

SOUTH CAROLINA STATE REGISTER DISCLAIMER

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SOUTH CAROLINA STATE REGISTER

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of the
GENERAL ASSEMBLY

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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.

2019 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	1/11	2/8	3/8	4/12	5/10	6/14	7/12	8/9	9/13	10/11	11/8	12/13
Publishing Date	1/25	2/22	3/22	4/26	5/24	6/28	7/26	8/23	9/27	10/25	11/22	12/27

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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REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 1

In order by General Assembly review expiration date
 The history, status, and full text of these regulations are available on the
 South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>

DOC. NO.	RAT. NO.	FINAL ISSUE	SUBJECT	EXP. DATE	AGENCY
4809			Standards for Licensing Crisis Stabilization Unit Facilities	5/08/19	Department of Health and Envir Control
4839			Transportation Project Prioritization	5/08/19	Department of Transportation
4836			Corporate Governance Annual Disclosure Regulation	5/08/19	Department of Insurance
4828			Notices to be Posted	5/08/19	South Carolina Human Affairs Commission
4830			Hearing Procedures (Review and Enforcement)	5/08/19	South Carolina Human Affairs Commission
4838			Requirements for State Water Pollution Control Revolving Fund Loan Assistance	5/08/19	Department of Health and Envir Control
4832			Accounting and Reporting	5/08/19	State Board of Education
4841			Hazardous Waste Management Regulations	5/08/19	Department of Health and Envir Control
4848			Contractor's Licensing Board	5/08/19	LLR-Contractor's Licensing Board
4851			Licensure by Registration; and Licensure by Endorsement	5/08/19	LLR- Panel for Dietetics
4844			Long Term Health Care Administrators Board	5/08/19	LLR
4852			Board of Long Term Health Care Administrators	5/08/19	LLR-Board of Long Term Health Care Administrators
4853			Requirements to Take Step 3 of the United States Medical Licensing Examination	5/08/19	LLR- Board of Medical Examiners
4854			Reactivation of Inactive or Lapsed Licenses; and Code of Ethics	5/08/19	LLR-Board of Occupational Therapy
4822			Administrative Citations and Penalties	5/08/19	LLR-Board of Pharmacy
4856			Amend Regulations to Conform to Requirements Established by 2018 Act 226, Physical Therapy Licensure Compact	5/08/19	LLR-Board of Physical Therapy Examiners
4858			General Licensing Provisions; Speech-Language Pathology Assistants; and Continuing Education	5/08/19	LLR-Board of Examiners in Speech-Language Pathology and Audiology
4862			Board of Examiners for Licensure of Professional Counselors and Marital and Family Therapists	5/08/19	LLR
4863			Code of Ethics	5/08/19	LLR-Board of Nursing
4864			Continuing Education Advisory Committee	5/08/19	LLR-Board of Social Work Examiners
4867			National Electrical Code	5/08/19	LLR-Building Codes Council
4866			International Fuel Gas Code	5/08/19	LLR-Building Codes Council
4860			Additional Regulations Applicable to Specific Properties	5/08/19	Department of Natural Resources
4861			Consolidated Procurement Code	5/08/19	State Fiscal Accountability Authority
4857			Education and Experience Requirements for Licensure; and Minor Corrections	5/08/19	LLR-Real Estate Appraisers Board
4816			Palmetto Fellows Scholarship Program	5/08/19	Commission on Higher Education
4846			Auctioneers' Commission (Repeal Specific Regulations)	5/08/19	LLR-Auctioneers' Commission
4859	R.30	SR43-4	Veterinary Medicine and Animal Shelters	5/08/19	LLR-Board of Veterinary Medical Examiners
4834			Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas	5/08/19	Department of Natural Resources
4868			International Residential Code	5/08/19	LLR-Building Codes Council
4869			International Mechanical Code	5/08/19	LLR-Building Codes Council
4824			Manufactured Home Installation Requirements	5/08/19	LLR-Manufactured Housing Board
4819			Medical Homebound Instruction	5/08/19	State Board of Education
4811			Employee's Revocable Authorization of a Deduction of Earnings	5/08/19	Department of Consumer Affairs
4850			Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists	5/08/19	LLR-Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists
4855			Licensure Requirements; Continuing Education; and Licensure By Endorsement	5/08/19	LLR-Board of Examiners in Optometry
4829			Guidelines Established	5/08/19	South Carolina Human Affairs Commission
4847			International Building Code	5/08/19	LLR-Building Codes Council
4849			Surety Bond Claims	5/08/19	LLR-Contractor's Licensing Board
4865			International Fire Code	5/08/19	LLR-Building Codes Council
4835			Annual Audited Financial Reporting Regulation	5/08/19	Department of Insurance
4837			South Carolina Immunization Registry	5/08/19	Department of Health and Envir Control
4831			School Resource Officers	5/09/19	State Board of Education
4833			Operation of Public Pupil Transportation Services	5/09/19	State Board of Education
4812			Withdrawal of Certification of Law Enforcement Officers	5/09/19	South Carolina Criminal Justice Academy
4813			Denial of Certification for Misconduct	5/09/19	South Carolina Criminal Justice Academy

2 REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

4842	Retail Food Establishments; and Retail Food Establishment Inspection Fees	5/09/19	Department of Health and Envir Control
4873	Air Pollution Control Regulations and Standards	3/17/20	Department of Health and Envir Control
Committee Request Withdrawal			
4843	Board of Physical Therapy Examiners	Tolled	LLR
Permanently Withdrawn			
4820	Auctioneers' Commission		LLR
4821	Real Estate Commission		LLR
4874	Licensing Provisions		LLR- Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists

COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 3

In order by General Assembly review expiration date
The history, status, and full text of these regulations are available on the
South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>

