

## **SOUTH CAROLINA STATE REGISTER DISCLAIMER**

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# SOUTH CAROLINA STATE REGISTER

PUBLISHED BY  
THE LEGISLATIVE COUNCIL  
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.

## **2018 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	1/12	2/9	3/9	4/13	5/11	6/8	7/13	8/10	9/14	10/12	11/9	12/14
Publishing Date	1/26	2/23	3/23	4/27	5/25	6/22	7/27	8/24	9/28	10/26	11/23	12/28

## **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.

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**REGULATIONS SUBMITTED TO GENERAL ASSEMBLY**

Status and Legislative Review Expiration Dates .....1  
Committee List of Regulations Submitted to General Assembly .....2

**NOTICES**

**EDUCATION, STATE BOARD OF**

Administrative and Professional Personnel Qualifications, Duties, and Workloads (Termination of Document No. 4784) .....3  
Student Attendance (Termination of Document No. 4780) .....3

**HEALTH AND ENVIRONMENTAL CONTROL, DEPARTMENT OF**

Certificate of Need .....3  
Notice of Cancellation and Rescheduling of Public Hearing for Document No. 4791, Radioactive Materials (Title A) .....4

**PROPOSED REGULATIONS**

**CLEMSON UNIVERSITY**

**State Crop Pest Commission**

Document No. 4807 Benghal Dayflower Quarantine; and Emerald Ash Borer Quarantine.....5

**EMERGENCY REGULATIONS**

**NATURAL RESOURCES, DEPARTMENT OF**

Document No. 4806 Mourning Dove Seasons and Dove Management Area Regulations.....8

**FINAL REGULATIONS**

**CLEMSON UNIVERSITY**

**State Livestock-Poultry Health Commission**

Document No. 4773 State Meat Inspection Regulation .....13  
Document No. 4774 State Poultry Products Inspection Regulation.....14

# 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
4735			Chapter Revisions	1/15/18	Workers' Compensation Commission
4678			Investigation Procedures	1/18/18	South Carolina Human Affairs Commission
4665			Examples of the Application of Tax to Various Charges Imposed by Hotels, Motels, and Other Facilities	1/19/18	Department of Revenue
4746			Articles 4, 5, 7 and 8 of Chapter 126	5/02/18	Department of Health and Human Services
4740			Minimum Standards for Licensing Hospitals and Institutional General Infirmaries	5/09/18	Department of Health and Envir Control
4732			Method of Operations; Application of Federal Truth in Lending Act; Other Cases - Summary Procedure; Delinquent Notification Filing and Fee Payment; and Filing and Posting Maximum Rate Schedules	5/09/18	Department of Consumer Affairs
4771			Wilderness Therapeutic Camps for Children	5/09/18	Department of Social Services
4758			Investigation and Production of Evidence	5/09/18	South Carolina Human Affairs Commission
4757			Complaint	5/09/18	South Carolina Human Affairs Commission
4759			Investigation Procedures	5/09/18	South Carolina Human Affairs Commission
<b>Committee Request Withdrawal</b>					
4729			Determination of Rates of Tuition and Fees	Tolled	Commission on Higher Education

## 2 COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

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
4735	Chapter Revisions	Regulations and Admin. Procedures	Judiciary
4678	Investigation Procedures	Regulations and Admin. Procedures	Judiciary
4665	Examples of the Application of Tax to Various Charges Imposed by Hotels, Motels, and Other Facilities	Regulations and Admin. Procedures	Finance
4746	Articles 4, 5, 7 and 8 of Chapter 126	Regulations and Admin. Procedures	Medical Affairs
4740	Minimum Standards for Licensing Hospitals and Institutional General Infirmaries		
4732	Method of Operations; Application of Federal Truth in Lending Act; Other Cases - Summary Procedure; Delinquent Notification Filing and Fee Payment; and Filing and Posting Maximum Rate Schedules		
4771	Wilderness Therapeutic Camps for Children		
4758	Investigation and Production of Evidence		
4757	Complaint		
4759	Investigation Procedures		
<b>Committee Request Withdrawal</b>			
4729	Determination of Rates of Tuition and Fees	Regulations and Admin. Procedures	Education

## STATE BOARD OF EDUCATION

## NOTICE OF GENERAL PUBLIC INTEREST

43-205. Administrative and Professional Personnel Qualifications, Duties, and Workloads.

