

Session 112 - (1997-1998)

H 4530 General Bill, By Sheheen

A BILL TO AMEND SECTION 48-57-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REVOCATION OF THE PRIVILEGE OF AN ENVIRONMENTAL AUDIT REPORT IN ADMINISTRATIVE PROCEEDINGS, SO AS TO ADD VIOLATION OF A PERMIT PROVISION OR CONDITION TO PERMIT ISSUANCE AS GROUNDS FOR REVOKING THE PRIVILEGE; TO AMEND SECTION 48-57-60 RELATING TO REVOCATION OF THE PRIVILEGE OF AN ENVIRONMENTAL AUDIT REPORT IN CRIMINAL PROCEEDINGS, SO AS TO ALLOW REVOCATION NOT ONLY FOR WILFUL NONCOMPLIANCE, BUT ALSO FOR RECKLESS OR GROSSLY NEGLIGENT DISREGARD OF ENVIRONMENTAL LAWS AND BY ADDING VIOLATION OF A PERMIT PROVISION OR CONDITION TO PERMIT ISSUANCE AS GROUNDS FOR REVOCATION; AND TO AMEND SECTION 48-57-100 TO REQUIRE RESOLUTION OF THE DISCLOSED VIOLATION WITHIN A REASONABLE TIME AND TO CHARACTERIZE A DISCLOSURE AS NOT VOLUNTARY IF THERE IS A GUILTY FINDING OF A PERMIT VIOLATION OR THERE HAS BEEN A SUCCESSFUL PROSECUTION IN A CRIMINAL PROCEEDING FOR AN ENVIRONMENTAL COMPLIANCE VIOLATION.

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