

## **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.

## **2021 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	1/8	2/12	3/12	4/9	5/14	6/11	7/9	8/13	9/10	10/8	11/12	12/10
Publishing Date	1/22	2/26	3/26	4/23	5/28	6/25	7/23	8/27	9/24	10/22	11/26	12/24

## **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**

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## **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.

## SUBSCRIPTIONS

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**REGULATIONS SUBMITTED TO GENERAL ASSEMBLY**

Status and Legislative Review Expiration Dates ..... 1

**EXECUTIVE ORDERS**

Executive Order No. 2021-38 Directive to Cooperate and Assist with Litigation Challenging Vaccine Mandates and Prohibition on Cabinet Agency Vaccine Mandates.....2

**NOTICES**

**HEALTH AND ENVIRONMENTAL CONTROL, DEPARTMENT OF**

Certificate of Need ..... 8  
 Five-Year Regulatory Review ..... 9  
 Notice of Cancellation and Rescheduling of Public Hearing – Document No. 5055 ..... 10  
 Notices of Voluntary Cleanup Contract, Contribution Protection, and Comment Period – Stanley Tools Site..... 10  
 Public Hearing on Proposed Amendment to Air Quality State Implementation Plan for Regional Haze ..... 11  
 Public Hearing on Proposed Amendment to Air Quality State Plan for Municipal Solid Waste Landfills..... 12

**DRAFTING NOTICES**

**MOTOR VEHICLES, DEPARTMENT OF**

Driver Training Schools..... 14

**PROPOSED REGULATIONS**

**EMPLOYMENT AND WORKFORCE, DEPARTMENT OF**

Document No. 5093 Separation Notices ..... 15

**LABOR, LICENSING AND REGULATION, DEPARTMENT OF**

**Building Codes Council**

Document No. 5098 International Plumbing Code ..... 17

**Optometry, Board of Examiners in**

Document No. 5099 Optometrists’ Offices..... 18

**Real Estate Appraisers Board**

Document No. 5100 Real Estate Appraisers Board ..... 20

**Speech-Language Pathology and Audiology, Board of Examiners in**

Document No. 5101 Licensing Provisions..... 25

**NATURAL RESOURCES, DEPARTMENT OF**

Document No. 5095 Channel Nets..... 28  
 Document No. 5096 Commercial Permit Duration..... 29  
 Document No. 5097 Gill Nets..... 31

**TABLE OF CONTENTS**

**EMERGENCY REGULATIONS**

**HIGHER EDUCATION, COMMISSION ON**  
Document No. 5094      South Carolina Need-based Grants Program..... 34

**LABOR, LICENSING AND REGULATION, DEPARTMENT OF**  
**Occupational Safety and Health, Office of**  
Document No. 5092      Adoption of COVID-19 Healthcare Emergency Temporary Standards..... 44

**FINAL REGULATIONS**

**HEALTH AND ENVIRONMENTAL CONTROL, DEPARTMENT OF**  
Document No. 5056      Air Pollution Control Regulations and Standards (Exempt) ..... 47

**REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 1**

**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.	RAT. NO.	FINAL ISSUE	SUBJECT	EXP. DATE	AGENCY	HOUSE COMMITTEE	SENATE COMMITTEE
4952			Procedure to Employ, through Contract or Otherwise, Qualified, Independent Third-Party Consultants or Experts	01/21/2022	Public Service Commission	Regs and Admin Procedures	Judiciary
5028			Term and Universal Life Insurance Reserve Financing	01/31/2022	Department of Insurance	Regs and Admin Procedures	Banking and Insurance
5029			Credit for Reinsurance	01/31/2022	Department of Insurance	Regs and Admin Procedures	Banking and Insurance
5033			Raw Milk for Human Consumption; and Pasteurized Milk and Milk Products	03/14/2022	Department of Health and Envir Control	Regs and Admin Procedures	Ag and Nat Resources
5032			Seed Certification	03/16/2022	Clemson University	Regs and Admin Procedures	Ag and Nat Resources
5034			Emergency Temporary Work Permits	03/28/2022	LLR-Board of Cosmetology	Regs and Admin Procedures	Labor, Commerce and Industry
5037			Licensing Provisions; and Continuing Education	05/08/2022	LLR-Board of Funeral Service	Regs and Admin Procedures	Labor, Commerce and Industry
5043			Price Changes for Forest Tree Seedlings	05/11/2022	Commission of Forestry		
5044			General Regulations on South Carolina Forestry Commission Lands	05/11/2022	Commission of Forestry		
5045			Hunting and Fishing Regulations on State Forest Lands Established as Wildlife Management Areas	05/11/2022	Commission of Forestry		
5046			Allocation of Forest Tree Seedlings in Short Supply	05/11/2022	Commission of Forestry		
<b>Committee Request Withdrawal</b>							
4977			Standards for Licensing Day Care Facilities for Adults	Tolled	Department of Health and Envir Control	Regs and Admin Procedures	Medical Affairs
4993			South Carolina Jobs-Economic Development Authority	Tolled	SC Jobs-Economic Development Auth	Regs and Admin Procedures	Labor, Commerce and Industry



## 2 EXECUTIVE ORDERS

### Executive Order No. 2021-38

**WHEREAS**, the State of South Carolina has made significant and sustained progress in addressing the 2019 Novel Coronavirus (“COVID-19”), and the State must continue to take appropriate and narrowly tailored actions to confront the public health and other impacts associated with COVID-19; however, the State must simultaneously guard against unwarranted, unprecedented, and unlawful efforts by the federal government to expand federal authority and intrude upon the sovereign interests of the State and the recognized rights and liberties of South Carolinians; and

**WHEREAS**, on May 22, 2021, the undersigned issued Executive Order No. 2021-25, declaring the last State of Emergency in connection with COVID-19, which expired by its terms on or about June 6, 2021; and

**WHEREAS**, although COVID-19 continues to impact the State of South Carolina, the State has noted and documented substantial improvements in the key indicators, metrics, and data elements used to assess the measure of impact from COVID-19, which are due in large part to the availability of authorized COVID-19 vaccines, as well as the continued diligence, resilience, and persistence of South Carolinians in making responsible choices to protect themselves and their communities; and

**WHEREAS**, throughout the State of South Carolina’s response to COVID-19, the undersigned has consistently noted that government mandates of any kind are disfavored and should be utilized only as a matter of last resort and in the most extraordinary of circumstances and has underscored that any government action must be limited, both in time and in scope, and narrowly tailored to address specific threats and emergency circumstances; and

**WHEREAS**, the undersigned has repeatedly emphasized that the proper role of government ordinarily should be to educate, inform, communicate to encourage certain conduct and that government, at any level, should take care to avoid coercing or compelling private action and should resist any temptation to impose unnecessary mandates on individuals that burden or fail to account for recognized rights and liberty interests; and

**WHEREAS**, consistent with the foregoing, in the context of vaccines, the undersigned has encouraged, and will continue to encourage, eligible individuals who wish to receive a COVID-19 vaccine to do so, but the undersigned has repeatedly noted that the State of South Carolina would not and should not mandate that individuals receive such vaccines; and

**WHEREAS**, since December 2020, the South Carolina Department of Environmental Control (“DHEC”) and its public and private partners have administered over 5,200,000 doses of vaccines for COVID-19, which remain available to the public at no cost, and as of the date of this Order, over 55% of eligible South Carolinians are fully vaccinated; and

**WHEREAS**, as a result of the aforementioned efforts, DHEC continues to document consistent downward or declining trends associated with the average rate of cases of COVID-19 per 100,000 individuals, the percentage of positive tests for COVID-19, and the number of new hospital admissions and deaths associated with or related to COVID-19; and

**WHEREAS**, for the foregoing reasons, it has been the policy of the undersigned’s Administration to communicate that medical experts have regarded the COVID-19 vaccines as safe and effective at mitigating the risk of serious infection, hospitalization, and death and to encourage eligible individuals who wish to receive a COVID-19 vaccine to do so but to oppose coercing or requiring such action; and

**WHEREAS**, governmental entities should not compel proof, certification, documentation, or disclosure of an individual’s COVID-19 vaccination status, whether by mandating what has been characterized as a “vaccine passport” or otherwise, for purposes of conditioning receipt of services or assistance or restricting

employment opportunities or access to any building, structure, facility, or other physical or geographic location based on an individual's COVID-19 vaccination status; and

**WHEREAS**, notwithstanding the aforementioned progress in addressing COVID-19, President Joseph R. Biden, Jr. and his Administration (collectively, "Biden Administration") recently announced plans for the Executive Branch of the federal government to mandate, unilaterally and without legislative authorization, onerous and unprecedented vaccination policies, which would purportedly apply in a multitude of contexts and to various categories of individuals and businesses, including federal employees, federal contractors, healthcare providers, and businesses with 100 or more employees; and

**WHEREAS**, on September 9, 2021, President Biden issued Executive Order No. 14042, titled *Ensuring Adequate COVID Safety Protocols for Federal Contractors*, which purported to provide the Safer Federal Workforce Task Force, the Office of Management and Budget, and the Federal Acquisition Regulatory Council broad authority to impose vaccine mandates on federal contractors; and

**WHEREAS**, the Safer Federal Workforce Task Force has since issued multiple sets of guidance regarding Executive Order No. 14042, without publishing the same in the Federal Register for review and public comment; and

**WHEREAS**, on September 28, 2021, the Office of Management and Budget, pursuant to Executive Order 14042, published *Determination of the Promotion of Economy and Efficiency in Federal Contracting Pursuant to Executive Order No. 14042*, without including any research or data in support of its claims and without providing any opportunity for notice and comment; and

**WHEREAS**, on September 30, 2021, the Federal Acquisition and Regulatory Council issued Class Deviation 252.233-7999, which purports to require federal contractors to follow all guidance from the Safer Federal Workforce Task Force and any amendments to the same; and

**WHEREAS**, on November 4, 2021, the Occupational Safety and Health Administration ("OSHA") issued an emergency temporary standard ("ETS") purporting to require covered businesses or entities that employ 100 or more employees to develop, implement, and enforce a mandatory COVID-19 vaccination policy, with an exception for employers that instead adopt a policy requiring employees to elect either to get vaccinated or to undergo regular COVID-19 testing and wear a face covering at work; and

**WHEREAS**, the Biden Administration's recently announced, issued, and anticipated federal vaccine mandates are premised on dubious or non-existent legal grounds and pose a significant threat to the State of South Carolina's continued economic prosperity and workforce and risk jeopardizing public health by increasing vaccine skepticism and hesitancy; and

**WHEREAS**, the United States Constitution does not authorize or empower the federal government to mandate vaccinations on an individual or nationwide basis in the manner announced by the Biden Administration, and for the reasons set forth herein, the State of South Carolina will not impose such a requirement on the people of this State using the police power that is reserved to the States in accordance with the United States Constitution and under the system of federalism established thereby; and

**WHEREAS**, both the United States Constitution and the South Carolina Constitution, as well as the judicial precedent interpreting the same, recognize that the sovereign police power and authority to regulate and provide for the health, safety, and welfare of the people—to include, in certain limited circumstances, any authority to compel vaccinations subject to proper exemptions—rests with the States and was not delegated to the federal government; and

#### 4 EXECUTIVE ORDERS

**WHEREAS**, while the undersigned will continue to encourage individuals who wish to receive a COVID-19 vaccine to do so, some have raised objections, reservations, and concerns based on their specific medical situation or condition and on account of sincerely held religious beliefs, observances, and practices; and

**WHEREAS**, the rights of individuals to exercise, practice, and observe their sincerely held religious beliefs without interference are guaranteed by, *inter alia*, the First Amendment to the United States Constitution and article I, section 2 of the South Carolina Constitution and protected by the Religious Freedom Restoration Act (“RFRA”), codified as amended at 42 U.S.C. § 2000bb through 42 U.S.C. § 2000bb-4, as well as the South Carolina Religious Freedom Act (“RFA”), codified in sections 1-32-10 through -60 of the South Carolina Code of Laws, which provides, in relevant part, that “[t]he State may not substantially burden a person’s exercise of religion, even if the burden results from a rule of general applicability,” unless the burden furthers a compelling state interest and is applied in the least restrictive means of furthering that interest; and

**WHEREAS**, both the undersigned and the Attorney General, on behalf of the State of South Carolina, have already joined as plaintiffs in a federal lawsuit challenging the constitutionality and legality of Executive Order No. 14042 and related actions by federal agencies, departments, and officials, which is currently captioned as *State of Georgia, et al. v. Joseph R. Biden, et al.*, Civil Action No. 1:21-cv-00163-RSB-BKE (S.D. Ga.); and

**WHEREAS**, the State of South Carolina is also actively preparing to join with other States in challenging the ETS issued by OSHA earlier today to ensure that the Biden Administration’s unlawful, unwarranted, and unprecedented efforts to utilize and expand federal authority do not intrude or encroach upon the sovereign interests of the State of South Carolina and infringe upon the recognized rights and liberty interests of its people and businesses; and

**WHEREAS**, as the Biden Administration continues to issue unprecedented and unwarranted vaccine mandates, additional legal challenges will be necessary to restrain, enjoin, or otherwise stop this egregious federal overreach, and it is imperative that the State of South Carolina and its agencies, departments, and officials cooperate and assist with the undersigned and the Attorney General in supporting current and future litigation challenging the Biden Administration’s vaccine mandates; and

**WHEREAS**, because it is the stated policy of the undersigned’s Administration to encourage voluntary vaccination against COVID-19 while recognizing that federal vaccine mandates represent an unwarranted and unprecedented intrusion upon the sovereign interests of the State of South Carolina and the private rights of individuals to govern their own affairs and to make personal healthcare decisions, in addition to assisting with current and future challenges to the Biden Administration’s vaccine mandates, state agencies, departments, and officials should also continue to set an example by encouraging, but not requiring, COVID-19 vaccinations for its employees and contractors; and

**WHEREAS**, in furtherance of the foregoing principles, policies, initiatives, and activities, the undersigned has determined that it is necessary and appropriate to take additional proactive action to support ongoing and anticipated legal challenges to the Biden Administration’s vaccine mandates and to ensure that the Biden Administration’s actions do not unlawfully and adversely impact the State of South Carolina; and

**WHEREAS**, the South Carolina Constitution expressly provides that the Governor of the State of South Carolina is vested with “[t]he supreme executive authority of this State” and that he “shall take care that the laws be faithfully executed,” S.C. Const. art. IV, §§ 1, 15; and

**WHEREAS**, in recognition of the aforementioned authority, article IV, section 17 of the South Carolina Constitution states that “[a]ll State officers, agencies, and institutions within the Executive Branch shall, when required by the Governor, give him information in writing upon any subject relating to the duties and functions of their respective offices, agencies, and institutions, including itemized accounts of receipts and disbursements”; and

**WHEREAS**, section 1-1-840 of the South Carolina Code of Laws, as amended, similarly authorizes the Governor to “call upon any department or institution at any time for such special reports as may be deemed in the interest of the public welfare”; and

**WHEREAS**, section 1-3-10 of the South Carolina Code of Laws, as amended, also requires that “[t]he departments, bureaus, divisions, officers, boards, commissions, institutions and other agencies or undertakings of the State, upon request, shall immediately furnish to the Governor, in such form as he may require, any information desired by him in relation to their respective affairs or activities”; and

**WHEREAS**, it is axiomatic that the undersigned’s Executive Orders shall have the force and effect of law, *see* S.C. Code Ann. § 1-23-100; *Amisub of S.C., Inc. v. S.C. Dep’t of Health & Env’t Control*, 407 S.C. 583, 600, 757 S.E.2d 408, 417 (2014); *see also Com. of Va. v. Cannon*, 228 F.2d 313, 315 (4th Cir. 1955) (noting that courts “must look to the proclamations of the Governors to determine what the policy of the state was [and] that these have the effect of statutory enactments”); and

**WHEREAS**, for the aforementioned and other reasons, and in recognition and furtherance of the undersigned’s authority and responsibility to “take care that the laws be faithfully executed” and to provide for and ensure the health, safety, security, and welfare of the people of the State of South Carolina, the undersigned has determined that it is necessary and appropriate for the State of South Carolina to take additional proactive action to challenge and oppose current and future efforts by the Biden Administration to impose unwarranted, unprecedented, and unlawful vaccine mandates and that the agencies, departments, and officials of the State shall cooperate and assist with ongoing and anticipated legal challenges to ensure that the Biden Administration’s actions do not unlawfully and adversely impact 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 therein, I hereby order and direct as follows:

**Section 1. Directive to Cooperate and Assist with Litigation Challenging the Biden Administration’s Vaccine Mandates**

A. I hereby authorize and direct agencies, departments, officials, and employees of the State of South Carolina, as further defined herein, to cooperate with and assist, to the maximum extent possible, the undersigned, the Office of the Governor (“Office”), and the Attorney General in furtherance of ongoing and anticipated litigation initiated by or involving the State of South Carolina to challenge, as necessary and appropriate, any current or future COVID-19 vaccination requirement or mandate announced, issued, promulgated, initiated, or enforced by the Biden Administration or any federal agency, department, or official that purports to apply to individuals, private employers, or state or local government agencies, departments, or officials in the State of South Carolina.

B. In accordance with article IV, section 17 of the South Carolina Constitution and sections 1-1-840 and 1-3-10 of the South Carolina Code of Laws, I hereby deem and determine it is in the interest of the public welfare for the State of South Carolina to ensure that the South Carolina Constitution and the South Carolina Code of Laws are duly executed and enforced rather than encroached upon or subverted through federal overreach and to remain vigilant against and prepared to challenge any current or future unlawful or *ultra vires* actions by the Biden Administration, or any federal agencies, departments, or officials, that threaten, restrict, commandeer, or encroach upon the sovereign interests of the State of South Carolina or infringe upon the recognized rights and liberty interests of its people and businesses.

C. Pursuant to the cited authorities and other applicable law, I hereby authorize and direct that all agencies, departments, officials, and employees of the State of South Carolina, as further defined herein, shall immediately notify the undersigned, via the Office’s Chief Legal Counsel or his designee, and the Attorney General, or his designee, of any notice or communication from the Biden Administration, or any federal agency,

## 6 EXECUTIVE ORDERS

department, or official, that purports to require that any state official or employee submit to any COVID-19 vaccination mandate or that purports to require that any state official or employee enforce any COVID-19 vaccination mandate under color of state law. Any state agency, department, official, or employee that receives such a notice or communication from the Biden Administration, or any federal agency, department, or official, shall immediately furnish a copy to the undersigned, via the Office's Chief Legal Counsel or his designee, and the Attorney General, or his designee, to facilitate review and evaluation of the same in connection with any available, necessary, and appropriate legal challenge.

D. This Section shall apply to any agency, department, or official within the undersigned's Cabinet or any other agency, department, or official within the Executive Branch, as defined by section 1-30-10(A) of the South Carolina Code of Laws, as amended, including any boards or commissions that are part of, comprised within, or under the jurisdiction of such agency or department, as well as any and all other departments, bureaus, divisions, officers, boards, commissions, institutions, and other agencies or undertakings of the State, to the maximum extent provided by law. In accordance with article I, section 8 of the South Carolina Constitution, this Section shall not apply to agencies, departments, officials, or employees of the Legislative or Judicial Branches of the State of South Carolina, which shall be governed by their respective orders, rules, or regulations.

### **Section 2. Prohibition on Cabinet Agency Vaccine Mandates**

A. I hereby prohibit any agency or department within the undersigned's Cabinet, as further defined herein, through its respective director or secretary, from adopting or enforcing any order, ordinance, policy, regulation, rule, or similar measure that requires or purports to require, under color of state law, that an individual receive a COVID-19 vaccine or that an individual provide, as a condition of employment, obtaining any government service, or entering any building, structure, facility, or other physical or geographic location, any certification or documentation regarding the individual's vaccination status with respect to any COVID-19 vaccine.

B. I hereby prohibit any agency or department within the undersigned's Cabinet, as further defined herein, through its respective director or secretary, from compelling or attempting to compel, under color of state law, any individual to receive any COVID-19 vaccine pursuant to any current or future mandate announced, issued, promulgated, initiated, or enforced by the Biden Administration, or any federal agency, department, or official, where such individual objects to receiving a COVID-19 vaccine due to or on account of any sincerely held religious belief or medical objection.

C. I hereby prohibit any agency or department within the undersigned's Cabinet, as further defined herein, through its respective director or secretary, from imposing or attempting to impose, under color of state law, a penalty on any individual, business, or entity for failure to comply with any current or future COVID-19 vaccine mandate announced, issued, promulgated, initiated, or enforced by the Biden Administration, or any federal agency, department, or official, that has or would have the purpose or effect of compelling an individual to receive a COVID-19 vaccine or compelling a business or entity to require that one or more of its employees receive a COVID-19 vaccine or to condition current or future employment on an individual's vaccination status. To the extent any state agency, department, or official is required to impose such a penalty by virtue of or under the color of federal law, the state agency, department, or official shall immediately notify the undersigned, via the Office's Chief Legal Counsel or his designee, and the Attorney General, or his designee, to facilitate review and evaluation of the same in connection with any available, necessary, and appropriate legal challenge and shall promptly take action to advise any affected individual, business, or entity that the State of South Carolina does not approve of, support, condone, or otherwise endorse the imposition of any such penalty.

D. This Section shall apply to any agency or department, through its respective director or secretary, within the undersigned's Cabinet, as set forth in sections 1-30-10(B)(1)(i) and 30-4-65(B) of the South Carolina Code of Laws, including any boards or commissions that are part of, comprised within, or under the jurisdiction of such agency or department, unless otherwise provided by law. In furtherance of the aforementioned principles, considerations, and initiatives, it is advised and recommended that state agencies,

departments, and officials not in the undersigned's Cabinet or otherwise subject to the undersigned's direct authority should likewise act in manner consistent with this Order to the maximum extent possible. In accordance with article I, section 8 of the South Carolina Constitution, this Section shall not apply to agencies, departments, officials, or employees of the Legislative or Judicial Branches of the State of South Carolina, which shall be governed by their respective orders, rules, or regulations.

E. This Section shall not be interpreted, applied, implemented, or construed in a manner so as to apply to healthcare-related activities or settings, in which documentation or certification regarding an individual's vaccination status is medically necessary and appropriate or otherwise addressed or required by existing law, or to limit the ability of an individual to access their own vaccination-related records or to request that copies of any such records be provided or released to a third party.

**Section 3. General Provisions**

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

B. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Order is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this Order, as the undersigned would have issued this Order, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

C. This Order shall be implemented consistent with and to the maximum extent provided by applicable law and shall be subject to the availability of appropriations. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to impair, impede, or otherwise affect the authority granted by law to an executive agency or department, or the officials or head thereof, including the undersigned.

D. I hereby expressly authorize the Office to provide or issue any necessary and appropriate additional or supplemental guidance, rules, regulations, or restrictions regarding the application of this Order or to otherwise to provide clarification regarding the same, through appropriate means, without the need for further Orders.

E. This Order is effective immediately and shall remain in effect unless and until modified, amended, or rescinded by subsequent Order.

**GIVEN UNDER MY HAND AND THE GREAT  
SEAL OF THE STATE OF SOUTH CAROLINA,  
THIS 4th DAY OF NOVEMBER, 2021.**

**HENRY MCMASTER  
Governor**

## 8 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 on **November 26, 2021**, 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 Certificate of Need Program, 2600 Bull Street, Columbia, South Carolina 29201, at (803) 545-4200, or by email at [coninfo@dhec.sc.gov](mailto:coninfo@dhec.sc.gov).

##### Affecting Abbeville County

###### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Abbeville County at a total project cost of \$69,686.

##### Affecting Bamberg County

###### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Bamberg County at a total project cost of \$69,686.

##### Affecting Calhoun County

###### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Calhoun County at a total project cost of \$69,686.

##### Affecting Cherokee County

###### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Cherokee County at a total project cost of \$69,686.

##### Affecting Georgetown County

###### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Georgetown County at a total project cost of \$69,686.

##### Affecting Greenwood County

###### **Self Regional Healthcare**

Purchase of a da Vinci Xi robotic surgical system at a total project cost of \$2,232,600.00

##### Affecting Hampton County

###### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Hampton County at a total project cost of \$69,686.

##### Affecting Jasper County

###### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Jasper County at a total project cost of \$69,686.

##### Affecting Lee County

###### **Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Lee County at a total project cost of \$69,686.

**Affecting Orangeburg County****Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Orangeburg County at a total project cost of \$69,686.

**Affecting Richland County****Medical University Hospital Authority d/b/a MUSC Health Columbia Medical Center Downtown**

Purchase of a da Vinci Xi robotic surgical system at a total project cost of \$2,082,000.

**Medical University Hospital Authority d/b/a MUSC Health Columbia Medical Center Northeast**

Purchase of a da Vinci Xi robotic surgical system at a total project cost of \$2,082,000.

**Affecting Saluda County****Intrathecal Care Solutions, LLC d/b/a Advanced Nursing Solutions**

Establishment of a Specialty Home Health Agency limited to home infusion nursing services in Saluda County at a total project cost of \$69,686.

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 **November 26, 2021**. "Affected persons" have 30 days from the above date to submit requests for a public hearing to Certificate of Need Program, 2600 Bull Street, Columbia, South Carolina 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) 545-4200 or email [coninfo@dhec.sc.gov](mailto:coninfo@dhec.sc.gov).

**Affecting Beaufort County****Beaufort County Memorial Hospital d/b/a Beaufort County Hospital (BMH)**

Renovation of existing space and construction for the addition of 2,022 sf to add 1 operating room and convert existing cystoscopy room to an operating room at a total project cost of \$18,913,465.

**Affecting Charleston County****Trident Medical Center, LLC d/b/a Trident Medical Center**

Construction for the expansion of the surgical department to add 3 operating rooms, 8 pre/post-operative rooms, a post-anesthesia care unit recovery bay and the addition of 9,785 sf at a total project cost of \$20,168,000.

## DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

### NOTICE OF GENERAL PUBLIC INTEREST

#### Notice of Five-Year Regulatory Review and Opportunity for Public Comment

November 26, 2021

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. 2020). 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. A complete listing of each DHEC regulation can be found on the DHEC website at [www.scdhec.gov/regulations-table](http://www.scdhec.gov/regulations-table).



## 10 NOTICES

Interested persons may submit written comments via email to [RegComments@dhec.sc.gov](mailto:RegComments@dhec.sc.gov) or by posted mail to Regulation Development – Office of General Counsel; S.C. Department of Health and Environmental Control; 2600 Bull Street; Columbia, South Carolina 29201. Please specify the regulation number and title to which the comment pertains. To be considered, comments must be received no later than 5:00 p.m. on December 29, 2021.

