

Session 118 - (2009-2010)

H 3977 General Bill, By Nanney

Summary: Drug-related hazardous waste

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-295 SO AS TO DEFINE DRUG-RELATED HAZARDOUS WASTE, TO PROVIDE WHERE DRUG-RELATED HAZARDOUS WASTE IS FOUND ON A SPECIFIC PARCEL OF PROPERTY AND A DOCUMENT WARNING OF THE POSSIBLE CONTINUED PRESENCE OF THIS WASTE ON THE PROPERTY IS RECORDED IN THE OFFICE OF THE CLERK OF COURT OR REGISTER OF MESNE CONVEYANCE IN THE COUNTY WHERE THE PROPERTY IS SITUATED, THE PROPERTY'S OWNER MAY SEEK FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL A WRITTEN DETERMINATION OF WHETHER DRUG-RELATED HAZARDOUS WASTE EXISTS ON THE PROPERTY; TO PROVIDE THE DEPARTMENT MUST MAKE THIS WRITTEN DETERMINATION WITHIN NINETY DAYS OF THE REQUEST OR THE DEPARTMENT IS CONSIDERED TO HAVE DETERMINED THE PROPERTY FREE FROM DRUG-RELATED HAZARDOUS WASTE; TO PROVIDE WHERE THIS WRITTEN DETERMINATION INDICATES THE ABSENCE OF DRUG-RELATED HAZARDOUS WASTE ON THE PROPERTY OR THE DEPARTMENT FAILS TO PROVIDE A WRITTEN DETERMINATION WITHIN NINETY DAYS, THE OWNER OF THE PROPERTY MAY RECORD WITH THE CLERK OF COURT OR REGISTER OF MESNE CONVEYANCE IN THE COUNTY WHERE THE PROPERTY IS SITUATED EITHER THE DEPARTMENT'S WRITTEN DETERMINATION OR AN AFFIDAVIT STATING THE DEPARTMENT FAILED TO RESPOND WITHIN NINETY DAYS, AMONG OTHER THINGS; AND TO PROVIDE A WRITTEN CROSS-REFERENCE TO THESE RECORDED DOCUMENTS MUST BE NOTED ON THE PREVIOUSLY RECORDED DOCUMENT THAT PROVIDED NOTICE OF THE CONTINUED POSSIBLE PRESENCE OF DRUG-RELATED HAZARDOUS WASTE ON THE PROPERTY.

04/29/09 House Introduced and read first time HJ-8

04/29/09 House Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-8