

SOUTH CAROLINA STATE REGISTER DISCLAIMER

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SOUTH CAROLINA STATE REGISTER

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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.

2012 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	3/9	4/13	5/11	6/8	7/13	8/10	9/14	10/12	11/9	12/14
Publishing Date	1/27	2/24	3/23	4/27	5/25	6/22	7/27	8/24	9/28	10/26	11/23	12/28

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.

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NATURAL RESOURCES, DEPARTMENT OF

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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
4210			Licensed Midwives	5/08/13	Department of Health and Envir Control
4259			South Carolina Immunization Registry	5/08/13	Department of Health and Envir Control

2 COMMITTEE LIST OF 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.	SUBJECT	HOUSE COMMITTEE	SENATE COMMITTEE
4210	Licensed Midwives		
4259	South Carolina Immunization Registry		

Executive Order No. 2012-08

WHEREAS, the Grand Jurors of Orangeburg County indicted James Arren Preacher, Jr., Mayor of the Town of Norway, on July 18, 2012, for impersonating a law enforcement officer in violation of Section 16-17-720 of the South Carolina Code of Laws and for official misconduct to include receiving an increased salary without approval from the Norway Town Council and violating the anti-nepotism law, Section 8-13-750, all in violation of the Common Law of South Carolina; and

WHEREAS, South Carolina law recognizes that “an act in which fraud is an ingredient involves moral turpitude...,” see *State v. Horton*, 248 S.E.2d 263 (1978); *In re Derrick*, 392 S.E.2d 180 (1990), and the above-referenced indictment includes a crime that involves moral turpitude; and

WHEREAS, James Arren Preacher, Jr. is an officer of a political subdivision of the State and Article VI, Section 8, of the South Carolina Constitution provides that “[a]ny officer of the State or its political subdivisions...who has been indicted by a grand jury for a crime involving moral turpitude...may be suspended by the Governor until he shall have been acquitted;” and

WHEREAS, a certified true copy of the indictment against James Arren Preacher, Jr. has been provided to me.

NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and Statutes of the State of South Carolina, I hereby suspend James Arren Preacher, Jr. from the office of Mayor of the Town of Norway until such time as he shall be formally acquitted or convicted.

This action in no manner addresses the question of the guilt or innocence of James Arren Preacher, Jr. and should not be construed as an expression of any opinion one way or another on such question.

This Order shall take effect immediately.

**GIVEN UNDER MY HAND AND THE GREAT
SEAL OF THE STATE OF SOUTH CAROLINA,
THIS 18th DAY OF JULY, 2012.**

**NIKKI R. HALEY
Governor**

4 NOTICES

STATE BOARD OF EDUCATION

ERRATA

43-273. Transfers and Withdrawals (Document No. 4285)

Transfers and Withdrawals, appears in the April 27, 2012 *State Register* on page 41. The public hearing date has been changed from August 8, 2012 to September 12, 2012 at 1 pm.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

(Bureau of Air Quality Notice #12-076-GCM-N)

Statutory Authority: S.C. Code Section 48-1-10 et seq.

The South Carolina Department of Health and Environmental Control (DHEC) is proposing to issue general air pollution operating permits for Petroleum Distribution Operations. Interested persons may review the materials drafted and maintained by DHEC for this permit and submit written comments by 5:00 p.m. on September 24, 2012, to Karen Lee at SC DHEC, Engineering Services Division, Bureau of Air Quality, 2600 Bull Street, Columbia, SC 29201 or by e-mail at: leeka@dhec.sc.gov. This public notice is being published in the *State Register* on August 24, 2012, and may also be viewed, along with the draft permit and Statement of Basis, through September 24, 2012, on DHEC's website: <http://www.scdhec.gov/environment/baq/publicnotice.asp>.

Where there is a significant amount of public interest, DHEC may hold a public hearing to receive additional comments. If a public hearing is scheduled, notice will be given in the *State Register* and local newspapers thirty (30) days in advance. Public hearing requests can be made in writing or by e-mail to Karen Lee at the address or e-mail above. All comments received by September 24, 2012, will be considered when making a decision to approve, disapprove, or modify the draft permits.

If you have questions concerning the draft permits, please contact Alyson Hayes at (803) 898-4123. A final review request may be filed after the permit decision has been made. Information regarding final review procedures is available from DHEC's legal office by calling (803) 898-3350.

Synopsis:

The purpose of a general permit is to cover a large number of facilities that have similar operations. Such permits limit a facility's potential to emit below major source thresholds for the Title V permit program and contain conditions to assure that these facilities are operated as non-major sources.

DHEC has examined Petroleum Distribution Operations and has concluded that the general permit, as proposed, is consistent with state and federal air pollution regulations.

Once a general permit is issued, any eligible facility may request coverage under that permit. DHEC will maintain a list of those facilities that receive authorization to operate under a general permit.

Petroleum Distribution Operations, for purposes of this permit, will cover a variety of sources which provide bulk storage and distribution of gasoline, petroleum distillates, fuel additives and ethanol.

Criteria for a General Conditional Major Operating Permit for Petroleum Distribution Operations:

1. A facility may only have the following sources at the facility: storage tanks, loading racks with associated control devices where applicable, emergency generators and other sources that are exempt per S.C. Regulation 61-62.1, Section II(B), and other approved equipment.

2. Operational restrictions will limit the facility's potential to emit to below major source thresholds for Title V, Nonattainment New Source Review and Prevention of Significant Deterioration. Specifically, criteria pollutants are limited to less than 100 tons per year each, any single hazardous air pollutant (HAP) to less than 10 TPY, and any combination of HAPs to less than 25 TPY.

3. The facility is not subject to 40 CFR 63 Subpart R (National Emission Standards For Gasoline Distribution Facilities (Bulk Gasoline Terminals And Pipeline Breakout Stations)).

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 August 24, 2012, 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 Mrs. Paula J. Bracey, Division of Planning and Certification of Need, 2600 Bull St., Columbia, SC 29201 at (803) 545-4200.

Affecting Beaufort County

Provision of emergency Percutaneous Coronary Intervention (PCI) or primary PCI services
Beaufort Memorial Hospital
Beaufort, South Carolina
Project Cost: \$300,000

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 August 24, 2012. "Affected persons" have 30 days from the above date to submit comments or requests for a public hearing to Mr. Les W. Shelton, Division of Planning and Certification of Need, 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) 545-4200.

Affecting Charleston County

Expansion and renovation of the Radiation Oncology Department to include the addition of a third (3rd) linear accelerator on the campus of Trident Medical Center
Trident Medical Center, LLC
Charleston, South Carolina
Project Cost: \$8,670,000

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Affecting Laurens County

Renovation of existing space for the replacement of an eight (8)-slice CT scanner, with a fixed one hundred twenty-eight (128)-slice CT scanner, to be located in the Radiology Department
Laurens County Hospital
Clinton, South Carolina
Project Cost: \$1,488,414

Affecting Lexington County

Renovation for the addition of a dedicated Electrophysiology (EP) laboratory
Lexington Medical Center
West Columbia, South Carolina
Project Cost: \$ 2,675,566

Affecting Marion County

Replacement of a mobile Magnetic Resonance Imaging (MRI) unit currently available three days a week with a fixed 1.5T magnetic resonance imaging (MRI) unit
QHG of South Carolina, Inc. d/b/a Marion Regional Hospital
Mullins, South Carolina
Project Cost: \$1,753,709

Affecting Pickens County

Addition of sixteen (16) community nursing home beds, which will not participate in the Medicaid (Title XIX) Program, for a total of sixty (60) community nursing home beds
EmeriCare Countryside Village LLC d/b/a Emeritus at Countryside Health Care Center
Easley, South Carolina
Project Cost: \$1,875,000

Affecting York County

Construction for the establishment of a sixty (60) bed nursing care facility that does not participate in the Medicaid (Title XIX) Program
Wellmore of Tega Cay, LLC
York, South Carolina
Project Cost: \$14,873,414

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

South Carolina Department of Health and Environmental Control vs. Horton Sales Development Corp., et al.,
Civil Action No. 6:11cv1657-HMH

DHEC-Bureau of Land and Waste Management, File #56198
Horton Sales Development Corporation—Piedmont Site

NOTICE OF: SETTLEMENT, CONTRIBUTION PROTECTION, AND COMMENT PERIOD

PLEASE TAKE NOTICE that the South Carolina Department of Health and Environmental Control (DHEC) intends to enter into a Settlement Agreement (Agreement) with Chem-Tex, Inc. (Settling Defendant). Upon approval by the Court, the Agreement provides a settlement payment of \$25,000 to DHEC as final judgment against the Settling Defendant. The Agreement is subject to a thirty-day public comment period, consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9622, and the South Carolina Hazardous Waste Management Act (HWMA), S.C. Code Ann. § 44-56-200 (as amended).

The Agreement relates to the release, and threatened release, of hazardous substances, pollutants, or contaminants at the former Horton Sales Development Corporation—Piedmont Site located in Greenville County, at 1870 Piedmont Highway, Piedmont, South Carolina. In consideration of the foregoing, the Agreement provides for a release of the Settling Defendant from further liability and confers contribution protection to the Settling Defendant pursuant to CERCLA 42 U.S.C. § 9613.

Notice of Settlement, Contribution Protection and Comment Period will be provided to potentially responsible parties via email or US mail. The Agreement is available:

- (1) On-line at http://www.dhec.sc.gov/environment/lwm/public_notice.asp; or
- (2) By contacting Pat Vincent at 803-896-4074 or vincenpl@dhec.sc.gov.

Any comments to the Agreement must be submitted in writing, postmarked no later than September 24, 2012, and addressed to: Pat Vincent, DHEC-BLWM-SARR, 2600 Bull Street, Columbia, SC 29201. The Agreement will be filed with the Court for approval.

UPON APPROVAL AND ENTRY OF THE AGREEMENT BY THE COURT, ANY AND ALL CLAIMS BY ANY AND ALL PERSONS AGAINST SETTLING DEFENDANT SEEKING CONTRIBUTION PROTECTION FOR MATTERS ENCOMPASSED BY THE AGREEMENT SHALL BE FORECLOSED.

8 NOTICES

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE OF CANCELLATION AND RESCHEDULING OF PUBLIC HEARING

State Register Document 4288
Proposed Regulation, R.61-___,
Standards for Licensing In-Home Care Providers

The Department of Health and Environmental Control published a Notice of Proposed Regulation and Opportunity for Public Comment in the *State Register* on May 25, 2012, identified as Document 4288, to promulgate a new regulation addressing standards for licensing in-home care providers. The aforementioned Notice (Document No. 4288) scheduled a Staff Informational Forum and write-in public comment period that closed June 25, 2012, and gave notice of a Public Hearing before the Department's Board for August 9, 2012.

Due to time needed for the Department to evaluate the comments received during the public comment period, the Public Hearing originally scheduled for August 9, 2012 has been cancelled and rescheduled before the Department's Board for October 11, 2012. The hearing will be held at the regularly scheduled Board meeting on October 11, 2012 in the Board Room of the Commissioner's Suite, Third Floor, Aycock Building of the Department of Health and Environmental Control, 2600 Bull St., Columbia, SC. Please use the Bull Street entrance to the building if you plan to attend.

The Board meeting commences at 10:00 a.m. at which time the Board will consider items on its agenda in the order presented. The order of presentation for public hearing 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/administration/board.htm>.

Interested persons are invited to make oral or written comments on the proposed regulation at the public hearing. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes and, as a courtesy, are asked to provide written copies of their presentations for the record. Any comments made at the public hearing will be given consideration in formulating the final version of the regulations.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

Section IV of R.61-98, the State Underground Petroleum Environmental Response Bank (SUPERB) Site Rehabilitation and Fund Access Regulation, requires that the Department of Health and Environmental Control evaluate and certify site rehabilitation contractors to perform site rehabilitation of releases from underground storage tanks under the State Underground Petroleum Environmental Response Bank (SUPERB) Act.

Class I Contractors perform work involving the collection and interpretation of investigative data; the evaluation of risk; and/or the design and implementation of corrective action plans. Class I applicants must satisfy registration requirements for a Professional Engineer or Geologist in South Carolina. Class II Contractors perform work involving routine investigative activities (e.g., soil or ground water sampling, well installation, aquifer testing) where said activities do not require interpretation of the data and are performed in accordance with established regulatory or industry standards.

Pursuant to Section IV.B.1., the Department is required to place a list of those contractors requesting certification on public notice and accept comments from the public for a period of thirty (30) days. If you wish

to provide comments regarding the companies and/or individuals listed below, please submit your comments in writing, no later than September 24, 2012 to:

Contractor Certification Program
South Carolina Department of Health and Environmental Control
Bureau of Land and Waste Management - Underground Storage Tank Program
Attn: Michelle Dennison
2600 Bull Street
Columbia, SC 29201

The following companies and/or individuals have applied for certification as Underground Storage Tank Site Rehabilitation Contractors:

Class I

Envirorisk Consultants, Inc.
Attn: Kenneth Summerour, PG
PO Box 945
Grayson, GA 30017

Apex Companies, LLC.
Attn: Christopher Randazzo
136 Fairview Rd, Ste 125
 Mooresville, NC 28117

Class II

Zava Industrial, Inc.
Attn: Win Maynard
909 E. Elm St.
Graham, NC 27253

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

ERRATA

August 24, 2012

The Department of Health and Environmental Control has conducted an audit of Regulation 61-62, Air Pollution Control Regulations and Standards, and is publishing these errata to correct errors in the regulations pertaining to 61-62.5, Standard 5. These corrections do not create new regulatory requirements, the corrections are nonsubstantive, do not change the legal meaning, and are made pursuant to regulation drafting guidelines to improve the overall quality of the Department's regulations.

Regulation 61-62.5, Standard 5, Volatile Organic Compounds
State Register Doc. 3224, October 24, 2008.

At R.61-62.5, Standard 5, Section I, Part A(1), strike the word "are" and add the word "means" for consistency. Make the first letter of the words "Dried" and "Coating" lowercase for consistency. Replace the degree symbols (°) with the text "degrees" in both instances to avoid confusion and software conversion issues, and to provide clarity and consistency. Add the word "Celsius" and add parentheses around the "C" for consistency. Add the word "Fahrenheit" and add parentheses around the "F" for consistency to read:

10 NOTICES

1. “Air dried coatings” means coatings which are dried by the use of air at temperatures up to 90 degrees Celsius (C) (194 degrees Fahrenheit (F)).

At R.61-62.5, Standard 5, Section I, Part A(3), make the first letter of the word “Dipping” lowercase in the definition title for consistency to read:

3. “Bead dipping” means the dipping of an assembled tire bead into a solvent based cement.

At R.61-62.5, Standard 5, Section I, Part A(4), make the first letter of the words “Gasoline” and “Terminal” lowercase in the definition title for consistency. Add the abbreviation for the word gallons “gal” in parentheses after the word “gallon.” Use this abbreviation hereafter for clarity and consistency. Add the abbreviation for the word liters “L” in parentheses after the word “liters.” Use this abbreviation hereafter for clarity and consistency to read:

4. “Bulk gasoline terminal” means a gasoline storage plant which receives gasoline from refineries primarily by pipeline, ship, or barge, and delivers gasoline to bulk plants or to commercial or retail accounts primarily by tank truck, and has a daily throughput of more than 20,000 gallons (gal)(76,000 liters(L)) of gasoline.

At R.61-62.5, Standard 5, Section I, Part A(6), Make the first letter of the words “Hardboard,” “Paneling,” and “Finish” lowercase in the definition title for consistency. Strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

6. “Class II hardboard paneling finish” means a finish which meets the specifications of Voluntary Product Standard PS-59-73 as approved by the American National Standards Institute.

At R.61-62.5, Standard 5, Section I, Part A(7), make the first letter of the word “Coat” lowercase in the definition title for consistency to read:

7. “Clear coat” is a coating which lacks color and opacity or is transparent and uses the under coat as a reflectant base or undertone color.

At R.61-62.5, Standard 5, Section I, Part A(8), make the first letter of the words “Application” and “System” lowercase in the definition title for consistency. Add a serial comma after the word “dryers” for consistency to read:

8. “Coating application system” means all operations and equipment which apply, convey, and dry a surface coating, including, but not limited to, spray booths, flow coaters, conveyers, flashoff areas, air dryers, and ovens.

At R.61-62.5, Standard 5, Section I, Part A(9), make the first letter of the word “Coating” lowercase in the definition title for consistency to read:

9. “Coil coating” means the coating of any flat metal sheet or strip that comes in rolls or coils. This includes protective, decorative, and functional coatings.

At R.61-62.5, Standard 5, Section I, Part A(11), strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

11. “Condenser” means a device which cools a gas stream to a temperature which removes specific organic compounds by condensation.

At R.61-62.5, Standard 5, Section I, Part A(14), make the first letter of the word “System” lowercase in the definition title for consistency. Before “VOC” write out the phrase “Volatile Organic Compound” and set off the abbreviation “VOC” with parenthesis “(VOC)” for term fluidity throughout the regulation to read:

14. “Control system” means any number of control devices and associated equipment designed and operated to reduce the quantity of Volatile Organic Compound (VOC) emitted.

At R.61-62.5, Standard 5, Section I, Part A(16), make the first letter of the word “Asphalt” lowercase in the definition title for consistency. Strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

16. “Cutback asphalt” means asphalt cement which has been liquefied by blending with petroleum solvents (diluent).