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### NOTICE OF GENERAL PUBLIC INTEREST

##### Notice of Cancellation and Rescheduling of Public Hearing State Register Document No. 5055

November 26, 2021

The Department of Health and Environmental Control published a Notice of Proposed Regulation and Opportunity for Public Comment in the State Register on August 27, 2021, identified as Document No. 5055, to propose amendment of R.61-7, Emergency Medical Services. The aforementioned Notice scheduled a write-in public comment period that closed September 27, 2021, and gave notice of a public hearing scheduled before the Board of Health and Environmental Control (Board) for November 10, 2021.

To allow the Department more time to consider public comments on the proposed amendments, the public hearing originally scheduled before the Board for November 10, 2021, was cancelled and has been rescheduled for January 5, 2022. The public hearing will be held January 5, 2022, 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 11:00 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/Agenda>. 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.

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### NOTICE OF GENERAL PUBLIC INTEREST

DHEC-Bureau of Land and Waste Management, File # 400407  
Stanley Tools Site

##### NOTICES OF VOLUNTARY CLEANUP CONTRACT, CONTRIBUTION PROTECTION, AND COMMENT PERIOD

PLEASE TAKE NOTICE that the South Carolina Department of Health and Environmental Control (the Department) intends to enter into a Voluntary Cleanup Contract (VCC) with Stanley Black & Decker, Inc. (the Responsible Party). The VCC provides that the Responsible Party, with DHEC's oversight, will fund and perform future response actions at the Stanley Tools facility located in Chesterfield County at 100 Stanley Road, Cheraw, South Carolina and any surrounding area impacted by the migration of hazardous substances, pollutants, or contaminants (the Site).

Response actions addressed in the VCC include, but may not be limited to, the Responsible Party funding and performing a remedial investigation and, if necessary, an evaluation of cleanup alternatives for addressing any contamination. Further, the Responsible Party shall reimburse the Department's future costs of overseeing the work performed by the Responsible Party and other Department response costs pursuant to the VCC.

The VCC is subject to a thirty-day public comment period consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9613, and the South Carolina Hazardous Waste Management Act (HWMA), S.C. Code Ann. Section 44-56-200 (as amended). Notices of contribution protection and comment period will be provided to other known potentially responsible parties. The VCC is available:

- (1) On-line at <http://www.scdhec.gov/PublicNotices>; or
- (2) By contacting Elisa Vincent at 803-898-0882 or [vincenef@dhec.sc.gov](mailto:vincenef@dhec.sc.gov).

Any comments to the proposed VCC must be submitted in writing, postmarked no later than December 27, 2021, and addressed to: Elisa Vincent, DHEC-BLWM-SARR, 2600 Bull Street, Columbia, SC 29201.

Upon the successful completion of the VCC, the Responsible Party will receive a covenant not to sue for the work done in completing the response actions specifically covered in the VCC and completed in accordance with the approved work plans and reports. Upon execution of the VCC, the Responsible Party shall be deemed to have resolved their liability to the State in an administrative settlement for purposes of, and to the extent authorized under CERCLA, 42 U.S.C. Sections 9613(f)(2) and 9613(f)(3)(B), and under HWMA, S.C. Code Ann. Section 44-56-200, for the matters addressed in the VCC. Further, to the extent authorized under 42 U.S.C. Section 9613(f)(3)(B), S.C. Code Ann. Section 44-56-200, the Responsible Party may seek contribution from any person who is not a party to this administrative settlement.

## DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

### NOTICE OF GENERAL PUBLIC INTEREST

#### NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO AIR QUALITY STATE IMPLEMENTATION PLAN FOR REGIONAL HAZE

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

The South Carolina Department of Health and Environmental Control (Department) is publishing this Notice of General Public Interest pursuant to the requirements of 40 CFR 51.308, to provide interested persons the opportunity to request and attend a public hearing and comment on the Department's submittal to the U.S. Environmental Protection Agency (EPA) to revise the State Implementation Plan (SIP) for regional haze. If requested, the public hearing will be held on January 5, 2022, at 6:00 p.m. virtually via Microsoft Teams to address current guidance to help minimize the spread of COVID-19. Participants wishing to attend the public hearing will register via the SC Regional Haze website at <https://scdhec.gov/RegionalHazePlan>. This website also provides information on how to access the hearing and how to sign up to speak. However, pursuant to 40 CFR 51.102, if the Department does not receive a request for a public hearing by 5:00 p.m. on December 29, 2021, the Department will cancel the public hearing. If the Department cancels the public hearing, then the Department will notify the public at least one week prior to the scheduled hearing via the Department's Public Notices webpage: <http://www.scdhec.gov/PublicNotices/>. The public is also invited to submit comments in writing before the public hearing. To be considered, comments must be received by 5:00 p.m. on January 5, 2022, the close of the comment period. Submit comments to Scott Bigleman, Air Regulation and Data Analysis Section, Bureau of Air Quality, 2600 Bull Street, Columbia, S.C. 29201. Interested persons may also contact Scott Bigleman via phone at (803) 898-0561 or email at [biglemrs@dhec.sc.gov](mailto:biglemrs@dhec.sc.gov) for more information or to view

## 12 NOTICES

a copy of the state's proposed plan. A link to a copy of the state's proposed regional haze SIP is also located on the Department's Public Notices webpage: <http://www.scdhec.gov/PublicNotices/>.

### Synopsis:

This proposed SIP revision was prepared in accordance with the Federal Regional Haze Rule provisions specified in 40 CFR 51.308(f) and the EPA's guidance for implementing the rule to comply with Section 169A of the Clean Air Act (CAA). This SIP also contains the second five-year progress report covering the period 2014 through 2018 as required in 40 CFR 51.308(g) of the Regional Haze Rule. The Regional Haze Rule requires states to develop programs to assure reasonable progress toward meeting the national goal of preventing any future, and remedying any existing, impairment of visibility in mandatory Class I Federal areas, which impairment results from manmade air pollution. South Carolina's Class I Federal area (see 40 CFR 81.426) includes the Cape Romain Wilderness Area. South Carolina provided the Federal Land Managers (FLM) from the U.S. Fish and Wildlife Service, the National Park Service, and the U.S. Forest Service the opportunity for consultation as required by 40 CFR 51.308(i)(2). Per Section 169A(d) of the CAA, the comments received from the FLMs during consultation and the Department's responses can be found in Section 10.4 of the proposed SIP revision.

## DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

### NOTICE OF GENERAL PUBLIC INTEREST

#### NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO AIR QUALITY STATE PLAN FOR MUNICIPAL SOLID WASTE LANDFILLS

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

The South Carolina Department of Health and Environmental Control (Department) is publishing this Notice of General Public Interest pursuant to the requirements of Section 111(d) of the Clean Air Act (CAA) and 40 CFR 60.23, to provide interested persons the opportunity to attend a public hearing and comment on the Department's submittal to the U.S. Environmental Protection Agency (EPA) to revise the state plan for municipal solid waste (MSW) landfills. The public hearing will be held on January 5, 2022, at 10:00 a.m., in Room 2280 of the Sims/Aycock Building, 2600 Bull Street, Columbia, S.C. Due to admittance procedures, all visitors must enter through the main Bull Street entrance and register at the front desk. Public hearing procedures are subject to change in response to COVID-19 protocols. If applicable, the Department will provide notice of these changes twenty-four (24) hours in advance of the public hearing. The public is also invited to submit comments in writing before the public hearing. To be considered, comments must be received by 5:00 p.m. on December 29, 2021, the close of the comment period. Submit comments to Roger Jerry, Air Regulation and Data Analysis Section, Bureau of Air Quality, 2600 Bull Street, Columbia, S.C. 29201. Interested persons may also contact Roger Jerry via phone at (803) 898-1799 or email at [jerryre@dhec.sc.gov](mailto:jerryre@dhec.sc.gov) for more information, or to view a copy of the state's proposed plan. A copy of the state's proposed MSW landfill plan is also located on the Department's Public Notices webpage: <http://www.scdhec.gov/PublicNotices/>.

### Background:

On August 29, 2016, the U.S. Environmental Protection Agency (EPA) amended the Code of Federal Regulations (CFR), Title 40, Part 60, promulgating Subpart Cf, Emission Guidelines for Existing Sources: Municipal Solid Waste (MSW) Landfills (81 FR 59276). Developed under Section 111(d) of the Clean Air Act (CAA), these Emission Guidelines apply to existing MSW Landfills that commenced construction or modification on or before July 17, 2014.

On March 26, 2020, the EPA made revisions to the Emission Guidelines for MSW Landfills to clarify that after the effective date of an EPA-approved State Plan implementing Subpart Cf, or after the effective date of a federal plan implementing Subpart Cf, owners and operators of MSW landfills must comply with the approved and effective state, tribal, or federal plan implementing Subpart Cf instead of older landfill regulations (40 CFR Part 60, Subpart WWW or State Plans implementing 40 CFR Part 60, Subpart Cc) (85 FR 17244).

**Synopsis:**

Under Section 111(d) of the Clean Air Act, any state with one or more affected MSW units must develop and submit to the EPA a “State Plan” to implement the Emission Guidelines. 40 CFR Part 60, Subparts B and Cf specify the content and the conditions for developing and adopting a Section 111(d) State Plan.

The Department has prepared South Carolina's State Plan pursuant to Section 111(d) of the Clean Air Act and in compliance with all the standards and conditions of 40 CFR Part 60, Subparts B and Cf. The State Plan consists of an inventory of MSW landfills and emissions, compliance schedules, and amendments to the South Carolina Code of Regulations, Chapter 61-62 (including emission limitations and testing, monitoring, recordkeeping, and reporting requirements). It also includes a demonstration of legal authority, identification of enforceable mechanisms, and a copy of this notice of opportunity to submit comments and request a public hearing on South Carolina's revision to its proposed Section 111(d) State Plan.

Pursuant to 40 CFR 60.23(g), the EPA has approved the Department's request for alternative public participation requirements for the submittal of State Plans. These approved alternative public participation requirements allow the Department to cancel the January 5, 2022, public hearing if no hearing is requested by December 29, 2021.

## **14 DRAFTING NOTICES**

**DEPARTMENT OF MOTOR VEHICLES**  
**CHAPTER 90**  
Statutory Authority: 1976 Code Section 56-23-100

### **Notice of Drafting:**

The South Carolina Department of Motor Vehicles (SCDMV) proposes to amend Regulation 90, Article 2, regarding driver training schools. The SCDMV intends to review the regulations in light of the Federal Motor Carrier Safety Administration's Entry Level Driver Training Schools Regulations which take effect on February 7, 2022.

Interested parties should submit their comments in writing to Lauren Phillips, Deputy Director of Legislative Affairs, P.O. Box 1498, Blythewood, South Carolina 29016, by no later than 5:00 p.m. on Monday, December 29, 2021, the end of the drafting comment period.

### **Synopsis:**

The SCDMV proposes to amend Regulation 90, Articles 2, regarding truck driver training schools.

Legislative review of these amendments are required.

Document No. 5093  
**DEPARTMENT OF EMPLOYMENT AND WORKFORCE**  
CHAPTER 47  
Statutory Authority: 1976 Code Section 41-29-110

47-19. Separation Notices.

**Preamble:**

The South Carolina Department of Employment and Workforce is amending Regulation 47-19, regarding separation notices.

Section-by-Section Discussion:

47-19. Separation Notices.

- A1. Added that employer will receive claim electronically as well as by mail.
- A2. Deleted last half. Added that employer must follow South Carolina Code Section 41-31-160.
- A3. Deleted last half. Added that employer must follow South Carolina Code Section 41-31-160.
- A4. No changes.
- B1. No changes.
- B2. No changes.
- C1. No changes.
- D. No changes.

The Notice of Drafting was published in the *State Register* on August 27, 2021.

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

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code of Laws, as amended, the hearing will be conducted at the Administrative Law Court, Edgar Brown Building, Second Floor, 1206 Pendleton Street, Columbia, South Carolina at 10:00 a.m. on Wednesday, January 5, 2022. Written comments may be directed to Evan Jenkins, Office of Governmental Affairs, South Carolina Department of Employment and Workforce, P.O. Box 995, Columbia, South Carolina 29202 or by emailing RegulationComments@dew.sc.gov.

To be considered, comments must be received no later than Tuesday, January 4, 2022 at 5:00 p.m. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

**Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Need and Reasonableness:**

DESCRIPTION OF REGULATION:

Purpose: The Department is amending Regulation 47-19 in order to clarify that employers will be sent an initial or additional claim by mail and electronically, the employer must complete and return the required information, and that the liable employer must complete and return the required information in accordance to South Carolina Code Section 41-31-160.

Legal Authority: 1976 Code Section 41-29-110.

## 16 PROPOSED REGULATIONS

Plan for Implementation: The amendments to Regulation 47-19 will take effect upon the approval by the General Assembly and publication in the State Registrar. DEW will notify all offices within the Department of the amendments to the regulation in order to effectively process claims being filed by claimants for their state unemployment insurance as well as contacting the liable employer.

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

The Department is updating Regulation 47-19 to conform with business process improvements and technological advances. These amendments eliminate dated references to printed forms and clarify that parties can respond to requests for information electronically, improving timeliness and efficiency.

### DETERMINATION OF COSTS AND BENEFITS:

There is no cost incurred by the State.

### UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates concerning amending Regulation 47-19.

### EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

These amendments to Regulation 47-19 will have no effect on the environment and public health. This amendment will improve efficiency for the Department and provide for alternative methods for parties to provide information to the Department.

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

There will be no detrimental effect on the environment and public health of this State if this amendment to Regulation 47-19 is not implemented.

### Statement of Rationale:

These amendments clarify that employers will be sent claims filed by workers electronically, which will allow employers to respond electronically. Doing so will improve efficiency and reduce errors by eliminating the need for Department staff to manually sort responses and attach them to the correct claim since the electronic response will be automatically attached to the electronic claim.

### 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.

Document No. 5098  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**BUILDING CODES COUNCIL**  
CHAPTER 8  
Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, and 6-9-55

8-1400 through 8-1403. International Plumbing Code. (New)

**Preamble:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 14, to reflect modifications to the 2021 South Carolina Building Codes, the International Plumbing Code.

Section-by-Section Discussion

8-1400. International Plumbing Code.

8-1401. IPC Section 202 General Definitions.

8-1402. IPC Table 403.1 Minimum Number of Required Plumbing Fixtures. Add table to illustrate modification.

8-1403. IPC Section 410. 4 Substitution.

A Notice of Drafting was published in the *State Register* on October 22, 2021.

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

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 2:00 p.m. on January 10, 2022. Written comments may be directed to Molly F. Price, Administrator, Building Codes Council, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., December 29, 2021. If qualifying requests pursuant to Section 1-23-110(A)(3) are not timely received, the hearing will be canceled.

**Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Need and Reasonableness:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 14, to reflect modifications to the 2021 South Carolina Building Codes, the International Plumbing Code.

**DESCRIPTION OF REGULATION:**

**Purpose:** The South Carolina Building Codes Council proposes to amend Chapter 8, Article 14, to reflect modifications to the 2021 South Carolina Building Codes, the International Plumbing Code.

**Legal Authority:** 1976 Code Sections 6-9-40, 6-9-50, and 6-9-55.

**Plan for Implementation:** The revised regulations will take effect upon approval by the General Assembly and upon publication in the *State Register*. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.



## **18 PROPOSED REGULATIONS**

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

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 14, to reflect modifications to the 2021 South Carolina Building Codes, the International Plumbing Code.

### **DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state for the promulgation of these regulations.

### **UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

### **EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment.

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

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

### **Statement of Rationale:**

The South Carolina Building Codes Council proposes to amend Chapter 8, Article 14, to reflect modifications to the 2021 South Carolina Building Codes, the International Plumbing Code.

### **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.

Document No. 5099  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**BOARD OF EXAMINERS IN OPTOMETRY**  
CHAPTER 95

Statutory Authority: 1976 Code Sections 40-1-70, 40-37-40(A)(7), and 40-37-320

95-7. Optometrists' Offices. General Requirements, Patient Records Handling, and Sanitary Standards.(New)

### **Preamble:**

The South Carolina Board of Examiners in Optometry proposes to amend Chapter 95 of the South Carolina Code of Regulations to add regulations for optometrists' offices, which include mobile units, as authorized by S.C. Code Section 40-37-320.

### Section-by-Section Discussion

95-7. Add new text.

A Notice of Drafting was published in the *State Register* on September 24, 2021.

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

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 10:00 a.m. on January 10, 2022. Written comments may be directed to Meredith Buttler, Administrator, Board of Examiners in Optometry, South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., December 29, 2021. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

**Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Need and Reasonableness:**

**DESCRIPTION OF REGULATION:**

**Purpose:** The purpose of the regulation is to provide clear guidance to licensees regarding how to maintain adequate, appropriate and sanitary office facilities in the practice of optometry. The regulation also provides guidance on the proper handling of patient records. The Board is providing guidance to ensure consistency across all office facilities in the interest of patient care and safety.

**Legal Authority:** 1976 Code Sections 40-1-70, 40-37-40(A)(7), and 40-37-320.

**Plan for Implementation:** The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.

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

The regulation is reasonable as it will provide clear guidance to licensees regarding how to maintain adequate, appropriate and sanitary office facilities in the practice of optometry. The regulation will also provide guidance on the proper handling of patient records. The regulation is providing guidance that is necessary to ensure consistency across all office facilities in the interest of patient care and safety.

**DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state for the promulgation of these regulations.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment.

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

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

## 20 PROPOSED REGULATIONS

### Statement of Rationale:

The updated regulations will provide clear guidance to licensees regarding how to maintain adequate, appropriate and sanitary office facilities in the practice of optometry. The regulations will also provide guidance on the proper handling of patient records. The Board is providing guidance to ensure consistency across all office facilities in the interest of patient care and safety.

### 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.

Document No. 5100  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**REAL ESTATE APPRAISERS BOARD**  
CHAPTER 137

Statutory Authority: 1976 Code Sections 40-1-70, 40-60-10(I), and 40-60-38

- 137-100. Definitions.
- 137-100.02. Qualifications.
- 137-100.03. Appraisal Categories.
- 137-100.04. Residential Experience Hours.
- 137-100.05. Nonresidential Experience Hours.
- 137-100.06. Co-Appraiser Experience.
- 137-200.02. Residential Mass Appraisals.
- 137-200.03. Nonresidential Mass Appraisals.
- 137-300.01. Responsibilities of an Apprentice Appraiser.
- 137-400.01. Temporary Practice.
- 137-500.01. Continuing Education.
- 137-800.01. Payment of Fees.
- 137-800.04. Permit, License, Certification and Registration Renewals.
- 137-800.05. Expired Permit, License, Certificate, or Registration.
- 137-900.05. Curriculum and Attendance.
- 137-900.06. Provider, Instructor and Course Renewals.

### Preamble:

The South Carolina Real Estate Appraisers Board proposes to amend Chapter 137 as follows: to add definitions for “desk review” and “field review”, with necessary renumbering, in R.137-100; to remove the word “Residential” from course names in R.137-100.02(C)(1); to change the current experience requirement for the Licensed category to meet the Appraiser Qualifications Board (AQB) minimum requirements in R.137-100.02(C)(3) and (4); to remove the word “Residential” from the course names in R.137-100.02(D)(1); to change the current experience requirement for the Certified Residential category to meet the AQB minimum requirements in R.137-100.02(D)(3) and (4); to change the current experience requirement for the Certified General category to meet the AQB minimum requirements in R.137-100.02(E)(3) and (4); to remove definitions for “desk review” and “field review” from R.137-100.03; to add a column for co-appraiser hours assigned in R.137-100.04 and R.137-100.05; to restate the language in R.137-100.06; to add a column for co-appraiser hours assigned in R.137-200.02(A) and R.137-200.03(A) and to delete R.137-200.02(B) and R.137-200.03(B); to change “permit” to “license” in 137-300.01(A) and (6); to delete R.137-400.01; to clarify and restate certain language in R.137-500.01(F); to delete R.137-800.01; to restate and clarify certain language in R.137-800.04(A) regarding appraiser renewals and R.137.800.04(B) regarding AMC renewals; to delete certain language in

R.137-800.05(B); to delete certain language in R.137-900.05(B) and to remove the word “Residential” from the course names in R.137-900.05(C) and (D); and to delete and clarify certain language in R.137-900.06.

Section-by-Section Discussion:

- 137-100(1)-(2). No change.
- 137-100(3). Add definition of Desk Review.
- 137-100(3)-(4). Renumber as (4) and (5). Otherwise, no change.
- 137-100 (5). Renumber as (7). Otherwise, no change.
- 137-100(6). Add definition of Field Review.
- 137-100(6)-(7). Renumber as (8) – (9). Otherwise, no change.
- 137-100.02(A)-(B). No change.
- 137-100.02(C)(1). Remove “Residential.”
- 137-100.02(C)(2). No change.
- 137-100.02 (C)(3). Change 2,000 hours of appraisal experience to 1,000 hours. Change 1,000 hours in review appraisal experience to 500 hours. Strike “and” and “and be of a variety”. Replace “recognized approaches to value” with “requirements.”
- 137-100.02(C)(4). Change 12 months of real estate appraisal experience to 6 months. Clarify that the experience commences as of the date the first assignment is completed after the initial license is issued.
- 137-100.02(C)(5). No change.
- 137-100.02(D). No change.
- 137-100.02(D)(1). Remove “Residential.”
- 137-100.02(D)(2). No change.
- 137-100.02(D)(3). Change 2,500 hours of appraisal experience to 1,500 hours. Change 1,250 hours in review appraisal experience to 750 hours. Strike “and be of a variety”. Replace “recognized approaches to value” with “requirements.”
- 137-100.02(D)(4). Clarify that the experience commences as of the date the first assignment is completed after the initial license is issued.
- 137-100.02(D)(5). No change.
- 137-100.02(E). No change.
- 137-100.02(E)(1)-(2). No change.
- 137-100.02(E)(3). Add “and” before reporting conclusions. Strike “and be of a variety”. Replace “recognized approaches to value” with “requirements.”
- 137-100.02(E)(4). Clarify that the experience commences as of the date the first assignment is completed after the initial license is issued.
- 137-100.02(E)(5). No change.
- 137-100.02(F)-(G). No change.
- 137-100.03.(A)-(B). No change.
- 137-100.03(C). Strike language after “Field review.” Capitalize “r” in review.
- 137-100.03(D). Strike language before and after “Desk Review.”
- 137-100.04. Add “Sole Appraiser” above “Hours Assigned” and add a second column entitled, “Co-Appraiser Hours Assigned.”
- 137-100.04(1). Add “6” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.04(2). Add “12” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.04(3). Add “4.5” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.04(4). Add “12” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.04(5). No change.
- 137-100.05. Add “Sole Appraiser” above “Hours Assigned” and add a second column entitled, “Co-Appraiser Hours Assigned.”
- 137-100.05(A). Add “15” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.05(B). Add “15” to new column, “Co-Appraiser Hours Assigned” for 51-250 acres and “24” to new column, “Co-Appraiser Hours Assigned” for more than 250 acres.
- 137-100.05(C). Add “30” to new column, “Co-Appraiser Hours Assigned.”

## 22 PROPOSED REGULATIONS

- 137-100.05(D). Add “42” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.05(E). Add “30” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.05(F). Add “48” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.05(G). Add “30” to new column, “Co-Appraiser Hours Assigned” for under 20,000 square feet, and “54” to new column, “Co-Appraiser Hours Assigned” for 20,000 square feet or more.
- 137-100.05(H). Add “54” to new column, “Co-Appraiser Hours Assigned.”
- 137-100.05(I). No change.
- 137-100.06. Add “or is stated in the report” before “for providing.”
- 137-200.02. Strike “(A) Sole Appraiser” and add “Sole Appraiser” above “Hours Assigned” in column one. Add a second column entitled, “Co-Appraiser Hours Assigned.” Strike (B) to combine chart two with chart one.
- 137-200.02(1). Add 1 to new column, “Co-Appraiser Hours Assigned” for Single-Family, New. Add .5 to new column, “Co-Appraiser Hours Assigned” for Single-Family, Update.
- 137-200.02(2). Add 1 to new column, “Co-Appraiser Hours Assigned” for Multi-Family, New. Add .5 to new column, “Co-Appraiser Hours Assigned” for Multi-Family, Update.
- 137-200.02(3). Add 1 to new column, “Co-Appraiser Hours Assigned” for Residential Lots, New. Add .5 to new column, “Co-Appraiser Hours Assigned” for Residential Lots, Update.
- 137-200.02(4). Add 1 to new column, “Co-Appraiser Hours Assigned” for Rural Residential Land, New. Add .5 to new column, “Co-Appraiser Hours Assigned” for Rural Residential Land, Update.
- 137-200.03. Strike “(A) Sole Appraiser” and add “Sole Appraiser” above “Hours Assigned” in column one. Add a second column entitled, “Co-Appraiser Hours Assigned.” Strike (B) to combine chart two with chart one.
- 137-200.03(1). Add 1 to new column, “Co-Appraiser Hours Assigned” for Vacant Land, New. Add .5 to new column, “Co-Appraiser Hours Assigned” for Vacant Land, Update.
- 137-200.03(2). Add 1 to new column, “Co-Appraiser Hours Assigned” for Rural Agricultural, 51-250 acres, New. Add .5 to new column, “Co-Appraiser Hours Assigned” for Rural Agricultural, 51-250 acres, Update.
- 137-200.03(3). Add 1 to new column, “Co-Appraiser Hours Assigned” for Rural Agricultural, more than 250 acres, New. Add .5 to new column, “Co-Appraiser Hours Assigned” for Rural Agricultural, more than 250 acres, Update.
- 137-200.03(4). Add 4 to new column, “Co-Appraiser Hours Assigned” for Multi-Family, 5-12 Units, New. Add 2 to new column, “Co-Appraiser Hours Assigned” for Multi-Family, 5-12 Units, Update.
- 137-200.03(5). Add 6 to new column, “Co-Appraiser Hours Assigned” for Multi-Family, 13 or more units, New. Add 3 to new column, “Co-Appraiser Hours Assigned” for Multi-Family, 13 or more units, Update.
- 137-200.03(6). Add 4 to new column, “Co-Appraiser Hours Assigned” for Commercial, single tenant, New. Add 2 to new column, “Co-Appraiser Hours Assigned” for Multi-Family, single tenant, Update.
- 137-200.03(7). Add 8 to new column, “Co-Appraiser Hours Assigned” for Commercial, multi-tenant, New. Add 4 to new column, “Co-Appraiser Hours Assigned” for Multi-Family, multi-tenant, Update.
- 137-200.03(8). Add 4 to new column, “Co-Appraiser Hours Assigned” for Industrial, under 20,000 sq. ft., New. Add 2 to new column, “Co-Appraiser Hours Assigned” for Industrial, under 20,000 sq. ft., Update.
- 137-200.03(9). Add 6 to new column, “Co-Appraiser Hours Assigned” for Industrial, more than 20,000 sq. ft., New. Add 4 to new column, “Co-Appraiser Hours Assigned” for Industrial, more 20,000 sq. ft., Update.
- 137-200.03(10). Add 6 to new column, “Co-Appraiser Hours Assigned” for Institutional, New.
- 137-300.01(A). Change “permit” to “license.”
- 137-300.01(A)(1)-(5). No change.
- 137-300.01(A)(6). Change “permit” to “license.”
- 137-300.01(A)(7). No change.
- 137-400.01. Strike all.
- 137-500.01(A)-(E). No change.
- 137-500.01(F). Change “revocation” to “suspension”. Strike “and” and replace with “along with”. Add “possible” before “disciplinary actions.”
- 137-500.01(G). No change.
- 137-800.01. Strike all.
- 137-800.04(A). Add “(even years)” after “expire biennially on June 30.” Add that if the initial license is issued in an odd-numbered year, the license is renewed the following year and then biennially thereafter.

