

SOUTH CAROLINA STATE REGISTER DISCLAIMER

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SOUTH CAROLINA STATE REGISTER

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of the
GENERAL ASSEMBLY

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This issue contains notices, proposed regulations, emergency regulations, final form regulations, and other documents filed in the Office of the Legislative Council, pursuant to Article 1, Chapter 23, Title 1, Code of Laws of South Carolina, 1976.

SOUTH CAROLINA STATE REGISTER

An official state publication, the *South Carolina State Register* is a temporary update to South Carolina's official compilation of agency regulations--the *South Carolina Code of Regulations*. Changes in regulations, whether by adoption, amendment, repeal or emergency action must be published in the *State Register* pursuant to the provisions of the Administrative Procedures Act. The *State Register* also publishes the Governor's Executive Orders, notices or public hearings and meetings, and other documents issued by state agencies considered to be in the public interest. All documents published in the *State Register* are drafted by state agencies and are published as submitted. Publication of any material in the *State Register* is the official notice of such information.

STYLE AND FORMAT

Documents are arranged within each issue of the *State Register* according to the type of document filed:

Notices are documents considered by the agency to have general public interest.

Notices of Drafting Regulations give interested persons the opportunity to comment during the initial drafting period before regulations are submitted as proposed.

Proposed Regulations are those regulations pending permanent adoption by an agency.

Pending Regulations Submitted to the General Assembly are regulations adopted by the agency pending approval by the General Assembly.

Final Regulations have been permanently adopted by the agency and approved by the General Assembly.

Emergency Regulations have been adopted on an emergency basis by the agency.

Executive Orders are actions issued and taken by the Governor.

2013 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	1/11	2/8	3/8	4/12	5/10	6/14	7/12	8/9	9/13	10/11	11/8	12/13
Publishing Date	1/25	2/22	3/22	4/26	5/24	6/28	7/26	8/23	9/27	10/25	11/22	12/27

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*.

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ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS

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

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

EMERGENCY REGULATIONS

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

REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW

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

EFFECTIVE DATE OF REGULATIONS

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

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

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REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 1

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/regsrch.php>

DOC. No.	RAT. No.	FINAL ISSUE	SUBJECT	EXP. DATE	AGENCY
4259			South Carolina Immunization Registry	5/08/13	Department of Health and Envir Control
4237			Definitions	5/08/13	LLR-Panel for Dietetics
4311			Sign Requirements for Petitions to Close Road	5/08/13	Department of Transportation
4312			Specific Information Service Signing	5/08/13	Department of Transportation
4303			Buildings and Grounds-Cleaning Program	5/08/13	State Board of Education
4304			Buildings and Grounds. Defined Minimum Program for South Carolina School District	5/08/13	State Board of Education
4305			Building and Grounds-Heating and Lighting	5/08/13	State Board of Education
4306			Buildings and Grounds Management-Fire Prevention	5/08/13	State Board of Education
4307			Facility Specifications	5/08/13	State Board of Education
4310			Project Plans and Specifications	5/08/13	State Board of Education
4226			Duties and Responsibilities of Department; Modular Buildings Construction	5/08/13	Building Codes Council
4243			Board Authorized to Make Investigations and Deny, Suspend or Revoke Licenses	5/08/13	Manufactured Housing Board
4301			Notification and Fees Summary Procedures - Licensing, Adjustment of Dollar Amounts, Filing and Posting Maximum Rate Schedules, and "Lemon Law" Records and Arbitration	5/08/13	Department of Consumer Affairs
4302			Organization, Other Cases - Summary Procedure, Place of Hearings, Case Numbers and Titles, Form and Size of Papers, Filing and Service, Procedure, Contents of Formal Complaint, Answers, Pleadings and Action, Investigative Cases, Hearings, Evidence, and Close of Hearing	5/08/13	Department of Consumer Affairs
4282			Requirements of Licensure for Chiropractors	5/13/13	Board of Chiropractic Examiners
4286			Mediation	5/13/13	Workers' Compensation Commission
4168			Perpetual Care Cemetery Board	5/14/13	Perpetual Care Cemetery Board
4296			Controlled Substances	5/16/13	Department of Health and Envir Control
4231			Requirements of Licensure for Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists	5/17/13	Board of Examiners for the Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists
4252			Residential Specialty Contractors License	5/17/13	Residential Builders Commission
4268			Fees	5/17/13	Board of Funeral Service
4318			Requirements of Licensure for Funeral Service Providers	5/17/13	Board of Funeral Service
4320			International Building Code, International Fire Code, International Fuel Gas Code, and National Electrical Code	5/17/13	LLR-Building Codes Council
4309			Procedures and Standards for Review of Charter School Applications	5/17/13	State Board of Education
4294			Defined Program, Grades 9-12	5/17/13	State Board of Education
4285			Transfers and Withdrawals	5/17/13	State Board of Education
4261			Graduation Requirements	5/17/13	State Board of Education
4321			International Residential Code	5/20/13	LLR-Building Codes Council
4210			Licensed Midwives	5/23/13	Department of Health and Envir Control
4308			Gifted and Talented	5/24/13	State Board of Education
4297			Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas	5/25/13	Department of Natural Resources
4327			Code of Ethics, Interpretation of Standards, and Reporting of Disciplinary Actions	5/30/13	LLR-Panel for Dietetics
4314			Agritourism and Tourism-Oriented Directional Signing	5/31/13	Department of Transportation
4317			Unemployment Insurance	6/06/13	Department of Employment and Workforce
4328			Requirements of Licensure for Occupational Therapists	6/06/13	Occupational Therapy Board
4267			Emergency Licensure	1/19/14	Contractors' Licensing Board
4325			Assisting, Developing, and Evaluating Professional Teaching (ADEPT)	1/26/14	State Board of Education
4334			Officers, Meetings, Applications and Fees, Renewals, and Continuing Education	2/03/14	Board of Architectural Examiners
4335			Administrative Citations and Penalties	2/03/14	Board of Cosmetology
4336			Requirements of Licensure in the Field of Cosmetology (Educational Requirements)	2/03/14	Board of Cosmetology
4337			Requirements of Licensure in the Field of Cosmetology (Sanitation and Salons)	2/03/14	Board of Cosmetology
4338			Financial Responsibility	2/03/14	Manufactured Housing Board

2 REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

4313	Child Support Guidelines	2/15/14	Department of Social Services
4329	Cheese & Butter	2/18/14	Department of Agriculture
4342	Nurse Licensure Compact	3/04/14	Board of Nursing

Permanently Withdrawn

4288	Standards for Licensing In-Home Care Providers		Department of Health and Envir Control
4290	Seasons, Limits, Methods of Take and Special Use		
	Restrictions on Wildlife Management Areas		Department of Natural Resources
4283	Oral Argument		Workers' Compensation Commission
4264	Duplicate Wall or Pocket Card Licenses; Fees		Auctioneers' Commission

COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY 3

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

DOC. No.	SUBJECT	HOUSE COMMITTEE	SENATE COMMITTEE
4259	South Carolina Immunization Registry	Medical, Military, Pub & Mun Affairs	Medical Affairs
4237	Definitions	Medical, Military, Pub & Mun Affairs	Medical Affairs
4311	Sign Requirements for Petitions to Close Road	Education and Public Works	Transportation
4312	Specific Information Service Signing	Education and Public Works	Transportation
4303	Buildings and Grounds-Cleaning Program	Education and Public Works	Education
4304	Buildings and Grounds. Defined Minimum Program for South Carolina School District	Education and Public Works	Education
4305	Building and Grounds-Heating and Lighting	Education and Public Works	Education
4306	Buildings and Grounds Management-Fire Prevention	Education and Public Works	Education
4307	Facility Specifications	Education and Public Works	Education
4310	Project Plans and Specifications	Education and Public Works	Education
4226	Duties and Responsibilities of Department; Modular Buildings Construction	Labor, Commerce and Industry	Labor, Commerce and Industry
4243	Board Authorized to Make Investigations and Deny, Suspend or Revoke Licenses	Labor, Commerce and Industry	Labor, Commerce and Industry
4301	Notification and Fees Summary Procedures - Licensing, Adjustment of Dollar Amounts, Filing and Posting Maximum Rate Schedules, and "Lemon Law" Records and Arbitration Organization, Other Cases - Summary Procedure, Place of Hearings, Case Numbers and Titles, Form and Size of Papers, Filing and Service, Procedure, Contents of Formal Complaint, Answers, Pleadings and Action, Investigative Cases, Hearings, Evidence, and Close of Hearing	Labor, Commerce and Industry	Banking and Insurance
4282	Requirements of Licensure for Chiropractors	Medical, Military, Pub & Mun Affairs	Medical Affairs
4286	Mediation	Labor, Commerce and Industry	Judiciary
4168	Perpetual Care Cemetery Board	Labor, Commerce and Industry	Labor, Commerce and Industry
4296	Controlled Substances	Medical, Military, Pub & Mun Affairs	Medical Affairs
4231	Requirements of Licensure for Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists	Medical, Military, Pub & Mun Affairs	Labor, Commerce and Industry
4252	Residential Specialty Contractors License	Labor, Commerce and Industry	Labor, Commerce and Industry
4268	Fees	Labor, Commerce and Industry	Labor, Commerce and Industry
4318	Requirements of Licensure for Funeral Service Providers	Labor, Commerce and Industry	Labor, Commerce and Industry
4320	International Building Code, International Fire Code, International Fuel Gas Code, and National Electrical Code	Labor, Commerce and Industry	Labor, Commerce and Industry
4309	Procedures and Standards for Review of Charter School Applications	Education and Public Works	Education
4294	Defined Program, Grades 9-12	Education and Public Works	Education
4285	Transfers and Withdrawals	Education and Public Works	Education
4261	Graduation Requirements	Education and Public Works	Education
4321	International Residential Code	Labor, Commerce and Industry	Labor, Commerce and Industry
4210	Licensed Midwives	Medical, Military, Pub & Mun Affairs	Medical Affairs
4308	Gifted and Talented	Education and Public Works	Education
4297	Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas	Agriculture and Natural Resources	Fish, Game and Forestry
4327	Code of Ethics, Interpretation of Standards, and Reporting of Disciplinary Actions	Labor, Commerce and Industry	Labor, Commerce and Industry
4314	Agritourism and Tourism-Oriented Directional Signing	Education and Public Works	Transportation
4317	Unemployment Insurance	Labor, Commerce and Industry	Labor, Commerce and Industry
4328	Requirements of Licensure for Occupational Therapists	Labor, Commerce and Industry	Labor, Commerce and Industry
4267	Emergency Licensure	Labor, Commerce and Industry	Labor, Commerce and Industry
4325	Assisting, Developing, and Evaluating Professional Teaching (ADEPT)	Education and Public Works	Education
4334	Officers, Meetings, Applications and Fees, Renewals, and Continuing Education	Labor Commerce and Industry	Labor, Commerce and Industry
4335	Administrative Citations and Penalties	Medical, Military, Pub & Mun Affairs	Labor, Commerce and Industry
4336	Requirements of Licensure in the Field of Cosmetology (Educational Requirements)	Medical, Military, Pub & Mun Affairs	Labor, Commerce and Industry
4337	Requirements of Licensure in the Field of Cosmetology (Sanitation and Salons)	Medical, Military, Pub & Mun Affairs	Labor, Commerce and Industry
4338	Financial Responsibility	Labor, Commerce and Industry	Labor, Commerce and Industry
4313	Child Support Guidelines	Judiciary	Judiciary
4329	Cheese & Butter	Agriculture and Natural Resources	Agriculture and Natural Resources
4342	Nurse Licensure Compact	Medical, Military, Pub & Mun Affairs	Medical Affairs

4 COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

Permanently Withdrawn

4288	Standards for Licensing In-Home Care Providers	Medical, Military, Pub & Mun Affairs	Medical Affairs
4290	Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas	Agriculture and Natural Resources	Fish, Game and Forestry
4283	Oral Argument	Labor, Commerce and Industry	Judiciary
4264	Duplicate Wall or Pocket Card Licenses; Fees	Labor, Commerce and Industry	Labor, Commerce and Industry

Executive Order No. 2013-05

WHEREAS, the Grand Jurors of the State of South Carolina indicted Sanford “Sam” Marion Parker, Jr., Sheriff of Chesterfield County, on March 19, 2013, for two counts of furnishing contraband to inmates in violation of Section of 24-3-950 of the South Carolina Code of Laws and four counts of misconduct in office in violation of the Common Law of South Carolina, to include failing to properly supervise inmates, converting public property to personal use, failing to ensure only properly classified and trained law enforcement officers served in Chesterfield County, and failing to properly supervise equipment, firearms, and ammunition belonging to or coming in the lawful possession of the Chesterfield County Sheriff’s Office; 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, Sanford “Sam” Marion Parker, 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 Sanford “Sam” Marion Parker, 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 Sanford “Sam” Marion Parker, Jr. from the office of Sheriff of the Chesterfield County 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 Sanford “Sam” Marion Parker, 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 20th DAY OF MARCH, 2013.**

**NIKKI R. HALEY
Governor**

6 NOTICES

BUDGET AND CONTROL BOARD BOARD OF ECONOMIC ADVISORS

NOTICE OF GENERAL PUBLIC INTEREST

We have calculated the increase in the limit on punitive damages awarded to each claimant that is entitled to an award. Pursuant to Section 15-32-530(D), the limit on punitive damage awards is adjusted each calendar year based on the increase or decrease in the ratio of the Consumer Price Index for All Urban Consumers as of December 31 of the previous calendar year. The adjustment is a cumulative index using a base year 2010. The 2010 base year was adopted to be consistent with the timing of the enacting legislation. As of December 31, 2012, the Index published by the Bureau of Labor Statistics, *Monthly Labor Review*, Table 38, "Consumer Price Index for All Urban Consumers", increased by 4.8% from a value of 219.179 in December 2010 to 229.601 in December 2012. Therefore, the limit not to exceed \$500,000 would increase to \$523,775 to each claimant entitled to a punitive damage award. The adjusted limitations on an award for punitive damages become effective upon publication in the *State Register* pursuant to Section 1-23-40(2).

BUILDING CODES COUNCIL

NOTICE OF GENERAL PUBLIC INTEREST

Adoption and Implementation of Building Codes

Notice is hereby given that, in accordance with Section 6-9-40 of the 1976 Code of Laws of South Carolina, as amended, the South Carolina Building Codes Council has voted to adopt the International Building Code, 2012 edition, with modifications, Appendix H; the International Residential Code, 2012 edition, with modifications, Appendix H; the International Fire Code, 2012 edition, with modifications, no appendices; the International Fuel Gas Code, 2012 edition, with modifications, no appendices; the National Electrical Code, 2011 edition, with modifications, no appendices; the International Plumbing Code, 2012 edition, unmodified, no appendices; and the International Mechanical Code, 2012 edition, unmodified, no appendices; as modified below:

1. 2012 International Building Code, with modifications as follows:

Section 403.2.1 Reduction in fire resistance rating. — Deleted without substitution.

Section 706.3 Materials. — The exception was deleted without substitution.

Table 706.4 Fire Wall Fire-Resistance Ratings. — Footnote a. was deleted without substitution. Reference to footnote b. was changed to footnote a.

Section 1014.2 Egress through intervening spaces. — The section was deleted and replaced with substitute language. The section now reads:

Means of egress shall consist of continuous and unobstructed paths of travel to the exterior of a building. Means of egress shall not be permitted through kitchens, closets, restrooms and similar areas nor through adjacent tenant spaces.

Exception: Means of egress shall be permitted through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or guest room.

When unusually hazardous conditions exist, the building official may require additional means of egress to assure the safety of the occupants.

Appendix H Signs. — Adopted.