DOC. No.	SUBJECT	HOUSE COMMITTEE	SENATE COMMITTEE
4809	Standards for Licensing Crisis Stabilization Unit Facilities	Regulations and Admin. Procedures	Medical Affairs
4839	Transportation Project Prioritization	Regulations and Admin. Procedures	Transportation
4836	Corporate Governance Annual Disclosure Regulation	Regulations and Admin. Procedures	Banking and Insurance
4828	Notices to be Posted	Regulations and Admin. Procedures	Judiciary
4830	Hearing Procedures (Review and Enforcement)	Regulations and Admin. Procedures	Judiciary
4838	Requirements for State Water Pollution Control Revolving Fund Loan Assistance	Regulations and Admin. Procedures	Agriculture and Natural Resources
4832	Accounting and Reporting	Regulations and Admin. Procedures	Education
4841	Hazardous Waste Management Regulations	Regulations and Admin. Procedures	Medical Affairs
4848	Contractor's Licensing Board	Regulations and Admin. Procedures	Labor, Commerce and Industry
4851	Licensure by Registration; and Licensure by Endorsement	Regulations and Admin. Procedures	Labor, Commerce and Industry
4844	Long Term Health Care Administrators Board	Regulations and Admin. Procedures	Medical Affairs
4852	Board of Long Term Health Care Administrators	Regulations and Admin. Procedures	Medical Affairs
4853	Requirements to Take Step 3 of the United States Medical Licensing Examination	Regulations and Admin. Procedures	Medical Affairs
4854	Reactivation of Inactive or Lapsed Licenses; and Code of Ethics	Regulations and Admin. Procedures	Medical Affairs
4822	Administrative Citations and Penalties	Regulations and Admin. Procedures	Medical Affairs
4856	Amend Regulations to Conform to Requirements Established by 2018 Act 226, Physical Therapy Licensure Compact	Regulations and Admin. Procedures	Medical Affairs
4858	General Licensing Provisions; Speech-Language Pathology Assistants; and Continuing Education	Regulations and Admin. Procedures	Medical Affairs
4862	Board of Examiners for Licensure of Professional Counselors and Marital and Family Therapists	Regulations and Admin. Procedures	Labor, Commerce and Industry
4863	Code of Ethics	Regulations and Admin. Procedures	Labor, Commerce and Industry
4864	Continuing Education Advisory Committee	Regulations and Admin. Procedures	Labor, Commerce and Industry
4867	National Electrical Code	Regulations and Admin. Procedures	Labor, Commerce and Industry
4866	International Fuel Gas Code	Regulations and Admin. Procedures	Labor, Commerce and Industry
4860	Additional Regulations Applicable to Specific Properties	Regulations and Admin. Procedures	Fish, Game and Forestry
4861	Consolidated Procurement Code	Regulations and Admin. Procedures	Finance
4857	Education and Experience Requirements for Licensure; and Minor Corrections	Regulations and Admin. Procedures	Labor, Commerce and Industry
4816	Palmetto Fellows Scholarship Program	Regulations and Admin. Procedures	Education
4846	Auctioneers' Commission (Repeal Specific Regulations)	Regulations and Admin. Procedures	Labor, Commerce and Industry
4859	Veterinary Medicine and Animal Shelters	Regulations and Admin. Procedures	Agriculture and Natural Resources
4834	Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas	Regulations and Admin. Procedures	Fish, Game and Forestry
4868	International Residential Code	Regulations and Admin. Procedures	Labor, Commerce and Industry
4869	International Mechanical Code	Regulations and Admin. Procedures	Labor, Commerce and Industry
4824	Manufactured Home Installation Requirements	Regulations and Admin. Procedures	Labor, Commerce and Industry
4819	Medical Homebound Instruction	Regulations and Admin. Procedures	Education
4811	Employee's Revocable Authorization of a Deduction of Earnings	Regulations and Admin. Procedures	Banking and Insurance
4850	Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists	Regulations and Admin. Procedures	Labor, Commerce and Industry
4855	Licensure Requirements; Continuing Education; and Licensure By Endorsement	Regulations and Admin. Procedures	Medical Affairs
4829	Guidelines Established	Regulations and Admin. Procedures	Judiciary
4847	International Building Code	Regulations and Admin. Procedures	Labor, Commerce and Industry
4849	Surety Bond Claims	Regulations and Admin. Procedures	Labor, Commerce and Industry
4865	International Fire Code	Regulations and Admin. Procedures	Labor, Commerce and Industry
4835	Annual Audited Financial Reporting Regulation	Regulations and Admin. Procedures	Banking and Insurance
4837	South Carolina Immunization Registry	Regulations and Admin. Procedures	Medical Affairs
4831	School Resource Officers	Regulations and Admin. Procedures	Education
4833	Operation of Public Pupil Transportation Services	Regulations and Admin. Procedures	Education
4812	Withdrawal of Certification of Law Enforcement	Regulations and Admin. Procedures	Judiciary
4813	Denial of Certification for Misconduct	Regulations and Admin. Procedures	Judiciary
4842	Retail Food Establishments; and Retail Food Establishment Inspection Fees	Regulations and Admin. Procedures	Medical Affairs
4873	Air Pollution Control Regulations and Standards	Regulations and Admin. Procedures	Agriculture and Natural Resources
Committee Request Withdrawal			
4843	Board of Physical Therapy Examiners	Regulations and Admin. Procedures	Medical Affairs

4 COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

Permanently Withdrawn

4820 Auctioneers' Commission
4821 Real Estate Commission
4874 Licensing Provisions

Regulations and Admin. Procedures Labor, Commerce and Industry
Regulations and Admin. Procedures Labor, Commerce and Industry
Regulations and Admin. Procedures Labor, Commerce and Industry

Executive Order No. 2019-11

WHEREAS, the Board of Voter Registration and Elections of Newberry County (“Board”) has advised the undersigned that a member of the Town Council for the Town of Silverstreet has tendered their resignation; and

WHEREAS, section 5-7-200(b) of the South Carolina Code of Laws, as amended, provides that “[a] vacancy in the office of mayor or council shall be filled for the remainder of the unexpired term at the next regular election or at a special election if the vacancy occurs one hundred eighty days or more prior to the next general election”; and

WHEREAS, the Board has advised the undersigned that the aforementioned vacancy was created less than one hundred eighty days prior to the next ensuing general election but that the Board was not notified of the resignation and resulting vacancy until after the general election; and

WHEREAS, section 7-13-1170 of the South Carolina Code of Laws, as amended, provides as follows: “When any election official of any political subdivision of this State charged with ordering, providing for, or holding an election has neglected, failed, or refused to order, provide for, or hold the election at the time appointed, or if for any reason the election is declared void by competent authority, and these facts are made to appear to the satisfaction of the Governor, he shall, should the law not otherwise provide for this contingency, order an election or a new election to be held at the time and place, and upon the notice being given which to him appears adequate to insure the will of the electorate being fairly expressed. To that end, he may designate the existing election official or other person as he may appoint to perform the necessary official duties pertaining to the election and to declare the result.”

