

REGULATION DEVELOPMENT UPDATE |

December 2020



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DHEC publishes this online report the fourth Friday of each month to exhibit pending regulatory initiatives. The report includes proposed new regulations and amendments and repeals of existing regulations.

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DHEC Regulatory Information
www.scdhec.gov/permits-regulations

South Carolina State Register
https://www.scstatehouse.gov/register_andregs.php

Terminology
NOD - Notice of Drafting
NPR - Notice of Proposed Regulation
NFR - Notice of Final Regulation

R.61-62, Air Pollution Control Regulations and Standards – Final Amendment

State Register Document No. 4978

Exempt from General Assembly review

Link to published Notice of Final Regulation (“NFR”): www.scstatehouse.gov/regs/4978.docx

Status |

NFR published/Legal effect: December 25, 2020

Contact Information |

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Summary |

Pursuant to the South Carolina Pollution Control Act, S.C. Code Sections 48-1-10 et seq., and the federal Clean Air Act, 42 U.S.C. Sections 7410, 7413, and 7416, the Department must ensure national primary and secondary ambient air quality standards are achieved and maintained in South Carolina. No state may adopt or enforce an emission standard or limitation less stringent than these federal standards or limitations pursuant to 42 U.S.C. Section 7416.

The United States Environmental Protection Agency (EPA) promulgates amendments to the Code of Federal Regulations (CFR) throughout each calendar year. Recent federal amendments at 40 CFR Parts 60, 63, and 68 include revisions to New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, and Chemical Accident Prevention Provisions.

The Department proposes amending R.61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards; R.61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories; and R.61-62.68, Chemical Accident Prevention Provisions, to incorporate federal amendments promulgated from January 1, 2019, through December 31, 2019.

The Department also proposes amending R.61-62.60 to add Subpart UUUUa, which will include provisions for facilitating implementation of the EPA’s “Performance Standards and Compliance Times for Greenhouse Gas Emissions from Existing Electric Utility Generating Units,” also known as the Affordable Clean Energy (ACE) rule, as published in the *Federal Register* on July 8, 2019 (84 FR 32520). This proposed amendment is to ensure compliance with federal law.

The Department also proposes amending R.61-62.60 to delete Subpart B - “Adoption and Submittal of State Plans for Designated Facilities.” This subpart incorporates by reference EPA implementing regulations found at 40 CFR Part 60, Subpart B, which is directly applicable to EPA and states. These implementing regulations have been updated through EPA’s promulgation of 40 CFR Part 60, Subpart Ba, which is also directly applicable to EPA and states and need not be incorporated by reference by the Department. The Department therefore proposes to delete R.61-62.60, Subpart B for simplicity and to maintain compliance with federal law.

The Department also proposes other changes to R.61-62, Air Pollution Control Regulations and Standards, as deemed necessary to maintain compliance with federal law. These changes include corrections or other changes for internal consistency, clarification, reference, punctuation, codification, formatting, spelling and overall improvement of the text of R.61-62 as necessary.

South Carolina industries are already subject to national air quality standards and NSPS, NESHAP, and Chemical Accident Prevention Provisions as a matter of federal law. The Department must incorporate amendments to the federal regulations because the EPA has delegated South Carolina authority for implementation and enforcement of these federal regulations. Federal law also requires South Carolina's adoption of a state plan for compliance with EPA's ACE rule. Thus, there will be no increased cost to the state or its political subdivisions resulting from adoption of these federal amendments beyond those mandated by federal law. South Carolina is already reaping the environmental benefits of these amendments.

The Administrative Procedures Act, S.C. Code Section 1-23-120(H)(1), exempts these amendments from General Assembly review because the Department proposes promulgating the amendments to maintain compliance with federal law. As such, neither a preliminary assessment report nor a preliminary fiscal impact statement is required.

History |

NOD published; comment period started:	February 28, 2020
NOD comment period closed:	March 30, 2020
Board approval to publish NPR:	August 13, 2020
NPR published; comment period started:	August 28, 2020
NPR comment period closed:	September 28, 2020
Public Hearing:	December 10, 2020

R.61-34, Raw Milk for Human Consumption – Proposed Amendment

R.61-34.1, Pasteurized Milk and Milk Products – Proposed Amendment

General Assembly review required

Link to published Notice of Drafting (“NOD”): [State Register Volume 44, Issue 3 \(Page 17\)](#)

Status |

NOD published; comment period closed

Contact Information |

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Summary |

Pursuant to R.61-34, Raw Milk for Human Consumption, the Department provides sanitation oversight for the production and sale of raw milk that has not been pasteurized for food safety in South Carolina. The Department proposes amending R.61-34 to address the further processing and sale of raw milk products, such as cream and buttermilk, and any additional consumer advisory changes that would be needed for products that receive further processing or become necessary as a byproduct of further processing (if allowed). The proposed revisions would also update raw milk standards if needed to align certain requirements with the 2019 version of the U.S. Food and Drug Administration Pasteurized Milk Ordinance (“PMO”).

