



South Carolina Association of Counties

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REGULATIONS UPDATE

To: Chief Administrative Officers
From: Susan Turkopuls
Subject: Department of Revenue: *Transportation Projects*
U.S. Justice Department: *Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities*
Office of the Governor: *State Emergency Management Standards (formerly Emergency Preparedness Standards) (Doc. No. 4585)*
DHEC: *Hazardous Waste Management Regulations (Doc. No. 4646)*
DHEC: *South Carolina Trauma Care Systems (Doc. No. 4578)*

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

Department of Revenue: *Transportation Projects*

The South Carolina Department of Revenue is considering adding SC Regulation 117-338 to provide guidance to counties that adopt the local sales and use tax under Chapter 37, Title 4, to finance the costs of highways, roads, streets, bridges, and other transportation-related projects. The Department of Revenue administers and collects the tax and is authorized to promulgate regulations for implementation of the tax. In order to ensure that the proceeds of the tax are used solely for transportation-related projects, the proposed regulation would require that a county imposing the tax adopt a reasonable standard to be applied in determining eligible costs. The proposed regulation would approve the general concepts set forth in section 263A of the Internal Revenue Code as a standard for cost eligibility. In lieu of the standard set forth in IRC section 263A, a county would be able to request the use of an alternative standard for Department approval.

Interested persons may submit written comments to Meredith F. Cleland, South Carolina Department of Revenue, Legislative Services, P.O. Box 125, Columbia, SC 29214. To be considered, comments must be received no later than 5:00 p.m. on June 27, 2016.

PROPOSED

U.S. Justice Department: Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities

The U.S. Department of Justice (Department) is considering revising the regulation implementing title II of the Americans with Disabilities Act (ADA or Act) in order to establish specific technical requirements to make accessible the services, programs, or activities State and local governments offer to the public via the Web. In 2010, the Department issued an Advance Notice of Proposed Rulemaking (2010 ANPRM) titled *Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities and Public Accommodations*.

The Department is seeking comments in response to this Supplemental Advance Notice of Proposed Rulemaking (SANPRM), including the proposed framework, definitions, requirements, and timeframes for compliance under consideration, and to the specific questions posed in this SANPRM. The Department is particularly interested in receiving comments from all those who have a stake in ensuring that the Web sites of public entities are accessible to people with disabilities or who would otherwise be affected by a regulation requiring Web site access. The Department appreciates the complexity and potential impact of this initiative and therefore also seeks input from experts in the field of computer science, programming, networking, assistive technology, and other related fields whose feedback and expertise will be critical in developing a workable framework for Web site access, which respects the unique characteristics of the Internet and its transformative impact on everyday life.

The Department invites written comments from members of the public. Written comments must be postmarked and electronic comments must be submitted on or before August 8, 2016. You may submit comments, identified by RIN [1190-AA65](#) (or Docket ID No. 128), by any one of the following methods:

- *Federal eRulemaking Web site:* www.regulations.gov. Follow the Web site's instructions for submitting comments.
- *Regular U.S. mail:* Disability Rights Section, Civil Rights Division, U.S. Department of Justice, P.O. Box 2885, Fairfax, VA 22031-0885.
- *Overnight, courier, or hand delivery:* Disability Rights Section, Civil Rights Division, U.S. Department of Justice, 1425 New York Avenue NW., Suite 4039, Washington, DC 20005.

For further information, contact Rebecca Bond, Chief, Disability Rights Section, Civil Rights Division, U.S. Department of Justice, at (202) 307-0663 (voice or TTY). This is not a toll-free number. Information may also be obtained from the Department's toll-free ADA Information Line at (800) 514-0301 (voice) or (800) 514-0383 (TTY). This SANPRM may be viewed online at <https://www.federalregister.gov/articles/2016/05/09/2016-10464/nondiscrimination-on-the-basis-of-disability-accessibility-of-web-information-and-services-of-state>.

FINAL

Office of the Governor: State Emergency Management Standards (formerly Emergency Preparedness Standards) (Doc. No. 4585)

The Governor's Office amended R.58-101, State Emergency Management Standards, to support the goal of updating the current regulation to comply with current standards of practice. Furthermore, the amendments

simplify and clarify the regulation to help define the roles and responsibilities in emergency management at the state level. Full text of the regulation may be viewed online at <http://www.scstatehouse.gov/regnsrch.php>.

DHEC: Hazardous Waste Management Regulations (Doc. No. 4646)

DHEC amended R.61-79 to adopt four final rules published in the Federal Register by the United States Environmental Protection Agency (EPA). These amendments will: establish 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 as well as establish a national electronic manifest system; allow DHEC to better track exports of Cathode Ray Tubes for reuse and recycling to ensure safe management of these materials; revise 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; and implement vacatur ordered by the United States Court Appeals for the District of Columbia Circuit (D.C. Circuit), on June 27, 2014, which resulted in the previously authorized comparable fuels and gasification exclusion no longer being in effect. Full text of the regulation may be viewed online at <http://www.scstatehouse.gov/regnsrch.php>.

DHEC: Onsite Wastewater Systems (Doc No. 4591)

DHEC amended R.61-56, Onsite Wastewater Systems, to update and bring regulations in line with current statutes and current changes in the technologies of design, construction and installation of onsite wastewater systems since the last revision. The amendments include updates in nomenclature and technology, as well as the addition of definitions and clarifications of definitions, site requirements and system requirements. Additionally, to upgrade the overall quality and usefulness of the regulation stylistic changes have been made for improved clarity and consistency. Full text of the regulation may be viewed online at <http://www.scstatehouse.gov/regnsrch.php>.

DHEC: South Carolina Trauma Care Systems (Doc. No. 4578)

DHEC amended Regulation 61-116, South Carolina Trauma Care Systems, to incorporate changes in the Trauma Care Systems Act and requirements published by the American College of Surgeons. The amendment is necessary to update definitions, references, and codification. In addition, the amendment includes updates to designation process requirements, reporting requirements, facility design and construction, provisions relating to standards of care, staffing requirements, application requirements, triage and transport requirements, inspections and violation enforcement, data collection, and general designation requirements. DHEC also included stylistic changes for internal consistency, clarification of wording, grammatical errors, outlining and codification, and any other changes that may be necessary for overall improvement of the regulation. Full text of the regulation may be viewed online at <http://www.scstatehouse.gov/regnsrch.php>.