



# South Carolina Association of Counties

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May 13, 2016

## **REGULATIONS UPDATE**

**To:** Chief Administrative Officers  
**From:** Susan Turkopuls  
**Subject:** *DHEC: New Storage Locations of Combustion Residuals*  
*DHEC: Underground Storage Tank Regulations*  
*Office of the Governor: Local Emergency Management Standards*

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: New Storage Locations of Combustion Residuals***

DHEC proposes to draft a new regulation that will address new storage locations of coal combustion residuals prior to delivery to the location of beneficial reuse. During the 2016 legislative session, the Governor signed into law an act to amend the Code of Laws of South Carolina, 1976, by adding section 58-27-255, which requires coal combustion residuals resulting from the production of electricity to be placed in Class 3 landfills, and which also provides exceptions. The proposed regulation will include requirements and standards governing new locations for the storage of coal combustion residuals resulting from the production of electricity, prior to delivery to the location of beneficial reuse. The regulation may also establish related penalties and administrative fines for violations of the regulation. Legislative review will be required.

Interested persons may submit their views by writing to Jana White at S.C. Department of Health and Environmental Control, Bureau of Land and Waste Management, 2600 Bull Street, Columbia, SC 29201. To be considered, written comments must be received no later than 5:00 p.m. on May 23, 2016, the close of the drafting comment period.

**DHEC: *Underground Storage Tank Regulations***

DHEC proposes to amend R.61-92, Part 280: Underground Storage Tank Control Regulations. Interested persons may submit written comments to Eric F. Cathcart, Program Manager, underground Storage Tank Management Division, Bureau of Land and Waste Management, South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201 or via email at cathcaef@dhec.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. May 23, 2016, the close of the comment period.

**DRAFTING**

**Office of the Governor: *Local Emergency Management Standards (Document 4563)***

The Governor's Office amended R.58-1. Local Emergency Management Standards to update the language of the regulation to comply with current standards of practice and to delineate the roles and responsibilities of the counties and municipalities.

Text:

**58-1. Local Emergency Management Standards.**

**A. Counties**

1. In order to provide effective and orderly governmental control and coordination of emergency operations in emergencies each county within this state must establish and maintain an emergency management agency and shall develop a county emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program.

2. The emergency management standards outlined in the various publications of the Department of Homeland Security and Federal Emergency Management Agency, such as the National Incident Management System and the Comprehensive Preparedness Guide are the overarching basis for the State and local jurisdictions.

3. Each county emergency management agency shall have a director. The director must meet the minimum training and education qualifications established in a job description approved by the county. The director shall be appointed in accordance with appropriate county personnel procedures, and serve at the pleasure of the appointing authority, in conformance with applicable resolutions, ordinances, and laws.

4. Each director has direct responsibility for the organization, administration, and operation of the county emergency management agency. The director shall coordinate emergency management activities, services, and programs within the county and shall serve as liaison to the division and other local emergency management agencies and organizations.

5. Each county emergency management agency shall perform emergency management functions within the territorial limits of the county within which it is organized and, in addition, shall conduct such activities outside its territorial limits as are required and in accordance with state and county emergency management plans and mutual aid agreements. Counties shall serve as liaison for and coordinator of municipalities' requests for state and federal assistance during post-disaster emergency operations.

## B. Municipalities

1. Legally constituted municipalities are authorized and encouraged to create municipal emergency management programs.

2. Municipal emergency management programs shall coordinate their activities with those of the county emergency management agency. Municipalities without emergency management programs shall be served by their respective county agencies.

3. If a municipality elects to establish an emergency management program, it must comply with all laws, rules, and requirements applicable to county emergency management agencies. Each municipal emergency management plan must be consistent with and subject to the applicable county emergency management plan. In addition, each municipality must coordinate requests for state or federal emergency response assistance with its county. This requirement does not apply to requests for reimbursement under federal public disaster assistance programs.

## C. Review Committee

1. A review committee shall be formed to review and address any concerns or issues regarding emergency management. The committee shall meet on a bi-annual basis and any recommendations shall be forwarded to the Adjutant General.

2. The Review Committee will be comprised of seven members and will be appointed by the Adjutant General.

- a. One elected board member from SCEMA,
- b. Two members from counties with a population greater than 200,000,
- c. Two members from counties with a population between 50,000 and 200,000, and
- d. Two members from counties with a population of less than 50,000.