Pursuant to R.61-34.1, Pasteurized Milk and Milk Products, the Department provides sanitation oversight of the production and sale of pasteurized milk and milk products for both intrastate and interstate commerce. The Department proposes incorporating requirements of the 2019 PMO through amendment of R.61-34.1. The regulation is currently based on the 2013 PMO and will not meet the federal standards after this year. The amendment of R.61-34.1 to incorporate the updated requirements of the 2019 PMO would enable South Carolina milk producers to continue to meet federal standards and ship milk and milk products for interstate commerce. The Department further proposes clarification of requirements for potable water sources.

The Department may also include changes to both regulations for clarity and readability, grammar, punctuation, and codification, and other regulatory text improvement. Amendments to both regulations may also include updates to administrative and enforcement provisions.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

NOD published; comment period started:
NOD comment period closed:

March 27, 2020
April 27, 2020

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 System Master Contractors – Proposed Repeal

State Register Document No. 4979

General Assembly review required

Link to Notice of Final Regulation (“NFR”) for legislative review: www.scstatehouse.gov/regs/4979.docx

Status |

Legislative review of NFR will begin: January 2021

Contact Information |

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Summary |

Pursuant to R.61-56, the Department provides oversight for safe treatment and disposal of domestic wastewater to protect the health of families and communities. In accordance with R.61-55, R.61-56, R.61-56.1, and R.61-56.2, the Department issues onsite wastewater contractor licenses, permits to construct, and approvals to operate for individual onsite wastewater treatment systems (septic systems).

The Department amends R.61-56, Onsite Wastewater Systems, to add new system standards, clarify and amend definitions, and clarify and update selected sections. The amendments modernize the regulation and streamline permitting procedures to address needed updates in administering the Onsite Wastewater program.

The Department also amends provisions of R.61-56.1 and R.61-56.2 and merges R.61-56.1 and R.61-56.2 into R.61-56 to improve efficiency and clarity for regulated entities and the public. This entails repealing R.61-56.1 and R.61-56.2 and simultaneously adding their provisions, as amended, to R.61-56. The amendments include changes to licensing requirements for pumpers and haulers currently under R.61-56.1. The amendments 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 and continuing education. In addition, because R.61-56.1 and R.61-56.2 are being combined with R.61-56, previously separate enforcement provisions are also consolidated and updated for clarity and to improve administration of the Onsite Wastewater program.

The revisions expand existing site evaluation options and allow more streamlined permit processing by allowing an applicant to submit a proposed system layout from a licensed Professional Soil Classifier (“PSC”) or other licensed person qualified by statute to practice professional soil classifying. Under this regulation, applicants desiring to install systems for a subdivision will be required to submit third-party soils work from a PSC or other licensed person qualified by statute to practice professional soil classifying. That person would then have the option to either submit a proposed system layout under one of the system standards established within R.61-56 or give the soils report to a

Registered Professional Engineer to design a specialized septic system through the 610 Standard. Subdivision permit applicants may incur additional costs for the third-party work performed under this process. Outside of the subdivision context, applicants for conventional systems will retain the option to use a qualified third party or allow the Department to conduct a soil evaluation and prepare a system layout. The expanded options and enhanced involvement of third-party contractors serve to streamline and expedite the permit process for the Department and the regulated community.

In the interest of efficiency, the Department is also repealing R.61-55 and adding its provisions to R.61-56. The amendments related to R.61-55 include amendments to definitions and other changes as necessary to facilitate merging this regulation into R.61-56.

The Department has also made other corrections for clarity and readability, grammar, punctuation, codification, and regulation text improvement.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments and repeals.