At R.61-62.5, Standard 5, Section I, Part A(18), strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

18. “Existing process” means any process described in any Part of Section II of this Standard which was in existence or under construction on the effective date of that Part.

At R.61-62.5, Standard 5, Section I, Part A(19), make the first letter of the words “Floating” and “Roof” lowercase in the definition title for consistency to read:

19. “External floating roof” means a storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which rests upon and is supported by the petroleum liquid being contained and is equipped with a closure seal or seals to close the space between the roof and tank shell.

At R.61-62.5, Standard 5, Section I, Part A(20), make the first letter of the words “Environmental” and “Conditions” lowercase in the definition title for consistency. Replace the degree symbol (°) with the text “degrees” to avoid confusion, avoid software conversion issues, and provide clarity and consistency to read:

20. “Extreme environmental conditions” means constant exposure to the weather, exposure to temperatures consistently above 95 degrees C, detergents, scouring, solvents, corrosive atmospheres, or similar environmental conditions.

At R.61-62.5, Standard 5, Section I, Part A(21), make the first letter of the words “Performance” and “Coatings” lowercase in the definition title for consistency to read:

21. “Extreme performance coatings” means coatings designed for harsh exposure or extreme environmental conditions.

At R.61-62.5, Standard 5, Section I, Part A(22), make the first letter of the word “Coating” lowercase in the definition title for consistency to read:

22. “Fabric coating” includes all types of coatings applied to fabric including protective, decorative, and functional coatings.

At R.61-62.5, Standard 5, Section I, Part A(23), make the first letter of the words “Wood” and “Paneling” lowercase in the definition title for consistency to read:

23. “Flat wood paneling” includes wood construction products made of plywood, particle wood, and hardboard for interior paneling. Not included are tileboard or particleboard used as a furniture component, or exterior siding.

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At R.61-62.5, Standard 5, Section I, Part A(24), make the first letter of the word “Printing” lowercase in the definition title for consistency. Strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

24. “Flexographic printing” means the application of words, designs, and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other rubber-like synthetic materials.

At R.61-62.5, Standard 5, Section I, Part A(27), make the first letter of the word “Coating” lowercase in the definition title for consistency. Add the word “means” to the beginning of the definition for consistency to read:

27. “Functional coating” means a coating that serves a purpose beyond decoration or protection of the substrate being coated. An example of functional coatings could include a layer of light sensitive coating which helps form the photographic image on photographic film. Also, the camouflaging outercoat used by the army on its vehicles is a functional coating.

At R.61-62.5, Standard 5, Section I, Part A(28), write out the phrase “pounds per square inch” before the unit abbreviation “psi” for clarity, and add parenthesis around the unit abbreviation “psi” to properly set off the abbreviation. Use the abbreviation hereafter for clarity and consistency. Write out the word “kilopascal” before the unit abbreviation “k Pa” for clarity, and add parenthesis around and strike the space between the letters “k” and “Pa” to properly cite the unit abbreviation “kPa”. Use this abbreviation hereafter for clarity and consistency to read:

28. “Gasoline” means a petroleum distillate having a Reid vapor pressure of 4 pounds per square inch (psi) (27.6 kilopascal (kPa)) or greater that is used as fuel for internal combustion engines.

At R.61-62.5, Standard 5, Section I, Part A(29), (30), and (31), make only the first letter of first the word in the title of each of the definitions lowercase for consistency to read:

29. “Gasoline tank truck” means tank truck (or trailer equipped with a storage tank) used for the transport of gasoline to or from bulk gasoline terminals.

30. “Green tires” means assembled tires before molding and curing.

31. “Green tire spraying” means the spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and which prevent the tire from sticking to the mold after curing.

At R.61-62.5, Standard 5, Section I, Part A(32), strike the word “is” and add the word “means” to the beginning of the definitions for consistency to read:

32. “Hardboard” means a panel manufactured primarily from inter-elcted lingo-cellulosic fibers which are consolidated under heat and pressure in a hot press.

At R.61-62.5, Standard 5, Section I, Part A(33), make the first letter of the word “Plywood” lowercase in the definition title for consistency. Strike the word “is” and add the word “means” to the beginning of the definitions for consistency to read:

33. “Hardwood plywood” means plywood whose surface layer is a veneer of hardwood.

At R.61-62.5, Standard 5, Section I, Part A(34) and (35), make only the first letter of first the word in the title of each of the definitions lowercase for consistency to read:

34. “Heavy coverage” means thick or large areas of a given color.

35. “Internal floating roof” means a cover or roof in a fixed roof tank which rests upon or is floated upon the petroleum liquid being contained, and which is equipped with a closure seal or seals to close the space between the roof edge and tank shell.

At R.61-62.5, Standard 5, Section I, Part A(36), make the first letter of the word “Appliance” lowercase in the definition title for consistency. Add a serial comma after the words “panels” and “conditioners” for consistency to read:

36. “Large appliances” includes doors, cases, lids, panels, and interior support parts of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other similar products.

At R.61-62.5, Standard 5, Section I, Part A(37), make the first letter of the word “Coverage” lowercase in the definition title for consistency. Strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

37. “Light coverage” means thin or small areas of a given color.

At R.61-62.5, Standard 5, Section I, Part A(38), make the first letter of the words “Mounted” and “Seal” lowercase in the definition title for consistency to read:

38. “Liquid-mounted seal” means a primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof around the circumference of the tank.

At R.61-62.5, Standard 5, Section I, Part A(39), make the first letter of the words “Solvent” and “Coatings” lowercase in the definition title for consistency. Strike the word “are” and add the word “means” to the beginning of the definition for consistency to read:

39. “Low solvent coatings” means coatings which emit organic solvent in amounts equal to or less than that required by the Standard in specified applications.

At R.61-62.5, Standard 5, Section I, Part A(40), make the first letter of the words “Wire” and “Coatings” lowercase in the definition title for consistency to read:

40. “Magnet wire coating” means the process of applying a coating of electrically insulating varnish or enamel to aluminum or copper wire used in electrical machinery. This includes protective, decorative, and functional coatings.

At R.61-62.5, Standard 5, Section I, Part A(41), make the first letter of the words “Pneumatic” “Rubber” and “Tires” lowercase in the definition title for consistency. Add a serial comma after the phrase “medium truck tires” for consistency to read:

41. “Manufacture of pneumatic rubber tires” means the production of passenger car tires, light and medium truck tires, and other tires manufactured on assembly lines using automated equipment.

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At R.61-62.5, Standard 5, Section I, Part A(42), make the first letter of the word “Furniture” lowercase in the definition title for consistency. Add a serial comma after the word “plastic” for consistency to read:

42. “Metal furniture” includes any furniture made of metal or any metal part which will be assembled with other metal, wood, fabric, plastic, or glass parts to form a furniture piece.

At R.61-62.5, Standard 5, Section I, Part A(43), make the first letter of the words “Finish,” “Hardwood,” “Plywood,” and “Panels” lowercase in the definition title for consistency. Strike the word “are” and add the word “means” to the beginning of the definition for consistency to read:

43. “Natural finish hardwood plywood panels” means panels whose original grain pattern is enhanced by essentially transparent finishes frequently supplemented with fillers and toner.

At R.61-62.5, Standard 5, Section I, Part A(44) and (45), strike the hyphen in the word “non-attainment” for consistency with federal regulation throughout the definitions to read:

44. “Nonattainment county” means a county which is determined by the Department to exceed any National Ambient Air Quality Standard.

45. “Non-designated county” means any county which has neither been exempted in Section I. Part B nor listed as a nonattainment county.

At R.61-62.5, Standard 5, Section I, Part A(49), make the first letter of the words “Emission,” “Reduction,” and “Efficiency” lowercase in the definition title for consistency. Strike the word “is” and add the word “means” to the beginning of the definition for consistency. Correct the parenthesis omission by adding an opening parenthesis symbol “(” before the phrase “per identical unit of time” for grammatical correctness to read:

49. “Overall emission reduction efficiency” means the weight (per unit of time) of VOC removed by a control device divided by the weight (per identical unit of time) of VOC emissions generated by a source, expressed as a percentage.

At R.61-62.5, Standard 5, Section I, Part A(50), add a serial comma after the word “operates” for consistency to read:

50. “Owner or operator” means any person who owns, leases, controls, operates, or supervises a plant, emission source, or air pollution control equipment.

At R.61-62.5, Standard 5, Section I, Part A(51), make the first letter of the words “Rotogravure” and “Printing” lowercase in the definition title for consistency to read:

51. “Packaging rotogravure printing” means rotogravure printing upon paper, paper board, metal foil, plastic film, and other substrates, which are, in subsequent operations, formed into containers and/or labels for articles to be sold.

At R.61-62.5, Standard 5, Section I, Part A(52), make the first letter of the word “Coating” lowercase in the definition title for consistency. Add a serial comma after the word “foil” for consistency to read:

52. “Paper coating” means a coating put on paper and pressure sensitive tapes regardless of substrate. Related web coating processes on plastic film, decorative coatings on metal foil, and functional coatings are included in this definition.

At R.61-62.5, Standard 5, Section I, Part A(53), (54), and (55), make only the first letter of first the word in the title of each of the definitions lowercase for consistency to read:

53. “Passenger type tire” means agricultural, airplane, industrial, mobile home, light and medium duty truck, and passenger vehicle tires with a bead diameter up to 20.0 inches and cross section dimension up to 12.8 inches.

54. “Petroleum liquids” means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not mean Number 2 through Number 6 fuel oils as specified in A.S.T.M. D396-80, gas turbine fuel oils Numbers 2-GT through 4-GT as specified in A.S.T.M. D2880-82, or diesel fuel oils Numbers 2-D and 4-D as specified in A.S.T.M. D975-82.

55. “Prime coat” means the first film of coating applied in a multicoat operation.

At R.61-62.5, Standard 5, Section I, Part A(56), make the first letter of the words “Interior” and “Panels” lowercase in the definition title for consistency. Strike the word “are” and add the word “means” to the beginning of the definition for consistency to read:

56. “Printed interior panels” means panels whose grain or natural surface is obscured by fillers and basecoats upon which a simulated grain or decorative pattern is printed.

At R.61-62.5, Standard 5, Section I, Part A(57), (58), and (59), make only the first letter of first the word in the title of each of the definitions lowercase for consistency. Strike the word “is” and add the word “means” to the beginning of the definitions for consistency to read:

57. “Production equipment exhaust system” means a device for collecting and directing out of the work area VOC fugitive emissions from reactor openings, centrifuge openings, and other vessel openings for the purpose of protecting workers from excessive VOC exposure.

58. “Publication rotogravure printing” means printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements, or similar types of printed materials.

59. “Roll printing” means the application of words, designs, and pictures to a substrate by means of hard rubber or steel rolls, each with only partial coverage.

At R.61-62.5, Standard 5, Section I, Part A(60), make the first letter of the word “Process” lowercase in the definition title for consistency. Add a serial comma after the word “fabric” for consistency to read:

60. “Saturation process” - Saturation processes include coatings which saturate throughout the body of a web, fabric, or paper and do not merely coat the surface of the web. Textile dyeing processes are not included.

At R.61-62.5, Standard 5, Section I, Part A(62), make the first letter of the word “Operation” lowercase in the definition title for consistency. Strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

62. “Separation operation” means a process that separates a mixture of compounds and solvents into two or more components. Specific mechanisms include extraction, centrifugation, filtration, and crystallization.

At R.61-62.5, Standard 5, Section I, Part A(63) and (66), make only the first letter of first the word in the title of each of the definitions lowercase for consistency to read:

63. “Single coat” means only one film of coating applied on the metal substrate.

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66. “Synthesized pharmaceutical manufacturing” means manufacture of pharmaceutical products by one or more chemical reactions followed by a series of purifying operations. Organic chemicals are used as raw materials and as solvents.

At R.61-62.5, Standard 5, Section I, Part A(67), make the first letter of the word “Particleboard” lowercase in the definition title for consistency. Strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

67. “Thin particleboard” means a manufactured board one-quarter inch or less in thickness made of individual wood particles which have been coated with a binder and formed into flat sheets by pressure.

At R.61-62.5, Standard 5, Section I, Part A(68), strike the word “is” and add the word “means” to the beginning of the definition for consistency to read:

68. “Tileboard” means paneling that has a colored waterproof surface coating.

At R.61-62.5, Standard 5, Section I, Part A(71), make the first letter of the words “Vapor” and “Pressure” lowercase in the definition title for consistency. Strike the comma after the close parentheses and add the comma after the word “Tanks” for grammatical consistency to read:

71. “True vapor pressure” means the equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, “Evaporation Loss From Floating Roof Tanks,” 1962.

At R.61-62.5, Standard 5, Section I, Part A(72), (74), (75), and (76), make only the first letter of first the word in the title of each of the definitions lowercase for consistency to read:

72. “Tread end cementing” means the application of a solvent based cement to the tire tread ends.

74. “Vapor collection system” means a vapor transport system which uses direct displacement by the gasoline being transferred to force vapors from the vessels being loaded into either a vessel being unloaded or a vapor control system or vapor holding tank.

75. “Vapor control system” means a system that prevents release to the atmosphere of at least 90 percent by weight of organic compounds in the vapors displaced from a vessel during transfer of gasoline.

76. “Vapor-mounted seal” means any primary seal mounted so that there is an annular space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.

At R.61-62.5, Standard 5, Section I, Part A(77), make the first letter of the word “Coating” lowercase in the definition title for consistency to read:

77. “Vinyl coating” refers to any protective, decorative, or functional topcoat applied over vinyl coated fabric or vinyl sheets. It does not include the application of vinyl plastisol to the fabric (emissions from the application of plastisol are near zero). Also, organisol and plastisol coatings cannot be used to bubble emissions from vinyl printing and topcoating.

At R.61-62.5, Standard 5, Section I, Part A(78), make the first letter of the words “Based” and “Sprays” lowercase in the definition title for consistency. Replace the percent symbol (%) with the text “percent” to avoid software conversion errors in the future and to provide clarity to read:

78. “Water based sprays” means release compounds, sprayed on the inside and outside of green tires, in which solids, water, and emulsifiers have been substituted for organic solvents for all but 10 percent by weight of the total.

At R.61-62.5, Standard 5, Section I, Part B(1), capitalize the S in “standard” and add a serial comma after the word “Darlington” for consistency to read:

1. This Standard will apply to existing processes statewide except in the following six counties: Anderson, Bamberg, Barnwell, Chesterfield, Darlington, and Hampton.

At R.61-62.5, Standard 5, Section I, Part B(2), capitalize the “S” in the word “standard” for consistency. Add the word “below” after the citation “Section II” for clarity. Add the abbreviation for the unit kilograms “kg” in parenthesis after the weight “250 kilograms” and use this abbreviation hereafter for clarity and consistency. Add the abbreviation for the unit tons per year “tpy” in parenthesis after the phrase “tons per year” and use this abbreviation hereafter for clarity and consistency. Strike the unit “kilograms” and replace with the abbreviation “kg” after the weight “68 kilograms” for consistency and clarity. Capitalize the “P” in the word “paragraph” for consistency. And add the citation “Section II” before “Part N” for clarity and consistency to read:

2. This Standard will apply to plants described under one of the Parts of Section II below when such a plant has total potential emissions of VOC more than 550 pounds (250 kilograms (kg)) in any one day (nominal size - 100 tons per year (tpy)) or more than 150 pounds (68 kg) in any one hour. This Paragraph does not apply to Section II Part N.

At R.61-62.5, Standard 5, Section I, Part B(3), replace the word “the” with “this” in each instance the word “Regulation” appears for clarity and consistency to read:

3. A plant having an existing process which was not required to be regulated due to plant size will be subject to this Regulation when that plant increases emissions sufficiently to meet the applicability requirements regardless of the time frame. Conversely, a source which is subject to the requirements of this Regulation, but which decreases emissions sufficiently so that their total potential emissions are below the applicability requirements, may petition the Department for relief from the emission limits of this Regulation. Approval of the petition will be based, in part, on a showing that the reductions are not temporary and a consent to be permitted at the reduced level.

At R.61-62.5, Standard 5, Section I, Part B(4), add the word “below” after the citation “Section II” for clarity and consistency to read:

4. Further applicability requirements or limitations may be listed under the individual Parts of Section II below.

At R.61-62.5, Standard 5, Section I, Part C(1)(a), strike the phrase “Volatile Organic Compound” throughout this item and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Add the word “below” after each instance of the citation “Section II” in this item for clarity and consistency to read:

a. If the owner or operator of a source of VOC regulated by this Standard can demonstrate that compliance with Section II below would not be feasible, he may petition the Department to allow the use of alternative operational and/or equipment controls for the reduction of VOC emissions of such source. Petition must be made for each source within a given plant and nothing herein should be interpreted as permitting a source regulated by this Standard to exceed emission limits for that source as given in Section II below. The petition must be submitted in writing to the Department and must contain:

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At R.61-62.5, Standard 5, Section I, Part C(1)(a)(i), capitalize the “T” in the word “the,” add a serial comma after the word “address,” and strike the comma at the end of the item for consistency to read:

(i) The name and address of the company and the name, address, and telephone number of a company officer over whose signature the petition is submitted; and

At R.61-62.5, Standard 5, Section I, Part C(1)(a)(ii), capitalize the word “a” at the beginning of the item for consistency. Strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation, and strike the comma at the end of the item for consistency to read:

(ii) A description of all operations conducted at the location to which the petition applies and the purpose that the VOC emitting equipment serves within the operations; and

At R.61-62.5, Standard 5, Section I, Part C(1)(a)(iii), capitalize the “R” in the word “reference” and add the word “below” after the citation “Section II” for clarity and consistency. Strike the comma at the end of the item for consistency to read:

(iii) Reference to the specific operational and/or equipment controls under Section II below for which alternative operational and/or equipment controls are proposed; and

At R.61-62.5, Standard 5, Section I, Part C(1)(a)(iv), capitalize the word “a” and strike each instance of the phrase “Volatile Organic Compound” and replace it with the abbreviation “VOC” for consistency and term fluidity throughout the regulation to read:

(iv) A detailed description of the proposed alternative operational and/or equipment controls, the magnitude of VOC emission reduction which will be achieved, and the quantity and composition of VOC which will be emitted if the alternative operational and/or equipment controls are instituted; and

At R.61-62.5, Standard 5, Section I, Part C(1)(a)(v), capitalize the word “a” and add the word “below” after the citation “Section II” for clarity and consistency to read:

(v) A schedule for the installation and/or institution of the alternative operational and/or equipment controls in conformance with Section II below.