The South Carolina Board of Education elected to terminate the promulgation process on Regulation Document No. 4784, Administrative and Professional Personnel Qualifications, Duties, and Workloads.

## STATE BOARD OF EDUCATION

## NOTICE OF GENERAL PUBLIC INTEREST

43-274. Student Attendance.

The South Carolina Board of Education elected to terminate the promulgation process on Regulation Document No. 4780, Student Attendance.

## DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

## NOTICE OF GENERAL PUBLIC INTEREST

December 22, 2017

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 December 22, 2017 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 Nic Gerrald, Certificate of Need Program, 2600 Bull Street, Columbia, SC 29201 at (803) 545-3495.

**Affecting Charleston County****East Cooper Community Hospital, Inc. d/b/a East Cooper Medical Center**

Purchase and installation of a Global Excelsius GPS Navigation System at a total project cost of \$1,481,075.

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 December 22, 2017. "Affected persons" have 30 days from the above date to submit requests for a public hearing to Nic Gerrald, Certificate of Need Program, 2600 Bull Street, Columbia, S.C. 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**

Development of an elective percutaneous coronary intervention (EPCI) program at a total project cost of \$0.00.

**Affecting Florence County****McLeod Regional Medical Center of the Pee Dee, Inc. d/b/a McLeod Regional Medical Center**

#### 4 NOTICES

Transfer of services from McLeod Regional Medical Center of the Pee Dee Surgery Center to McLeod Regional Medical Center at a total project cost of \$2,150,448.

#### Affecting Horry County

#### **Surgery Center of Conway, Inc.**

Construction of an ambulatory surgery facility with 1 operating room specializing in ophthalmic procedures at a total project cost of \$2,870,865.

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

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

#### **Notice of Cancellation and Rescheduling of Public Hearing State Register Document No. 4791**

December 22, 2017

The Department of Health and Environmental Control published a Notice of Proposed Regulation and Opportunity for Public Comment in the State Register on April 27, 2017, identified as Document No. 4791, to amend Regulation 61-63, Radioactive Materials (Title A). The aforementioned Notice scheduled a write-in public comment period that closed November 27, 2017, and gave notice of a public hearing scheduled before the Board of Health and Environmental Control (Board) for December 7, 2017.

Due to time needed by the Department to evaluate comments received during the public comment period, the public hearing originally scheduled before the Board for December 7, 2017, has been cancelled and rescheduled for February 8, 2018. The public hearing will be held February 8, 2018, at a regularly-scheduled meeting of the Board in the Board Room (3420), Third Floor, Aycock Building, at the Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. Due to admittance procedures at the DHEC building, all visitors must enter through the Bull Street entrance and register at the front desk.

The Board meeting commences at 10:00 a.m. at which time the Board will consider items on its agenda in the order presented. The order of presentation for public hearings will be noticed in the Board's agenda to be published by the Department 24 hours in advance of the meeting at <http://www.scdhec.gov/Agency/docs/AGENDA.PDF>. The agenda will also provide notice of cancellation of any change to meeting times. Persons desiring to make oral comments at the public hearing are asked to limit their statements to five minutes or less and, as a courtesy, are asked to provide written copies of their presentations for the record.

Document No. 4807  
**CLEMSON UNIVERSITY**  
**STATE CROP PEST COMMISSION**  
CHAPTER 27

Statutory Authority: 1976 Code Sections 46-9-40 and 46-9-50

**Preamble:**

The State Crop Pest Commission proposes to update and add language regarding the listing of certain plant pests (Emerald Ash Borer and Benghal Dayflower), as well as quarantine areas across the State.

Section-by-Section Discussion

27-56. Benghal Dayflower Quarantine

Add new text with definitions to be used throughout this section.

56.1. Definitions

Add new text.

56.2. Regulated Articles

Add new text to establish regulated items related to this plant pest.

56.3. Conditions Governing the Movement of Regulated Articles

Add new text related to the movement of regulated articles.

56.4. Disposition of Certificates

Add new text related to issuance of certificates.

56.5. Movement for Scientific Purposes

Add new text explaining when movement is allowable for scientific purposes.

56.6. Compliance Agreement

Add new text explaining how compliance with this regulation will occur.

56.7. Inspection and Disposal

Add new text explaining how inspection will occur under these regulations, as well as authority to destroy or dispose of plant pests.