History |

NOD published; comment period started:	March 27, 2020
NOD comment period closed:	April 27, 2020
Board approval to publish NPR:	August 13, 2020
NPR published; comment period started:	August 28, 2020
NPR comment period closed:	September 28, 2020
Public Hearing:	November 12, 2020

R.61-63, Radioactive Materials (Title A) – Final Amendment

State Register Document No. 4958

Exempt from General Assembly review

Link to published Notice of Final Regulation (“NFR”): www.scstatehouse.gov/regs/4958.docx

Status |

NFR published/Legal effect: September 25, 2020

Contact Information |

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Summary |

The federal Atomic Energy Act of 1954 enables the United States Nuclear Regulatory Commission (“Commission”) to enter into agreements with state governors allowing for state regulation of byproduct, source, and special nuclear material. 42 U.S.C. Section 2121. The Commission enters into such agreements if it finds the state regulatory program complies with applicable federal regulations. *Id.* To renew South Carolina’s ongoing agreement with the Commission, the Department proposes amendments to R.61-63 for compliance with the Commission’s federal regulatory updates. The proposed amendments add clarifications or corrections to Part II of the regulation. Additionally, the proposed amendments authorize the Department to review their general licensees’ quality assurance program for the use of Commission-approved Type B packaging for transportation of radioactive material as required in NRC Regulation Title 10, Code of Federal Regulation (“CFR”) Part 71.

The Administrative Procedures Act, S.C. Code Section 1-23-120(H)(1), exempts these amendments from General Assembly review, as the Department proposes these amendments for compliance with federal law.

History |

NOD published; comment period started:	October 25, 2019
NOD comment period closed:	November 25, 2019
Board approval to publish NPR:	February 13, 2020
NPR published; comment period started:	February 28, 2020
NPR comment period closed:	March 30, 2020
Public Hearing:	September 10, 2020
(canceled):	July 9, 2020
(canceled):	May 7, 2020

R.61-79, Hazardous Waste Management Regulations – Proposed Amendment

State Register Document No. 4975

General Assembly review required

Link to Notice of Final Regulation (“NFR”) for legislative review: www.scstatehouse.gov/regs/4975.docx

Status |

Legislative review of NFR will begin: January 2021

Contact Information |

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Summary |

The Department amends R.61-79 to adopt two Environmental Protection Agency (“EPA”) rules published in the Federal Register. The EPA has given authorized states, including South Carolina, the discretion to adopt these rules as they will make existing standards less stringent and provide more flexibility to the regulated community. The “Safe Management of Recalled Airbags” interim final rule, published on November 30, 2018, at 83 FR 61552-61563 creates a conditional exemption from Resource Conservation and Recovery Act (“RCRA”) requirements for certain entities that collect airbag waste from automobiles. The “Universal Waste Regulations: Addition of Aerosol Cans” final rule published on December 9, 2019, at 84 FR 67202-67220 reduces regulatory burdens on businesses that generate, manage, and dispose of aerosol cans. The Department also revises the R.61-79 to make corrections for clarity and readability, grammar, punctuation, codification, and other such regulatory text improvements.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed rules.

History |

NOD published; comment period started:	April 24, 2020
NOD comment period closed:	May 26, 2020
Board approval to publish NPR:	August 13, 2020
NPR published; comment period started:	August 28, 2020
NPR comment period closed:	September 28, 2020
Public Hearing:	November 12, 2020

R.61-79, Hazardous Waste Management Regulations – Final Amendment

State Register Document No. 4976

Exempt from General Assembly review

Link to published Notice of Final Regulation (“NFR”): www.scstatehouse.gov/regs/4976.docx

Status |

NFR published/Legal effect: November 27, 2020

Contact Information |

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Summary |

The Department amends R.61-79, Hazardous Waste Management Regulations, to adopt the Environmental Protection Agency (“EPA”) final rule “Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine,” published on February 22, 2019, at 84 FR 5816-5950. The rule creates new standards for the management of hazardous waste pharmaceuticals by healthcare facilities and reverse distributors in lieu of the existing generator regulations and reduces regulatory burdens for over-the-counter Food and Drug Administration (“FDA”)-approved nicotine replacement therapies.

The Administrative Procedures Act, S.C. Code Ann. Section 1-23-120(H)(1), exempts these amendments from General Assembly review, as the Department proposes the amendments for compliance with federal law.