2. 2012 International Residential Code, with modifications as follows:

Section R202 Definitions. — Added definition of Accepted Engineering Practice. The definition reads:

Accepted Engineering Practice – The performance design of structures and/or structural elements that vary from prescriptive design methods of this code. Such design shall be made with accepted design standards by a South Carolina licensed Architect or Engineer as permitted by existing state law.

Figure R302.1 Exterior walls. — Added additional exception. The exception reads:

Exception 6. a. The minimum fire separation distance for improvement constructed on a lot shown on :[i] a recorded bonded or final subdivision plat, or [ii] a sketch plan, site plan, plan of phased development or preliminary plat approved by the local governing authority which was recorded or approved prior to the implementation of IRC 2012 which shows or describes lesser setbacks than the fire separation distances provided in Table R302.1(1) shall be equal to the lesser setbacks, but in no event less than 3 feet.

b. The minimum fire separation distance for improvements constructed on a lot where the local governing authority has prior to the implementation of IRC 2012: [i] accepted exactions or issued conditions, [ii] granted a special exception, [iii] entered into a development agreement, [iv] approved a variance, [v] approved a planned development district, or [vi] otherwise approved a specific development plan which contemplated or provided for setbacks less than the fire separation distances provided in Table R302.1(1) shall be equal to the lesser setback, but in no event less than 3 feet.

Section R302.2 Townhouses. — Modified existing exception to allow for a fire rating reduction when a fire sprinkler system is installed. The exception reads:

Exception: A common 2-hour fire resistance rated wall assembly tested in accordance with ASTM E119 or UL263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. This rating may be reduced to 1-hour when the townhouses on both sides of such wall are equipped throughout with an automatic sprinkler system installed in accordance with Section P2904. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against the exterior wall and tight against the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

Section R302.5.1 Opening protection. — Modified existing text to remove the self-closing device. The section now reads:

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

Section R.303.4 Mechanical ventilation. — Deleted section without substitution.

8 NOTICES

Figure R307.2 Minimum Fixture Clearances. — Changed the minimum dimension for the side clearance between bathtubs, water closets and bidets from 15 inches to 12 inches.

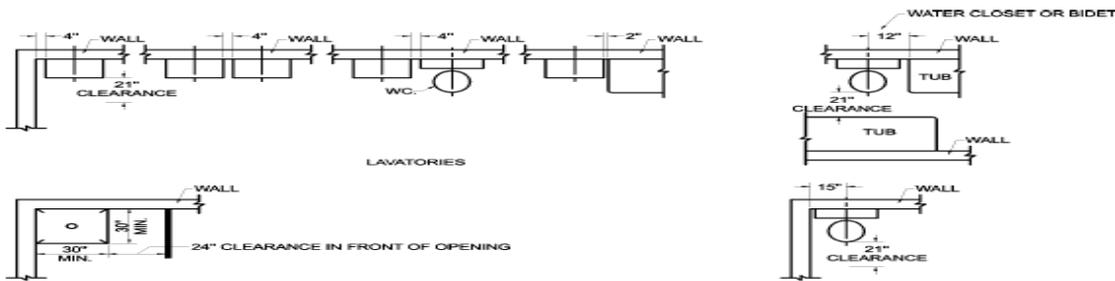


FIGURE 307.2
MINIMUM FIXTURE CLEARANCES

Section R311.7.5.1 Risers. — Added riser height for masonry stairs. The section now reads:

The maximum riser height shall be $7\frac{3}{4}$ inches (196 mm). The maximum riser height for masonry stairs shall be 8 inches (203 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than $\frac{3}{8}$ inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch-diameter (102 mm) sphere.

Exception: The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less.

Section R312.1.1 Where required. — Modified existing text to create a downward slope ratio. The section now reads:

Guards shall be located along open sided walking surfaces of all decks, porches, balconies, stairs, ramps and landings that are located more than 30 inches measured vertically to the floor or grade below and at any point where a downward slope exceeds 3V:12H within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

Section R.312.2 Window fall protection. — Modified existing text for window fall protection. The section now reads:

Where window fall protection is provided it shall be installed in accordance with Section R312.2.1.

Window opening control devices. Window opening control devices shall comply with ASTM F 2090. The window opening control device, after operation to release the control device allowing the window to fully open, shall not reduce the minimum net clear opening area of the window unit to less than the area required by Section R310.1.1.

Section R313.1 Townhouse Automatic Fire Sprinkler Systems. — Added an exception. The section now reads:

An automatic residential fire sprinkler system shall be installed in townhouses.

Exceptions: 1. Townhouses constructed with a common 2-hour fire-resistance-rated wall assembly or separated from each other by wall or floor assemblies having not less than a 1-hour fire resistance rating tested in accordance with ASTM E119 or UL 263 provided such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall(s) shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations in the separation walls shall be installed in accordance with Chapters 34 through 43. Penetrations for electrical outlet boxes shall be in accordance with Section R302.4.

2. An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

Section R313.2 One and two family dwellings automatic fire sprinkler systems.—Deleted section without substitution.

Section R317.1.1 Field treatment. — Added text to the end of the section. The section now reads:

Field-cut ends, notches and drilled holes of preservative-treated wood shall be treated in the field in accordance with AWWPA M4 or in accordance with the preservative-treated wood product manufacturer's recommendations.

Section R404.1.9.2 Masonry piers supporting floor girders. — Modified the existing text for masonry texts. The section now reads:

Masonry piers supporting wood girders sized in accordance with Tables R502.5(1) and R502.5(2) shall be permitted in accordance with this section. Piers supporting girders for interior bearing walls shall have a minimum nominal dimension of 8 inches (203 mm) for heights not exceeding 4 feet (1220 mm) and a minimum nominal dimension of 12 inches (305 mm) for heights not exceeding 10 feet (3048 mm) from top of footing to bottom of sill plate or girder. Piers supporting girders for exterior bearing walls shall have a minimum nominal dimension of 12 inches (305 mm) and a maximum height of 4 feet (1220 mm) from top of footing to bottom of sill plate or girder. Girders and sill plates shall be anchored to the pier or footing in accordance with Section R403.1.6 or Figure R404.1.5(1). Floor girder bearing shall be in accordance with Section R502.6.

Section R502.11.4 Truss design drawings. — Modified the section to eliminate the requirement for roof truss design approval prior to installation. The section now reads:

Truss design drawings, prepared in compliance with Section R502.11.1, shall be provided to the building official at the time of inspection. Truss design drawings shall be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include at a minimum the information specified below:

Section R703.8 Flashing. — Modified the text concerning flashing. The section now reads:

R703.8 Flashing. Flashing shall be provided in accordance with this section and shall be installed at all of the following locations:

1. Exterior window and door openings.
2. At the intersection of chimneys or other masonry construction with frame or stucco walls, with projecting lips on both sides under stucco copings.
3. Under and at the ends of masonry, wood or metal copings and sills.
4. Continuously above all projecting wood trim.
5. Where exterior porches, decks or stairs attach to a wall or floor assembly of wood frame construction.
6. At wall and roof intersections.

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7. At built-in gutters.

R703.8.1 Flashing Materials. Approved flashing materials shall be corrosion-resistant. Self adhered membranes used as flashing shall comply with AAMA 711. Pan flashing shall comply with Section R703.8.2. Installation of flashing materials shall be in accordance with Section R703.8.3.

R703.8.2 Pan Flashing. Pan flashing installed at the sill of exterior window and door openings shall comply with this section. Pan flashing shall be corrosion-resistant and shall be permitted to be pre-manufactured, fabricated, formed or applied at the job site. Self-adhered membranes complying with AAMA 711 shall be permitted to be used as pan flashing. Pan flashing shall be sealed or sloped in such a manner as to direct water to the surface of the exterior wall finish or to the water-restive barrier for subsequent drainage.

R703.8.3 Flashing Installation. Flashing installation shall be in accordance with this section and the flashing manufacturer's installation instructions. Flashing shall be applied shingle fashion in a manner to prevent entry of water into the wall cavity or penetration of the water to the building structural framing components. Flashing shall extend to the surface of the exterior wall finish.

R703.8.3.1 Flashing Installation at Exterior Windows and Doors. Flashing at exterior windows and doors shall be applied shingle fashion and shall extend to the surface of the exterior wall finish or to the water resistive-barrier for drainage. Installation of flashing materials shall be in accordance with one or more of the following methods:

1. The fenestration manufacturer's installation and flashing instructions.
2. The flashing manufacturer's installation instructions.
3. Flashing details or other methods approved by the building official.
4. As detailed by a registered design professional.

Chapter 11 Energy Efficiency. — Deleted without substitution.

Section M1411.5 Insulation of refrigerant piping.— Reduced the thermal resistivity of the insulation around refrigerant vapor lines. The section now reads:

Piping and fittings for refrigerant vapor (suction) lines shall be insulated with insulation have a thermal resistivity of at least R 2.5 hr. ft 2 F/Btu and having external surface permeance not exceeding 0.05 perm [2.87 ng/(s m² Pa)] when tested in accordance with ASTM E 96.

Section M1411.6 Locking access port caps. — Deleted without substitution.

Section M1502.3 Duct termination.— Deleted the third sentence without substitution. The section now reads:

Exhaust ducts shall terminate on the outside of the building. Exhaust duct terminations shall be in accordance with the dryer manufacturer's installation instructions. Exhaust duct terminations shall be equipped with a backdraft damper. Screens shall not be installed at the duct termination.

Section M1502.4.4 Duct length. — Modified the existing text to increase the maximum dryer duct length to 35 feet. The section now reads:

The maximum length of a clothes dryer exhaust duct shall not exceed 35 feet (10668 mm) from the dryer location to the wall or roof termination.

Section G2418.2 Design and Installation. — Removed “metal” from the first sentence of the section. The section now reads:

Piping shall be supported with pipe hooks, pipe straps, bands, brackets, hangers, or building structural components suitable for the size of *piping*, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration.

Section P2503.6 Shower Liner Test. — Deleted the requirement for a dam for the shower liner test. The section now reads:

Where shower floors and receptors are made water tight by the application of materials required by section P2709.2, the completed liner installation shall be tested. Shower liner shall be tested to the lesser of the depth of threshold or 2” and shall be operated at normal pressure for a test period of not less than 15 minutes, and there shall be no evidence of leakage.

Section P2904.1 General. — Added text to the end of the section to require proper credentials for sprinkler installers. The section now reads:

The design and installation of residential fire sprinkler systems shall be in accordance with NFPA 13D or Section P2904 which shall be considered equivalent to NFPA 13D. Partial residential sprinkler systems shall be permitted to be installed only in buildings not required to be equipped with a residential sprinkler system. Section P2904 shall apply to stand-alone and multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. A multipurpose fire sprinkler system shall provide domestic water to both fire sprinklers and plumbing fixtures. A stand-alone sprinkler system shall be separate and independent from the water distribution system. A backflow preventer shall not be required to separate a stand-alone sprinkler system from the water distribution system. Any individual offering to contract for the design, installation, testing, and/or maintenance of a residential multipurpose fire sprinkler systems, as referred in section P2904, must be certified and licensed through the South Carolina Contractors Licensing Board.

Section E3901.12 HVAC outlet. — Added text in the first sentence to establish that the required convenience receptacle is to be installed when HVAC and refrigeration equipment is located in an attic or crawl space. The section now reads:

A 125-volt, single-phase, 15 or 20 ampere-rated receptacle outlet shall be installed at an accessible location for the servicing of heating, air-conditioning and refrigeration equipment located in attics and crawl spaces. The receptacle shall be located on the same level and within 25 feet (7620 mm) of the heating, air-conditioning and refrigeration equipment. The receptacle outlet shall not be connected to the load side of the HVAC equipment disconnecting means.

Appendix H Patio Covers. — Adopted.

3. 2012 International Fire Code, with modifications as follows:

Section 202 General Definitions. — Added “sky lanterns” to definition of Recreational Fire and a definition of Sky Lanterns. The section now reads:

An outdoor fire burning materials other than rubbish where the fire being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial to include sky lanterns, cooking, warmth or similar purpose.

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Sky lanterns are miniature, unmanned hot air balloons categorized as a recreational fire. This open flame source in the lantern creates heat inside which causes the lantern to lift into the atmosphere, uncontrollably. These devices are often used in celebrations and other recreational events and are also known as “Kongming lanterns.”

Section 307.5 Attendance. — Added new section to restrict the use of sky lanterns. The section reads:

Sky lanterns are prohibited, unless tethered or anchored.

Section 503.2.1 Dimensions. — Deleted “exclusive of shoulders” from text. The section now reads:

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Section 507.1 Required water supply. — Deleted text and replaced with substitute language. The section now reads:

Water supply. Approved fire hydrants shall be provided for buildings to meet the necessary fire flow requirements as determined by the fire official. Where public water supply is inadequate or not available, an approved alternative water source meeting the fire flow requirements shall be provided. Fire flow performance tests shall be witnessed by the fire official, or representative, prior to final approval.

Location. The location and number of hydrants shall be designated by the fire official, but in no case, shall distance between installed fire hydrants exceed 1000 ft (305 m). Fire hydrants shall be located within 500 ft (152 m) of all firefighter access points when measured along the normal routes of fire department vehicle access which conforms to the requirements of Section 503. No point on the exterior of a building shall be located more than 500 ft (152 m) from a fire hydrant accessible to fire department vehicles as provided in Section 503.

Exception. One and two family dwellings, including attached or detached accessory structures.

Section 905.3 Required installations. — Added Exception 2 to the section. The section now reads:

1. Standpipe systems are not required in Group R-3 occupancies.
2. Where a standpipe system is provided per section 905, the hose and nozzle may be removed if approved by the AHJ.

Section 906.1(1) Where required. — Deleted the exception without substitution.

Section 2307.2.2 Listed equipment. — Modified section to show the applicable standard. The section now reads:

Hoses, hose connections, vehicle fuel connections, dispensers, LP-gas pumps and electrical equipment used for LP-gas shall comply with the requirements of NFPA 58.

Section 2307.4 Location of dispensing operations and equipment. — Modified the existing text and exception to be in harmony with NFPA 58. The section now reads:

In addition to the requirements of Section 2306.7, the point of transfer for LP-gas dispensing operations shall be 25 feet (7620 mm) or more for buildings having combustible exterior wall surfaces, buildings having combustible exterior wall surfaces that are not part of a 1-hour fire-resistance-rated assembly,

or buildings having combustible overhangs, *lot lines* of property which could be built on, and railroads; and least 10 feet (3048 mm) from public streets, or sidewalks and buildings having noncombustible exterior wall surfaces that are part of a fire-resistance-rated assembly having a rating of 1 hour or more; and 5 feet from driveways.

Exception: 1. the point of transfer for LP-gas dispensing operations need not be separated from canopies that are constructed in accordance with the *International Building Code* and which provide weather protection for the dispensing equipment. 2. The separation from driveways is not required where the driveway serves the vehicle fuel dispenser.

LP-gas containers shall be located in accordance with Chapter 61. LP-gas storage and dispensing equipment shall be located outdoors and in accordance with Section 2306.7.

Section 2307.5.3 Vehicle impact protection. — Added exception to section to allow an alternative method for protection from vehicular impact to be approved by the authority having jurisdiction. The section now reads:

Exception: An alternative method may be used that meets the intent of this section with the approval of the AHJ.

Section 2307.6 Private fueling of motor vehicles. — Deleted text in first sentence to allow portable propane cylinders to be refilled at self service refueling stations. The section now reads:

Self-service LP-gas dispensing systems, including key, code and card lock dispensing systems, shall not be open to the public. In addition to the requirements of Sections 2305 and 2306.7, self-service LP-gas dispensing systems shall be in accordance with the following:

1. The system shall be provided with an emergency shutoff switch located within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from dispensers.
2. The *owner* of the LP-gas motor fuel-dispensing facility shall provide for the safe operation of the system and the training of users.

