

# Agriculture

## **Public notice of quarantine**

**46-9-60**

The State Crop Pest Commission has the power to regulate and quarantine any part of the state or the whole state if it finds a plant pest or infestation of the pest. Before quarantine can become effective a public notice of this action must be published in newspapers that the commission has decided on in the infested areas. At anytime the commission has the right to increase or decrease the quarantined areas as it sees fit. Once the quarantine has been established a public notice must be published on regulations that the commission has decided upon. The notice shall be placed in newspapers that the commission has selected in the affected areas.

Section When	Notice	Where
46-9-60	Public notice of the quarantine  Public notice of the regulations that the commission has decided upon for the infested areas	Newspapers the commission selects in the infested areas  Before the quarantine can become effective  Once the quarantine has been established

Exact wording:

“(B) The commission may quarantine the State or a portion of it when it determines that the action is necessary to prevent or retard the spread of a plant pest within or from this State and quarantine another state or portion of it whenever it determines a plant pest exists in it and that the action is necessary to prevent or retard its spread into this State. In quarantining in this State the commission is bound by the Administrative Procedures Act. In quarantining in another state the commission may rely upon a similar quarantine imposed by the appropriate agency of that state's government or the federal government, and the implementing regulation is exempt from submission to the General Assembly. However, the regulation automatically expires thirty days after the date of expiration of the quarantine upon which it was based. The commission may quarantine the entire State or may limit the quarantine to the infested area and the regulated area and without further hearing may extend or decrease the infested or the regulated areas, whether or not the new area is contiguous to the old, upon discovery of the plant pest in a new location. The action is effective upon publication of a notice to that effect in newspapers it selects in the newly-affected area or by direct written notice to those concerned. In delineating geographic areas under this section, the commission shall consider those geographic districts established by Section 22-2-190.

(C) Following establishment of the quarantine, no person may move a regulated article described in the quarantine or move the plant pest against which the quarantine is established within, from, into, or through this State contrary to regulations promulgated by the commission. Notice of the regulations must be published in newspapers in the quarantined area the commission selects. The regulations may restrict the movement of the plant pest and regulated articles from the quarantined or regulated area in this State into or through other parts of this State or other states and from the quarantined or regulated area in other states into or through this State and shall impose inspection, disinfection, certification, or permit and other requirements the commission considers necessary to effectuate the purposes of this chapter.”

## **Notice of quarantine on Boll Weevil**

**46-10-50**

When the infestation of Boll Weevil is found in the state the commission has the power to quarantine the infested area(s) after a hearing is held. Before the quarantine can become effective a public notice must be published in newspapers located in the quarantined areas that have been decided upon by the commission. The quarantined area may be extended at any time as long as the commission places a notice in the newspapers located in these areas. Regulations that are made in regards the Boll Weevil quarantine must also be published within newspapers in the area that have been decided upon by the commission.

Section When	Notice	Where	
46-10-50	Public notice(s) of the quarantine, extension and regulations of infected areas by Boll Weevil	Newspapers in the quarantined areas decided upon by the commission	Before the quarantine can become effective, if an extension is needed on these areas and when regulations are made on the quarantine

Exact wording:

“The commission shall give notice of the establishment of the quarantine in such newspapers in the quarantined area as it may select. The commission may limit the application of the quarantine to the infested portion of the quarantined area and appropriate environs, to be known as the regulated area and may without further hearing extend the regulated area to include additional portions of the quarantined area upon publication of a notice to that effect in such newspapers in the quarantined area as it may select or by direct written notice to those concerned. Following establishment of the quarantine, no person shall move any regulated article described in the quarantine or move the pest against which the quarantine is established within, from, into or through this State contrary to regulations promulgated by the commission. Notice of the regulations shall be published in such newspapers in the quarantined area as the commission may select.

The regulations may restrict the movement of the pest and any regulated articles from the quarantined or regulated area in this State into or through other parts of this State or other states and from the quarantined or regulated area in other states into or through this State and shall impose such inspection, disinfection, certification or permit and other requirements as the commission deems necessary to effectuate the purposes of this chapter.”

**Notice of the sale of bonds  
46-15-20**

The sale of bonds pursuant to the Department of Agriculture should be sold at public sale. A notice of the sale must be published at least seven days prior to the date of the sale in a newspaper of general circulation in the state and in a financial publication in New York City. If no bids are received than a private sale may be held thirty days after the notice and than by the decision of the commission is sold to the federal government.

