

## **LISTING OF DHEC REGULATIONS AND EFFECTIVE DATES**

Current through April 28, 2017  
(FY 2017: July 22, 2016 through May 26, 2017)

Listed below by area of administration are regulations of the South Carolina Department of Health and Environmental Control (DHEC).

This listing of regulations below with effective dates is current through May 26, 2017, and supersedes any previous listing. However, regulations can be changed any time of year by of an amendment or repeal of an existing regulation, or by adding a new regulation, subject to the provisions of the Administrative Procedures Act (APA) at S.C. Code Ann. Section 1-23-10 et seq. The most current version of a regulation as published in the South Carolina State Register is the valid version and would supersede any previous version. Every effort has been made to maintain the accuracy of this listing; however, the Department reserves the right to correct a date if an error is discovered.

For information on changes in Department regulations after May 26, 2017, be sure to check the DHEC Regulations Development Update each month. The Update is published monthly on the fourth Friday, concurrently with the publication of the S.C. State Register, and provides information on updates to Department regulations each year.

### **Chief Financial Officer**

#### ***Budgets & Financial Management***

61-1 Medical and Dental Scholarship Fund [eff. 5/25/1974]

### **Chief Operations Officer**

#### ***Public Health Preparedness***

61-23 Control of Anthrax [eff. 7/1/1960]

61-112 Implementation of Emergency Health Powers Act [eff. 3/24/2006]

### **General Counsel**

61-117 Access to Restricted Information [eff. 5/25/2012]

**Environmental Affairs**  
**(Environmental Quality Control and Ocean  
And Coastal Resources)**

***Administration, EQC***

61-30 Environmental Protection Fees [eff. 6/27/2014]

61-115 Environmental Electronic Reporting Requirements [eff. 5/23/2008]

**Air Quality**

61-62 Air Pollution Control Regulations and Standards

61-62.1 Definitions and General Requirements [eff. 9/23/2006]

61-62.2 Prohibition of Open burning [eff.12/27/2013]

61-62.3 Air Pollution Episodes [eff. 4/26/2013]

61-62.4 Hazardous Air Pollution Conditions [eff. 9/28/2012]

61-62.5 Air Pollution Control Standards -

Standard No. 1 - Emissions from Fuel Burning Operations [eff.9/23/2016]]

Standard No. 2 - Ambient Air Quality Standards [eff. 9/23/2016]

Standard No. 3 - Waste Combustion and Reduction [eff. 9/23/2016]]

Standard No. 3.1 - Hospital, Medical, Infectious Waste Incinerators (HMIWI) [eff. 9/23/2016] ]

Standard No. 4 - Emissions from Process Industries [eff. 9/23/2016]]

Standard No. 5 - Volatile Organic Compounds [eff.11/27/2015]

Standard No. 5.1 - [Reserved]]

Standard No. 5.2 - Control of Oxides of Nitrogen (NO<sub>x</sub>) [eff. 6/24/2016]

Standard No. 6 - [Reserved]

Standard No. 7 - Prevention of Significant Deterioration [eff. 6/26/2015]

Standard No. 7.1 - Nonattainment New Source Review [eff. 11/27/2015]

Standard No. 8 - Toxic Air Pollutants [eff. 6/26/2015]

61-62.6 Control of Fugitive Particulate Matter [eff. 11/27/2015]

61-62.7 Good Engineering Practice Stack Height [eff. 5/23/1986]

61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards [eff. 9/23/2016]

61-62.61 National Emission Standards for Hazardous Air Pollutants (NESHAP) [eff. 11/27/2015]

61-62.63 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories [eff.9/23/2016]

61-62.68 Chemical Accident Prevention Provisions [eff. 9/24/2004]

61-62.70 Title V Operating Permit Program [eff. 6/24/2016]

61-62.72 Acid Rain [eff. 4/26/2013]

61-62.96 Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Dioxide (SO<sub>2</sub>) Budget Trading Program [eff. 4/26/2013]

61-62.99 Nitrogen Oxides (NOx) and Budget Program Requirements for Stationary Sources  
Not in the Trading Program [eff. 6/22/2012]

61-86.1 Standards of Performance for Asbestos Projects [eff. 5/27/2011]

## ***Environmental Health Services***

### *Food Protection*

61-25 Retail Food Establishments [eff.6/27/2014]

61-29 Environmental Health Inspections and Fees [eff.6/26/1992]

61-32 Soft Drink and Water Bottling Plants [eff. 5/28/2004]

61-34 Raw Milk for Human Consumption [6/26/2009]

61-34.1 Pasteurized Milk and Milk Products [eff. 6/26/2015]

61-35 Imitation Milk, Imitation Milk Products, and Products Made in Semblance of Milk and  
Milk Products [eff. 7/27/1976]

