

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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Volume 41 Issue No. 3

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.

2017 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	1/13	2/10	3/10	4/14	5/12	6/9	7/14	8/11	9/8	10/13	11/10	12/8
Publishing Date	1/27	2/24	3/24	4/28	5/26	6/23	7/28	8/25	9/22	10/27	11/24	12/22

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 1

In order by General Assembly review expiration date
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 South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regsrch.php>

DOC. NO.	RAT. NO.	FINAL ISSUE	SUBJECT	EXP. DATE	AGENCY
4624			Professional Employer Organizations	5/10/17	Department of Consumer Affairs
4625			Licensing Standards for Continuing Care Retirement Communities	5/10/17	Department of Consumer Affairs
4649			Securities Division	5/10/17	Secretary of State
4656			At-Risk Students	5/10/17	State Board of Education
4657			Minimum Standards of Student Conduct and Disciplinary Enforcement Procedures to be Implemented by Local School Districts	5/10/17	State Board of Education
4658			Operation of Public Pupil Transportation Services	5/10/17	State Board of Education
4659			School Resource Officers	5/10/17	State Board of Education
4664			Hotels, Motels, and Similar Facilities	5/10/17	Department of Revenue
4683			Transportation Project Prioritization	5/10/17	Department of Transportation
4684			Secretary of Transportation Approval of Actions	5/10/17	Department of Transportation
4685			Commission Approval of Actions	5/10/17	Department of Transportation
4719			Maximum Time for Certification	5/10/17	LLR-Building Codes Council
4714			Adoption of Model Codes	5/10/17	LLR-Building Codes Council
4716			IRC Section R502.11.4 Truss Design	5/10/17	LLR-Building Codes Council
4718			IRC Section R802.10.1 Wood Truss Design	5/10/17	LLR-Building Codes Council
4721			Board of Registration for Foresters	5/10/17	LLR
4713			Barbershop Requirements; Applications for Inspection and Registration and Shop License	5/10/17	LLR-Board of Barber Examiners
4712			Purpose and Definitions	5/10/17	LLR-Office of Amusement Rides
4711			Real Estate Commission	5/10/17	LLR
4717			IRC Section R703.4 Flashing	5/10/17	LLR-Building Codes Council
4720			Sanitary and Safety Rules for Salons and Schools	5/10/17	LLR-Board of Cosmetology
4723			Examinations; Apprenticeship; and Continuing Education Requirements	5/10/17	LLR-Board of Examiners in Opticianry
4724			Amend Regulations 105-2 through 105-13 to Comport with 2016 Act 170	5/10/17	LLR-Real Estate Commission
4722			Administrator-in-Training Program Requirements	5/10/17	LLR-Board of Long Term Health Care Administrators
4689			Check Cashing Services	5/10/17	State Board of Financial Institutions-CFD
4690			Mortgage Lending	5/10/17	State Board of Financial Institutions-CFD
4715			Energy Standards Appeal Procedure	5/10/17	LLR-Building Codes Council
4675			Complaint	5/10/17	South Carolina Human Affairs Commission
4676			Employment Records to be Retained for Six Months	5/10/17	South Carolina Human Affairs Commission
4677			Investigation and Production of Evidence	5/10/17	South Carolina Human Affairs Commission
4679			Issuance of Complaint	5/10/17	South Carolina Human Affairs Commission
4680			Pleadings, Motions and Discoveries	5/10/17	South Carolina Human Affairs Commission
4681			Preservation of Records in Event of Charge of Discrimination	5/10/17	South Carolina Human Affairs Commission
4682			Procedure for the Institution of Civil Actions as Provided in Section 1-13-90(d) of the Act	5/10/17	South Carolina Human Affairs Commission
4702			Cigarette Taxes	5/10/17	Department of Revenue
4686			General Regulations; and Additional Regulations Applicable to Specific Properties	5/10/17	Department of Natural Resources
4687			Wildlife Management Area Regulations; and Turkey Hunting Rules and Seasons	5/10/17	Department of Natural Resources
4703			State Emergency Management Standards	5/10/17	Office of the Governor
4655			Plant Nursery Regulations	5/10/17	Clemson University-State Crop Pest Comm
4705			Drycleaning Facility Restoration	5/10/17	Department of Health and Envir Control
4692			Appeals to the Appellate Panel	5/10/17	Department of Employment and Workforce
4693			Work Search	5/10/17	Department of Employment and Workforce
4731			Exemption Meals Sold to School Children	5/10/17	Department of Revenue
4697			Career or Technology Centers/Comprehensive High Schools	5/10/17	State Board of Education
4707			Discount Medical Plan Certificate of Registration	5/10/17	Department of Consumer Affairs
4698			Certification Requirements	5/10/17	State Board of Education
4701			Requirements for Additional Areas of Certification	5/10/17	State Board of Education
4699			Credential Classification	5/10/17	State Board of Education
4708			Motor Club Certificate of Authority	5/10/17	Department of Consumer Affairs
4709			Prepaid Legal Services Certificate of Registration	5/10/17	Department of Consumer Affairs
4735			Chapter Revisions	5/10/17	Workers' Compensation Commission
4696			Advanced Placement	5/10/17	State Board of Education
4691			Appeals to Appeal Tribunal	5/10/17	Department of Employment and Workforce
4704			The Evaluation of School Employees for Tuberculosis	5/10/17	Department of Health and Envir Control
4706			Underground Storage Tank Control Regulations	5/10/17	Department of Health and Envir Control