137-800.04(B). Add that if the initial license is issued in an even-numbered year, the license is renewed the following year and then biennially thereafter.

137-800.05(A). No change.

137-800.05(B). Strike “and any late fee.” Strike “Such applications will be reviewed by the Board to determine reinstatement and any further required conditions of reinstatement.”

137-900.05(A). No change.

137-900.05(B). Strike “must emphasize appraisal of one to four unit residential properties and.”

137-900.05(B)(1)-(3). No change.

137-900.05(C). No change.

137-900.05(C)(1)-(4). Strike “Residential” each time it appears.

137-900.05(D). Strike “Residential” each time it appears.

137-900.05(D)(1). No change.

137-900.05(D)(2). Strike “Residential.”

137-900.05(D)(3). No change.

137-900.05(E)-(M). No change.

137-900.06. Strike “of even-numbered years.”

The Notice of Drafting was published in the *State Register* on September 24, 2021.

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

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 10:00 a.m. on January 7, 2022. Written comments may be directed to Laura Smith, Administrator, Real Estate Appraisers Board, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., December 29, 2021. If qualifying requests pursuant to Section 1-23-110(A)(3) are not timely received, the hearing will be canceled.

**Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Need and Reasonableness:**

**DESCRIPTION OF REGULATION:**

**Purpose:** The proposed regulation will amend Chapter 137 to comply with changes required by Federal law. Under the provisions of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), the Appraiser Qualifications Board (AQB) establishes the Real Property Appraiser Qualification Criteria, or the minimum education, experience and examination requirements for real property appraisers to obtain a state certification. The Board regulations must be amended to achieve consistency with the aforementioned Federal law. In addition to the changes above, the proposed regulations will delete, restate and clarify certain language in the regulations as set forth hereinabove.

**Legal Authority:** 1976 Code Sections 40-1-70, 40-60-10(I), and 40-60-38.

**Plan for Implementation:** The revised regulations will take effect upon approval by the General Assembly and upon publication in the *State Register*. LLR will notify licensees of the revised regulation and post the revised regulations on the agency’s website.

## **24 PROPOSED REGULATIONS**

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

The proposed regulation is necessary to comply with changes required by Federal law. Under the provisions of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), the Appraiser Qualifications Board (AQB) establishes the Real Property Appraiser Qualification Criteria, or the minimum education, experience and examination requirements for real property appraisers to obtain a state certification. The Board regulations must be amended to achieve consistency with the aforementioned Federal law. In addition to the changes above, the proposed regulations will delete, restate and clarify certain language in the regulations as set forth hereinabove. The proposed changes are reasonable in that they comply with Federal law and delete, restate and clarify existing regulations.

### **DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state for the promulgation of these regulations.

### **UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

### **EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment.

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

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

### **Statement of Rationale:**

The updated regulation will amend Chapter 137 to comply with changes required by Federal law. Under the provisions of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), the Appraiser Qualifications Board (AQB) establishes the Real Property Appraiser Qualification Criteria, or the minimum education, experience and examination requirements for real property appraisers to obtain a state certification. The Board regulations must be amended to achieve consistency with the aforementioned Federal law. In addition to the changes above, the proposed regulations will delete, restate and clarify certain language in the regulations as set forth hereinabove.

### **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.

Document No. 5101

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY  
CHAPTER 115**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-67-70

- 115-1. General Licensing Provisions.
- 115-2. Speech-Language Pathology Assistants.
- 115-3. Supervised Professional Employment (SPE).

**Preamble:**

The South Carolina Board of Examiners in Speech-Language Pathology and Audiology proposes to amend R.115-1, 115-2, and 115-3.

Section-by-Section Discussion

- 115-1(A)-(D). No change.
- 115-1(E). New section providing reinstatement requirements.
- 115-2(A)(1)-(2). No change.
- 115-2(A)(3). Strike period and add semi-colon. Add “and.”
- 115-2(A)(4). New section adding the requirements for supervised clinical experience for licensure as a speech-language pathology assistant.
- 115-2(B). Strike requirement of not less than 100 clock hours of direct client contact/clinical practicum, excluding observation hours. Replace period with colon.
- 115-2(C). Strike all.
- 115-2(C)(1). Strike all.
- 115-2(C)(2). Renumber as (B)(1). Strike “Phonetics”. Strike “Experimental” and replace with “Introduction to.”
- 115-2(C)(3). Renumber as (B)(2).
- 115-2(C)(4). Renumber as (B)(3). Replace “of” with “to.”
- 115-2(C)(5). Renumber as (B)(4).
- 115-2(C)(6). Renumber as (B)(5).
- 115-2(C). New section on Supervised Clinical Experience.
- 115-2(D)-(F). No change.
- 115-2(G). Strike “15% (e.g., 6 hours per 40 hour work week) or”. Replace “visits” with “therapy sessions.”
- 115-2(H)-(I). No change.
- 113-2(J). Add word “verified.”
- 115-2(K). No change.
- 115-2(K)(1)-(13). No change.
- 115-2(K)(14)-(15). New sections identifying two activities a speech-language pathology assistant is prohibited from doing.
- 115-3(A). No change.
- 115-3(B). Strike definition of SPE. Strike existing language establishing requirements for full-time and part-time employment for purposes of SPE. Add revised requirements for SPE, which should consist of not less than 1,260 hours, and establish requirements for satisfying SPE with full-time or part-time experience. Replace “above” with “in subsection (A).”
- 115-3(C)-(D). No change.
- 115-3(E). Strike “interns at a time” and replace with “no more than three (3) total of either interns and/or speech-language pathology assistants at one time.”
- 115-3(F). New section stating that in order to serve as an SPE supervisor, a licensee must have a minimum of three years of full-time licensed work experience which may include an internship or other mentored professional experience that follows completion of the post-graduate degree.

The Notice of Drafting was published in the *State Register* on August 27, 2021.



## 26 PROPOSED REGULATIONS

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

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 1:00 p.m., on January 7, 2022. Written comments may be directed to Mack Williams, Administrator, Board of Examiners in Speech-Language Pathology and Audiology, South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., December 29, 2021. If a qualifying request pursuant to Section 1-23-110(A)(3) is not timely received, the hearing will be canceled.

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

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

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

#### DESCRIPTION OF REGULATION:

Purpose: The revision R.115-1, the Board proposes added Section (E) which would identify the requirements for an applicant to reinstate an expired license in accordance with S.C. Code Section 40-67-270. In R.115-2, the Board proposes revising the requirements of Supervised Clinical Experience for speech language pathology assistants, to allow experience to be obtained as part of an academic program acceptable to the Board, as on-the-job training completed in another state in accordance with that state's laws, or completed within a four-month period of a Board-approved plan under the supervision of a state-licensed speech-language pathologist. In R.115-2, the Board proposes to modify the language to clarify Direct Supervision requirements and add the word "verified" before calibration. In R.115-2, the Board proposes to add two activities that are prohibited from being performed by speech-language pathology assistants: participating in feeding or swallowing activities as set forth in the ASHA Speech-Language Pathology Assistant Scope of Practice; and treating a person who is medically fragile as defined by the ASHA Speech-Language Pathology Assistant Scope of Practice. In R.115-3, the Board proposes to revise the requirements for full-time and part-time employment for purposes of Supervised Professional Employment and clarify the requirements to serve as a supervisor.

Legal Authority: 1976 Code Sections 40-1-70 and 40-67-70.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.

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

The proposed revision to R.115-1 would add Section (E) which would identify the requirements for an applicant to reinstate an expired license. Revision is necessary to comport with S.C. Code Section 40-67-270. The proposed revision to R.115-2 would modify the requirements of Supervised Clinical Experience for speech language pathology assistants and expand the options for earning the 100 clinical clock hours. The revisions are both reasonable and necessary in that they expand the pathways towards meeting licensure requirements. The proposed revisions to R.115-2 would clarify the requirements for Direct Supervision of speech-language pathology assistants and add two activities that are prohibited from being performed by speech-language pathology assistants: participating in feeding or swallowing activities as set forth in the ASHA Speech-Language Pathology Assistant Scope of Practice; and treating a person who is medically fragile as defined by the ASHA Speech-Language Pathology Assistant Scope of Practice. These changes are both reasonable and necessary to comport with national standards pursuant to S.C. Code Section 40-67-75. In R.115-3, the proposed revisions would clarify the requirements for full-time and part-time employment for purposes of the Supervised

Professional Employment and also resolve confusion over what constitutes a three year full-time work experience to serve as a supervisor in S.C. Code Section 40-67-20(16).

**DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state for the promulgation of these regulations.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment.

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

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

**Statement of Rationale:**

The updated regulation, R.115-1, would add Section (E) which would identify the requirements for an applicant to reinstate an expired license in accordance with S.C. Code Section 40-67-270. The updated regulation, R.115-2, would revise the requirements of Supervised Clinical Experience for Speech Language Pathology Assistants, to allow experience to be obtained as part of an academic program acceptable to the Board, as on-the-job training completed in another state in accordance with that state's laws, or completed within a four-month period of a Board-approved plan under the supervision of a state-licensed speech-language pathologist. It would also clarify the requirements for Direct Supervision and add two activities that are prohibited from being performed by speech-language pathology assistants: participating in feeding or swallowing activities as set forth in the ASHA Speech-Language Pathology Assistant Scope of Practice; and treating a person who is medically fragile as defined by the ASHA Speech-Language Pathology Assistant Scope of Practice. The updated regulation, R.115-3, would clarify the requirements for full-time and part-time employment for purposes of a Supervised Professional Employment and clarify the requirements for serving as a supervisor.

**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.

## 28 PROPOSED REGULATIONS

Document No. 5095  
**DEPARTMENT OF NATURAL RESOURCES**  
CHAPTER 123  
Statutory Authority: 1976 Code Sections 50-5-30 and 50-5-515

123-27. Channel Nets.

### **Preamble:**

The South Carolina Department of Natural Resources proposes to promulgate Regulation 123-27 to delineate the area where channel nets may be used in the salt waters of the state, pursuant to Section 50-5-515(A). This proposal was approved by the Natural Resources Board on September 16, 2021.

A Notice of Drafting for the proposed regulation was published in the *State Register* on September 24, 2021.

The proposed regulation will require legislative review.

### Section-by-Section Discussion:

123-27. Add specific coordinates to delineate the areas of Winyah Bay where channel nets may be used.

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

Should a public hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code of Laws, as amended, it will be conducted at 1000 Assembly Street, Room 335, Columbia, South Carolina, on January 4, 2022 at 10:00 a.m. Written comments about the proposed regulation or requests for a hearing should be directed to Mel Bell, SCDNR Office of Fisheries Management, 217 Fort Johnson Road, Charleston, SC, 29412, no later than 5:00 p.m. on December 31, 2021.

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

SCDNR does not anticipate additional costs to the state or its political subdivisions as a result of the promulgation of Regulation 123-27.

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

The statement of need and reasonableness was based on staff analysis pursuant to S.C. Code Sections 1-23-115(C)(1) through (3) and 1-23-115(C)(9) through (11).

### DESCRIPTION OF THE REGULATION:

Purpose: Regulation 123-27 will delineate the area where channel nets may be used in the salt waters of the state, pursuant to Section 50-5-515(A). The language will add specific coordinates to delineate the areas of Winyah Bay where channel nets may be used.

Legal Authority: 1976 Code Sections 50-5-30 and 50-5-515.

Plan for Implementation: Once the regulation has been approved by the General Assembly, the Department will begin referencing the regulation in its published materials. Additionally, the public will be notified through this publication.

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

The proposed regulation is reasonable and necessary to manage the marine resources of the state. The proposed regulation will allow commercial fishermen to be more clearly informed of the areas where channel nets are allowed using geographic coordinates.

DETERMINATION OF COSTS AND BENEFITS:

Promulgation of this regulation will not require any additional costs to the state.

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:

None.

**Statement of Rationale:**

Section 50-5-30 allows the Department to promulgate regulations necessary for the implementation of the South Carolina Marine Resources Act. Section 50-5-515(A) provides that the Department may designate areas of the salt waters of the state where channel nets may be used.

**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.

Document No. 5096

**DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 123**

Statutory Authority: 1976 Code Sections 50-5-30 and 50-5-900

123-36. Duration of Commercial Shellfish Culture and Mariculture Permits.

**Preamble:**

The South Carolina Department of Natural Resources proposes to promulgate Regulation 123-36 to clarify the duration of commercial shellfish culture and mariculture permits. S.C. Code Section 50-5-900 establishes five-year permits. This regulation will specify that for purposes of five-year shellfish culture and mariculture permits issued pursuant to S.C. Code Section 50-5-900, the first year of the five-year period shall end on December 31, regardless of the month and day of permit issuance. This proposal was approved by the Natural Resources Board on September 16, 2021.

A Notice of Drafting for the proposed regulation was published in the *State Register* on September 24, 2021.

## **30 PROPOSED REGULATIONS**

The proposed regulation will require legislative review.

### **Section-by-Section Discussion:**

Regulation 123-36. Add language to clarify the duration of commercial shellfish culture and mariculture permits issued under S.C. Code Section 50-5-900. For purposes of five-year shellfish culture and mariculture permits issued pursuant to S.C. Code Section 50-5-900, the first year of the five-year period shall end on December 31, regardless of the month and day of permit issuance.

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

Should a public hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code of Laws, as amended, it will be conducted at 1000 Assembly Street, Room 335, Columbia, South Carolina, on January 4, 2022 at 10:00 a.m. Written comments about the proposed regulation or requests for a hearing should be directed to Mel Bell, SCDNR Office of Fisheries Management, 217 Fort Johnson Road, Charleston, SC, 29412, no later than 5:00 p.m. on December 31, 2021.

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

SCDNR does not anticipate additional costs to the state or its political subdivisions as a result of the promulgation of Regulation 123-36.

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

The statement of need and reasonableness was based on staff analysis pursuant to S.C. Code Sections 1-23-115(C)(1) through (3) and 1-23-115(C)(9) through (11).

### **DESCRIPTION OF THE REGULATION:**

Purpose: Regulation 123-36 will clarify the duration of commercial shellfish culture and mariculture permits. S.C. Code Section 50-5-900 establishes five-year permits. This regulation will specify that for purposes of five-year shellfish culture and mariculture permits issued pursuant to S.C. Code Section 50-5-900, the first year of the five-year period shall end on December 31, regardless of the month and day of permit issuance.

Legal Authority: 1976 Code Sections 50-5-30 and 50-5-900.

Plan for Implementation: Once the regulation has been approved by the General Assembly, the Department will begin referencing the regulation in its published materials. Additionally, the public will be notified through this publication.

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

The proposed regulation is reasonable and necessary to manage the marine resources of the state. The proposed regulation will clarify the duration of commercial shellfish culture and mariculture permits issued pursuant to S.C. Code Section 50-5-900.

### **DETERMINATION OF COSTS AND BENEFITS:**

Promulgation of this regulation will not require any additional costs to the state.

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:

None.

**Statement of Rationale:**

Section 50-5-30 allows the Department to promulgate regulations necessary for the implementation of the South Carolina Marine Resources Act.

**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.

Document No. 5097

**DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 123**

Statutory Authority: 1976 Code Sections 50-5-30 and 50-5-500

123-22. Gill Nets.

**Preamble:**

The South Carolina Department of Natural Resources proposes to promulgate Regulation 123-22 to delineate the area where gill nets may be used in inshore salt waters, pursuant to Section 50-5-500(A)(10). This proposal was approved by the Natural Resources Board on September 16, 2021.

A Notice of Drafting for the proposed regulation was published in the *State Register* on September 24, 2021.

The proposed regulation will require legislative review.

Section-by-Section Discussion:

123-22. Add specific coordinates to delineate the areas of Little River Inlet where gill nets may be used.

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

Should a public hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code of Laws, as amended, it will be conducted at 1000 Assembly Street, Room 335, Columbia, South Carolina, on January 4, 2022 at 10:00 a.m. Written comments about the proposed regulation or requests for a hearing should be directed to Mel Bell, SCDNR Office of Fisheries Management, 217 Fort Johnson Road, Charleston, SC, 29412, no later than 5:00 p.m. on December 31, 2021.

## **32 PROPOSED REGULATIONS**

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

SCDNR does not anticipate additional costs to the state or its political subdivisions as a result of the promulgation of Regulation 123-22.

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

The statement of need and reasonableness was based on staff analysis pursuant to S.C. Code Sections 1-23-115(C)(1) through (3) and 1-23-115(C)(9) through (11).

### **DESCRIPTION OF THE REGULATION:**

Purpose: Regulation 123-22 will delineate the area where gill nets may be used in the salt waters of the state, pursuant to Section 50-5-500(A)(10). The language will add specific coordinates to delineate the areas of Little River Inlet where gill nets may be used.

Legal Authority: 1976 Code Sections 50-5-30 and 50-5-500.

Plan for Implementation: Once the regulation has been approved by the General Assembly, the Department will begin referencing the regulation in its published materials. Additionally, the public will be notified through this publication.

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

The proposed regulation is reasonable and necessary to manage the marine resources of the state. The proposed regulation will allow commercial fishermen to be more clearly informed of the areas where gill nets are allowed using geographic coordinates.

### **DETERMINATION OF COSTS AND BENEFITS:**

Promulgation of this regulation will not require any additional costs to the state.

### **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:**

None.

### **Statement of Rationale:**

Section 50-5-30 allows the Department to promulgate regulations necessary for the implementation of the South Carolina Marine Resources Act. Section 50-5-500(A)(10) provides that the Department may designate areas of inshore salt waters where gill nets, not more than one hundred yards in length with a mesh size no smaller than three inches stretched mesh and up to five and one-half inches stretched mesh, may be used.

**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.



## 34 EMERGENCY REGULATIONS

Filed: November 10, 2021 9:09am

Document No. 5094  
**COMMISSION ON HIGHER EDUCATION**  
CHAPTER 62  
Statutory Authority: 1976 Code Section 59-142-20

62-450 - 62-505. South Carolina Need-based Grants Program.

### Emergency Situation:

With the S.C. General Assembly's approval of Governor's McMaster's SC Need-based Grant allocation for 2021-2022, the state budget now includes an increase in funding for South Carolinians neediest students. The South Carolina Commission on Higher Education proposes the following revisions to Chapter 62 regulation, R.62-450 through 62-505, South Carolina Need-based Grants Program. The proposed regulation provides the maximum funding amount that students may receive in a South Carolina Need-based Grant. In addition, the proposed regulation provides the institutions the ability to award and disburse the SC Need-based Grant for up to three terms a year, within the maximum annual funding amount to eligible students. Because of the increased budget allocation for 2021-2022, we are also submitting these as emergency regulations to provide students immediate relief during the upcoming school year. The regular regulation will be sent through the S.C. General Assembly for approval once they reconvene.

### Text:

Table of Contents:

- 62-450. Purpose of the South Carolina Need-based Grants Program
- 62-455. Allocation of Need-based Grant Funds to Public and Independent Institutions
- 62-460. Program Definitions for Administering South Carolina Need-based Grants at Public Institutions
- 62-465. Student Eligibility
- 62-470. Policies and Procedures for Awarding Need-based Grants
- 62-475. Duration of Award and Continued Eligibility
- 62-480. Students with Disabilities
- 62-485. Enrollment in Internships, Cooperative Work Programs, Travel Study Programs, or National or International Student Exchange Programs
- 62-490. Institutional Disbursement of Need-based Grants
- 62-495. Refunds and Repayments
- 62-500. Program Administration and Audits
- 62-505. Suspension or Termination of Institutional Participation

62-450. Purpose of the South Carolina Need-based Grants Program.

Pursuant to Act 458, South Carolina Children First: Resources for Scholarships and Tuition Act of 1996, of the 1995-1996 Appropriations Bill, the Commission on Higher Education shall promulgate regulation and establish procedures to administer the South Carolina Need-based Grants Program. The purpose of the South Carolina Need-based Grants Program is to provide additional financial aid assistance to South Carolina's neediest students. The program will assist students who wish to attend public or independent colleges or universities in the State.

62-455. Allocation of Need-based Grant Funds to Public and Independent Institutions.

A. Funds made available for higher education grants and scholarships under Chapter 143 of Title 59 of the 1976 Code, as amended under Act 458, South Carolina Children First: Resources for Scholarship and Tuition Act of 1996, shall be included in the annual appropriation to the Commission on Higher Education. Fifty percent of the appropriation shall be designated for the Palmetto Fellows Scholarship Program and the remaining fifty percent shall be for the Need-based Grants Program. However, in instances where the equal division of the appropriated funds between the Palmetto Fellows Scholarship and Need-based Grants Programs exceeds the capacity to make awards in either program, the Commission on Higher Education has the authority to re-allocate the remaining funds between the two programs. The Commission on Higher Education shall award to eligible students who are attending public or independent eligible institutions as State Need-based Grant recipients as follows:

1. Of the funds allocated to public institutions, the percentage shall be equivalent to the percentage of the public institution's share of the total South Carolina resident undergraduate full-time headcount enrollment in the preceding year.

2. Of the funds allocated to independent institutions, the percentage shall be equivalent to the percentage of the independent institutions' share of the total South Carolina resident undergraduate full-time headcount enrollment in the preceding year and will be determined annually by the South Carolina Commission on Higher Education and the Tuition Grants Commission. The funds allocated for Need-based Grants shall be included in the annual appropriation to the Commission on Higher Education and transferred annually into the budget of the South Carolina Tuition Grants Commission, which will distribute these funds as Tuition Grants.

B. Independent and public institutions of higher learning in this, or any other state in the U.S., outside the U.S. or abroad are prohibited from using the SC Need-based Grant in programs that promote financial aid incentives or packages. Any mention of the SC Need-based Grant in these financial aid packages must indicate the scholarship to be separate from the University that is offering the financial aid package, and reference the SC Need-based Grant as a separate financial aid award, provided to the student by the State of South Carolina.

**62-460. Program Definitions for Administering South Carolina Need-based Grants at Public Institutions.**

A. "Academic year" is defined as the fall, spring and summer semesters during which a part-time student would be expected to earn a minimum of six credit hours for each semester the student is enrolled for a minimum of 12 credit hours or a full-time student would be expected to earn a minimum of twelve credit hours for each semester to earn a minimum of 24 credit hours.

B. "Associate degree program" is defined as a two-year technical or occupational program or an associate's degree program (Associate of Arts or Associate of Science) which leads to the first two years of a baccalaureate degree at a location approved by the U.S. Department of Education for participation in Federally funded financial aid programs and authorized by the Commission on Higher Education.

C. "Baccalaureate degree program" is defined as an undergraduate program of study leading to the first bachelor's degree at a location approved by the U.S. Department of Education for participation in Federally funded financial aid programs and authorized by the Commission on Higher Education.

D. "Degree-seeking student" is defined as any part-time or full-time student enrolled in an eligible program of study at an eligible institution.

E. "Eligible program" is defined as a program of study leading to: 1) the first baccalaureate degree 2) a program of study that is structured so as not to require a baccalaureate degree and leads to a graduate degree; 3) first associate's degree or two-year program that is acceptable for full credit towards a bachelor's degree; or 4) one-year program that leads to other recognized credentials (e.g., first diploma or first certificate). Study toward the first diploma or certificate may be followed by study toward the first associate's degree, which may be followed by transfer to the first baccalaureate degree or a program of study that is structured so as not to require

## 36 EMERGENCY REGULATIONS

a baccalaureate degree and leads to a graduate degree. Students who have already obtained a baccalaureate degree are not eligible for subsequent grant funds.

F. "Full-time student" shall mean a student who has matriculated into an eligible program of study, and who enrolls in a minimum of twelve credit hours during the regular academic semester.

G. "Independent institutions" are those institutions eligible to participate in the South Carolina Tuition Grants Program as defined in Chapter 113 of Title 59 of the 1976 Code, which stipulates that "an independent institution of higher learning means any independent eleemosynary junior or senior college in South Carolina whose major campus and headquarters are located within South Carolina and which is accredited by the Southern Association of Colleges and Schools."

H. "Lawful Presence" is defined as individuals who are US citizens, permanent residents, or non-US citizens and non-permanent residents who are legally present in the US. When verifying the lawful presence of an individual, institutional personnel shall not attempt to independently verify the immigration status of any alien, but shall verify any alien's immigration status with the federal government pursuant to 8 USC Section 1373(c)..

I. "Need analysis" shall mean the process of analyzing the household and financial information on the student's financial aid application and calculating the amount the family can be expected to contribute to the educational costs. For Federal Student Aid Programs, the need analysis system is defined under Title IV of the Higher Education Act of 1965.

J. "Needy student" shall mean a post-secondary student enrolled in or accepted for enrollment in a public institution who demonstrates to the institution the financial inability, either parental, familial, or personal, to bear the total cost-of-attendance for any regular academic semester. The determination of need shall be made in accordance with Federal need analysis formulae and provisions.

K. An "offense" shall mean a violation of any law or rule in any state or Federal criminal justice system.

L. "One-year program" is defined as an undergraduate program of study leading to other recognized educational credentials (e.g., certificates or diplomas that prepare students for gainful employment in a recognized occupation) at a location approved by the U.S. Department of Education for participation in Federally funded financial aid programs and is authorized by either the Commission on Higher Education or the State Board for Technical and Comprehensive Education.

M. "Part-time student" shall mean a student who has matriculated into an eligible program of study, and who enrolls in a minimum of six credit hours and a maximum of eleven credit hours during the regular academic semester.

N. "Program of study that is structured so as not to require a baccalaureate degree" is a program of study that is structured so as not to require a baccalaureate degree for acceptance into the program and leads to a graduate degree, which will be the student's first academic degree awarded, at a location approved by the U.S. Department of Education for participation in Federally funded financial aid programs. Students are eligible to receive the grant for a maximum of eight full-time equivalent semesters as long as all other eligibility criteria are met. Students who have been awarded a baccalaureate or graduate degree are not eligible for grant funding.

