

# Environmental Health Services | Environmental Affairs

## R.61-25, Retail Food Establishments - Proposed Amendment

## R.61-37, Retail Food Establishment Inspection Fees - Proposed Repeal

State Register Document No. 4842

General Assembly review required

Link to Notice of Final Regulation for legislative review | [www.scstatehouse.gov/regs/4842.docx](http://www.scstatehouse.gov/regs/4842.docx)

### Summary |

Full summary available via link above

Proposed amendment of R.61-25 to enable the Department, through regulation, to incorporate standards of the 2017 United States Food and Drug Administration ("FDA") Food Code. The FDA Food Code is the national standard for state, local, and tribal food protection programs.

Proposed amendments also include revisions to selected sections of R.61-25 to reflect the current business models of the food service industry based on comments and suggestions from the regulated community.

Further proposed amendments include combining R.61-25 with revised provisions of R.61-37, Retail Food Establishment Inspection Fees, which was last amended in 2002. Specifically, the Department proposes revising fee schedules currently residing in R.61-37, placing the fee schedules in R.61-25, and repealing R.61-37. This provides the retail food industry with one streamlined regulation, while allowing for necessary program support through an increase in inspection fees.

The proposed amendments also include other changes as deemed necessary by the Department to improve the overall clarity, organization, and quality of the regulation. These changes include, but are not limited to, stylistic changes, updates to definitions and exemptions, corrections for clarity, readability, grammar, punctuation, references, and codification, and overall improvement of the text of the regulation.

### History and Status |

NOD published:	August 24, 2018
NOD comment period closed:	September 24, 2018
Board approval to publish NPR:	October 12, 2018
NPR published:	October 26, 2018
NPR comment period closed:	November 26, 2018
Public Hearing:	December 13, 2018
Legislative review of NFR began:	January 8, 2019

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# Environmental Health Services | Environmental Affairs

R.61-55, Septic Tank Site Evaluation Fees - Proposed Repeal

R.61-56, Onsite Wastewater Systems - Proposed Amendment

R.61-56.1, License to Construct or Clean Onsite Sewage Treatment and Disposal Systems and Self-Contained Toilets - Proposed Repeal

R.61-56.2, Licensing of Onsite Wastewater Master Contractors - Proposed Repeal

State Register Document No. TBD

General Assembly review required

## Summary |

Summary available in State Register publication

Proposed amendment of R.61-56, Onsite Wastewater Systems, to add new system standards, clarify and amend definitions, and clarify and update selected sections. The amendments will clarify and modernize the regulation to address needed updates in administering the Onsite Wastewater program.

Further proposed amendments include amending the fee schedule. The Department further proposes amending the fee schedule currently appearing in R.61-55 and, in the interest of efficiency, moving the amended fee scale to R.61-56. This will entail repealing R.61-55 and simultaneously adding its provisions, as amended, to R.61-56. The proposed amendments will include amended definitions, increase in fees, a new, expedited permitting process with associated fees, and assignment of application fees to specific performed services.

Proposed amendments also include amending provisions of R.61-56.1 and R.61-56.2 and merging

R.61-56.1 and R.61-56.2 into R.61-56 to improve efficiency and clarity for Department staff, regulated entities, and the public. This will entail repealing R.61-56.1 and R.61-56.2 and simultaneously adding their provisions, as amended, to R.61-56. The proposed amendments will include changes to licensing and fee requirements for pumpers and haulers currently under R.61-56.1. The proposed amendments also will revise provisions currently contained in R.61-56.2 to implement a tiered licensing program to establish improved competency of onsite wastewater system contractors/installers. This approach includes new requirements for examination, continuing education, and an associated licensure fee.

Proposed amendments may also include stylistic changes for internal consistency, such as corrections for clarity in wording, references, grammar, outlining and codification, and such other changes as necessary to improve the overall quality of the regulation.

## History and Status |

NOD published: April 27, 2018  
NOD comment period closed: May 28, 2018

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