

## **SOUTH CAROLINA STATE REGISTER DISCLAIMER**

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# SOUTH CAROLINA STATE REGISTER

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of the  
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This issue contains notices, proposed regulations, emergency regulations, final form regulations, and other documents filed in the Office of the Legislative Council, pursuant to Article 1, Chapter 23, Title 1, Code of Laws of South Carolina, 1976.

# ***SOUTH CAROLINA STATE REGISTER***

An official state publication, the *South Carolina State Register* is a temporary update to South Carolina's official compilation of agency regulations--the *South Carolina Code of Regulations*. Changes in regulations, whether by adoption, amendment, repeal or emergency action must be published in the *State Register* pursuant to the provisions of the Administrative Procedures Act. The *State Register* also publishes the Governor's Executive Orders, notices or public hearings and meetings, and other documents issued by state agencies considered to be in the public interest. All documents published in the *State Register* are drafted by state agencies and are published as submitted. Publication of any material in the *State Register* is the official notice of such information.

## **STYLE AND FORMAT**

Documents are arranged within each issue of the *State Register* according to the type of document filed:

**Notices** are documents considered by the agency to have general public interest.

**Notices of Drafting Regulations** give interested persons the opportunity to comment during the initial drafting period before regulations are submitted as proposed.

**Proposed Regulations** are those regulations pending permanent adoption by an agency.

**Pending Regulations Submitted to the General Assembly** are regulations adopted by the agency pending approval by the General Assembly.

**Final Regulations** have been permanently adopted by the agency and approved by the General Assembly.

**Emergency Regulations** have been adopted on an emergency basis by the agency.

**Executive Orders** are actions issued and taken by the Governor.

## **2021 PUBLICATION SCHEDULE**

Documents will be accepted for filing on any normal business day from 8:30 A.M. until 5:00 P.M. All documents must be submitted in the format prescribed in the *Standards Manual for Drafting and Filing Regulations*.

To be included for publication in the next issue of the *State Register*, documents will be accepted no later than 5:00 P.M. on any closing date. The modification or withdrawal of documents filed for publication must be made **by 5:00 P.M.** on the closing date for that issue.

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Submission Deadline	1/8	2/12	3/12	4/9	5/14	6/11	7/9	8/13	9/10	10/8	11/12	12/10
Publishing Date	1/22	2/26	3/26	4/23	5/28	6/25	7/23	8/27	9/24	10/22	11/26	12/24

## **REPRODUCING OFFICIAL DOCUMENTS**

Documents appearing in the *State Register* are prepared and printed at public expense. Media services are encouraged to give wide publicity to documents printed in the *State Register*.

## **PUBLIC INSPECTION OF DOCUMENTS**

Documents filed with the Office of the State Register are available for public inspection during normal office hours, 8:30 A.M. to 5:00 P.M., Monday through Friday. The Office of the State Register is in the Legislative Council, Fourth Floor, Rembert C. Dennis Building, 1000 Assembly Street, in Columbia. Telephone inquiries concerning material in the *State Register* or the *South Carolina Code of Regulations* may be made by calling (803) 212-4500.

## **ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS**

To adopt, amend or repeal a regulation, an agency must publish in the *State Register* a Notice of Drafting; a Notice of the Proposed Regulation that contains an estimate of the proposed action's economic impact; and, a notice that gives the public an opportunity to comment on the proposal. If requested by twenty-five persons, a public hearing must be held at least thirty days after the date of publication of the notice in the *State Register*.

After the date of hearing, the regulation must be submitted to the General Assembly for approval. The General Assembly has one hundred twenty days to consider the regulation. If no legislation is introduced to disapprove or enacted to approve before the expiration of the one-hundred-twenty-day review period, the regulation is approved on the one hundred twentieth day and is effective upon publication in the *State Register*.

## **EMERGENCY REGULATIONS**

An emergency regulation may be promulgated by an agency if the agency finds imminent peril to public health, safety or welfare. Emergency regulations are effective upon filing for a ninety-day period. If the original filing began and expired during the legislative interim, the regulation can be renewed once.