History |

NOD published; comment period started:	April 24, 2020
NOD comment period closed:	May 26, 2020
Board approval to publish NPR:	August 13, 2020
NPR published; comment period started:	August 28, 2020
NPR comment period closed:	September 28, 2020
Public Hearing:	November 12, 2020

Land and Waste Management | Environmental Affairs

R.61-107.4, Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings and Organic Residuals – Proposed Amendment

State Register Document No. 5003

General Assembly review required

Link to Notice of Final Regulation (“NFR”) for legislative review: www.scstatehouse.gov/regs/5003.docx

Status |

Legislative review of NFR will begin: January 2021

Contact Information |

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Summary |

Pursuant to S.C. Code Sections 44-96-10 *et seq*, it is the responsibility of the Department to promulgate regulations establishing standards for the management of yard trash and land-clearing debris, and for the production of compost. The proposed amendments improve environmental protection, ensure adequate, but not burdensome, financial assurance to close facilities that cease operating, provide clarity for permit exemptions, update operational criteria, and correct typographical and other similar errors. The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

NOD published; comment period started:	May 22, 2020
NOD comment period closed:	June 22, 2020
Board approval to publish NPR:	October 8, 2020
NPR published; comment period started:	October 23, 2020
NPR comment period closed:	November 23, 2020
Public Hearing:	December 10, 2020

61-107.20, Regulation Name Pending – Proposed New Regulation

General Assembly review required

Link to published Notice of Drafting (“NOD”): [State Register Volume 44, Issue 5 \(Page 66\)](#)

Status |

NOD published; comment period closed

Contact Information |

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Summary |

During the 2018 legislative session, the General Assembly passed Act 170 (“Act”), which revised the South Carolina Solid Waste Policy and Management Act of 1991. The Act codified language at S.C. Code Ann. Section 44-96-360 *et seq.*, which establishes conditions for facilities that process or recycle construction and demolition debris.

The Department proposes a new regulation to address and implement provisions of the Act to regulate facilities that process or recycle construction and demolition debris. This new regulation, R.61-107.20, will establish requirements including registration, permitting, location, operation, and reporting requirements for construction and demolition debris processing and recycling facilities. The regulation will also address the applicability of the regulation and will clarify exemption requirements. For facilities that fail to adhere to proper procedures, the regulation will address penalties and establish procedures for the revocation or suspension of a permit.

The Administrative Procedures Act, S.C. Code Ann., Section 1-23-120(A), requires General Assembly review of this new regulation.

History |

NOD published; comment period started:	May 22, 2020
NOD comment period closed:	June 22, 2020

R.30-1, Statement of Policy – Proposed Amendment

R.30-12, Specific Project Standards for Tidelands and Coastal Waters – Proposed Amendment

State Register Document No. 4995

General Assembly review required

Link to Notice of Final Regulation (“NFR”) for legislative review: www.scstatehouse.gov/regs/4995.docx

Status |

Legislative review of NFR will begin: January 2021

Contact Information |

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Summary |

Pursuant to the S.C. Coastal Zone Management Act, S.C. Code Sections 48-39-10 et seq., the Department proposes amending R.30-1 and R.30-12 to provide a definition and add project standards for living shorelines. Coastal property owners and other stakeholders in South Carolina have expressed an increased interest in the use of living shorelines as an alternative to hardened erosion control structures within the estuarine environment. Coastal Division regulations currently do not provide guidance specific for living shoreline installations. The lack of a regulatory definition or specific project standards for living shorelines has resulted in longer permitting review times and uncertainties about project performance. Proposed new sections R.30-1.D(31) and R.30-12.Q will allow for a more efficient authorization process by defining which projects qualify as a living shoreline and establishing specific standards for living shoreline installations. The proposed new sections will also help ensure a project’s design will accomplish its intended goals.

The Department developed the proposed new sections using scientific data and monitoring results from existing living shoreline installations in South Carolina and with input from state, local, and federal agencies, the Living Shoreline Working Group, and additional stakeholder engagement.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

NOD published; comment period started:	April 24, 2020
NOD comment period closed:	May 26, 2020
Board approval to publish NPR:	September 10, 2020
NPR published; comment period started:	September 25, 2020
NPR comment period closed:	October 26, 2020
Public Hearing:	December 10, 2020

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

State Register Document No. 4997

General Assembly review required

Link to Notice of Final Regulation (“NFR”) for legislative review: www.scstatehouse.gov/regs/4997.docx

Status |

Legislative review of NFR will begin: January 2021

Contact Information |

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Summary |

The Department proposes amending R.61-43, Standards for the Permitting of Agricultural Animal Facilities, to incorporate Act 139 of 2018, which amended S.C. Code Sections 44-1-60 and 46-45-80 and added Section 44-1-65. S.C. Code Section 44-1-65 establishes specific requirements for review and appeal of decisions by the Department regarding the permitting, licensing, certification, or other approval of poultry and other animal facilities, except for swine facilities. Section 44-1-60 sets procedures for reviewing permits for poultry and other animal facilities, except swine facilities, relating to appeals from Department decisions giving rise to contested cases. Section 46-45-80 includes provisions regarding setback distances for poultry and other animal facilities, except swine facilities, so as to prohibit requiring additional setback distances if established distances are achieved, allow waiver of the established setback distances in certain circumstances, and other purposes.