Section 6101.1 Scope. — Changed Appendix to Annex to show proper reference. The section now reads:

Storage, handling and transportation of liquefied petroleum gas (LP-gas) and the installation of LP-gas equipment pertinent to systems for such uses shall comply with this chapter and NFPA 58. Properties of LP-gas shall be determined in accordance with Annex B of NFPA 58.

Section 6103.2.1.1 Use in basement, pit or similar location.—Deleted text and replaced with new text to permit the use of LP-gas powered equipment in below grade or underfloor spaces with adequate ventilation. The section now reads:

LP-gas containers complying 6103.2.2 shall be permitted to be used in basements and above grade underfloor spaces provided such location has adequate ventilation for equipment utilization. Equipment with attached cylinders shall not be left unattended or stored in such location after use. LP-gas container storage shall comply with Section 6109.7. Self contained torch assemblies may be used in accordance with 6103.2.1.6.

Section 6103.2.1.6 Use with self-contained assemblies. — Increased the capacity of portable LP-gas containers to be in harmony with NFPA 58. The section now reads:

Portable LP-gas containers are allowed to be used to supply approved self contained torch assemblies or similar appliances. Such containers shall not exceed a water capacity of (2.7) pounds (1.2 kg).

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Section 6105.2 Release to the atmosphere. — Reference is changed to refer to the NFPA, which lists 8 allowable methods of venting LP gas. The section now reads:

LP-gas shall not be released to the atmosphere, except as provided in NFPA 58 7.3.1.

Section 6106.1 Attendants. — Added text at the end of the sentence to require an attendant dispensing LP-gas to be qualified in part by NFPA 58. The section now reads:

Dispensing of LP-gas shall be performed by a qualified attendant that meets the requirements of this section and NFPA 58 Section 4.4.

Section 6106.2 Overfilling. — Modified test to include compliance with NFPA 58 and the manufacturer's specifications when filling or maintaining LP-gas containers. The section now reads:

LP-gas containers shall not be filled or maintained with LP-gas in excess of either the volume determined using the fixed maximum liquid-level gauge installed in accordance with NFPA 58 5.7.5 and in accordance with the manufacturer's specifications or equivalent, or the weight determined by the required percentage of the water capacity marked on the container. Portable LP-gas containers shall not be refilled unless equipped with an overfilling prevention device (OPD) where required by Section 5.7.3 of NFPA 58.

Section 6107.4 Protecting containers from vehicles. — Added an exception to allow the authority having jurisdiction the ability to accept an alternate method of compliance through a variance. The section reads:

Exception: An alternative method may be used that meets the intent of this section with the approval of the AHJ.

Section 6109.3 Position. — Increased the capacity of LP-gas containers to be in harmony with NFPA 58 for one pound cylinders. The section now reads:

LP-gas containers in storage having individual water capacity greater than 2.7 pounds (1.2 kg) [nominal 1-pound (0.454 kg) LP-gas capacity] shall be positioned with the pressure relief valve in direct communication with the vapor space of the container.

Section 6109.7 Storage in basement, pit or similar location. — Modified the exception to increase the capacity of LP-gas containers to be in harmony with NFPA 58 for one pound cylinders. The section now reads:

Department of Transportation (DOT) specification cylinders with a maximum water capacity of 2.7 pounds (1.2 kg) for use in completely self contained hand torches and similar applications. The quantity of LP-gas shall not exceed 20 pounds (9 kg).

Section 6109.9 Storage within buildings accessible to the public. — Increased the capacity of LP-gas self-contained hand torches to be in harmony with NFPA 58 for one pound cylinders. The section now reads:

Department of Transportation (DOT) specification cylinders with a maximum water capacity of 2.7 pounds (1.2 kg) used in completely self contained hand torches and similar applications are allowed to be stored or displayed in a building accessible to the public. The quantity of LP-gas shall not exceed 200 pounds (91 kg) except as provided in Section 6109.11.

Section 6109.13 Protection of containers. — Added text to the end of section to provide an alternate method of compliance. The section now reads:

LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle protections shall be required as required by the *fire code official* in accordance with IFC 312 or NFPA 58 8.4.2.2.

Section 6110.1 Temporarily out of service. — Changed the section heading and modified text to reflect the original intent of the section. The section now reads:

Containers not connected for service at customer locations. LP-gas containers at customer locations that are not connected for service shall comply with all of the following:

1. Have LP-gas container outlets, except relief valves, closed and plugged or capped.
2. Be positioned with the relief valve in direct communication with the LP-gas container vapor space.

Section 6111.2.1 Near residential, educational and institutional occupancies and other high-risk areas. — Added a second paragraph to the existing section to allow the fire code official to authorize a reduction of the 500 foot requirement. The additional paragraph reads:

Separation distance requirements may be reduced to not less than 50 feet as approved by the *fire code official*, based upon a completed fire safety analysis and consideration of special features such as topographical conditions, capacity of the LP-gas vehicle and the capabilities of the local fire department. The Office of the State Fire Marshall will provide an approved fire safety analysis to be utilized for this specific requirement.

Section 6111.3 Garaging. — Changed the reference in the section to reference the correct section in NFPA 58. This section now reads:

Garaging of LP-gas tank vehicles shall be as specified in NFPA 58. Vehicles with LP-gas fuel systems are allowed to be stored or serviced in garages as specified in Section 11.16 of NFPA 58.

4. 2012 International Fuel Gas Code, with modifications as follows:

Section 401.9 Identification. — Section deleted without substitution.

Section 401.10 Third-party testing and certification. — Deleted text and added text concerning third party testing of piping and fittings due to the requirement offering little or no protection of health, safety or welfare to the public. This section now reads:

All piping, tubing and fittings shall comply with the applicable referenced standards, specifications and performance criteria of this code, including Section 403 of the IFGC and corresponding sections.

Section 412.4 Listed equipment. — Deleted the requirement for listed LP-gas equipment due to no listed dispenser packages for LP-gas dispensers are available at this time. The section now reads:

Hoses, hose connections, vehicle fuel connections, dispensers, LP-gas pumps and electrical *equipment* used for LP-gas shall comply with the requirements of NFPA 58.

Section 412.6 Location.—Deleted and added text to the section to be in harmony with NFPA 58 with respect to distance between the point of transfer and exposures. The section now reads:

In addition to the fuel dispensing requirements of the *International Fire Code*, the point of transfer for dispensing operations shall be 25 feet (7620 mm) or more from buildings having combustible exterior wall surfaces, buildings having noncombustible exterior wall surfaces that are not part of a 1-hour fire-resistance-rated assembly or buildings having combustible overhangs, property which could be built on, and railroads;

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and at least 10 feet (3038 mm) from public streets or sidewalks and buildings having noncombustible exterior wall surfaces that are part of a fire-resistance-rated assembly having a rating of 1 hour or more; and 5 feet from driveways.

Exception: 1. The point of transfer for dispensing operations need not be separated from canopies providing weather protection for the dispensing equipment constructed in accordance with the *International Building Code*. Liquefied petroleum gas containers shall be located in accordance with the *International Fire Code*. 2. The separation from driveways is not required where the driveway serves the vehicle fuel dispenser.

Liquefied petroleum gas storage and dispensing equipment shall be located outdoors and in accordance with the *International Fire Code*.

Section 412.7.3 Vehicle impact protection. — Added exception to allow the authority having jurisdiction the ability to accept an alternate method of compliance through a variance. The exception reads:

Exception: An alternative method may be used that meets the intent of this section with the approval of the AHJ.

Section 412.8 Private fueling of motor vehicles. — Deleted the requirement for permanently mounted fuel containers to allow vehicles with removable containers from being refilled at self-service refueling stations. The section now reads:

Self-service LP-gas dispensing systems, including key, code and card lock dispensing systems, shall not be open to the public. In addition to the requirements of the International Fire Code, self-service LP-gas dispensing systems shall be provided with an emergency shutoff switch located within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from, dispensers and the owner of the dispensing facility shall ensure the safe operation of the system and the training of users.

Section 505.1.1 Commercial cooking appliances vented by exhaust hoods. — Added Exception to allow an interlock between cooking appliances and exhaust hood systems as an option when the appliances are of the manually operated type and are factory equipped with standing pilot burner ignition systems. The Exception reads:

Exception: An interlock between the cooking appliance and the exhaust hood system shall not be required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems.

5. 2011 National Electrical Code, with modifications as follows:

Article 210.12(B) Arc-Fault Circuit-Interrupter Protection. — Added an additional exception to omit arc-fault protection in bedrooms for circuits serving smoke detectors only. The new exception will state:

(c) A circuit serving no outlets within the bedroom except the smoke detector shall not be protected by an arc-fault protector.

Appendix H (Signs) of the 2012 International Building Code and Appendix H (Patio Covers) of the 2012 International Residential Code were adopted by the Building Codes Council; no other appendices for any of the codes listed above were adopted by the Building Codes Council and cannot be adopted or used locally. Modifications that were adopted in conjunction with 2006 International Code editions and 2008 National Electrical Code are carried forward pursuant to S.C. Code Section 6-9-40(C).

All construction projects, for which a completed building permit application is filed with the Building Inspection Department by the close of business on the last business day before the implementation date, may be constructed under the applicable 2006 International Codes.

The Building Codes Council specifically requested comments concerning sections of these editions, which may be unsuitable for enforcement in South Carolina, and considered all submissions. Based upon the evidence presented to it, the Building Codes Council finds the modifications listed above will provide a reasonable degree of public health, safety and welfare, and will be suitable for enforcement in South Carolina.

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 April 26, 2013, 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 Aiken County

Construction for the establishment of a freestanding endoscopy only ambulatory surgical facility (ASF) with one (1) endoscopy room
Center for Colon and Digestive Diseases, LLC
Aiken, South Carolina
Project Cost: \$1,455,173

Affecting Charleston County

Construction for the addition of two (2) operating rooms (ORs)
Bon Secours St. Francis Xavier Hospital
Charleston, South Carolina
Project Cost: \$5,540,417

Addition of two (2) psychiatric beds and two (2) inpatient treatment beds
Palmetto Lowcountry Behavioral Health, LLC
Charleston, South Carolina
Project Cost: \$20,603

Addition of fourteen (14) inpatient rehabilitation beds on the 4th floor at Trident Medical Center
Trident Medical Center
Charleston, South Carolina
Project Cost: \$2,873,235

Affecting Greenville County

Purchase and installation of the da Vinci Si HD Surgical System (da Vinci System)
Bon Secours St. Francis- Eastside
Greenville, South Carolina
Project Cost: \$2,642,699

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Addition of five (5) psychiatric beds for a total of one hundred nine (109) psychiatric beds
The Carolina Center for Behavioral Health
Greer, South Carolina
Project Cost: \$21,733.13

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 April 26, 2013. "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 Dorchester County

Transfer of six (6) Residential Treatment Facility (RTF) Beds from Palmetto Lowcountry Behavioral Health, located at 2777 Speissegger Drive, Charleston, SC, to Palmetto Pines Behavioral Health located at 225 Midland Parkway, Summerville, SC for a total of sixty-six (66) licensed RTF beds
Palmetto Pines Behavioral Health
Summerville, South Carolina
Project Cost: \$39,008

Affecting Georgetown County

Renovation to add seventeen (17) rehabilitation beds through a reduction of fifteen (15) general acute care beds, for a total of one hundred nine (109) general acute beds and sixty (60) rehabilitation beds
Waccamaw Community Hospital
Georgetown, South Carolina
Project Cost: \$549,094

Affecting Greenville County

Addition of a Cyberknife Stereotactic Radiosurgery System and construction of a vault to house the system
Spartanburg Regional Health Services District, Inc., d/b/a Spartanburg Regional Medical Center d/b/a Gibbs Regional Cancer Center at Pelham
Greer, South Carolina
Project Cost: 8,346,395

Construction for the establishment of an outpatient oncology center , which will be located within the St. Francis Millennium Cancer Center
St. Francis Millennium Cancer Center
Greenville, South Carolina
Project Cost: \$9,037,400

Affecting Lancaster County

Renovation for the addition of six (6) psychiatric beds for a total of twenty-four (24) psychiatric beds
Rebound Behavioral Health
Lancaster, South Carolina
Project Cost: \$249,620

Affecting Richland County

Renovation of existing space for the purchase and installation of a Single Photon Emission Computed Tomography (SPEC/CT) scanner that will replace a sixty-four (64) slice Computed Tomography (CT) scanner; Renovation of existing space for the purchase and installation of a two hundred and fifty-six (256) slice Computed Tomography (CT) scanner, which will be located in the Emergency Department (ED)

Palmetto Health Baptist

Columbia, South Carolina

Project Cost: \$3,503,151

Renovation for the addition of a 1.5T Magnetic Resonance Imaging (MRI) unit to be located in the MRI Suite at the new Palmetto Health Parkridge Hospital

Palmetto Health Parkridge Hospital

Columbia, South Carolina

Project Cost: \$2,609,136

Renovation of existing space at 5 Medical Park to convert OR#27 and an adjacent storage area into one large hybrid OR, and the purchase of angiography imaging equipment

Palmetto Health Richland

Columbia, South Carolina

Project Cost: \$4,607,784

DEPARTMENT OF INSURANCE

NOTICE OF GENERAL PUBLIC INTEREST

69-44. Long Term Care Insurance

The Department of Insurance elected to terminate the promulgation process on regulation Document No. 4319, relating to Long Term Care Insurance.

20 DRAFTING NOTICES

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: 1976 Code Sections 44-7-110 through 44-7-394

Notice of Drafting:

The Department of Health and Environmental Control proposes to amend Sections 102 and 601 of R.61-15, Certification of Need for Health Facilities and Services. Interested persons may submit comments to Melinda Bradshaw, Health Regulation Liaison, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201. To be considered, comments must be received by 5:00 p.m. on May 28, 2013, the close of the comment period.

Synopsis:

The Department proposes to revise R.61-15, Section 102, "Applicability," and Section 601, "Voidance and Extension Procedures." Legislative review will be required.

The public and regulated communities are invited to recommend issues for consideration to the proposed amendment stated above.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

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

Notice of Drafting:

The South Carolina Department of Health and Environmental Control (Department) proposes to amend R.61-69, Classified Waters. Interested persons are invited to submit their views and recommendations in writing to Jason Gillespie, Water Quality Standards Coordinator, Bureau of Water, 2600 Bull Street, Columbia, South Carolina 29201. To be considered, written comments must be received no later than 5:00 p.m. on May 28, 2013.

Synopsis:

On September 30, 2012, the Department received a petition requesting that the Department amend R.61-19, Classified Waters, to reclassify a portion of the Beaufort River from its current classification of Class SA (SA) to Shellfish Harvesting (SFH).

In response to this petition, the Department is soliciting comments on this proposed reclassification. Specifically, the proposal would reclassify the Beaufort River, from the headwaters of Albergottie Creek to a boundary drawn between the upper bank of Battery Creek and Cat Island Creek from its current classification of SA to SFH waters, or waters suitable for shellfish harvesting.

Legislative review is required.

Document No. 4330

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
CHAPTER 61

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

61-62. Air Pollution Control Regulations and Standards

Synopsis:

EPA promulgates amendments to 40 CFR Parts 60, 63, and 72 throughout each calendar year. Federal amendments in 2011 included new and revised New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, and Acid Rain Program provisions. The Department has amended Regulations 61-62.60, 61-62.63, and 61-62.72 to incorporate by reference the federal amendments published from January 1, 2011, through December 31, 2011. One of the NSPS rules that the Department has adopted is the rule entitled “Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Sewage Sludge Incineration Units” (SSI Rule) (76 FR 15372, March 21, 2011). Section 129 of the Clean Air Act requires that states develop plans, called “Section 129 Plans,” to implement and enforce incinerator rules, including the SSI Rule. As a part of these regulatory revisions, the Department has revised Regulation 61-62.60 to incorporate the SSI Rule, which, along with a certification letter to EPA, constitutes part of the Section 129 Plan for the SSI Rule.