61-36 Frozen Desserts [eff. 5/28/2004]

61-37 Retail Food Establishment Inspection Fees [6/28/2002]

61-54 Wholesale Commercial Ice Manufacturing [eff. /23/2008]

### *Onsite Wastewater (Septic Tanks)*

61-55 Septic Tank Site Evaluation Fees [eff. 6/22/2007]

61-56 Onsite Wastewater Systems [eff. 5/27/2016]

61-56.1 License to Construct or Clean Onsite Sewage Treatment and Disposal Systems and  
Self-Contained Toilets [eff. 5/27/1994]

61-56.2 Licensure of Onsite Wastewater System Contractors [eff.6/26/2009]

### *Environmental Laboratory Certification*

61-81 State Environmental Laboratory Certification Program [eff. 4/11/1980]

## ***Land and Waste Management***

### *Site Assessment, Remediation & Revitalization*

61-33 Drycleaning Facility Restoration [eff. 6/27/1997]

### *Solid Waste Management, Oil & Gas Exploration, Drilling & Production*

61-107 Solid Waste Management [eff. 6/26/2009]

61-107.1 Solid Waste Management: Solid Waste Management Grants, Recycling Education  
Grants, and Waste Tire Grants [eff. 4/23/1993]

61-107.2 Solid Waste Management: Full Cost Disclosure [eff. 4/23/1993]

61-107.3 Solid Waste Management: Waste Tires [eff. 6/26/2015]

- 61-107.4 Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings and Organic Residuals [eff. 6/27/2014]
- 61-107.5. Solid Waste Management: Collection, Temporary Storage and Transportation of Municipal Solid Waste [eff.5/28/1993]
- 61-107.6 Solid Waste Management: Solid Waste Processing Facilities [eff. 6/23/1995]
- 61-107.7 Solid Waste Management: Transfer of Solid Waste [eff. 5/28/1993]
- 61-107.8 Solid Waste Management: Lead-Acid Batteries [eff. 6/23/1995]
- 61-109.9 Solid Waste Management: White Goods [eff. 6/23/1993]
- 61-107.10 Solid Waste Management: Research, Development, and Demonstration Permit Criteria [eff.6/23/1993]
- 61-107.12 Solid Waste Management: Solid Waste Incineration and Solid Waste Pyrolysis Facilities [eff. 6/24/2016]
- 61-107.14 Solid Waste Management: Municipal Solid Waste Landfill Operator's Certification [eff. 5/27/1994]
- 61-107.15 Solid Waste Management: Land Application of Solid Waste [eff. 7/26/1996]
- 61-107.17 Solid Waste Management: Solid Waste Management: Demonstration of Need [eff. 6/26/2009]
- 61-107.18 Solid Waste Management: Off-site Treatment of Contaminated Soil [eff. 5/25/2001]
- 61-107.19 Solid Waste Management: Solid Waste Landfills and Structural Fill [eff. 5/23/2008]
- 61-107.279 Solid Waste Management: Used Oil [eff. 6/24/2016]
- 61-124 Consumer Electronic Equipment Collection and Recovery [eff. 2/26/2016]
- 89-10 thru 89-350 (GR) Office of the Governor - Mining Council of South Carolina [eff.6/27/2003]
- 121-8.0 thru 8.28 (GR) Oil and Gas Exploration, Drilling and Production [eff. 9/28/1984]

#### Waste Management

- 61-63 Radioactive Materials (Title A) [eff.10-24-2014 - *This regulation is co-managed by Land and Waste Management and Radiological Health*]
- 61-79 Hazardous Waste Management Regulations [eff. 5/27/2016]
- 61-83 Transportation of Radioactive Waste Into or Within South Carolina [eff.10/27/2006]
- 61-104 Hazardous Waste Management Location Standards [eff. 2/22/1991]
- 61-105 Infectious Waste Management [eff. 6/25/2010]

#### Underground Storage Tank Management

- 61-92 Underground Storage Tank Regulations [eff. 5/27/2016]
- 61-98 State Underground Petroleum Environmental Response Bank (SUPERB) Site Rehabilitation and Fund Access Regulation [eff. 5/23/1997]

## ***Water***

### *Dams Safety*

#### Dams and Reservoirs Safety Act Regulations [eff. 7/25/1997]

- 72-1 Definitions
- 71-2 Dam Classifications and Exemptions
- 72.3 Permitting Procedures and Requirements
- 72.4 Inspections
- 72.5 Remedial Measures
- 72.6 Transfer of Ownership
- 72.7 Administrative Fines
- 72.8 Effective of Regulations
- 72.9 Hearings and Hearing Procedures

### *Stormwater Permitting*

#### Erosion and Sediment Reduction and Stormwater Management Regulations (*Applicable to State-Controlled Land*) -[eff. 6/28/1985]