Section When	Notice	Where	
46-15-20	A notice of the sale of bonds pursuant to the Department of	A newspaper of general circulation in the state and in a	At least seven days prior to the date of the sale

	Agriculture	financial publication in New York City	
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Exact wording:

“All bonds issued pursuant to this article shall be executed in the name of the Commission by its Chairman and shall be countersigned by the State Treasurer, and the seal of the Commission shall be affixed or impressed thereon. The delivery of the bonds so executed shall be valid notwithstanding changes in officers or seal occurring after such execution. Such bonds shall be sold at public sale after notice published at least seven days prior to such sale in a newspaper having a general circulation in the State of South Carolina, and in a financial publication published in the City of New York, N. Y.; provided, that if no bid is received upon such notice which is acceptable to the Commission, such bonds may be then sold at private sale at any time within thirty days after date for receiving bids as given in such notice; provided, further, that such bonds may, in the discretion of the Commission, be sold to the federal government, or any agency thereof, or to the state government, or any agency thereof, at private sale, without any public advertisement. In all instances, the bonds shall be sold in such way as the Commission shall determine to be most advantageous.”

**Notice of a hearing on proposals  
46-17-80**

Any hearings that take place on the matter of proposals for the Department of Agriculture must be published by The Agricultural Commission for a period of at least five days prior to the hearing. The notice shall be placed in a newspaper of general circulation in Greenville, Columbia, and Charleston and in any other newspapers the commission sees fit. The notice needs to contain the date, time, and place of the hearing, a statement of the proposal and description of the agricultural goods and the area being proposed along with the amount of money needed and how that money will be raised. Any additional subjects that will be heard and where copies of the proposal can be obtained must also be included in the notice.

Section When	Notice	Where
46-17-80	A notice of a public hearing on any proposals for the purpose of agriculture. The notice needs to contain the date, time, and place of the hearing, a statement of the proposal and description of the agricultural goods and the area being proposed along with the amount of money	A newspaper of general circulation in Greenville, Columbia and Charleston and any others the commissioners see fit

	needed and how that money will be raised. Any additional subjects that will be heard and where copies of the proposal can be obtained must also be included in the notice.		
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**Exact Wording:**

“The Commission shall publish notice of any hearing before considering and acting upon any proposal for a period of not less than five days in a newspaper of general circulation in Columbia, Greenville, and Charleston and such other newspapers as the Commission may prescribe, and shall post notice of such hearing on a public bulletin board to be maintained for such purpose in the Department. No public hearing shall be held prior to five days after the last day of such period of publication. The notice shall set forth the date, time, and place of the hearing, the agricultural commodity and the area covered by the proposal, a concise statement of the proposal; a concise statement of each additional subject upon which the hearing examiner will hear evidence and make a determination; the purposes for which money, if any, is sought to be raised including the amount necessary for the implementation of the proposed marketing order or amendments; where copies of the proposal may be obtained; and any other information which is deemed necessary. On the day preceding the first day on which such notice is published, the Commission shall also mail a copy of the notice to all producers directly affected by such proposal whose addresses are on file in the Department.”

**Issuance of any changes on the marketing order  
46-17-150**

If any changes are seen fit by the commission in terms of a marketing order and the necessary agreement is given than a notice shall be published for the issuance of these provisions. The notice needs to be placed for one day in a newspaper of general circulation in Columbia, Greenville and Charleston and a newspaper in the affected area if different than these cities. Once published every provision made is binding and has the force of a law.

Section When	Notice	Where
46-17-150	A notice of the issuance of a marketing order, amendment or termination	A newspaper of general circulation in Columbia, Greenville and Charleston and a newspaper in the affected area if different from the cities

**Exact wording:**

“If the commission determines that the requisite assent is given it shall issue and put an order or amendment or termination to it into force, and every provision has the force of law and is binding upon every affected producer and handler within the specified area. Issuance is accomplished by publication for one day in a newspaper of general circulation in Columbia, Greenville, and Charleston and in the affected area of notice if different from these three cities, stating that the marketing order has been issued, amended, or terminated, and where copies of the order, amendment, or termination may be obtained. If the commission determines that the requisite assent has not been

given, no further action must be taken by the commission upon the proposal, and the order, amendment, or termination contained in the final order is without force or effect. The provisions of this chapter are exempt from the requirements of Article 1, Chapter 23 of Title 1.”