O. "Public institutions" are those institutions as defined in Chapter 103 of Title 59 of the 1976 Code, which stipulates that: "1) 'public higher education' shall mean state-supported education in the post-secondary field, including comprehensive and technical education; 2) 'public institution of higher learning' shall mean any state-supported post-secondary educational institution and shall include technical and comprehensive educational institutions."

P. "Remedial coursework" shall mean sub-collegiate level preparatory courses in English, mathematics, and reading offered at the State's technical colleges.

Q. "Satisfactory academic progress" shall mean the minimum academic standard for academic progress established by the public institution for the purpose of complying with Title IV regulations for Federal Student Aid Programs.

R. "South Carolina resident" shall be defined as an individual who satisfies the requirements of residency in accordance with the State of South Carolina Statute for Tuition and Fees, Statute 59-112-10.

62-465. Student Eligibility.

A. To be eligible for a Need-based Grant each academic year, the student must:

1. Be a "needy student" following the financial need analysis as established under Title IV Regulations for determining eligibility for Federal Student Aid. The student must file the Free Application for Federal Student Aid (FAFSA) Form;

2. Be a U.S. citizen or a lawful permanent resident that meets the definition of an eligible non-citizen under State Residency Statutes whose lawful presence in the US has been verified at the time of enrollment at the institution;

3. Be a resident of the state of South Carolina for twelve consecutive months as defined in Chapter 112 of Title 59 of the 1976 Code of Laws governing the determination of residency for tuition and fee purposes;

4. Be enrolled or accepted for enrollment as a part-time or full-time degree-seeking student in an eligible program of study at an eligible public institution in South Carolina. A student enrolled in less than six credit hours during one semester may not receive a Need-based Grant for the semester in question but is eligible for reapplication for a grant upon return to part-time or full-time status;

5. Be enrolled and attending or have completed at the time of the grant disbursement in a minimum of six credit hours if part-time for the semester or twelve credit hours if full-time for the semester;

6. Certify that he/she has not been adjudicated delinquent or been convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state or under the laws of the United States in order to be eligible for a South Carolina Need-based Grant, except that a high school or college student otherwise qualified who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense nevertheless shall be eligible or continue to be eligible for such grants after the expiration of one academic year from the date of the adjudication, conviction, or plea; and be eligible for the need-based grants for a maximum of four academic years of two semesters by submitting a signed affidavit each academic year to the institution. However, a high school or college student who has been adjudicated delinquent, convicted, or pled guilty or nolo contendere of a second or subsequent alcohol/drug related misdemeanor offense is ineligible for the next academic year of enrollment at an eligible institution after the date of the adjudication, conviction or plea. If the adjudication, conviction, or plea occurs during the academic year after the student has already submitted a signed affidavit to the institution, the student will be eligible to receive the Need-based Grant the remainder of the academic year. However, the student will be ineligible for the Need-based Grant the following entire academic year of enrollment. If a student completes a ~~pretrial~~ pretrial intervention program and has his/her record expunged the conviction will not affect grant eligibility; and

7. Verify that he/she does not owe a refund or repayment on a State Grant, a Pell Grant, or a Supplemental Educational Opportunity Grant and is not in default on a loan under the Federal Perkins Loan or Federal Stafford Loan Programs; and

## 38 EMERGENCY REGULATIONS

8. Must reapply for the Need-based Grant each academic year and meet all eligibility requirements annually.

9. Students who have previously earned credit hours and are applying for the South Carolina Need-based Grant for the first time must have earned at least a cumulative 2.0 grade point average on a 4.0 scale for graduation purposes at the end of the academic year before being awarded the Grant.

B. Students enrolled part-time or full-time may not receive a Need-based Grant for more than a maximum amount of \$14,000 ~~eight full-time equivalent semesters~~ for students meeting satisfactory academic progress (see Section 62-475.D.) and seeking their first baccalaureate degree or a program of study that is structured so as not to require a baccalaureate degree and leads to a graduate degree, \$7,000 for students seeking their first associate's degree, and \$3,500 for students seeking their first one-year certificate or diploma. Students may only receive Need-based Grant funding for up to ~~two~~ three semesters of the academic year. Students who have already been awarded their first baccalaureate degree are not eligible to receive a Need-based Grant.

C. Students enrolled in an eligible program of study as stated in the "Program Definitions" Section may include remedial courses as part of the minimum number of required credit hours for part-time or full-time status, as long as such courses carry credit hours and meet Title IV limitations on remedial coursework.

D. Any false information provided by the student or any attempt to obtain or expend any Need-based Grant for unlawful purposes or any purpose other than in payment or reimbursement for the cost-of-attendance at the institution authorized to award the grant will be cause for immediate cancellation of the Need-based Grant. Any student who has obtained a Need-based Grant through means of a willfully false statement or failure to reveal any material fact, condition, or circumstances affecting eligibility will be subject to applicable civil or criminal penalties, including loss of the Need-based Grant.

### 62-470. Policies and Procedures for Awarding Need-based Grants.

A. The Need-based Grants Program for the public institutions will be campus-administered. Grant funds will supplement the student financial aid awards administered by the participating public colleges and universities.

B. The participating institution will make awards in amounts to be defined in accordance with the Need-based Grants Program regulation and criteria, but not to exceed ~~\$1,250~~ \$1,750 per eligible part-time student and ~~\$2,500~~ \$3,500 per eligible full-time student per academic year, based on the institution's allocated funds for Need-based Grants and other financial aid awarded to individual applicants. However, the Commission, due to inflation increases or other relevant factors, may periodically adjust the maximum award for the Need-based Grants Program. A maximum of fifty percent of the grant shall be disbursed for ~~two~~ up to three terms of the academic year, not to exceed 100 percent of the annual award amount, assuming continued eligibility. No more than fifty percent of the annual award amount can be disbursed in any given term.

C. Need-based Grants are to be used only towards payment for the cost-of-attendance as defined by Title IV Regulations as modified by D below for the academic year for which the award is made at the designated institution. The maximum amount awarded shall not exceed the cost-of-attendance as defined in Title IV Regulations for any year.

D. Charges for room and board are to be limited as follows:

1. Room charges shall not exceed the average cost of on-campus residential housing; and

2. Board charges shall not exceed the cost of the least expensive on-campus meal plan, which includes 21 meals per week.

E. In determining the amount awarded for the Need-based Grant, all other sources of gift aid, including Federal, State, private and institutional funds, must be applied to the total cost-of-attendance before calculating

the unmet need and awarding the grant. The Need-based Grant shall be awarded only after all other sources of gift aid have been exhausted. Adjustments to the financial aid package will be made to the Need-based Grant in accordance with prescribed Title IV Regulations in order to prevent an over-award.

F. Institutions must give first priority and award the maximum allowable Need-based Grant (~~\$2,500~~ \$3,500 if full-time or ~~\$1,250~~ \$1,750 if part-time) to students who are in the custody of the South Carolina Department of Social Services (DSS). However, institutions should not award the maximum amount if, by doing so, this causes the student to exceed the unmet need according to Title IV Regulations. Students who may be eligible under this provision are responsible for contacting the institution and providing official verification to the institution that he/she is in custody of DSS. Acceptable verification shall include a letter from DSS.

G. Participating institutions will notify students of their Need-based Grant along with the terms and conditions of the award.

H. The student shall be required to provide a nationally recognized unique identifier in order for the institution to award, disburse, and/or transfer the student's state scholarship and/or grant to an eligible institution.

I. Annual allocations of funds to the public institutions will be based on each institution's percentage of the State's total enrollment of South Carolina resident undergraduate full-time degree-seeking headcount enrollment. The percentage will be based on the previous year's total as determined by the Commission on Higher Education. Unused funds, which cannot be awarded by an institution, must be returned to the Commission on Higher Education, which may redirect the funds to institutions where unmet need exists.

J. Effective Fall 2008, Section 59-101-430 (A), Chapter 101, Title 59 of the 1976 Code states that unlawful aliens are prohibited from attending SC Public institutions of higher learning. This does apply to students who are currently enrolled, as well as new enrollees. In accordance of this law, institutions must institute a process that verifies an individual's lawful presence in the United States. Students receiving the SC Need-based Grant must be verified. Any student who is not verified and documented by the institution will not receive the Grant.

K. All eligible independent and public institutions that participate in the program must verify the lawful presence of any student who receives a SC Need-based Grant prior to awarding the Grant to the student. When verifying the lawful presence of an individual, institutional personnel shall not attempt to independently verify the immigration status of any alien, but shall verify any alien's immigration status with the federal government pursuant to 8 USC Section 1373(c).

L. The institution must retain annual paper or electronic documentation for each award to include at a minimum:

1. Need analysis

2. Affidavit documenting that the student has never been convicted of any felonies or any second or subsequent alcohol or drug related misdemeanor offenses as stated under "Student Eligibility" and "Duration of Award and Continued Eligibility" Sections

3. Award notification

4. Institutional disbursement to student

5. Refund or repayment (if appropriate)

6. Satisfactory academic progress

7. Student's residency status

## 40 EMERGENCY REGULATIONS

8. Enrollment and curriculum requirements
9. Student's disability (if appropriate)
10. Student is in custody of DSS (if appropriate)
11. Student award based upon approval of institutional appeal (if appropriate)
12. Verification from the institution that lawful presence in the US has been verified.

M. It is the institution's responsibility to ensure that only eligible students receive a Need-based Grant.

### 62-475. Duration of Award and Continued Eligibility.

A. Need-based Grants shall be awarded for up to ~~two~~ three terms each academic year. The institution shall adjust the amount of the grant award during the academic year in the event of a change in the student's eligibility.

B. Need-based Grants may be awarded annually for no more than ~~a total of eight full-time equivalent semesters of part-time or full-time study and only for up to two~~ three terms of each academic year. Award decisions will be made annually and are not automatically guaranteed. Students who have already been awarded their first baccalaureate degree are not eligible to receive a Need-based Grant.

C. Students must reapply each academic year for a Need-based Grant in accord with these guidelines and other pertinent statutes and regulations and with application timeliness and procedures stipulated by the participating institution. Students applying for a Need-based Grant must complete a FAFSA Form and be a needy student. The student must also complete any supplemental forms that may be required by the institution.

D. The institution shall be responsible for securing institutional certification of each recipient's cumulative grade point average, credit hours attempted and earned, and satisfactory academic progress for purposes of determining eligibility for award renewal.

E. For continued eligibility, the student is required to:

1. For graduation purposes, earn at least 24 credit hours each regular academic year if awarded a Need-based Grant as a full-time student or earn at least twelve credit hours if awarded a Need-based Grant as a part-time student. If a student is awarded a Need-based Grant for one semester of the academic year as a part-time student and the other semester as a full-time student, the student must earn at least eighteen credit hours each regular academic year. If a full-time student is awarded a Need-based Grant for only one semester of the academic year, the student must earn at least twelve credit hours by the end of the academic year. A part-time student who is awarded a Need-based Grant for only one semester must earn at least six credit hours by the end of the academic year. Credits earned during any additional semesters (i.e., interim, winterim or other non-regular semester) cannot be used to replace or reduce the minimum credit hour requirement for the regular academic year; and

2. Earn at least a cumulative 2.0 grade point average on a 4.0 scale for graduation purposes by the end of each regular academic year.

F. Students wishing to appeal any grant award decision must submit a written request to the institution's Director of Financial Aid. This request will be handled in accordance with the institution's financial aid appeal procedures. The institution's decision on appeals shall be final.

62-480. Students with Disabilities.

A. Students who qualify under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 must meet all eligibility requirements as defined in “Student Eligibility” Section except for a student who is approved by the Disability Services Provider to be enrolled in less than part-time status is eligible to receive grant funding. Students must comply with all institutional policies and procedures in accordance with ADA and Section 504 of the Rehabilitation Act of 1973.

B. For renewal, students who qualify under ADA and Section 504 of the Rehabilitation Act of 1973 must meet all renewal requirements as defined in “Duration of Award and Continued Eligibility” Section except for a student not meeting the annual credit hour requirement who is approved by the Disability Services Provider to be enrolled in less than part-time status for that academic year. Students must earn the required number of hours approved by the institutional Disability Services Provider each academic year for grant renewal and earn a minimum 2.0 cumulative grade point average on a 4.0 scale by the end of the academic year. Students must comply with all institutional policies and procedures in accordance with ADA and Section 504 of the Rehabilitation Act of 1973.

C. The institutional Disability Services Provider must provide written documentation to the Office of Financial Aid each academic year verifying that the student is approved to be enrolled in less than part-time status.

D. Students who qualify under ADA and Section 504 of the Rehabilitation Act of 1973 are eligible to receive up to the maximum number of available semesters and available funds.

62-485. Enrollment in Internships, Cooperative Work Programs, Travel Study Programs, or National or International Student Exchange Programs.

A. Students enrolled in an internship, cooperative work program, travel study program, or National or International Student Exchange Program approved by the student’s home institution, and enrolled in fewer than six credit hours, shall not be eligible to receive a Need-based Grant during the period in which the student is enrolled in such programs or courses. Students enrolled in such programs may receive a Need-based Grant for up to two terms of the academic year if determined to be eligible.

B. Students enrolled in internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs that are approved by the home institution and that the home institution accepts as at least part-time transfer credit (minimum of six credit hours) are eligible to receive Need-based Grant funds during the period in which the student is enrolled in such programs. Students will be required to meet the continued eligibility requirements.

C. Eligible students may use the appropriated portion of the Need-based Grant funds for internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs that are approved by the home institution and that the home institution accepts as at least part-time transfer credit (minimum of six credit hours). Need-based Grant funds must be paid directly to the student’s account at the home institution. The amount awarded cannot exceed the cost-of-attendance at the home institution or the cost-of-attendance at the host institution, whichever is less. The Commission on Higher Education will not transfer grant funds to the institutions where students will participate in internships, cooperative work programs, travel study programs, or National or International Student Exchange Programs. The institution is responsible for grant funds according to the “Program Administration and Audits” Section.

D. The home institution will be responsible for securing official certification of the student’s cumulative grade point average, credit hours earned, and satisfactory academic progress for the purposes of determining eligibility for grant renewal for the next academic year.



## 42 EMERGENCY REGULATIONS

### 62-490. Institutional Disbursement of Need-based Grants.

A. The participating institution will identify award amounts, which cannot exceed ~~\$1,250~~ \$1,750 per eligible part-time student and ~~\$2,500~~ \$3,500 per eligible full-time student per academic year. A maximum of fifty percent of the grant shall be disbursed each term for up to ~~up to two~~ three terms of the academic year. The maximum amount, which may be received by a recipient ~~for eight full-time equivalent semesters~~, shall be ~~\$10,000~~ \$14,000 for students meeting satisfactory academic progress (see Section 62-475.D.) and seeking their first baccalaureate degree or a program of study that is structured so as not to require a baccalaureate degree and leads to a graduate degree, \$5,000 \$7,000 for students seeking their first associate's degree, and ~~\$2,500~~ \$3,500 for students seeking their first one-year certificate or diploma. Students who have obtained an associate's degree initially are eligible to apply for a Need-based Grant upon enrollment in their first baccalaureate degree or a program of study that is structured so as not to require a baccalaureate degree. Students who have obtained a recognized educational credential in a one-year program initially are eligible for application for a Need-based Grant upon enrollment in their first associate's degree, first baccalaureate degree, or a program of study that is structured so as not to require a baccalaureate degree and leads to a graduate degree.

B. A Need-based Grant may not be applied to a second baccalaureate degree or to graduate coursework, unless the graduate coursework is required as part of a program of study that is structured so as not to require a baccalaureate degree as defined in the "Program Definitions" Section.

C. The institution shall provide an award notification each academic year to Need-based Grant recipients, which will contain the terms and conditions of the grant and other financial aid awarded. Students will be notified of adjustments in financial aid due to changes in eligibility and/or over-award issues. The Commission on Higher Education, for documentation purposes, requires that each institution obtain verification of acceptance of the Need-based Grant and terms for the award.

D. After the last day to register for each semester of the academic year, the institution will verify enrollment of each recipient as a South Carolina resident that is a part-time or full-time degree-seeking student. According to the Scholarship and Grant Programs Policies and Procedures Manual, a listing of eligible recipients by social security number with the award amounts for the semester will be sent to the Commission on Higher Education with the institution's request for funds. A year-end reconciliation report will be submitted to the Commission on Higher Education prior to June 30<sup>th</sup>. Any unused funds shall be refunded to the Commission on Higher Education no later than June 30<sup>th</sup> of each fiscal year.

E. The student shall be required to provide a nationally recognized unique identifier in order for the institution to award, disburse, and/or transfer the student's state scholarship and/or grant to an eligible institution.

### 62-495. Refunds and Repayments.

A. In the event a student who has been awarded a Need-based Grant withdraws, is suspended from the institution, or drops below part-time (six credit hours) or full-time (twelve credit hours) status during any regular semester of the academic year, institutions must reimburse the Need-based Grants Program for the amount of the grant for the semester in question pursuant to refund policies of the institution. Collection is the responsibility of the institution.

B. The institution may redistribute such funds to other eligible students in accordance with the guidelines, or if such funds cannot be redistributed within the academic year, the institution shall return the refund amount to the Commission on Higher Education for redistribution to other institutions.

C. In the event a student withdraws or drops below part-time or full-time status after the institution's refund period and therefore must pay tuition and fees for part-time or full-time enrollment, the award may be retained by the student pursuant to the refund policies of the institution.

D. In the event a student who has been awarded the SC Need-based Grant has been identified as not being a SC resident at any time, the institution must reimburse funds to CHE for the time period the student was no longer a SC resident.

62-500. Program Administration and Audits.

A. The South Carolina Commission on Higher Education will coordinate the oversight of functions (e.g., guidelines, policies, rules, regulations) relative to this program with eligible institutions. The Commission on Higher Education shall be responsible for the allocation of funds, promulgation of the regulation and rules, any audits, or other statewide oversight of the Need-based Grants Program as deemed necessary to monitor the expenditure of grant funds.

B. According to the Audit Policies and Procedures for Scholarship and Grant Programs Manual, all eligible institutions that participate in the program must abide by program policies, rules or regulations. Institutions also agree to maintain and provide all pertinent information, records, reports, or any information as may be required or requested by the Commission on Higher Education or the General Assembly to ensure proper administration of the program.

C. Participating institutions are authorized to establish additional guidelines, rules, and regulations for awarding the grants consistent with the South Carolina Need-based Grants Program Regulation contained herein.

D. The Chief Executive Officer at each participating institution shall identify to the Commission on Higher Education a Need-based Grant institutional representative who is responsible for the operation of the program on the campus and will serve as the contact person for the program. The institutional representative will act as the student fiscal agent to receive and deliver funds for use under the program.

E. The institutions shall institute a process by which a SC Need-based Grant recipient's lawful presence in the United States is verified. The institution shall verify SC residency status and lawful presence in the United States upon college enrollment. If an institution has determined at any time that a recipient no longer meets SC residency requirements, the scholarship will be forfeited and funds are to be returned to CHE.

F. The participating institution shall identify to the Commission on Higher Education an institutional representative who will act as the point of contact for all inquiries pertaining to residency and legal presence classification for the purposes of awarding the SC Need-based Grant.

G. Independent and public institutions of higher learning in this, or any other state in the U.S., are prohibited from using the SC Need-based Grant in programs that promote financial aid incentives or packages. Any mention of the SC Need-based Grant in these financial aid packages must indicate the scholarship to be separate from the University that is offering the financial aid package, and reference the SC Need-based Grant as a separate financial aid award, provided to the student by the State of South Carolina.

62-505. Suspension or Termination of Institutional Participation.

A. The Commission may review institutional administrative practices to determine institutional compliance with pertinent statutes, guidelines, rules or regulations. If such a review determines that an institution has failed to comply with program statutes, guidelines, rules or regulations, the Commission may suspend, terminate, or place certain conditions upon the institution's continued participation in the program and require reimbursement to the State Need-based Grants Program for any funds lost or improperly awarded.

B. Upon receipt of evidence that an institution has failed to comply, the Commission on Higher Education shall notify the institution in writing of the nature of such allegations and conduct an audit.

## 44 EMERGENCY REGULATIONS

C. If an audit indicates that a violation or violations may have occurred or are occurring at any public or independent college or university, the Commission on Higher Education shall secure immediate reimbursement from the institution in the event that any funds were expended out of compliance with the provisions of the Act, any relevant statutes, guidelines, rules, and regulations.

**Filed: October 29, 2021 4:09pm**

Document No. 5092  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**OFFICE OF OCCUPATIONAL SAFETY AND HEALTH**  
CHAPTER 71  
Statutory Authority: 1976 Code Sections 1-23-130 and 41-15-210

Chapter 71, Article 1, Subarticle 6. Occupational Safety and Health.

### **Emergency Situation:**

The United States Department of Labor's Occupational Safety and Health Administration (OSHA) announced, on June 10, 2021, that it would issue an emergency temporary standard to protect workers in healthcare settings where people with suspected or confirmed COVID-19 are reasonably expected to be present. The standard requires nonexempt healthcare facilities to develop and implement an effective COVID-19 plan, screen patients and implement patient management strategies, and develop and implement policies and procedures to adhere to Standard and Transmission-Based precautions. The standard further establishes requirements for healthcare employers to provide certain employees: personal protective equipment; six feet of distance between workers or barriers if distance is not possible; paid time off for vaccination; and paid leave for infection from the virus, among other things. The standard was effective upon publication in the Federal Register on June 21, 2021, and remains in effect until December 21, 2021.

South Carolina OSHA (SC OSHA) is a state plan state, meaning the State maintains its own occupational safety and health program which is required to be "at least as effective as" the Federal OSHA program. Within 15 days after receipt of notice of the Federal emergency temporary standard, state plan states were required to advise OSHA of the action they intended to take with respect to the standard. State plan states could: adopt the standard within 30 days after the date of promulgation, 29 C.F.R. 1953.5(b)(1), (2); or demonstrate that promulgation was not necessary because the State standard is already the same as or at least as effective as the Federal standard, *Id.* The South Carolina Department of Labor, Licensing and Regulation (LLR) notified OSHA of its intent to adopt its own standard that would address all infectious diseases, including COVID-19. SC OSHA's approach acknowledged the issues faced since the start of the pandemic, recognized the progress made during that time, and anticipated the need for stability in the workplace going forward.

On August 27, 2021, LLR and SC OSHA published a notice of drafting in the *State Register* notifying the public of its intent to adopt the infectious disease standard. Prior to publishing the proposed regulation in the *State Register*, however, LLR and SC OSHA received a letter from Acting Assistant Secretary of OSHA James Frederick, on October 19, 2021, announcing the Federal agency's intent to reconsider its decision to grant South Carolina's state plan affirmative Section 18(e) determination, otherwise known as final approval, based on its failure to adopt the COVID-19 Healthcare Emergency Temporary Standard. The letter detailed OSHA's determination that South Carolina's program is less effective than the Federal program based upon its failure to adopt the emergency standard. Should the proceedings to reconsider and ultimately revoke South Carolina's state plan final approval status be successful, OSHA would reinstate concurrent Federal enforcement and standards authority in this State and may reassert Federal enforcement activities, depending upon South Carolina's response to these proceedings.

In recognition of OSHA’s interpretation that SC OSHA’s intent to adopt its infectious disease standard would be insufficient to render its program “at least as effective” as the Federal program, and the consequences that would follow with regard to the revocation of its state plan status, LLR and SC OSHA have concluded an emergency situation is present and requires that the State adopt the Federal COVID-19 Healthcare Emergency Temporary Standard.

**Text:**

The South Carolina Department of Labor, Licensing and Regulation, Division of Occupational Safety and Health Administration, hereby promulgates the following changes to South Carolina Code of Regulations:

The standard will be added to Chapter 71, Article 1, Subarticle 6, South Carolina Occupational Safety and Health Standards for General Industry and Public Sector Marine Terminals; Subpart U, Sections 502-509.

The standard will remain in effect through the effective date of the Federal emergency temporary standard, December 21, 2021, and will not exceed 90 days in accordance with S.C. Code Section 1-23-130.

Copies of the regulation can be obtained or reviewed at the South Carolina Department of Labor, Licensing and Regulation office during normal business hours by contacting the OSHA Standards Office at (803) 896-5811 or on the OSHA website at [www.OSHA.gov](http://www.OSHA.gov).

**Statement of Need and Reasonableness:**

**DESCRIPTION OF REGULATION:**

**Purpose:** The purpose of the standard is to establish protections for workers in healthcare settings where people with suspected or confirmed COVID-19 are reasonably expected to be present.

**Legal Authority:** 1976 Code Sections 1-23-130 and 41-15-210.

**Plan for Implementation:** The regulation will be available at the South Carolina Department of Labor, Licensing and Regulation. Copies may be obtained by contacting the OSHA Standards Office at (803) 896-5811 or on the OSHA website at [www.OSHA.gov](http://www.OSHA.gov).

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

The emergency regulation is necessary to comply with the Federal requirement that SC OSHA’s program is at least as effective as the Federal OSHA program. As to the standard itself, the regulation is necessary to ensure that workers in healthcare settings where people with suspected or confirmed COVID-19 are reasonably expected to be present are provided with sufficient protection against the virus.

**DETERMINATION OF COSTS AND BENEFITS:**

The emergency regulation will present no costs to the State of South Carolina.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates related to the emergency regulation.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

This regulation will have no negative effect on the environment or public health.

## **46 EMERGENCY REGULATIONS**

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

OSHA has determined that employee exposure to SARS-CoV-2, the virus that causes COVID-19, presents a grave danger to workers in healthcare settings where people with suspected or confirmed COVID-19 are reasonably expected to be present. OSHA has further determined that these standards are needed to ensure sufficient protection for healthcare workers in all states, as existing standards and regulations, and the OSH Act's General Duty Clause, are inadequate to address the COVID-19 hazard for these workers.

Document No. 5056  
**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**CHAPTER 61**  
 Statutory Authority: 1976 Code Sections 48-1-10 et seq.

61-62. Air Pollution Control Regulations and Standards.

**Synopsis:**

Pursuant to the Pollution Control Act and the federal Clean Air Act, 42 U.S.C. Sections 7410, 7413, and 7416, the Department of Health and Environmental Control (Department) must ensure national primary and secondary ambient air quality standards are achieved and maintained in South Carolina. No state may adopt or enforce an emission standard or limitation less stringent than these federal standards or limitations pursuant to 42 U.S.C. Section 7416.

The United States Environmental Protection Agency (EPA) promulgates amendments to the Code of Federal Regulations (CFR) throughout each calendar year. Recent federal amendments at 40 CFR Parts 60 and 63 include revisions to New Source Performance Standards (NSPS) and Emission Guidelines, and National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories. The Department is amending R.61 62.60, South Carolina Designated Facility Plan and New Source Performance Standards, and R.61 62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, to incorporate by reference federal amendments promulgated from January 1, 2020, through December 31, 2020.