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 Order that a special election shall be held on Tuesday, May 21, 2019, to fill the aforementioned vacancy on the Town Council for the Town of Silverstreet. Pursuant to section 7-13-1170 of the South Carolina Code of Laws, as amended, I designate and appoint the Board to perform the necessary official duties pertaining to the special election, in accordance with the applicable constitutional and statutory provisions, and to declare the results thereof. In order to qualify as a candidate to run in the special election, all candidates must file with the Board a statement of intention of candidacy, and submit any applicable filing fees, between noon on Friday, March 22, 2019, and noon on Friday, April 5, 2019. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 13th DAY OF MARCH, 2019.**

**HENRY MCMASTER
Governor**

Executive Order No. 2019-12

WHEREAS, there presently exists a vacancy in the office of Coroner of Aiken County due to the recent death of Timothy Carlton; and

WHEREAS, in the event of a vacancy in the office of coroner, the undersigned is authorized to appoint a qualified replacement to serve in such office pursuant to sections 17-5-50 and 4-11-20 of the South Carolina Code of Laws, as amended; and

6 EXECUTIVE ORDERS

WHEREAS, Darryl M. Ables, of Warrentville, South Carolina, is a fit and proper person to serve as Coroner of Aiken 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 Darryl M. Ables to serve as Coroner of Aiken County until the next general election in accordance with section 17-5-50(A) of the South Carolina Code of Laws, as amended, and until his successor shall qualify as provided by law. This Order is effective immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 20th DAY OF MARCH, 2019.

HENRY MCMASTER
Governor

Executive Order No. 2019-13

WHEREAS, a winter storm moved across Lancaster County in South Carolina on January 30, 2019, and presented various hazardous weather conditions; and

WHEREAS, the National Weather Service issued winter weather advisories for this area due to the winter weather; and

WHEREAS, as a result of the foregoing hazardous weather conditions, on January 30, 2019, state government offices in Lancaster County opened on a 1.5 hour delay, opening at 10:00 A.M.; and

WHEREAS, pursuant to section 8-11-57 of the South Carolina Code of Laws, the undersigned may authorize leave with pay for affected state employees who are absent from work due to the delayed opening or closure of state offices for hazardous weather conditions.

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 authorize leave with pay for affected state employees who were absent from work as directed on January 30, 2019, as a result of the foregoing hazardous weather conditions. Further, if there was a county delayed opening or closure within the State on these dates for the same hazardous weather event that is omitted from this list, the Department of Administration may notify the Governor's Office and administratively add the county to the above list of covered closures for purposes of forgiving employee leave. This Order is effective immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 22nd DAY OF MARCH, 2019.

HENRY MCMASTER
Governor

Executive Order No. 2019-14

WHEREAS, I have been notified of the passing of Ernest Frederick “Fritz” Hollings, who dutifully served the United States of America and the State of South Carolina as a member of the United States Senate, Governor of South Carolina, Lieutenant Governor of South Carolina, and a member and Speaker *Pro Tempore* of the South Carolina House of Representatives; and

WHEREAS, prior to his distinguished and patriotic public service, Senator Hollings—a graduate of The Citadel, the Military College of South Carolina—served with honor and distinction in the United States Army during World War II and received numerous decorations and awards, including the Bronze Star; and

WHEREAS, throughout his tenure in public office, Senator Hollings exhibited bold and decisive leadership on a variety of important issues and causes, and his legacy includes ushering in a peaceful end to segregation in South Carolina, recruiting new industries and diversifying the State’s economy, establishing South Carolina’s premier technical education system, promoting fiscal responsibility and budgetary restraint, protecting the environment and critical natural resources, and supporting medical and other scientific research; and

WHEREAS, Senator Hollings continued to contribute his time and energy in service to the State of South Carolina and the United States of America even after leaving public office, passionately advocating for and effectively advancing a host of civic and charitable causes and consistently demonstrating his characteristic but uncommon combination of compassion, conviction, integrity, humor, and humility in all such endeavors; and

WHEREAS, Senator Hollings was a remarkable individual, dedicated public servant, passionate advocate, accomplished lawyer, proud World War II veteran, beloved father and family man, and principled leader who will forever serve as an inspiration to all South Carolinians, and his passing warrants the people of this State further recognizing and appropriately honoring his extraordinary legacy of selfless statesmanship and his lifetime of service to the State of South Carolina and the United States of America; and

WHEREAS, section 10-1-161 of the South Carolina Code of Laws, as amended, provides that “the flags which are flown atop the State Capitol Building must be lowered to half-staff on the day on which funeral services are conducted for . . . current and past members of the United States Congress from the State of South Carolina” and “former Governors and Lieutenant Governors of the State of South Carolina” and further authorizes the Governor to order “that the flags atop the State Capitol Building be lowered to half-staff at a designated time or for a designated period of time” “upon the death of a person of extraordinary stature.”

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 of these United States and the powers conferred upon me therein, I hereby Order that the flags atop the State Capitol Building and on all state buildings be lowered to half-staff from sunrise on Monday, April 15, 2019, until sunset on Tuesday, April 16, 2019, in honor of Senator Hollings and in recognition of his extraordinary legacy of selfless statesmanship and his lifetime of distinguished and patriotic service to the State of South Carolina and the United States of America. As a mark of respect to Senator Hollings, I further proclaim that Tuesday, April 16, 2019, shall be a Day of Remembrance throughout the State of South Carolina, and I encourage all South Carolinians to reflect upon and honor the life and legacy of Senator Hollings. This Order is effective immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 8th DAY OF APRIL, 2019.

HENRY MCMASTER
Governor

8 NOTICES

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 **April 26, 2019** 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 Arnisha Keitt, Certificate of Need Program, 2600 Bull Street, Columbia, South Carolina 29201 at (803) 545-3495.

Affecting Aiken County

Aiken County Regional Medical Center

Construction of a 10,800 sf Free Standing Emergency Department (FSED) in Aiken County at a total project cost of \$9,040,305.

Affecting Anderson County

AnMed Health

Purchase of an AIRO Intraoperative Mobile CT Scanner at a total project cost of \$1,803,793.

Affecting Charleston County

Assurance Home Health Care

Establishment of a Home Health Agency in Charleston County at a total project cost of \$25,000.

Amedisys SC, LLC d/b/a Amedisys Home Health of Charleston East

Establishment of Home Health expansion to serve patients in Charleston County at a total project cost of \$14,288.

Roper St. Francis Healthcare

Purchase of installation of a second EP Lab at a total project cost of \$600,000.

