**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HAZARDOUS WASTE MANAGEMENT REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4174, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Hazardous Waste Management Regulations, designated as Regulation Document Number 4174, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

(1) The United States Environmental Protection Agency (EPA) promulgates amendments to 40 CFR 260 through 266, 268, 270, and 273 during the calendar year. The Department is adopting one Final Rule, entitled: Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material at Laboratories Owned by Colleges and Universities and Other Eligible Academic Entities Formally Affiliated with Colleges and Universities (Academic Laboratories Generator Standards Rule). This rule was published by the EPA on December 1, 2008 at 73 FR 72912. This rule creates a new Subpart K within 40 CFR part 262. It establishes an alternative set of generator requirements applicable to laboratories owned by eligible academic entities. These requirements are designed to be flexible and protective of the environment while addressing the specific nature of hazardous waste generation and accumulation in eligible academic laboratories. Adoption of the Academic Laboratories Generator Standards Rule is optional to states and this amendment of R.61‑79 will maintain conformity with federal regulations.

(2) The EPA discontinued the National Environmental Performance Track Program (PT) in a Federal Register on May 14, 2009 at 74 FR 22741. This amendment of R.61‑79 will remove all references throughout the regulations to the EPA’s PT Program, as well as the analogous state program, the South Carolina Environmental Excellence Program (SCEEP). These Programs provide regulatory incentives to facilities with good compliance records that are less stringent than Federal standards, such as fewer inspections, reduced paper work, and longer storage times. References to the SCEEP will also be removed because the State cannot be less stringent than Federal regulations. The SCEEP will continue as a recognition program but can no longer provide reduced regulatory incentives.

A Notice of Drafting to amend R.61‑79 was published in the State Register on September 24, 2010. See Statement of Need and Reasonableness herein.

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