The Department has made revisions that correct errors in earlier amendments required to maintain compliance with federal law. First, the Department has amended Regulation 61-62.5, Standard 7.1, Nonattainment New Source Review (NSR), to incorporate a federally required provision on emissions offsets, as required by the federal rule entitled “Approval and Promulgation of Implementation Plans; South Carolina; Prevention of Significant Deterioration and Nonattainment New Source Review Rules” (73 FR 31369, June 2, 2008). Second, the Department has amended Regulation 61-62.96, Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program, to incorporate a provision in the definition of “commence operation,” as required by the federal rule entitled “Approval and Promulgation of Air Quality Implementation Plans; South Carolina; Clean Air Interstate Rule” (74 FR 53167, October 16, 2009).

The Department is also conducting the five-year regulatory audit required by the South Carolina Administrative Procedures Act. As a part of this audit, the Department is making revisions to enhance the clarity and usability of Regulation 61-62. The Department specifically has revised Regulation 61-62.1; 61-62.3; 61-62.5 Standards 3, 4, 5, and 5.1; 61-62.60; 61-62.61; 61-62.63; and 61-62.70.

The Notice of Drafting was published in the *State Register* on September 28, 2012.

Discussion of Revisions:SECTION CITATION/EXPLANATION OF CHANGE:**Regulation 61-62.1, Definitions and General Requirements**

Regulation 61-62.1 Definitions and General Requirements, Section I:

Definition 25, Dioxins/Furans, is amended to add the appropriate citation to EPA Reference Method 23.

Regulation 61-62.1, Definitions and General Requirements, Section I:

Definition 44, In Existence, is amended to strike “Bureau” and add “Department” for consistency with definitions in R.61-62.1.

22 FINAL REGULATIONS

Regulation 61-62.1, Definitions and General Requirements, Section I:

Definition 46, Major Source, is revised to strike the phrase “this term refers to,” and replace the term “plant” with “source” for consistency with definitions in R.61-62.1.

Regulation 61-62.1, Definitions and General Requirements, Section I:

Definition 68, Potential to Emit, is amended to strike the terms “plant” and add “source” to follow definitions in R.61-62.1.

Regulation 61-62.1, Definitions and General Requirements, Section I:

Definition 96, Volatile Organic Compound (VOC), is amended to strike “HCFC-134a (1,1,1,2 tetrafluoroethane)” and add “HFC-134a (1,1,1,2 tetrafluoroethane)” in the list of substances to correct a typographical error. All remaining text of Definition 96 remains the same.

Regulation 61-62.1, Definitions and General Requirements, Section I:

Paragraph H.4.h. is amended to strike “Bureau” and add “Department” to follow definitions in R.61-62.1.

Regulation 61-62.1, Definitions and General Requirements, Section I:

Paragraph H.4.i. is amended to strike “Bureau” and add “Department” to follow definitions in R.61-62.1.

Regulation 61-62.1, Definitions and General Requirements, Section IV:

Paragraph D.5. is amended to strike “effect” and add “affect” to correct a typographical error.

Regulation 61-62.3, Air Pollution Episodes

Regulation 61-62.3, Air Pollution Episodes, Section I:

Paragraph 4 is amended to add “hours” after “twelve (12)” to correct an inadvertent omission.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph F is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph F.4 is amended to capitalize the words “reference” and “method,” and add the appropriate citation to EPA Reference Method 25A.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph F.12 is amended to add the appropriate citation to EPA Reference Method 22.

Regulation, 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph F.17.c. is amended to replace the hyphenated word “burn-out” with the unhyphenated word “burnout.”

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph G.4.d. is amended to add the phrase “air curtain” before the word “incinerator” for consistency with federal regulation.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph G.4.f. is amended to add the phrase “air curtain” before the word “incinerator” for consistency with federal regulation.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph G.4.i. is amended to add the word “incinerator” after the phrase “air curtain” for consistency with federal regulation.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph G.4.j. is amended to add the word “incinerator” after the phrase “air curtain” for consistency with federal regulation.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph G.4.k. is amended to add the phrase “air curtain” before the word “incinerator” for consistency with federal regulation.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph G.4.n. is amended to add the phrase “air curtain” before the word “incinerator” for consistency with federal regulation.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section III:

Paragraph H is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section IV:

Paragraph A.2.e(i) is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section IV:

Paragraph A.2.g(i) is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section V:

The title of Section V is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VI:

Paragraph A.2.c. is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

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Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VI:

Paragraph A.2.e. is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VI:

Paragraph A.2.g. is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VI:

Paragraph C.2. is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VI:

Paragraph D.2. is amended to change the word “District” to the word “Regional” before the phrase “Environmental Quality Control Office” to reflect the reorganization of those offices from District offices to Regional offices.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VII:

Paragraph B.3.a(iii) is amended to replace the acronym “NBS” with “NIST” to maintain consistency with federal regulations, which were amended to reflect the change of the name of the National Bureau of Standards (NBS) to the National Institute of Standards and Technology (NIST).

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VII:

Paragraph B.4.b. is amended to replace the acronym “NBS” with “NIST” to maintain consistency with federal regulations, which were amended to reflect the change of the name of the National Bureau of Standards (NBS) to the National Institute of Standards and Technology (NIST). Paragraph B.4.b. is also amended to add the phrase “plus or minus” and set off the symbol “±” with parentheses to avoid software conversion errors and for clarity.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VII:

Paragraph B.5.b. is amended to replace the acronym “NBS” with “NIST” to maintain consistency with federal regulations, which were amended to reflect the change of the name of the National Bureau of Standards (NBS) to the National Institute of Standards and Technology (NIST). Paragraph B.5.b. is also amended to add the phrase “plus or minus” and set off the symbol “±” with parentheses to avoid software conversion errors and for clarity.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VII:

Paragraph B.6.b. is amended to replace the acronym “NBS” with “NIST” to maintain consistency with federal regulations, which were amended to reflect the change of the name of the National Bureau of Standards (NBS) to the National Institute of Standards and Technology (NIST). Paragraph B.6.b. is also amended to add the phrase “plus or minus” and set off the symbol “±” with parentheses to avoid software conversion errors and for clarity.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VIII:

Paragraph D, Table, is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation, 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section VIII:

Paragraph F. is amended to strike the unnecessary instance of the phrase “Inlet Organics.”

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 3, Waste Combustion and Reduction, Section IX:

Paragraph B is amended to strike the phrase “[DATE PUBLISHED IN THE STATE REGISTER]” and add the phrase “June 25, 1999” to correct a typographical error.

Regulation 61-62.5 Air Pollution Control Standards, Standard No. 4, Emissions from Process Industries

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 4, Emissions from Process Industries: Section (V)(C)(2) is amended to strike “exiting” and add “existing” to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5, Volatile Organic Compounds

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5, Volatile Organic Compounds, Section I, Part A:

Definition 18, Existing process, is amended to add spaces between letters to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5, Volatile Organic Compounds, Section I, Part A:

Definition 36, Large appliances, is amended to strike the term “includes” and add “means” for consistency with other definitions.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5, Volatile Organic Compounds, Section I, Part A:

Definition 41, Manufacture of pneumatic rubber tires, is amended to strike a closing quotation mark (”) and add an opening quotation mark (“) to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5, Volatile Organic Compounds, Section I, Part A:

Definition 77, Vinyl coating, is amended to strike “refers to” and add “means” for consistency with other definitions.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5, Volatile Organic Compounds, Section I:

Part G, Equivalency Calculations, is amended to strike the parenthetical reference “(bubbles)” because effective May 25, 2011, the Department deleted R.61-62.5, Standard 6, Alternative Emission Limitation Options (“Bubble”), which enabled the “bubble” emission limitation option.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5, Volatile Organic Compounds, Section II:

Part Q, paragraph (2)(a)(i)(b) is amended to strike the ellipsis (...) following the end of the phrase to correct a typographical error.

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Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5.1, Best Achievable Control Technology (BACT)/Lowest Achievable Emission Rate (“LAER”) Applicable to Volatile Organic Compounds

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 5.1, Best Achievable Control Technology (BACT)/Lowest Achievable Emission Rate (“LAER”) Applicable to Volatile Organic Compounds, Section II: Paragraph A is amended to strike “the effective date published in State Register” and add “June 25, 2004” in two places to correct a typographical error.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 7.1, Nonattainment New Source Review (NSR)

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 7.1, Nonattainment New Source Review (NSR):

Paragraphs (d)(1)(C)(v)(a)(2) and (3) are revised to add federally required provisions on how to create emissions offsets.

Regulation 61-62.5, Air Pollution Control Standards, Standard No. 7.1, Nonattainment New Source Review (NSR):

Paragraph (d)(1)(C)(v)(b)(2) is added to include federally required provisions on calculating emissions offsets.

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

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart A, Table, is amended to incorporate federal revisions at 76 FR 2832, January 18, 2011; 76 FR 15372, March 21, 2011; and 76 FR 15704, March 21, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart Cd, Introductory Text, is amended to strike the phrase “and as subsequently amended upon publication in the Federal Register” because there have been no subsequent amendments to Subpart Cd.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart Ce, Table, is amended to incorporate federal revisions at 76 FR 18407, April 4, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart D, Introductory Text, is amended to strike the phrase “for Which Construction is Commenced After August 17, 1971” for consistency with federal regulations.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart D, Table, is amended to incorporate federal revisions at 76 FR 3517, January 20, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart Da, Table, is amended to incorporate federal revisions at 76 FR 3517, January 20, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart Db, Table, is amended to incorporate federal revisions at 76 FR 3517, January 20, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart Dc, Table, is amended to incorporate federal revisions at 76 FR 3517, January 20, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart Ec, Table, is amended to incorporate federal revisions at 76 FR 18407, April 4, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart J, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics and to incorporate federal revisions at 76 FR 10524, February 25, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart K, Table, is amended to correct a typographical error.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart Y, Title, is revised to add “and Processing” to the title of the Subpart for consistency with federal regulations.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart VV, Title, is amended to add the phrase “for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006” to the title of the Subpart for consistency with federal regulations.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart VVa, Title, is amended to strike the phrase “Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries” and add the phrase “for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006” to the title of the Subpart for consistency with federal regulations.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart GGG, Title, is amended to add the phrase “for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006” to the title of the Subpart for consistency with federal regulations.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart KKK, Title, is amended to strike the phrase “Standards of Performance for Volatile Organic Compound Emissions (VOC) from Onshore Natural Gas Processing Plants” and add “Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants” to the title of the Subpart for consistency with federal regulations.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart RRR, Title, is amended to strike the abbreviation “VOC” and add the word “Industry” in the title of the Subpart for consistency with federal regulations.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart AAAA, Title and Introductory Text, is amended to strike the phrase “New Source Performance Standards for New Small Municipal Waste Combustion Units” and add “Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999, or for Which Modification or Reconstruction is Commenced After June 6, 2001” to the title of the Subpart for consistency with federal regulations; and to reformat “Federal Register” to remove italics.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart BBBB, Title and Introductory Text, is amended to add the phrase “Constructed on or Before August 30, 1999” to the title of the Subpart for consistency with federal regulations; to add the phrase “as listed below,” to the introductory text for consistency; and to reformat “Federal Register” to remove italics.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart CCCC, Title, is amended to strike the phrase “New Stationary Sources:” and add the phrase “for Which Construction is Commenced After November 30, 1999 or for Which Modification or Reconstruction is Commenced on or After June 1, 2001” to the title of the Subpart for consistency with federal regulations.

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Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart DDDD, Title, is amended to add the phrase “that Commenced Construction On or Before November 30, 1999” to the title of the Subpart for consistency with federal regulations.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart IIII, Introductory Text, is amended to add the phrase “and as subsequently amended upon publication in the Federal Register” for clarity.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart IIII, Table, is amended to incorporate federal revisions to 76 FR 37954, June 28, 2011, by reference.

Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards: Subpart KKKK, Introductory Text, is amended to add the phrase “as subsequently amended upon publication in the Federal Register” for clarity.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart LLLL is added to incorporate a newly promulgated federal rule at 76 FR 15372, March 21, 2011, by reference.

Regulation 61-62.60 South Carolina Designated Facility Plan and New Source Performance Standards: Subpart MMMM is added to incorporate a newly promulgated federal rule at 76 FR 15372, March 21, 2011, by reference.

Regulation 61-62.61, National Emission Standard for Hazardous Air Pollutants (NESHAP)

Regulation 61-62.61, National Emission Standard for Hazardous Air Pollutants (NESHAP): Subpart N, Title, is amended to strike the word “Gas” and add the word “Glass” to correct a typographical error.

Regulation 61-62.61, National Emission Standard for Hazardous Air Pollutants (NESHAP): Subpart W, Introductory Text, is amended to add the phrase “and as subsequently amended upon publication in the Federal Register” for clarity.

Regulation 61-62.61, National Emission Standard for Hazardous Air Pollutants (NESHAP): Appendix C to Subpart 61, Introductory Text, is amended to add the phrase “as listed below” for clarity.

Regulation 61-62.61, National Emission Standard for Hazardous Air Pollutants (NESHAP): Appendix E to Subpart 61, Introductory Text, is amended to add the phrase “as listed below” for clarity.

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

Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories: Subpart A, Table, is amended to incorporate federal revisions at 76 FR 9450, February 17, 2011, by reference.

Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories: Subpart U, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 22566, April 21, 2011, by reference.

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

Subpart Y, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 22566, April 21, 2011, by reference.

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

Subpart CC, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 42052, July 18, 2011, by reference.

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

Subpart II, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to remove italics and to incorporate federal revisions at 76 FR 72050, November 21, 2011, by reference.

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

Subpart JJ, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 72050, November 21, 2011, by reference.

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

Subpart KK, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 22566, April 21, 2011, by reference.

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

Subpart DDD, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 74708, December 1, 2011, by reference.

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

Subpart GGG, Introductory Text and Title, is amended to reformat “Federal Register” to remove italics, and to strike the phrase “Hazardous Air Pollutants” from the title of the subpart to correct a typographical error.

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

Subpart GGG, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 22566, April 21, 2011, by reference.

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

Subpart III, Title, is amended to strike the term “From” and add “for” in the title of the subpart to correct a typographical error.

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

Subpart LLL, Introductory Text and Title, is amended to reformat “Federal Register” to remove italics, and to add the phrase “Hazardous Air Pollutants from” to the title of the subpart to correct a typographical error.

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

Subpart LLL, Table, is amended to incorporate federal revisions at 76 FR 2832, January 18, 2011, by reference.

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

Subpart OOO, Title, is amended to add the term “Emissions” to the title of the subpart to correct a typographical error.

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

Subpart RRR, Title, is amended to make the term “Pollutant” plural and strike the term “Emissions” in the title of the subpart to correct typographical errors.

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

Subpart TTT, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 70834, November 15, 2011, by reference.

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

Subpart UUU, Title, is amended to replace the semicolon between “Refineries” and “Catalytic” with a colon and add a comma between “Units” and “and” for consistency with federal regulations.

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

Subpart PPPP, Introductory Text, is revised to reformat “Federal Register” to remove italics, and to add the phrase “as listed below” for clarity.

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

Subpart XXXX, Title, is revised to make to reformat the uppercase “F” in “For” to lowercase, and delete the second instance of “for” for consistency with federal regulations.

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

Subpart ZZZZ, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 12863, March 9, 2011, by reference.