The Department is also amending R.61 62.5, Standard No. 7, Prevention of Significant Deterioration (PSD), and R.61 62.5, Standard No. 7.1, Nonattainment New Source Review (NSR), and the State Implementation Plan (SIP), to incorporate EPA's clarification of Project Emissions Accounting, as published in the *Federal Register* on November 24, 2020 (85 FR 74890), to incorporate EPA's corrections to NSR regulations, as published in the *Federal Register* on July 19, 2021 (86 FR 37918), and to make other amendments, as necessary, to maintain compliance with federal law.

The Department is also amending R.61 62.70, Title V Operating Permit Program, to codify relevant federal amendments to Title V provisions, as published in the *Federal Register* on February 5, 2020 (85 FR 6431), to ensure compliance with federal law.

The Department is also making additional changes to R.61 62, Air Pollution Control Regulations and Standards, for overall quality of regulatory text as deemed necessary to maintain compliance with federal law. These changes include corrections or other changes for internal consistency, clarification, reference, punctuation, codification, formatting, spelling, and overall improvement to the text of R.61 62.

The Department had a Notice of Drafting published in the March 26, 2021, *South Carolina State Register*.

**Instructions:**

Amend R.61-62 pursuant to each individual instruction provided with the text of the amendments below.

**Text:**

61-62. Air Pollution Control Regulations and Standards.

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

**61-62.5, Standard 7, Prevention of Significant Deterioration**

## 48 FINAL REGULATIONS

**Regulation 61-62.5, Standard 7, Section (A)(1) shall be revised as follows:**

(A)(1) [Reserved]

**Regulation 61-62.5, Standard 7, Section (A)(2)(d)(vi) shall be revised as follows:**

(vi) **Hybrid test for projects that involve multiple types of emissions units.** A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference for all emissions units, using the method specified in paragraphs (A)(2)(d)(iii) and (A)(2)(d)(iv) as applicable with respect to each emissions unit, equals or exceeds the significant amount for that pollutant (as defined in paragraph (B)(49)).

**Regulation 61-62.5, Standard 7, Section (A)(2)(d)(vii) shall be added in alpha-numeric order as follows:**

(vii) The "sum of the difference" as used in paragraphs (A)(2)(d)(iii), (A)(2)(d)(iv), and (A)(2)(d)(vi) of this section shall include both increases and decreases in emissions calculated in accordance with those paragraphs.

**Regulation 61-62.5, Standard 7, Section (A)(2)(e) shall be revised as follows:**

(e) For any major stationary source with a Plantwide Applicability Limitation (PAL) for a regulated NSR pollutant, the major stationary source shall comply with the requirements under Section (AA).

**Regulation 61-62.5, Standard 7, Section (B)(8) shall be revised as follows:**

(8) **Best available control technology (BACT)** means an emissions limitation (including a visible emission standard) based on the maximum degree of reduction for each pollutant subject to regulation under the Clean Air Act which would be emitted from any proposed major stationary source or major modification which the Department, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of BACT result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Part 60, 61, or 63. If the Department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

**Regulation 61-62.5, Standard 7, Section (B)(30)(c)(v)(1) shall be revised as follows:**

(1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Part 51, Subpart I; or

**Regulation 61-62.5, Standard 7, Section (B)(30)(c)(vi) shall be revised as follows:**

(vi) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Part 51, Subpart I.

**Regulation 61-62.5, Standard 7, Section (B)(32)(a)(i) shall be revised as follows:**

(i) Any of the following stationary sources of air pollutants which emits, or has the potential to emit, one hundred (100) tons per year or more of any regulated NSR pollutant: Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants (with thermal dryers), primary copper smelters, municipal incinerators capable of charging more than fifty (50) tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants (which does not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industrial Classification System (NAICS) codes 325193 or 312140), fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants, and charcoal production plants;

**Regulation 61-62.5, Standard 7, Section (B)(32)(c)(viii) shall be revised as follows:**

(viii) Municipal incinerators capable of charging more than fifty (50) tons of refuse per day;

**Regulation 61-62.5, Standard 7, Section (B)(45)(a) through (B)(45)(c) shall be revised as follows:**

(a) The emissions unit is a reconstructed unit within the meaning of 40 CFR 60.15(b)(1), or the emissions unit completely takes the place of an existing emissions unit;

(b) The emissions unit is identical to or functionally equivalent to the replaced emissions unit;

(c) The replacement does not alter the basic design parameters of the process unit; and

**Regulation 61-62.5, Standard 7, Section (B)(49)(b) shall be revised as follows:**

(b) **Significant** means, in reference to a net emissions increase or the potential of a source to emit a regulated NSR pollutant that paragraph (B)(49)(a) does not list, any emissions rate.

**Regulation 61-62.5, Standard 7, Sections (B)(52) and (B)(53) shall be revised as follows:**

(52) **Subject to regulation** means, for any air pollutant, that the pollutant is subject to either a provision in the Clean Air Act, or a nationally-applicable regulation codified by the Administrator in 40 CFR Chapter I, Subchapter C, that requires actual control of the quantity of emissions of that pollutant, and that such a control requirement has taken effect and is operative to control, limit, or restrict the quantity of emissions of that pollutant released from the regulated activity. Except that:

(a) Greenhouse gases (GHGs), the air pollutant defined in 40 CFR 86.1818-12(a) as the aggregate group of six greenhouse gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, shall not be subject to regulation except as provided in paragraph (B)(52)(d) and shall not be subject to regulation if the stationary source maintains its total source-wide emissions below the GHG PAL level, meets the requirements in paragraphs (AA)(1) through (AA)(15), and complies with the PAL permit containing the GHG PAL.

(b) For purposes of paragraphs (B)(52)(c) and (B)(52)(d) of this section, the term tons per year CO<sub>2</sub> equivalent emissions (CO<sub>2</sub>e) shall represent an amount of GHGs emitted, and shall be computed as follows:

(i) Multiplying the mass amount of emissions (tons per year), for each of the six greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at Table A-1 to Subpart A of Part 98 -Global Warming Potentials.



## 50 FINAL REGULATIONS

(ii) Sum the resultant value from paragraph (B)(52)(b)(i) for each gas to compute a tons per year CO<sub>2</sub>e.

(c) The term emissions increase as used in paragraph (B)(52)(d) shall mean that both a significant emissions increase (as calculated using the procedures in paragraph (A)(2)(d)) and a significant net emissions increase (as defined in paragraphs (B)(34) and (B)(49)) occur. For the pollutant GHGs, an emissions increase shall be based on tons per year CO<sub>2</sub>e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and "significant" is defined as 75,000 tons per year CO<sub>2</sub>e instead of applying the value in paragraph (b)(23)(ii).

(d) Beginning January 2, 2011, the pollutant GHGs is subject to regulation if:

(i) The stationary source is a new major stationary source for a regulated NSR pollutant that is not GHGs, and also will emit or will have the potential to emit 75,000 tons per year CO<sub>2</sub>e or more; or

(ii) The stationary source is an existing major stationary source for a regulated NSR pollutant that is not GHGs, and also will have an emissions increase of a regulated NSR pollutant, and an emissions increase of 75,000 tons per year CO<sub>2</sub>e.

(53) **Temporary clean coal technology demonstration project** means a clean coal technology demonstration project that is operated for a period of five (5) years or less, and which complies with the State Implementation Plans for the state in which the project is located and other requirements necessary to attain and maintain the National Ambient Air Quality Standards during the project and after it is terminated.

(54) **Volatile organic compounds (VOC)** is as defined in Regulation 61-62.1, Section (I), Definitions.

**Regulation 61-62.5, Standard 7, Section (I)(1)(a) through (I)(1)(e) shall be revised as follows:**

(a) [Reserved]

(b) [Reserved]

(c) [Reserved]

(d) [Reserved]

(e) [Reserved]

**Regulation 61-62.5, Standard 7, Section (I)(1)(g)(viii) shall be revised as follows:**

(viii) Municipal incinerators capable of charging more than fifty (50) tons of refuse per day;

**Regulation 61-62.5, Standard 7, Section (I)(1)(i) through (I)(1)(j) shall be deleted.**

**Regulation 61-62.5, Standard 7, Section (I)(6) through (I)(11) shall be revised as follows:**

(6) [Reserved]

(7) [Reserved]

(8) [Reserved]

(9) [Reserved]

(10) [Reserved]

(11) [Reserved]

(12) [Reserved]

**Regulation 61-62.5, Standard 7, Section (J)(1) shall be revised as follows:**

(1) A major stationary source or major modification shall meet each applicable emissions limitation under the State Implementation Plan and each applicable emissions standard and standard of performance under 40 CFR Part 60, 61, or 63.

**Regulation 61-62.5, Standard 7, Section (M)(1)(e) shall be revised as follows:**

(e) [Reserved]

**Regulation 61-62.5, Standard 7, Section (M)(1)(g) through (M)(1)(h) shall be revised as follows:**

(g) [Reserved]

(h) [Reserved]

**Regulation 61-62.5, Standard 7, Section (N)(1) shall be revised as follows:**

(1) With respect to a source or modification to which paragraphs (J), (K), (M), and (O) apply, such information shall include:

**Regulation 61-62.5, Standard 7, Section (P)(6) shall be revised as follows:**

(6) Sulfur dioxide variance by Governor with Federal Land Manager's concurrence. The owner or operator of a proposed source or modification which cannot be approved under paragraph (P)(5) may demonstrate to the Governor that the source cannot be constructed by reason of any maximum allowable increase for sulfur dioxide for a period of twenty-four (24) hours or less applicable to any Class I area and, in the case of Federal mandatory Class I areas, that a variance under this clause would not adversely affect the air quality related values of the area (including visibility). The Governor, after consideration of the Federal Land Manager's recommendation (if any) and concurrence, may, after notice and public hearing, grant a variance from such maximum allowable increase. If such variance is granted, the Department shall issue a permit to such source or modification pursuant to the requirements of paragraph (P)(8), provided that the applicable requirements of this regulation are otherwise met.

**Regulation 61-62.5, Standard 7, Section (P)(7) shall be revised as follows:**

(7) Variance by the Governor with the President's concurrence. In any case where the Governor recommends a variance with which the Federal Land Manager does not concur, the recommendations of the Governor and the Federal Land Manager shall be transmitted to the President. The President may approve the Governor's recommendation if it is found that the variance is in the national interest. If the variance is approved, the Department shall issue a permit pursuant to the requirements of paragraph (P)(8), provided that the applicable requirements of this regulation are otherwise met.

**Regulation 61-62.5, Standard 7, Section (P)(8) shall be revised as follows:**

(8) Emission limitations for Presidential or gubernatorial variance. In the case of a permit issued pursuant to paragraph (P)(6) or (P)(7) the source or modification shall comply with such emission limitations as may be necessary to assure that emissions of sulfur dioxide from the source or modification would not (during any day on which the otherwise applicable maximum allowable increases are exceeded) cause or contribute to

## 52 FINAL REGULATIONS

concentrations which would exceed the following maximum allowable increases over the baseline concentration and to assure that such emissions would not cause or contribute to concentrations which exceed the otherwise applicable maximum allowable increases for periods of exposure of twenty-four (24) hours or less for more than eighteen (18) days, not necessarily consecutive, during any annual period:

MAXIMUM ALLOWABLE INCREASE (Micrograms per cubic meter)		
Period of exposure	Terrain Areas	
	Low	High
24-hr maximum	36	62
3-hr maximum	130	221

**Regulation 61-62.5, Standard 7, Section (R)(4) shall be revised as follows:**

(4) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of paragraphs (J) through (R) shall apply to the source or modification as though construction had not yet commenced on the source or modification.

**Regulation 61-62.5, Standard 7, Section (R)(5) shall be revised as follows:**

(5) [Reserved]

**Regulation 61-62.5, Standard 7, Section (S) through (U)(3) [Reserved] shall be revised as follows:**

(S) through (U)(2) [Reserved]

**Regulation 61-62.5, Standard 7, Section (U)(4) shall be revised as follows:**

(U)(3) In the case of a source or modification which proposes to construct in a Class III area, emissions from which would cause or contribute to air quality exceeding the maximum allowable increase applicable if the area were designated a Class II area, and where no standard under Section 111 of the Clean Air Act has been promulgated for such source category, the Administrator must approve the determination of BACT as set forth in the permit.

**Regulation 61-62.5, Standard 7, Section (W)(1) shall be revised as follows:**

(1) Any permit issued under this section or a prior version of this regulation shall remain in effect, unless and until it expires under paragraph (R)(2) or is rescinded under this paragraph (W).

**Regulation 61-62.5, Standard 7, Section (AA)(12)(b) shall be revised as follows:**

(b) Minimum performance requirements for approved monitoring approaches. The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in paragraphs (AA)(12)(c) through (AA)(12)(i):

**61-62.5, Standard 7.1, Nonattainment New Source Review (NSR)**

**Regulation 61-62.5, Standard 7.1, Section (A)(8) shall be revised as follows:**

(8) **Hybrid test for projects that involve multiple types of emissions units.** A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference for all emissions units, using the method specified in paragraphs (A)(6) and (A)(7) as applicable with respect to each emissions unit, equals or exceeds the significant amount for that pollutant (as defined in paragraph (B)(37)).

**Regulation 61-62.5, Standard 7.1, Section (A)(9) shall be revised as follows:**

(9) The "sum of the difference" as used in paragraphs (A)(6), (A)(7), and (A)(8) of this section shall include both increases and decreases in emissions calculated in accordance with those paragraphs.

(10) For any major stationary source with a Plantwide Applicability Limitation (PAL) for a regulated NSR pollutant, the major stationary source shall comply with requirements under Section (N).

**Regulation 61-62.5, Standard 7.1, Section (A)(10) shall be revised as follows:**

(11) The provisions of this section shall not apply to a particular major stationary source or major modification if the source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

- (a) Coal cleaning plants (with thermal dryers);
- (b) Kraft pulp mills;
- (c) Portland cement plants;
- (d) Primary zinc smelters;
- (e) Iron and steel mills;
- (f) Primary aluminum ore reduction plants;
- (g) Primary copper smelters;
- (h) Municipal incinerators capable of charging more than fifty (50) tons of refuse per day;
- (i) Hydrofluoric, sulfuric, or nitric acid plants;
- (j) Petroleum refineries;
- (k) Lime plants;
- (l) Phosphate rock processing plants;
- (m) Coke oven batteries;
- (n) Sulfur recovery plants;
- (o) Carbon black plants (furnace process);
- (p) Primary lead smelters;
- (q) Fuel conversion plants;

## 54 FINAL REGULATIONS

(r) Sintering plants;

(s) Secondary metal production plants;

(t) Chemical process plants - The term chemical processing plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140;

(u) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;

(v) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(w) Taconite ore processing plants;

(x) Glass fiber processing plants;

(y) Charcoal production plants;

(z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input; and

(aa) Any other stationary source category which, as of August 7, 1980, is being regulated under Section 111 or 112 of the Clean Air Act.

### **Regulation 61-62.5, Standard 7.1, Section (B)(5) shall be revised as follows:**

(5) **Best available control technology (BACT)** means an emissions limitation (including a visible emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant which would be emitted from any proposed major stationary source or major modification which the Department, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Part 60, 61, or 63. If the Department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

### **Regulation 61-62.5, Standard 7.1, Section (B)(21)(c)(v)(1) shall be revised as follows:**

(1) The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 21, 1976, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Part 51, Subpart I; or

### **Regulation 61-62.5, Standard 7.1, Section (B)(21)(c)(vi) shall be revised as follows:**

(vi) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition which was established after December 21, 1976, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Part 51, Subpart I;

**Regulation 61-62.5, Standard 7.1, Section (B)(22)(a)(ii) shall be revised as follows:**

(ii) Any physical change that would occur at a stationary source not otherwise qualifying under paragraph (B)(22)(a) as a major stationary source, if the change would constitute a major stationary source by itself.

**Regulation 61-62.5, Standard 7.1, Section (B)(22)(c)(viii) shall be revised as follows:**

(viii) Municipal incinerators capable of charging more than fifty (50) tons of refuse per day;

**Regulation 61-62.5, Standard 7.1, Section (B)(35) shall be revised as follows:**

(35) **Reviewing authority** means the state air pollution control agency, local agency, other state agency, Indian tribe, or other agency authorized by the Administrator to carry out a permit program under 40 CFR 51.165 or 40 CFR 51.166, or the Administrator in the case of EPA-implemented permit programs under 40 CFR 52.21.

**Regulation 61-62.5, Standard 7.1, Section (D)(6) shall be revised as follows:**

(6) No emissions credit may be allowed for replacing one hydrocarbon compound with another of lesser reactivity, except that emissions credit may be allowed for the replacement with those compounds listed as having negligible photochemical reactivity in 40 CFR 51.100(s).

**Regulation 61-62.5, Standard 7.1, Section (H)(1) shall be revised as follows:**

(1) In meeting the emissions offset requirements of Section (D) the emissions offsets obtained shall be for the same regulated NSR pollutant unless interpollutant offsetting is permitted for a particular pollutant as specified in this paragraph. The offset requirements of Section (D) for direct PM<sub>2.5</sub> emissions or emissions of precursors of PM<sub>2.5</sub> may be satisfied by offsetting reductions of direct PM<sub>2.5</sub> emissions or emissions of any PM<sub>2.5</sub> precursor identified under paragraph (B)(32)(c) if such offsets comply with the interprecursor trading hierarchy and ratio established in the approved plan for a particular nonattainment area.

**61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards.  
Regulation 61-62.60,**

**Regulation 61-62.60, Subpart A, shall be revised as follows:**

**Subpart A - “General Provisions”**

The provisions of 40 Code of Federal Regulations (CFR) Part 60 Subpart A, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 60 Subpart A</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 36	December 23, 1971	[36 FR 24877]
Revision	Vol. 38	October 15, 1973	[38 FR 28565]
Revision	Vol. 39	March 8, 1974	[39 FR 9314]
Revision	Vol. 39	November 12, 1974	[39 FR 39873]
Revision	Vol. 40	April 25, 1975	[40 FR 18169]
Revision	Vol. 40	October 6, 1975	[40 FR 46254]
Revision	Vol. 40	November 17, 1975	[40 FR 53346]
Revision	Vol. 40	December 16, 1975	[40 FR 58418]

## 56 FINAL REGULATIONS

40 CFR Part 60 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 40	December 22, 1975	[40 FR 59205]
Revision	Vol. 41	August 20, 1976	[41 FR 35185]
Revision	Vol. 42	July 19, 1977	[42 FR 37000]
Revision	Vol. 42	July 27, 1977	[42 FR 38178]
Revision	Vol. 42	November 1, 1977	[42 FR 57126]
Revision	Vol. 43	March 3, 1978	[43 FR 8800]
Revision	Vol. 43	August 3, 1978	[43 FR 34347]
Revision	Vol. 44	June 11, 1979	[44 FR 33612]
Revision	Vol. 44	September 25, 1979	[44 FR 55173]
Revision	Vol. 45	January 23, 1980	[45 FR 5617]
Revision	Vol. 45	April 4, 1980	[45 FR 23379]
Revision	Vol. 45	December 24, 1980	[45 FR 85415]
Revision	Vol. 47	January 8, 1982	[47 FR 951]
Revision	Vol. 47	July 23, 1982	[47 FR 31876]
Revision	Vol. 48	March 30, 1983	[48 FR 13326]
Revision	Vol. 48	May 25, 1983	[48 FR 23610]
Revision	Vol. 48	July 20, 1983	[48 FR 32986]
Revision	Vol. 48	October 18, 1983	[48 FR 48335]
Revision	Vol. 50	December 27, 1985	[50 FR 53113]
Revision	Vol. 51	January 15, 1986	[51 FR 1790]
Revision	Vol. 51	January 21, 1986	[51 FR 2701]
Revision	Vol. 51	November 25, 1986	[51 FR 42796]
Revision	Vol. 52	March 26, 1987	[52 FR 9781, 9782]
Revision	Vol. 52	April 8, 1987	[52 FR 11428]
Revision	Vol. 52	May 11, 1987	[52 FR 17555]
Revision	Vol. 52	June 4, 1987	[52 FR 21007]
Revision	Vol. 54	February 14, 1989	[54 FR 6662]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	December 13, 1990	[55 FR 51382]
Revision	Vol. 57	July 21, 1992	[57 FR 32338, 32339]
Revision	Vol. 59	March 16, 1994	[59 FR 12427, 12428]
Revision	Vol. 59	September 15, 1994	[59 FR 47265]
Revision	Vol. 61	March 12, 1996	[61 FR 9919]
Revision	Vol. 62	February 24, 1997	[62 FR 8328]
Revision	Vol. 62	September 15, 1997	[62 FR 48348]
Revision	Vol. 63	May 4, 1998	[63 FR 24444]
Revision	Vol. 64	February 12, 1999	[64 FR 7463]
Revision	Vol. 65	August 10, 2000	[65 FR 48914]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 6, 2000	[65 FR 76350, 76378]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 66	February 6, 2001	[66 FR 9034]
Revision	Vol. 67	June 28, 2002	[67 FR 43550]
Revision	Vol. 68	April 14, 2003	[68 FR 17990]
Revision	Vol. 68	May 28, 2003	[68 FR 31611]

40 CFR Part 60 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 69	July 8, 2004	[69 FR 41346]
Revision	Vol. 70	December 16, 2005	[70 FR 74870]
Revision	Vol. 71	June 1, 2006	[71 FR 31100]
Revision	Vol. 71	July 6, 2006	[71 FR 38482]
Revision	Vol. 72	May 16, 2007	[72 FR 27437]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]
Revision	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 73	April 3, 2008	[73 FR 18162]
Revision	Vol. 73	May 6, 2008	[73 FR 24870]
Revision	Vol. 73	May 27, 2008	[73 FR 30308]
Revision	Vol. 73	June 24, 2008	[73 FR 35838]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 74	January 28, 2009	[74 FR 5072]
Revision	Vol. 74	October 6, 2009	[74 FR 51368]
Revision	Vol. 74	October 8, 2009	[74 FR 51950]
Revision	Vol. 74	December 17, 2009	[74 FR 66921]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 75	September 13, 2010	[75 FR 55636]
Revision	Vol. 76	January 18, 2011	[76 FR 2832]
Revision	Vol. 76	March 21, 2011	[76 FR 15372]
Revision	Vol. 76	March 21, 2011	[76 FR 15704]
Revision	Vol. 77	February 16, 2012	[77 FR 9304]
Revision	Vol. 77	August 14, 2012	[77 FR 48433]
Revision	Vol. 77	September 12, 2012	[77 FR 56422]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 79	April 4, 2014	[79 FR 18952]
Revision	Vol. 80	March 16, 2015	[80 FR 13671]
Revision	Vol. 81	June 3, 2016	[81 FR 35824]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 81	August 29, 2016	[81 FR 59276, 59332]
Revision	Vol. 81	August 30, 2016	[81 FR 59800]
Revision	Vol. 82	June 23, 2017	[82 FR 28561]
Revision	Vol. 82	July 17, 2017	[82 FR 32644]
Revision	Vol. 83	November 14, 2018	[83 FR 56713]
Revision	Vol. 83	November 26, 2018	[83 FR 60696]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]

**Regulation 61-62.60, Subpart Cf, shall be revised as follows:**

**Subpart Cf - “Performance Standards and Compliance Times for Existing Municipal Solid Waste Landfills”**

- (A) All designated facilities as defined at 40 CFR 60.31f must comply with the requirements of this subpart.
- (B) The compliance times, emission guideline conditions and requirements, operational standards for



## 58 FINAL REGULATIONS

collection and control systems, test methods and procedures, compliance provisions, monitoring requirements, reporting requirements, recordkeeping requirements, and specifications for active collection systems set forth in 40 CFR 60.32f through 60.40f, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein and applicable to each designated facility.

40 CFR Part 60 Subpart Cf			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 81	August 29, 2016	[81 FR 59276]
Revision	Vol. 85	March 26, 2020	[85 FR 17244]

(C) 40 CFR 60.41f, Definitions, is adopted and incorporated by reference as if fully repeated herein, except as follows: the word “Administrator” as used in this subpart shall mean the Department of Health and Environmental Control, with the exception of the sections within this subpart that may not be delegated by the EPA.

(D) The following authorities will not be delegated to state, local, or tribal agencies:

(1) Approval of alternative methods to determine the NMOC concentration or a site-specific methane generation rate constant (k).

(2) [Reserved]

**Regulation 61-62.60, Subpart BBa, shall be revised as follows:**

**Subpart BBa - “Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013”**

The provisions of 40 CFR Part 60 Subpart BBa, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart BBa			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 79	April 4, 2014	[79 FR 18952]
Revision	Vol. 85	November 5, 2020	[85 FR 70487]

**Regulation 61-62.60, Subpart AAA, shall be revised as follows:**

**Subpart AAA - “Standards of Performance for New Residential Wood Heaters”**

The provisions of 40 CFR Part 60 Subpart AAA, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart AAA			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 53	February 26, 1988	[53 FR 5873]
Revision	Vol. 53	April 12, 1988	[53 FR 12009]
Revision	Vol. 53	April 26, 1988	[53 FR 14889]
Revision	Vol. 57	February 13, 1992	[57 FR 5328]

40 CFR Part 60 Subpart AAA			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 60	June 29, 1995	[60 FR 33925]
Revision	Vol. 63	November 24, 1998	[63 FR 64874]
Revision	Vol. 64	February 12, 1999	[64 FR 7466]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 80	March 16, 2015	[80 FR 13671]
Revision	Vol. 85	April 2, 2020	[85 FR 18448]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]

**Regulation 61-62.60, Subpart WWW, shall be revised as follows:**

**Subpart WWW - “Standards of Performance for Municipal Solid Waste Landfills”**

The provisions of 40 CFR Part 60 Subpart WWW, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart WWW			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 61	March 12, 1996	[61 FR 9905]
Revision	Vol. 63	June 16, 1998	[63 FR 32743]
Revision	Vol. 64	February 24, 1999	[64 FR 9262]
Revision	Vol. 65	April 10, 2000	[65 FR 18906]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 71	September 21, 2006	[71 FR 55119]
Revision	Vol. 85	March 26, 2020	[85 FR 17244]

**Regulation 61-62.60, Subpart XXX, shall be revised as follows:**

**Subpart XXX - “Standards of Performance for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification After July 17, 2014”**

The provisions of 40 CFR Part 60 Subpart XXX, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart XXX			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 81	August 29, 2016	[81 FR 59332]
Revision	Vol. 85	March 26, 2020	[85 FR 17244]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]

**Regulation 61-62.60, Subpart CCCC, shall be revised as follows:**

**Subpart CCCC - “Standards of Performance for Commercial and Industrial Solid Waste Incineration Units”**

The provisions of 40 CFR Part 60 Subpart CCCC, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference

## 60 FINAL REGULATIONS

as if fully repeated herein.