56.8. Disclaimer of Liability

Add new text related to the SC Crop Pest Commissions disclaimer of liability related to inspection, treatment or disposal related to management of plant pests.

56.9. Penalties

Add new text related to penalties for violation of these regulations.

56.10. Exemption to Regulated Articles

Add new text related to certain exemptions that may apply to regulation of this plant pest.

56.11. Regulated Areas.

Add new text related to information defining the regulated area.

## 6 PROPOSED REGULATIONS

### 27-57. Emerald Ash Borer Quarantine

Add new text with definitions to be used throughout this section.

#### 57.1. Definitions

Add new text.

#### 57.2. Regulated Articles

Add new text to establish regulated items related to this plant pest.

#### 57.3. Conditions Governing the Movement of Regulated Articles

Add new text related to the movement of regulated articles.

#### 57.4. Issuance of Movement Documents

Add new text related to documentation related to the movement of regulated items under these regulations.

#### 57.5. Regulated Areas

Add new text defining the regulated area under these regulations.

A Notice of Drafting regarding the subject matter of the proposed regulation was published in the *State Register* on October 27, 2017.

### **Notice of Public Hearing and Opportunity for Public Comment:**

All written comments and requests for a public hearing should be sent to Dr. Stephen E. Cole, Director, Regulatory Services, Clemson University, 511 Westinghouse Road, Pendleton, SC 29670. A hearing will be held at 511 Westinghouse Road, Pendleton, SC starting at 10:00 am on January 30, 2018, unless no requests are made by January 26, 2018, at which time the hearing on January 30, 2018 will be cancelled.

### **Preliminary Fiscal Impact Statement:**

There will be no increased cost to the State or its political subdivisions.

### **Statement of Need and Reasonableness:**

#### DESCRIPTION OF REGULATION:

Purpose: The proposed regulations will establish quarantine and management of the Emerald Ash Borer and Benghal Dayflower plant pests into and throughout the State of South Carolina.

Legal Authority: S.C. Code Ann. Sections 46-9-40 and 46-9-50.

Plan for Implementation: The specific quarantine areas will be placed on the Clemson University website, [www.clemson.edu/invasives](http://www.clemson.edu/invasives), and will be reviewed and updated on at least an annual basis.

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

The proposed regulation changes will establish quarantine areas and restrictions related to the movement of these plant pests within or into the State of South Carolina. The proposed regulation changes will also limit and/or stop the spread of the invasive weed known as Benghal Dayflower in South Carolina. They will also provide for additional oversight and inspections of equipment for the weed which will increase awareness and precaution regarding its unintended movement.

DETERMINATION OF COSTS AND BENEFITS:

No increases in costs are expected on those regulated. Benefits include preservation of industry viability and protection of state resources.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

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

Without implementation of the proposed regulations, South Carolina residents would be free to move Benghal Dayflower around at will spreading it throughout the state resulting in increased competition with native plants. The weed has proven to be more aggressive than many native plants and could out-compete them for sunlight and nutrients resulting in the ecosystem-loss of some very important plant species. Emerald Ash Borer proposed regulations would make larger areas of South Carolina eligible to receive biological control grants. Further, by imposing a statewide versus county by county quarantine, these regulations would be less burdensome on the Department thus enabling proper execution of higher priority programs and quarantines.

**Statement of Rationale:**

The proposed regulation changes will increase efficiency and accuracy for both the general public and Clemson officials as it relates to the management of plant pests Emerald Ash Borer and the Benghal Dayflower. Without implementation of the proposed regulations, the economic impacts of failing to manage these devastating plant pests to both the forestry and agriculture industries could be significant.

**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.

## 8 EMERGENCY REGULATIONS

Filed: December 6, 2017 1:06pm

Document No. 4806  
**DEPARTMENT OF NATURAL RESOURCES**  
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, and 50-11-2200

### **Emergency Situation:**

These emergency regulations establish the dove seasons and dove limits statewide and establish seasons, limits and special restrictions for dove hunting on Dove Management Areas. Because the dove season resumes on December 15 and continues through January 15, it is necessary to refile these regulations as emergency.

### **Text:**

#### **WILDLIFE MANAGEMENT AREA PUBLIC DOVE FIELDS 2017-18**

Dove Management Area Regulations: The following fields are open only during the dates and times indicated below. A Wildlife Management Area permit and a Migratory Bird Permit are required for dove hunting on all fields. Fields denoted by an asterisk (\*) require hunters to sign in and sign out on all hunts. No species other than mourning doves and Eurasian collared doves may be hunted during scheduled dove hunts.

