

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.

2016 PUBLICATION SCHEDULE

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

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

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

REPRODUCING OFFICIAL DOCUMENTS

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ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS

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

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

EMERGENCY REGULATIONS

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

REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW

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

EFFECTIVE DATE OF REGULATIONS

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

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

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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/regnsrch.php>

DOC. NO.	RAT. FINAL NO. ISSUE	SUBJECT	EXP. DATE	AGENCY
4527		Consumer Credit Counseling Requirements	1/12/16	Department of Consumer Affairs
4533		South Carolina National Guard College Assistance Program	1/13/16	Commission on Higher Education
4534		South Carolina National Guard Student Loan Repayment Program	1/13/16	Commission on Higher Education
4524		Suspension of Certification Due to Criminal Charges and/or Indictment	1/14/16	South Carolina Criminal Justice Academy
4543		Standards for Licensing Nursing Homes	2/28/16	Department of Health and Envir Control
4552		Horse Meat and Kangaroo Meat; Fairs, Camp Meetings, and Other Gatherings; Camps; Mobile/Manufactured Home Park; Sanitation of Schools; and Nuisances	3/14/16	Department of Health and Envir Control
4553		Standards for Licensing Hospices	3/27/16	Department of Health and Envir Control
4562		Board of Long Term Health Care Administrators	3/28/16	LLR-Board of Long Term Health Care Administrators
4563		Local Emergency Preparedness Standards	4/05/16	Office of the Governor
4564		Standards for Licensing Habilitation Centers for Persons with Intellectual Disability or Persons with Related Conditions	4/25/16	Department of Health and Envir Control
4565		Underground Storage Tank Control Regulations	4/25/16	Department of Health and Envir Control
4566		Examination Attempts, Apprenticeship, and Continuing Education Requirements	5/11/16	LLR-Board of Examiners in Opticianry
4573		Continuing Education in Sterilization and Infection Control	5/11/16	LLR-Board of Dentistry
4574		Pilot Registration	5/11/16	LLR-Commissioners of Pilotage
4567		Crabmeat	5/11/16	Department of Health and Envir Control
4568		Standards for Licensing Tattoo Facilities	5/11/16	Department of Health and Envir Control
4569		Standards for Permitting Body Piercing Facilities	5/11/16	Department of Health and Envir Control
4570		Natural Public Swimming Areas	5/11/16	Department of Health and Envir Control
4585		State Emergency Preparedness Standards	5/11/16	Office of the Governor
4588		Safeguarding Patient Medical Records	5/11/16	LLR-Board of Medical Examiners
4589		Continuing Education, Payment of Fees, Appraisal Experience, and Appraiser Apprentice Requirements	5/11/16	LLR-Reals Estate Appraisers Board
4593		Program Approval Standards for South Carolina Teacher Education Institutions	5/11/16	State Board of Education
4586		Special Education, Education of Students with Disabilities	5/11/16	State Board of Education
4580		Vital Statistics	5/11/16	Department of Health and Envir Control
4578		South Carolina Trauma Care Systems	5/11/16	Department of Health and Envir Control
4581		WIC Vendors	5/11/16	Department of Health and Envir Control
Committee Request Withdrawal				
4539		Consumer Electronic Equipment Collection and Recovery	Tolled	Department of Health and Envir Control
Resolution Introduced to Disapprove				
4551		Certification of Need for Health Facilities and Services	Tolled	Department of Health and Envir Control
4538		Certification of Need for Health Facilities and Services	Tolled	Department of Health and Envir Control

2 COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

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

DOC. No.	SUBJECT	HOUSE COMMITTEE	SENATE COMMITTEE
4527	Consumer Credit Counseling Requirements	Labor, Commerce and Industry	Banking and Insurance
4533	South Carolina National Guard College Assistance Program	Education and Public Works	Education
4534	South Carolina National Guard Student Loan Repayment Program	Education and Public Works	Education
4524	Suspension of Certification Due to Criminal Charges and/or Indictment	Judiciary	Judiciary
4543	Standards for Licensing Nursing Homes	Regulations and Admin. Procedures	Medical Affairs
4552	Horse Meat and Kangaroo Meat; Fairs, Camp Meetings, and Other Gatherings; Camps; Mobile/Manufactured Home Park; Sanitation of Schools; and Nuisances	Regulations and Admin. Procedures	Medical Affairs
4553	Standards for Licensing Hospices	Regulations and Admin. Procedures	Medical Affairs
4562	Board of Long Term Health Care Administrators	Regulations and Admin. Procedures	Medical Affairs
4563	Local Emergency Preparedness Standards	Regulations and Admin. Procedures	General
4564	Standards for Licensing Habilitation Centers for Persons with Intellectual Disability or Persons with Related Conditions	Regulations and Admin. Procedures	Medical Affairs
4565	Underground Storage Tank Control Regulations	Regulations and Admin. Procedures	Medical Affairs
4566	Examination Attempts, Apprenticeship, and Continuing Education Requirements		
4573	Continuing Education in Sterilization and Infection Control		
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4581	WIC Vendors		
Committee Request Withdrawal			
4539	Consumer Electronic Equipment Collection and Recovery	Labor, Commerce and Industry	Agriculture and Natural Resources
Resolution Introduced to Disapprove			
4551	Certification of Need for Health Facilities and Services	Medical, Military, Pub & Mun Affairs	Medical Affairs
4538	Certification of Need for Health Facilities and Services	Medical, Military, Pub & Mun Affairs	Medical Affairs

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

The S.C. Department of Health and Environmental Control
 Bureau of Water - Water Quantity Permitting Section
 2600 Bull Street
 Columbia, South Carolina 29201

Refer to: Public Notice # 41WS004-01 - December 25, 2015

Pursuant to the South Carolina Surface Water Withdrawal, Permitting, Use and Reporting Act [49-4-10] and Regulation 61-119, Surface Water Withdrawal, Permitting, Use and Reporting, an application was received by the Department from: Town of Batesburg-Leesville, 120 Church Street, Batesburg-Leesville, SC 29006 requesting a surface water withdrawal from Lake Murray. Information about the proposed withdrawal is presented in the permit application. The application specifies a proposed withdrawal from Lake Murray at Latitude/Longitude - 34.0811946, -81.5168446 (Lookout Point Rd.). The requested maximum amount of the proposed withdrawal is 167.3 million gallons per month (MGM). The water will be used to supply potable water within the Town of Batesburg-Leesville service area and under established water contracts to other entities.