At R.61-62.5, Standard 5, Section I, Part C(1)(b)(i), capitalize the “T” in the word “the” and “P” in the word “paragraph” for consistency. Add a number “(1)” and parenthesis around the letter “a” for codification, clarity, and consistency. Strike the comma after the word “and” at the end of the item for consistency to read:

(i) The petition is submitted in accordance with Paragraph (1)(a) above; and

At R.61-62.5, Standard 5, Section I, Part C(1)(b)(ii), capitalize the “T” in the word “the” and add the word “below” after the citation “Section II” for clarity and consistency. Strike the comma after the word “and” at the end of the item for consistency to read:

(ii) The Department determines that the petitioner cannot comply with Section II below because of technological infeasibility (considering costs); and

At R.61-62.5, Standard 5, Section I, Part C(1)(b)(iii), capitalize the “T” in the word “the” for consistency and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike the comma after the word “and” at the end of the item for consistency to read:

(iii) The petition contains a schedule for achieving and maintaining reduction of VOC emissions to the maximum extent feasible and as expeditiously as practicable; and

At R.61-62.5, Standard 5, Section I, Part C(1)(b)(iv), capitalize the word “a” and strike the comma after the word “and” at the end of the item for consistency to read:

(iv) A nuisance condition will not result from operation of the source as proposed in the Petition; and

At R.61-62.5, Standard 5, Section I, Part C(1)(b)(v), capitalize the “T” in the word “the” and the “P” in the word “part,” and add the word “below” after the citation “Section II” for clarity and consistency to read:

(v) The alternative control approach must assure control levels at least as stringent as those listed in the appropriate Part of Section II below.

At R.61-62.5, Standard 5, Section I, Part C(1)(b)(vi), capitalize the “T” in the word “the” for consistency. Strike the abbreviation “U.S.E.P.A.” and define the abbreviation by replacing with the phrase “the United State Environmental Protection Agency (EPA)” for term fluidity throughout the regulation. Abbreviate the phrase “State Implementation Plan” by adding in parentheses “(SIP)” for term fluidity throughout the regulation to read:

(vi) The petition is approved by the United State Environmental Protection Agency (EPA) as a source-specific State Implementation Plan (SIP) revision.

At R.61-62.5, Standard 5, Section I, Part C(2)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Add the word “below” after each instance of the citation “Section II” for clarity and consistency to read:

a. If the owner or operator of a source of VOC regulated by this standard can demonstrate that compliance with applicable portions of Section II below would not be economically feasible, the Department may, on a case-by-case basis, allow emission limitations less stringent than those required by applicable parts of Section II below.

At R.61-62.5, Standard 5, Section I, Part C(2)(a), add codification denotation “b” for codification consistency and ease of use to read:

b. All data pertinent to the showing of economic infeasibility must accompany a petition for this relief, and shall include a present value analysis showing economic infeasibility.

At R.61-62.5, Standard 5, Section I, Part C(2)(b), strike the codification denotation “b” and the add codification denotation “c” for codification consistency and ease of use. Capitalize the “P” in the word “part” for consistency. Strike the phrase “United States Environmental Protection Agency” and replace with the abbreviation “EPA” for term fluidity throughout the regulation. Strike the phrase “State Implementation Plan” and replace with the acronym “SIP” for term fluidity throughout the regulation to read:

c. Exceptions granted under this Part are not effective until submitted to and approved by the Administrator of the EPA as a revision of the SIP pursuant to Section 110(a)(3)(A) of the Clean Air Act as amended November 1990.

At R.61-62.5, Standard 5, Section I, Part D, Introductory Text, add the word “below” after the citation “Section II” for clarity and consistency. Strike the capital “R” in regulation and replace it with a lower case “r” for consistency to read:

The following schedules of compliance apply to the individual Parts of Section II below as indicated by the references given in these individual Parts. The “date of notification” refers to the date that a plant or source is notified in writing that it is subject to one of the VOC regulations.

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At R.61-62.5, Standard 5, Section I, Part D, Sechedule No. 1, (1) through (5), add codification denotation “1.” before the phrase “Schedule No. 1” and strike the numbers “1.” through “5.” and replace with letters “a.” through “e.” respectively for codification consistency and ease of use.

1. Schedule No. 1

a. Submit construction permit applications and final plans for the emission control system and/or new process equipment and/or modification of existing process equipment within two (2) months from date of notification.

b. Issue purchase orders and contracts for the emission control systems and/or process equipment and/or modification of existing process equipment to accomplish emission control within five (5) months from date of notification.

c. Initiate on-site construction or installation of the emission control and/or process equipment and/or modification of existing process equipment within eight (8) months from date of notification.

d. Complete on-site construction or installation of the emission control and/or process equipment and/or modification of existing process equipment within sixteen (16) months from the date of notification.

e. Achieve final compliance within eighteen (18) months from date of notification.

At R.61-62.5, Standard 5, Section I, Part D, Schedule No. 2, (1) through (6), add codification denotation “2.” before the phrase “Schedule No. 2” and strike the numbers “1.” through “6.” and replace with letters “a.” through “f.” respectively for codification consistency and ease of use.

2. Schedule No. 2

a. Submit construction permit applications and final plans for the application of low solvent technology within two (2) months from date of notification.

b. Complete evaluation of product quality and commercial acceptance within seven (7) months from date of notification.

c. Issue purchase orders and contracts for low solvent technology and process modifications within nine (9) months from date of notification.

d. Begin process modifications within eleven (11) months from date of notification.

e. Complete process modifications and begin use of low solvent technology within seventeen (17) months from date of notification.

f. Achieve final compliance within eighteen (18) months from date of notification.

At R.61-62.5, Standard 5, Section I, Part D, Schedule No. 3, (1) through (7), add codification denotation “3.” before the phrase “Schedule No. 3” and strike the numbers “1.” through “7.” and replace with letters “a.” through “g.” respectively for codification consistency and ease of use.

3. Schedule No. 3

a. Submit construction permit applications and final plans for the application of low solvent content coating technology within two (2) months from date of notification.

b. Complete research and development of low solvent content coating within eight (8) months from date of notification.

c. Complete evaluation of product quality and commercial acceptance within fourteen (14) months from date of notification.

d. Issue purchase orders and contracts for low solvent content coatings and process modifications within sixteen (16) months from date of notification.

e. Begin process modifications within eighteen (18) months from date of notification.

f. Complete process modifications and begin use of low solvent content coatings within twenty-three (23) months from date of notification.

g. Achieve final compliance within twenty-four (24) months from the date of notification.

At R.61-62.5, Standard 5, Section I, Part E, Introductory Text, strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Add the word “below” after the citation “Section II” for clarity and consistency. Strike the abbreviation “R.” and replace with the word “Regulation” for consistency. Add the word “below” after the citation “Part F” for clarity and consistency. Strike the hard return after the citation “Part F” and before the word “If” of the second paragraph to combine the text into one paragraph to ensure consistent codification to read:

The owner or operator of any VOC source required to comply with Section II below shall, at his own expense, conduct source tests in accordance with the provisions of Regulation 61-62.1, Section IV, Source Tests, to demonstrate compliance unless the Department determines that the compliance status of the source can be monitored as described in Part F below. If tests are required, the following conditions shall apply:

At R.61-62.5, Standard 5, Section I, Part E(1)(a), capitalize the “E” in the word “every” for consistency. Replace the abbreviation “e.g.” which stands for the phrase “for example” with the words “for example,” in order to avoid confusion and provide clarity to read:

a. Every four (4) years for sources utilizing solvent recovery emission control devices (for example, carbon adsorption, refrigeration).

At R.61-62.5, Standard 5, Section I, Part E(1)(b) and (c), capitalize “E” in the word “every” at the beginning of each item for consistency to read:

b. Every two (2) years for sources utilizing catalytic incineration/destruction.

c. Every four (4) years for sources utilizing flame incineration provided the source operates, calibrates, and maintains a recorder for each incinerator which continuously records the combustion zone temperature and such temperature is maintained at a value no less than that recorded during the last stack test during which compliance was verified.

At R.61-62.5, Standard 5, Section I, Part E(2)(a), capitalize the “C” in the word “capture” for consistency. Replace the abbreviation “e.g.” which stands for the phrase “for example” with the words “for example,” in order to avoid confusion and provide clarity to read:

a. capture system flow rate indicators (for example, magnehelic gauges, manometers) are operated, calibrated, and maintained, and

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At R.61-62.5, Standard 5, Section I, Part E(2)(b), (c), and (d), capitalize the first letter of the first word of each item to include both instances of the word “the” and the one instance of the word “no” for consistency to read:

b. The indicated values are maintained at a level no less than that recorded during the last source test during which compliance was verified, and

c. The type and location of the flow rate indicators are approved by this Department, and

d. No process, capture system, nor VOC abatement equipment modifications have been made.

At R.61-62.5, Standard 5, Section I, Part F(1), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Capitalize the “P” in the word “paragraph” and replace the citation “paragraphs 4.a. and 4.b.” with the citation “paragraphs (4)(a) and (4)(b)” for consistency to read:

1. The owner or operator of any VOC emission source or control equipment shall maintain, as a minimum: records detailing all activities relating to any compliance schedule under Part D above, records of all compliance testing conducted under Part E above, and records of all monitoring as required by the Department and conducted under Paragraphs (4)(a) and (4)(b) below.

At R.61-62.5, Standard 5, Section I, Part F(2), strike both instances of the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike the phrase “U.S. Environmental Protection Agency” and replace with “EPA” for term fluidity throughout the regulation to read:

2. The owner or operator of any applicable VOC emission source or control equipment shall, on request make available to the Department, or the EPA, reports detailing the nature, specific sources, and total monthly quantities of all VOC emissions.

At R.61-62.5, Standard 5, Section I, Part F(3), strike both instances of the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike both instances of the phrase “U.S. Environmental Protection Agency” and replace with “EPA” for term fluidity throughout the regulation to read:

3. If the applicable VOC emission source or control equipment is located in an ozone nonattainment area (as designated by the EPA) the owner or operator shall maintain daily records of operations. If the applicable VOC emission source is determined to be in noncompliance with an applicable emission standard, the Department reserves the right to require the owner or operator to maintain daily records of operations. The records, or summaries, shall be made available to the Department or the EPA upon request. The records shall include, but not be limited to, the following:

At R.61-62.5, Standard 5, Section I, Part F(3), Closing Text, add codification denotation “j.” before the abbreviation “VOC” for codification consistency and ease of use after Part F(3)(i)(iii). Replace the abbreviation “i.e.” which stands for the phrase “that is” with the words “that is,” in order to avoid confusion and provide clarity. Write out the unit of measure by adding the phrase “pound of VOC per gal” and add parenthesis around “lb VOC/gal” for clarity and consistency to read:

j. VOC content shall be calculated using a percent solids basis (less water and exempt solvents) for adhesives, coatings, and inks; using EPA Reference Method 24, July 1, 1989. VOC content and density of rotogravure publication inks shall be determined by EPA Reference Method 24A, July 1, 1989. Once initial VOC content calculations have been made for existing adhesives, coatings, and inks, only new or modified adhesives, coatings, and inks must be tested for VOC content. Records must be kept in units necessary to

verify compliance, that is, pound of VOC per gal (lb VOC/gal) of coating less water and exempt solvents for surface coating.

At R.61-62.5, Standard 5, Section I, Part F(3), Closing Text, add codification denotation “k.” before the word “Copies” for codification consistency and ease of use after Part F(3)(i)(iii). Add the number ten in parentheses “(10)” after the word “ten” for consistency to read:

k. Copies of all records and reports required under this Part shall be available for inspection during normal working hours and furthermore, copies of the required records and reports shall be furnished within ten (10) working days after receipt of a written request from the Department.

At R.61-62.5, Standard 5, Section I, Part F(4), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

4. The owner or operator of any VOC emission source or control equipment shall:

At R.61-62.5, Standard 5, Section I, Part F(4)(a), capitalize the “I” in the word “install” and the “P” in the word “paragraphs” for consistency. Strike the comma after the word “and” at the end of the item for consistency to read:

a. Install, operate, calibrate, and maintain process and/or control equipment, monitoring instruments, or procedures as required by the Department and as necessary to comply with Paragraphs 1 and 2 above; and

At R.61-62.5, Standard 5, Section I, Part F(4)(b), capitalize the “M” in the word “maintain” and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

b. Maintain, in writing, data and/or reports relating to monitoring instruments or procedures which will, upon review, document the compliance status of the VOC emission source control equipment to the satisfaction of the Department.

At R.61-62.5, Standard 5, Section I, Part F(5), capitalize the “P” in the word “paragraph” and add the numeral “2” in parentheses after the word “two” for consistency to read:

5. Copies of all records and reports under Paragraphs 1, 2, 3, and 4, above, shall be retained by the owner or operator for two (2) years after the date on which the record was made or the reports submitted.

At R.61-62.5, Standard 5, Section II, Part A(1), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

No owner or operator of a can coating application system subject to this Part may cause, allow, or permit the discharge into the atmosphere of any VOC in excess of the following levels:

At R.61-62.5, Standard 5, Section II, Part A(1)(a), abbreviate the unit of measure “pounds per gallon” by adding the text “lb/gal” in parenthesis after the word “gallon” and use this abbreviation hereafter for clarity and consistency. Strike the unit “kilograms” and replace with the abbreviation “kg” after the measure “0.34” for consistency. Abbreviate the unit of measure “kilograms per liter” by adding the text “kg/L” in parenthesis after the word “liter” and use this abbreviation hereafter for clarity and consistency to read:

a. 2.8 pounds per gallon (lb/gal) (0.34 kg per liter (kg/L)) of coating, excluding water and exempt solvents, delivered to the coating applicator from sheet basecoat (exterior and interior) and overvarnish or two-piece can exterior (basecoat and overvarnish) operations.

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At R.61-62.5, Standard 5, Section II, Part A(1)(b) through (d), strike the phrase “pounds per gallon” and replace with “(lb/gal)” for consistency in each item. Strike the phrase “kilograms per liter” and replace with “(kg/L)” for consistency in each item to read:

b. 4.2 lb/gal (0.51 kg/L) of coating, excluding water and exempt solvents, delivered to the coating applicator from two and three-piece can interior body spray and two-piece can exterior end (spray or roll coat) operations.

c. 5.5 lb/gal (0.66 kg/L) of coating, excluding water and exempt solvents, delivered to the coating applicator from three-piece can side-seam spray operations.

d. 3.7 lb/gal (0.44 kg/L) of coating, excluding water and exempt solvents, delivered to the coating applicator from end sealing compound operations.

At R.61-62.5, Standard 5, Section II, Part A(2)(a)(i), capitalize the “T” in the word “the” for consistency to read:

(i) The application of low solvent coating technology;

At R.61-62.5, Standard 5, Section II, Part A(2)(a)(ii), capitalize the “I” in the word “incineration” for consistency, and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

(ii) Incineration, provided that 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) which enter the incinerator are oxidized to carbon dioxide and water; or

At R.61-62.5, Standard 5, Section II, Part A(2)(a)(iii), capitalize the word “carbon” for consistency, and strike the comma at the end of the item for consistency to read:

(iii) Carbon bed solvent recovery system; or

At R.61-62.5, Standard 5, Section II, Part A(2)(a)(iv), capitalize the word “alternative” for consistency, and add the word “above” after the citation “Part C” for consistency. Strike the comma after the word “and” at the end of the item for consistency to read:

(iv) Alternative controls as allowed under Section I, Part C above; and

At R.61-62.5, Standard 5, Section II, Part A(2)(a)(v), capitalize the word “a” at the beginning of the item and the word “paragraph” for consistency to read:

(v) A capture system must be used in conjunction with emission control equipment systems. The design and operation of a capture system must be consistent with good engineering practice, and shall be required to provide for an overall VOC emission reduction efficiency sufficient to meet the emission limitations in Paragraph 1 of this Part.

At R.61-62.5, Standard 5, Section II, Part A(2)(b), add a two in parentheses “(2)” after the word “two” for consistency to read:

b. Compliance may be demonstrated by a 24-hour weighted average of emissions from two (2) or more coatings having the same emission limits for the same type of operation on the same line. Averaging times of longer than 24 hours are not allowed.