## **REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW**

Regulations promulgated to comply with federal law are exempt from General Assembly review. Following the notice of proposed regulation and hearing, regulations are submitted to the *State Register* and are effective upon publication.

## **EFFECTIVE DATE OF REGULATIONS**

**Final Regulations** take effect on the date of publication in the *State Register* unless otherwise noted within the text of the regulation.

**Emergency Regulations** take effect upon filing with the Legislative Council and remain effective for ninety days. If the original ninety-day period begins and expires during legislative interim, the regulation may be refiled for one additional ninety-day period.

## SUBSCRIPTIONS

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 South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>

<b>DOC. NO.</b>	<b>RAT. NO.</b>	<b>FINAL ISSUE</b>	<b>SUBJECT</b>	<b>EXP. DATE</b>	<b>AGENCY</b>	<b>HOUSE COMMITTEE</b>	<b>SENATE COMMITTEE</b>
4952			Procedure to Employ, through Contract or Otherwise, Qualified, Independent Third-Party Consultants or Experts	01/21/2022	Public Service Commission	Regs and Admin Procedures	Judiciary
5028			Term and Universal Life Insurance Reserve Financing	01/31/2022	Department of Insurance	Regs and Admin Procedures	Banking and Insurance
5029			Credit for Reinsurance	01/31/2022	Department of Insurance	Regs and Admin Procedures	Banking and Insurance
5033			Raw Milk for Human Consumption; and Pasteurized Milk and Milk Products	03/14/2022	Department of Health and Envir Control	Regs and Admin Procedures	Ag and Nat Resources
5032			Seed Certification	03/16/2022	Clemson University	Regs and Admin Procedures	Ag and Nat Resources
5034			Emergency Temporary Work Permits	03/28/2022	LLR-Board of Cosmetology	Regs and Admin Procedures	Labor, Commerce and Industry
5037			Licensing Provisions; and Continuing Education	05/08/2022	LLR-Board of Funeral Service	Regs and Admin Procedures	Labor, Commerce and Industry
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4977			Standards for Licensing Day Care Facilities for Adults	Tolled	Department of Health and Envir Control	Regs and Admin Procedures	Medical Affairs
4993			South Carolina Jobs-Economic Development Authority	Tolled	SC Jobs-Economic Development Auth	Regs and Admin Procedures	Labor, Commerce and Industry



## **2 EXECUTIVE ORDERS**

### **Executive Order No. 2021-26**

**WHEREAS**, there presently exists a vacancy in the office of Treasurer of Allendale County due to the resignation of Gerzell C. Chaney, effective June 14, 2021; and

**WHEREAS**, in the event of a vacancy in the office of a county treasurer, the undersigned is authorized to appoint a suitable person, who shall be an elector of the county, to serve as county treasurer pursuant to sections 1-3-220(2), 4-11-20(1), and 12-45-20 of the South Carolina Code of Laws, as amended; and

**WHEREAS**, Alice M. Kirkland, of Ulmer, South Carolina, is a fit and proper person to serve as Treasurer of Allendale County.

**NOW, THEREFORE**, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby appoint Alice M. Kirkland to serve as Treasurer of Allendale County until her successor is appointed or elected and qualified as provided by law. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 15th DAY OF JUNE, 2021.**

**HENRY MCMASTER**  
**Governor**

### **Executive Order No. 2021-27**

**WHEREAS**, the undersigned has been notified that David A. Edwards has resigned or otherwise vacated the office of Auditor of Marion County and that there presently exists a vacancy in such office; and

**WHEREAS**, in the event of a vacancy in the office of a county auditor, the undersigned is authorized to appoint a suitable person, who shall be an elector of the county, to serve as county auditor pursuant to sections 1-3-220(2) and 4-11-20(1) of the South Carolina Code of Laws, as amended; and