2 REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

4671	WIC Vendors	5/10/17	Department of Health and Envir Control
4736	Shellfish	5/10/17	Department of Health and Envir Control
4695	Administrative and Professional Personnel Qualifications, Duties and Workloads	5/11/17	State Board of Education
4700	Defined Program, Grades 9-12 and Graduation Requirements	5/11/17	State Board of Education
4728	Free Tuition for Residents Sixty Years of Age	1/10/18	Commission on Higher Education
4730	South Carolina National Guard College Assistance Program	1/10/18	Commission on Higher Education
4729	Determination of Rates of Tuition and Fees	1/12/18	Commission on Higher Education
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
4741	Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas	1/23/18	Department of Natural Resources
4727	Term and Conditions for the Public's Use of State Lakes and Ponds Owned or Leased by the Department of Natural Resources	1/26/18	Department of Natural Resources
Resolution Introduced to Disapprove			
4734	Minimum Specifications and Practice Standards Governing Pharmacies and Pharmacists Engaged in Nonsterile and Sterile Compounding	Tolled	LLR-Board of Pharmacy
Permanently Withdrawn			
4710	Board of Barber Examiners		LLR

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
4624	Professional Employer Organizations	Regulations and Admin. Procedures	Labor, Commerce and Industry
4625	Licensing Standards for Continuing Care Retirement Communities	Regulations and Admin. Procedures	Medical Affairs
4649	Securities Division	Regulations and Admin. Procedures	Banking and Insurance
4656	At-Risk Students	Regulations and Admin. Procedures	Education
4657	Minimum Standards of Student Conduct and Disciplinary Enforcement Procedures to be Implemented by Local School Districts	Regulations and Admin. Procedures	Education
4658	Operation of Public Pupil Transportation Services	Regulations and Admin. Procedures	Education
4659	School Resource Officers	Regulations and Admin. Procedures	Education
4664	Hotels, Motels, and Similar Facilities	Regulations and Admin. Procedures	Finance
4683	Transportation Project Prioritization	Regulations and Admin. Procedures	Transportation
4684	Secretary of Transportation Approval of Actions	Regulations and Admin. Procedures	Transportation
4685	Commission Approval of Actions	Regulations and Admin. Procedures	Transportation
4719	Maximum Time for Certification	Regulations and Admin. Procedures	Labor, Commerce and Industry
4714	Adoption of Model Codes	Regulations and Admin. Procedures	Labor, Commerce and Industry
4716	IRC Section R502.11.4 Truss Design	Regulations and Admin. Procedures	Labor, Commerce and Industry
4718	IRC Section R802.10.1 Wood Truss Design	Regulations and Admin. Procedures	Labor, Commerce and Industry
4721	Board of Registration for Foresters	Regulations and Admin. Procedures	Fish, Game and Forestry
4713	Barbershop Requirements; Applications for Inspection and Registration and Shop License	Regulations and Admin. Procedures	Labor, Commerce and Industry
4712	Purpose and Definitions	Regulations and Admin. Procedures	Labor, Commerce and Industry
4711	Real Estate Commission	Regulations and Admin. Procedures	Labor, Commerce and Industry
4717	IRC Section R703.4 Flashing	Regulations and Admin. Procedures	Labor, Commerce and Industry
4720	Sanitary and Safety Rules for Salons and Schools	Regulations and Admin. Procedures	Labor, Commerce and Industry
