

**South Carolina General Assembly**  
120th Session, 2013-2014

**S. 717**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senators Matthews, Williams and Hembree

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Introduced in the Senate on May 22, 2013

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Not yet available

**HISTORY OF LEGISLATIVE ACTIONS**

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
5/22/2013	Senate	Introduced and read first time
5/22/2013	Senate	Referred to Committee on <b>Medical Affairs</b>

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**VERSIONS OF THIS BILL**

[5/22/2013](#)

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**A JOINT RESOLUTION**

TO IMPOSE A MORATORIUM, IN EFFECT UNTIL DECEMBER 31, 2017, ON THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL ISSUING PERMITS TO CONSTRUCT CERTAIN NEW CLASS 3 LANDFILLS OR TO REPLACE OR EXPAND CERTAIN EXISTING CLASS 3 LANDFILLS AND ON THE DEPARTMENT ISSUING APPROVALS TO INCREASE THE ANNUAL DISPOSAL RATE AT CERTAIN CLASS 3 LANDFILLS; AND TO REQUIRE THE DEPARTMENT TO REPORT ON PERMIT APPLICATIONS AFFECTED BY THE MORATORIUM.

Whereas, according to the South Carolina Department of Environmental Control’s Solid Waste Management Annual Report for Fiscal Year 2012, the amount of municipal solid waste imported into the State in fiscal year 2012 was 689,514 tons, a four percent increase from the past year; and

Whereas, there is currently an important need for more public debate and consideration of legislation concerning local government and citizen involvement in regulation of solid waste disposal and landfill permitting in this State; and

Whereas, inappropriate siting of landfills, expansion of landfills in the State, or excessive intake of waste into the state’s landfills has significant potential for detriment to the state’s economic development, public health, and environment; and

Whereas, economic and other factors cause landfills to be concentrated in minority and low-income communities in the State; and

1 Whereas, these factors also cause landfills to encroach on or  
2 destroy the state's valuable wetlands habitats; and

3  
4 Whereas, landfill siting or expansion of landfills upon wetlands  
5 pose deleterious effects to locally cherished and vital natural  
6 habitats, ecosystems, animal wildlife, wildlife preservation, and  
7 outdoor gamesmanship, including critical habitat destruction, air  
8 and water pollution, drinking water contamination, and wildlife  
9 death. Now, therefore,

10  
11 Be it enacted by the General Assembly of the State of South  
12 Carolina:

13  
14 SECTION 1. (A) The definition of terms provided for in Section  
15 44-96-250 and Regulation 61-107.19 of the 1976 Code apply to  
16 terms used in this Section.

17 (B) A moratorium is imposed and in effect until December 31,  
18 2017, on the Department of Health and Environmental Control  
19 issuing:

20 (a) permits to construct new Class 3 Municipal Solid  
21 Waste landfills that are not onsite landfills;

22 (b) permits to replace existing Class 3 Municipal Solid  
23 Waste landfills that are not onsite landfills in the State;

24 (c) permits to expand existing Class 3 Municipal Solid  
25 Waste landfills that are not onsite landfills in the State if the  
26 expansion's plan falls under the scope of Sections 401 or 404 of  
27 the Clean Water Act (33 U.S.C. 1344) pertaining to wetlands; and

28 (d) approvals to increase the permitted annual disposal  
29 rate at a Class 3 Municipal Solid Waste landfill that is not an onsite  
30 landfill if the applicant landfill's host county and planning region  
31 have not achieved a forty percent recycling rate for municipal solid  
32 waste in the preceding two years.

33 (C) The department shall submit a list of applications affected  
34 by the moratorium imposed in items (a), (b), and (c) of subsection  
35 (B) to the House of Representatives Agriculture and Natural  
36 Resources Committee and the Senate Medical Affairs Committee  
37 before February first each year until the moratorium has expired.

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39 SECTION 2. This joint resolution takes effect upon approval by  
40 the Governor.

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