#### **Statewide Season Dates:**

September 2 - October 14, November 11 - November 25, December 15, 2017 - January 15, 2018

Bag Limit: Mourning Doves: 15 doves per day. No limit on Eurasian collared doves.

The following special regulations apply to all Wildlife Management Area Public Dove Fields: Hunters are limited to 50 shells per hunt. No entry onto fields before 12:00 noon. No shooting after 6:00 p.m. during the first segment of the season (September 2 – October 14).

#### **ABBEVILLE**

U.S. Forest Service – Power of Partnerships Field – Sept. 2 is youth hunt only. Sept. 9 is Wheelin Sportsmen Hunt Only and morning hunting will be allowed for this event. 1<sup>st</sup> season – Saturdays Only beginning Sept. 16. 2<sup>nd</sup> and 3<sup>rd</sup> seasons open Mon. – Sat.

#### **AIKEN**

\*US Dept of Energy - Crackerneck WMA. 1<sup>st</sup> season – Sept. 6, 20; Oct. 4.

#### **ANDERSON**

Clemson University - Fant's Grove WMA. 1<sup>st</sup> season - Saturdays only beginning Sept. 2. Field Closed Oct. 7. Open 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Saturdays Only.

#### **BERKELEY**

\*U.S. Army Corps of Engineers - Canal WMA. Sept. 2, 9; Oct. 14; Nov. 18. Sept. 23 is Wounded Warrior Hunt Only -Invitation Only.

\*DNR - Bonneau Ferry WMA. Sept. 2, 9, 23. All hunts are Youth Only.

#### **CHARLESTON**

DNR Botany Bay Plantation WMA. Sept. 2, 9, Oct. 14, Nov. 11. All hunts are Youth Only.

**CHEROKEE**

Gaffney Board of Public Works. Open Saturdays only during the statewide dove season beginning Sept. 2. Dove Hunting Only.

**CHESTER**

U.S. Forest Service - Worthy Bottoms. 1<sup>st</sup> season - Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.

**CHESTERFIELD**

SC Forestry Commission – Sand Hills State Forest - Wilkes Chapel Field. 1<sup>st</sup> season – Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. – Sat.

SC Forestry Commission – Sand Hills State Forest - Davis Field. 1<sup>st</sup> season – Opening Day Sept. 2, then Wednesdays Only beginning Sept. 13. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. – Sat.

**CLARENDON**

\*Santee Cooper - Santee Dam WMA. Sept. 2, 9, 30; Nov. 25; Dec. 30.

\*SC Forestry Commission - Oak Lea WMA. Sept. 2, 6; Jan. 3, 10.

**COLLETON**

DNR - Donnelley WMA. Sept. 2, 9; Oct. 7; Nov. 11.

**DARLINGTON**

DeWitt Property. 1<sup>st</sup> season- Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons- Saturdays Only. Dove Hunting Only.

**FLORENCE**

Santee Cooper – Pee Dee Station Site WMA. 1<sup>st</sup> season- Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons- Saturdays Only. Dove Hunting Only.

**GEORGETOWN**

DNR Samworth WMA. Sept. 2, 9, 23, Oct. 7, Nov. 18.

**HAMPTON**

\*DNR - Webb Wildlife Center. Sept. 2, 9, 27; Oct. 11; Nov. 18.

**LAURENS**

DNR Gray Court Field. 1<sup>st</sup> season- Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. - Sat.

DNR Cliff Pitts WMA. 1<sup>st</sup> season- Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. - Sat.

**LEXINGTON**

Hallman Field. 1<sup>st</sup> season- Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons- Saturdays Only. Dove Hunting Only.

**MARLBORO**

DNR - Lake Wallace WMA. 1<sup>st</sup> season- Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons- Saturdays Only. Dove Hunting Only.

**MCCORMICK**

\*U.S. Army Corps of Engineers - Bordeaux Field. Sept. 2 & 20; Oct. 4; Nov. 22, Dec. 20; Jan. 10; Dove Hunting Only. Hunters must sign-in & out at 1009 McIntosh Rd.

## **10 EMERGENCY REGULATIONS**

U.S. Army Corps of Engineers – Parksville Field. 1<sup>st</sup> season – Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. - Sat.