**Notice of nomination meeting(s) for candidates of commodity boards  
46-17-220**

A meeting for the purpose of appointing candidates for a commodity board must be made public. A notice of every such meeting shall be placed in a newspaper of general circulation in the area that will be affected, not less than ten days prior to the meeting.

Section When	Notice	Where	
46-17-220	A notice of a nomination meeting(s) for candidates of agricultural commodity boards	A newspaper of general circulation in the area that is affected	For one day, not less than ten days prior to the meeting

Exact wording:

“For the purpose of nominating candidates to be voted upon for election to commodity boards, or to be considered as candidates for appointment to commodity boards, the Commission shall call separate meetings of the affected producers, and in case elections or appointments shall be by districts he shall call separate meetings for each district. However, at the inception of any marketing agreement or order, nominations may be at the issuance hearing. Nomination meetings shall be called annually and at least thirty days in advance of the date set for the election or appointment of board members. Notice of every such meeting shall be published in a newspaper of general circulation within the affected area defined in the order or agreement not less than ten days in advance of the date of such meeting and written notice of every such meeting shall be given to all affected producers on the list maintained pursuant to Section 46-17-170 (e), and notice of every such meeting shall be posted on a public bulletin board as provided in Section 46-17-80. If the agreement or order provides for election or appointment by districts, such written notice need be given only to the producers residing in or whose principal place of business is within such district. Nonreceipt of notice by any interested person shall not invalidate proceedings at such meetings, provided that notice was duly posted in the United States mail. Any qualified person may be nominated orally at such meeting for membership upon such board by election or appointment as provided by the marketing order or agreement. Nominations may also be made within five days after any such meeting by written petition filed with the Commission and signed by not less than five affected producers entitled to participate in such meeting. Selection from among nominees, either by election or appointment, shall be specifically designated in the marketing order or agreement.”

**Notice of the sale of confiscated seeds  
46-21-430**

The Commissioner of Agriculture must publish a notice of advertisement when selling any seeds that have been seized. The notice shall be published for thirty days in a newspaper that is located where the seizure was made; if a newspaper does not exist in that location than a newspaper in the nearest county. The name, variety of seed, when it was seized, how much was seized, why it was seized and the date and time of the sale should all be included in the notice.

Section When	Notice	Where	
46-21-430	A notice of the sale of seized seeds. The name, variety of seed, when it was seized, how much was seized, why it was seized and the date and time of the sale should all be included in the notice.	A newspaper published in the area the seizure took place, if not one than a newspaper in the nearest county	For at least thirty days once a seizure has been made and the sale has been determined

Exact wording:

“Such seizure and sale shall be made by the Commissioner of Agriculture or under the direction of an officer of his appointment. The sale shall be made at the courthouse door in the county in which the seizure is made; provided, that whenever for sufficient reason appearing to the Commissioner or his representative another place of sale is more convenient and more desirable, such place of sale may be selected. The sale shall be advertised for thirty days in a newspaper published in the county in which seizure is made or, if no newspaper be published in such county, then it shall be advertised in a newspaper published in the nearest county thereto having a newspaper. The advertisement shall state the name and the variety of the seed, the quantity, why seized and offered for sale and the time and place of sale.”

**Notice of quarantine or amendments of noxious weeds  
46-23-40**

The Commissioner of Agriculture is authorized when deemed necessary to quarantine a county to prevent the spread of noxious weeds. A hearing is to be held in terms of the quarantine or amendments for any interested parties. The notice must be placed by the Commissioner and published in a newspaper in the county. This shall be done before the date of the hearing.

Section When	Notice	Where	
46-23-40	A notice of a hearing for the quarantine or amendments of noxious weeds for interested parties to appear and be heard	A newspaper in the county of the affected area	Before the hearing and before the establishment of the quarantine

Exact wording:

“a) The Commissioner is authorized and directed to quarantine any county, or any portion thereof, when he deems that such quarantine is necessary to prevent the spread of any noxious weed. Before such quarantine is established, the Commissioner shall give due notice of hearing under such regulations as he may prescribe. At such hearing, any interested party may appear and be heard, either in person or by attorney. (b) The Commissioner is directed to give notice of quarantine or amendments thereto through publication in the county newspaper.”

