

SOUTH CAROLINA STATE REGISTER DISCLAIMER

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SOUTH CAROLINA STATE REGISTER

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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.

2017 PUBLICATION SCHEDULE

Documents will be accepted for filing on any normal business day from 8:30 A.M. until 5:00 P.M. All documents must be submitted in the format prescribed in the *Standards Manual for Drafting and Filing Regulations*.

To be included for publication in the next issue of the *State Register*, documents will be accepted no later than 5:00 P.M. on any closing date. The modification or withdrawal of documents filed for publication must be made **by 5:00 P.M.** on the closing date for that issue.

| | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. |
|---------------------|------|------|------|------|------|------|------|------|-------|-------|-------|-------|
| Submission Deadline | 1/13 | 2/10 | 3/10 | 4/14 | 5/12 | 6/9 | 7/14 | 8/11 | 9/8 | 10/13 | 11/10 | 12/8 |
| Publishing Date | 1/27 | 2/24 | 3/24 | 4/28 | 5/26 | 6/23 | 7/28 | 8/25 | 9/22 | 10/27 | 11/24 | 12/22 |

REPRODUCING OFFICIAL DOCUMENTS

Documents appearing in the *State Register* are prepared and printed at public expense. Media services are encouraged to give wide publicity to documents printed in the *State Register*.

PUBLIC INSPECTION OF DOCUMENTS

Documents filed with the Office of the State Register are available for public inspection during normal office hours, 8:30 A.M. to 5:00 P.M., Monday through Friday. The Office of the State Register is in the Legislative Council, Fourth Floor, Rembert C. Dennis Building, 1000 Assembly Street, in Columbia. Telephone inquiries concerning material in the *State Register* or the *South Carolina Code of Regulations* may be made by calling (803) 212-4500.

ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS

To adopt, amend or repeal a regulation, an agency must publish in the *State Register* a Notice of Drafting; a Notice of the Proposed Regulation that contains an estimate of the proposed action's economic impact; and, a notice that gives the public an opportunity to comment on the proposal. If requested by twenty-five persons, a public hearing must be held at least thirty days after the date of publication of the notice in the *State Register*.

After the date of hearing, the regulation must be submitted to the General Assembly for approval. The General Assembly has one hundred twenty days to consider the regulation. If no legislation is introduced to disapprove or enacted to approve before the expiration of the one-hundred-twenty-day review period, the regulation is approved on the one hundred twentieth day and is effective upon publication in the *State Register*.

EMERGENCY REGULATIONS

An emergency regulation may be promulgated by an agency if the agency finds imminent peril to public health, safety or welfare. Emergency regulations are effective upon filing for a ninety-day period. If the original filing began and expired during the legislative interim, the regulation can be renewed once.

REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW

Regulations promulgated to comply with federal law are exempt from General Assembly review. Following the notice of proposed regulation and hearing, regulations are submitted to the *State Register* and are effective upon publication.

EFFECTIVE DATE OF REGULATIONS

Final Regulations take effect on the date of publication in the *State Register* unless otherwise noted within the text of the regulation.

Emergency Regulations take effect upon filing with the Legislative Council and remain effective for ninety days. If the original ninety-day period begins and expires during legislative interim, the regulation may be refiled for one additional ninety-day period.

SUBSCRIPTIONS

The *South Carolina State Register* is available electronically through the South Carolina Legislature Online website at www.scstatehouse.gov, or in a printed format. Subscriptions run concurrent with the State of South Carolina's fiscal year (July through June). The annual subscription fee for the printed format is \$100.00. Payment must be made by check payable to the Legislative Council. To subscribe, complete the form below and mail with payment.

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REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 1

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

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

2 REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

| | | | |
|--|--|---------|---|
| 4671 | WIC Vendors | 5/10/17 | Department of Health and Envir Control |
| 4736 | Shellfish | 5/10/17 | Department of Health and Envir Control |
| 4695 | Administrative and Professional Personnel Qualifications, Duties and Workloads | 5/11/17 | State Board of Education |
| 4700 | Defined Program, Grades 9-12 and Graduation Requirements | 5/11/17 | State Board of Education |
| 4728 | Free Tuition for Residents Sixty Years of Age | 1/10/18 | Commission on Higher Education |
| 4730 | South Carolina National Guard College Assistance Program | 1/10/18 | Commission on Higher Education |
| 4729 | Determination of Rates of Tuition and Fees | 1/12/18 | Commission on Higher Education |
| 4678 | Investigation Procedures | 1/18/18 | South Carolina Human Affairs Commission |
| 4665 | Examples of the Application of Tax to Various Charges Imposed by Hotels, Motels, and Other Facilities | 1/19/18 | Department of Revenue |
| 4741 | Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas | 1/23/18 | Department of Natural Resources |
| 4727 | Term and Conditions for the Public's Use of State Lakes and Ponds Owned or Leased by the Department of Natural Resources | 1/26/18 | Department of Natural Resources |
| Resolution Introduced to Disapprove | | | |
| 4734 | Minimum Specifications and Practice Standards Governing Pharmacies and Pharmacists Engaged in Nonsterile and Sterile Compounding | Tolled | LLR-Board of Pharmacy |
| Permanently Withdrawn | | | |
| 4710 | Board of Barber Examiners | | LLR |

COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 3

In order by General Assembly review expiration date
The history, status, and full text of these regulations are available on the
South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>

| DOC. No. | SUBJECT | HOUSE COMMITTEE | SENATE COMMITTEE |
|-------------|--|-----------------------------------|-----------------------------------|
| 4624 | Professional Employer Organizations | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4625 | Licensing Standards for Continuing Care Retirement Communities | Regulations and Admin. Procedures | Medical Affairs |
| 4649 | Securities Division | Regulations and Admin. Procedures | Banking and Insurance |
| 4656 | At-Risk Students | Regulations and Admin. Procedures | Education |
| 4657 | Minimum Standards of Student Conduct and Disciplinary Enforcement Procedures to be Implemented by Local School Districts | Regulations and Admin. Procedures | Education |
| 4658 | Operation of Public Pupil Transportation Services | Regulations and Admin. Procedures | Education |
| 4659 | School Resource Officers | Regulations and Admin. Procedures | Education |
| 4664 | Hotels, Motels, and Similar Facilities | Regulations and Admin. Procedures | Finance |
| 4683 | Transportation Project Prioritization | Regulations and Admin. Procedures | Transportation |
| 4684 | Secretary of Transportation Approval of Actions | Regulations and Admin. Procedures | Transportation |
| 4685 | Commission Approval of Actions | Regulations and Admin. Procedures | Transportation |
| 4719 | Maximum Time for Certification | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4714 | Adoption of Model Codes | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4716 | IRC Section R502.11.4 Truss Design | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4718 | IRC Section R802.10.1 Wood Truss Design | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4721 | Board of Registration for Foresters | Regulations and Admin. Procedures | Fish, Game and Forestry |
| 4713 | Barbershop Requirements; Applications for Inspection and Registration and Shop License | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4712 | Purpose and Definitions | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4711 | Real Estate Commission | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4717 | IRC Section R703.4 Flashing | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4720 | Sanitary and Safety Rules for Salons and Schools | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4723 | Examinations; Apprenticeship; and Continuing Education Requirements | Regulations and Admin. Procedures | Medical Affairs |
| 4724 | Amend Regulations 105-2 through 105-13 to Comport with 2016 Act 170 | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4722 | Administrator-in-Training Program Requirements | Regulations and Admin. Procedures | Medical Affairs |
| 4689 | Check Cashing Services | Regulations and Admin. Procedures | Banking and Insurance |
| 4690 | Mortgage Lending | Regulations and Admin. Procedures | Banking and Insurance |
| 4715 | Energy Standards Appeal Procedure | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4675 | Complaint | Regulations and Admin. Procedures | Judiciary |
| 4676 | Employment Records to be Retained for Six Months | Regulations and Admin. Procedures | Judiciary |
| 4677 | Investigation and Production of Evidence | Regulations and Admin. Procedures | Judiciary |
| 4679 | Issuance of Complaint | Regulations and Admin. Procedures | Judiciary |
| 4680 | Pleadings, Motions and Discoveries | Regulations and Admin. Procedures | Judiciary |
| 4681 | Preservation of Records in Event of Charge of Discrimination | Regulations and Admin. Procedures | Judiciary |
| 4682 | Procedure for the Institution of Civil Actions as Provided in Section 1-13-90(d) of the Act | Regulations and Admin. Procedures | Judiciary |
| 4702 | Cigarette Taxes | Regulations and Admin. Procedures | Finance |
| 4686 | General Regulations; and Additional Regulations Applicable to Specific Properties | Regulations and Admin. Procedures | Fish, Game and Forestry |
| 4687 | Wildlife Management Area Regulations; and Turkey Hunting Rules and Seasons | Regulations and Admin. Procedures | Fish, Game and Forestry |
| 4703 | State Emergency Management Standards | Regulations and Admin. Procedures | General |
| 4655 | Plant Nursery Regulations | Regulations and Admin. Procedures | Agriculture and Natural Resources |
| 4705 | Drycleaning Facility Restoration | Regulations and Admin. Procedures | Medical Affairs |
| 4692 | Appeals to the Appellate Panel | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4693 | Work Search | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4731 | Exemption Meals Sold to School Children | Regulations and Admin. Procedures | Finance |
| 4697 | Career or Technology Centers/Comprehensive High Schools | Regulations and Admin. Procedures | Education |
| 4707 | Discount Medical Plan Certificate of Registration | Regulations and Admin. Procedures | Banking and Insurance |
| 4698 | Certification Requirements | Regulations and Admin. Procedures | Education |
| 4701 | Requirements for Additional Areas of Certification | Regulations and Admin. Procedures | Education |
| 4699 | Credential Classification | Regulations and Admin. Procedures | Education |
| 4708 | Motor Club Certificate of Authority | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4709 | Prepaid Legal Services Certificate of Registration | Regulations and Admin. Procedures | Banking and Insurance |
| 4735 | Chapter Revisions | Regulations and Admin. Procedures | Judiciary |
| 4696 | Advanced Placement | Regulations and Admin. Procedures | Education |
| 4691 | Appeals to Appeal Tribunal | Regulations and Admin. Procedures | Labor, Commerce and Industry |
| 4704 | The Evaluation of School Employees for Tuberculosis | Regulations and Admin. Procedures | Medical Affairs |
| 4706 | Underground Storage Tank Control Regulations | Regulations and Admin. Procedures | Medical Affairs |
| 4671 | WIC Vendors | Regulations and Admin. Procedures | Medical Affairs |
| 4736 | Shellfish | Regulations and Admin. Procedures | Medical Affairs |