4723	Examinations; Apprenticeship; and Continuing Education Requirements	Regulations and Admin. Procedures	Medical Affairs
4724	Amend Regulations 105-2 through 105-13 to Comport with 2016 Act 170	Regulations and Admin. Procedures	Labor, Commerce and Industry
4722	Administrator-in-Training Program Requirements	Regulations and Admin. Procedures	Medical Affairs
4689	Check Cashing Services	Regulations and Admin. Procedures	Banking and Insurance
4690	Mortgage Lending	Regulations and Admin. Procedures	Banking and Insurance
4715	Energy Standards Appeal Procedure	Regulations and Admin. Procedures	Labor, Commerce and Industry
4675	Complaint	Regulations and Admin. Procedures	Judiciary
4676	Employment Records to be Retained for Six Months	Regulations and Admin. Procedures	Judiciary
4677	Investigation and Production of Evidence	Regulations and Admin. Procedures	Judiciary
4679	Issuance of Complaint	Regulations and Admin. Procedures	Judiciary
4680	Pleadings, Motions and Discoveries	Regulations and Admin. Procedures	Judiciary
4681	Preservation of Records in Event of Charge of Discrimination	Regulations and Admin. Procedures	Judiciary
4682	Procedure for the Institution of Civil Actions as Provided in Section 1-13-90(d) of the Act	Regulations and Admin. Procedures	Judiciary
4702	Cigarette Taxes	Regulations and Admin. Procedures	Finance
4686	General Regulations; and Additional Regulations Applicable to Specific Properties	Regulations and Admin. Procedures	Fish, Game and Forestry
4687	Wildlife Management Area Regulations; and Turkey Hunting Rules and Seasons	Regulations and Admin. Procedures	Fish, Game and Forestry
4703	State Emergency Management Standards	Regulations and Admin. Procedures	General
4655	Plant Nursery Regulations	Regulations and Admin. Procedures	Agriculture and Natural Resources
4705	Drycleaning Facility Restoration	Regulations and Admin. Procedures	Medical Affairs
4692	Appeals to the Appellate Panel	Regulations and Admin. Procedures	Labor, Commerce and Industry
4693	Work Search	Regulations and Admin. Procedures	Labor, Commerce and Industry
4731	Exemption Meals Sold to School Children	Regulations and Admin. Procedures	Finance
4697	Career or Technology Centers/Comprehensive High Schools	Regulations and Admin. Procedures	Education
4707	Discount Medical Plan Certificate of Registration	Regulations and Admin. Procedures	Banking and Insurance
4698	Certification Requirements	Regulations and Admin. Procedures	Education
4701	Requirements for Additional Areas of Certification	Regulations and Admin. Procedures	Education
4699	Credential Classification	Regulations and Admin. Procedures	Education
4708	Motor Club Certificate of Authority	Regulations and Admin. Procedures	Labor, Commerce and Industry
4709	Prepaid Legal Services Certificate of Registration	Regulations and Admin. Procedures	Banking and Insurance
4735	Chapter Revisions	Regulations and Admin. Procedures	Judiciary
4696	Advanced Placement	Regulations and Admin. Procedures	Education
4691	Appeals to Appeal Tribunal	Regulations and Admin. Procedures	Labor, Commerce and Industry
4704	The Evaluation of School Employees for Tuberculosis	Regulations and Admin. Procedures	Medical Affairs
4706	Underground Storage Tank Control Regulations	Regulations and Admin. Procedures	Medical Affairs
4671	WIC Vendors	Regulations and Admin. Procedures	Medical Affairs
4736	Shellfish	Regulations and Admin. Procedures	Medical Affairs