**Advertisement of sale of commercial feed  
46-27-630**

A notice of advertisement must be made on the sale of seized goods in a newspaper that is published in the area the seizure took place. The advertisement should be placed for thirty days and contain the time and place of the sale with the brand or name of the goods, how much is for sale, why it was seized and is for sale. If there is no newspaper in the area than it needs to be placed in a newspaper in the nearest county.

Section When	Notice	Where
46-27-630	An advertisement for the sale of seized goods in reference to commercial feed. The notice shall contain the time and place of the sale with the brand or name of the goods, how much is for sale, why it was seized and is for sale.	A newspaper that is published in the county where the seizure took place

Exact wording:

“Such seizure and sale shall be made by the Commissioner or under the direction of any officer of his appointment. The sale shall be made at the courthouse door of the county in which the seizure is made; provided that whenever, for sufficient reasons appearing to the Commissioner or his representative, another place of sale is more convenient and more desirable, such place of sale may be selected. The sale shall be advertised for thirty days in a newspaper published in the county in which the seizure is made or if no newspaper is published in such county, then it shall be advertised in a newspaper published in the nearest county having a newspaper. The advertisement shall state the brand or name of the goods, the quantity, why seized and offered for sale and the time and place of sale.”

## ***Animals, Livestock and Poultry***

### **Public notice of quarantined herds 47-6-40**

If a veterinarian determines there is reason to believe that the pseudorabies (a fatal virus) is found among a herd and may spread, a public notice may be published. The notice shall be placed in a newspaper of general circulation in the area or county where the virus may spread requiring owners to keep their animals’ restricted as seen necessary.

Section When	Notice	Where
47-6-40	A public notice placed by a veterinarian informing that the fatal virus (pseudorabies) has been found and may spread, requiring	A newspaper published in the area or county the virus is found

	owners to keep their animals' restricted		
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Exact Wording:

“(C) Whenever the state veterinarian has reason to believe that the pseudorabies may spread within a county or the geographical area, the state veterinarian may serve public notice by publication in a newspaper of general circulation in the county or geographical areas requiring the owners of swine to confine their animals for any period necessary to prevent the spread of pseudorabies.”

## ***Environmental Protection and Conservation***

### **A notice to seek a site specific effluent limit in reference to dissolved oxygen 48-1-83**

When a party is looking to restrict pollutants in a site-specific area when dissolved oxygen is found than a notice of advertisement must be placed. The notice needs to indicate who the party is that is seeking this limitation and where the site is located. The notice shall be published in a newspaper with statewide circulation and in a local newspaper with the greatest circulation in the affected area. If contact is made with DHEC within thirty days of publication and upon request a public hearing shall be held within ninety days of the publication. DHEC must also follow any other rules that apply when posting a public notice.

Section When	Notice	Where
48-1-83	A notice in the form of an advertisement for a site-specific limitation when dissolved oxygen is found	A newspaper with statewide circulation and in a local newspaper in the affected area with the greatest circulation

“(B) A party seeking a site-specific effluent limit related to dissolved oxygen pursuant to this section must notify the department in writing of its intent to obtain the depression. Upon receipt of the written notice of this intent, the department shall within thirty days publish a public notice indicating the party seeking the dissolved oxygen depression and the specific site for which the dissolved oxygen depression is sought in addition to the department's usual public notice procedures. The notice shall be in the form of an advertisement in a newspaper of statewide circulation and in the local newspaper with the greatest general circulation in the affected area. If within thirty days of the publication of the public notice the department receives a request to hold a public hearing from at least twenty citizens or residents of the county or counties affected, the department shall conduct such a hearing. The hearing must be conducted at an appropriate location near the specific site for which the dissolved oxygen depression is sought and must be held within ninety days of the publication of the initial public notice by the department.”

### **Notice of the issuance of bonds for pollution control facilities 48-3-140**

When a petition for the proposal of bonds has been filed by the governing board and it meets the approval of the state board than a notice shall be published. The notice of approval of these bonds shall be placed at least once by the state board and published in a newspaper of general

circulation in the county where these facilities are located. Anyone interested in challenging the matter may do so within twenty days of the publication.