Of the requested total amount (167.3 MGM), the application requests an Interbasin Transfer (IBT) of up to 91.25 MGM. The requested IBT proposes to transfer water out of the Saluda River Basin and move it into the Edisto River Basin. Of the maximum 91.25 MGM removed from the Saluda River Basin, 12.15 MGM will be returned to the Saluda Basin and 79.1 MGM will remain in the Edisto Basin.

In order to give all interested parties an opportunity to express their views -NOTICE- is hereby given that written statements regarding the proposed withdrawal will be received by the Department at the address listed above until – 5:00 PM February 12, 2016 from any parties interested in the proposed withdrawal and those whose interests may be affected by the proposed withdrawal.

The Department will hold a public hearing regarding the application on January 27, 2016 at Lexington High School (2463 Augusta Hwy, Lexington, SC 29072) starting at 6:00 PM. A person wishing to make comments on this application may do so at the public hearing, or they may submit written comments to the Department. Any comments submitted, other than those at the public hearing, shall be made in writing to the office listed above, shall be received by the date listed above, and shall include the name and legal address of the person making the comment.

If there are any questions concerning this public notice or if you would like a copy of the application, please contact Michael Bishop at 803-898-3553 or bishopma@dhec.sc.gov. Interested parties wishing to be notified of the final permit decision must make comment on the application and/or make a request to receive notice of the final decision and must provide the SCDHEC with a correct name and mailing address.

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 December 25, 2015 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 Vonja Szatkowski, Certificate of Need Program, 2600 Bull Street, Columbia, SC 29201 at (803) 545-3028.

4 NOTICES

Affecting Berkeley County

Lowcountry Nursing Group LLC d/b/a Interim Healthcare -Berkeley County

Establishment of a new Home Health Agency in Berkeley County at a total project cost of \$9,950.

Affecting Charleston County

Lowcountry Nursing Group LLC d/b/a Interim Healthcare - Charleston County

Establishment of a new Home Health Agency in Charleston County wherein Licensee began operation during the time CON was not operating, at a total project cost of \$9,950.

Affecting Dorchester County

Lowcountry Nursing Group LLC d/b/a Interim Healthcare -Dorchester County

Establishment of new Home Health Agency in Dorchester County at a total project cost of \$9,950.

Affecting Horry County

McLeod Loris Seacoast Hospital d/b/a McLeod Seacoast

Renovation for the relocation of Cardiac Catheterization services from McLeod Loris to McLeod Seacoast at a total project cost of \$2,409,969.

Conway Medical Center

Renovation and expansion of the Emergency Department and Dietary Services at a total project cost of \$7,989,835.

McLeod Regional Medical Center of the Pee Dee, Inc. d/b/a McLeod Home Health

Establishment of a new Home Health Agency in Horry County, wherein the Licensee began operations during the period of time the CON Program was not operating, at a total project cost of \$0.

Affecting Jasper County

Island Health Care, Inc.

Establishment of a new Home Health Agency wherein Licensee began operation during the time CON was not operating, at a total project cost of \$8,040.00.

Affecting Lexington County

Three Rivers Behavioral Health, LLC d/b/a Three Rivers Behavioral Health

Relinquishment of twenty (20) Residential Treatment Facility (RTF) beds, for a total of zero (0) RTF beds, and the addition of Twenty-four (24) psychiatric beds at a total project cost of \$10,000.00.

Affecting Spartanburg County

Spartanburg Regional Health Services District, Inc. d/b/a Gibbs Cancer Center & Research Institute – Pelham

Expansion and relocation of infusion therapy services from the cancer center to a new medical office building (MOB), adjacent to the cancer center, and the establishment of an infusion pharmacy at a total project cost of \$6,858,117.

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 December 25, 2015. "Affected persons" have 30 days from the above date to submit requests for a public hearing to Vonja Szatkowski, Certificate of Need Program, 2600 Bull Street, Columbia, S.C. 29201. If a public hearing is timely requested, the Department's decision will be made after the public hearing, but no later than 150 days from the above date. For further information call (803) 545-3028.

Affecting Beaufort County

Sprenger Healthcare of Port Royal, Inc., d/b/a Sprenger Healthcare of Port Royal

Establishment of a new sixty-five (65) bed nursing home at a total project cost of \$12,169,500.

Affecting Horry County

Grand Strand Regional Medical Center, LLC d/b/a Grand Strand Medical Center

Renovation of an existing facility to add 24 acute care beds and the build out of a sixth floor that will be shelled in space at a total project cost of \$26,712,662.

HHC South Carolina d/b/a Lighthouse Care Center of Conway

Addition of nine (9) substance abuse beds for a total of twenty-seven (27) substance abuse beds at a total project cost of \$0.

Conway Medical Center

Renovation and expansion of the Emergency Department and Dietary Services at a total project cost of \$7,989,835.

Affecting Lexington County

Three Rivers Behavioral Health, LLC d/b/a Three Rivers Behavioral Health

Relinquishment of twenty (20) Residential Treatment Facility (RTF) beds, for a total of zero (0) RTF beds, and the addition of Twenty-four (24) psychiatric beds at a total project cost of \$10,000.00.

Affecting Spartanburg County

Spartanburg Regional Health Services District, Inc. d/b/a Spartanburg Medical Center

Renovation to an existing facility for the addition of an additional MRI to be located in the Regional Outpatient Center at a total project cost of \$1,051,138.

Spartanburg Regional Health Services District, Inc. d/b/a Gibbs Cancer Center & Research Institute - Pelham

Expansion and relocation of infusion therapy services from the cancer center to a new medical office building (MOB), adjacent to the cancer center, and the establishment of an infusion pharmacy at a total project cost of \$6,858,117.

6 NOTICES

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

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

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

Pursuant to Section IV.B.1., the Department is required to place a list of those contractors requesting certification on public notice and accept comments from the public for a period of thirty (30) days. If you wish to provide comments regarding the companies and/or individuals listed below, please submit your comments in writing, no later than January 25, 2016 to:

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

The following company has applied for certification as Underground Storage Tank Site Rehabilitation Contractor:

Class II

Advanced Environmental Services, Inc.

Attn: Jason Johnson
PO Box 38218
Greensboro, NC 27438

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

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE OF PUBLIC HEARING OCCUPATIONAL SAFETY AND HEALTH STANDARDS

South Carolina Department of Labor, Licensing and Regulation (SC DLLR) does hereby give notice under Section 41-15-220, SC Code of Laws, 1976, as amended, that a public hearing will be held on February 2, 2016 at 10:00 A.M. at the SC DLLR, Room 204, 110 Centerview Drive, Columbia, SC at which time interested persons will be given the opportunity to appear and present views on the occupational safety and health standards being considered for adoption.