40 CFR Part 60 Subpart CCCC			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 65	December 1, 2000	[65 FR 75338]
Revision	Vol. 66	March 27, 2001	[66 FR 16605]
Revision	Vol. 70	September 22, 2005	[70 FR 55568]
Revision	Vol. 76	May 18, 2011	[76 FR 28662]
Revision	Vol. 78	February 7, 2013	[78 FR 9112]
Revision	Vol. 81	June 23, 2016	[81 FR 40956]
Revision	Vol. 84	April 16, 2019	[84 FR 15846]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]

**Regulation 61-62.60, Subpart DDDD, shall be revised as follows:**

### **Subpart DDDD - “Performance Standards and Compliance Times for Existing Commercial and Industrial Solid Waste Incineration Units”**

(A) Except as provided in (B) below, incineration units that meet all three criteria set forth in 40 CFR 60.2550(a)(1) through (a)(3) are subject to this subpart and must comply with all applicable requirements of this subpart.

(B) This subpart exempts the types of units described in paragraphs (a) through (j) of 40 CFR 60.2555, but some units are required to provide notifications. For purposes of this paragraph, the words “Administrator” and “Agency” as used in 40 CFR 60.2555 shall be replaced by “Department” and “EPA Administrator” respectively.

(C) If the owner or operator of a CISWI unit or air curtain incinerator makes changes that meet the definition of modification or reconstruction after August 7, 2013, the CISWI unit becomes subject to 40 CFR Part 60, Subpart CCCC and Regulation 61-62.60, Subpart CCCC, and this subpart no longer applies to that unit.

(D) If the owner or operator of a CISWI unit makes physical or operational changes to an existing CISWI unit primarily to comply with this subpart, 40 CFR Part 60, Subpart CCCC and Regulation 61-62.60, Subpart CCCC do not apply to that unit. Such changes do not qualify as modifications or reconstructions under 40 CFR Part 60, Subpart CCCC or Regulation 61-62.60, Subpart CCCC.

(E) For purposes of this subpart, “you” means the owner or operator of a CISWI unit.

(F) Each owner or operator of an existing CISWI unit shall comply with the model rule standards, requirements, and provisions of 40 CFR Part 60, Subpart DDDD (Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units), as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below:

40 CFR Part 60 Subpart DDDD			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 65	December 1, 2000	[65 FR 75338]
Revision	Vol. 70	September 22, 2005	[70 FR 55568]
Revision	Vol. 76	May 18, 2011	[76 FR 28662]
Revision	Vol. 78	February 7, 2013	[78 FR 9112]
Revision	Vol. 81	June 23, 2016	[81 FR 40956]
Revision	Vol. 84	April 16, 2019	[84 FR 15846]

40 CFR Part 60 Subpart DDDD			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 85	October 7, 2020	[85 FR 63394]

These standards, requirements, and provisions are hereby incorporated and adopted by reference as follows:

- (1) 40 CFR 60.2610 and 40 CFR 60.2615, Increments of Progress.
- (2) 40 CFR 60.2620, 40 CFR 60.2625, and 40 CFR 60.2630, Waste Management Plan, due no later than compliance date listed in Table 1 below.
- (3) 40 CFR 60.2635 through 40 CFR 60.2665, Operator Training and Qualification.
- (4) 40 CFR 60.2670 through 60.2680, Emission Limitations and Operating Limits.
- (5) 40 CFR 60.2690 through 60.2695, Performance Testing.
- (6) 40 CFR 60.2700 through 60.2706, Initial Compliance Requirements.
- (7) 40 CFR 60.2710 through 60.2725, Continuous Compliance Requirements.
- (8) 40 CFR 60.2730 through 60.2735, Monitoring.
- (9) 40 CFR 60.2740 through 60.2800, Recordkeeping and Reporting, including submission of waste management plan no later than compliance date listed in Table 1 below; with the exception of the following: all reports required under 40 CFR 60.2795(a), (b)(1), and (b)(2) must be submitted to the Department in addition to being sent to the EPA.
- (10) 40 CFR 60.2805, Title V Operating Permits.
- (11) 40 CFR 60.2810 and 40 CFR 60.2850(b) through 60.2870, Air Curtain Incinerators.
- (12) 40 CFR 60.2875, Definitions, except that the word “Administrator” shall mean the Department of Health and Environmental Control, with the exception of provisions within this subpart that may not be delegated by the EPA.
- (13) 40 CFR Part 60 Subpart DDDD Table 1, modified as follows:

**TABLE 1 TO SUBPART DDDD OF PART 60 - COMPLIANCE SCHEDULES**

COMPLY WITH COMPLIANCE SCHEDULE	BY THIS DATE
FINAL COMPLIANCE WITH PERFORMANCE STANDARDS	February 7, 2018.

- (14) 40 CFR Part 60 Subpart DDDD Tables 2 through 9, retitled as follows:
  - (a) Table 2 to Subpart DDDD - Emission Limitations That Apply to Incinerators Before February 7, 2018;
  - (b) Table 3 to Subpart DDDD - Operating Limits for Wet Scrubbers;
  - (c) Table 4 to Subpart DDDD - Toxic Equivalency Factors;

## 62 FINAL REGULATIONS

- (d) Table 5 to Subpart DDDD - Summary of Reporting Requirements;
- (e) Table 6 to Subpart DDDD - Emission Limitations That Apply to Incinerators on and After February 7, 2018;
- (f) Table 7 to Subpart DDDD - Emission Limitations That Apply to Energy Recovery Units After February 7, 2018;
- (g) Table 8 to Subpart DDDD - Emission Limitations That Apply to Waste-Burning Kilns After February 7, 2018; and
- (h) Table 9 to Subpart DDDD - Emission Limitations That Apply to Small, Remote Incinerators After February 7, 2018.

(G) For purposes of this subpart, the authorities referenced in 40 CFR 60.2542 will not be delegated to state, local, or tribal agencies.

**Regulation 61-62.60, Subpart III, shall be revised as follows:**

### **Subpart III - “Standards of Performance for Stationary Compression Ignition Internal Combustion Engines”**

The provisions of 40 CFR Part 60 Subpart III, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 60 Subpart III</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 71	July 11, 2006	[71 FR 39154]
Revision	Vol. 76	June 28, 2011	[76 FR 37954]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 81	July 7, 2016	[81 FR 44212]
Revision	Vol. 85	December 4, 2020	[85 FR 78412]

**Regulation 61-62.60, Subpart JJJJ, shall be revised as follows:**

### **Subpart JJJJ - “Standards of Performance for Stationary Spark Ignition Internal Combustion Engines”**

The provisions of 40 CFR Part 60 Subpart JJJJ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 60 Subpart JJJJ</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 73	October 8, 2008	[73 FR 59034]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 81	August 30, 2016	[81 FR 59800]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]

40 CFR Part 60 Subpart JJJJ			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 85	December 4, 2020	[85 FR 78412]

**Regulation 61-62.60, Subpart KKKK, shall be revised as follows:**

**Subpart KKKK - “Standards of Performance for Stationary Combustion Turbines”**

The provisions of 40 CFR Part 60 Subpart KKKK, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart KKKK			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 71	July 6, 2006	[71 FR 38482]
Revision	Vol. 74	March 20, 2009	[74 FR 11858]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]

**Regulation 61-62.60, Subpart OOOO, shall be revised as follows:**

**Subpart OOOO - “Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after August 23, 2011, and on or before September 18, 2015”**

The provisions of 40 CFR Part 60 Subpart OOOO, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart OOOO			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 77	August 16, 2012	[77 FR 49490]
Revision	Vol. 78	September 23, 2013	[78 FR 58416]
Revision	Vol. 79	December 31, 2014	[79 FR 79018]
Revision	Vol. 80	August 12, 2015	[80 FR 48262]
Revision	Vol. 81	June 3, 2016	[81 FR 35824]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 81	July 6, 2016	[81 FR 43950]
Revision	Vol. 85	September 14, 2020	[85 FR 57018]

**Regulation 61-62.60, Subpart OOOOa, shall be revised as follows:**

**Subpart OOOOa - “Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After September 18, 2015”**

The provisions of 40 CFR Part 60 Subpart OOOOa, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

## 64 FINAL REGULATIONS

40 CFR Part 60 Subpart OOOOa			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 81	June 3, 2016	[81 FR 35824]
Revision	Vol. 83	March 12, 2018	[83 FR 10628]
Revision	Vol. 85	September 14, 2020	[85 FR 57018]
Revision	Vol. 85	September 15, 2020	[85 FR 57398]

Regulation 61-62.60, Subpart QQQQ, shall be revised as follows:

### Subpart QQQQ - “Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces”

The provisions of 40 CFR Part 60 Subpart QQQQ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart QQQQ			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 80	March 16, 2015	[80 FR 13671]
Revision	Vol. 83	November 14, 2018	[83 FR 56713]
Revision	Vol. 85	April 2, 2020	[85 FR 18448]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]

### 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories

Regulation 61-62.63, Subpart A, shall be revised as follows:

#### Subpart A - “General Provisions”

The provisions of 40 Code of Federal Regulations (CFR) Part 63 Subpart A, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 59	March 16, 1994	[59 FR 12430]
Revision	Vol. 59	April 22, 1994	[59 FR 19453]
Revision	Vol. 59	December 6, 1994	[59 FR 62589]
Revision	Vol. 60	January 25, 1995	[60 FR 4963]
Revision	Vol. 60	June 27, 1995	[60 FR 33122]
Revision	Vol. 60	September 1, 1995	[60 FR 45980]
Revision	Vol. 61	May 21, 1996	[61 FR 25399]
Revision	Vol. 61	December 17, 1996	[61 FR 66227]
Revision	Vol. 62	December 10, 1997	[62 FR 65024]
Revision	Vol. 63	May 4, 1998	[63 FR 24444]
Revision	Vol. 63	May 13, 1998	[63 FR 26465]
Revision	Vol. 63	September 21, 1998	[63 FR 50326]
Revision	Vol. 63	October 7, 1998	[63 FR 53996]
Revision	Vol. 63	December 1, 1998	[63 FR 66061]

40 CFR Part 63 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 64	January 28, 1999	[64 FR 4300]
Revision	Vol. 64	February 12, 1999	[64 FR 7468]
Revision	Vol. 64	April 12, 1999	[64 FR 17562]
Revision	Vol. 64	June 10, 1999	[64 FR 31375]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 67	February 14, 2002	[67 FR 6968]
Revision	Vol. 67	February 27, 2002	[67 FR 9156]
Revision	Vol. 67	April 5, 2002	[67 FR 16582]
Revision	Vol. 67	June 10, 2002	[67 FR 39794]
Revision	Vol. 67	July 23, 2002	[67 FR 48254]
Revision	Vol. 68	February 18, 2003	[68 FR 7706]
Revision	Vol. 68	April 21, 2003	[68 FR 19375]
Revision	Vol. 68	May 6, 2003	[68 FR 23898]
Revision	Vol. 68	May 8, 2003	[68 FR 24653]
Revision	Vol. 68	May 20, 2003	[68 FR 27646]
Revision	Vol. 68	May 23, 2003	[68 FR 28606]
Revision	Vol. 68	May 27, 2003	[68 FR 28774]
Revision	Vol. 68	May 28, 2003	[68 FR 31746]
Revision	Vol. 68	May 29, 2003	[68 FR 32172]
Revision	Vol. 68	May 30, 2003	[68 FR 32586]
Revision	Vol. 68	November 13, 2003	[68 FR 64432]
Revision	Vol. 68	December 19, 2003	[68 FR 70960]
Revision	Vol. 69	January 2, 2004	[69 FR 130]
Revision	Vol. 69	February 3, 2004	[69 FR 5038]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 69	April 19, 2004	[69 FR 20968]
Revision	Vol. 69	April 22, 2004	[69 FR 21737]
Revision	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 69	June 15, 2004	[69 FR 33474]
Revision	Vol. 69	July 30, 2004	[69 FR 45944]
Revision	Vol. 69	September 13, 2004	[69 FR 55218]
Revision	Vol. 70	April 15, 2005	[70 FR 19992]
Revision	Vol. 70	May 20, 2005	[70 FR 29400]
Revision	Vol. 70	October 12, 2005	[70 FR 59402]
Revision	Vol. 71	February 16, 2006	[71 FR 8342]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	July 28, 2006	[71 FR 42898]
Revision	Vol. 71	December 6, 2006	[71 FR 70651]
Revision	Vol. 72	January 3, 2007	[72 FR 26]
Revision	Vol. 72	January 23, 2007	[72 FR 2930]
Revision	Vol. 72	July 16, 2007	[72 FR 38864]
Revision	Vol. 72	October 29, 2007	[72 FR 61060]
Revision	Vol. 72	November 16, 2007	[72 FR 64860]
Revision	Vol. 72	December 26, 2007	[72 FR 73180]
Revision	Vol. 72	December 28, 2007	[72 FR 74088]



## 66 FINAL REGULATIONS

40 CFR Part 63 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 73	January 2, 2008	[73 FR 226]
Revision	Vol. 73	January 9, 2008	[73 FR 1738]
Revision	Vol. 73	January 10, 2008	[73 FR 1916]
Revision	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 73	February 7, 2008	[73 FR 7210]
Revision	Vol. 73	March 7, 2008	[73 FR 12275]
Revision	Vol. 73	July 23, 2008	[73 FR 42978]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 74	June 25, 2009	[74 FR 30366]
Revision	Vol. 74	October 28, 2009	[74 FR 55670]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 75	September 13, 2010	[75 FR 55636]
Revision	Vol. 76	February 17, 2011	[76 FR 9450]
Revision	Vol. 77	February 16, 2012	[77 FR 9304]
Revision	Vol. 77	April 17, 2012	[77 FR 22848]
Revision	Vol. 77	September 11, 2012	[77 FR 55698]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 78	January 31, 2013	[78 FR 7138]
Revision	Vol. 78	February 1, 2013	[78 FR 7488]
Revision	Vol. 78	June 20, 2013	[78 FR 37133]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 79	March 27, 2014	[79 FR 17340]
Revision	Vol. 80	June 30, 2015	[80 FR 37365]
Revision	Vol. 80	August 19, 2015	[80 FR 50385]
Revision	Vol. 80	September 18, 2015	[80 FR 56699]
Revision	Vol. 80	October 15, 2015	[80 FR 62389]
Revision	Vol. 80	October 26, 2015	[80 FR 65469]
Revision	Vol. 80	December 1, 2015	[80 FR 75178]
Revision	Vol. 80	December 4, 2015	[80 FR 75817]
Revision	Vol. 81	August 30, 2016	[81 FR 59800]
Revision	Vol. 82	January 18, 2017	[82 FR 5401]
Revision	Vol. 82	October 11, 2017	[82 FR 47328]
Revision	Vol. 82	October 16, 2017	[82 FR 48156]
Revision	Vol. 83	October 15, 2018	[83 FR 51842]
Revision	Vol. 83	November 14, 2018	[83 FR 56713]
Revision	Vol. 83	February 28, 2019	[84 FR 6676]
Revision	Vol. 84	March 4, 2019	[84 FR 7682]
Revision	Vol. 84	March 15, 2019	[84 FR 9590]
Revision	Vol. 85	February 25, 2020	[85 FR 10828]
Revision	Vol. 85	March 9, 2020	[85 FR 13524]
Revision	Vol. 85	March 12, 2020	[85 FR 14526]
Revision	Vol. 85	March 26, 2020	[85 FR 17244]
Revision	Vol. 85	July 2, 2020	[85 FR 39980]
Revision	Vol. 85	July 6, 2020	[85 FR 40386]
Revision	Vol. 85	July 7, 2020	[85 FR 40594]

<b>40 CFR Part 63 Subpart A</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Revision	Vol. 85	July 7, 2020	[85 FR 40740]
Revision	Vol. 85	July 8, 2020	[85 FR 41100]
Revision	Vol. 85	July 9, 2020	[85 FR 41276]
Revision	Vol. 85	July 10, 2020	[85 FR 41411]
Revision	Vol. 85	July 10, 2020	[85 FR 41680]
Revision	Vol. 85	July 13, 2020	[85 FR 42074]
Revision	Vol. 85	July 22, 2020	[85 FR 44216]
Revision	Vol. 85	July 24, 2020	[85 FR 44960]
Revision	Vol. 85	July 28, 2020	[85 FR 45476]
Revision	Vol. 85	August 12, 2020	[85 FR 49084]
Revision	Vol. 85	August 13, 2020	[85 FR 49434]
Revision	Vol. 85	August 14, 2020	[85 FR 49724]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart F, shall be revised as follows:**

**Subpart F - “National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry”**

The provisions of 40 CFR Part 63 Subpart F, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart F</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 59	April 22, 1994	[59 FR 19402]
Revision	Vol. 59	September 20, 1994	[59 FR 48175]
Revision	Vol. 59	October 24, 1994	[59 FR 53359]
Revision	Vol. 59	October 28, 1994	[59 FR 54131]
Revision	Vol. 60	January 27, 1995	[60 FR 5321]
Revision	Vol. 60	April 10, 1995	[60 FR 18020]
Revision	Vol. 60	April 10, 1995	[60 FR 18026]
Revision	Vol. 60	December 12, 1995	[60 FR 63624]
Revision	Vol. 61	February 29, 1996	[61 FR 7716]
Revision	Vol. 61	June 20, 1996	[61 FR 31435]
Revision	Vol. 61	December 5, 1996	[61 FR 64572]
Revision	Vol. 62	January 17, 1997	[62 FR 2722]
Revision	Vol. 63	May 12, 1998	[63 FR 26078]
Revision	Vol. 64	April 26, 1999	[64 FR 20189]
Revision	Vol. 65	May 8, 2000	[65 FR 26491]
Revision	Vol. 66	January 22, 2001	[66 FR 6922]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	December 21, 2006	[71 FR 76603]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

## 68 FINAL REGULATIONS

**Regulation 61-62.63, Subpart G, shall be revised as follows:**

### **Subpart G - “National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater”**

The provisions of 40 CFR Part 63 Subpart G, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart G</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 59	April 22, 1994	[59 FR 19402]
Revision	Vol. 59	June 6, 1994	[59 FR 29196]
Revision	Vol. 59	October 24, 1994	[59 FR 53359]
Revision	Vol. 60	January 27, 1995	[60 FR 5321]
Revision	Vol. 60	April 10, 1995	[60 FR 18020]
Revision	Vol. 60	April 10, 1995	[60 FR 18026]
Revision	Vol. 60	December 12, 1995	[60 FR 63624]
Revision	Vol. 61	February 29, 1996	[61 FR 7716]
Revision	Vol. 61	December 5, 1996	[61 FR 64572]
Revision	Vol. 62	January 17, 1997	[62 FR 2722]
Revision	Vol. 63	December 9, 1998	[63 FR 67787]
Revision	Vol. 64	April 26, 1999	[64 FR 20189]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 66	January 22, 2001	[66 FR 6922]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 69	December 23, 2004	[69 FR 76859]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	December 21, 2006	[71 FR 76603]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart H, shall be revised as follows:**

### **Subpart H - “National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks”**

The provisions of 40 CFR Part 63 Subpart H, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart H</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 59	April 22, 1994	[59 FR 19402]
Revision	Vol. 59	September 20, 1994	[59 FR 48175]
Revision	Vol. 59	October 24, 1994	[59 FR 53359]

40 CFR Part 63 Subpart H			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 60	January 27, 1995	[60 FR 5321]
Revision	Vol. 60	April 10, 1995	[60 FR 18020]
Revision	Vol. 60	April 10, 1995	[60 FR 18026]
Revision	Vol. 60	December 12, 1995	[60 FR 63624]
Revision	Vol. 61	June 20, 1996	[61 FR 31435]
Revision	Vol. 62	January 17, 1997	[62 FR 2722]
Revision	Vol. 64	April 26, 1999	[64 FR 20189]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 66	January 22, 2001	[66 FR 6922]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart J, shall be revised as follows:**

**Subpart J - “National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production”**

The provisions of 40 CFR Part 63 Subpart J, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart J			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	July 10, 2002	[67 FR 45866]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart L, shall be revised as follows:**

**Subpart L - “National Emission Standards for Coke Oven Batteries”**

The provisions of 40 CFR Part 63 Subpart L, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart L			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 58	October 27, 1993	[58 FR 57911]
Revision	Vol. 59	January 13, 1994	[59 FR 1992]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	April 15, 2005	[70 FR 19992]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart M, shall be revised as follows:**

## 70 FINAL REGULATIONS

### Subpart M - “National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities”

The provisions of 40 CFR Part 63 Subpart M, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart M			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 58	September 22, 1993	[58 FR 49354]
Revision	Vol. 58	December 20, 1993	[58 FR 66287]
Revision	Vol. 61	June 3, 1996	[61 FR 27785]
Revision	Vol. 61	June 11, 1996	[61 FR 29485]
Revision	Vol. 61	September 19, 1996	[61 FR 49263]
Revision	Vol. 64	December 14, 1999	[64 FR 69637]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	December 19, 2005	[70 FR 75320]
Revision	Vol. 71	July 27, 2006	[71 FR 42724]
Revision	Vol. 71	September 21, 2006	[71 FR 55280]
Revision	Vol. 73	April 1, 2008	[73 FR 17252]
Revision	Vol. 73	July 11, 2008	[73 FR 39871]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

Regulation 61-62.63, Subpart N, shall be revised as follows:

### Subpart N - “National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks”

The provisions of 40 CFR Part 63 Subpart N, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart N			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	January 25, 1995	[60 FR 4948]
Revision	Vol. 60	May 24, 1995	[60 FR 27598]
Revision	Vol. 60	June 27, 1995	[60 FR 33122]
Revision	Vol. 61	June 3, 1996	[61 FR 27785]
Revision	Vol. 62	January 30, 1997	[62 FR 4463]
Revision	Vol. 64	December 14, 1999	[64 FR 69637]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 69	July 19, 2004	[69 FR 42885]
Revision	Vol. 70	December 19, 2005	[70 FR 75320]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 77	September 19, 2012	[77 FR 58220]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 80	April 21, 2015	[80 FR 22116]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart O, shall be revised as follows:**

**Subpart O - “Ethylene Oxide Emission Standards for Sterilization Facilities”**

The provisions of 40 CFR Part 63 Subpart O, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart O</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 59	December 6, 1994	[59 FR 62585]
Revision	Vol. 61	June 3, 1996	[61 FR 27785]
Revision	Vol. 62	December 9, 1997	[62 FR 64736]
Revision	Vol. 63	December 4, 1998	[63 FR 66990]
Revision	Vol. 64	December 14, 1999	[64 FR 69637]
Revision	Vol. 66	November 2, 2001	[66 FR 55577]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	December 19, 2005	[70 FR 75320]
Revision	Vol. 71	April 7, 2006	[71 FR 17712]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart Q, shall be revised as follows:**

**Subpart Q - “National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers”**

The provisions of 40 CFR Part 63 Subpart Q, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart Q</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 59	September 8, 1994	[59 FR 46350]
Revision	Vol. 63	July 23, 1998	[63 FR 39519]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 71	April 7, 2006	[71 FR 17729]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart R, shall be revised as follows:**

**Subpart R - “National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)”**

The provisions of 40 CFR Part 63 Subpart R, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

**72 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart R</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 59	December 14, 1994	[59 FR 64303]
Revision	Vol. 60	February 8, 1995	[60 FR 7627]
Revision	Vol. 60	June 26, 1995	[60 FR 32912]
Revision	Vol. 60	August 18, 1995	[60 FR 43244]
Revision	Vol. 60	December 8, 1995	[60 FR 62991]
Revision	Vol. 61	February 29, 1996	[61 FR 7718]
Revision	Vol. 62	February 28, 1997	[62 FR 9087]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 68	December 19, 2003	[68 FR 70960]
Revision	Vol. 71	April 6, 2006	[71 FR 17352]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	December 4, 2020	[85 FR 78412]

**Regulation 61-62.63, Subpart S, shall be revised as follows:**

**Subpart S - “National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry”**

The provisions of 40 CFR Part 63 Subpart S, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart S</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 63	April 15, 1998	[63 FR 18504]
Revision	Vol. 63	August 7, 1998	[63 FR 42238]
Revision	Vol. 63	September 16, 1998	[63 FR 49455]
Revision	Vol. 63	December 28, 1998	[63 FR 71385]
Revision	Vol. 64	April 12, 1999	[64 FR 17555]
Revision	Vol. 65	December 22, 2000	[65 FR 80755]
Revision	Vol. 66	May 14, 2001	[66 FR 24268]
Revision	Vol. 66	October 16, 2001	[66 FR 52537]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 77	September 11, 2012	[77 FR 55698]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart T, shall be revised as follows:**

**Subpart T - “National Emission Standards for Halogenated Solvent Cleaning”**

The provisions of 40 CFR Part 63 Subpart T, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart T			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 59	December 2, 1994	[59 FR 61801]
Revision	Vol. 59	December 30, 1994	[59 FR 67750]
Revision	Vol. 60	June 5, 1995	[60 FR 29484]
Revision	Vol. 63	May 5, 1998	[63 FR 24749]
Revision	Vol. 63	December 11, 1998	[63 FR 68397]
Revision	Vol. 64	July 13, 1999	[64 FR 37683]
Revision	Vol. 64	August 19, 1999	[64 FR 45187]
Revision	Vol. 64	October 18, 1999	[64 FR 56173]
Revision	Vol. 64	December 3, 1999	[64 FR 67793]
Revision	Vol. 64	December 14, 1999	[64 FR 69637]
Revision	Vol. 65	September 8, 2000	[65 FR 54419]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	December 19, 2005	[70 FR 75320]
Revision	Vol. 72	May 3, 2007	[72 FR 25138]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart U, shall be revised as follows:**

**Subpart U - “National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins”**

The provisions of 40 CFR Part 63 Subpart U, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart U			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 61	September 5, 1996	[61 FR 46924]
Revision	Vol. 62	January 14, 1997	[62 FR 1837]
Revision	Vol. 62	March 17, 1997	[62 FR 12549]
Revision	Vol. 62	July 15, 1997	[62 FR 37722]
Revision	Vol. 64	March 9, 1999	[64 FR 11542]
Revision	Vol. 64	May 7, 1999	[64 FR 24511]
Revision	Vol. 64	June 30, 1999	[64 FR 35028]
Revision	Vol. 65	June 19, 2000	[65 FR 38030]
Revision	Vol. 66	July 16, 2001	[66 FR 36924]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 76	April 21, 2011	[76 FR 22566]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart W, shall be revised as follows:**