Section When	Notice	Where
48-3-140	A notice for the approval of proposed bonds for the purpose of pollution control facilities	A newspaper with general circulation in the county where the facilities are located

Exact wording:

“(B) Upon the filing of the petition the state board, as soon as practicable, shall conduct the review as it considers advisable, and if it finds that the proposal of the governing board is intended to promote the purposes of this chapter, it is authorized to approve the proposal. Any time following the approval, the governing board may proceed with the issuance of bonds for the pollution control facilities in accordance with the proposal approved by the state board. Notice of the approval of the proposal by the state board must be published at least once by the state board in a newspaper having general circulation in the county where the pollution control facilities are to be located. (C) Any interested party, within twenty days after the date of the publication of the notice, but not afterwards, may challenge the validity of the approval by action de novo in the court of common pleas in the county where the pollution control facilities are to be located.”

**Definition – Due Notice**

**48-9-30**

Due Notice is a notice that is published at least twice in a newspaper or publication with general circulation in the area(s). The two placements should be at least seven days apart, if no newspaper exists than it must be placed in public places.

Section When	Notice	Where
48-3-140	Notices that are published at least twice and at least seven days apart	Newspapers with general circulation in the area(s)

Exact wording:

“(13) "Due notice" means notice published at least twice, with an interval of at least seven days between the two publication dates, in a newspaper or other publication of general circulation within the appropriate area or, if no such publication of general circulation be available, by posting at a reasonable number of conspicuous places within the appropriate area, such posting to include, when possible, posting at public places where it may be customary to post notices concerning county or municipal affairs generally.”

**Notice of an application for an operating permit (mining activities)**

**48-20-70**

An operator that is interested in mining must have an operating permit to do so. DHEC shall publish a notice of an application for this permit or modifications that will be made to an existing permit. The notice must be placed in a newspaper of general circulation in the area where the

proposed mining activity is located. Any interested parties may come forward and if deemed necessary a public hearing can be held no later than fifteen days after the publication of the notice.

Section When	Notice	Where	
48-20-70	A notice of an application or modification on an operating permit in terms of mining activities	A newspaper with general circulation found in the area the mining activity is located	After written application to DHEC

Exact wording:

“The department shall publish notice of an application for an operating permit or a substantial modification of an operating permit in a newspaper of general circulation in the area of the proposed mining activity and, to the extent practicable, shall notify the public of the application. The department shall afford all interested parties reasonable opportunity to submit data, views, or arguments orally or in writing regarding the proposed mining activity. Opportunity for public hearing must be granted if requested by ten persons or by a governmental subdivision or agency or by an association having not less than ten members and if the request for a hearing is based on sufficient technical reasons. The request for a public hearing must be made within fifteen calendar days from the latest date of public notice of an application. The department shall consider fully all written and oral submissions respecting the mining activity before final action by the department on the application for an operating permit.”

### **Publication of notice(s) for public hearings**

#### **48-43-40**

Decisions, except in an emergency, cannot be made by DHEC in terms of rules, regulation/order or amendment for the purpose of environmental protection and conservation without a public hearing. A notice of this hearing may be placed in one or more newspapers of general circulation in the state capitol or a newspaper located in the area that is affected, twenty days prior to the date of the hearing. The notice shall be issued under the name of the state and signed by the chairman, secretary or executive director of DHEC. The notice needs to contain the style, number of the events/actions that will be taking place and the time and place of the hearing along with the purpose of the hearing.

Section When	Notice	Where	
48-43-40	A notice of public hearings that DHEC places for the purpose of environmental protection and conservation. The notice needs to contain the style, number of the events/actions that will be taking place and the time and place of the	A newspaper located in the state capitol or in a newspaper of general circulation located in or near the area affected	Twenty days prior to the date of the public hearing

	hearing along with the purpose of the hearing.		
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Exact wording:

“(A) No rule, regulation or order, or amendment thereof, except in an emergency, shall be made by the department without a public hearing upon at least twenty days' notice, exclusive of the date of service. No permit for the construction of a deep water port shall be granted by the department without a public hearing upon at least twenty days' notice, exclusive of the date of service. At least twenty days prior to the invitation for bids for the leasing of state lands for the purpose of oil and gas exploration and production, a public hearing shall be held. The public hearing shall be held at such time and place as may be prescribed by the department, and any interested person shall be entitled to be heard. (B) When an emergency requiring immediate action is found to exist, the department may make an emergency order without notice of hearing, which shall be effective when made. No emergency order shall be effective for more than sixty days. (C) Any notice required by this chapter shall be given by the department. Any such notice, at the election of the department, may be given by any one or more of the following methods: (a) personal service, (b) publication in one or more issues of a newspaper in general circulation in the state capital or of a newspaper of general circulation in the county where the land affected or some part thereof is situated, or (c) by United States mail addressed, postage prepaid, to the last known mailing address of the person or persons affected. The date of service shall be the date on which service was made in the case of personal service, the date of first publication in the case of notice by publication, and the date of mailing in the case of notice by mail. The notice shall be issued in the name of the State, shall be signed by the chairman, secretary or executive director of the department, shall specify the style and number of the proceedings, the time and place of the hearing, and shall briefly state the purpose of the proceeding. Should the department elect to give notice by personal service, such service may be made by an officer authorized to serve process, or by any agent of the department, in the same manner as is provided by law for the service of process in civil action in the courts of the State. Proof of the service by such agent shall be by the affidavit of the agent making personal service.”