The Department also proposes amendments to correct typographical errors, citation errors, and other errors and omissions that have come to the Department’s attention. These include correcting form references and regulation references, updating definitions, adding and/or omitting language and punctuation, clarification, reorganizing sections for consistency, and other such changes. The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these amendments.

History |

NOD published; comment period started:	June 26, 2020
NOD comment period closed:	July 27, 2020
Board approval to publish NPR:	September 10, 2020
NPR published; comment period started:	September 25, 2020
NPR comment period closed:	October 26, 2020
Public Hearing:	December 10, 2020

R.61-75, Standards for Licensing Day Care Facilities for Adults – Proposed Amendment

State Register Document No. 4977

General Assembly review required

Link to Notice of Final Regulation (“NFR”) for legislative review: www.scstatehouse.gov/regs/4977.docx

Status |

Legislative review of NFR will begin: January 2021

Contact Information |

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Summary |

The Department amends R.61-75 to update provisions in accordance with current practices and standards. Amendments incorporate and revise provisions relating to statutory mandates, update definitions to conform to terminology widely used and understood within the provider community, and revise requirements for incident reporting, staffing and training, medication management, patient care and services, infection control, meal service, emergency procedures, design and construction, fire and life safety, and licensure. The amendments also update the structure of the regulation throughout for consistency with other DHEC Healthcare Quality regulations.

The Department further revises R.61-75 for clarity and readability, grammar, references, codification, and overall improvement to the text of the regulation. R.61-75 was last amended in 2015.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

NOD published; comment period started:	February 28, 2020
NOD comment period closed:	March 30, 2020
Board approval to publish NPR:	August 13, 2020
NPR published; comment period started:	August 28, 2020
NPR comment period closed:	September 28, 2020
Public Hearing:	November 12, 2020

R.61-7, Emergency Medical Services – Proposed Amendment

State Register Document No. 5030

General Assembly review required

Link to published Notice of Proposed Regulation (“NPR”): www.scstatehouse.gov/regs/5030.docx

Status |

NPR comment period open:
December 25, 2020 – January 25, 2021

Submit Comments To |

Bureau of Healthcare Professionals
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Summary |

The Department proposes amending R.61-7 to update provisions in accordance with current practices and standards. Proposed amendments incorporate and revise provisions relating to statutory mandates, update definitions to conform to the terminology widely used and understood within the provider community, revise requirements to Emergency Medical Technician (EMT) training programs, ambulance design and equipment to reflect current industry standards, incident reporting, sanitation and infection control, monetary penalties, and other requirements for EMS agency licensure, ambulance permitting, and EMT certification. The Department further proposes revisions for clarity and readability, grammar, references, codification, and overall improvement to the text of the regulation. R.61-7 was last amended in 2016.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

NOD published; comment period started:	February 28, 2020
NOD comment period closed:	March 30, 2020
Board approval to publish NPR:	December 10, 2020
Public Hearing (scheduled):	February 11, 2021

R.61-24, Licensed Midwives – Proposed Amendment

State Register Document No. 4974

General Assembly review required

Link to published Notice of Proposed Regulation (“NPR”): www.scstatehouse.gov/regs/4974.docx

Status |

NPR published; comment period closed

Contact Information |

Bureau of Healthcare Professionals

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Summary |

The Department proposes amending R.61-24 to update provisions in accordance with current practices and standards. Proposed amendments incorporate and revise provisions relating to statutory mandates, update definitions to conform to the terminology widely used and understood within the provider community, and revise requirements for scope of practice, incident reporting, continuing education training requirements, prescription medication administration, client and neonate care and services, infection control, monetary penalties, and other requirements for licensure. The Department further proposes revisions for clarity and readability, grammar, references, codification, and overall improvement to the text of the regulation. R.61-24 was last amended in 2013.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

NOD published; comment period started:	February 28, 2020
NOD comment period closed:	March 30, 2020
Board approval to publish NPR:	August 13, 2020
NPR published; comment period started:	August 28, 2020
NPR comment period closed:	September 28, 2020
Public Hearing (scheduled)*:	November 12, 2020