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

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

In Subarticle 6 (General Industry):

Revisions to Sections: 1910.269 - Electric Power Generation, Transmission, and Distribution, Appendix A-3, Appendix A-5 and 1910.331- Electrical Scope

In Subarticle 7 (Construction):

Revisions to Sections: 1926.950 - Electric Power Transmission and Distribution and 1926.960 - Working on or near exposed energized parts

Summary of changes: SC OSHA is issuing a final rule to amend the electrical safety-related work practices standard for general industry and the electric power generation, transmission, and distribution standards for general industry and construction to provide additional clarification regarding the application of the standards to certain operations, including some tree trimming work that is performed near, but that is not on or directly associated with electric power generation, transmission, and distribution installations. There are also minor corrections in two minimum approach distance tables in the general industry and construction standards for electric power generation, transmission and distribution work.

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

Persons desiring to speak at the hearing shall file with the Director of LLR a notice of intention to appear and the approximate amount of time required for her/his presentation on the particular matter no later than January 27, 2016. Any person who wishes to express his/her views, but is unable or does not desire to appear and testify at the hearing, should submit those views in writing on or before January 27, 2016.

Richele Taylor, Director
SC DLLR
Post Office Box 11329
Columbia, SC 29211-1329

8 DRAFTING NOTICES

CLEMSON UNIVERSITY STATE CROP PEST COMMISSION CHAPTER 27

Statutory Authority: 1976 Code Sections 46-9-40 and 46-9-50

Notice of Drafting:

The State Crop Pest Commission is considering the implementation of new regulations which govern, to the extent authorized by the S.C. Code, Title 46, Chapter 9, designation, monitoring and control of plant pests in South Carolina.

Interested parties should submit written comments to Dr. Stephen E. Cole, Interim Director, Regulatory Services, Clemson University, 511 Westinghouse Road, Pendleton, SC 29670. To be considered, comments should be received no later than January 30, 2015, the close of the drafting comment period.

Synopsis:

The proposed amendments will identify and update new plant pests, as well as removing others from the list that are no longer valid.

These proposed regulations will require legislative action.

DEPARTMENT OF NATURAL RESOURCES CHAPTER 123

Statutory Authority: 1976 Code Section 50-11-2200

Notice of Drafting:

The Department of Natural Resources proposes to amend Regulations 123-209 "Term and Conditions for the Public's Use of Lakes and Ponds Owned by the Department of Natural Resources" and 123-210 "Term and Conditions for the Public's Use of Lakes and Ponds Leased by the Department of Natural Resources". The subject of the proposed action is to establish and revise under S.C. Code Section 50-11-2200 the terms and conditions for the public use of lakes owned or leased by the SC Department of Natural Resources that previously were established under repealed S.C. Code Section 50-13-2011. Any person interested may submit written comments to Emily Cope, Deputy Director, Wildlife & Freshwater Fisheries Division, S.C. Department of Natural Resources, Post Office Box 167, Columbia, SC 29202.

Synopsis:

These amended regulations will allow for the public use of lakes and ponds owned or leased by the Department and managed as a part of the State Lakes Program for public fishing. The regulations establish opening and closure times and dates, possession limits, size limits, methods for taking fish and other use allowances and restrictions for lake and ponds in the State Lakes Program.

Document No. 4636
STATE BOARD OF EDUCATION
CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60, 59-25-110, 59-26-10 and 20 U.S.C. 6301 et seq.

43-300. Accreditation Criteria.

Preamble:

State Board of Education (SBE) Regulation 43-300 governs districts' accreditation criteria. Either the SBE accredits the school district or the school district seeks accreditation from an accrediting entity approved by higher education.

Notice of Drafting for the proposed amendments to the regulation was published in the *State Register* on October 23, 2015.

Section-by-Section Discussion

The proposed amendments to Section II(B) will provide clarification of the accreditation options available under Option 2.

Notice of Public Hearing and Opportunity for Public Comment:

A public hearing will be held on February 10, 2016, at 1:00 p.m. in the Rutledge Conference Center, 1429 Senate Street, Columbia, SC 29201. The proposed amendments to the regulation will be posted on the State Board of Education Web site for review and comment. To review the regulation click on the attached link: <..\Charts\RegReviewedbySBE15-16.pdf>.

Written comments should be submitted to Roy Stehle, Director, Office of Federal and State Accountability, Division of Federal, State, and Community Resources, 1429 Senate Street, Columbia, South Carolina 29201 or by e-mail to RStehle@ed.sc.gov on or before 5:00 p.m. on January 25, 2016.

Preliminary Fiscal Impact Statement:

None.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: Accreditation Criteria.

Purpose: Regulation 43-300 is being amended.

Legal Authority: 1976 Code Sections 59-5-60, 59-25-110, 59-26- 10 and the No Child Left Behind Act of 2001, 20 U.S.C. 6301 et seq.

Plan for Implementation: The proposed amendment will be posted on the South Carolina Department of Education's (SCDE) website for review and comment. The amendment will take effect upon approval by the General Assembly and publication in the *State Register*.

10 PROPOSED REGULATIONS

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

The amendment will remove a layer of oversight not required when a school district chooses the alternative accreditation option.

DETERMINATION OF COSTS AND BENEFITS:

The SCDE staff will be able to redirect time and effort to assisting school districts in Option 1 accreditation.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

This regulation has no effect on the environment or public health.

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

This regulation will have no detrimental effect on the environment or public health if not implemented.

Statement of Rationale:

The amendment will remove a layer of oversight not required when a school district chooses the alternative accreditation option.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 4637

STATE BOARD OF EDUCATION CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60 and 59-25-110

43-51. Certification Requirements.

Preamble:

State Board of Education Regulation 43-51 governs the requirements for granting educator certification. Amendments to Regulation 43-51 will clarify that both content and pedagogy examinations must be presented for certification; clarify the experience requirement necessary for an out-of-state educator to qualify for a professional, as opposed to an initial, teaching certificate; include provisions for issuing certificates for qualifying participants in all currently approved alternative certification pathways; and modify language within the regulation. Current language is specific to a particular educator preparation accrediting body (the National Council for Accreditation of Teacher Education (NCATE)) and offices within the South Carolina Department of Education (SCDE). The purpose of this amendment is to remove specific organizational names as these names often change. The new educator preparation accrediting body is the Council for the Accreditation of Educator

Preparation (CAEP); however, a new accrediting body may be formed in the future. This change would eliminate the need for a regulation change any time an accrediting body or SCDE office changes.

Notice of Drafting for the proposed amendments to the regulation was published in the *State Register* on October 23, 2015.