Affecting Darlington County

Amedisys Home Health of South Carolina, LLC d/b/a Amedisys Home Health of Conway

Establishment of a Home Health Agency in Darlington County at a total project cost of \$14,288.

Affecting Florence County

Amedisys Home Health of South Carolina, LLC d/b/a Amedisys Home Health of Conway

Establishment of a Home Health Agency in Florence County at a total project cost of \$14,288.

Florence Treatment Specialists, LLC

Establishment of an Opioid Treatment Program (OTP) in Florence county at a total project cost of \$107,357.14.

Affecting Greenville County

Encompass Health-Greenville

Establishment of a 40-bed Freestanding Inpatient Rehabilitation Hospital in Greenville County at a total project cost of \$32,629,576.

Affecting Horry County

Grand Strand Regional Medical Center, LLC

Renovation and expansion (7,703 sf) for the addition of one comprehensive cardiac cath lab and one EP lab at a total project cost of \$17,375,000.

Affecting Lexington County**Laurel Crest Retirement Community**

Conversion of 12 Institutional Nursing beds to 12 Non-Institutional Nursing beds at a total project cost of \$50,000.

Affecting Marlboro County**Amedisys Home Health of Conway**

Establishment of a Home Health Agency in Marlboro County at a total project cost of \$14,288.

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 **April 26, 2019**. "Affected persons" have 30 days from the above date to submit requests for a public hearing to Arnisha Keitt, 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) 545-3495.

Affecting Beaufort County**Beaufort County Memorial Hospital d/b/a Beaufort Memorial Hospital**

Addition of 4 rehabilitation beds for a total of 18 rehabilitation beds at a total project cost of 1,225,540.

Affecting Berkeley County**MPS Healthcare d/b/a Continuum Pediatric Nursing Services**

Establishment of a Home Health Agency in Berkeley County at a total project cost of \$1,500.

Affecting Charleston County**MPS Healthcare d/b/a Continuum Pediatric Nursing Services**

Establishment of a Home Health Agency in Charleston County at a total project cost of \$1,500.

Roper St. Francis Healthcare

Purchase of installation of a second EP Lab at a total project cost of \$600,000.

Affecting Chester County**Lancaster Home Care Services, LLC d/b/a Home Care of Lancaster**

Establishment of a Home Health Agency in Chester County at a total project cost of \$18,000.

Affecting Dorchester County**MPS Healthcare d/b/a Continuum Pediatric Nursing Services**

Establishment of a Home Health Agency in Dorchester County at a total project cost of \$1,500.

Affecting Florence County**Florence Treatment Specialists, LLC**

Establishment of an Opioid Treatment Program (OTP) in Florence county at a total project cost of \$107,357.14.

Affecting Georgetown County**Tidelands Health Waccamaw Community Hospital**

Transfer of existing Cardiac Catherization service from Tidelands Georgetown Memorial Hospital (TGMH) to Tidelands Waccamaw Community Hospital (TWCH) at a total project cost of \$2,423,006.

Affecting Horry County**McLeod Regional Medical Center d/b/a McLeod Seacoast Hospital**

Construction for the establishment of radiotherapy services and the purchase of one linear accelerator in Horry County at a total project cost of \$8,987,961.

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Affecting Kershaw County

Lancaster Home Care Services, LLC d/b/a Home Care of Lancaster

Establishment of a Home Health Agency in Kershaw County at a total project cost of \$18,000.

Affecting Lexington County

Prisma Health-Midlands

Acquisition of a Siemens Magnetom Aera MRI at a total project cost of \$1,705,281.

Three Rivers Behavioral Health, LLC

Construction for the addition of 4,852 sf and the addition of 7 psychiatric beds for a total of 112 psychiatric beds at a total project cost of \$2,282,498.

Affecting Marion County

Florence Home Care Services, LLC d/b/a Carolinas Home Health

Establishment of a Home Health Agency in Marion County at a total project cost of \$18,750.

Affecting Williamsburg County

Florence Home Care Services, LLC d/b/a Carolinas Home Health

Establishment of a Home Health Agency in Williamsburg County at a total project cost of \$18,750.

Affecting York County

Lancaster Home Care Services, LLC d/b/a Home Care of Lancaster

Establishment of a Home Health Agency in York County at a total project cost of \$18,000.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE OF PUBLIC COMMENT PERIOD FOR SOUTH CAROLINA 2020 ANNUAL MONITORING NETWORK PLAN

Statutory Authority: S.C. Code Sections 48-1-10 et seq.

The South Carolina Department of Health and Environmental Control (Department) is publishing this Notice of General Public Interest to provide opportunity to comment on the proposed 2020 South Carolina Annual Ambient Air Monitoring Network Plan (Network Plan) to meet obligations to the U.S. Environmental Protection Agency (EPA) and provides documentation of the establishment and maintenance of an air quality surveillance system that consists of a network of state or local air monitoring stations (SLAMS) that includes federal reference method (FRM) and federal equivalent method (FEM) monitors that are part of SLAMS, national core multipollutant monitoring stations (NCore), chemical speciation network (CSN), and special purpose monitor (SPM) stations. The proposed Network Plan includes a statement of whether the operation of each monitor meets the requirements of [Appendix E](#) of 40 CFR Part 58, Ambient Air Quality Surveillance. As part of this Network Plan, the Department is also including an annual assessment as required under 40 CFR 51.1205(b) for those facilities that demonstrated attainment with the 1-hr Sulfur Dioxide (SO₂) National Ambient Air Quality Standard (NAAQS) as part of the Data Requirements Rule (DRR) using modeled emission rates that were less than the maximum permit allowable rates. The Network Plan is available for public inspection and comment for 30 days prior to submission to the EPA to include any received comments. To be considered, the Department must receive comments no later than 5:00 p.m. on May 28, 2019, the close of the comment period.