- 72.101 Jurisdiction
- 72-102 Purpose
- 72.103 Definitions
- 72-104 Exemption
- 72.105 Requirement for Erosion and Sediment Control and Stormwater Management Measures to be Used and Maintained
- 72.106 Land Disturbing Activities Under the Jurisdiction of the State Engineer
- 72.107 Land Disturbing Activities Under the Jurisdiction of the Land Resources Conservation Commission
- 72-108 All Erosion, Sediment and Stormwater Problems Not Addressed by Regulations 72-106 and 72-107

#### Standards for Stormwater Management and Sediment Reduction [eff. 6/28/2002]

- 72-300 Scope
- 71-301 Definitions
- 72-302 Exemption, Waivers and Variances from Law
- 72.303 Commission Responsibilities
- 72-304 Criteria for Delegation/Revocation of Programs
- 72-305 Permit Application and Approval process
- 72-306 Fees
- 72-307 Specific Design Criteria, Minimum Standards and Specifications
- 72-308 Maintenance Requirements and Off-Site Damages Correction
- 72.309 Criteria for Designated Watersheds
- 72-310 Criteria for Implementation of a Stormwater utility
- 72.311 Plan Review and Inspector Certification program
- 72-312 Review and Enforcement Requirements

- 72.313 Hearing and Hearings Procedures
- 72.314 Citizen Complaint Procedure on Delegated Program Components and Individual Sites
- 72-315 Penalties
- 72-316 Severability

Standards for Stormwater Management and Sediment Reduction (*Applicable to S.C. Dept. of Transportation*) [eff. 5/28/1993]

- 72-405 Scope
- 72-410 Definitions
- 72-415 Exemptions
- 72-420 Activities Requiring Site Specific Plans
- 72-425 Specific Design Criteria, Minimum Standards and Specifications
- 72-430 Department Responsibilities
- 72-435 Commission Responsibilities
- 72-440 Hearing and Complaint Procedure
- 72-445 Inspections and Enforcement

*Drinking Water Protection*

- 61-50 Natural Public Swimming Areas [eff.5/27/2016]
- 61-51 Public Swimming Pools [eff.6/27/2014]
- 61-58 State Primary Drinking Water Regulations [eff. 9/26/2014]

*Water Facilities Permitting*

- 61-9 Water Pollution Control Permits [6/27/2014]
- 61-67 Standards for Wastewater Facility Construction [eff. 5/24/2002]
- 61-67.1 State Water Pollution Control Revolving Fund Loan Assistance [eff. 6/24/1988]
- 61-68 Water Classification and Standards [eff. 6/27/2014]
- 61-69 Classified Waters [eff. 6/22/2012]
- 61-82 Proper Closeout of Wastewater Treatment Facilities [eff. /11/1980]

*Water Monitoring, Assessment and Protection*

- 61-43 Standards for the Permitting of Agricultural Animal Facilities [eff. 6/28/2002]
- 61-44 Permitting of Individual Residential Wells and Irrigation Wells [eff.6 /25/1999]
- 61-47 Shellfish [eff 4/28/2017]]
- 61-71 Well Standards [eff. 5/27/2016]
- 61-87 Underground Injection Control Regulations [eff. 11/24/2000]
- 61-113 Groundwater Use and Reporting [eff. 6/23/2006]
- 61-119 Surface Water Withdrawal, Permitting, Use and Reporting [eff. 6/22/2012]

### Water Quality

- 19-450 (GR) Permits for Construction in Navigable Waters [eff. 6/23/1995]
- 61-101 Water Quality Certification [eff. 6/23/1995]
- 61-110 Total Maximum Daily Loads (TMDLs) for Pollutants in Water [eff. 5/27/2005]

### ***Ocean and Coastal Resource Management***

#### DHEC Coastal Division Regulations

- 30-1 Statement of Policy [eff. 6-24-2016]
- 30-2 Applying for a Permit [eff. 6/28/2002]
- 30-3 Public Hearings [6/25/1999]
- 30-4 Decisions on a Permit [eff. 3/26/2004]
- 30-5 Exceptions [eff. 6/24/2016]
- 30-6 Appeals of Permit Decisions [eff. /25/2008]
- 30-8 Enforcement [4/25/2008]
- 30-9 Other Provisions [6/24/2016]
- 30-10 Critical Area Boundaries [6/25/1999]
- 30-11 General Guidelines for All Critical Areas [eff. 6/25/1999]
- 30-12 Specific Project Standards for Tidelands and Coastal Waters [eff. 4/25/2008]
- 30-13 Specific Project Standards for Beaches and the Beach/Dune System [eff. 6/24/2016]
- 30-14 Administrative Procedures [eff. 6/24/2016]
- 30-15 Activities Allowed Seaward of Baseline [eff. 6/24/2016]
- 30-16 Documentation Requirements before Commencing Activities Between Setback Line and Baseline [6/25/1999]
- 30-17 Application Procedures for General Permits Pursuant to Section 48-39-290(B)(4) [eff. 6/25/1999]
- 30-18 Beachfront Restoration Fund [eff. 6/25/1999]
- 30-21 Beachfront Management Plan [eff. 5/28/1993]