Section-by-Section Discussion

- Section I(A) Delete name of previous accreditation body
Replace specific name of previous accreditation organization with language referring to an organization in general terms
- Section I(A)(2) Delete name of previous accreditation body
Replace specific name of previous accreditation organization with language referring to an organization in general terms
- Section I(B) Replace teacher area examination with teaching content area examination
Add the requirement for successful score on the pedagogy examination which became effective July 1, 2006
Delete language referring to the July 1, 2006, effective date
- Section II(B) Replace Office of Teacher Certification with general term
Replace the word “State” with “South Carolina” to provide consistency throughout the regulation
- Section III(A) Insert language clarifying that an out-of-state educator who presents less than twenty-seven months of successful teaching experience in the last seven years will be issued an initial teaching certificate and that the educator must present a successful score on the pedagogy examination in order to advance to a professional certificate
- Section IV Amend section title to include applicants to all alternative route programs
- Section IV(A) Change current text to item A
- Section IV(B) Insert new section for Teach for America applicants
- Section IV(C) Insert new section for American Board for the Certification of Teacher Excellence applicants
- Section VI(A) Insert references to content area examinations and pedagogy examination
Delete language referring to the July 1, 2006, effective date requiring a successful score on pedagogy examination in order to be certified
- Section VI(B) Replace Office of Teacher Certification with general term
Replace the word “State” with “South Carolina” to provide consistency throughout the regulation
- Section VII Replace Office of Teacher Certification with general term
- Section VII(d) Add Teach for America certification
- Section VII(e) Add American Board for the Certification of Teacher Excellence certification

Notice of Public Hearing and Opportunity for Public Comment:

A public hearing will be held on February 10, 2016, at 1:00 p.m. in the Rutledge Conference Center, 1429 Senate Street, Columbia, SC 29201. The proposed amendments to the regulation will be posted on the State Board of Education Web site for review and comment. To review the regulation, click on the attached link: <..\Charts\RegReviewedbySBE15-16.pdf>.

Written comments should be submitted to Mary Hipp, Director, Office of Educator Services, Division of Federal, State, and Community Resources, 8301 Parklane Road, Columbia, SC 29223 or by e-mail to mhipp@ed.sc.gov on or before 5:00 p.m. on January 25, 2016.

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Preliminary Fiscal Impact Statement:

None.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: Certification Requirements.

Purpose: R.43-51, Certification Requirements, is being amended.

Legal Authority: Statutory Authority: 1976 Code Sections 59-5-60 and 59-25-110.

Plan for Implementation: The proposed amendments will be posted on the South Carolina Department of Education's Web site for review and comment. The amendments will take effect upon approval by the General Assembly and publication in the *State Register*.

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

None.

DETERMINATION OF COSTS AND BENEFITS:

None.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

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

None.

Statement of Rationale:

Amendments to Regulation 43-51 will clarify that both content and pedagogy examinations must be presented for certification; clarify the experience requirement necessary for an out-of-state educator to qualify for a professional, as opposed to an initial, teaching certificate; include provisions for issuing certificates for qualifying participants in all currently approved alternative certification pathways; and modify language within the regulation.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 4638
STATE BOARD OF EDUCATION
 CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60(1), 59-25-110, 59-26-10 et seq., and
 20 U.S.C. 6301 et seq.

43-53. Credential Classification.

Preamble:

State Board of Education Regulation 43-53 governs the requirements for teacher credential classifications. Amendments to Regulation 43-53 will clarify conditions in which an educator may request extensions of an initial teaching certificate; delete temporary, transitional, and graded certificate types that are no longer issued; delete the special subject certificate which is no longer issued; add the restricted alternative certificate which is allowed under No Child Left Behind; and modify language within the regulation. Current language is specific to a particular educator preparation accrediting body (the National Council for Accreditation of Teacher Education (NCATE)) The purpose of this amendment is to remove specific organizational names as these names often change. The new educator preparation accrediting body is the Council for the Accreditation of Educator Preparation (CAEP); however, a new accrediting body may be formed in the future. This change would eliminate the need for a regulation change any time an accrediting body changes.

Notice of Drafting for the proposed amendments to the regulation was published in the *State Register* on October 23, 2015.

Section-by-Section Discussion

- | | |
|-------------------|---|
| Section I(A) | Add induction contracts as an option since teachers may now have up to three induction contracts per the ADEPT statute
Correct language since initial certificates can be extended but not renewed as can a professional certificate
Add extension provision for teachers with initial certificates who are employed in public school settings in positions that do not require certification or fall under the ADEPT system for credential advancement |
| Section I(A)(1) | Delete name of previous accreditation organization and add language referring to an accrediting body in general terms |
| Section I(A)(2) | Insert references to content area examinations and pedagogy examination
Delete language referring to the July 1, 2006, effective date requiring a successful score on pedagogy examination in order to be certified |
| Section I(C)(1) | Change current text to section (C)1 and insert specific reference to the Program for Alternative Certification of Teachers (PACE) |
| Section I(C)(2) | Create section (C)2 for Teach for America certification |
| Section I(C)(3) | Create section (C)3 for American Board for Certification of Teacher Excellence |
| Section I(G) | Delete text related to temporary certificates which are no longer issued due to federal requirements of No Child Left Behind
Add the Restricted Alternative Certificate which is allowable under No Child Left Behind and has been issued in South Carolina since 2006 |
| Section I(H) | Add Out-of-Field Permits and include current requirements for issuing |
| Section III(A) | Replace Office of Teacher Certification with general term |
| Section III(A)(2) | Insert a missing word |
| Section III(B)(1) | Replace Office of Teacher Certification with general term |

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Notice of Public Hearing and Opportunity for Public Comment:

A public hearing will be held on February 10, 2016, at 1:00 p.m. in the Rutledge Conference Center, 1429 Senate Street, Columbia, SC 29201. The proposed amendments to the regulation will be posted on the State Board of Education Web site for review and comment. To review the regulation click on the attached link: <..\Charts\RegReviewedbySBE15-16.pdf>.

Written comments should be submitted to Mary Hipp, Director, Office of Educator Services, Division of Federal, State, and Community Resources, 8301 Parklane Road, Columbia, SC 29223 or by e-mail to mhipp@ed.sc.gov on or before 5:00 p.m. on January 25, 2016.

Preliminary Fiscal Impact Statement:

None.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: Credential Classification.

Purpose: Regulation 43-53, Credential Classification, is being amended.

Legal Authority: Statutory Authority: 1976 Code Sections 59-5-60(1), 59-25-110, 59-26-10 et seq., and 20 U.S.C. 6301 et seq.

