

R.61-43, Standards for the Permitting of Agricultural Animal Facilities - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

The Department proposes amending R.61-43, Standards for the Permitting of Agricultural Animal Facilities, to incorporate the following statutory changes made by the General Assembly through passage of Act No. 139, which took effect March 12, 2018:

1. The General Assembly amended Section 44-1-65 to establish specific requirements for the review and appeal of decisions by DHEC regarding the permitting, licensing, certification, or other approval of poultry and other animal facilities (except swine facilities);
2. The General Assembly amended Section 44-1-60 to revise and clarify procedures for reviewing permits for poultry and other animal facilities (except swine facilities); and
3. The General Assembly amended Section 46-45-80 regarding setback distances for poultry and other animal facilities (except swine facilities) to prohibit DHEC from requiring additional setback distances if established distances are achieved, to allow waiver of the established setback distances in certain circumstances, and other purposes.

The Department may also include stylistic changes, such as corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of the text of the regulation.

History and Status |

NOD published: February 22, 2019
NOD comment period will close: March 25, 2019

Contact Information |

Charles Williams
Bureau of Water

2600 Bull Street
Columbia, SC 29201
williacj@dhec.sc.gov

R.61-67.1, Requirements for State Water Pollution Control Revolving Fund Loan Assistance - Proposed Repeal

State Register Document No. 4838

General Assembly review required

Link to Notice of Final Regulation for legislative review | www.scstatehouse.gov/regs/4838.docx

Summary |

Full summary available via link above

The Department of Health and Environmental Control (“Department”) repeals R.61 67.1. The regulation describes the process the Department and the former South Carolina Budget and Control Board followed in administering the State Water Pollution Revolving Fund received in federal grants from the Environmental Protection Agency (“EPA”). In 1992, the General Assembly repealed S.C. Code Section 48 6 10 et seq. and replaced it with the South Carolina Water Quality Revolving Fund Authority Act (S.C. Code Section 48 5 10 et seq.). Passage of the South Carolina Water Quality Revolving Fund Authority Act (“Act”) has rendered R.61 67.1 obsolete. The Act provides authority for the Department and the South Carolina Water Quality Revolving Fund Authority to administer the South Carolina clean water and drinking water revolving funds program and federal grants received as supplements to the revolving funds from the EPA. The South Carolina Water Quality Revolving Fund Authority comprises the members of the State Fiscal Accountability Authority, with administrative and implementation support from the South Carolina Rural Infrastructure Authority (“RIA”).

Repeal of the regulation will have no impact or implications for the current administration and implementation of the South Carolina Clean Water State Revolving Fund (“CWSRF”). The CWSRF, like its predecessor, the State Water Pollution Revolving Fund under the repealed Title 48, Chapter 6, provides low interest loans to public utilities and local governments for wastewater and stormwater infrastructure projects. The Department and RIA are able to effectively administer and implement the state revolving funds program using the state statute, Title 48, Chapter 5, and federal laws, regulations, and grant requirements that govern the use of the funds. Other existing state laws and regulations also are used to implement the program such as environmental permitting regulations that govern the design and construction of wastewater and drinking water infrastructure projects.

History and Status |

NOD published:	June 22, 2018
NOD comment period closed:	July 23, 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

Contact Information |

Charles Gorman
Bureau of Water

2600 Bull Street
Columbia, SC 29201
gormancm@dhec.sc.gov

R.61-68, Water Classifications and Standards - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

Section 303(c)(2)(B) of the federal Clean Water Act (“CWA”) requires South Carolina’s water quality standards be reviewed and revised, where necessary, at least once every three years. Referred to as the triennial review, this required process consists of reviewing and adopting, where appropriate, the Environmental Protection Agency’s updated numeric and narrative criteria according to Section 304(a) and Section 307(a) of the CWA. The Department proposes amending R.61-68 to adopt these criteria as deemed necessary to comply with federal regulatory revisions and recommendations.

The Department may also include stylistic changes, such as corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of the text of the regulation.

History and Status |

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Contact Information |

Andrew Edwards
Bureau of Water

2600 Bull Street
Columbia, SC 29201
edwardaj@dhec.sc.gov

R.61-69, Classified Waters - Proposed Amendment

State Register Document No. TBD

General Assembly review required

Summary |

Summary available in State Register publication

Section 303(c)(2)(B) of the federal Clean Water Act (“CWA”) requires South Carolina’s water quality standards be reviewed and revised, where necessary, at least once every three years. The Department proposes amending R.61-69 to clarify and correct as needed waterbody names, counties, classes, and descriptions.

The Department may also include stylistic changes, such as corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of the text of the regulation.

History and Status |

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Contact Information |

Andrew Edwards
Bureau of Water

2600 Bull Street
Columbia, SC 29201
edwardaj@dhec.sc.gov