***The Public Hearing will be continued on January 7, 2021.**

R.61-96, Athletic Trainers – Proposed Amendment

State Register Document No. 4996

General Assembly review required

Link to Notice of Final Regulation (“NFR”) for legislative review: www.scstatehouse.gov/regs/4996.docx

Status |

Legislative review of NFR will begin: January 2021

Contact Information |

Bureau of Healthcare Professionals

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Summary |

The Department proposes amending R.61-96 to update provisions in accordance with current practices and standards. Proposed amendments incorporate and revise provisions relating to statutory mandates, update definitions to conform to terminology widely used and understood within the provider community, and revise requirements for obtaining certification, inspections and investigations, continuing education, patient care, documentation, and the incorporation of statutory change allowing for monetary penalties. The proposed amendments also update the structure of the regulation throughout for consistency with other DHEC Healthcare Quality regulations.

The Department further proposes revisions for clarity, readability, grammar, references, codification, and overall improvement to the text of the regulation. R.61-96 was last amended in 2015.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

NOD published; comment period started:	February 28, 2020
NOD comment period closed:	March 30, 2020
Board approval to publish NPR:	September 10, 2020
NPR published; comment period started:	September 25, 2020
NPR comment period closed:	October 26, 2020
Public Hearing:	December 10, 2020

R.61-63, Radioactive Materials (Title A) – Proposed Amendment

Exempt from General Assembly review

Link to published Notice of Drafting (“NOD”): [State Register Volume 44, Issue 10 \(Page 46\)](#)

Status |

NOD published; comment period closed

Contact Information |

Bureau of Radiological Health

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Summary |

Pursuant to R.61-63, Radioactive Materials (Title A), the Department is responsible for regulatory and licensing standards, disposal, use, reports, storage, and inspections relating to various uses of radioactive materials. The Department proposes amending R.61-63 to incorporate federal regulations to maintain its status with the United States Nuclear Regulatory Commission (“NRC”) as an Agreement State and ensure compatibility with federal regulations as required by Section 274 of the Atomic Energy Act of 1954.

The NRC promulgates amendments to NRC Regulation Title 10, Code of Federal Regulations (“CFR”) throughout each calendar year. Recent amendments include definitions, training and experience, and clarification regarding medical use of byproduct material as published in the Federal Register at 83 FR 33046 on July 16, 2018; organizational corrections in 10 CFR parts 37, 40, 70, and 71 as published in the Federal Register at 83 FR 57231 on November 21, 2018; miscellaneous corrections to 10 CFR Parts 1, 2, 34, 37, 50, 71, 73, and 140 as published in the Federal Register at 83 FR 30285 on June 28, 2018; miscellaneous corrections to 10 CFR Parts 2, 21, 37, 50, 52, 73, and 110 as published in the Federal Register at 83 FR 63565 on November 18, 2019; organizational changes and conforming amendments to 10 CFR Parts 1, 2, 37, 40, 50, 51, 52, 55, 71, 72, 73, 74, 100, 140, and 150 as published in the Federal Register at 84 FR 65639 on December 5, 2019; individual monitoring devices in 10 CFR Parts 34, 36, and 39 as published in the Federal Register at 85 FR 15347 on March 18, 2020; and social security number fraud prevention 10 CFR Parts 9 and 35 as published in the Federal Register at 85 FR 33527 and 85 FR 44685 on June 2, 2020.

The Administrative Procedures Act, S.C. Code Section 1-23-120(H)(1), exempts these amendments from General Assembly review, as the Department proposes these amendments for compliance with federal law.

History |

NOD published; comment period started:

October 23, 2020

NOD comment period closed:

November 23, 2020

R.61-19, Vital Statistics – Proposed Amendment

General Assembly review required

Link to published Notice of Drafting (“NOD”): [State Register Volume 44, Issue 3 \(Page 18\)](#)

Status |

NOD published; comment period closed

Contact Information |

Vital Stats Reg

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Summary |

Pursuant to R.61-19, Vital Statistics, the Department provides and maintains a system for the registration and certification of births, deaths, marriages, divorces and other data related to the registration and certification of vital records. The Department proposes amending R.61-19 to remove obsolete sections, add and update definitions, provide for consistency with anticipated advancements in the Department’s vital statistics system, address advancements in processes for the creation and amendment of vital records, and bring the regulation into conformity with changes in South Carolina law. Additionally, the Department may consider revisions to the current fee schedule.

The Department may also include changes such as corrections for clarity and readability, grammar, punctuation, codification, and regulation text improvement.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.

History |

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