**Notice of the invitation for bids in the matter of leasing state land  
48-43-390**

Property of the state can only be leased by a sealed bid. In this case the property or tract would be leased for the purpose of drilling for and production of oil and gas and/or the construction of deep water port facilities. Once DHEC has determined that the tract is open for bids a notice to the public for the invitation of these bids shall be made. The notice shall be placed twenty-five days before the final date of submitting bids and published in two newspapers; one of general circulation within the area where the tract is up for lease and one of statewide circulation. The notice needs to contain a description of the tract with its location and acreage size, the address where bids are to be submitted, the time and place when the bids will be open along with the date and time they are to be received and any restrictions or matters that the department sees fit.

Section When	Notice	Where	
48-43-390	A notice for the invitation of bids on leasing tracts of land for the purpose of exploration and production of oil and gas. The notice needs to contain a description of the tract	A newspaper of general circulation located in the area where the land is and a newspaper with statewide circulation	At least twenty-five days before the final date for the submission of bids

	with its location and acreage size, the address where bids are to be submitted, the time and place when the bids will be open along with the date and time they are to be received and any restrictions or matters that the department sees fit.		
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Exact wording:

“(A) The South Carolina State Budget and Control Board, hereinafter referred to as the board, is hereby designated as the State Agency with the authority, responsibility and power to lease all State lands to persons for the purpose of drilling for and producing oil and gas. The Department of Health and Environmental Control is hereby designated as the exclusive agent for the board in selecting lands to be leased, administering the competitive bidding for leases, administering the leases, receiving and compiling comments from other state agencies concerning the desirability of leasing the state lands proposed for leasing and such other activities that pertain to oil and gas leases as may be included herein as responsibilities of the board.

(D) No property shall be leased except by sealed bid. The property shall be leased to the bidder submitting the bid which provides for the highest bonus payment. The bonus payment shall be in addition to any rental payments established by the department in the lease agreement and royalties provided for herein. Any person desiring that a certain tract or tracts of property be submitted for bidding shall nominate such tract or tracts by so informing the department in accordance with the procedure for nominating established by the department. If the department determines that the tract nominated as provided herein or upon its own motion determines that a tract should be submitted for bidding, it shall invite all interested persons to submit bids for leasing the designated tract. Invitations for bids shall be published in a newspaper of general circulation within the county or counties where the tract proposed to be leased is located and in a newspaper of statewide circulation, at least twenty-five days before the final date for submitting bids. Invitations for bids shall also be mailed twenty-five days before the final date of submitting bids to the last known address of all persons who have filed a statement in accordance with the procedure established by the department indicating a desire to bid upon tracts put up for leasing. The invitation to bids shall contain: (1) a description, location and approximate acreage of the tract to be leased; (2) the address to which the bids are to be submitted; (3) the time and place at which the bids will be opened; (4) the date and time by which the bids must be received; (5) any special provisions of the lease or special rules and regulations promulgated by the department for the tract to be leased and (6) any other matters that the department may deem pertinent.”

**Notice of seized and sale of oil, gas or product  
48-43-840**

A summons, complaint and warrant on oil, gas or product can be published in a newspaper as a sufficient service for informing a person having or claiming interest on this matter. It must be placed for four consecutive issues in a newspaper of general circulation where the oil, gas or product is located. If a claim is not made twenty days after publication than it is not only the state’s possession but is barred from any judgment obtained by the plaintiff.

