



South Carolina Association of Counties

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REGULATIONS UPDATE

To: Chief Administrative Officers
From: Susan Turkopuls
Subject: *DHEC: Hazardous Waste Management Regulations*

Please take note of the following items of interest from the **STATE REGISTER**. **PLEASE CIRCULATE TO APPROPRIATE STAFF FOR REVIEW AND COMMENT.** To view any proposed or final regulation online, go to <http://www.scstatehouse.gov/regnsrch.php>. You can search by document number, subject or agency. If you have any questions or comments, or are interested in obtaining a copy of any regulation, please call the SCAC offices at 1-800-922-6081.

DRAFTING

DHEC: Hazardous Waste Management Regulations

DHEC proposes to amend R.61-79, Hazardous Waste Management Regulations, to adopt four final rules published in the Federal Register by the United States Environmental Protection Agency (EPA). The four final rules are summarized below.

1. DHEC proposes adopting the “Hazardous Waste Electronic Manifest System; Final Rule,” which establishes new requirements that will authorize the use of electronic manifests (or e-Manifests) as a means to track off-site shipments of hazardous waste from a generator’s site to the site of the receipt and disposition of the hazardous waste. This final rule also implements certain provisions of the Hazardous Waste Electronic Manifest Establishment Act, Pub. L. 112-195, which directs EPA to establish a national electronic manifest system (or e-Manifest system), and to impose reasonable user service fees as a means to fund the development and operation of the e-Manifest system.
2. DHEC proposes adopting the “Revisions to the Export Provisions of the Cathode Ray Tube (CRT) Rule,” which will allow the DHEC to better track exports of CRTs for reuse and recycling in order to ensure safe management of these materials.
3. DHEC proposes adopting the “Revisions to the Definition of Solid Waste,” which revises several recycling-related provisions associated with the definition of solid waste used to determine

hazardous waste regulation under Subtitle C of the Resource Conservation and Recovery Act. The purpose of these revisions is to ensure that the hazardous secondary materials recycling regulations, as implemented, encourage reclamation in a way that does not result in increased risk to human health and the environment from discarded hazardous secondary material.

4. 4. DHEC proposes adopting the “Vacatur of the Comparable Fuels Rule and the Gasification Rule,” which revises regulations associated with the comparable fuels exclusion and the gasification exclusion, originally issued by EPA under RCRA. For states that have previously been authorized for the comparable fuels and gasification rules, the effect of the vacatur is that the previously authorized comparable fuels and gasification exclusion will no longer be in effect.

Interested persons are invited to present their views in writing to David Scaturro, Director of the Division of Waste Management, Bureau of Land and Waste Management, Department of Health and Environmental Control, 2600 Bull Street, Columbia, SC 29201 or by email at scaturdm@dhec.sc.gov. To be considered, comments must be received no later than December 29, 2015, the close of the drafting comment period. Synopsis: The Department proposes amending R.61-79 to adopt four final rules published in the Federal Register by the United States Environmental Protection Agency (EPA).

PROPOSED

Governor’s Office: State Emergency Preparedness (Doc. 4585)

The Office of the Governor proposes amending R.58-101, State Emergency Preparedness Standards. The proposed amendments will update the language of the regulation to comply with current standards of practice. Additionally, the amendments will delineate the roles and responsibilities in emergency management at the state level.

Section-by-Section Discussion of Proposed Amendments

Section (A)(1) will establish and describe a South Carolina emergency management organization.

Section (A)(2) will describe the South Carolina Emergency Operations Plan (SCEOP) and outline the roles and responsibilities of state government and county government in emergency management.

Section (A)(3) will detail the chain of communication, coordination, direction and control during an emergency at the state level.

Section (A)(4) will detail the chain of communications, coordination, direction, and control during an emergency at the county level.

Section (A)(5) will describe state and county government joint coordination during an emergency.

Section (B)(1) will outline the elements of the SCEOP.

Section (B)(2) will address the responsibilities for the development of plans, annexes, and implementing procedures.

Section (C) will describe the review and approval process of the SCEOP. The Office of the Governor shall be responsible for approval of the SCEOP.

Section (D)(1) will outline the responsibilities of the Office of the Governor in emergency management.

Section (D)(2) will outline the responsibilities of SCEMD in emergency management.

Section (D)(3) will outline the responsibilities of state agencies designated as ESF Lead Agencies in emergency management.

Section (D)(4) will outline the responsibilities of state agencies designated as ESF Support Agencies in emergency management.

Section (E) will establish and describe the functions of a state warning point and a State Emergency Operations Center (SEOC).

Section (F) will require SCEMD to establish an emergency management training and exercise program and will mandate that SCEMD conduct an annual major exercise.

Section (G) will describe the responsibilities of state agencies, county government, and SCEMD in promoting emergency management public awareness.

Interested persons may submit written comments to Danielle Maynard, Legal Counsel, South Carolina Emergency Management Division, 2779 Fish Hatchery Road, West Columbia, South Carolina 29172, or via email at dmaynard@emd.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on October 26, 2015. Should a hearing be requested, such a hearing will be held at 10:00 a.m. on Monday, November 9, 2015, at the offices of the South Carolina Administrative Law Court, Edgar Brown Building, Second Floor, 1205 Pendleton Street, Columbia, South Carolina. If a qualifying request is not timely or properly received, the hearing will be cancelled.