At R.61-62.5, Standard 5, Section II, Part A(3), strike the period (.) after the word “Schedules” for consistency to read:

3. Compliance Schedules

At R.61-62.5, Standard 5, Section II, Part A(3)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

a. The owner or operator of a VOC source subject to this Part shall meet one of the following schedules as applicable:

At R.61-62.5, Standard 5, Section II, Part A(3)(a)(i) through (iii), add the words “of this Part” after the phrase “Paragraph 1” in each of the items for consistency and clarity. Add the word “above” after the citation “Part D” in each of the items for consistency to read:

(i) A source utilizing emission control equipment and/or replacement process equipment and/or modification of existing process equipment to comply with Paragraph 1 of this Part shall comply with Schedule 1 of Section I, Part D above.

(ii) A source utilizing low solvent technology where the Department determines that low solvent content coating technology has been sufficiently researched and developed for a particular application to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 2 of Section I, Part D above.

(iii) A source utilizing low solvent technology which does not qualify under (ii) above to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 3 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part A(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part B(1), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike the phrase “pounds per gallon” and replace with “(lb/gal)” for consistency. Strike the phrase “kilograms per liter” and replace with “(kg/L)” for consistency to read:

No owner or operator of a coil coating application system subject to this Part may cause, allow, or permit the discharge into the atmosphere of any VOC in excess of 2.6 lb/gal (0.31 kg/L) of coating, excluding water, delivered to the coating applicator from prime and topcoat or single coat operations.

At R.61-62.5, Standard 5, Section II, Part B(2)(a)(i), capitalize the “T” in the word “the” for consistency. Strike the comma after the word “or” at the end of the item to read:

(i) The application of low solvent technology; or

At R.61-62.5, Standard 5, Section II, Part B(2)(a)(ii), capitalize the “T” in the word “incineration” and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

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(ii) Incineration, provided that 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) which enter the incinerator are oxidized to carbon dioxide and water; or

At R.61-62.5, Standard 5, Section II, Part B(2)(a)(iii) through (v), capitalize the first letter of the first word of each item. Add the word “above” after the citation “Part C” for consistency to read:

(iii) Carbon bed solvent recovery system; or

(iv) Alternative controls as allowed under Section I, Part C above;

(v) A capture system must be used in conjunction with emission control equipment systems. The design and operation of a capture system must be consistent with good engineering practice, and shall be required to provide for an overall VOC emission reduction efficiency sufficient to meet the emission limitations in Paragraph 1 of this Part.

At R.61-62.5, Standard 5, Section II, Part B(2)(b), add a two in parentheses “(2)” after the word “two” for consistency to read:

b. Compliance may be demonstrated by 24-hour weighted averaging of emissions for two (2) or more coatings having the same emission limits from the same type of operation on the same line. Averaging times of longer than 24 hours are not allowed.

At R.61-62.5, Standard 5, Section II, Part B(3), strike the period (.) after the word “Schedules” for consistency to read:

3. Compliance Schedules

At R.61-62.5, Standard 5, Section II, Part B(3)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

a. The owner or operator of a VOC source subject to this Part shall meet one of the following schedules as applicable:

At R.61-62.5, Standard 5, Section II, Part B(3)(a)(i) through (iii), add the words “of this Part” after the phrase “Paragraph 1” in each of the items for consistency and clarity. Add the word “above” after the citation “Part D” in each of the items for consistency to read:

(i) Sources utilizing emission control equipment and/or replacement process equipment and/or modification of existing process equipment to comply with Paragraph 1 of this Part shall comply with Schedule 1 of Section I, Part D above.

(ii) Sources utilizing low solvent technology where the Department determines that low solvent content technology has been sufficiently researched and developed for a particular application to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 2 of Section I, Part D above.

(iii) Sources utilizing low solvent technology which does not qualify under (ii) above to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 3 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part B(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part C, Title, strike the period (.) after the word “Fabric” for consistency to read:

Part C. Surface Coating of Paper, Vinyl, and Fabric

At R.61-62.5, Standard 5, Section II, Part C(1), add a serial comma after the word “allow” for consistency, and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

No owner or operator of a fabric, vinyl, or paper coating application system, including saturation processes, subject to this Part may cause, allow, or permit the discharge into the atmosphere of any VOC in excess of the following levels;

At R.61-62.5, Standard 5, Section II, Part C(1)(a) and (b), strike each of the phrases “pounds per gallon” and replace with “(lb/gal)” for consistency in each item. Strike each of the phrases “kilograms per liter” and replace with “(kg/L)” for consistency in each item to read:

a. 2.9 lb/gal (0.35 kg/L) of coating, excluding water and exempt solvents, delivered to the fabric or paper coating applicator system;

b. 3.8 lb/gal (0.45 kg/L) of coating, excluding water and exempt solvents, delivered to the vinyl coating applicator system.

At R.61-62.5, Standard 5, Section II, Part C(2)(a)(ii), capitalize the “I” in the word “incineration” and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike the comma after the word “or” at the end of the item to read:

(ii) Incineration, provided that 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) which enter the incinerator are oxidized to carbon dioxide and water; or

At R.61-62.5, Standard 5, Section II, Part C(2)(a)(iii) through (v), capitalize the first letter of the first word of each item. Add the word “above” after the citation “Part C” for consistency to read:

(iii) Carbon bed solvent recovery system; or

(iv) Alternative controls as allowed under Section I, Part C above;

(v) A capture system must be used in conjunction with emission control equipment systems. The design and operation of a capture system must be consistent with good engineering practice, and shall be required to provide for an overall VOC emission reduction efficiency sufficient to meet the emission limitations in Paragraph 1 of this Part.

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At R.61-62.5, Standard 5, Section II, Part C(2)(b), add a two in parentheses “(2)” after the word “two” for consistency to read:

b. Compliance may be demonstrated by a 24-hour weighted average of emissions for two (2) or more coatings having the same emission limits for the same type of operation on the same line. Averaging time of longer than 24 hours are not allowed.

At R.61-62.5, Standard 5, Section II, Part C(3), strike the period (.) after the word “Schedules” for consistency to read:

3. Compliance Schedules

At R.61-62.5, Standard 5, Section II, Part C(3)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

a. The owner or operator of a VOC source subject to this Part shall meet one of the following schedules as applicable:

At R.61-62.5, Standard 5, Section II, Part C(3)(a)(i) through (iii), add the words “of this Part” after the phrase “Paragraph 1” in each of the items for consistency and clarity. Add the word “above” after the citation “Part D” in each of the items for consistency to read:

(i) Sources utilizing emission control equipment and/or replacement process equipment and/or modification of existing process equipment to comply with Paragraph 1 of this Part shall comply with Schedule 1 of Section I, Part D above.

(ii) Sources utilizing low solvent technology where the Department determines that low solvent content coating technology has been sufficiently researched and developed for a particular application to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 2 of Section I, Part D above.

(iii) Sources utilizing low solvent technology which does not qualify under (ii) above to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 3 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part C(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part D, Title, strike the period (.) after the word “Fabric” in the title for consistency to read:

Part D. Surface Coating of Metal Furniture and Large Appliances

At R.61-62.5, Standard 5, Section II, Part D(1), add a serial comma after the word “allow” for consistency and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

No owner or operator of a metal furniture or a large appliance coating application system subject to this Part may cause, allow, or permit the discharge into the atmosphere of any VOC in excess of the following levels:

At R.61-62.5, Standard 5, Section II, Part D(1)(a) and (b), strike each of the phrases “pounds per gallon” and replace with “lb/gal” for consistency in each item. Strike each of the phrases “kilograms per liter” and replace with “kg/L” throughout for consistency, and add a serial comma after the word “single” for consistency to read:

a. 3.0 lb/gal (0.36 kg/L) of coating, excluding water and exempt solvents, delivered to the coating applicator from prime and topcoat or single coat operation from a metal furniture coating application system;

b. 2.8 lb/gal (0.34 kg/L) of coating, excluding water and exempt solvents, delivered to the coating applicator from prime, single, or topcoat from a large appliance coating application system. This emission limit will not apply to the use of quick-drying lacquers for repair of scratches and nicks that occur during assembly, provided that the volume of coating does not exceed 1 quart (0.95 liters) in any one 8-hour period.

At R.61-62.5, Standard 5, Section II, Part D(2)(a)(i), capitalize the “T” in the word “the” for consistency and strike the comma after the word “or” at the end of the item to read:

(i) The application of low solvent content coating technology; or

At R.61-62.5, Standard 5, Section II, Part D(2)(a)(ii), capitalize the “I” in the word “incineration” and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike the comma after the word “or” at the end of the item for consistency to read:

(ii) Incineration, provided that 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) which enter the incinerator are oxidized to carbon dioxide and water; or

At R.61-62.5, Standard 5, Section II, Part D(2)(a)(iii) through (v), capitalize the first letter of the first word of each item and strike the comma after the word “or” at the end of item (iii) for consistency. Add the word “above” after the citation “Part C” for consistency to read:

(iii) Carbon bed solvent recovery system; or

(iv) Alternative controls as allowed under Section I, Part C above;

(v) A capture system must be used in conjunction with emission control equipment systems. The design and operation of a capture system must be consistent with good engineering practice, and shall be required to provide for an overall VOC emission reduction efficiency sufficient to meet the emission limitations in Paragraph 1 of this Part.

At R.61-62.5, Standard 5, Section II, Part D(2)(b), add a two in parentheses “(2)” after the word “two” for consistency to read:

b. Compliance may be demonstrated by a 24-hour weighted average of emissions for two (2) or more coatings having the same type of operation on the same line. Averaging times of longer than 24 hours are not allowed.

At R.61-62.5, Standard 5, Section II, Part D(3)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

a. The owner or operator of a VOC source subject to this Part shall meet one of the following schedules as applicable:

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At R.61-62.5, Standard 5, Section II, Part D(3)(a)(i) through (iii), add the words “of this Part” after the phrase “Paragraph 1” in each of the items for consistency and clarity. Add the word “above” after the citation “Part D” in each of the items for consistency to read:

(i) Sources utilizing emission control equipment and/or replacement process equipment and/or modification of existing process equipment to comply with Paragraph 1 of this Part shall comply with Schedule 1 of Section I, Part D above.

(ii) Sources utilizing low solvent technology where the Department determines that low solvent content coating technology has been sufficiently researched and developed for a particular application to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 2 of Section I, Part D above.

(iii) Sources utilizing low solvent technology which does not qualify under (ii) above to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 3 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part D(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part E(1), add a serial comma after the word “allow” for consistency. Strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike the phrase “pounds per gallon” and replace with “(lb/gal)” for consistency. Strike the phrase “kilograms per liter” and replace with “(kg/L)” for consistency to read:

No owner or operator of a magnet wire coating oven subject to this Part may cause, allow, or permit the discharge into the atmosphere of any VOC in excess of 1.7 lb/gal (0.20 kg/L) of coating, excluding water and exempt solvents, delivered to the coating applicator from magnet wire coating operations.

At R.61-62.5, Standard 5, Section II, Part E(2)(a)(i), capitalize the “T” in the word “the” and strike the comma after the word “or” for consistency to read:

(i) The application of low solvent content coating technology; or

At R.61-62.5, Standard 5, Section II, Part E(2)(a)(ii), capitalize the “I” in the word “incineration” and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike the comma after the word “or” at the end of the item to read:

(ii) Incineration, provided that 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) which enter the incinerator are oxidized to carbon dioxide and water; or

At R.61-62.5, Standard 5, Section II, Part E(2)(a)(iii) through (v), capitalize the first letter of the first word of each item and strike the comma after the word “or” for consistency. Add the word “above” after the citation “Part C” for consistency to read:

(iii) Carbon bed solvent recovery system; or

(iv) Alternative controls as allowed under Section I, Part C above;

(v) A capture system must be used in conjunction with emission control equipment systems. The design and operation of a capture system must be consistent with good engineering practice, and shall be required to provide for an overall VOC emission reduction efficiency sufficient to meet the emission limitations in Paragraph 1 of this Part.

At R.61-62.5, Standard 5, Section II, Part E(2)(b), add a two in parentheses “(2)” after the word “two” for consistency to read:

b. Compliance may be demonstrated by a 24-hour weighted average of emissions for two (2) or more coatings having the same type of operation on the same line. Averaging times of longer than 24 hours are not allowed.

At R.61-62.5, Standard 5, Section II, Part E(3)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

a. The owner or operator of a VOC source subject to this Part shall meet one of the following schedules as applicable:

At R.61-62.5, Standard 5, Section II, Part E(3)(a)(i) through (iii), add the words “of this Part” after the phrase “Paragraph 1” in each of the items for consistency and clarity. Add the word “above” after the citation “Part D” in each of the item for consistency to read:

(i) Sources utilizing emission control equipment and/or replacement process equipment and/or modification of existing process equipment to comply with Paragraph 1 of this Part shall comply with Schedule 1 of Section I, Part D above.

(ii) Sources utilizing low solvent technology where the Department determines that low solvent content coating technology has been sufficiently researched and developed for a particular application to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 2 of Section I, Part D above.

(iii) Sources utilizing low solvent technology which does not qualify under (ii) above to comply with emission limitations in Paragraph 1 of this Part shall comply with Schedule 3 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part E(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part F, Title, strike the period (.) after the word “Products” for consistency to read:

Part F. Surface Coating of Miscellaneous Metal Parts and Products

At R.61-62.5, Standard 5, Section II, Part F(1)(a), capitalize the “P” in “paragraph” for consistency. Add the word “below” after the citation “paragraph b” for clarity to read:

a. This Standard will apply to plants whose operations include at least one of the affected sources in Paragraph b below.

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At R.61-62.5, Standard 5, Section II, Part F(1)(c)(ix), strike the comma after the word “and” at the end of the term for consistency to read:

(ix) Customized coating of automobiles and trucks, if production is less than 35 vehicles per day; and

At R.61-62.5, Standard 5, Section II, Part F(2), strike the period (.) after the word “Limitations” for consistency to read:

2. Emission Limitations

At R.61-62.5, Standard 5, Section II, Part F(2), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

No owner or operator of a miscellaneous metal parts and products coating application system subject to this Part may cause, allow, or permit the discharge into the atmosphere of any VOC in excess of the following levels;

At R.61-62.5, Standard 5, Section II, Part F(2)(a) through (d), strike the phrase “kilograms per liter” and replace with “kg/L” throughout for consistency. Replace the degree symbol (°) with the text “degrees” throughout to avoid confusion, avoid software conversion issues, and provide clarity and consistency. Strike the comma after the word “and” at the end of item (c) for consistency to read:

a. 0.52 kg/L (4.3 lb/gal) of coating, excluding water and exempt solvents, delivered to a coating applicator that applies clear coatings;

b. 0.42 kg/L (3.5 lb/gal) of coating, excluding water and exempt solvents, delivered to a coating applicator in a coating application system that utilizes air dried or forced warm air dried at temperatures up to 90 degrees C (194 degrees F);

c. 0.42 kg/L (3.5 lb/gal) of coating, excluding water and exempt solvents, delivered to a coating applicator that applies extreme performance coatings; and

d. 0.36 kg/L (3.0 lb/gal) of coating, excluding water and exempt solvents, delivered to a coating applicator for all other coatings and coating application systems.

At R.61-62.5, Standard 5, Section II, Part F(2)(e), capitalize the “P” in the word “paragraph” for consistency to read:

e. If more than one emission limitation in Paragraph 2 applies to a specific coating, then the least stringent emission limitation shall be applied.

At R.61-62.5, Standard 5, Section II, Part F(3), strike the period (.) after the word “Technology” for consistency to read:

3. Control Technology

At R.61-62.5, Standard 5, Section II, Part F(3)(a), capitalize the “P” in the word “paragraph” for consistency to read:

a. The emission limits set forth in Paragraph 2 can be achieved by:

At R.61-62.5, Standard 5, Section II, Part F(3)(a)(i), strike the comma after the word “or” at the end of the item for consistency to read:

- (i) The application of low solvent content coating technology; or

At R.61-62.5, Standard 5, Section II, Part F(3)(a)(ii), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation and strike the comma after the word “or” for consistency to read:

- (ii) Incineration, provided that 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) which enter the incinerator are oxidized to carbon dioxide and water; or

At R.61-62.5, Standard 5, Section II, Part F(3)(a)(iii), strike the comma after the word “or” for consistency to read:

- (iii) Carbon bed solvent recovery system; or

At R.61-62.5, Standard 5, Section II, Part F(3)(a)(iv), add the word “above” after the citation “Part D” for consistency to read:

- (iv) Alternative controls as allowed under Section I, Part C above;

At R.61-62.5, Standard 5, Section II, Part F(3)(a)(v), capitalize the “P” in “paragraph” for consistency to read:

(v) A capture system must be used in conjunction with emission control equipment systems. The design and operation of a capture system must be consistent with good engineering practice, and shall be required to provide for an overall VOC emission reduction efficiency sufficient to meet the emission limitations in Paragraph 2 of this Part.

At R.61-62.5, Standard 5, Section II, Part F(3)(b), add a two in parentheses “(2)” after the word “two” for consistency to read:

b. Compliance may be demonstrated by 24-hour weighted average of emissions for two (2) or more coatings having the same emission limits for the same type of operation on the same line. Averaging times of longer than 24 hours are not allowed.

At R.61-62.5, Standard 5, Section II, Part F(4)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

a. The owner or operator of a source of VOC subject to this Part shall meet one of the following schedules as applicable:

At R.61-62.5, Standard 5, Section II, Part F(4)(a)(i) and (ii), capitalize the “P” in the word “paragraph” in each of the two instance for consistency. Add the word “above” after the citation “Part D” in each of the two instances for consistency to read:

(i) A source utilizing low solvent content coatings to comply with the emission limitations in Paragraph 2 shall comply with Schedule 2 of Section I, Part D above.