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

Subpart AAAAA, Title, is revised to add “Manufacturing Plants” for consistency with federal regulations.

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

Subpart WWWW, Title, is revised to strike the phrase “Applicability And Compliance Dates” for consistency with federal regulations.

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

Subpart YYYYYY, Title and Introductory Text, is revised to reformat the uppercase “F” in “For” to lowercase in the title of the Subpart to match federal regulations; to reformat “Federal Register” to remove italics; and to add the phrase “and subsequently amended upon publication in the Federal Register” for clarity.

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

Subpart BBBBBB, Title, is revised reformat the uppercase “F” in “For” to lowercase in two instances, and reformat the uppercase “A” in “And” to match federal regulations.

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

Subpart BBBBBB, Table, is amended to incorporate federal revisions at 76 FR 4156, January 24, 2011, by reference.

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

Subpart CCCCCC, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics and to incorporate federal revisions at 76 FR 4156, January 24, 2011, by reference.

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

Subpart UUUUUU is added in alpha-numeric order for consistency with federal regulations.

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

Subpart VVVVVV, Introductory Text and Table, is amended to reformat “Federal Register” to remove italics, and to incorporate federal revisions at 76 FR 13514, March 14, 2011, by reference.

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

Subpart WWWWWW, Title and Introductory Text, is revised to reformat the uppercase “A” in “And” and the “F” in “For” to lowercase; to reformat “Federal Register” to remove italics; and to add the phrase “and subsequently amended upon publication in the Federal Register” for clarity.

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

Subpart WWWWWW, Table, is amended to incorporate federal revisions at 76 FR 35744, June 20, 2011; and 76 FR 57913, September 19, 2011; by reference.

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

Subpart ZZZZZZ, Introductory Text, is revised to add the phrase “and as subsequently amended upon publication in the Federal Register” and add a comma between “below” and “are” for clarity and consistency.

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

Subpart CCCCCC, Title, is revised to add the word “for” before “Area,” to and strike the words “Standards for,” and to make changes in punctuation for consistency with federal regulations.

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

Subpart DDDDDDD, Title, is revised to add the word “for” before “Area,” to strike the words “Standards for,” and to make changes in punctuation for consistency with federal regulations.

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

Subpart DDDDDDD, Table, is amended to incorporate federal revisions 76 FR 80261, December 23, 2011, by reference.

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

Subpart EEEEEEE is added to incorporate newly promulgated federal revisions at 76 FR 9450, February 17, 2011, by reference.

Regulation 61-62.70, Title V Operating Permit Program

Regulation 61-62.70.2, Title V Operating Permit Program, Definitions:

Paragraph (f)(1) shall be revised to add the term “State” following “South Carolina” in the phrase “South Carolina Implementation Plan” for clarification.

Regulation 61-62.70.7, Title V Operating Permit Program, Permit issuance, renewal, reopenings, and revisions:

Paragraphs (e)(2)(i)(B), (e)(5)(ii), (e)(5)(ii)(A), and (e)(5)(ii)(B) shall be revised to add the terms “State” following “South Carolina” in the phrases “South Carolina Implementation Plan” for clarification.

Regulation 61-62.72, Acid Rain

Regulation 61-62.72, Acid Rain

Subpart A, Table, is amended to incorporate federal revisions at 76 FR 17288, March 28, 2011, by reference.

Regulation 61-62.96, Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program

Regulation 61-62.96, Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program

Paragraph 96.302 “commence operation” (a) is revised to add three federally required paragraphs.

Instructions:

Amend Regulation 61-62, Air Pollution Control Regulations and Standards, pursuant to each instruction provided below with the text of the amendments.

Text:

Regulation 61-62.1, Definitions and General Requirements

Regulation 61-62.1.I.25. shall be revised as follows:

25. Dioxins/Furans – Means the combined emissions of tetra- through octa-chlorinated dibenzo-paradioxins and dibenzofurans, as measured by EPA Reference Method 23 (40 Code of Federal Regulations (CFR) 60, Appendix A).

Regulation 61-62.1.I.44. shall be revised as follows:

44. In Existence – Means that the owner or operator has obtained all necessary construction permits required by this Department and either has (a) begun, or caused to begin, a continuous program of physical on-site construction of the source or (b) entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of construction of the source to be completed in a reasonable time, or that the owner or operator possesses a valid operating permit for the source prior to the effective date of a regulation or standard.

Regulation 61-62.1.I.46. shall be revised as follows:

46. Major Source – Means, except as otherwise provided, any source which directly emits, or has the potential to emit, greater than or equal to the major source threshold as defined by applicable federal and state regulations.

Regulation 61-62.1.I.68. shall be revised as follows:

68. Potential to Emit – Means the maximum capacity of a source to emit a regulated pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a regulated pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a source.

Regulation 61-62.1.I.96. shall be revised as follows:

96. Volatile Organic Compound (VOC) – a. Means any organic compound which participates in atmospheric photochemical reactions; or which is measured by a reference method (as specified in 40 CFR 60, as of July 1, 1990), an equivalent method, an alternative method, or which is determined by procedures specified under any subpart of 40 CFR 60. This includes compounds other than the following compounds:

acetone;
 $(CF_3)_2CFCF_2OC_2H_5$ (2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane);
 $(CF_3)_2CFCF_2OCH_3$ (2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane);
 CFC-11 (trichlorofluoromethane);
 CFC-12 (dichlorodifluoromethane);
 CFC-113 (1,1,2-trichloro-1,2,2-trifluoroethane);
 CFC-114 (1,2-dichloro 1,1,2,2-tetrafluoroethane);
 CFC-115 (chloropentafluoroethane);
 dimethyl carbonate;
 ethane;
 HCFC-22 (chlorodifluoromethane);
 HCFC-31 (chlorofluoromethane);
 HCFC-123 (1,1,1-trifluoro 2,2-dichloroethane);
 HCFC-123a (1,2-dichloro-1,1,2-trifluoroethane);
 HCFC-124 (2-chloro-1,1,1,2-tetrafluoroethane);
 HCFC-141b (1,1-dichloro 1-fluoroethane);
 HCFC-142b (1-chloro 1,1-difluoroethane);
 HCFC-151a (1-chloro-1-fluoroethane);
 HCFC-225ca (3,3-dichloro-1,1,1,2,2-pentafluoropropane);
 HCFC-225cb (1,3-dichloro-1,1,2,2,3-pentafluoropropane);
 HFC-23 (trifluoromethane);

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HFC-32 (difluoromethane);
HFC 43-10mee (1,1,1,2,3,4,4,5,5,5-decafluoropentane);
HFC-125 (pentafluoroethane);
HFC-134 (1,1,2,2-tetrafluoroethane);
HFC-134a (1,1,1,2-tetrafluoroethane);
HFC-143a (1,1,1-trifluoroethane);
HFC-152a (1,1-difluoroethane);
HFC-161 (ethylfluoride);
HFC 227ea (1,1,1,2,3,3,3-heptafluoropropane);
HFC-236ea (1,1,1,2,3,3-hexafluoropropane);
HFC-236fa (1,1,1,3,3,3-hexafluoropropane);
HFC-245ca (1,1,2,2,3-pentafluoropropane);
HFC-245ea (1,1,2,3,3-pentafluoropropane);
HFC-245eb (1,1,1,2,3-pentafluoropropane);
HFC-245fa (1,1,1,3,3-pentafluoropropane);
HFC-365mfc (1,1,1,3,3-pentafluorobutane);
HFE-7000 (1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane) or (n-C₃F₇OCH₃);
HFE-7100 (1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane) or (C₄F₉OCH₃);
HFE-7200 (1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane) or (C₄F₉OC₂H₅);
HFE-7300 ((1) 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane);
HFE-7500 (3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane);
methane;
methyl acetate;
methyl chloroform (1,1,1-trichloroethane);
methylene chloride (dichloromethane);
methyl formate (HCOOCH₃);
parachlorobenzotrifluoride (PCBTF);
perchloroethylene (tetrachloroethylene);
perfluorocarbon compounds that fall into these classes:
i. cyclic, branched, or linear, completely fluorinated alkanes;
ii. cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
iii. cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations;
iv. sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine;
propylene carbonate; and
volatile methyl siloxanes (cyclic, branched, or linear completely methylated siloxanes) (VMS).

[There is no change to the rest of the definition.]

Regulation 61-62.1.II.H.4.h. shall be revised as follows:

h. A description, including the CAS number (if applicable), of all emissions from each source. Mass emission data and emission calculations, including the potential uncontrolled and controlled mass emission rate of each criteria pollutant and other air contaminants such as VOCs, TAPs, and HAPs emitted from each source. Emission calculations must be based on proper documentation that supports the basis of the emission rates such as stack test data, AP-42 emission factors, material balance, and/or engineering estimates. All assumptions used in the emission calculations must be provided. Fugitive emissions (for example, emissions from filling operations, pumps, valves, flanges, etc.) must be included in the emission calculations. A summary of facility-wide potential uncontrolled and controlled emissions with a regulatory applicability determination. If existing data supplied to the Department remains correct, identify documents referenced to comply with this requirement;

Regulation 61-62.1.II.H.4.i. shall be revised as follows:

i. If no longer accurate, a revised air dispersion modeling analysis or other information demonstrating that emissions from the facility will not interfere with the attainment or maintenance of any ambient air quality standard. As needed, include a description of each stack or vent related to the proposed and/or existing source(s), minimum anticipated height(s) above ground, maximum anticipated internal dimensions, discharge orientation(s), exhaust volume flow rate(s), exhaust gas temperature(s), and rain protection devices, if any. If existing data supplied to the Department remains correct, identify document referenced to comply with this requirement; and,

Regulation 61-62.1.IV.D.5. shall be revised as follows:

5. Unless approved otherwise by the Department, the owner or operator shall ensure that source tests are conducted while the source is operating at the maximum expected production rate or other production rate or operating parameter which would result in the highest emissions for the pollutants being tested. Examples of the operating parameters that may affect emission rates are: type and composition of raw materials and fuels, isolation of control equipment modules, product types and dimensions, thermal oxidizer combustion temperature, atypical control equipment settings, etc. Some sources may have to spike fuels or raw materials to avoid being permitted at a more restrictive feed or process rate. Any source test performed at a production rate less than the rated capacity may result in permit limits on emission rates, including limits on production if necessary.

Regulation 61-62.3, Air Pollution Episodes**Regulation 61-62.3.I.4. shall be revised as follows:**

4. EMERGENCY - The primary objective of this plan is to prevent this level from ever being reached; however, should this level be reached the most stringent control actions are necessary. An emergency will be declared when monitoring indicates that one of the following pollutant concentrations has been reached:

PM₁₀ - 500 µg/m³, twenty-four (24)-hour average;

SO₂ - 1600 µg/m³ (0.6 ppm), twenty-four (24)-hour average; or

O₃ (Ozone) - 1000 µg/m³ (0.5 ppm), one (1)-hour average;

and meteorological conditions are such that this condition can be expected to continue for twelve (12) hours or more, or increase, or in the case of ozone, the situation is likely to recur within the next twenty-four (24) hours unless control actions are taken.

R.61-62.5, Standard No. 3, Waste Combustion and Reduction**Regulation 61-62.5, Standard No. 3, Section III.F., shall be revised as follows:**

F. Municipal Waste Combustors (effective June 25, 1999)

Regulation 61-62.5, Standard No. 3, Section III.F.4., shall be revised as follows:

4. Cement kilns burning municipal solid waste may exceed the values listed in Table II provided they do not exceed 20 parts per million by volume (ppmv) total hydrocarbons (THC) hourly average, as propane (as determined by Environmental Protection Agency (EPA) Reference Method 25A (40 CFR 60, Appendix A) or from Continuous Emission Monitors (CEMs) meeting Performance Specification 2.2 of 40 CFR 266, Appendix IX), measured at the kiln outlet corrected to 7 percent O₂, both measured on a dry basis.

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Regulation 61-62.5, Standard No. 3, Section III.F.12., shall be revised as follows:

12. Any visible emissions of ash from an ash conveying system including conveyor transfer points shall not exceed 5 percent of the observation period (that is, 9 minutes per 3-hour period), as determined by EPA Reference Method 22 (40 CFR 60, Appendix A) observations. The minimum observation time shall be a series of three one-hour observations that include times when the facility is transferring ash from the municipal waste combustor to the area where ash is stored or loaded into containers or trucks. The average duration of visible emissions per hour shall be calculated from the three one-hour observations. This emission limit does not cover visible emissions discharged inside buildings or enclosures of ash conveying systems; however, this emission limit does cover visible emissions discharged to the atmosphere from buildings or enclosures of ash conveying systems.

Regulation 61-62.5, Standard No. 3, Section III.F.17.c., shall be revised as follows:

c. A detailed procedure for normal system startup and shutdown shall be submitted as a part of the application for approval including the duration of preheat and burnout cycles.

Regulation 61-62.5, Standard No. 3, Section III.G.4.d., shall be revised as follows:

d. This air curtain incinerator is permitted to burn only yard waste (excluding plastic bags), land clearing waste consisting of only untreated natural wood debris, untreated or unfinished woodwaste, and clean wood;

Regulation 61-62.5, Standard No. 3, Section III.G.4.f., shall be revised as follows:

f. Good operation practices shall be exercised to minimize emissions from incineration. This shall include the wetting of ash prior to removal from the air curtain incinerator;

Regulation 61-62.5, Standard No. 3, Section III.G.4.i., shall be revised as follows:

i. No burning shall take place if the air curtain incinerator is not operating properly or at its design air flow;

Regulation 61-62.5, Standard No. 3, Section III.G.4.j., shall be revised as follows:

j. The air curtain incinerator shall be used at all times that the pit contains burning permitted material except during startup to get the fire ignited;

Regulation 61-62.5, Standard No. 3, Section III.G.4.k., shall be revised as follows:

k. The air curtain incinerator shall be located so as to maximize the distance to business and residential areas and shall be located at least 500 feet from any business or residence located on adjacent properties;

Regulation 61-62.5, Standard No. 3, Section III.G.4.n., shall be revised as follows:

n. Any change in location of the air curtain incinerator must have prior written approval from the Department.

Regulation, 61-62.5, Standard No. 3, Section III.H., shall be revised as follows:

H. Commercial Incinerators (effective June 25, 1999)

Regulation 61-62.5, Standard No. 3, Section IV.A.2.e(i), shall be revised as follows:

(i) All municipal waste combustors must notify the Department in writing of their intent to operate, including information regarding the fuel and waste (amount, type(s), specification/analyses) and method of operation within 60 days of June 25, 1999, unless otherwise stated in this standard. The Department will notify the source within 30 days of receipt of this information if a formal permit application is needed.

Regulation 61-62.5, Standard No. 3, Section IV.A.2.g(i), shall be revised as follows:

(i) All commercial incinerators must notify the Department in writing of their intent to operate, including information regarding the fuel and waste (amount, type(s), specification/analysis) and method of operation within 60 days of June 25, 1999, unless otherwise stated in this standard. The Department will notify the source within 30 days of receipt of this information if a formal permit application is needed.

Regulation 61-62.5, Standard No. 3, Section V, Title, shall be revised as follows:**SECTION V - WASTE ANALYSIS** (effective June 25, 1999)**Regulation 61-62.5, Standard No. 3, Section VI.A.2.c., shall be revised as follows:**

c. Sludge Incinerator (effective June 25, 1999) - Monitoring devices if required by 40 CFR 60 Subpart O.

Regulation 61-62.5, Standard No. 3, Section VI.A.2.e., shall be revised as follows:

e. Municipal Waste Combustor (effective June 25, 1999)

Regulation 61-62.5, Standard No. 3, Section VI.A.2.g., shall be revised as follows:

g. Commercial Incinerator (effective June 25, 1999) - The combustion chamber exit temperature shall be continuously measured and recorded. Sensors shall be located such that flames from the burners do not impinge on the sensors.