**Subpart W - “National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production”**



## 74 FINAL REGULATIONS

The provisions of 40 CFR Part 63 Subpart W, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart W			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	March 8, 1995	[60 FR 12676]
Revision	Vol. 65	May 8, 2000	[65 FR 26491]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart X, shall be revised as follows:**

### **Subpart X - “National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting”**

The provisions of 40 CFR Part 63 Subpart X, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart X			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	June 23, 1995	[60 FR 32587]
Revision	Vol. 61	June 3, 1996	[61 FR 27785]
Revision	Vol. 61	December 12, 1996	[61 FR 65334]
Revision	Vol. 62	June 13, 1997	[62 FR 32210]
Revision	Vol. 63	August 24, 1998	[63 FR 45007]
Revision	Vol. 64	January 29, 1999	[64 FR 4570]
Revision	Vol. 64	December 14, 1999	[64 FR 69637]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	December 19, 2005	[70 FR 75320]
Revision	Vol. 77	January 5, 2012	[77 FR 556]
Revision	Vol. 79	January 3, 2014	[79 FR 367]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart Y, shall be revised as follows:**

### **Subpart Y - “National Emission Standards for Marine Tank Vessel Loading Operations”**

The provisions of 40 CFR Part 63 Subpart Y, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart Y			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	September 19, 1995	[60 FR 48388]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 76	April 21, 2011	[76 FR 22566]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]

40 CFR Part 63 Subpart Y			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 80	December 1, 2015	[80 FR 75178]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart AA, shall be revised as follows:**

**Subpart AA - “National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants”**

The provisions of 40 CFR Part 63 Subpart AA, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart AA			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 10, 1999	[64 FR 31376]
Revision	Vol. 66	December 17, 2001	[66 FR 65072]
Revision	Vol. 67	June 12, 2002	[67 FR 40578]
Revision	Vol. 67	June 13, 2002	[67 FR 40814]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 80	August 19, 2015	[80 FR 50385]
Revision	Vol. 82	September 28, 2017	[82 FR 45193]
Revision	Vol. 85	November 3, 2020	[85 FR 69508]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart BB, shall be revised as follows:**

**Subpart BB - “National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizer Production Plants”**

The provisions of 40 CFR Part 63 Subpart BB, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart BB			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 10, 1999	[64 FR 31382]
Revision	Vol. 66	December 17, 2001	[66 FR 65072]
Revision	Vol. 67	June 13, 2002	[67 FR 40814]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 80	August 19, 2015	[80 FR 50385]
Revision	Vol. 82	September 28, 2017	[82 FR 45193]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart CC, shall be revised as follows:**

**Subpart CC - “National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries”**

## 76 FINAL REGULATIONS

The provisions of 40 CFR Part 63 Subpart CC, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart CC</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 60	August 18, 1995	[60 FR 43260]
Revision	Vol. 60	September 27, 1995	[60 FR 49976]
Revision	Vol. 61	February 23, 1996	[61 FR 7051]
Revision	Vol. 61	June 12, 1996	[61 FR 29878]
Revision	Vol. 61	June 28, 1996	[61 FR 33799]
Revision	Vol. 62	February 21, 1997	[62 FR 7938]
Revision	Vol. 63	March 20, 1998	[63 FR 13537]
Revision	Vol. 63	May 18, 1998	[63 FR 27212]
Revision	Vol. 63	June 9, 1998	[63 FR 31361]
Revision	Vol. 63	August 18, 1998	[63 FR 44140]
Revision	Vol. 65	May 8, 2000	[65 FR 26491]
Revision	Vol. 65	July 6, 2000	[65 FR 41594]
Revision	Vol. 66	May 25, 2001	[66 FR 28840]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 74	October 28, 2009	[74 FR 55670]
Revision	Vol. 75	June 30, 2010	[75 FR 37730]
Revision	Vol. 76	July 18, 2011	[76 FR 42052]
Revision	Vol. 78	June 20, 2013	[78 FR 37133]
Revision	Vol. 80	December 1, 2015	[80 FR 75178]
Revision	Vol. 81	July 13, 2016	[81 FR 45232]
Revision	Vol. 83	November 26, 2018	[83 FR 60696]
Revision	Vol. 85	February 4, 2020	[85 FR 6064]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart DD, shall be revised as follows:**

### **Subpart DD - “National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations”**

The provisions of 40 CFR Part 63 Subpart DD, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart DD</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 61	July 1, 1996	[61 FR 34140]
Revision	Vol. 64	July 20, 1999	[64 FR 38950]
Revision	Vol. 66	January 8, 2001	[66 FR 1263]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 80	March 18, 2015	[80 FR 14247]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart EE, shall be revised as follows:**

**Subpart EE - “National Emission Standards for Magnetic Tape Manufacturing Operations”**

The provisions of 40 CFR Part 63 Subpart EE, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart EE</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 59	December 15, 1994	[59 FR 64596]
Revision	Vol. 64	April 9, 1999	[64 FR 17464]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	December 28, 2020	[85 FR 84261]

**Regulation 61-62.63, Subpart GG, shall be revised as follows:**

**Subpart GG - “National Emission Standards for Aerospace Manufacturing and Rework Facilities”**

The provisions of 40 CFR Part 63 Subpart GG, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart GG</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 60	September 1, 1995	[60 FR 45956]
Revision	Vol. 61	February 9, 1996	[61 FR 4903]
Revision	Vol. 61	December 17, 1996	[61 FR 66227]
Revision	Vol. 63	March 27, 1998	[63 FR 15006]
Revision	Vol. 63	September 1, 1998	[63 FR 46526]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 8, 2000	[65 FR 76941]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 80	December 7, 2015	[80 FR 76151]
Revision	Vol. 81	August 3, 2016	[81 FR 51114]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart HH, shall be revised as follows:**

**Subpart HH - “National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities”**

The provisions of 40 CFR Part 63 Subpart HH, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

**78 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart HH</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 64	June 17, 1999	[64 FR 32628]
Revisions	Vol. 66	June 29, 2001	[66 FR 34548]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 72	January 3, 2007	[72 FR 26]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 77	August 16, 2012	[77 FR 49490]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart II, shall be revised as follows:**

**Subpart II - “National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)”**

The provisions of 40 CFR Part 63 Subpart II, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart II</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 60	December 15, 1995	[60 FR 64330]
Revision	Vol. 61	June 18, 1996	[61 FR 30814]
Revision	Vol. 61	December 17, 1996	[61 FR 66226]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	December 29, 2006	[71 FR 78392]
Revision	Vol. 72	February 27, 2007	[72 FR 8630]
Revision	Vol. 76	November 21, 2011	[76 FR 72050]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart JJ, shall be revised as follows:**

**Subpart JJ - “National Emission Standards for Wood Furniture Manufacturing Operations”**

The provisions of 40 CFR Part 63 Subpart JJ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart JJ</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 60	December 7, 1995	[60 FR 62930]
Revision	Vol. 62	June 3, 1997	[62 FR 30257]
Revision	Vol. 62	June 9, 1997	[62 FR 31361]
Revision	Vol. 63	December 28, 1998	[63 FR 71376]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 76	November 21, 2011	[76 FR 72050]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart KK, shall be revised as follows:**

**Subpart KK - “National Emission Standards for the Printing and Publishing Industry”**

The provisions of 40 CFR Part 63 Subpart KK, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart KK</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 61	May 30, 1996	[61 FR 27132]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	May 24, 2006	[71 FR 29792]
Revision	Vol. 76	April 21, 2011	[76 FR 22566]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart LL, shall be revised as follows:**

**Subpart LL - “National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants”**

The provisions of 40 CFR Part 63 Subpart LL, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart LL</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 62	October 7, 1997	[62 FR 52407]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	November 2, 2005	[70 FR 66280]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 80	October 15, 2015	[80 FR 62389]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart MM, shall be revised as follows:**

**Subpart MM - “National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills”**

The provisions of 40 CFR Part 63 Subpart MM, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart MM</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 66	January 12, 2001	[66 FR 3180]
Revision	Vol. 66	March 26, 2001	[66 FR 16400]
Revision	Vol. 66	July 19, 2001	[66 FR 37591]
Revision	Vol. 66	August 6, 2001	[66 FR 41086]
Revision	Vol. 68	February 18, 2003	[68 FR 7706]

## 80 FINAL REGULATIONS

40 CFR Part 63 Subpart MM			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 68	May 8, 2003	[68 FR 24653]
Revision	Vol. 68	July 18, 2003	[68 FR 42603]
Revision	Vol. 68	December 5, 2003	[68 FR 67953]
Revision	Vol. 69	May 6, 2004	[69 FR 25321]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 82	October 11, 2017	[82 FR 47328]
Revision	Vol. 85	November 5, 2020	[85 FR 70487]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart SS, shall be revised as follows:**

### **Subpart SS - “National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process”**

The provisions of 40 CFR Part 63 Subpart SS, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart SS			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 29, 1999	[64 FR 34854]
Revision	Vol. 64	November 22, 1999	[64 FR 63702]
Revision	Vol. 67	July 12, 2002	[67 FR 46258]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	July 6, 2020	[85 FR 40386]

**Regulation 61-62.63, Subpart XX, shall be revised as follows:**

### **Subpart XX - “National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations”**

The provisions of 40 CFR Part 63 Subpart XX, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart XX			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	July 12, 2002	[67 FR 46258]
Revision	Vol. 70	April 13, 2005	[70 FR 19266]
Revision	Vol. 85	July 6, 2020	[85 FR 40386]

**Regulation 61-62.63, Subpart YY, shall be revised as follows:**

### **Subpart YY - “National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards”**

The provisions of 40 CFR Part 63 Subpart YY, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference

as if fully repeated herein.

40 CFR Part 63 Subpart YY			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 29, 1999	[64 FR 34854]
Revision	Vol. 64	November 22, 1999	[64 FR 63695]
Revision	Vol. 64	December 22, 1999	[64 FR 71852]
Revision	Vol. 66	November 2, 2001	[66 FR 55844]
Revision	Vol. 67	June 7, 2002	[67 FR 39301]
Revision	Vol. 67	July 12, 2002	[67 FR 46258, 46289]
Revision	Vol. 68	February 10, 2003	[68 FR 6635]
Revision	Vol. 70	April 13, 2005	[70 FR 19266]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 72	June 29, 2007	[72 FR 35663]
Revision	Vol. 79	October 8, 2014	[79 FR 60898]
Revision	Vol. 85	July 6, 2020	[85 FR 40386]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart CCC, shall be revised as follows:**

**Subpart CCC - “National Emission Standards for Hazardous Air Pollutants for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants”**

The provisions of 40 CFR Part 63 Subpart CCC, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart CCC			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 22, 1999	[64 FR 33218]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 77	September 19, 2012	[77 FR 58220]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart DDD, shall be revised as follows:**

**Subpart DDD - “National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production”**

The provisions of 40 CFR Part 63 Subpart DDD, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart DDD			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 1, 1999	[64 FR 29503]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 76	December 1, 2011	[76 FR 74708]



## 82 FINAL REGULATIONS

40 CFR Part 63 Subpart DDD			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 80	July 29, 2015	[80 FR 45279]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	December 28, 2020	[85 FR 84261]

**Regulation 61-62.63, Subpart EEE, shall be revised as follows:**

### **Subpart EEE - “National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors”**

The provisions of 40 CFR Part 63 Subpart EEE, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart EEE			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 63	June 19, 1998	[63 FR 33820]
Revision	Vol. 64	September 30, 1999	[64 FR 52828]
Revision	Vol. 64	November 19, 1999	[64 FR 63209]
Revision	Vol. 65	July 10, 2000	[65 FR 42292]
Revision	Vol. 65	November 9, 2000	[65 FR 67268]
Revision	Vol. 66	May 14, 2001	[66 FR 24270]
Revision	Vol. 66	July 3, 2001	[66 FR 35087]
Revision	Vol. 66	October 15, 2001	[66 FR 52361]
Revision	Vol. 66	December 6, 2001	[66 FR 63313]
Revision	Vol. 67	February 13, 2002	[67 FR 6792]
Revision	Vol. 67	February 14, 2002	[67 FR 6968]
Revision	Vol. 67	December 19, 2002	[67 FR 77687]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 70	June 14, 2005	[70 FR 34538]
Revision	Vol. 70	October 12, 2005	[70 FR 59402]
Revision	Vol. 70	December 19, 2005	[70 FR 75042]
Revision	Vol. 71	March 23, 2006	[71 FR 14655]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	October 25, 2006	[71 FR 62388]
Revision	Vol. 73	April 8, 2008	[73 FR 18970]
Revision	Vol. 73	October 28, 2008	[73 FR 64068]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart GGG, shall be revised as follows:**

### **Subpart GGG - “National Emission Standards for Pharmaceuticals Production”**

The provisions of 40 CFR Part 63 Subpart GGG, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart GGG			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 63	September 21, 1998	[63 FR 50280]
Revision	Vol. 65	August 29, 2000	[65 FR 52588]
Revision	Vol. 66	August 2, 2001	[66 FR 40121]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	May 13, 2005	[70 FR 25671]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 76	April 21, 2011	[76 FR 22566]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart HHH, shall be revised as follows:**

**Subpart HHH - “National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities”**

The provisions of 40 CFR Part 63 Subpart HHH, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart HHH			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 17, 1999	[64 FR 32647]
Revision	Vol. 66	June 29, 2001	[66 FR 34548]
Revision	Vol. 66	September 27, 2001	[66 FR 49299]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 77	August 16, 2012	[77 FR 49490]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart III, shall be revised as follows:**

**Subpart III - “National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production”**

The provisions of 40 CFR Part 63 Subpart III, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart III			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 63	October 7, 1998	[63 FR 53996]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 79	August 15, 2014	[79 FR 48073]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

## 84 FINAL REGULATIONS

**Regulation 61-62.63, Subpart JJJ, shall be revised as follows:**

### **Subpart JJJ - “National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins”**

The provisions of 40 CFR Part 63 Subpart JJJ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart JJJ</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 61	September 12, 1996	[61 FR 48208]
Revision	Vol. 61	October 18, 1996	[61 FR 54342]
Revision	Vol. 62	January 14, 1997	[62 FR 1835]
Revision	Vol. 62	June 6, 1997	[62 FR 30993]
Revision	Vol. 62	July 15, 1997	[62 FR 37720]
Revision	Vol. 63	February 27, 1998	[63 FR 9944]
Revision	Vol. 63	March 31, 1998	[63 FR 15312]
Revision	Vol. 64	March 9, 1999	[64 FR 11536]
Revision	Vol. 64	June 8, 1999	[64 FR 30406]
Revision	Vol. 64	June 30, 1999	[64 FR 35023]
Revision	Vol. 65	June 19, 2000	[65 FR 38030]
Revision	Vol. 65	August 29, 2000	[65 FR 52319]
Revision	Vol. 65	October 26, 2000	[65 FR 64161]
Revision	Vol. 66	February 23, 2001	[66 FR 11233]
Revision	Vol. 66	February 26, 2001	[66 FR 11543]
Revision	Vol. 66	July 16, 2001	[66 FR 36924]
Revision	Vol. 66	August 6, 2001	[66 FR 40903]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 69	June 2, 2004	[69 FR 31008]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 79	March 27, 2014	[79 FR 17340]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart LLL, shall be revised as follows:**

### **Subpart LLL - “National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry”**

The provisions of 40 CFR Part 63 Subpart LLL, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart LLL</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 64	June 14, 1999	[64 FR 31898]
Revision	Vol. 64	September 30, 1999	[64 FR 52828]
Revision	Vol. 67	April 5, 2002	[67 FR 16614]

40 CFR Part 63 Subpart LLL			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 67	December 6, 2002	[67 FR 72580]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	December 20, 2006	[71 FR 76518]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 76	January 18, 2011	[76 FR 2832]
Revision	Vol. 78	February 12, 2013	[78 FR 10006]
Revision	Vol. 80	July 27, 2015	[80 FR 44771]
Revision	Vol. 80	September 11, 2015	[80 FR 54728]
Revision	Vol. 81	July 25, 2016	[81 FR 48356]
Revision	Vol. 82	June 23, 2017	[82 FR 28562]
Revision	Vol. 82	August 22, 2017	[82 FR 39671]
Revision	Vol. 83	July 25, 2018	[83 FR 35122]
Revision	Vol. 83	August 3, 2018	[83 FR 38036]
Revision	Vol. 85	October 7, 2020	[85 FR 63394]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart MMM, shall be revised as follows:**

**Subpart MMM - “National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production”**

The provisions of 40 CFR Part 63 Subpart MMM, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart MMM			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 23, 1999	[64 FR 33550]
Revision	Vol. 66	November 21, 2001	[66 FR 58393, 58396]
Revision	Vol. 67	March 22, 2002	[67 FR 13508, 13514]
Revision	Vol. 67	May 1, 2002	[67 FR 21579]
Revision	Vol. 67	June 3, 2002	[67 FR 38200]
Revision	Vol. 67	September 20, 2002	[67 FR 59336]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 79	March 27, 2014	[79 FR 17340]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart NNN, shall be revised as follows:**

**Subpart NNN - “National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing”**

The provisions of 40 CFR Part 63 Subpart NNN, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

**86 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart NNN</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 64	June 14, 1999	[64 FR 31695]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 80	July 29, 2015	[80 FR 45279]
Revision	Vol. 82	December 26, 2017	[82 FR 60873]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	December 28, 2020	[85 FR 84261]

**Regulation 61-62.63, Subpart OOO, shall be revised as follows:**

**Subpart OOO - “National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins”**

The provisions of 40 CFR Part 63 Subpart OOO, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart OOO</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 65	January 20, 2000	[65 FR 3276]
Revision	Vol. 65	February 22, 2000	[65 FR 8768]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 79	October 8, 2014	[79 FR 60898]
Revision	Vol. 83	October 15, 2018	[83 FR 51842]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart PPP, shall be revised as follows:**

**Subpart PPP - “National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production”**

The provisions of 40 CFR Part 63 Subpart PPP, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart PPP</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 64	June 1, 1999	[64 FR 29420]
Revision	Vol. 64	June 14, 1999	[64 FR 31895]
Revision	Vol. 65	May 8, 2000	[65 FR 26491]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 69	July 1, 2004	[69 FR 39862]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 79	March 27, 2014	[79 FR 17340]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart QQQ, shall be revised as follows:**

**Subpart QQQ - “National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting”**

The provisions of 40 CFR Part 63 Subpart QQQ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart QQQ</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 67	June 12, 2002	[67 FR 40478]
Revision	Vol. 70	July 14, 2005	[70 FR 40672]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart RRR, shall be revised as follows:**

**Subpart RRR - “National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production”**

The provisions of 40 CFR Part 63 Subpart RRR, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart RRR</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 65	March 23, 2000	[65 FR 15690]
Revision	Vol. 67	June 14, 2002	[67 FR 41118]
Revision	Vol. 67	August 13, 2002	[67 FR 52616]
Revision	Vol. 67	September 24, 2002	[67 FR 59787]
Revision	Vol. 67	November 8, 2002	[67 FR 68038]
Revision	Vol. 67	December 30, 2002	[67 FR 79808]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 69	September 3, 2004	[69 FR 53980]
Revision	Vol. 70	October 3, 2005	[70 FR 57513]
Revision	Vol. 70	December 19, 2005	[70 FR 75320]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 80	September 18, 2015	[80 FR 56699]
Revision	Vol. 81	June 13, 2016	[81 FR 38085]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart TTT, shall be revised as follows:**

**Subpart TTT - “National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting”**

The provisions of 40 CFR Part 63 Subpart TTT, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

**88 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart TTT</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 64	June 4, 1999	[64 FR 30204]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 76	November 15, 2011	[76 FR 70834]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart UUU, shall be revised as follows:**

**Subpart UUU - “National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units”**

The provisions of 40 CFR Part 63 Subpart UUU, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart UUU</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 67	April 11, 2002	[67 FR 17762]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 70	February 9, 2005	[70 FR 6930]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 80	December 1, 2015	[80 FR 75178]
Revision	Vol. 81	July 13, 2016	[81 FR 45232]
Revision	Vol. 83	November 26, 2018	[83 FR 60696]
Revision	Vol. 85	February 4, 2020	[85 FR 6064]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart VVV, shall be revised as follows:**

**Subpart VVV - “National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works”**

The provisions of 40 CFR Part 63 Subpart VVV, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart VVV</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 64	October 26, 1999	[64 FR 57572]
Revision	Vol. 66	March 23, 2001	[66 FR 16140]
Revision	Vol. 67	October 10, 2002	[67 FR 64742]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 82	October 26, 2017	[82 FR 49513]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart XXX, shall be revised as follows:**

**Subpart XXX - “National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese”**

The provisions of 40 CFR Part 63 Subpart XXX, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart XXX</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 64	May 20, 1999	[64 FR 27458]
Revision	Vol. 66	March 22, 2001	[66 FR 16007]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 80	June 30, 2015	[80 FR 37365]
Revision	Vol. 82	January 18, 2017	[82 FR 5401]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart AAAA, shall be revised as follows:**

**Subpart AAAA - “National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills”**

The provisions of 40 CFR Part 63 Subpart AAAA, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart AAAA</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	January 16, 2003	[68 FR 2227]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	March 26, 2020	[85 FR 17244]
Revision	Vol. 85	October 13, 2020	[85 FR 64398]

**Regulation 61-62.63, Subpart DDDD, shall be revised as follows:**

**Subpart DDDD - “National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products”**

The provisions of 40 CFR Part 63 Subpart DDDD, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart DDDD</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 69	July 30, 2004	[69 FR 45944]
Revision	Vol. 71	February 16, 2006	[71 FR 8347]
Revision	Vol. 72	October 29, 2007	[72 FR 61060]
Revision	Vol. 85	August 13, 2020	[85 FR 49434]
Revision	Vol. 85	August 21, 2020	[85 FR 51668]



## 90 FINAL REGULATIONS

40 CFR Part 63 Subpart DDDD			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart EEEE, shall be revised as follows:**

### **Subpart EEEE - “National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)”**

The provisions of 40 CFR Part 63 Subpart EEEE, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart EEEE			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	February 3, 2004	[69 FR 5038]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	July 28, 2006	[71 FR 42898]
Revision	Vol. 73	April 23, 2008	[73 FR 21825]
Revision	Vol. 73	July 17, 2008	[73 FR 40977]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 85	July 7, 2020	[85 FR 40740]
Revision	Vol. 85	July 22, 2020	[85 FR 44216]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart FFFF, shall be revised as follows:**

### **Subpart FFFF - “National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing”**

The provisions of 40 CFR Part 63 Subpart FFFF, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart FFFF			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 68	November 10, 2003	[68 FR 63852]
Revision	Vol. 70	July 1, 2005	[70 FR 38554]
Revision	Vol. 70	August 30, 2005	[70 FR 51269]
Revision	Vol. 71	March 1, 2006	[71 FR 10439]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	July 14, 2006	[71 FR 40316]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 85	August 12, 2020	[85 FR 49084]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart GGGG, shall be revised as follows:**

### **Subpart GGGG - “National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production”**

The provisions of 40 CFR Part 63 Subpart GGGG, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart GGGG			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 66	April 12, 2001	[66 FR 19006]
Revision	Vol. 67	April 5, 2002	[67 FR 16317]
Revision	Vol. 69	September 1, 2004	[69 FR 53338]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	March 18, 2020	[85 FR 15608]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart HHHH, shall be revised as follows:**

**Subpart HHHH - “National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production”**

The provisions of 40 CFR Part 63 Subpart HHHH, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart HHHH			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	April 11, 2002	[67 FR 17824]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 84	February 28, 2019	[84 FR 6676]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart IIII, shall be revised as follows:**

**Subpart IIII - “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks”**

The provisions of 40 CFR Part 63 Subpart IIII, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart IIII			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	December 22, 2006	[71 FR 76922]
Revision	Vol. 72	April 24, 2007	[72 FR 20227]
Revision	Vol. 85	July 8, 2020	[85 FR 41100]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart JJJJ, shall be revised as follows:**

## 92 FINAL REGULATIONS

### Subpart JJJJ - “National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating”

The provisions of 40 CFR Part 63 Subpart JJJJ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart JJJJ			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	December 4, 2002	[67 FR 72330]
Revision	Vol. 71	May 24, 2006	[71 FR 29792]
Revision	Vol. 85	July 9, 2020	[85 FR 41276]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

Regulation 61-62.63, Subpart KKKK, shall be revised as follows:

### Subpart KKKK - “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans”

The provisions of 40 CFR Part 63 Subpart KKKK, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart KKKK			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 68	November 12, 2003	[68 FR 64432]
Revision	Vol. 71	January 6, 2006	[71 FR 1378]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	February 25, 2020	[85 FR 10828]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

Regulation 61-62.63, Subpart MMMM, shall be revised as follows:

### Subpart MMMM - “National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products”

The provisions of 40 CFR Part 63 Subpart MMMM, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart MMMM			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	January 2, 2004	[69 FR 130]
Revision	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	December 22, 2006	[71 FR 76922]
Revision	Vol. 85	July 8, 2020	[85 FR 41100]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

Regulation 61-62.63, Subpart NNNN, shall be revised as follows:

**Subpart NNNN - “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances”**

The provisions of 40 CFR Part 63 Subpart NNNN, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart NNNN			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	July 23, 2002	[67 FR 48254]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 84	March 15, 2019	[84 FR 9590]
Revision	Vol. 85	July 8, 2020	[85 FR 41100]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart OOOO, shall be revised as follows:**

**Subpart OOOO - “National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles”**

The provisions of 40 CFR Part 63 Subpart OOOO, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart OOOO			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 68	May 29, 2003	[68 FR 32172]
Revision	Vol. 69	August 4, 2004	[69 FR 47001]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	May 24, 2006	[71 FR 29792]
Revision	Vol. 84	March 15, 2019	[84 FR 9590]
Revision	Vol. 85	July 8, 2020	[85 FR 41100]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart PPPP, shall be revised as follows:**

**Subpart PPPP - “National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products”**

The provisions of 40 CFR Part 63 Subpart PPPP, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart PPPP			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	April 19, 2004	[69 FR 20968]
Revision	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	December 22, 2006	[71 FR 76922]

**94 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart PPPP</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Revision	Vol. 72	April 24, 2007	[72 FR 20227]
Revision	Vol. 85	July 8, 2020	[85 FR 41100]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart QQQQ, shall be revised as follows:**

**Subpart QQQQ - “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products”**

The provisions of 40 CFR Part 63 Subpart QQQQ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart QQQQ</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	May 28, 2003	[68 FR 31746]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 84	March 4, 2019	[84 FR 7682]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart RRRR, shall be revised as follows:**