The Department is also providing the interested public with the opportunity to request a public hearing on the issue. If requested, the Department will hold a public hearing on June 4, 2019, at 10:00 a.m., in Room 2151 of the Sims Building, 2600 Bull Street, Columbia, South Carolina. However, pursuant to 40 CFR 51.102, if the

Department does not receive a request for a public hearing by the close of the comment period, 5:00 p.m. on May 28, 2019, the Department will cancel the public hearing. If the Department cancels the public hearing, then the Department will notify the public at least one week prior to the scheduled hearing via the Department's Public Notices webpage: <http://www.scdhec.gov/PublicNotices/>. Interested persons may also contact G. Renee' Madden, Air Data Analysis and Support Section, Bureau of Air Quality, 2600 Bull Street, Columbia, SC 29201; via phone at (803) 898-3822; or email at maddengr@dhec.sc.gov for more information or to find out if the Department will hold the public hearing. A copy of the proposed 2020 South Carolina Annual Ambient Air Monitoring Network Plan is also located on the Department's Public Notices webpage: <https://apps.dhec.sc.gov/Environment/PublicNotices/SearchAndDisplay/Display/11603>

Synopsis:

In October 2006 and in April 2016, the EPA published requirements for an annual monitoring network plan (Network Plan). This Network Plan, as required and described in 40 CFR Part 58.10, Annual Monitoring Network Plan and Periodic Network Assessment, must contain the following information for each monitoring station in the network:

1. The Air Quality System (AQS) site identification number (ID) for existing stations,
2. Location of each monitoring station, including street address and geographical coordinates,
3. The sampling and analysis method used for each measured parameter,
4. The operating schedule for each monitor,
5. Any proposal to remove or relocate a monitoring station within a period of eighteen months following the network plan submittal,
6. The monitoring objective and spatial scale of representativeness for each monitor,
7. The identification of any sites that are suitable for comparison against the Particulate Matter less than 2.5 microns (PM_{2.5}) NAAQS, and
8. The MSA, Core-Based Statistical Area (CBSA), Combined Statistical Area (CSA), or other area represented by the monitor.

Any network modifications to SLAMS networks are subject to the approval of the EPA Regional Administrator, who shall approve or disapprove the plan within 120 days of submission of a complete plan to the EPA. This 2020 South Carolina Annual Ambient Air Monitoring Network Plan covers the eighteen-month period from July 1, 2019, through December 31, 2020, and includes all anticipated modifications to the monitoring network.

The DRR annual assessment includes, for the applicable facilities, a comparison of the actual SO₂ emissions at each facility versus the SO₂ emissions included in the 1-hr SO₂ modeling demonstration and a determination as to whether the modeling performed for the DRR is still adequate to demonstrate attainment with the 1-hr SO₂ NAAQS.

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DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: 1976 Code Sections 44-1-140(3) and 44-1-150

Notice of Drafting:

The Department of Health and Environmental Control (“Department” or “DHEC”) proposes amending R.61-36, Frozen Desserts. The Department further proposes amending the requirements of R.61-35, Imitation Milk, Imitation Milk Products, and Products Made in Semblance of Milk and Milk Products, and merging it into R.61-36. This will entail repealing R.61-35 and adding its amended requirements to R.61-36. Along with merging these regulations, the Department proposes adding regulatory requirements for manufacturing cheese, butter, and other non-grade “A” milk products to R.61-36 and changing its title.

Interested persons may submit written comments to Sandra D. Craig, Director, Division of Food and Lead Risk Assessments, Bureau of Environmental Health Services, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201, or by email at craigsd@dhec.sc.gov. To be considered, written comments must be received no later than 5:00 p.m. on May 28, 2019, the close of the drafting comment period.

Synopsis:

The Department proposes amending R.61-36 and the requirements of R.61-35. Currently, R.61-36 and R.61-35 are both based on federal regulations found in the Code of Federal Regulations (“CFR”), 21 CFR Part 110, which was replaced with 21 CFR Part 117 on September 1, 2018. The Department proposes amending R.61-36 and R.61-35 to incorporate the relevant requirements of 21 CFR Part 117. In the interest of efficiency, the Department proposes repealing R.61-35 and merging its amended requirements into R.61-36. The Department further proposes adding requirements for manufacturing cheese, butter, and other non-grade “A” milk products to R.61-36 and renaming the regulation R.61-36, Manufactured Grade Dairy Products. The South Carolina Department of Agriculture previously regulated cheese and butter products (also based on 21 CFR Part 110); however, oversight now resides with DHEC. The Department also proposes amendments not required by federal law, including updates from the current Pasteurized Milk Ordinance (“PMO”) and additions, updates, and clarifications to administrative requirements, enforcement requirements, and definitions.

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

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments and repeal, as portions of the above-referenced proposed amendments include updates or other changes to R.61-35 and R.61-36 that are not addressed by the federal regulations.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: 1976 Code Sections 44-1-140 and 44-1-150

Notice of Drafting:

The Department of Health and Environmental Control (“Department” or “DHEC”) proposes amending R.61-32, Soft Drink and Water Bottling Plants. The Department further proposes amending the requirements of R.61-54, Wholesale Commercial Ice Manufacturing, and merging it into R.61-32. This will entail repealing R.61-54 and adding its amended requirements to R.61-32.

Interested persons may submit written comments to Sandra D. Craig, Director, Division of Food and Lead Risk Assessments, Bureau of Environmental Health Services, S.C. Department of Health and Environmental Control,

2600 Bull Street, Columbia, S.C. 29201, or by email at craigsd@dhec.sc.gov. To be considered, written comments must be received no later than 5:00 p.m. on May 28, 2019, the close of the drafting comment period.

Synopsis:

The Department proposes amending R.61-32 and the requirements of R.61-54. Currently, R.61-32 and R.61-54 are both based on federal regulations found in the Code of Federal Regulations (“CFR”), 21 CFR Part 110, which was replaced with 21 CFR Part 117 on September 1, 2018. The Department proposes amending R.61-32 and R.61-54 to incorporate the relevant requirements of 21 CFR Part 117. In the interest of efficiency, the Department proposes repealing R.61-54 and merging its amended requirements into R.61-32. The Department further proposes renaming the regulation R.61-32, Wholesale Commercial Bottled Water, Soft Drink, and Ice Manufacturing. The Department also proposes amendments not required by federal law, including additions, updates, and clarifications to administrative requirements, enforcement requirements, and definitions.

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

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments and repeal, as portions of the above-referenced proposed amendments include updates or other changes to R.61-32 and R.61-54 that are not addressed by the federal regulations.

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
CHAPTER 30**

Statutory Authority: 1976 Code Sections 48-39-10 et. seq.