US Army Corp of Engineers - Plum Branch Field. 1<sup>st</sup> season – Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. - Sat.

### **NEWBERRY**

SCDOT McCullough Field. Open Saturdays only during the statewide dove season beginning Sept. 2. Dove Hunting Only.

DNR Belfast WMA. Sept. 2, 9; Nov. 23, 24, 25. 3<sup>rd</sup> season - Open Mon. - Sat.

### **OCONEE**

S.C. Forestry Commission - Piedmont Forestry Center. 1<sup>st</sup> and 2<sup>nd</sup> seasons - Saturdays Only beginning Sept 2. 3<sup>rd</sup> season – Closed.

U.S. Forest Service – Long Creek Tract. Disability hunters must contact the U.S. Forest Service Andrew Pickens office 864-638-9568 for permit requirements and access. In order to hunt, adults must have 1 or 2 youth age 17 or younger. 1<sup>st</sup> season – Saturdays Only Beginning Sept. 2. 2<sup>nd</sup> season – Open November 18 Only. 3<sup>rd</sup> season – Closed.

U.S. Forest Service - Ross Mtn. Field. Saturdays Only during statewide dove season beginning Sept. 2.

### **ORANGEBURG**

\*Santee Cooper - Santee Cooper WMA. Entire WMA under Dove Area Regulations. Sept. 2 is Youth Hunt Only. Sept. 9, 30; Nov. 18; Dec. 30.

### **PICKENS**

DNR Property-Rifle Range. Open Saturdays only during the statewide dove season beginning Sept. 2. Dove Hunting Only.

Clemson University - Gravely WMA - Causey Tract. Saturdays Only during statewide dove season beginning Sept. 2.

DNR Property – Jocassee Gorges – Cane Creek Field. Open Wednesdays only during the statewide dove season beginning Sept. 13.

### **SALUDA**

SCE&G Saluda River Field. 1<sup>st</sup> season - Saturdays Only beginning Sept 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.

### **SPARTANBURG**

Santee Cooper. 1<sup>st</sup> season – Sept. 2, 9, 16, 23. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. – Sat.

Spartanburg Co Parks Dept - Cherokee Springs Field. Saturdays Only beginning Sept 2. Dove hunting only.

### **SUMTER**

\*S.C. Forestry Commission - Manchester State Forest

Bland Field 1. Sept. 2 is Youth Hunt Only. 1<sup>st</sup> season - Saturdays Only beginning Sept. 9. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. – Sat. (Designated fields and the general forest).

\*Tuomey Fields Field A –1<sup>st</sup> season – Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. – Sat. (Designated fields and the general forest).

\*Tuomey Fields Field B – 1<sup>st</sup> season – Saturdays Only beginning Sept 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. – Sat. (Designated fields and the general forest).

**UNION**

DNR Thurmond Tract. 1<sup>st</sup> season – Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. – Sat.

U.S. Forest Service - Sedalia. Sept. 2 is Youth Only. 1<sup>st</sup> season – Saturdays Only beginning Sept. 9. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.

U.S. Forest Service - Herbert Field. 1<sup>st</sup> season - Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat.

**YORK**

DNR - Draper Tract. 1<sup>st</sup> season – Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons Open Mon. - Sat.

York County – Worth Mountain WMA. 1<sup>st</sup> season – Saturdays Only beginning Sept. 2. 2<sup>nd</sup> & 3<sup>rd</sup> seasons Open Mon. - Sat.

**SPECIAL YOUTH DOVE HUNTS:**

Eligibility for these hunts requires adults 21 years or older to bring 1 or 2 youths 15 years of age and younger. Youths 16 & 17 years of age may participate in the hunt with or without an accompanying adult. The following regulations also apply on Special Youth Dove Hunts: (1) Adults accompanying youth are NOT allowed to shoot at any time during Special Youth Dove Hunts. (2) Adults must remain in the field and closely supervise participating youth at all times. (3) In parties of one adult and 2 youths, only one youth hunter may be handling a loaded firearm at any given time. (4) Bag limit is 15 birds per youth participant. Birds harvested by individual hunters must be kept separate, and in no instance may an individual hunter harvest more than 15 birds. Pre-registration is no longer required for youth only hunts.

**ABBEVILLE COUNTY YOUTH HUNT**

U.S. Forest Service - Power of Partnerships Field, September 2. No pre-registration required.