## **Health Regulations**

### ***Drug Control***

- 61-4 Controlled Substances [eff. 6/24/2013]

### ***Emergency Medical Services and Trauma; Athletic Trainers***

#### *EMS*

- 61-7 Emergency Medical Services [eff. 6/24/2016]
- 61-96 Athletic Trainers

*Trauma*

61-116 South Carolina Trauma System [eff.5/27/2016]

***Health Facilities Licensing***

*Certificate of Need*

61-15 Certification of Need for Health Facilities and Services [eff.5/25/2012]

61-31 Health Care Cooperative Agreements [eff. 3/27/1992]

61-95 Medicaid Nursing Home Permits [eff. 5/26/1989]

*Community Care Oversight (CCO)*

61-13 Standards for Licensing Intermediate Care Facilities for Individuals with Intellectual Disabilities [eff. 5/27/2016]

61-84 Standards for Licensing Community Residential Care Facilities [eff. 9/25/2015]

*Facility Services Office (FSO)*

61-3 The Practice of Selling and Fitting Hearing Aids [eff. /22/1988]

61-24 Licensed Midwives [eff.6/28/2013]

61-75 Standards for Licensing Day Care Facilities for Adults [eff. 6/26/2015]

61-77 Standards for Licensing Home Health Agencies [eff. 5/28/1999]

61-78 Standards for Licensing Hospices [eff.4/22/2016]

61-93 Standards for Licensing Facilities that Treat Individuals for Psychoactive Substance Abuse or Dependence [eff. 6/26/2015]

61-102Standards for Licensing Birthing Centers for Deliveries by Midwives [eff. 5/24/1991]

61-108 Standards for Licensing Freestanding or Mobile Technology [eff. 5/28/2004]

61-109 Standards for Permitting Body Piercing Facilities [eff. 5/27/2016]

61-111 Standards for Licensing Tattoo Facilities [eff.5/27/2016]

61-122 Standards for Licensing In-home Care Providers [eff. 6/27/2014]

*Medical Management Office (MMO)*

61-12 Standards for Licensing Abortion Clinics [eff. 6/28/1996]

61-16 Minimum Standards for Licensing Hospitals and Institutional General Infirmaries [eff.6/26/2015]

61-17 Standards for Licensing Nursing Homes [eff. 3/25/2016]

61-91 Ambulatory Surgical Facility [eff. June 26, 2015]

61-96 Standards for Licensing Renal Dialysis Facilities [eff. 2/26/1993]

61-97 Standards for Licensing Renal Dialysis Facilities

61-103Residential Treatment Facilities for Children and Adolescents [eff. 6/24/2016]

61-123 Critical Congenital Heart Defects Screening on Newborns [eff. 6/27/2014]



## ***Radiological Health***

### *Electronic Products*

61-64 X-rays (Title B) [eff.6/24/2016]

61-65 Particle Accelerators (Title C) [eff. 6/26/2015] 61-106 Tanning Facilities [eff. 5/23/2008]

61-106 Tanning Facilities [eff. 5/23/2008]

### *Radiological Materials Licensing & Compliance*

61-63 Radioactive Materials (Title A) [eff. 10/24/2014]

[*This regulation is co-managed by the Bureau of Land and Waste Management and the Bureau of Radiological Health*]

## **Health Services Regulations**

### ***Disease Control***

#### *Acute Disease Epidemiology & Tuberculosis Control*

61-8 Immunization Requirements for School and Childcare Attendance [eff. 6/27/2014]

61-20 Communicable Diseases [eff. 6/24/2016]

61-22 The Evaluation of School Employees for Tuberculosis [eff. 6/24/2016]

#### *Immunization*

61-120 South Carolina Immunization Registry [eff. 5/24/2013]

#### *STD/HIV*

61-21 Sexually Transmitted Diseases [eff.6/24//2016]

### ***Maternal and Child Health***

#### *Children's Health*

61-80 Neonatal Screening for Inborn Metabolic Errors and Hemoglobinopathies [eff.6/27/2003]

#### *Research and Planning*

61-114 South Carolina Birth Defects Program [eff. 5/23/2008]

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*Women, Infants & Children*

61-94 WIC Vendors [eff. 10/27/2000]

***Vital Statistics & Cancer Registry***

61-19 Vital Statistics [eff.6/24/2016]

61-45 South Carolina Central Cancer Registry [eff. 6/26/1998]