(ii) A source utilizing process equipment changes or add-on control devices, including incineration with or without heat recovery, or process modifications not requiring purchase orders to comply with the emission limitations in Paragraph 2 shall comply with Schedule 1 of Section I, Part D above.

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At R.61-62.5, Standard 5, Section II, Part F(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part G(1)(a) through (c), strike the parenthesis around each codification denotation for consistency. Capitalize the first letter of the first word of each item and strike the comma after the word “or” at the end of each applicable item for consistency. Add codification denotation “d.” before the word “Not” for codification consistency and ease of use to read:

a. Printed interior panels made of hardwood plywood and thin particleboard; or

b. Natural finish hardwood plywood panels; or

c. Paneling with Class II finishes.

d. Not included is the manufacture of exterior siding, tileboard, or particleboard used as a furniture component.

At R.61-62.5, Standard 5, Section II, Part G(2), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

No owner or operator of a flat wood paneling coating application system subject to this Part may cause, allow, or permit the discharge into the atmosphere of any VOC in excess of the following levels:

At R.61-62.5, Standard 5, Section II, Part G(2)(a), abbreviate the unit of measure “square meters” by adding the text “kg/100 m²” in parenthesis after the word “meters” and use this abbreviation hereafter for clarity and consistency. Strike the abbreviation “sq ft” in the mathematical expression “6.0 lb/1,000 sq ft” and abbreviate it correctly by adding the text “square feet (ft²)” for clarity and consistency and use this abbreviation hereafter for clarity and consistency to read:

a. 2.9 kg per 100 square meters (kg/100 m²) of coated finished product (6.0 lb/1,000 square feet (ft²)) from printed interior panels, regardless of the number of coats applied;

At R.61-62.5, Standard 5, Section II, Part G(2)(b) and (c), strike the phrase “kg per 100 square meters” and replace with “kg/100 m²” in each instance for consistency. Strike the abbreviation “sq ft” in each instance and replace with “ft²” for clarity and consistency. Strike the comma after the word “and” at the end of item (b) for consistency to read:

b. 5.8 kg/100 m² of coated finished product (12.0 lb/1,000 ft²) from natural finish hardwood plywood panels, regardless of the number of coats applied; and

c. 4.8 kg/100 m² of coated finished product (10.0 lb/1,000 ft²) from Class II finishes on hardboard panels, regardless of the number of coats applied.

At R.61-62.5, Standard 5, Section II, Part G(3)(a)(i), capitalize the “T” in the word “the” and strike the comma after the word “or” at the end of the item for consistency to read:

(i) The application of low solvent content coating technology; or

At R.61-62.5, Standard 5, Section II, Part G(3)(a)(ii), capitalize the “I” in the word “incineration” and strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Strike the comma after the word “or” at the end of the item to read:

(ii) Incineration, provided that 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) which enter the incinerator are oxidized to carbon dioxide and water; or

At R.61-62.5, Standard 5, Section II, Part G(3)(a)(iii) through (v), capitalize the first letter of the first word of each item and strike the comma after the word “or” in item (iii) for consistency. Add the word “above” after the citation “Part C” for consistency to read:

(iii) Carbon bed solvent recovery system, or

(iv) Alternative controls as allowed under Section I, Part C above;

(v) A capture system must be used in conjunction with emission equipment control systems. The design and operation of a capture system must be consistent with good engineering practice and shall be required to provide for an overall emission reduction efficiency sufficient to meet the emission limitations in Paragraph 2 of this Part.

At R.61-62.5, Standard 5, Section II, Part G(3)(b), add a two in parentheses “(2)” after the word “two” for consistency to read:

b. Compliance may be demonstrated by a 24-hour weighted average of emissions for two (2) or more coatings having the same emission limits for the same type of operation on the same line. Averaging time of longer than 24 hours are not allowed.

At R.61-62.5, Standard 5, Section II, Part G(4)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

a. The owner or operator of a source of VOC subject to this Part shall meet one of the following schedules as applicable:

At R.61-62.5, Standard 5, Section II, Part G(4)(a)(i) and (ii), add the words “of this Part” after the phrase “Paragraph 2” in each of the items for consistency and clarity. Add the word “above” after the citation “Part D” in each item for consistency to read:

(i) Sources utilizing low solvent content coatings to comply with the emission limitations in Paragraph 2 of this Part shall comply with Schedule 2 of Section I, Part D above.

(ii) Sources utilizing process equipment changes or add-on control devices, including incineration with or without heat recovery, (or process modification not requiring purchase orders) to comply with the emission limitations in Paragraph 2 of this Part shall comply with Schedule 1 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part G(4)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. The owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

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At R.61-62.5, Standard 5, Section II, Part H(2), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

No owner or operator of a packaging rotogravure, publication rotogravure, or flexographic printing operation subject to this Part may cause, allow, or permit the discharge into the atmosphere of any VOC unless:

At R.61-62.5, Standard 5, Section II, Part H(3), capitalize the “P” in the word “paragraph” for consistency to read:

The emission limitations in Paragraph 2 of this Part can be achieved by:

At R.61-62.5, Standard 5, Section II, Part H(3)(e)(ii), strike the comma after the word “and” at the end of the item to read:

(ii) 65 percent where a packaging rotogravure process is employed; and

At R.61-62.5, Standard 5, Section II, Part H(3)(f), add the word “above” after the citation “Part C” for consistency to read:

f. Alternative controls as allowed under Section I, Part C above.

At R.61-62.5, Standard 5, Section II, Part H(4)(a), add the word “above” after the citation “Part D” for consistency to read:

a. The owner or operator of a source of VOC subject to this Part must comply with Schedule 1 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part H(4)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. The owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part N(1)(a)(i) and (ii), capitalize the first letter of the first word of each item for consistency. Capitalize the “s” in “system” for consistency and strike the phrase “tons per year” and replace with the abbreviation “tpy” throughout for consistency and clarification to read:

(i) Control System A shall apply to cold cleaning, open top vapor degreasing and conveyORIZED degreasing operation, if the plant is located in a non-designated county and uses more than 100 tpy of solvents plant-wide based upon annual solvent purchase records.

(ii) Control System B shall apply to cold cleaning, open top vapor degreasing and conveyORIZED degreasing operations, if the plant is located in a nonattainment county and uses more than 100 tpy of solvents plant-wide based upon annual solvent purchase records.

At R.61-62.5, Standard 5, Section II, Part N(1)(b), strike the citation 1a(i) and replace with the citation “Paragraph (1)(a)(i) above” for codification, clarity, and consistency. Strike the phrase “tons/year” and replace with the abbreviation “tpy” for consistency. Capitalize the “c” in “control” and “s” in “system” for consistency to read:

b. In lieu of meeting the requirements of Paragraph (1)(a)(i) above, a plant in a non-designated county may choose to retain all solvent purchase and return records, including, making them available to the Department and if the potential loss to the ambient air, by evaporation or by other means, of solvent is less than 100 tpy, then the plant is exempted from Control System A requirements. Potential loss for this purpose shall be determined by subtracting returned solvent from purchased solvent.

At R.61-62.5, Standard 5, Section II, Part N(1)(c)(i), capitalize the “O” in the word “open” for consistency. Strike the phrase “square feet” and replace with “ft²” after “10.8” for consistency. Capitalize the “P” in the word “paragraphs” for consistency. Add parenthesis around the number “3” and around the letter “b” before the citations “(iii)(b)” and “(iii)(d)” for codification, clarity, and consistency to read:

(i) Open top vapor degreasers with an open area smaller than one square meter (10.8 ft²) shall be exempt from Paragraphs (3)(b)(iii)(b) and (3)(b)(iii)(d) of this Part.

At R.61-62.5, Standard 5, Section II, Part N(1)(c)(ii), capitalize the “C” in the word “conveyorized” for consistency. Strike the phrase “square feet” and replace with “ft²” after “21.6” for consistency. Capitalize the “P” in the word “paragraph” for consistency. Add parenthesis around the number “4” and letter “b” before the citation “(iii)” for codification, clarity, and consistency to read:

(ii) Conveyorized degreasers with an air/vapor interface smaller than 2.0 square meters (21.6 ft²) shall be exempt from Paragraph (4)(b)(iii) of this Part.

At R.61-62.5, Standard 5, Section II, Part N(2), capitalize the “P” in the word “paragraph” for consistency. Add parenthesis around the number “1” and the letter “c” for codification, clarity, and consistency to read:

Except as provided under Paragraph (1)(c) of this Part, the owner or operator of a cold cleaning operation shall:

At R.61-62.5, Standard 5, Section II, Part N(2)(a) and (a)(i) through (vii), capitalize the first letter of the first word of each item and strike the comma after each instance of the word “and” for consistency to read:

a. For Control System A;

(i) Equip the cleaner with a cover; and

(ii) Equip the cleaner with some means for draining cleaned parts; and

(iii) Provide a permanent, conspicuous label, summarizing the operating requirements; and

(iv) Drain the cleaned parts for at least 15 seconds or until dripping ceases; and

(v) Close degreaser cover whenever parts are not handled in the cleaner; and

(vi) Store waste solvent only in covered containers; and

(vii) Do not dispose of waste solvent nor transfer it to another party, such that greater than 20 percent of the waste (by weight) can evaporate into the atmosphere.

At R.61-62.5, Standard 5, Section II, Part N(2)(b) and (b)(i), capitalize the first letter of the first word of each item to read:

b. For Control System B;

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(i) Equip the cleaner with a cover and the cover shall be so designed that it can be easily operated with one hand; if,

At R.61-62.5, Standard 5, Section II, Part N(2)(b)(i)(a), capitalize the “T” in the word “the” for consistency. Strike the phrase “kilo Pascals” and replace with the abbreviation “kPA” for consistency and ease of use. Abbreviate the unit of measure “millimeters of mercury” by adding the text “mmHg” in parentheses after the word “mercury” and use this abbreviation hereafter for clarity and consistency. Strike the phrase “pounds per square inch” and replace with “psi” for consistency and ease of use. Replace the degree symbol (°) with the text “degrees” in each instance to avoid confusion, avoid software conversion issues, and provide clarity and consistency. Strike the comma after the word “or” at the end of the item for consistency to read:

(a) The solvent volatility is greater than 2 kPA (15 millimeters of mercury (mmHg) or 0.3 psi) measured at 38 degrees C (100 degrees F); or

At R.61-62.5, Standard 5, Section II, Part N(2)(b)(i)(b) and (c), capitalize the first letter of the first word of each item and strike the comma at the end of each item for consistency to read:

(b) The solvent is agitated; or

(c) The solvent is heated; and

At R.61-62.5, Standard 5, Section II, Part N(2)(b)(ii), capitalize the “E” in the word “equip” for consistency. Strike the phrase “kilo Pascals” and replace with the abbreviation “kPA” for consistency and ease of use. Strike the phrase “millimeters of mercury” and replace with the abbreviation “mmHg” for consistency and ease of use. Strike the phrase “pounds per square inch” and replace with “psi” for consistency and ease of use. Replace the degree symbol (°) with the text “degrees” in each instance to avoid confusion, avoid software conversion issues, and provide clarity and consistency. Strike the comma after the word “and” at the end of the item for consistency to read:

(ii) Equip the cleaner with some means for draining cleaned parts and the drainage mechanism shall be constructed internally so that parts are enclosed under the cover while draining if the solvent volatility is greater than 4.3 kPA (32 mmHg or 0.6 psi) measured at 38 degrees C (100 degrees F), except that the drainage mechanism may be external for applications where an internal type cannot fit into the cleaning system; and

At R.61-62.5, Standard 5, Section II, Part N(2)(b)(iii), capitalize the “I” in the word “install” for consistency. Strike the phrase “kilo Pascals” and replace with the abbreviation “kPA” for consistency and ease of use. Strike the phrase “millimeters of mercury” and replace with the abbreviation “mmHg” for consistency and ease of use. Strike the phrase “pounds per square inch” and replace with “psi” for consistency and ease of use. Replace the degree symbol (°) with the text “degrees” in each instance to avoid confusion, avoid software conversion issues, and provide clarity and consistency to read:

(iii) Install one of the following control devices if the solvent volatility is greater than 4.3 kPA (33 mmHg or 0.6 psi) measured at 38 degrees C (100 degrees F), or if the solvent is heated above 50 degrees C (122 degrees F);

At R.61-62.5, Standard 5, Section II, Part N(2)(b)(iii)(a) through (c), capitalize the first letter of the first word of each item and strike the comma at the end of each item for consistency to read:

(a) Freeboard that gives a freeboard ratio greater than or equal to 0.7; or

(b) Water cover (solvent must be insoluble in water and heavier than water); or

(c) Other systems of equivalent control, such as refrigerated chiller or carbon adsorption, approved by the Department; and

At R.61-62.5, Standard 5, Section II, Part N(2)(b)(iv) through (viii), capitalize the first letter of the first word of each item and strike the comma at the end of items (iv) through (vii) for consistency to read:

(iv) Provide a permanent, conspicuous label, summarizing the operating requirements; and

(v) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, such that greater than 20 percent of the waste solvent (by weight) can evaporate into the atmosphere; and

(vi) Close the cover whenever parts are not being handled in the cleaner; and

(vii) Drain the cleaned parts for at least 15 seconds or until dripping ceases; and

(viii) If used, supply a solvent spray that is a solid fluid stream (not a fine, atomized or shower type spray) at a pressure which does not cause excessive splashing.

At R.61-62.5, Standard 5, Section II, Part N(3), capitalize the “P” in “paragraph” for consistency. Add parenthesis around the number “1” around the letter “c” for codification, clarity, and consistency to read:

Except as provided under Paragraph (1)(c) of this Part, the owner or operator of an open top degreaser shall:

At R.61-62.5, Standard 5, Section II, Part N(3)(a) and (a)(i) through (a)(iii), capitalize the first letter of the first word of each item and strike the comma after the word “and” throughout for consistency to read:

a. For Control System A;

(i) Equip the vapor degreaser with a cover that can be opened and closed easily without disturbing the vapor zone; and

(ii) Keep the cover closed at all times except when processing work loads through the degreaser; and

(iii) Minimize solvent carryout by:

At R.61-62.5, Standard 5, Section II, Part N(3)(a)(iii)(a) through (a)(iii)(e), capitalize the first letter of the first word of each item and strike the comma after the word “and” at the end of each applicable item for consistency. Abbreviate the unit of measure “meters per minute” by adding the text “m/min” in parenthesis after the word “minute” and use this abbreviation hereafter for clarity and consistency. Abbreviate the unit of measure “feet per minute” by adding the text “ft/min” in parenthesis after the second word “minute” in item (b) and use these abbreviations hereafter for clarity and consistency to read:

(a) Racking parts to allow complete drainage; and

(b) Moving parts in and out of the degreaser at less than 3.3 meters per minute (m/min) (11 feet per minute (ft/min)); and

(c) Holding the parts in the vapor zone at least 30 seconds or until condensation ceases; and

(d) Tipping out any pools of solvent on the cleaned parts before removal from the vapor zone; and

(e) Allowing parts to dry within the degreaser for at least 15 seconds or until visually dry; and

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At R.61-62.5, Standard 5, Section II, Part N(3)(a)(iv) through (a)(x), capitalize the first letter of the first word of each item and strike the comma after the word “and” at the end of each item for consistency to read:

- (iv) Not degrease porous or absorbent materials, such as cloth, leather, wood, or rope; and
- (v) Not occupy more than half of the degreaser’s open top area with a workload; and
- (vi) Not load the degreaser to the point where the vapor level would drop more than 10 centimeters (4 inches) when the workload is removed from the vapor zone; and
- (vii) Always spray below the vapor level; and
- (viii) Repair solvent leaks immediately, or shut down the degreaser; and
- (ix) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, such that greater than 20 percent of the waste solvent (by weight) can evaporate into the atmosphere; and
- (x) Not operate the cleaner so as to allow water to be visually detectable in solvent exiting the water separator; and

At R.61-62.5, Standard 5, Section II, Part N(3)(a)(xi), capitalize the “N” in “not” for consistency. Strike the abbreviation “OSHA” and define the abbreviation by replacing with the phrase “the Occupational Safety and Health Administration (OSHA)” for term fluidity throughout the regulation. Strike the comma after the word “and” at the end of each item for consistency to read:

- (xi) Not use ventilation fans near the degreaser opening, nor provide exhaust ventilation exceeding 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of degreaser open area, unless necessary to meet the Occupational Safety and Health Administration (OSHA) requirements.

