COMMITTEE REPORT

May 2, 2019

**H. 4365**

Introduced by Regulations and Administrative Procedures Committee

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Read the first time April 17, 2019.

**THE COMMITTEE ON MEDICAL AFFAIRS**

To whom was referred a Joint Resolution (H. 4365) to approve regulations of the Department of Health and Environmental Control, relating to Hazardous Waste Management Regulations, designated as Regulation Document Number 4841, pursuant to the provisions of Article 1, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

DANIEL B. VERDIN III for Committee.

**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 4841, 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 4841, 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 of Health and Environmental Control (“Department”) amends R.61‑79, Hazardous Waste Management Regulations, to adopt the Environmental Protection Agency’s (“EPA”) Hazardous Waste Generator Improvements Rule published November 28, 2016, at 81 FR 85732‑85829. The amendments support the Department’s goal of promoting and protecting the health of the public and the environment in a more efficient and effective manner.

The amendments reorganize the hazardous waste generator regulations to improve their usability by the regulated community, provide a better understanding of how the Resource Conservation and Recovery Act (“RCRA”) hazardous waste generator regulatory program works, address gaps in existing regulations to strengthen environmental protections, provide greater flexibility for hazardous waste generators to manage their hazardous waste in a cost‑effective and protective manner, and make technical corrections to address inadvertent errors and remove obsolete references to programs that no longer exist.

The EPA periodically promulgates regulations that are either mandatory for authorized state programs to adopt or maintain program equivalency or are optional for states because the changes are less stringent than the current federal regulations. While the majority of the EPA’s Hazardous Waste Generator Improvements Rule is equivalent to current state regulations and optional for state adoption, several provisions are more stringent and must be adopted by the Department to maintain federal program authorization. Due to the interrelated nature of the equivalent provisions and the more stringent provisions, the Department has adopted the rule in a single drafting that required General Assembly review.

The Department had a Notice of Drafting published in the April 27, 2018, *South Carolina State Register*.

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