Plan for Implementation: The proposed amendments will be posted on the South Carolina Department of Education's Web site for review and comment. The amendments will take effect upon approval by the General Assembly and publication in the *State Register*.

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

None.

DETERMINATION OF COSTS AND BENEFITS:

None.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

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

None.

Statement of Rationale:

Amendments to Regulation 43-53 will clarify conditions in which an educator may request extensions of an initial teaching certificate; delete temporary, transitional, and graded certificate types that are no longer issued; delete the special subject certificate which is no longer issued; add the restricted alternative certificate which is allowed under No Child Left Behind; and modify language within the regulation referring to specific accreditation organizations or offices within the South Carolina Department of Education.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 4639
STATE BOARD OF EDUCATION
 CHAPTER 43

Statutory Authority: 1976 Code Sections 59-5-60(1), 59-25-110, 59-26-10 et seq., and 20 U.S.C. 6301 et seq.

43-62. Requirements for Additional Areas of Certification.

Preamble:

State Board of Education Regulation 43-62 governs the requirements for additional areas of certification for educators in South Carolina. Amendments to Regulation 43-62 will change the title of the regulation from Requirements for Additional Areas of Certification to Areas of Certification and will give the State Board of Education in consultation with the South Carolina Department of Education authority to create, amend, or delete areas of initial certification, add-on certification, specialized endorsements, and specialized alternative certification.

Notice of Drafting for the proposed amendments to the regulation was published in the *State Register* on October 23, 2015.

Section-by-Section Discussion

Title	Replace current title with Areas of Certification
Section I	Delete current section now addressed in State Board of Education Guidelines Add State Board of Education approval process for initial areas of certification and certification grade spans
Section II	Delete information now addressed in State Board of Education guidelines Add State Board of Education approval process for adding areas of certification
Section III	Delete current section now addressed in State Board of Education guidelines Add State Board of Education approval process for specialized endorsement areas
Section IV	Delete current section now addressed in State Board of Education guidelines Add State Board of Education approval process for specialized alternative certification areas

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Section V	Delete current section now addressed in State Board of Education guidelines
Section VI	Delete current section now addressed in State Board of Education guidelines

Notice of Public Hearing and Opportunity for Public Comment:

A public hearing will be held on February 10, 2016, at 1:00 p.m. in the Rutledge Conference Center, 1429 Senate Street, Columbia, SC 29201. The proposed amendments to the regulation will be posted on the State Board of Education Web site for review and comment. To review the regulation, click on the attached link: <..\..\Charts\RegReviewedbySBE15-16.pdf>.

Written comments should be submitted to Mary Hipp, Director, Office of Educator Services, Division of Federal, State, and Community Resources, 8301 Parklane Road, Columbia, SC 29223 or by e-mail to mhipp@ed.sc.gov on or before 5:00 p.m. on January 25, 2016.

Preliminary Fiscal Impact Statement:

None.

Statement of Need and Reasonableness:

DESCRIPTION OF REGULATION: Requirements for Additional Areas of Certification.

Purpose: Regulation 43-62, Requirements for Additional Areas of Certification, is being amended.

Legal Authority: Statutory Authority: 1976 Code Sections 59-5-60(1), 59-25-110, 59-26-10 et seq., and 20 U.S.C. 6301 et seq.

Plan for Implementation: The proposed amendments will be posted on the South Carolina Department of Education's Web site for review and comment. The amendments will take effect upon approval by the General Assembly and publication in the *State Register*.

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

SECTION 59-25-110 authorizes the State Board of Education, by rules and regulations, to formulate and administer a system for the examination and certification of teachers. Amendments to this regulation will establish a clear approval process for the creation, revision, and deletion of initial areas of certification, add-on areas of certification, specialized endorsements, and specialized alternative certifications. Currently, there is not an established approval process for initial areas of certification. These changes allow the State Board of Education to continue to provide appropriately qualified educators for South Carolina public schools and to address needed changes in educator training and certification more readily.

DETERMINATION OF COSTS AND BENEFITS:

None.

UNCERTAINTIES OF ESTIMATES:

None.

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

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

None.

Statement of Rationale:

The amendments to this regulation will allow the State Board of Education to continue to provide appropriately qualified educators for South Carolina public schools and to address needed changes in educator training and certification more readily.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 4634

DEPARTMENT OF NATURAL RESOURCES

CHAPTER 123

Statutory Authority: 1976 Code Sections 50-11-2200, 50-11-2210 and 50-11-2215

123-204. Additional Regulations Applicable to Specific Properties

Preamble:

The South Carolina Department of Natural Resources is proposing to change the existing regulations that govern the conduct and activities of visitors to Wildlife Management Areas, Heritage Preserves and other lands owned or leased by the Department of Natural Resources. The following is a section-by-section summary of the proposed changes and additions:

123-204

N. Jim Timmerman Natural Resources Area at Jocassee Gorges - Extends the regulations to leased lands. This was done at the request of the landowner. Also, adds Palmetto Trail to the special hiking trails regulations.

V. Santee Coastal Reserve - Allows additional public use on the uplands. Also, clarifies trail usage on the area and re-numbers some items.

JJ. Eliminates the daily use card requirement on 3 areas and establishes it on 4 more heavily used areas.

KK. Liberty Hill WMA - Prohibits the use of ATV's on the new tract.

LL. Wateree River HP WMA - Establishes use regulations for the new tract. Prohibits the use of ATV's. Also regulates time of use and areas of use on the property and establishes the requirement for a permit for horseback riding on the area.

MM. Lewis Ocean Bay HP WMA - Expands the time period in which horseback riding is allowed on the tract.

A Notice of Drafting was published in the *State Register* on October 23, 2015, Volume 39, Issue No. 10.

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Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such hearing will be conducted at 1000 Assembly Street on January 26, 2016 at 10:00 am in Room 335 of the Rembert C. Dennis Building. Written comments may be directed to Emily Cope, Wildlife & Freshwater Fisheries Division, Department of Natural Resources, Post Office Box 167, Columbia, SC 29202, no later than 5:00 pm on January 25, 2016.

Preliminary Fiscal Impact Statement:

This amendment of Regulation 123-204 will result in increased public recreational opportunities on public properties throughout the state. Local economies should benefit from sales of hunting supplies, food and overnight accommodations, and sales taxes on these items will also directly benefit government.

Statement of Need and Reasonableness:

The statement of need and reasonableness was determined based on staff analysis pursuant to S.C. Code Sections 1-23-115(C)(1) through (3) and (9) through (11). Since existing regulations only apply to specific Wildlife Management Areas and Heritage Preserves, new regulations must be filed to establish public use guidelines on new properties as well as defining and expanding use opportunities on existing properties.