At R.61-62.5, Standard 5, Section II, Part N(3)(b), (b)(i), and (b)(ii), capitalize the first letter of the first word of each item and strike the comma at the end of item (b)(i) for consistency to read:

b. For Control System B;

- (i) Equip the vapor degreaser with a cover that can be opened and closed easily without disturbing the vapor zone; and
- (ii) Provide the following safety switches:

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(ii)(a) and (b), capitalize the first letter of the first word of each item and strike the comma and the end of each item for consistency to read:

- (a) A condenser flow switch and thermostat which shut off the pump heat if the condenser coolant is either not circulating or too warm; and
- (b) A spray safety switch which shuts off the spray pump if the vapor level drops more than 10 centimeters (4 inches); and

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(iii), capitalize the “I” in “install” for consistency to read:

- (iii) Install one of the following control devices:

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(iii)(a), capitalize the “P” in “powered” for consistency. Strike the phrase “square meter” and replace with “m²” after the numeral “1” for consistency and ease of use. Strike the phrase “square feet” and replace with “ft²” after the numeral “10” for consistency and ease of use and strike the comma after the word “or” for consistency to read:

(a) Powered cover, if the freeboard ratio is greater than or equal to 0.75, and if the degreaser opening is greater than 1 m² (10 ft²); or

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(iii)(b) and (c), capitalize the first letter of the first word of each item and strike the comma at the end of each item for consistency to read:

(b) Refrigerated chiller; or

(c) Enclosed design (cover or door opens only when the dry part is actually entering or exiting the degreaser); or

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(iii)(d) and (e), capitalize the first letter of the first word of each item. Add the abbreviation in parentheses (“ppm”) after the word “million” in item (d) for consistency and ease of use and strike the comma at the end of each item for consistency to read:

(d) Carbon adsorption system with ventilation greater than or equal to 15 cubic meters per minute per square meter (50 cubic feet per minute per square foot) of air/vapor area (when cover is open), and exhausting less than 25 parts per million (ppm) of solvent averaged over one complete adsorption cycle; or

(e) A control system, demonstrated to have control efficiency equivalent to or greater than any of the above, and approved by the Department; and

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(iv) through (vi), capitalize the first letter of the first word of each item for consistency. Add the word “below” after “(x)” for clarity and strike the comma at the end of item (b)(v) for consistency to read:

(iv) Attach a permanent, conspicuous label, summarizing operating procedures (v) to (x) below.

(v) Keep the cover closed at all times except when processing work loads through the degreaser; and

(vi) Minimize solvent carryout by:

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(iv)(a), capitalize the “R” in “racking” for consistency to read:

(a) Racking parts to allow complete drainage;

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(iv)(b), capitalize the “M” in “moving” for consistency. Strike the phrase “meters per minute” to replace with “m/min” and “feet per minute” to replace with “ft/min” for consistency and ease of use. Strike the comma at the end of item (b) for consistency to read:

(b) Moving parts in and out of the degreaser at less than 3.3 m/min (11 ft/min); and

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(iv)(c) through (e), capitalize the first letter of the first word of each item for consistency. Strike the comma at the end of items (c) through (e) for consistency to read:

(c) Holding the parts in the vapor zone at least 30 seconds or until condensation ceases; and

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(d) Tipping out any pools of solvent on the cleaned parts before removal from the vapor zone; and

(e) Allowing parts to dry within the degreaser for at least 15 seconds or until visually dry; and

At R.61-62.5, Standard 5, Section II, Part N(3)(b)(vii) through (xiv), capitalize the first letter of the first word of each item and strike the comma at the end of each applicable item for consistency to read:

(vii) Not degrease porous or absorbent materials, such as cloth, leather, wood or rope; and

(viii) Not occupy more than half of the degreaser's open top area with a workload; and

(ix) Not load the degreaser to the point where the vapor level would drop more than 10 centimeters (4 inches) when the workload is removed from the vapor zone; and

(x) Always spray below the vapor level; and

(xi) Repair solvent leaks immediately, or shut down the degreaser; and

(xii) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, such that greater than 20 percent of the waste solvent (by weight) can evaporate into the atmosphere; and

(xiii) Not operate the cleaner so as to allow water to be visually detectable in solvent exiting the water separator; and

(xiv) Not use ventilation fans near the degreaser opening, nor provide exhaust ventilation exceeding 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of degreaser open area, unless necessary to meet OSHA requirements.

At R.61-62.5, Standard 5, Section II, Part N(4), a parenthesis around the number "1" and around the letter "c" in the citation for codification, clarity, and consistency to read:

Except as provided under Paragraph (1)(c) of this Part the owner or operator of the conveyORIZED degreasers shall:

At R.61-62.5, Standard 5, Section II, Part N(4)(a) through N(4)(a)(v), capitalize the first letter of the first word of each item and strike the comma at the end of each applicable item for consistency to read:

a. For Control System A;

(i) Not use workplace fans near the degreaser opening, nor provide exhaust ventilation exceeding 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of degreaser opening, unless necessary to meet OSHA requirements; and

(ii) Minimize carryout emissions by:

(a) Racking parts for best drainage; and

At R.61-62.5, Standard 5, Section II, Part N(4)(a)(ii)(b), capitalize the "M" in "maintaining" for consistency. Strike the phrase "meters per minute" to replace with "m/min" and "feet per minute" to replace with "ft/min" for consistency and ease of use. Strike the comma at the end of item (b) for consistency to read:

(b) Maintaining the vertical conveyor speed at less than 3.3 m/min (11 ft/min); and

At R.61-62.5, Standard 5, Section II, Part N(4)(a)(iii) through N(4)(a)(v), capitalize the first letter of the first word of each item and strike the comma at the end of each applicable item for consistency to read:

(iii) Store waste solvent only in covered containers and not dispose of waste solvent nor transfer it to another party, such that greater than 20 percent of the waste solvent (by weight) can evaporate into the atmosphere; and

(iv) Repair solvent leaks immediately, or shut down the degreaser; and

(v) Not operate the cleaner so as to allow water to be visually detectable in solvent exiting the water separator.

At R.61-62.5, Standard 5, Section II, Part N(4)(b), (b)(i), and (b)(i)(a) capitalize the first letter of the first word of each item and strike the comma after the word “or” for consistency to read:

b. Or Control System B:

(i) Install one of the following control devices:

(a) Refrigerated chiller; or

At R.61-62.5, Standard 5, Section II, Part N(4)(b)(i)(b), capitalize the “C” in “carbon” and strike the phrase “parts per million” and replace with the abbreviation “ppm” for consistency. Strike the comma at the end of the item for consistency to read:

(b) Carbon adsorption system, with ventilation greater than or equal to 15 cubic meters per minute per square meter (50 cubic feet per minute per square foot) of air/vapor area (when downtime covers are open), and exhausting less than 25 ppm of solvent by volume averaged over a complete adsorption cycle; or

At R.61-62.5, Standard 5, Section II, Part N(4)(b)(i)(c), capitalize the word “a” which is the first word of the item for consistency. Strike the word “paragraph” and replace it with the word “Paragraphs” and add parentheses around the number “4” and the letter “a” in the first citation and the number “4” and letter “b” in the second citation for clarity and consistency. Strike the comma at the end of the item for consistency to read:

(c) A system, demonstrated to have a control efficiency equivalent to or greater than Paragraphs (4)(b)(i)(a) or (4)(b)(i)(b) of this Part, and approved by the Department; and

At R.61-62.5, Standard 5, Section II, Part N(4)(b)(ii) through (b)(vi), capitalize the first letter of the first word of each item and strike the comma at the end of each applicable item for consistency to read:

(ii) Equip the cleaner with equipment, such as a drying tunnel or rotating (tumbling) basket, sufficient to prevent cleaned parts from carrying out solvent liquid or vapor; and

(iii) Provide the following safety switches:

(a) A condenser flow switch and thermostat which shuts off the pump heat if the condenser coolant is either not circulating or too warm; and

(b) A spray safety switch which shuts off the spray pump or the conveyor if the vapor level drops more than 10 centimeters (4 inches); and

(c) A vapor level control thermostat which shuts off the pump heat when the vapor level rises too high; and

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(iv) Minimize openings during operation so that entrance and exits will silhouette workloads with an average clearance between the parts and the edge of the degreaser opening of less than 10 centimeters (4 inches) or less than 10 percent of the width of the opening; and

(v) Provide downtime covers for closing off the entrance and exit during shutdown hours; and

(vi) Not use workplace fans near the degreaser opening, nor provide exhaust ventilation exceeding 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of degreaser opening, unless necessary to meet OSHA requirements; and

At R.61-62.5, Standard 5, Section II, Part N(4)(b)(vii) and (vii)(a), capitalize the first letter of the first word of each item and strike the comma at the end of each applicable item for consistency to read:

(vii) Minimize carryout emissions by:

(a) Racking parts for best drainage; and

At R.61-62.5, Standard 5, Section II, Part N(4)(b)(vii)(b), capitalize the “M” in “maintaining” for consistency. Strike the phrase “meters per minute” to replace with the abbreviation “m/min” and “feet per minute” to replace with “ft/min” for clarity and consistency to read:

(b) Maintaining the vertical conveyor speed at less than 3.3 m/min (11 feet per minute); and

At R.61-62.5, Standard 5, Section II, Part N(4)(b)(viii) through (xi), capitalize the first letter of the first word of each item and strike the comma at the end of each applicable item for consistency to read:

(viii) Store waste solvent only in covered containers and not dispose of waste solvent nor transfer it to another party, such that greater than 20 percent of the waste solvent (by weight) can evaporate into the atmosphere; and

(ix) Repair solvent leaks immediately, or shut down the degreaser; and

(x) Not operate the cleaner so as to allow water to be visually detectable in solvent exiting the water separator; and

(xi) Place downtime covers over entrances and exits of conveyORIZED degreasers immediately after the conveyors and exhausts are shut down and not remove them until just before start-up.

At R.61-62.5, Standard 5, Section II, Part N(5)(a), add the word “above” after the citation “Part D” for consistency and ease of use to read:

a. The owner or operator of a volatile organic compound source subject to this Part shall comply with Schedule 1 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part N(5)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part O(1), strike the “a” from “psia” for clarity. Strike the unit “kilo pascals” and replace with the abbreviation “kPA” and for clarity and consistency. Strike the word “gallons” and replace with the abbreviation “gal” for consistency. Strike the word “liters” and replace with the abbreviation “L” for consistency to read:

Affected sources include all fixed roof storage vessels with capacities of 40,000 gal (151,412 L) and larger which contain volatile petroleum liquids whose true vapor pressure is greater than 1.52 psi (10.5 kPA).

At R.61-62.5, Standard 5, Section II, Part O(2)(a) through (f)(iii), capitalize the first letter of the first word of each item. Add the word “above” after the citation “Part F” in item O(2)(f) and strike the comma at the end of each item except for items O(2)(d), O(2)(f), and (f)(iii) for consistency and ease of use to read:

a. The source has been retrofitted with an internal floating roof equipped with a closure seal, or seals, to close the space between the roof edge and tank wall; or

b. The source has been retrofitted with equally effective alternative control approved by the Department; and

c. The source is maintained such that there are no visible holes, tears, or other openings in the seal or any seal fabric or materials; and

d. All openings except stub drains are equipped with covers, lids, or seals such that;

(i) The cover, lid, or seal is in the closed position at all times except when in actual use; and

(ii) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports; and

(iii) Rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer’s recommended setting; and

e. Routine inspections are conducted through roof hatches once per month; and a complete inspection of cover and seal is conducted whenever the tank is emptied for nonoperational reasons or once per year; and

f. Records are maintained in accordance with Section I, Part F above that shall include:

(i) Reports of results of inspections; and

(ii) Average monthly storage temperatures and true vapor pressures of petroleum liquids stored; and

(iii) Throughput quantities and types of petroleum liquids for each storage vessel.

At R.61-62.5, Standard 5, Section II, Part O(3)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Add the word “above” after the citation “Part D” for consistency and ease of use to read:

a. The owner or operator of a VOC source subject to this Part shall comply with Schedule 1 of Section I, Part D above.

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At R.61-62.5, Standard 5, Section II, Part O(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part P(1)(a), strike the term “liters” and add the abbreviation “L” for consistency. Strike the word “gallons” and add the abbreviation “gal” for consistency to read:

a. Affected sources include all petroleum liquid storage vessels equipped with external floating roofs and having capacities greater than 150,000 L (39,600 gal).

At R.61-62.5, Standard 5, Section II, Part P(1)(b)(i), capitalize the “C” in the word “contain” for consistency. Strike the space between the “k” and “Pa” in the abbreviation “k Pa” for consistency. Strike the “a” from “psia” for clarity and consistency and the comma at the end of the item for consistency to read:

(i) Contain a petroleum liquid with a true vapor pressure less than 27.6 kPa (4.0 psi) and are of welded construction presently possessing a metallic-type shoe seal, a liquid-mounted foam seal, a liquid mounted, liquid filled type seal, or other closure device of demonstrated equivalence approved by the Department; or

At R.61-62.5, Standard 5, Section II, Part P(1)(b)(ii), capitalize the “A” in the word “are” for consistency to read:

(ii) Are of welded construction, equipped with a metallic-type shoe primary seal and has a secondary seal from the top of the shoe seal to the tank wall (shoe-mounted secondary seal).

At R.61-62.5, Standard 5, Section II, Part P(2)(a), (b), and (b)(i), capitalize the first letter in the first word of each item for consistency and strike the comma at the end of item (b)(i) for consistency to read:

a. The vessel has been fitted with a continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal), or a closure or other device of equivalent control efficiency and approved by the Department;

b. All seal closure devices meet the following requirements:

(i) There are no visible holes, tears, or other openings in the seal or seal fabric and the seals are intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall; and

At R.61-62.5, Standard 5, Section II, Part P(2)(b)(ii), capitalize the “F” in the word “for” for consistency. Add the phrase “square centimeters” and set off the abbreviation “cm²” in parentheses for use hereafter for clarity and consistency. Add the phrase “square inches” and set off the abbreviation “in²” in parentheses for use hereafter for clarity and consistency to read:

(ii) For vapor-mounted seals, the area of accumulated gaps between the secondary seal and the tank wall shall not exceed 21.2 square centimeters per meter (cm²) of tank diameter (1.0 square inches (in²) per foot of tank diameter).

At R.61-62.5, Standard 5, Section II, Part P(2)(c) through (g)(ii), capitalize the first letter in the first word of each item and strike the comma at the end of each applicable item for consistency to read:

c. All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves, are:

(i) Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; and

(ii) Equipped with projections into the tank which remain below the liquid surface at all times.

d. Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;

e. Rim vents are set to open only when the roof is being floated off the leg supports or at the manufacturer's recommended setting; and

f. Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers at least 90 percent of the area of the opening;

g. The owner or operator of a petroleum liquid storage vessel subject to this Part shall:

(i) Perform annual inspections to ensure compliance with this Part, including a visual inspection of the secondary seal gap; and

(ii) Measure the secondary seal gap annually when the floating roof is equipped with a vapor-mounted seal; and

At R.61-62.5, Standard 5, Section II, Part P(2)(g)(iii), capitalize the "M" in the word "maintain" and add parentheses around the "2" and "g" in the citation for consistency and ease of use. Add the word "above" after the citation for consistency and ease of use to read:

(iii) Maintain records of the results of (2)(g)(i) and (ii) above and of the throughput quantities and types of petroleum liquids stored.

At R.61-62.5, Standard 5, Section II, Part P(3)(a), strike the period after the citation "Part D" and add the word "above" after the citation "Part D" for consistency and ease of use to read:

a. The owner or operator of a VOC source subject to this Part shall comply with Schedule 1 of Section I, Part D above, for installation of a secondary seal, closure, or other VOC emission reduction device:

At R.61-62.5, Standard 5, Section II, Part P(3)(b), add a five in parentheses "(5)" after the word "five" for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part Q(1), strike the phrases "Volatile Organic Compound" and replace with the abbreviation "VOC" in both instances for term fluidity throughout the regulation. Add a serial comma after the word "storage" for grammatical correctness to read:

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All synthesized pharmaceutical manufacturing plants which emit VOC from any source, including reactors, distillation units, dryers, transfer, or storage of VOC, extraction equipment, filters, crystallizers, and centrifuges are affected.

At R.61-62.5, Standard 5, Section II, Part Q(2), Title, strike the period (.) after the word “Provisions” for consistency to read:

2. Control Technology Provisions

The owner or operator of a synthesized pharmaceutical manufacturing plant having sources subject to this Part shall:

At R.61-62.5, Standard 5, Section II, Part Q(2)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

a. Control the VOC emissions from reactors, distillation operations, crystallizers, centrifuges, and vacuum dryers that have the potential to emit 6.80 kg/day (15 lb/day) or more of VOC. Surface condensers or equivalent controls shall be used, provided that:

At R.61-62.5, Standard 5, Section II, Part Q(2)(a)(i)(a) and (b), capitalize the “M” in the word “minus” in both instances for consistency. Replace the degree symbol (°) with the text “degrees” in each instance to avoid confusion, avoid software conversion issues, and provide clarity and consistency. Strike the spaces in “k Pa” and replace with “kPa” in each instance for consistency and ease of use to read:

(a) Minus (-) 25 degrees C when condensing VOC of vapor pressure greater than 40.0 kPa (5.8 psi) measured at 20 degrees C,

(b) Minus (-) 15 degrees C when condensing VOC of vapor pressure greater than 20.0 kPa (2.9 psi) measured at 20 degrees C,

At R.61-62.5, Standard 5, Section II, Part Q(2)(a)(i)(c) through (e), replace the degree symbols (°) with the text “degrees” in each instance to avoid confusion, avoid software conversion issues, and provide clarity and consistency. Strike the spaces in “k Pa” and replace with “kPa” in each instance for consistency and ease of use and strike the comma after the word “or” at the end of item (d) for consistency to read:

(c) 0 degrees C when condensing VOC of vapor pressure greater than 10.0 kPa (1.5 psi) measured at 20 degrees C,

(d) 10 degrees C when condensing VOC of vapor pressure greater than 7.0 kPa (1.0 psi) measured at 20 degrees C, or

(e) 25 degrees C when condensing VOC of vapor pressure greater than 3.50 kPa (0.5 psi) measured at 20 degrees C.