Section

Notice

Where

When

48-43-840	Notice of a summons, complaint and warrant for the purpose of oil,, gas or product	A newspaper of general circulation where the oil, gas or product is located	After the seizure or before the sale, interested people must respond within twenty days after the notice is published
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Exact wording:

(C) Actions for seizure and sale of illegal oil, illegal gas or illegal product shall be strictly in rem, and shall proceed in the name of the state as plaintiff against the oil, gas or product as defendant. No bond or similar undertaking shall be required of the plaintiff. The action for seizure and sale shall be commenced in the court of common pleas for the county in which the oil, gas or product is situated by a summons and complaint which shall be verified or supported by affidavits. When the verified complaint or complaint and supporting affidavits set forth sufficient facts to support the seizure and sale of the illegal oil, illegal gas or illegal products, the clerk of court of the county in which such oil, gas or product is situated or the judge of the judicial circuit which has jurisdiction to hear matters arising in the county shall issue a warrant directed to the sheriff of the county for service upon any and all persons having or claiming any interest in the oil, gas or product described in the complaint. The warrant shall direct the sheriff to take such oil, gas or product into his custody until such time as the court has heard the action on its merits and the matter has been fully adjudicated. The original summons and complaint and warrant shall be filed with the clerk of court for the county by the plaintiff with the sheriff's affidavit of service attached when service has been accomplished in the manner set forth herein by the sheriff. All persons having or claiming any interest in the oil, gas or product described in the complaint must appear and answer the complaint within twenty days after the service of such summons and complaint. Service of the summons and complaint and warrant by posting copies on the door of the courthouse for the county in which the oil, gas or product described in the complaint is situated, by posting copies in the immediate vicinity of the place where such oil, gas or product is located and by publishing the summons and complaint and warrant in any newspaper of general circulation in the county in which such oil, gas or product is located in four consecutive issues of the newspaper shall constitute valid and sufficient service on all persons having or claiming any interest in the such oil, gas or product.

Any person who fails to appear and answer the complaint within twenty days after service of the summons and complaint and warrant shall be forever barred by any judgment obtained by the plaintiff. The service of the summons and complaint and warrant as provided herein shall place the State in constructive or actual possession, as the case may be, of the oil, gas or product.”

### Notice of a public comment period

#### 48-56-90

When DHEC makes any changes such as the issuance or revoking of a cooperative agreement in terms of innovative environmental approaches than a public comment period of thirty days must be allowed. A notice of the proposed changes shall be published in local newspapers and contain a brief description of the facility in question, identify the action that is being proposed, what is expected and what may occur with the proposed action, contact information for any additional information, a statement explaining that a draft is available upon request and that anyone interested in commenting may do so until the date stated in the notice.

Section	Notice	Where	When
48-56-90	A notice of any proposed action(s) to a cooperative agreement in terms of innovative	In local newspapers	Before the start of the public comment period

	<p>environmental approaches to allow a thirty day comment period. The notice shall contain a brief description of the facility in question, identify the action that is being proposed, what is expected and what may occur with the proposed action, contact information for any additional information, a statement explaining that a draft is available upon request and that anyone interested in commenting may do so until the date stated in the notice.</p>		
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Exact Wording:

“(A) The department shall provide at least 30 days for public comment on the proposed issuance or revocation of a cooperative agreement and in other instances as the department deems appropriate. (B) The department shall prepare a public notice of a proposed action under subsection (A) that: (1) briefly describes the facility that is the subject of the proposed action; (2) identifies the proposed action and states whether any variances would be granted under Section 48-56-50 by the proposed action;(3) identifies an employee of the department and an employee of the applicant or participant who may be contacted for additional information about the proposed action; (4) states that the draft of the proposed action is available upon request; (5) states that comments concerning the proposed action may be submitted to the department during the comment period and states the last date of the comment period. (C) Before the start of the public comment period, the department shall provide the public notice under subsection (B) to the applicant or participant, the federal Environmental Protection Agency, the members of the interested persons group established under Section 48-56-60 and all persons who have asked to receive notice of proposed actions under subsection (A). The department shall mail the public notice to any other person upon request. The department shall make a copy of the public notice available at the department's main office and at the environmental quality control district office where the facility subject to the proposed action is located. The applicant shall circulate the public notice in the area of the facility subject to the proposed action by posting the notice in public buildings, publishing the notice in local newspapers, and by any other approaches that the department determines are effective. (D) The department shall hold a public informational forum on a proposed action if the comments received during the public comment period demonstrate considerable public interest in the proposed action.”