DESCRIPTION OF THE REGULATION:

Purpose: These regulations amend Chapter 123-204 in order to establish regulations on new properties in the WMA program in order to protect and preserve natural resources while providing maximum public benefit through regulated outdoor recreation opportunities.

Legal Authority: Under Sections 50-11-2200 and 50-11-2210 of the S.C. Code of Laws, the Department of Natural Resources has jurisdiction over all special use restrictions related to use of Department-owned land. Under Section 50-11-96 of the S.C. Code of Laws, the Department of Natural Resources is authorized to promulgate regulations to implement and regulate the provisions of this section.

Plan for Implementation: Once the regulation has been approved by the General Assembly, the Department will incorporate all regulations in all DNR land use documents and the Managed Lands section of the DNR web site. The public will be notified through web and through news releases and other Department media outlets and publications. Where appropriate, use regulations will be incorporated in site-specific brochures and posted at the entrances to specific properties.

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

Periodically, additional lands are made available to the public through the Wildlife Management Area Program and the Heritage Trust Program. Since existing regulations apply only to specific management areas, new regulations must be filed to allow public use of new properties while protecting natural resource values of the land.

DETERMINATION OF COSTS AND BENEFITS:

Implementation of the proposed regulation will not require any additional costs to the state or to affected user groups.

UNCERTAINTIES OF ESTIMATES:

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

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The promulgation of this regulation will not have any impacts on public health.

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

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

Statement of Rationale:

Rationale for the formulation of these regulations is based on over 70 years of experience by SCDNR in establishing public hunting and recreational use areas. New areas are evaluated based on location, size, natural resource values, sensitive elements, access and recreation use potential.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 4635

DEPARTMENT OF NATURAL RESOURCES

CHAPTER 123

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

123-40. Wildlife Management Area Regulations

123-51. Turkey Hunting Rules and Seasons

Preamble:

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

123-40

B. Game Zone 2

12. Delta South WMA

(a) Delete current text. Insert new text.

(i) Delete current text. Insert new text.

(ii) Delete text

Add: (b), (b)(i), and (b)(ii).

Add: 13. Forty Acre Rock HP WMA.

20 PROPOSED REGULATIONS

123-51

B. Game Zone 2

8. Liberty Hill WMA. Add (c)

Add: 10. Forty Acre Rock HP WMA

C. Game Zone 3

1.(b) delete numeral 2 and replace with 3.

A Notice of Drafting for this regulations was published on October 23, 2015 in the *South Carolina State Register*, Volume 39, Issue No. 10.

Notice of Public Hearing and Opportunity for Public Comment:

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such hearing will be conducted at 1000 Assembly Street on January 26, 2016 at 10:00 am in Room 335, Third Floor, Rembert C. Dennis Building. Written comments may be directed to Emily Cope, Wildlife & Freshwater Fisheries Division, Department of Natural Resources, Post Office Box 167, Columbia, SC 29202, no later than 5:00 pm on January 25, 2016.

Preliminary Fiscal Impact Statement:

The amendment of Regulations 123-40 and 123-51 will result in increased public hunting opportunities which should generate additional State revenue through license sales. In addition, local economies should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

Statement of Need and Reasonableness:

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

DESCRIPTION OF THE REGULATION:

Purpose: These regulations amend Chapters 123-40 and 123-51 in order to set seasons, bag limits and methods of hunting and taking of wildlife on existing and additional Wildlife Management Areas.

Legal Authority: Under Sections 50-11-2200 and 50-11-2210 of the S.C. Code of Laws, the Department of Natural Resources has jurisdiction over all Wildlife Management Areas to protect, preserve, operate, maintain and regulate use, as well as to establish open and closed seasons, bag limits, and methods of taking wildlife. Under Section 50-11-390, the Department of Natural Resources is authorized to set bag limits for hunting and taking of antlerless deer. Under Section 50-11-96 of the S.C. Code of Laws, the Department of Natural Resources is authorized to promulgate regulations to implement and regulate the provisions of this section.

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

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

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

expanding use opportunities on existing WMAs. Likewise, statutory changes occasionally require changes in regulations to ensure conformity and consistency between statutes and regulations.

DETERMINATION OF COSTS AND BENEFITS:

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

UNCERTAINTIES OF ESTIMATES:

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

EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

The promulgation of this regulation will not have any negative impacts on public health or the environment.

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

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

Statement of Rationale:

Rationale for the formulation of these regulations is based on over 70 years of experience by SCDNR in managing wildlife populations and establishing public hunting areas. New areas are evaluated on location, size, current wildlife presence, access and recreation use potential. Contractual agreements with the landowners provide guidelines for the use and management of the property. Wildlife Management Area agreements are on file with the Wildlife Management Section of the Department of Natural Resources, Room 267, Dennis Building, 1000 Assembly Street, Columbia.

Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

22 EMERGENCY REGULATIONS

Filed: November 24, 2015 9:20am

Document No. 4632

DEPARTMENT OF NATURAL RESOURCES

CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-3-100, and 50-11-2200

123-204. Additional Regulations Applicable to Specific Properties.

Emergency Situation:

These emergency regulations establish regulations on Department owned and leased lands that regulate public use to increase recreational opportunities and reduce natural resource impacts. The Department is increasing public use by adding two new properties, Liberty Hill WMA and Wateree River HP WMA. Since we are opening the properties to public use immediately, we must file these regulations as emergency.

Text:

REGULATION OF REAL PROPERTY OWNED AND LEASED BY THE DEPARTMENT

123-204 Additional Regulations Applicable to Specific Properties.

N. Jim Timmerman Natural Resources Area at Jocassee Gorges.

This subsection shall apply to all Department owned and leased land within the boundaries of the Jim Timmerman Natural Resources Area at Jocassee Gorges (hereinafter referred to as Jocassee Gorges).

(1) Camping.

(a) Backcountry camping by permit will be allowed at any time during the year that the main roads allowing access to the Jocassee Gorges are not opened in connection with big game hunting. Backcountry camping is allowed by permit only at any location within the Jocassee Gorges, except for any area closed for camping by the Department. Backcountry camping is defined as minimal impact camping. No fires are allowed and each permitted camper is responsible for camping in a manner that results in no trace of the camping activity being left after breaking camp. Backcountry campers must apply for camping permits over the Department internet site. No camping is permitted within twenty-five (25) feet of a stream, lake, or as posted by the Department.