**BERKELEY COUNTY YOUTH HUNT**

Bonneau Ferry WMA - September 2, 9, 23. No pre-registration required.

**CHARLESTON COUNTY YOUTH HUNT**

Botany Bay Plantation WMA - September 2, 9; Oct. 14; Nov. 11. No pre-registration required.

**ORANGEBURG COUNTY YOUTH HUNT**

Santee Cooper - Santee Cooper WMA. September 2. No pre-registration required.

**SUMTER COUNTY YOUTH HUNT**

Manchester State Forest Bland Tract Field 1 near Wedgefield - September 2. No pre-registration required.

**UNION COUNTY YOUTH HUNT**

U.S. Forest Service Sedalia Field - September 2. No pre-registration required.

**YORK COUNTY YOUTH HUNT**

DNR Draper WMA - September 2. No pre-registration required.

## **12 EMERGENCY REGULATIONS**

### **Statement of Need and Reasonableness:**

Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on new WMAs as well as expanding use opportunities on existing WMAs. Since the availability of specific fields changes each year and season dates change as allowed by Federal Regulation, it is necessary to file Dove Field regulations annually. Because these hunts resume on December 15, it is necessary to file these regulations as emergency so they will be in effect immediately prior to the resumption of dove hunting activity.

### **Fiscal Impact Statement:**

This amendment of Regulation 123-40 will result in increased public hunting opportunities which should generate additional State revenue through license sales. In addition, local economies should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

Document No. 4773  
**CLEMSON UNIVERSITY**  
**STATE LIVESTOCK-POULTRY HEALTH COMMISSION**  
 CHAPTER 27  
 Statutory authority: 1976 Code Sections 47-4-30 and 47-17-130

27-1023. State Meat Inspection Regulation.

**Synopsis:**

These regulations are being promulgated to modernize, clarify and update existing regulations which govern, to the extent authorized by S. C. Code, Title 47, Chapter 4, the inspection of meat and meat food products produced for intrastate commerce. These updated regulations are necessary to comply with the Federal Meat Inspection Act (21 USCA 661, Section 301) which established Federal-State Cooperative Meat Inspection Programs. This is a grant program with equal federal-state funding. A cooperating state is required to adopt regulations “at least equal to” those adopted by the federal government. This regulation will, in effect, adopt the current Federal Meat Inspection Regulations with some minor exceptions for some state specific requirements.

The Notice of Drafting was published in the *State Register* on August 25, 2017.

**Instructions:**

Replace Reg. 27-1023 with the following amendment.

**Text:**

27-1023. State Meat Inspection Regulation.

A. Definitions.

1. Commission means the State Livestock-Poultry Health Commission, Clemson University.
2. Director means the Director, Livestock-Poultry Health Programs, Clemson University.
3. Custom Processor means the custom preparation by any person of carcasses, parts thereof, meat or meat food products derived from the slaughter by any individual of cattle, sheep, swine or goats of his own raising or from game animals, delivered by the owner thereof for such custom preparation and transportation in commerce of such custom prepared article, exclusively for the use in the household by the owner and members of the owners household and the owners non-paying guests and employees in an establishment permitted by the State Meat Inspection Department for that purpose.

B. Permit required; fee; application; refusal, revocation or suspension.

1. Custom processors shall secure a permit from the Commission.
2. The permit fee is twenty-five dollars (\$25.00) annually or for part of a year. The permit year is July 1 to June 30. The fee must be retained by the Commission. The Commission by regulation may increase the fee to not more than fifty dollars (\$50.00).
3. The Commission, for cause, may refuse to grant a permit, may revoke or modify a permit, or assess a civil penalty in accordance with Section 47-4-130, South Carolina Code of Laws (1976) as amended.

C. Adoption of Federal Meat Inspection Regulations.

The United States Department of Agriculture, Food Safety and Inspection Service, Meat Inspection Regulations, 9 CFR, Chapter III, Subchapter A, Parts 300-321, 325, 329, 332, 335, 352 and 354, and Subchapter E, Parts 412, 416-418, 424, 430, 441, 442 and 500 and all changes thereto in effect as of January 1, 2018 are hereby adopted as the State Meat Inspection Regulations, with exceptions as noted below.