**WHEREAS**, Vicki J. Cook, of Mullins, South Carolina, is a fit and proper person to serve as Auditor of Marion County.

**NOW, THEREFORE**, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby appoint Vicki J. Cook to serve as Auditor of Marion County until her successor is appointed or elected and qualified as provided by law. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 1st DAY OF JULY, 2021.**

**HENRY MCMASTER**  
**Governor**

## DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

## NOTICE OF GENERAL PUBLIC INTEREST

In accordance with Section 44-7-200(D), Code of Laws of South Carolina, the public is hereby notified that a Certificate of Need application has been accepted for filing and publication on **July 23, 2021**, for the following project(s). After the application is deemed complete, affected persons will be notified that the review cycle has begun. For further information, please contact Certificate of Need Program, 2600 Bull Street, Columbia, South Carolina 29201, at (803) 545-4200, or by email at [coninfo@dhec.sc.gov](mailto:coninfo@dhec.sc.gov).

**Affecting Beaufort County****ENT and Allergy Partners, LLC d/b/a The Surgery Center of Bluffton**

Construction of an ambulatory surgery facility with 1 operating room specializing in ENT procedures at a total project cost of \$8,048,671.

**Affecting Georgetown County****Georgetown Hospital System d/b/a Tidelands Health d/b/a Tidelands Health Waccamaw Community Hospital**

Purchase of a da Vinci Xi Robotic Surgical System at a total project cost of \$2,132,000.

**Affecting Horry County****Tidelands Carolina Bays LTACH, LLC d/b/a Tidelands Health Extended Care Hospital**

Construction of a 24 Long Term Acute Care bed hospital in Horry county at a total project cost of \$17,594,733.22.

In accordance with Section 44-7-210(A), Code of Laws of South Carolina, and S.C. DHEC Regulation 61-15, the public and affected persons are hereby notified that for the following projects, applications have been deemed complete, and the review cycle has begun. A proposed decision will be made as early as 30 days, but no later than 120 days, from **July 23, 2021**. "Affected persons" have 30 days from the above date to submit requests for a public hearing to Certificate of Need Program, 2600 Bull Street, Columbia, South Carolina 29201. If a public hearing is timely requested, the Department's decision will be made after the public hearing, but no later than 150 days from the above date. For further information call (803) 545-4200 or email [coninfo@dhec.sc.gov](mailto:coninfo@dhec.sc.gov).

**Affecting Aiken County****Aiken Regional Medical Centers, Inc., d/b/a Aiken Regional Medical Centers**

Purchase of a da Vinci XI surgical system at a total project cost of \$1,944,100.

**Affecting Anderson County****AnMed Health d/b/a AnMed Health Medical Center**

Transfer of 38 inpatient psychiatric beds from AnMed Health Medical Center to the current Women's & Children's Hospital at a total project cost of \$17,518,836.

**Affecting Berkeley County****KidsCare Home Health of South Carolina, LLC d/b/a KidsCare Home Health of South Carolina**

Establishment of a Specialty Pediatric Home Health Agency in Berkeley County at a total project cost of \$11,955.

**Affecting Charleston County****KidsCare Home Health of South Carolina, LLC d/b/a KidsCare Home Health of South Carolina**

Establishment of a Specialty Pediatric Home Health Agency in Charleston County at a total project cost of \$11,955.

**Affecting Dorchester County**

## 4 NOTICES

### **KidsCare Home Health of South Carolina, LLC d/b/a KidsCare Home Health of South Carolina**

Establishment of a Specialty Pediatric Home Health Agency in Dorchester County at a total project cost of \$11,955.

### **Affecting Greenwood County**

#### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Greenwood County at a total project cost of \$69,686.

### **Affecting McCormick County**

#### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in McCormick County at a total project cost of \$69,686.