Regulation 61-62.5, Standard No. 3, Section VI.C.2., shall be revised as follows:

2. The owner or operator of any source subject to any of the provisions of this standard shall record the daily waste(s) charge rates and hours of operation (effective June 25, 1999).

Regulation 61-62.5, Standard No. 3, Section VI.D.2., shall be revised as follows:

2. Any source subject to this standard must report any changes in operating or monitoring parameters and/or any equipment malfunctions which result in exceedances of the emissions limitations herein, within 24 hours after the occurrence unless otherwise approved in a Department approved malfunction plan. This report shall be made to the appropriate Regional Environmental Quality Control Office. In addition, the flow of hazardous waste fed to the combustion source must be stopped until proper operating conditions are restored.

Regulation 61-62.5, Standard No. 3, Section VII.B.3.a(iii), shall be revised as follows:

(iii) Method: NIST traceable dynamic calibration procedure or other methods approved by the Department.

Regulation 61-62.5, Standard No. 3, Section VII.B.4.b., shall be revised as follows:

b. Quality Assurance (To Be Done Quarterly):

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Challenge the monitor with low (25 percent of instrument span) and mid (50 percent of instrument span) EPA Protocol Number 1 or NIST traceable audit gases or challenge the monitor as prescribed in 40 CFR 60, Appendix F, Section 5.1.2. Recalibration according to paragraph B.4.a. above is required if the quarterly audit deviates by more than plus or minus (\pm) 15 percent from the audit gas concentrations. **NOTE:** Sufficient time for instrument stabilization must be allowed when challenging the monitor with audit gases.

Regulation 61-62.5, Standard No. 3, Section VII.B.5.b., shall be revised as follows:

b. Quality Assurance (To Be Done Quarterly):

Challenge the monitor with low (25 percent of instrument span) and mid (50 percent of instrument span) EPA Protocol Number 1 or NIST traceable audit gases or challenge the monitor as prescribed in 40 CFR 60, Appendix F, Section 5.1.2. Recalibration according to paragraph B.5.a. above is required if the quarterly audit deviates by more than plus or minus (\pm) 15 percent from the audit gas concentrations. **NOTE:** Sufficient time for instrument stabilization must be allowed when challenging the monitor with audit gases.

Regulation 61-62.5, Standard No. 3, Section VII.B.6.b., shall be revised as follows:

b. Quality Assurance (To Be Done Quarterly):

Challenge the monitor with low (25 percent of instrument span) and mid (50 percent of instrument span) EPA Protocol Number 1 or NIST traceable audit gases or challenge the monitor as prescribed in 40 CFR 60, Appendix F, Section 5.1.2. Recalibration according to paragraph B.6.a. above is required if the quarterly audit deviates by more than plus or minus (\pm) 15 percent from the audit gas concentrations. **NOTE:** Sufficient time for instrument stabilization must be allowed when challenging the monitor with audit gases.

Regulation 61-62.5, Standard No. 3, Section VIII.D (Table), shall be revised as follows:

D. Tests Required

Sources	Parameters
1. Sludge Incinerators	a. Particulate Matter (PM) b. Mercury (Hg)
2. Hazardous Waste Incinerators	a. Hydrochloric Acid (HCl) b. PM c. Oxygen (O ₂) initially only d. Carbon Monoxide (CO) initially only e. Metals f. POHC Destruction & Removal Efficiency (DRE) initially only
3. Municipal Waste Combustors	a. PM b. HCl (effective 5/25/90) c. CO (effective 5/25/90) d. O ₂ (effective 5/25/90) e. CO ₂ (effective 5/25/90)
4. Commercial Incinerator (effective June 25, 1999)	a. PM b. CO
5. Industrial Incinerators	PM
6. Industrial Boilers and Utility Boilers	a. PM b. Metals c. POHC Destruction & Removal Efficiency (DRE) initially only if burning hazardous waste d. CO if burning hazardous waste e. O ₂ if burning hazardous waste f. HCl

Sources	Parameters
7. Industrial Furnaces	a. PM b. Metals c. POHC Destruction & Removal Efficiency (DRE) initially only if burning hazardous waste d. CO if burning hazardous waste e. O ₂ if burning hazardous waste f. HCl

Regulation 61-62.5, Standard No. 3, Section VIII.F, shall be revised as follows:

F. POHC DRE shall be determined by the following equation using mass emissions rates:

$$DRE = [(Inlet Organics - Stack Outlet Organics) \div Inlet Organics] \times 100$$

Regulation 61-62.5, Standard No. 3, Section IX.B, shall be revised as follows:

B. The operator training requirement in paragraph A above is also applicable to all municipal waste combustors effective June 25, 1999.

Regulation 61-62.5, Standard No. 4, Emissions from Process Industries

Regulation 61-62.5, Standard No. 4, Section V.C.2., shall be revised as follows:

2. Each cotton ginning operation shall install and operate a particulate emission control system on all high and low pressure exhausts and lint cleaning system exhausts that includes one (1) or more 1D-3D or 2D-2D cyclones meeting the cylinder diameter requirements to produce a 3.5 to 6.0 or 3.0 to 5.5 inches of water pressure drop (respectively) as illustrated in Figure 6-20 and 6-21 of the Agricultural Handbook Number 503, Cotton Ginners Handbook, dated December 1994. Existing facilities shall comply with these control equipment requirements by August 31, 2012.

Regulation 61-62.5, Standard No. 5, Volatile Organic Compounds

Regulation 61-62.5, Standard 5, (I)(A)(18) shall be revised to insert spaces after the commas that follow each letter 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.

July 1, 1979 is the effective date for Parts A, B, C, D, E, N, O, S and T. July 1, 1980 is the effective date for Parts F, G, H, P, Q and R.

Regulation 61-62.5, Standard 5, (I)(A)(36) shall be revised as follows:

36. "Large appliances" means 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.

Regulation 61-62.5, Standard 5, (I)(A)(41) shall be revised as follows:

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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Regulation 61-62.5, Standard 5, (I)(A)(77) shall be revised as follows:

77. "Vinyl coating" means 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.

Regulation 61-62.5, Standard 5, (I)(G) shall be revised as follows:

Part G. Equivalency Calculations

In determining the amount of reduction required within coating/printing industries from a non-complying application, equivalency calculations must be made on a mass of VOC per volume of solids basis in accordance with Department policy and methodology. These determinations must be made when compliance demonstrations are based on reformulation, alternative emission limitation options or add-on control.

Regulation 61-62.5, Standard 5, (II)(Q)(2)(a)(i)(b) shall be revised as follows:

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

Regulation 62.-62.5, Air Pollution Control Standards, Standard No. 5.1, Best Achievable Control Technology (BACT)/Lowest Achievable Emission Rate ("LAER") Applicable to Volatile Organic Compounds

Regulation 61-62.5, Standard 5.1, (II)(A) shall be revised as follows:

A. This standard shall apply to all new, modified, or altered sources that would increase emissions of VOC. LAER shall be applied to construction or modifications permitted before June 25, 2004, when the net VOC emissions increase exceeds 100 tpy. BACT shall be applied to any new construction permit issued on or after June 25, 2004, when the net VOC emissions increase exceeds 100 tpy.

R.61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR)

Regulation 61-62.5, Standard No. 7.1, (d)(1)(C)(v)(a)(2) and (3), shall be revised as follows:

(2) Emission reductions may be created by any or a combination of the following methods:

(A) Installation of control equipment beyond what is necessary to comply with existing requirements;

(B) A change in process inputs, formulations, products or product mix, fuels, or raw materials;

(C) A reduction in actual emission rates;

(D) A reduction in hours of operation;

(E) Production curtailment or reduction in throughput;

(F) Shutdown of emitting sources; or

(G) Any other enforceable method that the Department determines to result in real, permanent, quantifiable, enforceable, and surplus reduction of emissions.

(3) A completed emissions offset submittal must be received by the Department within one year of the date of the creation of the reductions. Emission offsets not requested within one year of the date of the creation of the reductions will be permanently retired. Prior to commencing operation of a permitted emissions unit, Department approval for the required emission offsets must be granted.

Regulation 61-62.5, Standard No. 7.1, (d)(1)(C)(v)(b)(2) shall be added as follows:

(2) For any emissions unit that has been operating for a consecutive period of at least 12 months but less than 24 months on the base year inventory date, based on the unit's potential to emit, emissions shall be calculated equal to the amount needed to complete a 24 month period on the base year inventory date.

R.61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards (NSPS)

Subpart A, General Provisions

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

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

40 CFR Part 60 subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 36	December 23, 1971	[36 FR 24877]
Revision	Vol. 38	October 15, 1973	[38 FR 28565]
Revision	Vol. 39	March 8, 1974	[39 FR 9314]
Revision	Vol. 39	November 12, 1974	[39 FR 39873]
Revision	Vol. 40	April 25, 1975	[40 FR 18169]
Revision	Vol. 40	October 6, 1975	[40 FR 46254]
Revision	Vol. 40	November 17, 1975	[40 FR 53346]
Revision	Vol. 40	December 16, 1975	[40 FR 58418]
Revision	Vol. 40	December 22, 1975	[40 FR 59205]
Revision	Vol. 41	August 20, 1976	[41 FR 35185]
Revision	Vol. 42	July 19, 1977	[42 FR 37000]
Revision	Vol. 42	July 27, 1977	[42 FR 38178]
Revision	Vol. 42	November 1, 1977	[42 FR 57126]
Revision	Vol. 43	March 3, 1978	[43 FR 8800]
Revision	Vol. 43	August 3, 1978	[43 FR 34347]
Revision	Vol. 44	June 11, 1979	[44 FR 33612]
Revision	Vol. 44	September 25, 1979	[44 FR 55173]
Revision	Vol. 45	January 23, 1980	[45 FR 5617]
Revision	Vol. 45	April 4, 1980	[45 FR 23379]
Revision	Vol. 45	December 24, 1980	[45 FR 85415]
Revision	Vol. 47	January 8, 1982	[47 FR 951]
Revision	Vol. 47	July 23, 1982	[47 FR 31876]
Revision	Vol. 48	March 30, 1983	[48 FR 13326]
Revision	Vol. 48	May 25, 1983	[48 FR 23610]
Revision	Vol. 48	July 20, 1983	[48 FR 32986]
Revision	Vol. 48	October 18, 1983	[48 FR 48335]

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40 CFR Part 60 subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 50	December 27, 1985	[50 FR 53113]
Revision	Vol. 51	January 15, 1986	[51 FR 1790]
Revision	Vol. 51	January 21, 1986	[51 FR 2701]
Revision	Vol. 51	November 25, 1986	[51 FR 42796]
Revision	Vol. 52	March 26, 1987	[52 FR 9781, 9782]
Revision	Vol. 52	April 8, 1987	[52 FR 11428]
Revision	Vol. 52	May 11, 1987	[52 FR 17555]
Revision	Vol. 52	June 4, 1987	[52 FR 21007]
Revision	Vol. 54	February 14, 1989	[54 FR 6662]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	December 13, 1990	[55 FR 51382]
Revision	Vol. 57	July 21, 1992	[57 FR 32338, 32339]
Revision	Vol. 59	March 16, 1994	[59 FR 12427, 12428]
Revision	Vol. 59	September 15, 1994	[59 FR 47265]
Revision	Vol. 61	March 12, 1996	[61 FR 9919]
Revision	Vol. 62	February 24, 1997	[62 FR 8328]
Revision	Vol. 62	September 15, 1997	[62 FR 48348]
Revision	Vol. 63	May 4, 1998	[63 FR 24444]
Revision	Vol. 64	February 12, 1999	[64 FR 7463]
Revision	Vol. 65	August 10, 2000	[65 FR 48914]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 6, 2000	[65 FR 76350, 76378]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 66	February 6, 2001	[66 FR 9034]
Revision	Vol. 67	June 28, 2002	[67 FR 43550]
Revision	Vol. 68	April 14, 2003	[68 FR 17990]
Revision	Vol. 68	May 28, 2003	[68 FR 31611]
Revision	Vol. 69	July 8, 2004	[69 FR 41346]
Revision	Vol. 70	December 16, 2005	[70 FR 74870]
Revision	Vol. 71	June 1, 2006	[71 FR 31100]
Revision	Vol. 71	July 6, 2006	[71 FR 38482]
Revision	Vol. 72	May 16, 2007	[72 FR 27437]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]
Revision	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 73	April 3, 2008	[73 FR 18162]
Revision	Vol. 73	May 6, 2008	[73 FR 24870]
Revision	Vol. 73	May 27, 2008	[73 FR 30308]
Revision	Vol. 73	June 24, 2008	[73 FR 35838]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 74	January 28, 2009	[74 FR 5072]
Revision	Vol. 74	October 6, 2009	[74 FR 51368]
Revision	Vol. 74	October 8, 2009	[74 FR 51950]
Revision	Vol. 74	December 17, 2009	[74 FR 66921]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 75	September 13, 2010	[75 FR 55636]

40 CFR Part 60 subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 76	January 18, 2011	[76 FR 2832]
Revision	Vol. 76	March 21, 2011	[76 FR 15372]
Revision	Vol. 76	March 21, 2011	[76 FR 15704]

Subpart Cd, Emission Guidelines and Compliance Times for Sulfuric Acid Production Units

Regulation 61-62.60, Subpart Cd, Introductory Text, shall be revised as follows:

Subpart Cd - “Emission Guidelines and Compliance Times for Sulfuric Acid Production Units”

The provisions of Title 40 CFR Part 60, subpart Cd as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

Subpart Ce, Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators

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

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

40 CFR Part 60 subpart Ce			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 62	September 15, 1997	[62 FR 48379]
Revision	Vol. 74	October 6, 2009	[74 FR 51368]
Revision	Vol. 76	April 4, 2011	[76 FR 18407]

Subpart D, “Standards of Performance for Fossil-Fuel Fired Steam Generators for Which Construction is Commenced After August 17, 1971

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

Subpart D - “Standards of Performance for Fossil-Fuel Fired Steam Generators”

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

40 CFR Part 60 subpart D			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 39	June 14, 1974	[39 FR 20791]
Revision	Vol. 40	January 16, 1975	[40 FR 2803]
Revision	Vol. 40	October 6, 1975	[40 FR 46256]
Revision	Vol. 41	November 22, 1976	[41 FR 51398]
Revision	Vol. 42	July 25, 1977	[42 FR 37936]
Revision	Vol. 42	December 5, 1977	[42 FR 61537]
Revision	Vol. 43	March 7, 1978	[43 FR 9278]

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40 CFR Part 60 subpart D			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 44	June 17, 1979	[44 FR 33612]
Revision	Vol. 44	December 28, 1979	[44 FR 76787]
Revision	Vol. 45	May 29, 1980	[45 FR 36077]
Revision	Vol. 45	July 14, 1980	[45 FR 47146]
Revision	Vol. 46	November 24, 1981	[46 FR 57498]
Revision	Vol. 48	January 27, 1983	[48 FR 3736]
Revision	Vol. 51	November 25, 1986	[51 FR 42797]
Revision	Vol. 52	August 4, 1987	[52 FR 28954]
Revision	Vol. 54	February 14, 1989	[54 FR 6662]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	February 14, 1990	[55 FR 5212]
Revision	Vol. 61	September 24, 1996	[61 FR 49976]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]
Revision	Vol. 74	January 28, 2009	[74 FR 5072]
Revision	Vol. 76	January 20, 2011	[76 FR 3517]