(b) The Foothills Trail and the Palmetto Trail passes through portions of the Jocassee Gorges. Use of the Foothills Trail and the Palmetto Trail shall be limited to hiking and primitive camping. Camping is allowed at any point along the trails and within one hundred feet of either side of the trails. Camping along the Foothills Trail and the Palmetto Trail is restricted to hikers while engaged in backpacking.

V. Santee Coastal Reserve.

(1) The Santee Coastal Reserve is open during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) for limited public use year round ~~except during annually scheduled hunts~~. Notice of the hunts will be issued annually.

(2) Managed wetlands will be open for wildlife observation, bird watching, photography, or nature study during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) from February 9 through October 31 each year except during special hunts and events regulated by the Department.

(3) The dikes around the waterfowl impoundments and the canoe trail will be closed, except by prior arrangement, during the period of November 1 through February 8 of the next year.

(4) Prior arrangements must be made with the Reserve manager to use observation blinds for waterfowl.

(5) The upland nature trail will be available during open periods stated above.

(6) The hiking/biking trail will also be available during open periods, however, it will be closed between the dates of November 1 and February 8.

- (7) The beaches on Cedar and Murphy Islands will be open year round, seven days a week.
- (8) Bicycles may be ridden on nature trails.
- (9) Fishing is permitted from the Santee River dock and the Hog Pen impoundment except during scheduled waterfowl hunts. Fishing will be allowed during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset). Fishing is permitted on Murphy and Cedar Island beaches at any time on a year round basis.
- (10) A permit is required for all camping. Primitive camping is available on Cedar and Murphy Islands beaches year round which requires no prior arrangement. All arrangements for camping should be made with the supervisor of the Santee Coastal Reserve.

JJ. Daily use cards are required for all users of Hamilton Ridge WMA, Palachucola WMA, Webb WMA, ~~Victoria Bluff Heritage Preserve~~, Tillman Sand Ridge Heritage Preserve, Bonneau Ferry WMA, Bear Island WMA, Donnelley WMA, Great Pee Dee River Heritage Preserve, ~~Lynchburg Savanna Heritage Preserve~~, ~~Savage Bay Heritage Preserve~~, Belfast WMA, Congaree Bluffs Heritage Preserve, Marsh WMA, Woodbury WMA, Worth Mountain WMA, and Santee Cooper WMA. Cards must be in possession while on the property and completed cards must be returned daily upon leaving the property.

KK. Liberty Hill WMA

- (1) All terrain vehicles are prohibited.

LL. Wateree River HP WMA

- (1) All terrain vehicles are prohibited.
- (2) The waterfowl impoundments are closed to all public access from November 1 through March 1, except for scheduled hunts.
- (3) The area is closed to public access 1/2 hour after sunset until 1/2 hour before sunrise except for special events regulated by the Department.
- (4) All users, including hunters and anglers must obtain and possess a day use pass upon entering the area and follow instructions on the pass. The completed form must be deposited in the designated container before leaving the area.
- (5) Special events may be permitted by the Department.
- (6) Horseback riding is prohibited except by special permit.
- MM. Lewis Ocean Bay HP WMA
- (1) Horseback riding is also allowed during the period January 2 through March 1, subject to the restrictions in Regulation 123-203, Paragraph G, sections (2) through (11).

Statement of Need and Reasonableness:

Since existing regulations only apply to specific Wildlife Management Areas and Heritage Preserves, new regulations must be filed to establish public use guidelines on new properties as well as defining and expanding use opportunities on existing properties. Since the properties are available for immediate public use, it is necessary to file these regulations as emergency so they take effect immediately.

Fiscal Impact Statement:

This amendment of Regulation 123-204 will result in increased public recreational opportunities which should generate additional State revenue through license sales. In addition, local economies should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

24 EMERGENCY REGULATIONS

Filed: November 24, 2015 9:20am

Document No. 4631
DEPARTMENT OF NATURAL RESOURCES
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, and 50-11-2200

Emergency Situation:

These emergency regulations establish the dove seasons and dove limits statewide and establish seasons, limits and special restrictions for dove hunting on Dove Management Areas. Because the dove season extends through January 15, 2016, it is necessary to refile these regulations as emergency.

Text:

WILDLIFE MANAGEMENT AREA PUBLIC DOVE FIELDS 2015-16

Dove Management Area Regulations: The following fields are open only during the dates and times indicated below. A Wildlife Management Area permit and a Migratory Bird Permit are required for dove hunting on all fields. Fields denoted by an asterisk (*) require hunters to sign in and sign out on all hunts. No species other than mourning doves and Eurasian collared doves may be hunted during scheduled dove hunts.

Statewide Season Dates:

September 5 - October 17 (Sept. 5-7 Afternoons only): November 14 - November 28: December 15 - January 15

Bag Limit: Mourning Doves: 15 doves per day. No limit on Eurasian collared doves.

The following special regulations apply to all Wildlife Management Area Public Dove Fields: Hunters are limited to 50 shells per hunt. No entry onto fields before 12:00 noon. No shooting after 6:00 p.m. during the first segment of the season (September 5 – October 17)

ABBEVILLE

U.S. Forest Service – Power of Partnerships Field - 1st season – Saturdays Only beginning Sept. 19. Sept. 5 is Youth Hunt Only. Sept. 12 is Wheelin Sportsmen Hunt and morning hunting will be allowed for this event. 2nd and 3rd season – Open Mon. – Sat.

AIKEN

US Dept of Energy - Crackerneck WMA. 1st season – Sept. 9 & 23.

ANDERSON

Clemson University - Fant's Grove WMA. 1st season, Saturdays. Field Closed Oct. 3. Open 2nd & 3rd seasons – Saturdays Only

BERKELEY

*U.S. Army Corps of Engineers - Canal WMA. Sept. 5. Sept. 12 is Wounded Warrior Hunt Only; Sept. 26; Oct. 17; Nov. 21

*DNR - Bonneau Ferry WMA. September 5, 12 & 26. All hunts are Youth Only.

CHARLESTON

DNR Botany Bay Plantation WMA. Sept. 5, 12, Nov. 28, Dec. 19, Jan. 9. All hunts are Youth Only.

CHEROKEE

Gaffney Board of Public Works. Open Saturdays only during the statewide dove season beginning Sept. 5. Dove Hunting Only.

CHESTER

U.S. Forest Service - Worthy Bottoms. 1st season - Saturdays Only beginning Sept. 5. 2nd & 3rd seasons - Open Mon. - Sat.

CHESTERFIELD

SC Forestry Commission – Sand Hills State Forest - Wilkes Chapel Field. 1st season –Saturdays Only beginning Sept. 5, 2nd & 3rd seasons - Open Mon. – Sat.