## **DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

### **NOTICE OF GENERAL PUBLIC INTEREST**

DHEC-Bureau of Land and Waste Management, File # 59336  
Former Wilson House Moving & Scrap Metal Site

### **NOTICES OF VOLUNTARY CLEANUP CONTRACT, CONTRIBUTION PROTECTION, AND COMMENT PERIOD**

PLEASE TAKE NOTICE that the South Carolina Department of Health and Environmental Control (the Department) intends to enter into a Voluntary Cleanup Contract (VCC) with CSX Transportation, Inc. (the Responsible Party). The VCC provides that the Responsible Party, with DHEC's oversight, will fund and perform future response actions at the Former Wilson House Moving & Scrap Metal facility located in Laurens County at 155 Rocky Springs Church Road, Laurens, South Carolina and any surrounding area impacted by the migration of hazardous substances, pollutants, or contaminants (the Site).

Response actions addressed in the VCC include, but may not be limited to, the Responsible Party funding and performing a remedial investigation and, if necessary, an evaluation of cleanup alternatives for addressing any contamination. Further, the Responsible Party shall reimburse the Department's future costs of overseeing the work performed by the Responsible Party and other Department response costs pursuant to the VCC.

The VCC is subject to a thirty-day public comment period consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9613, and the South Carolina Hazardous Waste Management Act (HWMA), S.C. Code Ann. Section 44-56-200 (as amended). Notices of contribution protection and comment period will be provided to other known potentially responsible parties. The VCC is available:

- (1) On-line at <http://www.scdhec.gov/PublicNotices>; or
- (2) By contacting Elisa Vincent at 803-898-0882 or [vincenef@dhec.sc.gov](mailto:vincenef@dhec.sc.gov).

Any comments to the proposed VCC must be submitted in writing, postmarked no later than August 23, 2021, and addressed to: Elisa Vincent, DHEC-BLWM-SARR, 2600 Bull Street, Columbia, SC 29201.

Upon the successful completion of the VCC, the Responsible Party will receive a covenant not to sue for the work done in completing the response actions specifically covered in the VCC and completed in accordance with the approved work plans and reports. Upon execution of the VCC, the Responsible Party shall be deemed to have resolved their liability to the State in an administrative settlement for purposes of, and to the extent

authorized under CERCLA, 42 U.S.C. Sections 9613(f)(2) and 9613(f)(3)(B), and under HWMA, S.C. Code Ann. Section 44-56-200, for the matters addressed in the VCC. Further, to the extent authorized under 42 U.S.C. Section 9613(f)(3)(B), S.C. Code Ann. Section 44-56-200, the Responsible Party may seek contribution from any person who is not a party to this administrative settlement.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BUILDING CODES COUNCIL**

**NOTICE OF GENERAL PUBLIC INTEREST**

Notice is hereby given that, in accordance with Section 6-9-40 of the 1976 Code of Laws of South Carolina, as amended, the South Carolina Building Codes Council intends to adopt the following building codes for use in the State of South Carolina:

Mandatory codes include the:

- 2021 Edition of the International Building Code;
- 2021 Edition of the International Residential Code;
- 2021 Edition of the International Fire Code;
- 2021 Edition of the International Plumbing Code;
- 2021 Edition of the International Mechanical Code;
- 2021 Edition of the International Fuel Gas Code;
- 2020 Edition of the National Electrical Code.

The Council specifically requests comments concerning sections of the proposed editions, which may be unsuitable for enforcement in South Carolina. Written comments may be submitted to Molly F. Price, Council Administrator, at PO Box 11329 Columbia, SC 29211-1329, or to [contact.bcc@llr.sc.gov](mailto:contact.bcc@llr.sc.gov) on or before September 22, 2021. Additional information may be found on the Council's website at [www.llr.sc.gov/bcc](http://www.llr.sc.gov/bcc).

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BUILDING CODES COUNCIL**

**NOTICE OF GENERAL PUBLIC INTEREST**

**NOTICE OF PUBLIC HEARING**

The South Carolina Department of Labor, Licensing and Regulation and the Building Codes Council do hereby give notice under Section 6-9-40(A)(3) and (4), of the South Carolina Code of Laws, as amended, that a public hearing will be held on July 27, 2021, at the South Carolina Fire Academy in the Denny Auditorium, 141 Monticello Trail, Columbia, SC 29203, at 10:30 A.M., at which time interested persons will be given the opportunity to appear and present views to the Council's appointed Study Committee on the following building codes for use in the State of South Carolina.