At R.61-62.5, Standard 5, Section II, Part Q(2)(a)(ii), capitalize the “P” in the word “part” for consistency and to read:

(ii) If other controls are used, the VOC emissions must be reduced by the equivalent of a surface condenser which meets the requirements of Part (a)(i) above.

At R.61-62.5, Standard 5, Section II, Part Q(2)(b)(i) and (ii), capitalize the first letter in the first word of each item and strike the comma at the end of item (i) for consistency to read:

- (i) By at least 90 percent if emissions are 150 kg/day (330 lb/day) or more of VOC; or
- (ii) To 15.0 kg/day (33 lb/day) or less if emissions are less than 150 kg/day (330 lb/day) of VOC.

At R.61-62.5, Standard 5, Section II, Part Q(2)(c)(i), capitalize the “P” in the word “provide” for consistency. Strike the word “liters” and replace with the abbreviation “L” for consistency. Strike the word “gallons” and replace with the abbreviation “gal” for consistency. Strike the spaces in “k Pa” and replace with “kPA” in each instance for consistency. Replace the degree symbol (°) with the text “degrees” to avoid confusion, avoid software conversion issues, and provide clarity and consistency, and strike the comma at the end of the item for consistency to read:

(i) Provide a vapor balance system or equivalent control that is at least 90 percent effective in reducing emissions from truck or railcar deliveries to storage tanks with capacities greater than 7,500 L (2,000 gallons) that store VOC with vapor pressures greater than 28.0 kPa (4.1 psi) at 20 degrees C; and

At R.61-62.5, Standard 5, Section II, Part Q(2)(c)(ii), capitalize the “I” in the word “install” for consistency. Add the phrase “plus or minus” and set off the symbol “±” with parentheses for consistent use hereafter. Strike the spaces in “k Pa” and replace with “kPA” in each instance for consistency. Replace the degree symbol (°) with the text “degrees” to avoid confusion, avoid software conversion issues, and provide clarity and consistency to read:

(ii) Install pressure/vacuum conservation vents set at plus or minus (±) 0.2 kPa on all storage tanks that store VOC with vapor pressures greater than 10.0 kPa (1.5 psi) at 20 degrees C, unless a more effective control system is used.

At R.61-62.5, Standard 5, Section II, Part Q(2)(d), capitalize the “E” in the word “enclose” for consistency. Strike the spaces in “k Pa” and replace with “kPA” for consistency. Replace the degree symbol (°) with the text “degrees” to avoid confusion, avoid software conversion issues, and provide clarity and consistency to read:

d. Enclose centrifuges, rotary vacuum filters, and other filters which process liquids containing VOC with vapor pressures of 3.50 kPa (0.5 psi) or more at 20 degrees C.

At R.61-62.5, Standard 5, Section II, Part Q(2)(e), capitalize the “I” in the word “install” for consistency. Strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation to read:

e. Install covers on in-process tanks containing a VOC at any time. These covers must remain closed, unless production, sampling, maintenance, or inspection procedures require operator access.

At R.61-62.5, Standard 5, Section II, Part Q(2)(f), capitalize the “R” in the word “repair” for consistency to read:

f. Repair leaks from which a liquid containing VOC can be observed running or dripping. The repair shall be completed the first time the equipment is off line for a period of time long enough to complete the repair.

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At R.61-62.5, Standard 5, Section II, Part Q(3)(a), add the word “above” after the citation “Part D” for consistency and ease of use to read:

a. The owner or operator of a VOC source subject to this Part shall comply with Schedule 1 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part Q(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part R(1), strike the colon (:) after the close parentheses and add a colon (:) after the word “Tires” with in the parenthesis for grammatical correctness to read:

Affected sources include the following operations in all plants for the “Manufacture of Pneumatic Rubber Tires:” Undertread cementing, tread end cementing, bead dipping, and green tire spraying.

At R.61-62.5, Standard 5, Section II, Part R(2), Title, strike the period (.) after the word “Provisions” for consistency to read:

2. Control Technology Provisions

At R.61-62.5, Standard 5, Section II, Part R(2)(b)(i) through (iii), capitalize the first letter in the first word of each item for consistency. Strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” in each instance for term fluidity throughout the regulation and strike the comma at the end of item (i) for consistency to read:

(i) A carbon adsorption system designed and operated in a manner such that there is at least a 95 percent removal of VOC by weight from the gases ducted to the control device; or

(ii) An incineration system that oxidizes at least 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) which enter the incinerator to carbon dioxide and water.

(iii) An alternative VOC emission reduction system certified by the owner or operator to have at least a 90.0 percent reduction efficiency, measured across the control system, that has been approved by the Department.

At R.61-62.5, Standard 5, Section II, Part R(2)(b)(iii), End Text, add codification denotation “3” for codification consistency and ease of use. Strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” in each instance for term fluidity throughout the regulation to read:

3. The owner or operator of a green tire spraying operation subject to this Part must implement one of the following means of reducing VOC emissions:

At R.61-62.5, Standard 5, Section II, Part R(2)(b)(iii)(a) and (b), Strike the parenthesis around each item, add a period after both “a” and “b” and strike two tabs in the formatting for codification consistency. Capitalize the first letter in the first word of each item for consistency and strike the commas at the end of each item for consistency to read:

a. Substitute water-based sprays for the normal solvent-based mold release compound; or

b. Install a capture system designed and operated in a manner that will capture and transfer at least 90 percent of the VOC emitted by the green tire spraying operation to a control device; and

At R.61-62.5, Standard 5, Section II, Part R(2)(b)(iii)(c), Strike the parenthesis around the item, add a period after “c” and strike two tabs in the formatting for codification consistency. Capitalize the “T” in the word “in” and the “P” in the word “part” for consistency. Add the word “above” after the citation for clarity to read:

c. In addition to Part b above, install and operate a control device that meets the requirements of one of the following:

At R.61-62.5, Standard 5, Section II, Part R(2)(b)(iii)(c)(i) through (iii), strike a tab in the formatting for codification consistency. Capitalize the first letter in the first word of each item for consistency, and strike the comma at the end of item (i) for consistency. Strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” in each instance for term fluidity throughout the regulation to read:

(i) A carbon adsorption system designed and operated in a manner such that there is at least 95 percent removal of VOC by weight from the gases ducted to the control device; or

(ii) An incineration system that oxidizes at least 90 percent of the nonmethane VOC (VOC measured as total combustible carbon) to carbon dioxide and water.

(iii) An alternative VOC emission reduction system certified by the owner or operator to have at least a 90.0 percent reduction efficiency, measured across the control system, that has been approved by the Department.

At R.61-62.5, Standard 5, Section II, Part R(3), strike the codification denotation “3” and add the number “4” for codification consistency. Strike the period (.) after the word “Schedules” for consistency to read:

4. Compliance Schedules

At R.61-62.5, Standard 5, Section II, Part R(3)(a), add the word “above” after the citation “Part D” for consistency and clarity to read:

a. The owner or operator of a VOC source subject to this Part shall comply with Schedule 1 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part R(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. The owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part S(1), add a serial comma after the word “allow” for consistency to read:

No person may cause, allow, or permit the use or application of cutback asphalt except:

At R.61-62.5, Standard 5, Section II, Part S(1)(a) through (c), capitalize the first letter in the first word of each item for consistency to read:

a. When used solely as a penetrating prime coat; or

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- b. When long-life asphalt mix stockpile storage is required; or
- c. When application is to be made during the months of January, February, or December.

At R.61-62.5, Standard 5, Section II, Part S(2)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Add the word “above” after the citation “Part D” for consistency and clarity to read:

a. The owner or operator of a VOC source subject to this Part shall comply with Schedule 1 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part S(2)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

At R.61-62.5, Standard 5, Section II, Part T(1), capital the “S” in the word “standard” for consistency to read:

This Standard will apply to all bulk gasoline terminals and the appurtenant equipment necessary to load or unload gasoline tank trucks.

At R.61-62.5, Standard 5, Section II, Part T(2)(a), capitalize the “T” in the word “the” for consistency and add a serial comma after the word “operation” for grammatical correctness and clarity to read:

a. The bulk gasoline terminal is equipped with a vapor control system, properly installed, in good working order, in operation, and consisting of one of the following:

At R.61-62.5, Standard 5, Section II, Part T(2)(a)(i), capitalize the “A” in “an” for consistency. Strike the apostrophe and letter “s” after the abbreviation “VOC” for grammatical correctness. Strike the word “gallon” and replace with the abbreviation “gal” for consistency. Strike the word “liters” and replace with the abbreviation “L” for consistency. Strike the comma after the word “or” for consistency to read:

(i) An adsorber or condensation system which may not allow mass emissions of VOC to exceed 4.7 grains per gal (80 milligrams per L) of gasoline loaded; or

At R.61-62.5, Standard 5, Section II, Part T(2)(a)(ii) and (iii), capitalize the first letter in the first word of each item for consistency. Strike the comma at the end of item (ii) for consistency. Add the word “above” after the citation “Part C” in item (iii) for clarity and consistency to read:

(ii) A vapor collection system which directs all vapors to a fuel gas system; or

(iii) Alternative controls as allowed under Section I, Part C above.

At R.61-62.5, Standard 5, Section II, Part T(2)(b) through (d), capitalize the first letter in the first word of each item and strike the comma at the end of items (b) and (d) for consistency.

b. All displaced vapors and gases are vented only to the vapor control system; and

c. A means is provided to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected; and

d. All loading and vapor lines are equipped with fittings which make vapor-tight connections and which close automatically when disconnected.

At R.61-62.5, Standard 5, Section II, Part T(2)(d), End Text, add the number “3” to the text below (d) and beginning with the word “Sources” for codification consistency to read:

3. Sources affected by this Part may not:

At R.61-62.5, Standard 5, Section II, Part T(2)(d)(a) through (c), capitalize the first letter in the first word of each item and strike the commas at the end of items (a) and (b) for consistency.

- a. Allow avoidable visible liquid leaks during loading or unloading operations; nor
- b. Allow the pressure in the vapor collection system to exceed the gasoline tank truck pressure relief settings; nor
- c. Allow gasoline to be discarded in sewers nor stored in open containers nor handled in any manner that would result in evaporation.

At R.61-62.5, Standard 5, Section II, Part T(3), strike the codification denotation “3” and add the number “4” for codification consistency to read:

4. Compliance Schedules

At R.61-62.5, Standard 5, Section II, Part T(3)(a), strike the phrase “Volatile Organic Compound” and replace with the abbreviation “VOC” for term fluidity throughout the regulation. Add the word “above” after the citation “Part D” for consistency and clarity to read:

a. The owner or operator of a VOC source subject to this Part shall comply with Schedule 1 of Section I, Part D above.

At R.61-62.5, Standard 5, Section II, Part T(3)(b), add a five in parentheses “(5)” after the word “five” for consistency to read:

b. Any owner or operator of a source subject to any compliance schedule shall certify to the Department within five (5) days after the deadline for each increment of progress, whether the required increment of progress has been met.

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**CLEMSON UNIVERSITY
STATE LIVESTOCK-POULTRY HEALTH COMMISSION
CHAPTER 27**

Statutory Authority: 1976 Code Sections 47-4-30 and 47-17-130

Notice of Drafting:

The Livestock-Poultry Health Commission is considering modernizing, clarifying and updating existing regulations which govern, to the extent authorized by S. C. Code, Title 47, Chapter 4, the inspection of meat and meat food products produced for intrastate commerce.

Interested parties should submit written comments to Dr. Clyde B. Hoskins, Director, State Meat-Poultry Inspection Department, P. O. Box 102406, Columbia, S. C. 29224-2406. To be considered comments should be received no later than September 24, 2012, the close of the drafting comment period.

Synopsis:

This regulation is being promulgated to comply with the Federal Meat Inspection Act (21 USDA 661, Section 301) which establishes Federal-State Cooperative Meat Inspection Programs. This is a grant program with equal federal-state funding. A cooperating state is required to adopt regulations at least as stringent as those adopted by the United States Government. This regulation will, in effect, adopt the current Federal Meat Inspection Regulations with some minor exceptions for some state specific requirements, such as utilizing state marks of inspection, designating use of state holidays and other similar requirements.

This regulation will not require legislative action.

**CLEMSON UNIVERSITY
STATE LIVESTOCK-POULTRY HEALTH COMMISSION
CHAPTER 27**

Statutory Authority: 1976 Code Sections 47-4-30, 47-19-30, and 47-19-170

Notice of Drafting:

The Livestock-Poultry Health Commission is considering modernizing, clarifying and updating existing regulations which govern, to the extent authorized by S.C. Code, Title 47, Chapter 4, the inspection of poultry products produced for intrastate commerce.

Interested parties should submit written comments to Dr. Clyde B. Hoskins, Director, State Meat-Poultry Inspection Department, P.O. Box 102406, Columbia, S.C. 29224-2406. To be considered comments should be received no later than September 24, 2012, the close of the drafting comment period.

Synopsis:

This regulation is being promulgated to comply with the Poultry Products Inspection Act (21 USCA 454, Section 5) which establishes Federal-State Cooperative Poultry Inspection Programs. This is a grant program with equal federal-state funding. A cooperating state is required to adopt regulations at least as stringent as those adopted by the United States Government. This regulation will, in effect, adopt the current Federal Poultry Products Inspection Regulations with some minor exceptions for some state specific requirements, such as utilizing state marks of inspection, designating use of state holidays, and other similar requirements.

This regulation will not require legislative action.

DEPARTMENT OF CONSUMER AFFAIRS
CHAPTER 28
Statutory Authority: 1976 Code Section 40-58-100

Notice of Drafting:

The South Carolina Department of Consumer Affairs proposes to amend R.28-400, Mortgage Loan Broker Certificate of Registration. Interested persons should submit written comments to Charles M. Knight, South Carolina Department of Consumer Affairs, P.O. Box 5757, Columbia, SC 29250. To be considered, comments should be received no later than September 30, 2012, the close of the comment period.

Synopsis:

The proposed amendments will update the current regulations to comply with the Secure and Fair Enforcement for Mortgage Licensing Act of 2008, 12 USC 5101 et seq. and regulations promulgated thereunder and The South Carolina Mortgage Lending Act.

This regulation will require legislative action.

DEPARTMENT OF CONSUMER AFFAIRS
CHAPTER 28
Statutory Authority: 1976 Code Sections 37-6-104, 37-6-403, and 37-6-506

Notice of Drafting:

The South Carolina Department of Consumer Affairs proposes to amend Regulations 28-8, 28-62, 28-70-2.305, 3.305, and 28-500. Interested parties are invited to present their views in writing to Danny Collins, Deputy for Regulatory Enforcement, South Carolina Department of Consumer Affairs, P.O. Box 5757, Columbia, SC 29250. To be considered, comments must be received no later than 5 p.m. September 24, 2012, the close of the drafting comment period.

Synopsis:

The Department intends to amend the following regulations: 28-8, 28-62, 28-70-2.305, 3.305, and 28-500. The purpose of the proposed amendments is to revise and edit regulatory language to conform with current statutory requirements and to delete obsolete provisions.

The regulation will require legislative review.

DEPARTMENT OF CONSUMER AFFAIRS
CHAPTER 28
Statutory Authority: 1976 Code Sections 37-6-104, 37-6-402, 37-6-403, and 37-6-506

Notice of Drafting:

The South Carolina Department of Consumer Affairs proposes to amend Regulations 28-2, 28-9, 28-10, 28-11, 28-12, 28-13, 28-14, 28-16, 28-17, 28-18, 28-19, 28-20, 28-21, and 28-22. Interested parties are invited to present their views in writing to Danny Collins, Deputy for Regulatory Enforcement, South Carolina Department of Consumer Affairs, P.O. Box 5757, Columbia, SC 29250. To be considered, comments must be received no later than 5 p.m. September 24, 2012, the close of the drafting comment period.

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Synopsis:

The Department intends to amend the following regulations: R.28-2, 28-9, 28-10, 28-11, 28-12, 28-13, 28-14, 28-16, 28-17, 28-18, 28-19, 28-20, 28-21, and 28-22. The purpose of the proposed amendments is to revise and edit regulatory language to conform with current statutory requirements and to delete obsolete provisions.

The regulations will require legislative review.

DEPARTMENT OF CONSUMER AFFAIRS

CHAPTER 28

Statutory Authority: 1976 Code Section 40-39-20

Notice of Drafting:

The South Carolina Department of Consumer Affairs proposes to amend R.28-200, Pawnbroker Certificate of Authority. Interested persons should submit written comments to Charles M. Knight, South Carolina Department of Consumer Affairs, P.O. Box 5757, Columbia, SC 29250. To be considered, comments should be received no later than September 30, 2012, the close of the comment period.

Synopsis:

The proposed amendments will address, but not be limited to the following: update and clarify the requirements for obtaining and revoking pawnbroker certificates of authority, administrative action against pawnbrokers that violate state law, and liability insurance requirements for pawnbrokers.

This regulation will require legislative action.