Subpart Da, Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978

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

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

40 CFR Part 60 subpart Da			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 44	June 11, 1979	[44 FR 33613]
Revision	Vol. 48	January 27, 1983	[48 FR 3737]
Revision	Vol. 54	February 14, 1989	[54 FR 6663]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	February 14, 1990	[55 FR 5212]
Revision	Vol. 55	May 7, 1990	[55 FR 18876]
Revision	Vol. 63	September 16, 1998	[63 FR 49453, 49454]
Revision	Vol. 64	February 12, 1999	[64 FR 7464]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 66	April 10, 2001	[66 FR 18546]
Revision	Vol. 66	June 11, 2001	[66 FR 31177]
Revision	Vol. 66	August 14, 2001	[66 FR 42608]
Revision	Vol. 71	February 27, 2006	[71 FR 9866]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]
Revision	Vol. 74	January 28, 2009	[74 FR 5072]
Revision	Vol. 76	January 20, 2011	[76 FR 3517]

Subpart Db, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

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

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

40 CFR Part 60 subpart Db			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 52	December 16, 1987	[52 FR 47842]
Revision	Vol. 54	December 18, 1989	[54 FR 51819, 51820]
Revision	Vol. 54	December 18, 1989	[54 FR 51825]
Revision	Vol. 55	May 7, 1990	[55 FR 18876]
Revision	Vol. 60	May 30, 1995	[60 FR 28062]
Revision	Vol. 61	March 29, 1996	[61 FR 14031]
Revision	Vol. 62	October 8, 1997	[62 FR 52641]
Revision	Vol. 63	September 16, 1998	[63 FR 49455]
Revision	Vol. 64	February 12, 1999	[64 FR 7464]
Revision	Vol. 65	March 13, 2000	[65 FR 13242]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 66	April 10, 2001	[66 FR 18546]
Revision	Vol. 66	June 11, 2001	[66 FR 31177]
Revision	Vol. 66	August 14, 2001	[66 FR 42608]
Revision	Vol. 66	October 1, 2001	[66 FR 49830]
Revision	Vol. 71	February 27, 2006	[71 FR 9866]
Revision	Vol. 71	November 16, 2006	[71 FR 66681]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]
Revision	Vol. 74	January 28, 2009	[74 FR 5072]
Revision	Vol. 76	January 20, 2011	[76 FR 3517]

Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

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

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

40 CFR Part 60 subpart Dc			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 55	September 12, 1990	[55 FR 37683]
Revision	Vol. 61	May 8, 1996	[61 FR 20736]
Revision	Vol. 64	February 12, 1999	[64 FR 7465]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 71	February 27, 2006	[71 FR 9866]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]

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40 CFR Part 60 subpart Dc			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 74	January 28, 2009	[74 FR 5072]
Revision	Vol. 76	January 20, 2011	[76 FR 3517]

Subpart Ec, Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996

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

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

40 CFR Part 60 subpart Ec			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 62	September 15, 1997	[62 FR 48382]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 68	October 30, 2003	[68 FR 61759]
Revision	Vol. 74	October 6, 2009	[74 FR 51368]
Revision	Vol. 76	April 4, 2011	[76 FR 18407]

Subpart J, Standards of Performance for Petroleum Refineries

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

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

40 CFR Part 60 subpart J			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 39	March 8, 1974	[39 FR 9315]
Revision	Vol. 40	October 6, 1975	[40 FR 46259]
Revision	Vol. 42	June 24, 1977	[42 FR 32427]
Revision	Vol. 42	August 4, 1977	[42 FR 39389]
Revision	Vol. 43	March 15, 1978	[43 FR 10868]
Revision	Vol. 44	March 12, 1979	[44 FR 13481]
Revision	Vol. 44	October 25, 1979	[44 FR 61543]
Revision	Vol. 45	December 1, 1980	[45 FR 79453]
Revision	Vol. 48	May 25, 1983	[48 FR 23611]
Revision	Vol. 50	August 5, 1985	[50 FR 31701]
Revision	Vol. 51	November 26, 1986	[51 FR 42842]
Revision	Vol. 52	June 1, 1987	[52 FR 20392]
Revision	Vol. 53	October 21, 1988	[53 FR 41333]
Revision	Vol. 54	August 17, 1989	[54 FR 34026]
Revision	Vol. 55	October 2, 1990	[55 FR 40175]
Revision	Vol. 56	February 4, 1991	[56 FR 4176]
Revision	Vol. 64	February 12, 1999	[64 FR 7465]

40 CFR Part 60 subpart J			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 71	September 21, 2006	[71 FR 55119]
Revision	Vol. 73	June 24, 2008	[73 FR 35838]
Revision	Vol. 76	February 25, 2011	[76 FR 10524]

Subpart K, Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978

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

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

40 CFR Part 60 subpart K			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 39	March 8, 1974	[39 FR 9317]
Revision	Vol. 39	April 17, 1974	[39 FR 13776]
Revision	Vol. 39	June 14, 1974	[39 FR 20794]
Revision	Vol. 42	July 25, 1977	[42 FR 37937]
Revision	Vol. 45	April 4, 1980	[45 FR 23379]
Revision	Vol. 48	January 27, 1983	[48 FR 3737]
Revision	Vol. 52	April 8, 1987	[52 FR 11429]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]

Subpart Y, Standards of Performance for Coal Preparation Plants

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

Subpart Y - “Standards of Performance for Coal Preparation and Processing Plants”

Subpart VV, Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry

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

Subpart VV - “Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006”

Subpart VVa, Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry; Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries

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

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Subpart VVa - “Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006”

Subpart GGG, Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries

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

Subpart GGG - “Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006”

Subpart KKK, Standards of Performance for Volatile Organic Compound (VOC) Emissions from Onshore Natural Gas Processing Plants

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

Subpart KKK - “Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants”

Subpart RRR, Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing (SOCMI) Reactor Processes

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

Subpart RRR - “Standards of Performance for Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes”

Subpart AAAA, New Source Performance Standards for New Small Municipal Waste Combustion Units

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

Subpart AAAA - “Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999, or for Which Modification or Reconstruction is Commenced After June 6, 2001”

The provisions of Title 40 CFR Part 60, subpart AAAA as originally published in the Federal Register as listed below are incorporated by reference as if fully repeated herein.

Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units

Regulation 61-62.60, Subpart BBBB, Title and Introductory Text, shall be revised as follows:

Subpart BBBB - “Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999”

The provisions of Title 40 CFR Part 60, subpart BBBB, as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

Subpart CCCC, Standards of Performance for New Stationary Sources: Commercial and Industrial Solid Waste Incineration Units

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

Subpart CCCC - “Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999, or for Which Modification or Reconstruction is Commenced on or After June 1, 2001”

Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units

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

Subpart DDDD - “Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999”

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

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

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

40 CFR Part 60 subpart IIII			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 71	July 11, 2006	[71 FR 39154]
Revision	Vol. 76	June 28, 2011	[76 FR 37954]

Subpart KKKK, Standards Of Performance For Stationary Combustion Turbines

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

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

Regulation 61-62.60, Subpart LLLL, shall be added in alpha-numeric order as follows:

Subpart LLLL - “Standards of Performance for New Stationary Sources and Emissions Guidelines for Existing Sources: Sewage Sludge Incineration Units”

The provisions of 40 CFR Part 60 Subpart LLLL, as originally published in the Federal Register, as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart LLLL			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 76	March 21, 2011	[76 FR 15372]

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Regulation 61-62.60, Subpart MMMM, shall be added in alpha-numeric order as follows:

Subpart MMMM - Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units

The provisions of 40 CFR Part 60 Subpart MMMM, as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart MMMM			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 76	March 21, 2011	[76 FR 15372]

Regulation 61-62.61, National Emission Standard for Hazardous Air Pollutants (NESHAP)

Subpart N, National Emission Standard for Inorganic Arsenic Emissions from Gas Manufacturing Plants

Regulation 61-62.61, Subpart N, Title, shall be revised as follows:

Subpart N - “National Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants”

Subpart W, National Emission Standards for Radon Emissions from Operating Mill Tailings

Regulation 61-62.61, Subpart W, Introductory Text, shall be revised as follows:

Subpart W - “National Emission Standards for Radon Emissions from Operating Mill Tailings”

The provisions of 40 CFR Part 61 Subpart W, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

Appendix C to Subpart 61, Quality Assurance Procedures

Regulation 61-62.61, Appendix C to Subpart 61, Introductory Text, shall be revised as follows:

Appendix C to Subpart 61 - “Quality Assurance Procedures”

The provisions of 40 CFR Part 61 Appendix C as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

Appendix E to Subpart 61, Compliance Procedures Methods for Determining Compliance With Subpart I

Regulation 61-62.61, Appendix E to Subpart 61, Introductory Text, shall be revised as follows:

Appendix E to Subpart 61 - “Compliance Procedures Methods For Determining Compliance With Subpart I”

The provisions of 40 CFR Part 61 Appendix E, as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

Regulation 61-62.63 – National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories

Subpart A, General Provisions

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

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

40 CFR Part 63 subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 59	March 16, 1994	[59 FR 12430]
Revision	Vol. 59	April 22, 1994	[59 FR 19453]
Revision	Vol. 59	December 6, 1994	[59 FR 62589]
Revision	Vol. 60	January 25, 1995	[60 FR 4963]
Revision	Vol. 60	June 27, 1995	[60 FR 33122]
Revision	Vol. 60	September 1, 1995	[60 FR 45980]
Revision	Vol. 61	May 21, 1996	[61 FR 25399]
Revision	Vol. 61	December 17, 1996	[61 FR 66227]
Revision	Vol. 62	December 10, 1997	[62 FR 65024]
Revision	Vol. 63	May 4, 1998	[63 FR 24444]
Revision	Vol. 63	May 13, 1998	[63 FR 26465]
Revision	Vol. 63	September 21, 1998	[63 FR 50326]
Revision	Vol. 63	October 7, 1998	[63 FR 53996]
Revision	Vol. 63	December 1, 1998	[63 FR 66061]
Revision	Vol. 64	January 28, 1999	[64 FR 4300]
Revision	Vol. 64	February 12, 1999	[64 FR 7468]
Revision	Vol. 64	April 12, 1999	[64 FR 17562]
Revision	Vol. 64	June 10, 1999	[64 FR 31375]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 67	February 14, 2002	[67 FR 6968]
Revision	Vol. 67	February 27, 2002	[67 FR 9156]
Revision	Vol. 67	April 5, 2002	[67 FR 16582]
Revision	Vol. 67	June 10, 2002	[67 FR 39794]
Revision	Vol. 67	July 23, 2002	[67 FR 48254]
Revision	Vol. 68	February 18, 2003	[68 FR 7706]
Revision	Vol. 68	April 21, 2003	[68 FR 19375]
Revision	Vol. 68	May 6, 2003	[68 FR 23898]
Revision	Vol. 68	May 8, 2003	[68 FR 24653]
Revision	Vol. 68	May 20, 2003	[68 FR 27646]
Revision	Vol. 68	May 23, 2003	[68 FR 28606]
Revision	Vol. 68	May 27, 2003	[68 FR 28774]
Revision	Vol. 68	May 28, 2003	[68 FR 31746]
Revision	Vol. 68	May 29, 2003	[68 FR 32172]
Revision	Vol. 68	May 30, 2003	[68 FR 32586]
Revision	Vol. 68	November 13, 2003	[68 FR 64432]

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40 CFR Part 63 subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 68	December 19, 2003	[68 FR 70960]
Revision	Vol. 69	January 2, 2004	[69 FR 130]
Revision	Vol. 69	February 3, 2004	[69 FR 5038]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 69	April 19, 2004	[69 FR 20968]
Revision	Vol. 69	April 22, 2004	[69 FR 21737]
Revision	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 69	June 15, 2004	[69 FR 33474]
Revision	Vol. 69	July 30, 2004	[69 FR 45944]
Revision	Vol. 69	September 13, 2004	[69 FR 55218]
Revision	Vol. 70	April 15, 2005	[70 FR 19992]
Revision	Vol. 70	May 20, 2005	[70 FR 29400]
Revision	Vol. 70	October 12, 2005	[70 FR 59402]
Revision	Vol. 71	February 16, 2006	[71 FR 8342]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	July 28, 2006	[71 FR 42898]
Revision	Vol. 71	December 6, 2006	[71 FR 70651]
Revision	Vol. 72	January 3, 2007	[72 FR 26]
Revision	Vol. 72	January 23, 2007	[72 FR 2930]
Revision	Vol. 72	July 16, 2007	[72 FR 38864]
Revision	Vol. 72	October 29, 2007	[72 FR 61060]
Revision	Vol. 72	November 16, 2007	[72 FR 64860]
Revision	Vol. 72	December 26, 2007	[72 FR 73180]
Revision	Vol. 72	December 28, 2007	[72 FR 74088]
Revision	Vol. 73	January 2, 2008	[73 FR 226]
Revision	Vol. 73	January 9, 2008	[73 FR 1738]
Revision	Vol. 73	January 10, 2008	[73 FR 1916]
Revision	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 73	February 7, 2008	[73 FR 7210]
Revision	Vol. 73	March 7, 2008	[73 FR 12275]
Revision	Vol. 73	July 23, 2008	[73 FR 42978]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 74	June 25, 2009	[74 FR 30366]
Revision	Vol. 74	October 28, 2009	[74 FR 55670]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 75	September 13, 2010	[75 FR 55636]
Revision	Vol. 76	February 17, 2011	[76 FR 9450]

Subpart U, National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins

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

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

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

Subpart Y, National Emission Standards for Marine Tank Vessel Loading Operations

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

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

40 CFR Part 63 subpart Y			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	September 19, 1995	[60 FR 48399]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 76	April 21, 2011	[76 FR 22566]

Subpart CC, National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries

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

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

40 CFR Part 63 subpart CC			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	August 18, 1995	[60 FR 43260]
Revision	Vol. 60	September 27, 1995	[60 FR 49976]
Revision	Vol. 61	February 23, 1996	[61 FR 7051]
Revision	Vol. 61	June 12, 1996	[61 FR 29878]
Revision	Vol. 61	June 28, 1996	[61 FR 33799]
Revision	Vol. 62	February 21, 1997	[62 FR 7938]
Revision	Vol. 63	March 20, 1998	[63 FR 13537]
Revision	Vol. 63	May 18, 1998	[63 FR 27212]

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40 CFR Part 63 subpart CC			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 63	June 9, 1998	[63 FR 31361]
Revision	Vol. 63	August 18, 1998	[63 FR 44140]
Revision	Vol. 65	May 8, 2000	[65 FR 26491]
Revision	Vol. 65	July 6, 2000	[65 FR 41594]
Revision	Vol. 66	May 25, 2001	[66 FR 28840]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 74	October 28, 2009	[74 FR 55670]
Revision	Vol. 75	June 30, 2010	[75 FR 37730]
Revision	Vol. 76	July 18, 2011	[76 FR 42052]

Subpart II, National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)

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

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

40 CFR Part 63 subpart II			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	December 15, 1995	[60 FR 64336]
Revision	Vol. 61	June 18, 1996	[61 FR 30816]
Revision	Vol. 61	December 17, 1996	[61 FR 66227]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	December 29, 2006	[71 FR 78369]
Revision	Vol. 72	February 27, 2007	[72 FR 8630]
Revision	Vol. 76	November 21, 2011	[76 FR 72050]

Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations

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

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

40 CFR Part 63 subpart JJ			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	December 7, 1995	[60 FR 62936]
Revision	Vol. 62	June 3, 1997	[62 FR 30259]
Revision	Vol. 62	June 9, 1997	[62 FR 31363]
Revision	Vol. 63	December 28, 1998	[63 FR 71380]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 76	November 21, 2011	[76 FR 72050]