Mandatory codes include the:

- 2021 Edition of the International Building Code;
- 2021 Edition of the International Residential Code;
- 2021 Edition of the International Fire Code;
- 2021 Edition of the International Plumbing Code;
- 2021 Edition of the International Mechanical Code;
- 2021 Edition of the International Fuel Gas Code;
- 2020 Edition of the National Electrical Code.

## 6 NOTICES

Additional meetings, if needed, will be held August 19, 2021, and September 28, 2021, at the South Carolina Fire Academy in the Denny Auditorium, 141 Monticello Trail, Columbia, SC 29203, at 10:30 A.M.

Any person who wishes to appear before or provide evidence or comments to the committee, or both, must submit a written notice of his or her intention to appear before the Study Committee to Molly F. Price, Administrator of the Building Codes Council, at the physical address stated below, or to the email address also provided below, by or before Friday, July 23, 2021, at 5:00 p.m.

Molly F. Price  
S.C. Building Codes Council  
SC Department of Labor, Licensing and Regulation  
PO Box 11329  
Columbia, SC 29211-1329  
[Molly.Price@llr.sc.gov](mailto:Molly.Price@llr.sc.gov)

If any person chooses not to attend the hearing but wishes to submit evidence or comments for the Committee's consideration, the evidence or comments should be sent to the same addresses provided above by or before Friday, July 23, 2021, at 5:00 p.m.

### **DEPARTMENT OF LABOR, LICENSING AND REGULATION OFFICE OF ELEVATORS AND AMUSEMENT RIDES**

#### **NOTICE OF GENERAL PUBLIC INTEREST**

Notice is hereby given that, in accordance with Section 1-34-30 of the 1976 Code of Laws of South Carolina, as amended, the Department of Labor, Licensing and Regulation hereby adopts the latest edition of the following nationally recognized code as set forth herein below:

1. Safety Code for Elevators and Escalators, (ASME) A17.1-2019/CSA B44:19, 2019 edition. The latest version of the code was approved October 18, 2019, and issued December 31, 2019, with an effective date of June 30, 2020.

2. The Safety Code for Elevators and Escalators was originally adopted in this state in July 1, 1986. The current version of the code, the Safety Standards for Elevators and Escalators, (ASME) A17.1-2013/CSA B44-13, 2013 edition, was published on October 21, 2013, and became effective on April 21, 2014, with the exceptions of Requirements 8.10.1.1.3 and 8.11.1.1, which became effective immediately. The Department adopted the Code on or about December 28, 2014.

3. The original promulgating authority for this code is:  
The American Society of Mechanical Engineers (ASME)  
22 Law Drive/Box 2300  
Fairfield, New Jersey 07007-2300

4. This code is referenced by:  
South Carolina Code of Laws, Sections 41-16-10 et seq., and specifically in South Carolina Code of Laws, Section 41-16-40(2).  
Elevator Safety Regulations 71-5100(1).

The Department of Labor, Licensing and Regulation specifically requested comments concerning sections of these editions which may be unsuitable for enforcement in South Carolina and received none. Therefore, the South Carolina Department of Labor, Licensing and Regulation will promulgate this latest edition as stated without amendment.

**SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY  
CHAPTER 37**

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

**Notice of Drafting:**

The South Carolina Criminal Justice Academy proposes to amend the Regulation 37-105 that addresses contested case hearings. Interested persons may submit comments to Bradley J. Young, South Carolina Criminal Justice Academy, 5400 Broad River Road, Columbia, S.C. 29210. To be considered, comments must be received no later than 5:00 p.m. on September 1, 2021, the close of the drafting period.

**Synopsis:**

S.C. Code §23-23-80 authorizes the Law Enforcement Training Council to make regulations necessary for the administration of S.C. Code §23-23-10 et seq. The proposed regulation will define the procedure for holding contested case hearing.

Legislative review of this proposal will be required.

**SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY  
CHAPTER 37**

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

**Notice of Drafting:**

The South Carolina Criminal Justice Academy proposes to amend the Regulation 37-025 that addresses the denial of certification for misconduct. Interested persons may submit comments to Bradley J. Young, South Carolina Criminal Justice Academy, 5400 Broad River Road, Columbia, S.C. 29210. To be considered, comments must be received no later than 5:00 p.m. on September 1, 2021, the close of the drafting period.

**Synopsis:**

S.C. Code §23-23-80 authorizes the Law Enforcement Training Council to make regulations necessary for the administration of S.C. Code §23-23-10 et seq. The proposed regulation will define misconduct for the denial of certification of law enforcement officers.

Legislative review of this proposal will be required.

**SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY  
CHAPTER 37**

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

**Notice of Drafting:**

The South Carolina Criminal Justice Academy proposes to amend the Regulation 37-107 that addresses final decisions by the Law Enforcement Training Council. Interested persons may submit comments to Bradley J. Young, South Carolina Criminal Justice Academy, 5400 Broad River Road, Columbia, S.C. 29210. To be considered, comments must be received no later than 5:00 p.m. on September 1, 2021, the close of the drafting period.

## **8 DRAFTING NOTICES**

### **Synopsis:**

S.C. Code §23-23-80 authorizes the Law Enforcement Training Council to make regulations necessary for the administration of S.C. Code §23-23-10 et seq. The proposed regulation will define the procedure for the issuance of final agency decisions by the Law Enforcement Training Council.

Legislative review of this proposal will be required.

### **SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY**

#### **CHAPTER 37**

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

### **Notice of Drafting:**

The South Carolina Criminal Justice Academy proposes to amend the Regulation 37-101 that addresses request for a contested case hearing. Interested persons may submit comments to Bradley J. Young, South Carolina Criminal Justice Academy, 5400 Broad River Road, Columbia, S.C. 29210. To be considered, comments must be received no later than 5:00 p.m. on September 1, 2021, the close of the drafting period.

### **Synopsis:**

S.C. Code §23-23-80 authorizes the Law Enforcement Training Council to make regulations necessary for the administration of S.C. Code §23-23-10 et seq. The proposed regulation will define the process for requesting a contested case hearing.

Legislative review of this proposal will be required.

### **SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY**

#### **CHAPTER 37**

Statutory Authority: 1976 Code Sections 23-23-10 et seq.

### **Notice of Drafting:**

The South Carolina Criminal Justice Academy proposes to amend the Regulation 37-026 that addresses the withdrawal of certification of law enforcement officers. Interested persons may submit comments to Bradley J. Young, South Carolina Criminal Justice Academy, 5400 Broad River Road, Columbia, S.C. 29210. To be considered, comments must be received no later than 5:00 p.m. on September 1, 2021, the close of the drafting period.

### **Synopsis:**

S.C. Code §23-23-80 authorizes the Law Enforcement Training Council to make regulations necessary for the administration of S.C. Code §23-23-10 et seq. The proposed regulation will define grounds for the withdrawal of certification of law enforcement officers.

Legislative review of this proposal will be required.

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL  
CHAPTER 61**

Statutory Authority: R.116, H.4100, the Fiscal Year 2021-2022 General Appropriations Act, Part 1B, Section 34, Proviso 34.62; 1976 Code Sections 44-56-10 et. seq.; and 1976 Code Sections 44-96-10 et. seq.

**Notice of Drafting:**

The Department of Health and Environmental Control (“Department”) proposes drafting a new regulation for the management of end-of-life photovoltaic modules and energy storage system batteries on solar projects in excess of thirteen acres. Interested persons may submit comment(s) on the proposed new regulation to Juli Blalock of the Bureau of Land and Waste Management; S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201; [swregdev@dhec.sc.gov](mailto:swregdev@dhec.sc.gov). To be considered, the Department must receive comments no later than 5:00 p.m. on August 23, 2021, the close of the Notice of Drafting comment period.