4 COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

| | | | |
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| 4695 | Administrative and Professional Personnel Qualifications, Duties and Workloads | Regulations and Admin. Procedures | Education |
| 4700 | Defined Program, Grades 9-12 and Graduation Requirements | Regulations and Admin. Procedures | Education |
| 4728 | Free Tuition for Residents Sixty Years of Age | Regulations and Admin. Procedures | Education |
| 4730 | South Carolina National Guard College Assistance Program | Regulations and Admin. Procedures | Education |
| 4729 | Determination of Rates of Tuition and Fees | Regulations and Admin. Procedures | Education |
| 4678 | Investigation Procedures | Regulations and Admin. Procedures | Judiciary |
| 4665 | Examples of the Application of Tax to Various Charges Imposed by Hotels, Motels, and Other Facilities | Regulations and Admin. Procedures | Finance |
| 4741 | Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas | Regulations and Admin. Procedures | Fish, Game and Forestry |
| 4727 | Term and Conditions for the Public's Use of State Lakes and Ponds Owned or Leased by the Department of Natural Resources | Regulations and Admin. Procedures | Fish, Game and Forestry |
| Resolution Introduced to Disapprove | | | |
| 4734 | Minimum Specifications and Practice Standards Governing Pharmacies and Pharmacists Engaged in Nonsterile and Sterile Compounding | Regulations and Admin. Procedures | Medical Affairs |
| Permanently Withdrawn | | | |
| 4710 | Board of Barber Examiners | Regulations and Admin. Procedures | Labor, Commerce and Industry |

Executive Order No. 2017-04

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

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

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

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

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

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

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

**HENRY MCMASTER
Governor**

6 NOTICES

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

In accordance with Section 44-7-200(D), Code of Laws of South Carolina, the public is hereby notified that a Certificate of Need application has been accepted for filing and publication March 24, 2017 for the following project(s). After the application is deemed complete, affected persons will be notified that the review cycle has begun. For further information, please contact Nic Gerrald, Certificate of Need Program, 2600 Bull Street, Columbia, SC 29201 at (803) 545-3495.

Affecting Beaufort County

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

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

Affecting Berkeley County

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

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

Affecting Colleton County

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

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

Affecting Dorchester County

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

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

Affecting Georgetown County

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

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

Affecting Horry County

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

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

Affecting Lexington County

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

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

Affecting Orangeburg County

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

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

In accordance with Section 44-7-210(A), Code of Laws of South Carolina, and S.C. DHEC Regulation 61-15, the public and affected persons are hereby notified that for the following projects, applications have been deemed complete, and the review cycle has begun. A proposed decision will be made as early as 30 days, but no later than 120 days, from March 24, 2017. "Affected persons" have 30 days from the above date to submit requests for a public hearing to Nic Gerrald, Certificate of Need Program, 2600 Bull Street, Columbia, S.C. 29201. If a public hearing is timely requested, the Department's decision will be made after the public hearing, but no later than 150 days from the above date. For further information call (803) 545-3495.

Affecting Charleston County

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

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

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

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

Affecting Lexington County

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

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

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

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

Affecting Marion County

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

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

Affecting Richland County

Carolina Interventional Pain Institute, LLC

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

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

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

Palmetto Health d/b/a Palmetto Health

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

Affecting York County

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

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

8 NOTICES

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

Notice of Termination
State Register Document No. 4667

March 24, 2017

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

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

Notice of Five-Year Review and Opportunity for Public Comment

March 24, 2017

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

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

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE OF PUBLIC HEARING OCCUPATIONAL SAFETY AND HEALTH STANDARDS

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

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

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

In Subarticle 6 (General Industry):

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

In Subarticle 7 (Construction):

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

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

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

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

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

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

10 DRAFTING NOTICES

DEPARTMENT OF SOCIAL SERVICES

CHAPTER 114

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

Notice of Drafting:

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

Synopsis:

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

Legislative review of this proposal will be required.