap rubber, and spent batteries. Based on the response from the Department of Health and Environmental Control, the waste management program currently considers those who arrange for the recycling of hazardous waste to not be a responsible party. Therefore, the bill does not have an expenditure or revenue impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 44-56-200(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA HAZARDOUS WASTE MANAGEMENT ACT, TO PROVIDE THAT, FOR THE PURPOSES OF THIS CHAPTER, “RESPONSIBLE PARTY” DOES NOT INCLUDE A PERSON WHO IS EXCLUDED FROM LIABILITY UNDER THE SUPERFUND RECYCLING EQUITY ACT, 42 U.S.C. SECTION 9627.

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

SECTION 1. Section 44‑56‑200(B) of the 1976 Code is amended by adding an item at the end to read:

“(3) For purposes of this chapter, the provisions of the Superfund Recycling Equity Act, 42 U.S.C. Section 9627, shall apply.”

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

‑‑‑‑XX‑‑‑‑