Notice of Drafting:

The Department of Health and Environmental Control (“Department”) proposes amending R.30-1, Statement of Policy, and R.30-14, Administrative Procedures, the Department’s Coastal Division regulations. Interested persons may submit comment(s) on the proposed amendments to Liz Hartje of the Office of Ocean and Coastal Resource Management, S.C. Department of Health and Environmental Control, 1362 McMillan Avenue, Suite 400, Charleston, S.C., 29405, or by email at hartjeen@dhec.sc.gov. To be considered, the Department must receive comments no later than 5:00 p.m. on May 28, 2019, the close of the draft comment period.

Synopsis:

The Department proposes to amend R.30-1.D.(4) and (43), and R.30-14.E., F., and G., to incorporate state statutory changes. Act 173 of 2018, the Beachfront Management Reform Act, requires the Department to establish the position of the baselines and setback lines during establishment cycles that are not less than every seven years, but not more than every ten years following a previous establishment cycle and must be based upon the best available data. The purpose of these jurisdictional lines is to delineate the extent of the Department’s direct permitting authority for activities within the defined beaches and beach/dune system critical areas.

Act 173 of 2018, the Beachfront Management Reform Act, establishes the position of the jurisdictional baselines and setback lines for the 2018 establishment cycle. Act 173 also includes a section that requires the Department to promulgate regulations to implement provisions of the act, including regulations that the Department will use to locate a primary oceanfront sand dune. The Department convened a Beachfront Jurisdictional Line Stakeholder Workgroup in 2018 to provide input into this process.

The proposed amendments will be based on final recommendations of the workgroup and associated public engagement and input. The proposed amendments will provide clarity and standards to be utilized in the establishment of the state’s beachfront jurisdictional lines. Proposed amendments will also modify specific

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procedures related to appeals and movement of the jurisdictional lines to comply with Act 173 of 2018 and Act 197 of 2016, Coastal Zone Critical Areas.

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

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

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

Notice of Drafting:

The Department of Health and Environmental Control (“Department”) proposes amending R.61-9, Water Pollution Control Permits. Interested persons may submit comment(s) on the proposed amendments to Andrew Edwards of the Bureau of Water, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201, or by email at edwardaj@dhec.sc.gov. To be considered, the Department must receive comments no later than 5:00 p.m. on May 28, 2019, the close of the draft comment period.

Synopsis:

The Department proposes amending R.61-9 to adopt portions of three federal Clean Water Act rules issued by the United States Environmental Protection Agency (EPA) required for state program implementation. EPA codified final federal regulations for National Pollutant Discharge Elimination System (NPDES): Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting (79 FR 49001, August 19, 2014), National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule (80 FR 64063, October 22, 2015), and National Pollutant Discharge Elimination System (NPDES): Applications and Program Updates (84 FR 3324, February 12, 2019).

The Department may also include stylistic changes supporting this federal adoption such as corrections for clarity and readability, grammar, punctuation, references, codification, and improvement of regulation text.

Pursuant to the Administrative Procedures Act, S.C. Code Section 1-23-120(H)(1), these proposed amendments are exempt from General Assembly review because they are for compliance with federal law.

DEPARTMENT OF LABOR, LICENSING AND REGULATION BOARD OF CHIROPRACTIC EXAMINERS CHAPTER 25

Statutory Authority: 1976 Code Section 40-9-30(D)(3)

Notice of Drafting:

The South Carolina Board of Chiropractic Examiners proposes to add regulations: clarifying licensure requirements for applicants with lapsed out-of-state licenses; allowing CE credits for teaching assistants; exempting new graduates of accredited chiropractic colleges from CE requirements if the graduation date and licensing date fall within the same license renewal period; requiring licensees to report CE hours to the electronic tracking system; and establish procedures governing inactive license status.

Additionally, the Board proposes to amend: R.25(A)(1) and (2) to change the lapsed license cutoff from three to four years to make renewal easier for licensees; and R.25-5(B) to define one hour of CE credit and to correspondingly delete the sixty-minute descriptor from R.25-5(B)(4)(d) and renumber accordingly.

The Board further proposes to amend the following regulations for purposes of correcting scrivener's errors and clarifying existing language: R.25-1, R.25-2, R.25-3, R.25-4, R.25-5, R.25-6 and R.25-8.

Interested persons may submit comments to Mack Williams, Administrator for the Board of Chiropractic Examiners, Post Office Box 11329, Columbia, S.C. 29211-1329.

Synopsis:

The South Carolina Board of Chiropractic Examiners proposes to add regulations: clarifying licensure requirements for applicants with lapsed out-of-state licenses; allowing CE credits for teaching assistants; exempting new graduates of accredited chiropractic colleges from CE requirements if the graduation date and licensing date fall within the same license renewal period; requiring licensees to report CE hours to the electronic tracking system; and establish procedures governing inactive license status. The Board further amends existing regulations as follows: R.25-1 by adding the word "Examiners" to reflect the complete name of the Board R.25-2(A)(2) by substituting the word "having" for the word "has" and the word "meeting" for the word "meets"; R.25-2(A)(3) by substituting the word "license" for the word "examination"; R.25-2(A)(7) by deleting the word "schedule"; R.25-3(A) by substituting the phrase "been licensed" for the word "practiced"; R.25-4(A) by capitalizing the word "board" where it appears twice in lowercase; R.25-5(A)(1) by adding "South Carolina" as a descriptor, by substituting the word and numeral four (4) and the phrase "or less" for the phrase "fewer than three (3)", by adding the phrase "for each lapsed or expired renewal cycle" and by substituting "renewal cycle's" for "year's"; R.25-5(A)(2) by substituting the phrase "more than four (4)" for the word and numeral "three (3)" and also deleting the phrase "or longer"; R.25-5(B) by adding after the first sentence the following sentence: "One continuing education hour" shall mean a minimum of fifty (50) minutes of interactive instruction or organized learning."; R.25-5(B)(2) by adding a comma and the pronoun "which" before the word "may" in subsection (a), by striking the word "further" and adding a comma and the pronoun "which" before the word "may" in subsection (b), by adding a comma and the pronoun "which" before the word "may" in subsection (c), and by adding a comma and the pronoun "which" before the word "may" in currently designated subsection (d), which is to be renamed subsection (e); amend currently designated subsection R.25-5(B)(4)(d), which is to be renamed R.25-5(B)(5)(d), by deleting the phrase "60-minute"; amend R.25-5(E) by inserting the phrase "physiotherapy exam" after the parenthetical "(NBCE)"; amend R.25-5(G)(1) by striking an automatic CE audit provision; amend R.25-6(C)(1) by capitalizing the word "board"; amend R.25-6(D) by striking the requirement to notify the Board administrator of terminations of patient relationships; amend R.25-8(A) by adding a clarifying sentence that all chiropractors are responsible for the content of all advertisements that apply to their practice; amend R.25-8(B) by adding the phrase "or digital" between the words "written" and "broadcast"; and amend R.25-8(D)(7) to change "The chiropractor" to "Chiropractors", drop the first pronoun "his" and substitute "their", drop the pronoun "him" and substitute the pronoun "them", and change the phrase "or under his supervision, to his patients" to the phrase "directly to patients or under their supervision to patients".