4 COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

4695	Administrative and Professional Personnel Qualifications, Duties and Workloads	Regulations and Admin. Procedures	Education
4700	Defined Program, Grades 9-12 and Graduation Requirements	Regulations and Admin. Procedures	Education
4728	Free Tuition for Residents Sixty Years of Age	Regulations and Admin. Procedures	Education
4730	South Carolina National Guard College Assistance Program	Regulations and Admin. Procedures	Education
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4727	Term and Conditions for the Public's Use of State Lakes and Ponds Owned or Leased by the Department of Natural Resources	Regulations and Admin. Procedures	Fish, Game and Forestry
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4734	Minimum Specifications and Practice Standards Governing Pharmacies and Pharmacists Engaged in Nonsterile and Sterile Compounding	Regulations and Admin. Procedures	Medical Affairs
Permanently Withdrawn			
4710	Board of Barber Examiners	Regulations and Admin. Procedures	Labor, Commerce and Industry

Executive Order No. 2017-04

WHEREAS, on February 16, 2017, Representative John Michael “Mick” Mulvaney resigned his office and seat in the United States House of Representatives representing the fifth congressional district of the State of South Carolina by way of the attached letter, effective immediately, to accept the appointment of the President, by and with the advice and consent of the United States Senate, to serve as Director of the Office of Management and Budget in the Executive Office of the President; and

WHEREAS, by virtue of the resignation of Representative Mulvaney, there exists a vacancy in such office and seat in the United States House of Representatives representing the fifth congressional district of the State of South Carolina for the duration of the unexpired term ending in January of 2019; and

WHEREAS, Article I, Section 2 of the United States Constitution provides that “[w]hen vacancies happen in the Representation of any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies”; and

WHEREAS, the Governor of the State of South Carolina, as the Executive Authority of the State, shall declare such vacancy and issue a Writ of Election ordering a special election to fill the vacancy in the representation of the State of South Carolina in the United States House of Representatives; and

WHEREAS, section 7-13-190 of the South Carolina Code of Laws sets forth the process, procedure, and schedule for conducting a special election to fill the vacancy created and occurring by virtue of the resignation of Representative Mulvaney of the office and seat in the United States House of Representatives representing the fifth congressional district of the State of South Carolina.

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 by Article I, Section 2 of the United States Constitution, I hereby declare the office and seat in the United States House of Representatives representing the fifth congressional district of the State of South Carolina vacant and Order the State Election Commission to conduct a special election to fill such vacancy as provided by law and in accordance with the process, procedure, and schedule set forth in section 7-13-190 of the South Carolina Code of Laws. This Order and Writ of Election is effective immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS SIXTEENTH DAY OF FEBRUARY, 2017.**

**HENRY MCMASTER
Governor**

6 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 March 24, 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 Beaufort County

SCHHA, LLC d/b/a MUSC Health at Home by BAYADA

Establishment of a Home Health Agency in Beaufort County at a total project cost of \$15,000.

Affecting Berkeley County

SCHHA, LLC d/b/a MUSC Health at Home by BAYADA

Establishment of a Home Health Agency in Berkeley County at a total project cost of \$15,000.

Affecting Colleton County

SCHHA, LLC d/b/a MUSC Health at Home by BAYADA

Establishment of a Home Health Agency in Colleton County at a total project cost of \$15,000.

