

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; THE HOST AGREEMENT MUST NOT BE CONSIDERED FOR APPROVAL BY THE HOST GOVERNMENT BODY UNTIL THE PERMIT APPLICANT AND HOST GOVERNMENT HAVE COMPLIED WITH 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)