STATE BOARD OF EDUCATION

CHAPTER 43

Statutory Authority: 1976 Code Sections 59-26-10 et seq. (2004 and to be codified at Supp. 2012)

Notice of Drafting:

The South Carolina Board of Education proposes to amend Regulation 43-205.1, Assisting, Developing, and Evaluating Professional Teaching (ADEPT). Interested persons may submit their comments in writing to Charmeka Bosket, Deputy Superintendent, Division of School Effectiveness, 1429 Senate Street, Room 606, Columbia, South Carolina 29201 or by e-mail to cbosket@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

Amendments to Regulation 43-205.1 will address the amended statutory requirements that increase the induction contract period from one year to three years and will address the new South Carolina Limited Professional Certificate that was approved in the 2012 amendments to Regulation 43-53 (Credential Classification).

Legislative review of this proposal will be required.

STATE BOARD OF EDUCATION
CHAPTER 43
Statutory Authority: 1976 Code Section 59-5-60 (2004)

Notice of Drafting:

The South Carolina Board of Education proposes to repeal Regulation 43-183, Buildings and Grounds-Cleaning Program.

Interested persons may submit their comments in writing to Delisa Clark, Director, Office of School Facilities, Division of Operations and Support, 1429 Senate Street, Room 1114E, Columbia, South Carolina 29201 or by e-mail to dclark@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

Regulation 43-183 simply references custodial serviced in vocational centers. This is a matter of that should be managed by the local school districts and therefore a state-level regulation is unnecessary.

Legislative review of this repeal will be required.

STATE BOARD OF EDUCATION
CHAPTER 43
Statutory Authority: 1976 Code Sections 59-5-60 (2004), 59-19-90, and 59-23-210 (2004)

Notice of Drafting:

The South Carolina Board of Education proposes to repeal Regulation 43-180, Buildings and Grounds. Defined Minimum Program for South Carolina School District.

Interested persons may submit their comments in writing to Delisa Clark, Director, Office of School Facilities, Division of Operations and Support, 1429 Senate Street, Room 1114E, Columbia, South Carolina 29201 or by e-mail to dclark@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

Regulation 43-180 is obsolete now since state law was amended and now provides that “all construction, improvements, and renovation of public school buildings and property on or after the effective date of this section shall comply with the latest applicable standards and specifications set forth in the South Carolina School Facilities Planning and Construction Guide as published by the South Carolina Department of Education.” S.C. Code Ann. Section 59-23-210 (Supp. 2011). This guide is updated annually by a committee appointed by the SCDE, as set forth in statute.

Legislative review of this repeal will be required.

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STATE BOARD OF EDUCATION CHAPTER 43

Statutory Authority: 1976 Code Section 59-23-160 (Repealed)

Notice of Drafting:

The South Carolina Board of Education proposes to repeal Regulation 43-187, Buildings and Grounds-Heating and Lighting.

Interested persons may submit their comments in writing to Delisa Clark, Director, Office of School Facilities, Division of Operations and Support, 1429 Senate Street, Room 1114E, Columbia, South Carolina 29201 or by e-mail to dclark@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

The legislative authority for Regulation 43-187 has been repealed.

Legislative review of this repeal will be required.

STATE BOARD OF EDUCATION CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60 (2004) and 59-19-90 (2004)

Notice of Drafting:

The South Carolina Board of Education proposes to repeal Regulation 43-181, Buildings and Grounds Management-Fire Prevention.

Interested persons may submit their comments in writing to Delisa Clark, Director, Office of School Facilities, Division of Operations and Support, 1429 Senate Street, Room 1114E, Columbia, South Carolina 29201 or by e-mail to dclark@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

Regulation 43-181 is obsolete now since state law was amended and now provides that “all construction, improvements, and renovation of public school buildings and property on or after the effective date of this section shall comply with the latest applicable standards and specifications set forth in the South Carolina School Facilities Planning and Construction Guide as published by the South Carolina Department of Education.” S.C. Code Ann. Section 59-23-210 (Supp. 2011). This guide is updated annually by a committee appointed by the SCDE, as set forth in statute.

Legislative review of this repeal will be required.

STATE BOARD OF EDUCATION
CHAPTER 43
 Statutory Authority: 1976 Code Section 59-23-210 (2004)

Notice of Drafting:

The South Carolina Board of Education proposes to repeal Regulation 43-191, Facility Specifications.

Interested persons may submit their comments in writing to Delisa Clark, Director, Office of School Facilities, Division of Operations and Support, 1429 Senate Street, Room 1114E, Columbia, South Carolina 29201 or by e-mail to dclark@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

Regulation 43-191 is obsolete now since state law was amended and now provides that “all construction, improvements, and renovation of public school buildings and property on or after the effective date of this section shall comply with the latest applicable standards and specifications set forth in the South Carolina School Facilities Planning and Construction Guide as published by the South Carolina Department of Education.” S.C. Code Ann. Section 59-23-210 (Supp. 2011). This guide is updated annually by a committee appointed by the SCDE, as set forth in statute.

Legislative review of this repeal will be required.

STATE BOARD OF EDUCATION
CHAPTER 43
 Statutory Authority: 1976 Code Sections 59-5-60 (2004) and 59-29-170 (2004)

Notice of Drafting:

The South Carolina Board of Education proposes to amend Regulation 43-220, Gifted and Talented. Interested persons may submit their comments in writing to Rick Blanchard, Office of Federal and State Accountability, Division of Accountability, 1429 Senate Street, Room 501-D, Columbia, South Carolina 29201 or by e-mail to rblancha@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

Regulation 43-220, Gifted and Talented, Gifted and Talented, establishes the criteria for student eligibility in gifted and talented programs and sets forth the program service and curriculum requirements. Academic and artistic gifted programs are addressed in this regulation. The provisions of this regulation include, but are not limited to, program, identification of population to be served, staff, reporting, funding, and expenditures and accounting procedures. With the development of new state assessments, the increase in public school choices (charters, single gender, etc.), and other common issues for districts, the regulation revision will attempt to resolve some of these challenges.

Legislative review of this proposal will be required.

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STATE BOARD OF EDUCATION

CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60 (2004) and 59-40-10 et seq. (2004 and Supp. 2011); Public Law 111-117, December 16, 2009, Consolidated Appropriations Act, 2010

Notice of Drafting:

The South Carolina Board of Education proposes to amend Regulation 43-601, Procedures and Standards for Review of Charter School Applications. Interested persons may submit their comments in writing to Charmeka Bosket, Deputy Superintendent, Division of School Effectiveness, 1429 Senate Street, Room 606, Columbia, South Carolina 29201 or by e-mail to cbbosket@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

Amendments to Regulation 43-601 will address federal Charter School Program Assurances 3A and 3B and will address recent changes in the charter school law.

Legislative review of this proposal will be required.

STATE BOARD OF EDUCATION

CHAPTER 43

Statutory Authority: 1976 Code Section 59-23-210 (2004)

Notice of Drafting:

The South Carolina Board of Education proposes to repeal Regulation 43-190, Project Plans and Specifications.

Interested persons may submit their comments in writing to Delisa Clark, Director, Office of School Facilities, Division of Operations and Support, 1429 Senate Street, Room 1114E, Columbia, South Carolina 29201 or by e-mail to dclark@ed.sc.gov. To be considered, all comments must be received no later than 5:00 p.m. on September 24, 2012.

Synopsis:

Regulation 43-190 is obsolete now since state law was amended and now provides that “all construction, improvements, and renovation of public school buildings and property on or after the effective date of this section shall comply with the latest applicable standards and specifications set forth in the South Carolina School Facilities Planning and Construction Guide as published by the South Carolina Department of Education.” S.C. Code Ann. Section 59-23-210 (Supp. 2011). This guide is updated annually by a committee appointed by the SCDE, as set forth in statute.

Legislative review of this repeal will be required.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
CHAPTER 61

Statutory Authority: 1976 Code Sections 44-1-140 and 44-1-150

Notice of Drafting:

The Department of Health and Environmental Control proposes to substantially amend R.61-25, Retail Food Establishments. Interested persons may submit comments to Ms. Sandra D. Craig, Director, Division of Food Protection, Bureau of Environmental Health, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201-1708. Comments submitted must be received by 5:00 p.m. on September 28, 2012, the close of the drafting comment period.

Synopsis:

R.61-25, Retail Food Establishments, was last amended in 1995. Since that amendment, there have been numerous changes in the retail food industry, including food handling practices, food equipment technology, and food preparation processes, making R.61-25, in its current form, outdated. Proposed amendments will, but not limited to, address these industry changes, as well as incorporating applicable requirements and information from the United States Food and Drug Administration (FDA) 2009 Model Food Code. Also, stylistic changes will be made in the regulation format to make South Carolina's regulation more consistent with the FDA's 2009 Model Food Code.

The Department also intends to revise R.61-25 to comply with statutory changes in the Administrative Appeals process pursuant to S.C. Code Section 44-1-60 (2006 S.C. Acts 387). Other stylistic changes are being considered to amend the regulation for internal consistency; clarification in wording; corrections of references, grammatical errors, outlining/codification, and such other changes as may be necessary to improve the overall quality of the regulation pursuant to regulation drafting standards required by the Legislative Council.

This proposed regulation amendment will require legislative review.

DEPARTMENT OF NATURAL RESOURCES
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 503100, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-430, 50-11-500, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

Notice of Drafting:

The Department of Natural Resources proposes to replace Regulations 123-40 "Hunt Units and Wildlife Management Area Regulations", 123-50 "Crow Hunting Seasons", 123-51 "Turkey Hunting Rules and Seasons" and 123-52 "Either-sex days for Private Lands in Game Zones 1-6". The subject of the proposed action is to replace the regulations in order to establish a clearer and more appropriate format. Any person interested may submit written comments to Emily Cope, Deputy Director, Wildlife & Freshwater Fisheries Division, S.C. Department of Natural Resources, Post Office Box 167, Columbia, SC 29202.

Synopsis:

These regulations only replace existing regulations with a new format. No changes in content are included in this action. Therefore, no impact on Wildlife Management Areas or hunting seasons will occur.

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Document No. 4290

DEPARTMENT OF NATURAL RESOURCES

CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

123-40. Wildlife Management Area Regulations

123-52. Either-sex days for Private Lands in Game Zones 1-6

Preamble:

The South Carolina Department of Natural Resources is proposing to amend the existing regulations that set seasons, bag limits and methods of hunting and taking of wildlife. The following is a section-by-section summary of the proposed changes and additions:

(B) Game zone 2 – adds 12 days to the archery deer season at Fants Grove WMA.

(F) Samworth WMA – adds Monday through Wednesday archery deer hunting in October. Previously was Thursday through Saturday. Adds 19 days additional still hunts for hogs and establishes 1 week of hog hunts with dogs.

(G) Francis Marion National Forest – establishes the opening day of still hog hunts on the Monday after the 1st Saturday in March instead of March 2nd. Hellhole WMA – adds one month to deer archery season, moves the opening of Still Gun Hunts from Oct. 1 to Nov. 1, establishes 4 days of hog hunting with dogs. Waterhorn WMA – deletes the check in requirement for hog hunters and adds an additional weekend of hog hunts with dogs. Wambaw WMA – clarifies check station names and adds an additional weekend of hog hunts with dogs. Northampton WMA – clarifies check station names and establishes 6 days of hog hunts with dogs. Santee WMA – moves the last deer dog drive hunt to the 2nd Sat. in Dec. and establishes 4 days of hog hunts with dogs.

(H) Moultrie – allows hogs to be harvested during any scheduled hunt.

(I) Santee Cooper WMA – allows hog and coyote harvest during any scheduled hunts.

(J) Webb WMA – adds 3 days still hog hunts.

(L) Santee Delta WMA – deletes the deer and hog hunter sign in and sign out requirement, adds 7 days archery deer hunts, adds 22 days special hog hunts and adds 4 days special hog hunts with dogs.

(N) Bear Island WMA – increases the limit and adds size restrictions to the alligator hunts.

(O) Lewis Ocean Bay WMA – adds 8 days still gun hunts for deer and changes the reference for small game limits from Game Zone 4 to Game Zone 5.

(R) Santee Coastal Reserve WMA – adds 25 days archery deer hunts, adds 12 days small game and quail hunting, adds 12 days raccoon and opossum hunting and increases the limit and adds size restrictions to the alligator hunts.

(U) Manchester State Forest WMA – allows hog and coyote harvest during any scheduled hunts.

(W) Marsh WMA – changed the wording to always allow the first deer still gun hunt the last full week in Oct.

(X) Hamilton Ridge WMA - adds 3 days still hog hunts.

(AA) Little Pee Dee River Complex WMA – adds 15 days archery deer hunts, adds 3 days hog hunts with dogs and changes the reference for small game limits from Game Zone 4 to Game Zone 5.

(CC) Hickory Top WMA – allows hunting in the Greentree Reservoir during years when the Greentree Reservoir is not flooded, allows hog and coyote harvest during any scheduled hunts, establishes 12 days of hog still hunts and 12 days of hog hunts with dogs.

(DD) Palachucola WMA – adds 3 days still hog hunts.

(FF) Waccamaw River Heritage Preserve WMA - changes the reference for small game limits from Game Zone 4 to Game Zone 5 and adds 4 days hog hunts with dogs.

(HH) Canal WMA – deletes the hunter data card requirement only.

(II) Cartwheel Bay HP WMA - changes the reference for small game limits from Game Zone 4 to Game Zone 5.

(OO) Santee Dam WMA – establishes 12 days of hog hunts with dogs.

(QQ) Oak Lea WMA - allows hog and coyote harvest during any scheduled hunts.

(SS) Edisto River WMA – adds 1 day still gun hunt and moves the opening day of small game hunting to Jan. 2.

(VV) Bonneau Ferry WMA – clarifies the areas of the property that are closed during hunts and deletes the data card requirement for quail hunters.

(WW) Ditch Pond WMA – allows the use of Individual Antlerless Deer Tags and allows hog and coyote harvest during any scheduled hunts.

(XX) Henderson HP WMA - allows the use of Individual Antlerless Deer Tags and allows hog and coyote harvest during any scheduled hunts.

(AAA) Belfast WMA - allows hog and coyote harvest during any scheduled hunts.

(BBB) Congaree Bluffs HP WMA – establishes a new WMA with special draw deer hunts and allows hog and coyote harvest during any scheduled hunts.

2.7 – adds temporary climbing devices to the removal requirement.

123-52 – clarifies the use of Individual Antlerless Deer Tags in all Game Zones.

A Notice of Drafting was published in the *State Register* on June 22, 2012.

Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(b) of the 1976 Code, as amended, such hearing will be conducted at 1000 Assembly Street on Thursday, October 18, 2012 at 10:00 am in room 335, third floor, Rembert C. Dennis Building. Written comments may be directed to Emily Cope, Wildlife & Freshwater Fisheries Division, Department of Natural Resources, Post Office Box 167, Columbia, SC 29202. Comments must be received no later than 5 pm on September 24, 2012.

Preliminary Fiscal Impact Statement:

This amendment of Regulations 123-40 and 123-52 will result in increased public hunting opportunities which should generate additional State revenue through license sales. In addition, the local economy should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

Statement of Need and Reasonableness:

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

DESCRIPTION OF THE REGULATION:

Purpose: These regulations amend Chapter 123-40 and 123-52 in order to set seasons, bag limits and methods of hunting and taking of wildlife on existing and additional Wildlife Management Areas and to clarify the use of Individual Antlerless Deer Tags in all Game Zones.

Legal Authority: Under Sections 50-11-2200 and 50-11-2210 of the S.C. Code of Laws, the Department of Natural Resources has jurisdiction over all Wildlife Management Areas to establish open and closed seasons, bag limits, and methods of taking wildlife; special use restrictions related to hunting and methods for taking wildlife on Department-owned Wildlife Management Areas. Under Section 50-11-96 of the S.C. Code of Laws, the Department of Natural Resources is authorized to promulgate regulations to implement and regulate the provisions of this section.

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Plan for Implementation: Once the regulation has been approved by the General Assembly, the Department will incorporate all regulations in the annual Rules and Regulations Brochure. The public will be notified through this publication and through news releases and other Department media outlets and publications.

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

Periodically additional lands are made available to the public through the Wildlife Management Area Program. Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on these new WMAs as well as expanding use opportunities on existing WMAs.

DETERMINATION OF COSTS AND BENEFITS:

Implementation of the proposed regulation will not require any additional costs to the state or to the sporting community. There are no significant new costs imposed by the addition of new WMAs since the funding of leasing WMAs is provided through the existing WMA permit program. Clarification of existing regulations under appropriate authority will improve enforcement ability and therefore reduce staff time in handling prosecution of offenses. This amendment of Regulations 123-40 and 123-52 will result in increased public hunting opportunities that should generate additional State revenue through license sales. In addition, the local economy should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

UNCERTAINTIES OF ESTIMATES:

Staff does not anticipate any increased costs with the promulgation of this regulation. Accordingly, no costs estimates and the uncertainties associated with them are provided.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The promulgation of this regulation will not have any impacts on public health. Environmental impacts will be positive since the proposed regulation will result in additional opportunity for outdoor recreation for South Carolina's sportsmen therefore and increased awareness and commitment for natural resources.

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

No detrimental impact on public health or the environment will occur if this proposed regulation is not implemented. Failure to implement this regulation will prevent positive benefits to public.

Statement of Rationale:

Rationale for the formulation of these regulations is based on over 60 years of experience by SCDNR in establishing public hunting areas. New areas are evaluated on location, size, current wildlife presence, access and recreation use potential. Contractual agreements with the landowners provide guidelines for the use and management of the property. Wildlife Management Area agreements are on file with the Wildlife Management Section of the Department of Natural Resources, Room 267, Dennis Building, 1000 Assembly Street, Columbia.

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.