Affecting Dorchester County

SCHHA, LLC d/b/a MUSC Health at Home by BAYADA

Establishment of a Home Health Agency in Dorchester County at a total project cost of \$15,000.

Affecting Georgetown County

SCHHA, LLC d/b/a MUSC Health at Home by BAYADA

Establishment of a Home Health Agency in Georgetown County at a total project cost of \$15,000.

Affecting Horry County

SCHHA, LLC d/b/a MUSC Health at Home by BAYADA

Establishment of a Home Health Agency in Horry County at a total project cost of \$15,000.

Affecting Lexington County

Lexington County Health Services District, Inc. d/b/a Lexington Medical Center

Addition of a fixed PET/CT scanner and a 64-slice CT at a total project cost of \$3,399,273.

Affecting Orangeburg County

SCHHA, LLC d/b/a MUSC Health at Home by BAYADA

Establishment of a Home Health Agency in Orangeburg County at a total project cost of \$15,000.

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 March 24, 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 Charleston County

Charleston Post Acute, LLC d/b/a Providence Health – Charleston

Construction of a 90 bed skilled nursing facility in Charleston County at a total project cost of \$18,477,158.

North Charleston Post Acute, LLC d/b/a Providence Health - North Charleston

Construction of a 70 bed skilled nursing facility in Charleston County at a total project cost of \$16,001,321.

Affecting Lexington County

Lake Murray Post Acute, LLC d/b/a Providence Health – Irmo

Construction of a 70 bed skilled nursing facility in Lexington County at a total project cost of \$16,507,785.

Lexington County Health Services District, Inc. d/b/a Lexington Medical Center

Addition of a fixed PET/CT scanner and a 64-slice CT at a total project cost of \$3,399,273.

Affecting Marion County

Senior Care of Marion, LLC d/b/a Senior Care of Marion

Expansion of preexisting facility and the addition of 7 long term care beds for a total of 95 long term care beds at a total project cost of \$2,610,300.

Affecting Richland County

Carolina Interventional Pain Institute, LLC

Development of a freestanding ambulatory surgery facility with 2 operating rooms and 1 procedure room at a total project cost of \$3,700,000.

Columbia Central Post Acute, LLC d/b/a Providence Health – Columbia

Construction of a 70 bed skilled nursing facility in Richland County at a total project cost of \$16,597,212.

Palmetto Health d/b/a Palmetto Health

Renovation of an existing facility for the purchase of a MAGNETOM Aera Seimans MRI at a total project cost of \$1,315,932.

Affecting York County

Personal Home Care of North Carolina, LLC d/b/a PHC-SC

Establishment of a new Home Health Agency in York County at a total project cost of \$46,500.

8 NOTICES

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

Notice of Termination
State Register Document No. 4667

March 24, 2017

On September 23, 2016, the Department of Health and Environmental Control published a Notice of Proposed Regulation, identified as Document No. 4667, in the State Register to amend Regulation 61-105, *Infectious Waste Management Regulations*. Due to the complexity of issues raised by public comments received, the Department canceled the March 9, 2017 public hearing for the proposed amendments and is now terminating Document No. 4667. The Department will consider these comments in proposing revised amendments to R.61-105, which will begin shortly with issuance of a new Notice of Drafting and, ultimately, a Notice of Proposed Regulation under a new document number. This will provide the public with additional opportunities to review and provide input for proposed amendments incorporating consideration of the previously received comments.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

Notice of Five-Year Review and Opportunity for Public Comment

March 24, 2017

The South Carolina Administrative Procedures Act (APA) requires each state agency review its regulations every five years and submit an associated report to the Code Commissioner. S.C. Code Section 1-23-120(J) (Supp. 2016). The Department of Health and Environmental Control (“DHEC”) is conducting this review during the current fiscal year. As part of the review, DHEC seeks input from interested persons on whether amendments to DHEC’s current regulations are needed and, if so, what those amendments should be. Interested persons may submit written comments via email to comments@dhec.sc.gov or by regular mail to Rupri Grewal, Assistant General Counsel; S.C. Department of Health and Environmental Control; 2600 Bull Street; Columbia, South Carolina 29201. Please specify the regulation(s) to which the comment(s) pertains. To be considered, comments must be received no later than 5:00 p.m. on April 24, 2017.