**Synopsis:**

Pursuant to R.116, H.4100, the Fiscal Year 2021-2022 General Appropriations Act, Part 1B, Section 34, Proviso 34.62 (“Proviso”), the Department was directed to submit regulations which develop rules to guide all South Carolinians invested in, selling, installing, and using photovoltaic modules and energy storage system batteries in the management of end-of-life photovoltaic modules and energy storage system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres. The Department proposes promulgating a new regulation as directed in the Proviso. The new regulation will establish rules for the responsible management and disposal of materials and equipment used in utility-scale solar projects.

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

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
CHAPTER 10**

Statutory Authority: 1976 Code Sections 40-1-50, 40-7-50, and 40-7-60

**Notice of Drafting:**

The South Carolina Department of Labor, Licensing and Regulation proposes to amend the fee schedule for the Board of Barber Examiners whose fees appear in Chapter 10 of the South Carolina Code of Regulations, specifically in R.10-6. Interested persons may submit comments to Holly Beeson, Counsel to the Office of Communications and Governmental Affairs, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, SC 29211.

**Synopsis:**

The South Carolina Department of Labor, Licensing and Regulation proposes to amend the fee schedule for the Board of Barber Examiners whose fees appear in R.10-6, in Chapter 10 of the South Carolina Code of Regulations. Specifically, fees will be added as they relate to portable barber operations and mobile barber shops, new licensure types created by Act No. 65 of 2021. Additionally, existing fees will be clarified and/or renamed, and other fees will be added as needed or as required by statute.

Legislative review of this amendment is required.



## 10 DRAFTING NOTICES

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BOARD OF BARBER EXAMINERS  
CHAPTER 17**

Statutory Authority: 1976 Code Sections 40-7-50 and 40-7-60

### **Notice of Drafting:**

The South Carolina Board of Barber Examiners proposes to amend various sections in Chapter 17 of the Code of Regulations. Interested persons may submit comments to Theresa Brown, Administrator, Board of Barber Examiners, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, SC 29211.

### **Synopsis:**

The South Carolina Board of Barber Examiners proposes to amend various sections of Chapter 17 of the Code of Regulations.

Legislative review of this amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BUILDING CODES COUNCIL  
CHAPTER 8**

Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, 6-9-55, and 40-1-70

### **Notice of Drafting:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 8, to reflect modifications to the 2021 South Carolina Building Codes, the International Building Code. Interested persons may submit comments to the administrator for the Council, Molly F. Price, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

### **Synopsis:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 8, to reflect modifications to the 2021 South Carolina Building Codes.

Legislative review of this amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BUILDING CODES COUNCIL  
CHAPTER 8**

Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, 6-9-55, and 40-1-70

### **Notice of Drafting:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 9, to reflect modifications to the 2021 South Carolina Building Codes, the International Fire Code. Interested persons may submit comments to the administrator for the Council, Molly F. Price, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

**Synopsis:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 9, to reflect modifications to the 2021 South Carolina Building Codes, the International Fire Code.

Legislative review of this amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BUILDING CODES COUNCIL  
CHAPTER 8**

Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, 6-9-55, and 40-1-70

**Notice of Drafting:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 10, to reflect modifications to the 2021 South Carolina Building Codes, the International Fuel Gas Code. Interested persons may submit comments to the administrator for the Council, Molly F. Price, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

**Synopsis:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 10, to reflect modifications to the 2021 South Carolina Building Codes, the International Fuel Gas Code.

Legislative review of this amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BUILDING CODES COUNCIL  
CHAPTER 8**

Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, 6-9-55, and 40-1-70

**Notice of Drafting:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 13, to reflect modifications to the 2021 South Carolina Building Codes, the International Mechanical Code. Interested persons may submit comments to the administrator for the Council, Molly F. Price, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

**Synopsis:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 13, to reflect modifications to the 2021 South Carolina Building Codes, the International Mechanical Code.

Legislative review of this amendment is required.