**Subpart RRRR - “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture”**

The provisions of 40 CFR Part 63 Subpart RRRR, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart RRRR</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	May 23, 2003	[68 FR 28606]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 84	March 15, 2019	[84 FR 9590]
Revision	Vol. 85	July 8, 2020	[85 FR 41100]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart SSSS, shall be revised as follows:**

**Subpart SSSS - “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil”**

The provisions of 40 CFR Part 63 Subpart SSSS, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart SSSS			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	June 10, 2002	[67 FR 39794]
Revision	Vol. 68	March 17, 2003	[68 FR 12590]
Revision	Vol. 85	February 25, 2020	[85 FR 10828]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart TTTT, shall be revised as follows:**

**Subpart TTTT - “National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations”**

The provisions of 40 CFR Part 63 Subpart TTTT, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart TTTT			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	February 27, 2002	[67 FR 9156]
Revision	Vol. 70	February 7, 2005	[70 FR 6355]
Revision	Vol. 84	February 12, 2019	[84 FR 3308]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart UUUU, shall be revised as follows:**

**Subpart UUUU - “National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing”**

The provisions of 40 CFR Part 63 Subpart UUUU, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart UUUU			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	June 11, 2002	[67 FR 40044]
Revision	Vol. 70	June 24, 2005	[70 FR 36523]
Revision	Vol. 70	August 10, 2005	[70 FR 46684]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 85	July 2, 2020	[85 FR 39980]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart VVVV, shall be revised as follows:**

**Subpart VVVV - “National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing”**

The provisions of 40 CFR Part 63 Subpart VVVV, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

**96 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart VVVV</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 66	August 22, 2001	[66 FR 44218]
Revision	Vol. 66	October 3, 2001	[66 FR 50504]
Revision	Vol. 85	March 20, 2020	[85 FR 15960]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart WWWW, shall be revised as follows:**

**Subpart WWWW - “National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production”**

The provisions of 40 CFR Part 63 Subpart WWWW, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart WWWW</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	April 21, 2003	[68 FR 19375]
Revision	Vol. 70	August 25, 2005	[70 FR 50118]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	March 20, 2020	[85 FR 15960]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart XXXX, shall be revised as follows:**

**Subpart XXXX - “National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing”**

The provisions of 40 CFR Part 63 Subpart XXXX, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart XXXX</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 67	July 9, 2002	[67 FR 45588]
Revision	Vol. 68	March 12, 2003	[68 FR 11745]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	July 24, 2020	[85 FR 44752]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart YYYY, shall be revised as follows:**

**Subpart YYYY - “National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines”**

The provisions of 40 CFR Part 63 Subpart YYYY, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart YYYY			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	March 5, 2004	[69 FR 10512]
Revision	Vol. 69	August 18, 2004	[69 FR 51184]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	March 9, 2020	[85 FR 13524]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

Regulation 61-62.63, Subpart ZZZZ, shall be revised as follows:

**Subpart ZZZZ - “National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines”**

The provisions of 40 CFR Part 63 Subpart ZZZZ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart ZZZZ			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	June 15, 2004	[69 FR 33474]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 75	March 3, 2010	[75 FR 9648]
Revision	Vol. 75	June 30, 2010	[75 FR 37732]
Revision	Vol. 75	August 20, 2010	[75 FR 51570]
Revision	Vol. 76	March 9, 2011	[76 FR 12863]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 78	March 6, 2013	[78 FR 14457]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	December 4, 2020	[85 FR 78412]

Regulation 61-62.63, Subpart AAAAA, shall be revised as follows:

**Subpart AAAAA - “National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants”**

The provisions of 40 CFR Part 63 Subpart AAAAA, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart AAAAA			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	January 5, 2004	[69 FR 394]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	July 24, 2020	[85 FR 44960]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	December 28, 2020	[85 FR 84261]



## 98 FINAL REGULATIONS

**Regulation 61-62.63, Subpart BBBBB, shall be revised as follows:**

### **Subpart BBBBB - “National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing”**

The provisions of 40 CFR Part 63 Subpart BBBBB, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart BBBBB</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	May 22, 2003	[68 FR 27913]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	July 22, 2008	[73 FR 42529]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart CCCCC, shall be revised as follows:**

### **Subpart CCCCC - “National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks”**

The provisions of 40 CFR Part 63 Subpart CCCCC, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart CCCCC</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	April 14, 2003	[68 FR 18008]
Revision	Vol. 69	October 13, 2004	[69 FR 60813]
Revision	Vol. 70	January 10, 2005	[70 FR 1670]
Revision	Vol. 70	August 2, 2005	[70 FR 44285]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart DDDDD, shall be revised as follows:**

### **Subpart DDDDD - “National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Industrial Boilers and Process Heaters”**

The provisions of 40 CFR Part 63, Subpart DDDDD as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart DDDDD</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 69	September 13, 2004	[69 FR 55218]
Revision	Vol. 70	December 28, 2005	[70 FR 76918]
Revision	Vol. 71	April 20, 2006	[71 FR 20445]
Revision	Vol. 71	December 6, 2006	[71 FR70651]
Revision	Vol. 76	March 21, 2011	[76 FR 15608]

40 CFR Part 63 Subpart DDDDD			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 76	May 18, 2011	[76 FR 28662]
Revision	Vol. 78	January 31, 2013	[78 FR 7138]
Revision	Vol. 80	November 20, 2015	[80 FR 72789]
Revision	Vol. 83	November 14, 2018	[83 FR 56713]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	December 28, 2020	[85 FR 84261]

**Regulation 61-62.63, Subpart EEEEE, shall be revised as follows:**

**Subpart EEEEE - “National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries”**

The provisions of 40 CFR Part 63 Subpart EEEEE, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart EEEEE			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	April 22, 2004	[69 FR 21906]
Revision	Vol. 70	May 20, 2005	[70 FR 29400]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	February 7, 2008	[73 FR 7210]
Revision	Vol. 85	September 10, 2020	[85 FR 56080]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart FFFFF, shall be revised as follows:**

**Subpart FFFFF - “National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities”**

The provisions of 40 CFR Part 63 Subpart FFFFF, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart FFFFF			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 68	May 20, 2003	[68 FR 27646]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	July 13, 2006	[71 FR 39579]
Revision	Vol. 85	July 13, 2020	[85 FR 42074]
Revision	Vol. 85	July 24, 2020	[85 FR 44960]

**Regulation 61-62.63, Subpart GGGGG, shall be revised as follows:**

**Subpart GGGGG - “National Emission Standards for Hazardous Air Pollutants: Site Remediation”**

The provisions of 40 CFR Part 63 Subpart GGGGG, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference

## 100 FINAL REGULATIONS

as if fully repeated herein.

<b>40 CFR Part 63 Subpart GGGGG</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	October 8, 2003	[68 FR 58172]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	November 29, 2006	[71 FR 69011]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 85	July 10, 2020	[85 FR 41680]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart HHHHH, shall be revised as follows:**

### **Subpart HHHHH - “National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing”**

The provisions of 40 CFR Part 63 Subpart HHHHH, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart HHHHH</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	December 11, 2003	[68 FR 69164]
Revision	Vol. 68	December 29, 2003	[68 FR 75033]
Revision	Vol. 70	May 13, 2005	[70 FR 25676]
Revision	Vol. 70	July 6, 2005	[70 FR 38780]
Revision	Vol. 70	December 21, 2005	[70 FR 75924]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	October 4, 2006	[71 FR 58499]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 85	August 14, 2020	[85 FR 49724]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	November 25, 2020	[85 FR 75235]

**Regulation 61-62.63, Subpart IIIII, shall be revised as follows:**

### **Subpart IIIII - “National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants”**

The provisions of 40 CFR Part 63 Subpart IIIII, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart IIIII</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	December 19, 2003	[68 FR 70904]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]
Revision	Vol. 85	December 28, 2020	[85 FR 84261]

**Regulation 61-62.63, Subpart JJJJJ, shall be revised as follows:**

**Subpart JJJJJ - “National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing”**

The provisions of 40 CFR Part 63, Subpart JJJJJ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart JJJJJ</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	May 16, 2003	[68 FR 26690]
Revision	Vol. 68	May 28, 2003	[68 FR 31744]
Revision	Vol. 71	April 20, 2006	[71 FR 20445]
Revision	Vol. 71	June 23, 2006	[71 FR 36014]
Revision	Vol. 80	October 26, 2015	[80 FR 65469]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart KKKKK, shall be revised as follows:**

**Subpart KKKKK - “National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing”**

The provisions of 40 CFR Part 63, Subpart KKKKK, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart KKKKK</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	May 16, 2003	[67 FR 26690]
Revision	Vol. 68	May 28, 2003	[68 FR 31744]
Revision	Vol. 71	April 20, 2006	[71 FR 20445]
Revision	Vol. 71	June 23, 2006	[71 FR 36014]
Revision	Vol. 80	October 26, 2015	[80 FR 65469]
Revision	Vol. 80	December 4, 2015	[80 FR 75817]
Revision	Vol. 84	November 1, 2019	[84 FR 58601]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart LLLLL, shall be revised as follows:**

**Subpart LLLLL - “National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing”**

The provisions of 40 CFR Part 63 Subpart LLLLL, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart LLLLL</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	April 29, 2003	[68 FR 22976]

**102 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart LLLLL</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Revision	Vol. 68	May 7, 2003	[68 FR 24562]
Revision	Vol. 70	May 17, 2005	[70 FR 28360]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	March 12, 2020	[85 FR 14526]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart MMMMM, shall be revised as follows:**

**Subpart MMMMM - “National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations”**

The provisions of 40 CFR Part 63 Subpart MMMMM, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart MMMMM</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	April 14, 2003	[68 FR 18062]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart NNNNN, shall be revised as follows:**

**Subpart NNNNN - “National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production”**

The provisions of 40 CFR Part 63 Subpart NNNNN, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart NNNNN</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	April 17, 2003	[68 FR 19076]
Revision	Vol. 71	April 7, 2006	[71 FR 17738]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	April 15, 2020	[85 FR 20855]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart PPPPP, shall be revised as follows:**

**Subpart PPPPP - “National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stand”**

The provisions of 40 CFR Part 63 Subpart PPPPP, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart P P P P P			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 68	May 27, 2003	[68 FR 28774]
Revision	Vol. 68	August 28, 2003	[68 FR 51830]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	June 3, 2020	[85 FR 34326]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart Q Q Q Q Q, shall be revised as follows:**

**Subpart Q Q Q Q Q - “National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities”**

The provisions of 40 CFR Part 63 Subpart Q Q Q Q Q, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart Q Q Q Q Q			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 67	October 18, 2002	[67 FR 64498]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 84	February 8, 2019	[84 FR 2742]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart R R R R R, shall be revised as follows:**

**Subpart R R R R R - “National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing”**

The provisions of 40 CFR Part 63 Subpart R R R R R, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart R R R R R			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 68	October 30, 2003	[68 FR 61868]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	July 28, 2020	[85 FR 45476]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart S S S S S, shall be revised as follows:**

**Subpart S S S S S - “National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing”**

The provisions of 40 CFR Part 63 Subpart S S S S S, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

**104 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart SSSSS</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	April 16, 2003	[68 FR 18730]
Revision	Vol. 71	February 13, 2006	[71 FR 7415]
Revision	Vol. 71	April 14, 2006	[71 FR 19435]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart TTTTT, shall be revised as follows:**

**Subpart TTTTT - “National Emissions Standards for Hazardous Air Pollutants for Primary Magnesium Refining”**

The provisions of 40 CFR Part 63 Subpart TTTTT, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart TTTTT</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 68	October 10, 2003	[68 FR 58615]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart UUUUU, shall be revised as follows:**

**Subpart UUUUU - “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units”**

The provisions of 40 CFR Part 63 Subpart UUUUU, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart UUUUU</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 77	February 16, 2012	[77 FR 9304]
Revision	Vol. 77	April 19, 2012	[77 FR 23399]
Revision	Vol. 77	August 2, 2012	[77 FR 45967]
Revision	Vol. 78	April 24, 2013	[78 FR 24073]
Revision	Vol. 79	November 19, 2014	[79 FR 68777, 68795]
Revision	Vol. 80	March 24, 2015	[80 FR 15510]
Revision	Vol. 81	April 6, 2016	[81 FR 20172]
Revision	Vol. 82	April 6, 2017	[82 FR 16736]
Revision	Vol. 83	November 14, 2018	[83 FR 56713]
Revision	Vol. 85	April 15, 2020	[85 FR 20838]
Revision	Vol. 85	September 9, 2020	[85 FR 55744]

**Regulation 61-62.63, Subpart WWWW, shall be revised as follows:**

**Subpart WWWW - “National Emission Standards for Hospital Ethylene Oxide Sterilizers”**

The provisions of 40 CFR Part 63 Subpart WWWW, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart WWWW			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	December 28, 2007	[72 FR 73611]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart ZZZZ, shall be revised as follows:**

**Subpart ZZZZ - “National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources”**

The provisions of 40 CFR Part 63 Subpart ZZZZ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart ZZZZ			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 73	January 2, 2008	[73 FR 226]
Revision	Vol. 85	September 10, 2020	[85 FR 56080]

**Regulation 61-62.63, Subpart BBBB, shall be revised as follows:**

**Subpart BBBB - “National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities”**

The provisions of 40 CFR Part 63 Subpart BBBB, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart BBBB			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 73	January 10, 2008	[73 FR 1916]
Revision	Vol. 73	March 7, 2008	[73 FR 12275]
Revision	Vol. 76	January 24, 2011	[76 FR 4156]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart CCCCC, shall be revised as follows:**

**Subpart CCCCC - “National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities”**

The provisions of 40 CFR Part 63 Subpart CCCCC, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.



**106 FINAL REGULATIONS**

<b>40 CFR Part 63 Subpart CCCCCC</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 73	January 10, 2008	[73 FR 1916]
Revision	Vol. 73	March 7, 2008	[73 FR 12275]
Revision	Vol. 73	June 25, 2008	[73 FR 35939]
Revision	Vol. 76	January 24, 2011	[76 FR 4156]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart HHHHHH, shall be revised as follows:**

**Subpart HHHHHH - “National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources”**

The provisions of 40 CFR Part 63 Subpart HHHHHH, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart HHHHHH</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 73	January 9, 2008	[73 FR 1738]
Revision	Vol. 73	February 13, 2008	[73 FR 8408]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart PPPPPP, shall be revised as follows:**

**Subpart PPPPPP - “National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources”**

The provisions of 40 CFR Part 63 Subpart PPPPPP, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart PPPPPP</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 72	July 16, 2007	[72 FR 38864]
Revision	Vol. 73	March 26, 2008	[73 FR 15923]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart QQQQQQ, shall be revised as follows:**

**Subpart QQQQQQ - “National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources”**

The provisions of 40 CFR Part 63 Subpart QQQQQQ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart QQQQQQ</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 72	July 16, 2007	[72 FR 38864]

40 CFR Part 63 Subpart QQQQQQ			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 73	March 26, 2008	[73 FR 15923]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart RRRRRR, shall be revised as follows:**

**Subpart RRRRRR - “National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources”**

The provisions of 40 CFR Part 63 Subpart RRRRRR, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart RRRRRR			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	December 26, 2007	[72 FR 73180]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart TTTTTT, shall be revised as follows:**

**Subpart TTTTTT - “National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources”**

The provisions of 40 CFR Part 63 Subpart TTTTTT, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart TTTTTT			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	December 26, 2007	[72 FR 73180]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart WWWWWW, shall be revised as follows:**

**Subpart WWWWWW - “National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations”**

The provisions of 40 CFR Part 63 Subpart WWWWWW, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart WWWWWW			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 73	July 1, 2008	[73 FR 37728]
Revision	Vol. 76	June 20, 2011	[76 FR 35744]
Revision	Vol. 76	September 19, 2011	[76 FR 57913]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**108 FINAL REGULATIONS**

**Regulation 61-62.63, Subpart XXXXXX, shall be revised as follows:**

**Subpart XXXXXX - “National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories”**

The provisions of 40 CFR Part 63 Subpart XXXXXX, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart XXXXXX</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 73	July 23, 2008	[73 FR 42978]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart YYYYYY, shall be revised as follows:**

**Subpart YYYYYY - “National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities”**

The provisions of 40 CFR Part 63 Subpart YYYYYY, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart YYYYYY</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 73	December 23, 2008	[73 FR 78637]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart AAAAAA, shall be revised as follows:**

**Subpart AAAAAA - “National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing”**

The provisions of 40 CFR Part 63 Subpart AAAAAA, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart AAAAAA</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 74	December 2, 2009	[74 FR 63236]
Revision	Vol. 75	March 18, 2010	[75 FR 12988]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart BBBB BBB, shall be revised as follows:**

**Subpart BBBB BBB - “National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry”**

The provisions of 40 CFR Part 63 Subpart BBBB BBB, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart BBBB			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 74	December 30, 2009	[74 FR 69194]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart CCCCCC, shall be revised as follows:**

**Subpart CCCCCC - “National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing”**

The provisions of 40 CFR Part 63 Subpart CCCCCC, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart CCCCCC			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 74	December 3, 2009	[74 FR 63504]
Revision	Vol. 75	March 5, 2010	[75 FR 10184]
Revision	Vol. 75	June 3, 2010	[75 FR 31317]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**Regulation 61-62.63, Subpart HHHHHH, shall be revised as follows:**

**Subpart HHHHHH - “National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production”**

The provisions of 40 CFR Part 63 Subpart HHHHHH, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart HHHHHH			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 77	April 17, 2012	[77 FR 22848]
Revision	Vol. 85	November 19, 2020	[85 FR 73854]

**61-62.70, Title V Operating Permit Program.**

**Regulation 61-62.70.3 (a)(4) and (a)(5), shall be revised as follows:**

- (4) Any affected source under the Title IV Acid Rain Program; and
- (5) Any source in a source category designated by the Administrator pursuant to this Section.

**Regulation 61-62.70.6 (e)(2) and (e)(3), shall be revised as follows:**

- (2) Requirements that the owner or operator notify the Department at least 10 days in advance of each change in location;
- (3) Conditions that assure compliance with all other provisions of this Section; and

## 110 FINAL REGULATIONS

### **Regulation 61-62.70.7 (h)(2) shall be revised as follows:**

(2) The notice shall identify the affected facility; the name and address of the permittee; the name and address of the Department; the activity or activities involved in the permit action; the emissions change involved in any permit modification; the name, address, and telephone number of a person (or an email or website address) from whom interested persons may obtain additional information, including copies of the permit draft, the statement required by Section 70.7(a)(5) (sometimes referred to as the ‘statement of basis’), the application, all relevant supporting materials, including any permit application, statement of basis, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to Section 114(c) of the Act (the contents of a Part 70 permit shall not be entitled to protection under Section 114(c) of the Act), and all other materials available to the Department (except for publicly-available materials and publications) that are relevant to the permit decision; a brief description of the comment procedures required by this part; and the time and place of any hearing that may be held, including a statement of procedures to request a hearing (unless a hearing has already been scheduled);

### **Regulation 61-62.70.7 (h)(3), shall be revised as follows:**

(3) The Department shall provide such notice and opportunity for participation by affected States as is provided for by Section 70.8;

### **Regulation 61-62.70.7 (h)(5), shall be revised as follows:**

(5) The Department shall keep a record of the commenters and also of the issues raised during the public participation process as well as records of the written comments submitted during that process, so that the Administrator may fulfill his obligation under Section 505(b)(2) of the Act to determine whether a citizen petition may be granted, and such records shall be available to the public.

### **Regulation 61-62.70.7 (h)(6), shall be added in alpha-numeric order as follows:**

(6) The Department must respond in writing to all significant comments raised during the public participation process, including any such written comments submitted during the public comment period and any such comments raised during any public hearing on the permit.

### **Regulation 61-62.70.8 (a)(1), shall be revised as follows:**

(1) Unless otherwise agreed to between the Department and the Administrator, the Department shall provide to the Administrator a copy of each permit application (including any application for significant or minor permit modification), the statement required by Section 70.7(a)(5) (sometimes referred to as the ‘statement of basis’), each proposed permit, each final Part 70 permit, and, if significant comment is received during the public participation process, the written response to comments (which must include a written response to all significant comments raised during the public participation process on the draft permit and recorded under Section 70.7(h)(5)), and an explanation of how those public comments and the Department’s responses are available to the public. The applicant may be required by the Department to provide a copy of the permit application (including the compliance plan) directly to the Administrator. Upon agreement with the Administrator, the Department may submit to the Administrator a permit application summary form and any relevant portion of the permit application and compliance plan, in place of the complete permit application and compliance plan. To the extent practicable, the preceding information shall be provided in a computer-readable format compatible with EPA’s national database management system.

(i) Where the public participation process for a draft permit concludes before the proposed permit is submitted to the Administrator, the statement required by Section 70.7(a)(5) (sometimes referred to as the ‘statement of basis’) and the written response to comments, if significant comment was received during the public participation process, must be submitted with the proposed permit along with other supporting materials

required in Section 70.8(a)(1), excepting the final permit. The Administrator's forty-five (45) day review period for this proposed permit will not begin until such materials have been received by the EPA.

(ii) In instances where the Administrator has received a proposed permit from the Department before the public participation process on the draft permit has been completed, the statement required by Section 70.7(a)(5) (sometimes referred to as the 'statement of basis') must be submitted with the proposed permit along with other supporting materials, required in Section 70.8(a)(1), excepting the final permit and the written response to comments. If the Department receives significant comment on the draft permit during the public participation process, but after the submission of the proposed permit to the Administrator, the Administrator will no longer consider the submitted proposed permit as a permit proposed to be issued under section 505 of the Act. In such instances, the Department must make any revisions to the permit and permit record necessary to address such public comments, including preparation of a written response to comments (which must include a written response to all significant comments raised during the public participation process on the draft permit and recorded under Section 70.7(h)(5)), and must submit the proposed permit and the supporting material required under Section 70.8(a)(1)(i), excepting the final permit, to the Administrator after the public comment period has closed. This later-submitted permit will then be considered as a permit proposed to be issued under section 505 of the Act, and the Administrator's review period for the proposed permit will not begin until all required materials have been received by the EPA.

**Regulation 61-62.70.8 (c)(1), shall be revised as follows:**

(1) No permit for which an application must be transmitted to the Administrator under Section 70.8(a) shall be issued if the Administrator objects to its issuance in writing within 45 days of receipt of the proposed permit and all necessary supporting information required under Section 70.8(a)(1), including under Section 70.8(a)(1)(i) or (ii) where applicable.

**Regulation 61-62.70.8 (d), shall be revised as follows:**

(d) Public petitions to the Administrator. If the Administrator does not object in writing under Section 70.8(c), any person may petition the Administrator within 60 days after the expiration of the Administrator's 45-day review period to make such objection. The petitioner shall provide a copy of such petition to the Department and the applicant. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in Section 70.7(h), unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. If the Administrator objects to the permit as a result of a petition filed under this paragraph, the Department shall not issue the permit until EPA's objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and prior to an EPA objection. If the Department has issued a permit prior to receipt of an EPA objection under this paragraph, the Administrator will modify, terminate, or revoke such permit, and shall do so consistent with the procedures in Sections 70.7(g)(4) or (5)(i) and (ii) except in unusual circumstances, and the Department may thereafter issue only a revised permit that satisfies EPA's objection. In any case, the source will not be in violation of the requirement to have submitted a timely and complete application.

**Statement of Need and Reasonableness:**

The following presents an analysis of the factors listed in 1976 Code Sections 1-23-115(C)(1)-(3) and (9)-(11):

DESCRIPTION OF REGULATION: Amendment of R.61-62, Air Pollution Control Regulations and Standards, and the South Carolina Air Quality Implementation Plan (SIP).

Purpose: The EPA promulgated amendments to federal air quality regulations in 2020. The recent federal amendments include clarification, guidance, and technical revisions to the SIP requirements promulgated

## 112 FINAL REGULATIONS

pursuant to 42 U.S.C. Sections 7410 and 7413; New Source Performance Standards (NSPS) and Emission Guidelines mandated by 42 U.S.C. Section 7411; and federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories mandated by 42 U.S.C. Section 7412. The Department, therefore, amends R.61-62 and the SIP to incorporate these amendments to federal standards promulgated from January 1, 2020, through December 31, 2020. The Department also amends R.61-62.70, Title V Operating Permit Program, to codify relevant federal amendments to Title V provisions to comply with federal law. Additionally, the Department amends R.61-62.5, Standard No. 7, Prevention of Significant Deterioration (PSD), and R.61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR), to incorporate EPA's clarification of Project Emissions Accounting, to incorporate EPA's corrections to NSR regulations, and to make other amendments, as necessary, to maintain compliance with federal law. The Department makes corrections for internal consistency, clarification, and codification, to improve the overall text as necessary for compliance with federal law.

Legal Authority: 1976 Code Sections 48-1-10 et seq., and the Clean Air Act, 42 U.S.C. Sections 7410, 7413, and 7416.

Plan for Implementation: The amendments will take legal effect upon publication in the State Register. Department personnel will then take appropriate steps to inform the regulated community of the amendments. Additionally, a copy of the regulation will be posted on the Department's website, accessible at [www.scdhec.gov/regulations-table](http://www.scdhec.gov/regulations-table). Printed copies may also be requested, for a fee, from the Department's Freedom of Information Office.

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

The EPA promulgates amendments to its air quality regulations throughout each calendar year. Federal amendments in 2020 included revised NSPS and Emission Guideline rules and NESHAPs for Source Categories, and amendments to PSD, NSR, and Title V permitting provisions. The Department adopts these federal amendments to maintain compliance with federal law, as the EPA has delegated South Carolina authority for implementation and enforcement of these federal regulations. These amendments are reasonable, as they promote consistency and ensure compliance with both state and federal regulations. These amendments also include corrections for internal consistency, clarification, chemical nomenclature, codification, and spelling to improve the overall text as necessary to ensure compliance with federal law.

### DETERMINATION OF COSTS AND BENEFITS:

There is no anticipated increase in costs to the state or its political subdivisions resulting from these revisions. The standards adopted are already in effect and applicable to the regulated community as a matter of federal law, thus the amendments do not present a new cost to the regulated community. The amendments incorporate the revisions to the EPA regulations, which the Department implements pursuant to federal delegation and the authority granted by Section 48-1-50 of the Pollution Control Act. The amendments benefit the regulated community by clarifying and updating the regulations and increasing their ease of use.

### UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates relative to the costs to the state or its political subdivisions.

### EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH:

Adoption of the recent changes in federal regulations through the amendments to Regulation 61-62, Air Pollution Control Regulations and Standards, provides continued protection of the environment and public health.

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

The state's authority to implement federal requirements, which are beneficial to the public health and environment, would be compromised if these amendments were not adopted in South Carolina.