**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WATER CLASSIFICATIONS AND STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4161, 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 Water Classifications and Standards, designated as Regulation Document Number 4161, 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.

The Department amended R.61‑68 to strengthen and improve the existing regulation and make appropriate revisions of the State’s water quality standards in accordance with Section 303(c)(2)(B) of the Federal Clean Water Act (CWA). Section 303(c)(2)(B) requires that South Carolina’s water quality standards be reviewed and revised, where necessary, at least once every three years for the purposes of considering the Environmental Protection Agency’s (EPA) most recently published numeric and narrative criteria and to comply with recent Federal regulatory revisions and recommendations. The Department updated numeric criteria, removed fecal coliform (FC) as a bacterial indicator for recreational uses in specific marine waters of the State while continuing to protect existing shellfish harvesting uses in those waters, made the regulation consistent with recent changes to the S.C. Pollution Control Act (PCA), and revised text for corrections or clarifications for language in the current regulation. See also the Statement of Need and Reasonableness and Statement of Rationale herein. The amendments will be submitted to the General Assembly for review.

A Notice of Drafting for these amendments was published in the State Register on March 26, 2010, and a second Notice of Drafting with one additional issue was published in the State Register on April 23, 2010.

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