Legislative review of this amendment is required.

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DEPARTMENT OF LABOR, LICENSING AND REGULATION BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS CHAPTER 49

Statutory Authority: 1976 Code Sections 40-1-70 and 40-22-60

Notice of Drafting:

The Board of Registration for Professional Engineers and Land Surveyors proposes to amend the following regulations: R.49-101 regarding board proceedings and the board seal; R.49-102 regarding forms and applications; R.49-104 regarding examinations; R.49-105 regarding licensure expiration, renewal and reinstatement for individuals; R.49-106 regarding Certificate of Authorization expiration, renewal and reinstatement for firms; R.49-200 regarding professional engineer licensure requirements; R.49-201 regarding professional land surveyor licensure requirements; R.49-202 regarding classifications and scopes of authority for engineers and surveyors; R.49-203 regarding licensure by comity; R.49-205 regarding firm registration; R.49-207 regarding seals for individuals and firms; R.49-303 regarding public statements; R.49-305 regarding solicitation of work; R.49-602 regarding the requirements for continuing professional competency; R.49-605 regarding recordkeeping; and R.49-606, regarding exemptions from continuing professional development. Interested persons may submit comments to Lenora Addison-Miles, Administrator, Board of Registration for Professional Engineers and Land Surveyors, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

Synopsis:

The Board of Registration for Professional Engineers and Land Surveyors proposes to amend the following regulations: R.49-101 regarding board proceedings and the board seal; R.49-102 regarding forms and applications; R.49-104 regarding examinations; R.49-105 regarding licensure expiration, renewal and reinstatement for individuals; R.49-106 regarding Certificate of Authorization expiration, renewal and reinstatement for firms; R.49-200 regarding professional engineer licensure requirements; R.49-201 regarding professional land surveyor licensure requirements; R.49-202 regarding classifications and scopes of authority for engineers and surveyors; R.49-203 regarding licensure by comity; R.49-205 regarding firm registration; R.49-207 regarding seals for individuals and firms; R.49-303 regarding public statements; R.49-305 regarding solicitation of work; R.49-602 regarding the requirements for continuing professional competency; R.49-605 regarding recordkeeping; and R.49-606, regarding exemptions from continuing professional development.

Legislative review of this amendment is required.

DEPARTMENT OF LABOR, LICENSING AND REGULATION BOARD OF REGISTRATION FOR GEOLOGISTS CHAPTER 131

Statutory Authority: 1976 Code Sections 40-1-70 and 40-77-60

Notice of Drafting:

The Board of Registration for Geologists proposes to amend R.131-06 regarding examinations, R.131-10 regarding the requirements for renewal/reactivation of expired or lapsed registrations, and R.131-12 regarding continuing professional competency. Interested persons may submit comments to Susanna Sharpe, Administrator, Board of Registration for Geologists, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

Synopsis:

The Board of Registration for Geologists proposes to amend R.131-06 regarding examinations, R.131-10 regarding the requirements for renewal/reactivation of expired or lapsed registrations, and R.131-12 regarding continuing professional competency.

Legislative review of this amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION
BOARD OF LANDSCAPE ARCHITECTURAL EXAMINERS
CHAPTER 76**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-28-90

Notice of Drafting:

The South Carolina Board of Landscape Architectural Examiners proposes to amend R.76-6 to clarify continuing education requirements. Interested persons may submit comments to Molly Price, Administrator, Board of Landscape Architectural Examiners, Post Office Box 11329, Columbia, S.C. 29211-1139.

Synopsis:

The South Carolina Board of Landscape Architectural Examiners proposes to amend R.76-6 to clarify continuing education requirements.

Legislative review of this amendment is required.

**DEPARTMENT OF LABOR, LICENSING AND REGULATION
REAL ESTATE COMMISSION
CHAPTER 105**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-57-60

Notice of Drafting:

The South Carolina Real Estate Commission proposes to amend its regulations to add language clarifying Broker-in-Charge/Property Manager-in-Charge supervision and contact responsibilities for affiliated licenses, and to address teams in office policies and advertising. Interested persons may submit comments to Roderick Atkinson, Administrator, Real Estate Commission, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, S.C. 29211-1329.

Synopsis:

The South Carolina Real Estate Commission proposes to amend its regulations to add language clarifying Broker-in-Charge/Property Manager-in-Charge supervision and contact responsibilities for affiliated licenses, and to address teams in office policies and advertising.

Legislative review of this amendment is required.

18 PROPOSED REGULATIONS

Document No. 4878
DEPARTMENT OF INSURANCE
CHAPTER 69

Statutory Authority: 1976 Code Sections 1-23-110 et seq., 38-3-110 et seq., and 38-73-70

69-56. Named Storm or Wind/Hail Deductible.

Preamble:

The Department is proposing to make changes to Regulation 69-56 to clarify the meaning of a “named storm” and the application of the named storm deductible or other named storm restrictions as well as provide requirements for language in policies regarding such deductibles. The Notice of Drafting was published in the *State Register* on February 22, 2018.

Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the South Carolina Code Annotated, such a hearing will be held before the Administrative Law Judge beginning at 10:00 a.m. on June 12, 2019, at the Administrative Law Court, 2nd Floor Hearing Room, Edgar A. Brown Building, 1205 Pendleton Street, Columbia, South Carolina. If no qualifying request is received by May 28, 2019, the hearing will be cancelled. Requests for a hearing and written comments should be submitted in writing to Melissa Manning, Associate General Counsel, South Carolina Department of Insurance, 1201 Main Street, Suite 1000, Columbia, South Carolina, 29201. To be considered, all comments or hearing requests must be received no later than 5:00 p.m. on May 28, 2019.

Preliminary Fiscal Impact Statement:

No additional state funding is requested. The Department estimates that no additional costs will be incurred by the state in complying with the proposed amendments to 69-56.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: 69-56. Named Storm or Wind/Hail Deductible.