## 14 FINAL REGULATIONS

### D. Exceptions to the Federal Meat Inspection Regulations.

1. Subchapter A, Part 303 – Exemptions, Section 303.1(a)(2). The provisions of this section related to custom slaughter of livestock do not apply. Custom slaughtering is not a specified exemption in the State Meat and Meat Foods Regulations and Inspection Law of 1967.

2. Subchapter A, Part 307, Section 307.5(a) – Overtime Inspection Service. Fees and charges for overtime inspection service will be established, as required, by the Commission.

3. Subchapter A, Part 307, Section 307.5(b) – Holiday Inspection Service. State holidays as designated by the State Budget and Control Board will be utilized by the state inspection program.

4. Subchapter A, Part 312 – Official Marks, Devices and Certificates. Official state marks, devices and certificates of inspection will be utilized by the state inspection program.

5. Subchapter A, Part 352, Section 352.5 – Holiday and Overtime Inspection Services. Fees and charges for overtime and state holiday inspection services will be established, as required by the Commission.

6. Subchapter A, Part 352, Section 352.7 – Marking Inspected Products. Official state marks, devices and certificates of inspection will be utilized by the state inspection program.

E. In addition to temporary suspension in whole or in part of inspection services, as provided for in this regulation, the Director may, when he determines that the operator of any official establishment or any subsidiary therein, acting within the scope of his office, employment or agency, has threatened to forcibly assault or has forcibly assaulted, intimidated, harassed or interfered with any program employees in or on account of his official duties under the law, assess a civil penalty in accordance with Section 47-4-130(b), S.C. Code of Laws, (1976) as amended.

F. The complete text of these regulations is available for review at the Meat-Poultry Inspection Department, Livestock-Poultry Health Programs, Clemson University.

Document No. 4774

### CLEMSON UNIVERSITY

### STATE LIVESTOCK-POULTRY HEALTH COMMISSION

#### CHAPTER 27

Statutory Authority: 1976 Code Sections 47-4-30, 47-19-30, and 47-19-170

27-1022. State Poultry Products Inspection Regulation.

#### **Synopsis:**

These regulations are being promulgated to modernize, clarify and update existing regulations which govern, to the extent authorized by S.C. Code, Title 47, Chapter 4, the inspection of poultry products produced for intrastate commerce. These updated regulations are necessary to comply with the federal Poultry Products Inspection Act (21 USCA 454, Section 5) which establishes Federal-State Cooperative Poultry Inspection Programs. This is a grant program with equal federal-state funding. A cooperating state is required to adopt regulations “at least equal to” those adopted by the federal government. This regulation will, in effect, adopt the current Federal Poultry Products Inspection Regulations with some minor exceptions for some state specific requirements.

The Notice of Drafting was published in the *State Register* on August 25, 2017.

#### **Instructions:**

Replace Reg. 27-1022 with the following amendment.

#### **Text:**

27-1022. State Poultry Products Inspection Regulation.

**A. Definitions.**

1. Commission means the State Livestock-Poultry Health Commission, Clemson University.
2. Director means the Director, Livestock-Poultry Health Programs, Clemson University.

**B. Adoption of Federal Poultry Products Regulations.**

The United States Department of Agriculture, Food Safety and Inspection Service, Poultry Products Inspection Regulations, 9 CFR, Chapter III, Subchapter A, Parts 362 and 381 and Subchapter E. Parts 412, 416-418, 424, 430, 441, 442 and 500 and all changes thereto in effect as of January 1, 2018 are hereby adopted as the State Poultry Inspection Regulations, with exception as noted below.

**C. Exceptions to the Federal Poultry Products Inspection Regulations.**

(1) Subchapter A, Part 362, Voluntary Poultry Inspection Regulations, Section 362.5. Fees and charges for voluntary inspection services will be established, as required, by the Commission.

(2) Subchapter A, Part 381, Subpart G, Facilities for Inspection, Section 381.38. State holidays as designated by the State Budget and Control Board will be utilized by the state inspection program.

(3) Subchapter A, Part 381, Subpart G, Facilities for Inspection, Section 381.39. Fees and charges for overtime and holiday inspection services will be established, as required, by the Commission.

(4) Subchapter A, Part 381, Subpart M, Official Marks, Devices and Certificates. Official state marks, devices and certificates of inspection will be utilized by the state inspection program.

**D.** The complete text of these regulations is available for review at the Meat-Poultry Inspection Department, Livestock-Poultry Health Programs, Clemson University.