DEPARTMENT OF LABOR, LICENSING, AND REGULATION OFFICE OF OCCUPATIONAL SAFETY AND HEALTH

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE OF PUBLIC HEARING OCCUPATIONAL SAFETY AND HEALTH STANDARDS

South Carolina Department of Labor, Licensing and Regulation (SC DLLR) does hereby give notice under Section 41-15-220, SC Code of Laws, 1976, as amended, that a public hearing will be held on May 24, 2017 at 10:00 a.m. at the SC DLLR, 110 Centerview Drive, Columbia, SC, Room 108, at which time interested persons will be given the opportunity to appear and present views on the occupational safety and health standards being considered for adoption.

The hearing is to determine if the Director of the SC DLLR will promulgate, revoke, or modify Rules and Regulations pursuant to Section 41-15-210, SC Code of Laws, 1976.

OSH Rules and Regulations being considered at the hearing are as follows:

In Subarticle 6 (General Industry):

Revisions to Sections: 1910.1000 – Air Contaminants, 1910.1024 - Beryllium, Appendix A to § 1910.1024

In Subarticle 7 (Construction):

Revisions to Sections: 1926.55 – Gases, vapors, fumes, dusts, and mists, 1926.1124 -Beryllium, Appendix A to § 1926.1124

Summary of changes: SC OSHA is amending its existing standards for occupational exposure to beryllium. The amended standard establishes a new permissible exposure limit for beryllium. Provisions of the standard are also being made to protect employees, such as requirements for exposure assessment, methods for controlling exposure, respiratory protection, medical surveillance, hazard communication, and recordkeeping.

SC OSHA is also issuing two separate expanded standards for beryllium, in both general industry and construction to address the hazards found in these sectors.

Any omissions or corrections to the occupational safety and health standards being considered for adoption published in the FEDERAL REGISTER prior to this hearing may be presented at this hearing. These revisions are necessary to comply with federal law and copies of them can be obtained or reviewed at the SC DLLR during normal business hours by contacting the OSHA office at 803-896-5811.

Persons desiring to speak at the hearing shall file with the Director of the SC DLLR a written notice of intention to appear and the approximate amount of time required for her/his presentation on the particular matter no later than May 17, 2017. Any person who wishes to express her/his views, but is unable or does not desire to appear and testify at the hearing, should submit those views in writing on or before May 17, 2017.

Emily Farr, Interim Director
SC Department of Labor, Licensing, and Regulation
Post Office Box 11329
Columbia, SC 29211-1329

10 DRAFTING NOTICES

DEPARTMENT OF SOCIAL SERVICES

CHAPTER 114

Statutory Authority: 1976 Code Sections 43-1-80 and 63-13-180

Notice of Drafting:

The Department of Social Services proposes to amend regulations that address the regulation of Public and Private Child Care Centers. Interested persons may submit comments to Ms. Cynthia Lara, Department of Social Services, Division of Early Care & Education, Director of Child Care Licensing, 1535 Confederate Avenue, Ste. 311-1, Columbia, SC 29202. To be considered, comments must be received no later than 5pm on April 13, 2017, the close of the drafting comment period.

Synopsis:

On behalf of and with the advice and consent of the State Advisory Committee on the Regulation of Childcare Facilities, the Department of Social Services is charged with submitting amended regulations governing the operation of public and private child care centers every three years (Section 63-13-180). Enforcement of the regulations is currently effected by the Department of Social Services' Child Care Licensing program. The proposed regulations establish updated standards that further protect the health, safety and well-being of children receiving care in child care centers.

Legislative review of this proposal will be required.