Purpose: The purpose of the amendments to this regulation are to clarify the meaning of a “named storm” and the application of the named storm deductible or other named storm restrictions as well as provide requirements for language in policies regarding such deductibles.

Legal Authority: 1976 Code Sections 1-23-110 et seq., 38-3-110 et seq., and 38-73-70.

Plan for Implementation: The proposed amendments will take effect upon approval by the S.C. General Assembly and publication in the State Register. This regulation will also be published on the S.C. Legislature website in the S.C. Code of Regulations.

DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The amendments to this regulation will clarify the meaning of a “named storm” and the application of the named storm deductible or other named storm restrictions as well as provide requirements for language in policies regarding such deductibles.

DETERMINATION OF COSTS AND BENEFITS:

There will be no increased cost to the state or its political subdivisions, nor will the proposed amendments result in any increased cost to the business community.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates relative to the cost to the state or its political subdivisions.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The proposed amendments have no effect on the environment or on public health.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED

There will be no detrimental effect on the environment or public health if the regulation is not amended.

Statement of Rationale:

The proposed amendments to the regulation will clarify the meaning of a “named storm” and the application of the named storm deductible or other named storm restrictions as well as provide requirements for language in policies regarding such deductibles.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

20 FINAL REGULATIONS

Document No. 4859

**DEPARTMENT OF LABOR, LICENSING AND REGULATION
BOARD OF VETERINARY MEDICAL EXAMINERS
CHAPTER 120**

Statutory Authority: 1976 Code Sections 40-1-70, 40-69-60, and 40-69-70

120-12. Veterinary Medicine and Animal Shelters.

Synopsis:

The South Carolina Board of Veterinary Medical Examiners proposes to amend R.120-12 to comport with the requirements of 2016 Act No. 274 regarding animal shelters.

A Notice of Drafting was published in the *State Register* on August 24, 2018.

Instructions:

Replace regulation as shown below. All other items and sections remain unchanged.

Text:

120-12. Veterinary Medicine and Animal Shelters.

A. Definitions.

As used in this chapter, unless the context is clearly indicated otherwise:

1. "Animal" means any nonaquatic pet that is in the custody or care of an animal shelter.
2. "Enclosure" means a structure used to house or restrict animals from running at large such as a room, pen, run, compartment, hutch, terrarium, or otherwise confined habitat.
3. "Facility" means an animal shelter as defined in S.C. Code Section 40-69-300(A)(1) that provides veterinary services as defined in S.C. Code Section 40-69-300(A)(2).
4. "Records" mean (a) origin of animals (including names and addresses of consignors) and date animals were received; (b) description of animals including species, age, sex, breed, color markings, and microchip; (c) location of animal if not kept at facility; (d) disposition of animals including name and address of person to whom animal is sold, traded, or adopted, or address of an organization or institution to which the animal is transferred and the date of such transaction; in the event of death, the record shall show the date, signs of illness, or cause of death if identified; if euthanized, the record shall show date and type of euthanasia; and (e) record of veterinary care including treatments, immunization and date, time and description of medication (including name and dosage), and initials of person administering any product or procedure. Copies of records relating to an animal whose ownership is being transferred that are provided to the owner at the time of adoption or fostering are limited to the records identified in (A)(4)(b) and (e).

B. General provisions.

1. Each facility shall be kept in a clean, dry and sanitary condition and shall provide enclosures that can safely house and allow for adequate separation of animals of different species, sexes, ages, and temperament. Animals shall be maintained in a manner that protects them against theft, injury, escape and exposure to harmful substances.

2. Each facility shall ensure that all enclosures provide adequate shelter that is properly ventilated that can be maintained at a comfortable temperature for the animals confined therein. An enclosure shall not be cleaned when occupied by an animal unless the animal can be further confined in a portion of the enclosure that precludes exposure to any cleaning agent including water and shall be thoroughly dry before the enclosure is returned to use. A disinfectant or germicidal agent shall be used when cleaning an enclosure before being used by a different animal.

3. Regarding an animal subject to a holding period, each facility shall house the animal in an enclosure and portions thereof entirely constructed of materials that are durable, nonporous, impervious to moisture, and able to be thoroughly cleaned and disinfected.

4. Each facility shall ensure that clean drinking water is available to each animal at all times unless otherwise ordered by a licensed veterinarian. Drinking water receptacles or bowls shall be secured to the enclosure in a fixed position or otherwise be of a design that cannot be tipped over by an animal and shall be maintained in a sanitary condition.

5. Each facility shall ensure that animals are adequately and appropriately fed according to the species and age and that feed is stored in a manner that prevents spoilage, infestation, and contamination. All feed delivery utensils and receptacles shall be properly cleaned between uses.

6. Each facility shall ensure that each animal is provided access to a resting platform, bedding, or perch as appropriate to its species, age and condition. All enclosure shall have solid floors.

C. Provision of veterinary treatment.

1. Each facility shall engage a licensed veterinarian to develop or ratify a protocol for determining if an ill, injured, or otherwise compromised animal requires treatment by a licensed veterinarian. Each facility shall adhere to this protocol and provide veterinary treatment when needed.

2. Each facility shall engage a licensed veterinarian to develop or ratify a protocol for the control of infectious and contagious disease and shall adhere to such protocol. Each facility shall provide a marked isolation room for the confinement of animals suffering from a contagious or infectious disease.

3. Each facility shall engage a licensed veterinarian to develop or ratify a protocol for the management of neonatal and medically compromised animals and shall adhere to such protocol. Enclosures shall be maintained that can properly and safely house such animals.

4. Each facility shall engage a licensed veterinarian to develop or ratify a protocol for the administration of core vaccines at or prior to intake and revaccination for animals that are housed for extended periods of time. Core vaccines for cats include feline viral rhinotracheitis, calicivirus, and panleukopenia; for dogs, distemper, hepatitis, parainfluenza virus, canine parvovirus and Bordetella bronchiseptica. Animals shall be vaccinated for rabies at or shortly after release.

D. Veterinary services.

1. A veterinarian who provides veterinary services to animals in shelters is required to prepare and keep records as required by S.C. Code Section 40-69-300(C) .

2. Where a shelter or a licensed veterinarian in conjunction with a shelter provides veterinary services, the licensed veterinarian is subject to requirements as set forth in S.C. Code Section 40-69-30 et seq. and this chapter.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

Statement of Rationale:

The updated regulations will comport with the requirements of 2016 Act No. 274 regarding animal shelters.