## 12 DRAFTING NOTICES

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BUILDING CODES COUNCIL  
CHAPTER 8**

Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, 6-9-55, and 40-1-70

### **Notice of Drafting:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 12, to reflect modifications to the 2021 South Carolina Building Codes, the International Residential Code. Interested persons may submit comments to the administrator for the Council, Molly F. Price, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

### **Synopsis:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 12, to reflect modifications to the 2021 South Carolina Building Codes, the International Residential Code.

Legislative review of this amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BUILDING CODES COUNCIL  
CHAPTER 8**

Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, 6-9-55, and 40-1-70

### **Notice of Drafting:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 11, to incorporate the modifications to the 2021 South Carolina Building Codes, the 2020 Edition of the National Electrical Code. Interested persons may submit comments to the administrator for the Council, Molly F. Price, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

### **Synopsis:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 11, to incorporate the modifications to the 2021 South Carolina Building Codes, the 2020 Edition of the National Electrical Code.

Legislative review of these amendments is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BOARD OF MEDICAL EXAMINERS  
CHAPTER 81**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-47-10

### **Notice of Drafting:**

The South Carolina Board of Medical Examiners proposes to promulgate a regulation regarding emergency licensure and the requirements for the same. Interested persons may submit comments to Pam Dunkin, Interim Administrator, South Carolina Board of Medical Examiners, 110 Centerview Drive, Columbia, SC 29210.

**Synopsis:**

The Board of Medical Examiners proposes to promulgate a regulation establishing an emergency license and setting forth the requirements for an individual to obtain such a license.

Legislative review is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
OFFICE OF OCCUPATIONAL SAFETY AND HEALTH  
CHAPTER 127**

Statutory Authority: 1976 Code Section 41-15-210

**Notice of Drafting:**

The South Carolina Department of Labor, Licensing and Regulation – Division of Occupational Safety and Health (SC OSHA) proposes to repeal Chapter 127, the South Carolina Occupational Health and Safety Review Board. Interested persons may submit comments to Kristina Baker, Deputy Director, SC OSHA, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

**Synopsis:**

The South Carolina Department of Labor, Licensing and Regulation – Division of Occupational Safety and Health (SC OSHA) proposes to repeal Chapter 127, the South Carolina Occupational Health and Safety Review Board, as the law establishing the Board was repealed by 2008 Act No. 188, Section 3, effective January 1, 2009.

Legislative review of this amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
OFFICE OF OCCUPATIONAL SAFETY AND HEALTH  
CHAPTER 71**

Statutory Authority: 1976 Code Section 41-15-210

**Notice of Drafting:**

The South Carolina Department of Labor, Licensing and Regulation – Division of Occupational Safety and Health (SC OSHA) proposes to amend R.71-102, R.71-201, R.71-402, R.71-501 and R.71-1101, and proposes to repeal R.71-1201 and R.71-1202. Interested persons may submit comments to Kristina Baker, Deputy Director, SC OSHA, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

**Synopsis:**

Following a comprehensive review of its regulations, the South Carolina Department of Labor, Licensing and Regulation – Division of Occupational Safety and Health (SC OSHA) has determined that R.71-102, R.71-201, R.71-402, R.71-501 and R.71-1101 should be amended, and R.71-1201 and R.71-1202 should be repealed.

Legislative review of this amendment is required.

## 14 DRAFTING NOTICES

### DEPARTMENT OF LABOR, LICENSING AND REGULATION BOARD OF VETERINARY MEDICAL EXAMINERS

#### CHAPTER 120

Statutory Authority: 1976 Code Section 40-69-60

#### **Notice of Drafting:**

The South Carolina Board of Veterinary Medical Examiners is considering proposing amendments to Chapter 120 to update and clarify Regulation 120-9 regarding the practice standards for licensed veterinary technicians and unlicensed veterinary assistants. Interested persons may submit written comments to Meredith Buttler, Administrator, Board of Veterinary Medical Examiners, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

#### **Synopsis:**

The purpose of the amendment to Regulation 120-9 is to clarify and update the scope of practice for the veterinary technicians and unlicensed veterinary assistants as it relates to the animal health care tasks and supervision levels.

Legislative review of this amendment is required.