Subpart KK, National Emission Standards for the Printing and Publishing Industry

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

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

40 CFR Part 63 subpart KK			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 61	May 30, 1996	[61 FR 27140]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	May 24, 2006	[71 FR 29792]
Revision	Vol. 76	April 21, 2011	[76 FR 22566]

Subpart DDD, National Emission Standards for Hazardous Air Pollutants for Mineral Wood Production

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

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

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

Subpart GGG, National Emission Standards for Hazardous Air Pollutants for Pharmaceuticals Production

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

Subpart GGG - “National Emission Standards for Pharmaceuticals Production”

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

40 CFR Part 63 subpart GGG			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 63	September 21, 1998	[63 FR 50326]
Revision	Vol. 65	August 29, 2000	[65 FR 52588]
Revision	Vol. 66	August 2, 2001	[66 FR 40121]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	May 13, 2005	[70 FR 25666]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]

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40 CFR Part 63 subpart GGG			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 76	April 21, 2011	[76 FR 22566]

Subpart III, National Emission Standards for Hazardous Air Pollutants From Flexible Polyurethane Foam Production

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

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

Subpart LLL, National Emission Standards for the Portland Cement Manufacturing Industry

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

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

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

40 CFR Part 63 subpart LLL			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 14, 1999	[64 FR 31925]
Revision	Vol. 64	September 30, 1999	[64 FR 53070]
Revision	Vol. 67	April 5, 2002	[67 FR 16614]
Revision	Vol. 67	December 6, 2002	[67 FR 72580]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	December 20, 2006	[71 FR 76518]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 76	January 18, 2011	[76 FR 2832]

Subpart OOO, National Emission Standards for Hazardous Air Pollutants: Manufacture Of Amino/Phenolic Resins

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

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

Subpart RRR, National Emission Standards for Hazardous Air Pollutant Emissions for Secondary Aluminum Production

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

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

Subpart TTT, National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting

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

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

40 CFR Part 63 subpart TTT			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 4, 1999	[64 FR 30204]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 76	November 15, 2011	[76 FR 70834]

Subpart UUU, National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries; Catalytic Cracking Units, Catalytic Reforming Units and Sulfur Recovery Units

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

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

Subpart PPPP, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products

Regulation 61-62.63, Subpart PPPP, Introductory Text, shall be revised as follows:

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

Subpart XXXX, National Emission Standards For Hazardous Air Pollutants for Rubber Tire Manufacturing

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

Subpart XXXX - “National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing”

Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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

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

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40 CFR Part 63 subpart ZZZZ			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	June 15, 2004	[69 FR 33474]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 75	March 3, 2010	[75 FR 9648]
Revision	Vol. 75	June 30, 2010	[75 FR 37732]
Revision	Vol. 75	August 20, 2010	[75 FR 51570]
Revision	Vol. 76	March 9, 2011	[76 FR 12863]

Subpart AAAAA, National Emission Standards for Hazardous Air Pollutants for Lime

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

Subpart AAAAA - “National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants”

Subpart WWWW, National Emission Standards For Hospital Ethylene Oxide Sterilizers Applicability And Compliance Dates

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

Subpart WWWW - “National Emission Standards for Hospital Ethylene Oxide Sterilizers”

Subpart YYYYY, National Emission Standards For Hazardous Air Pollutants For Area Sources: Electric Arc Furnace Steelmaking Facilities

Regulation 61-62.63, Subpart YYYYY, Title and Introductory Text, shall be revised as follows:

Subpart YYYYY - “National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities”

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

Subpart BBBB, National Emission Standards For Hazardous Air Pollutants For Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, And Pipeline Facilities

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

Subpart BBBB – “National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities”

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

40 CFR Part 63 Subpart BBBBBB			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 73	January 10, 2008	[73 FR 1916]
Revision	Vol. 73	March 7, 2008	[73 FR 12275]
Revision	Vol. 76	January 24, 2011	[76 FR 4156]

Subpart CCCCCC, National Emission Standards For Hazardous Air Pollutants For Source Category: Gasoline Dispensing Facilities

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

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

40 CFR Part 63 subpart CCCCCC			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 73	January 10, 2008	[73 FR 1916]
Revision	Vol. 73	March 7, 2008	[73 FR 12275]
Revision	Vol. 73	June 25, 2008	[73 FR 35939]
Revision	Vol. 76	January 24, 2011	[76 FR 4156]

Regulation 61-62.63, Subpart UUUUUU, shall be added in alpha numeric order as follows:

Subpart UUUUUU – [Reserved]

Subpart VVVVVV, National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources

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

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

40 CFR Part 63 subpart VVVVVV			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 74	October 29, 2009	[74 FR 56008]
Revision	Vol. 75	December 14, 2010	[75 FR 77760]
Revision	Vol. 76	March 14, 2011	[76 FR 13514]

Subpart WWWWWW, National Emission Standards For Hazardous Air Pollutants: Area Source Standards For Plating And Polishing Operations

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

Subpart WWWWWW - “National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations”

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

40 CFR Part 63 subpart WWWWWW			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 73	July 1, 2008	[73 FR 37728]
Revision	Vol. 76	June 20, 2011	[76 FR 35744]
Revision	Vol. 76	September 19, 2011	[76 FR 57913]

Subpart ZZZZZZ, National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries

Regulation 61-62.63, Subpart ZZZZZZ, Introductory Text, shall be revised as follows:

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

Subpart CCCCCC, National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Paints and Allied Products Manufacturing

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

Subpart CCCCCC – “National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing”

Subpart DDDDDDD, National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Prepared Feeds Manufacturing

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

Subpart DDDDDDD – “National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing”

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

40 CFR Part 63 Subpart DDDDDDD			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 75	January 5, 2010	[75 FR 522]
Revision	Vol. 75	July 20, 2010	[75 FR 41991]
Revision	Vol. 76	December 23, 2011	[76 FR 80261]

Regulation 61-62.63, Subpart EEEEEEE, shall be added in alpha-numeric order as follows:

Subpart EEEEEEE - “National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category”

The provisions of 40 CFR Part 63 Subpart EEEEEEE, as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart EEEEEEE			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 76	February 17, 2011	[76 FR 9450]

R.61-62.70, Title V Operating Permit Program

Regulation 61-62.70.2, (f)(1) shall be revised as follows:

(1) Any standard or other requirement provided for in the South Carolina State Implementation Plan approved or promulgated by EPA through rulemaking under Title I of the Act that implements the pertinent requirements of the Act, including any revisions to that plan promulgated in 40 Code of Federal Regulations (CFR) Part 52;

Regulation 61-62.70.7, (e)(2)(i)(B) shall be revised as follows:

(B) Notwithstanding Sections 70.7(e)(2)(i)(A) and (e)(3)(i), minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in the South Carolina State Implementation Plan or in applicable requirements promulgated by EPA.

Regulation 61-62.70.7, (e)(5)(ii) shall be revised as follows:

(ii) The Department may provide for permitted sources to trade increases and decreases in emissions in the permitted facility, where the South Carolina State Implementation Plan provides for such emissions trades without requiring a permit revision and based on the 7-day notice prescribed in Section 70.7(e)(5). This provision is available in those cases where the permit does not already provide for such emissions trading.

Regulation 61-62.70.7, (e)(5)(ii)(A) shall be revised as follows:

(A) Under Section 70.7(e)(5)(ii), the written notification required above shall include such information as may be required by the provision in the South Carolina State Implementation Plan authorizing the emissions trade, including at a minimum, when the proposed change will occur, a description of each such change, any change in emissions, the permit requirements with which the source will comply using the emissions trading provisions of the South Carolina State Implementation Plan, and the pollutants emitted subject to the emissions trade. The notice shall also refer to the provisions with which the source will comply in the South Carolina State Implementation Plan and that provide for the emissions trade.

Regulation 61-62.70.7, (e)(5)(ii)(B) shall be revised as follows:

(B) The permit shield described in Section 70.6(f) of this part shall not extend to any change made under Section 70.7(e)(5)(ii). Compliance with the permit requirements that the source will meet using the emissions trade shall be determined according to requirements of the South Carolina State Implementation Plan authorizing the emissions trade.

R.61-62.72, Acid Rain

Regulation 61-62.72, Subpart A, shall be revised as follows:

Subpart A - “General Provisions”

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The provisions of 40 Code of Federal Regulations (CFR) Part 72 Subpart A, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 72 Subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 58	January 11, 1993	[58 FR 3650]
Revision	Vol. 58	March 23, 1993	[58 FR 15634]
Revision	Vol. 58	June 21, 1993	[58 FR 33769]
Revision	Vol. 58	July 30, 1993	[58 FR 40746]
Revision	Vol. 59	November 22, 1994	[59 FR 60218]
Revision	Vol. 60	April 4, 1995	[60 FR 17100]
Revision	Vol. 60	April 11, 1995	[60 FR 18462]
Revision	Vol. 60	May 17, 1995	[60 FR 26510]
Revision	Vol. 62	October 24, 1997	[62 FR 55460]
Revision	Vol. 62	December 18, 1997	[62 FR 66278]
Revision	Vol. 63	October 27, 1998	[63 FR 57356]
Revision	Vol. 63	December 11, 1998	[63 FR 68400]
Revision	Vol. 64	May 13, 1999	[64 FR 25834]
Revision	Vol. 64	May 26, 1999	[64 FR 28564]
Revision	Vol. 66	March 1, 2001	[66 FR 12974]
Revision	Vol. 67	June 12, 2002	[67 FR 40394]
Revision	Vol. 67	August 16, 2002	[67 FR 53503]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 70	May 12, 2005	[70 FR 25162]
Revision	Vol. 71	April 28, 2006	[71 FR 25328]
Revision	Vol. 73	January 24, 2008	[73 FR 4312]
Revision	Vol. 74	June 12, 2009	[74 FR 27940]
Revision	Vol. 76	March 28, 2011	[76 FR 17288]

R.61-62.96, Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program

Regulation 61-62.96.302 “commence operation (a) shall be revised to add (a)(1), (a)(2), and (a)(3) as follows:

“Commence operation” - (a) For all units “commence operation” means:

(1) To have begun any mechanical, chemical, or electronic process, including, with regard to a unit, start-up of a unit’s combustion chamber, except as provided in Section 96.384(h).

(2) For a unit that undergoes a physical change (other than replacement of the unit by a unit at the same source) after the date the unit commences operation as defined in paragraph (1) of this definition, such date shall remain the date of commencement of operation of the unit, which shall continue to be treated as the same unit.

(3) For a unit that is replaced by a unit at the same source (for example, repowered) after the date the unit commences operation as defined in paragraph (1) of this definition, such date shall remain the replaced unit’s date of commencement of operation, and the replacement unit shall be treated as a separate unit with a separate date for commencement of operation as defined in paragraph (1), (2), or (3) of this definition as appropriate, except as provided in Section 96.384(h).

Statement of Need and Reasonableness:

This Statement of Need and Reasonableness was determined by staff analysis pursuant to S.C. Code Section 1-23-115(C)(1)-(3) and (9)-(11).

DESCRIPTION OF REGULATION:

Purpose: (1) The United States Environmental Protection Agency (EPA) promulgates amendments to 40 CFR Parts 60, 63, and 72 throughout each calendar year. Federal amendments in 2011 included new and revised New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, and Acid Rain Program provisions. The Department has amended Regulations 61-62.60, 61-62.63, and 61-62.72 to incorporate by reference the federal amendments published from January 1, 2011, through December 31, 2011. One of the NSPS rules that the Department has adopted is the rule entitled “Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Sewage Sludge Incineration Units” (SSI Rule) (76 FR 15372, March 21, 2011). Section 129 of the Clean Air Act requires that states develop plans, called “Section 129 Plans,” to implement and enforce incinerator rules, including the SSI Rule. As a part of these regulatory revisions, the Department has revised state regulations to include the SSI Rule, which, along with a certification letter to EPA, constitutes part of the Section 129 Plan for the SSI Rule.

(2) The Department has made revisions that correct errors in earlier amendments required to maintain compliance with federal law. First, the Department has amended Regulation 61-62.5, Standard 7.1, Nonattainment New Source Review (NSR), to incorporate a federally required provision on emissions offsets, as required by the federal rule entitled “Approval and Promulgation of Implementation Plans; South Carolina; Prevention of Significant Deterioration and Nonattainment New Source Review Rules” (73 FR 31369, June 2, 2008). Second, the Department has amended Regulation 61-62.96, Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program, to incorporate a provision in the definition of “commence operation,” as required by the federal rule entitled “Approval and Promulgation of Air Quality Implementation Plans; South Carolina; Clean Air Interstate Rule” (74 FR 53167, October 16, 2009).

(3) The Department is conducting the five-year regulatory audit required by the South Carolina Administrative Procedures Act. As a part of this audit, the Department is making revisions to enhance the clarity and usability of Regulation 61-62. The Department specifically has revised Regulation 61-62.1; 61-62.3; 61-62.5 Standards 3, 4, 5, and 5.1; 61-62.60; 61-62.61; 61-62.63; and 61-62.70.

Legal Authority: The legal authority for Regulation 61-62, Air Pollution Control Regulations and Standards, is S.C. Code Sections 48-1-10 et seq.

Plan for Implementation: The amendments take effect upon approval by the Board of Health and Environmental Control and publication in the State Register. These requirements are in place at the federal level and are currently being implemented. The amendments will be implemented in South Carolina by providing the regulated community with copies of the regulation, publishing associated information on our website at <http://www.scdhec.gov/administration/regs/>, sending an email to stakeholders, and communicating with affected facilities during the permitting process.

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

The EPA promulgates amendments to 40 CFR Parts 60, 63, and 72 throughout each calendar year. Federal amendments in 2011 included new and revised NSPS rules, NESHAPs for Source Categories, and Acid Rain Program revisions. States are mandated by law to adopt these federal amendments. These amendments are reasonable as they promote consistency and ensure compliance with both state and federal regulations.

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DETERMINATION OF COSTS AND BENEFITS:

There will be no increased cost to the State or its political subdivisions resulting from this revision. The adopted standards adopted were already effective and applicable to the regulated community as a matter of federal law, thus the regulated community has already incurred the cost of these regulations. The amendments will benefit the regulated community by clarifying the regulations and increasing their ease of use.

UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates relative to the costs to the State or its political subdivisions.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

Adoption of the recent changes in federal regulations through the amendments to R.61-62, Air Pollution Control Regulations and Standards, will provide continued protection of the environment and public health.

DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATIONS ARE NOT IMPLEMENTED:

The State's authority to implement federal requirements, which are beneficial to the public health and environment, would be compromised if these amendments were not adopted in South Carolina.

Document No. 4380
DEPARTMENT OF LABOR, LICENSING AND REGULATION
OFFICE OF OCCUPATIONAL SAFETY AND HEALTH
CHAPTER 71

Statutory Authority: 1976 Code Section 41-15-210

Article I, Subarticle 6 and Subarticle 7
Occupational Safety and Health Standards

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

In Subarticle 6 (General Industry and Shipyard Employment):

Revisions to Sections 1910.119, 1910.120, 1910.1001, 1910.1044, 1910.1048, 1910.1051, 1910.1052, 1910.1200 and 1910.1450, as amended in FEDERAL REGISTER Volume 78, Number 14, pages 4324 through 4331 dated Tuesday, January 22, 2013, and FEDERAL REGISTER Volume 78, Number 27, pages 9311 through 9315, dated Friday, February 8, 2013.

In Subarticle 7 (Construction):

Revisions to Sections 1926.64, 1926.65, 1926.251 and 1926.1101 as amended in FEDERAL REGISTER Volume 78, Number 27, pages 9311 through 9315, dated Friday, February 8, 2013 and FEDERAL REGISTER Volume 78, Number 32, page 11092, dated Friday, February 15, 2013.

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