SC Forestry Commission – Sand Hills State Forest - Davis Field. 1st season – Sept. 5 and Wednesdays Only, beginning Sept. 16. 2nd & 3rd seasons – Open Mon. – Sat.

CLARENDON

*Santee Cooper - Santee Dam WMA. Sept. 5, 19; Oct. 3; Nov. 28; Jan. 2.

*SC Forestry Commission - Oak Lea WMA. Sept. 5, 19; Jan. 2 & 9.

COLLETON

DNR - Donnelley WMA. Sept. 5, 12; Oct. 3; Nov. 28. During 3rd season Open Wednesdays and Saturdays.

DARLINGTON

DeWitt Property. Open Saturdays only during the statewide dove season beginning Sept. 5. Dove Hunting Only.

FLORENCE

Santee Cooper – Pee Dee Station Site WMA. Open Saturdays only during the statewide dove season beginning Sept. 5. Dove Hunting Only.

GEORGETOWN

DNR Samworth WMA. Sept. 5, 19; Oct. 3; Nov. 14; Dec. 12.

HAMPTON

*DNR - Webb Wildlife Center. Sept. 5 & 19; Oct. 3; Nov. 18.

*DNR - Hamilton Ridge WMA. Sept. 5 & 19; Oct. 3; Nov. 18.

LAURENS

DNR Gray Court Field. 1st season Saturdays Only beginning Sept. 5. 2nd & 3rd seasons open Mon. - Sat.

DNR Cliff Pitts WMA. 1st season Saturdays Only beginning Sept. 5. 2nd & 3rd seasons open Mon. - Sat.

LEXINGTON

Hallman Field. Open Saturdays only during the statewide dove season beginning Sept. 5. Dove Hunting Only.

MARLBORO

DNR - Lake Wallace WMA. Open Saturdays only during the statewide dove season beginning Sept. 5. Dove Hunting Only.

26 EMERGENCY REGULATIONS

MCCORMICK

*U.S. Army Corps of Engineers - Bordeaux Field. Sept. 5 & 30; Oct. 14; Nov. 25, Dec. 16, 30; Jan. 6 & 15 only, Dove Hunting Only. Hunters must sign-in & out at 1009 McIntosh Rd.

U.S. Army Corps of Engineers – Parksville Field. 1st season – Saturdays Only beginning Sept. 5. 2nd & 3rd seasons – Open Mon. - Sat.

US Army Corp of Engineers - Plum Branch Field. 1st season – Saturdays Only beginning Sept .5. 2nd & 3rd seasons – Open Mon. - Sat.

NEWBERRY

SCDOT McCullough Field. Open Saturdays only during the statewide dove season beginning Sept. 5. Dove Hunting Only.

DNR Belfast WMA. Sept. 5 is Youth Hunt Only. Sept. 12; Oct. 3, 10; Nov. 26, 27, 28; 3rd season - Open Mon. - Sat.

OCONEE

S.C. Forestry Commission - Piedmont Forestry Center. 1st and 2nd seasons - Saturdays Only beginning Sept 5, 3rd season – Closed. Dove hunting only.

U.S. Forest Service – Long Creek Tract. Disability hunters must contact the U.S. Forest Service Andrew Pickens office 864-638-9568 for permit requirements and access. Sept. 5 is Youth Hunt Only. In order to hunt, adults must have 1 or 2 youth age 17 or younger. 1st season – Saturdays Only Beginning Sept. 5, 2nd season – Open November 21 Only. 3rd season – Closed.

U.S. Forest Service - Ross Mtn. Field. Saturdays Only during statewide dove season beginning Sept. 5.

ORANGEBURG

*Santee Cooper - Santee Cooper WMA. Entire WMA under Dove Area Regulations. Sept. 5 is Youth Hunt Only. Sept. 12; Oct. 3; Nov. 21; Jan. 2.

PICKENS

DNR Property located off Secondary Road 304. Open Saturdays only during the statewide dove season beginning Sept. 5. Dove Hunting Only.

Clemson University - Gravely WMA - Causey Tract. Saturdays Only during statewide dove season beginning Sept. 5.

DNR Property – Jocassee Gorges – Cane Creek Field. Open Wednesdays only during the statewide dove season beginning Sept. 16.

SALUDA

SCE&G Saluda River Field. 1st season - Saturdays Only beginning Sept. 5. 2nd & 3rd seasons - Open Mon. - Sat.

SPARTANBURG

Santee Cooper. 1st season – Saturdays Only beginning Sept. 5. 2nd & 3rd seasons – Open Mon. – Sat.

Spartanburg Co Parks Dept - Cherokee Springs Field. Saturdays Only beginning Sept 5. Dove hunting Only.

SUMTER

*S.C. Forestry Commission - Manchester State Forest

Bland Field 1. Sept. 5 is Youth Hunt Only. 1st season - Saturdays Only. 2nd & 3rd seasons open Mon – Sat.

*Tuomey Fields Field A – 1st season – Saturdays Only beginning Sept. 5. 2nd & 3rd seasons open Mon. – Sat.

*Tuomey Fields Field B – 1st season – Saturdays Only beginning Sept. 5. 2nd & 3rd seasons open Mon. – Sat.

UNION

DNR Thurmond Tract. 1st season – Saturdays Only beginning Sept. 5. 2nd & 3rd seasons open Mon. – Sat.

U.S. Forest Service - Sedalia. 1st season – Saturdays Only beginning Sept. 5. 2nd & 3rd seasons - Open Mon. - Sat.

U.S. Forest Service - Herbert Field. Sept. 5 is Youth Hunt Only. 1st season Saturdays Only - Beginning Sept. 12, 2nd & 3rd seasons - Open Mon. - Sat.

YORK

DNR - Draper Tract. 1st season – Saturdays Only beginning Sept. 5. 2nd & 3rd seasons Open Mon. - Sat.

York County – Worth Mountain WMA . 1st season – Saturdays Only beginning Sept. 5. 2nd & 3rd seasons Open Mon. - Sat.

SPECIAL YOUTH DOVE HUNTS:

Eligibility for these hunts requires adults 21 years or older to bring 1 or 2 youths 17 years of age and younger. The following regulations also apply on Special Youth Dove Hunts: (1) Adults accompanying youth are NOT allowed to shoot at any time during Special Youth Dove Hunts. (2) Adults accompanying youth do NOT have to be licensed or possess a WMA permit. (3) Adults must remain in the field and closely supervise participating youth at all times. (4) In parties of one adult and 2 youths, only one youth hunter may be handling a loaded firearm at any given time. (5) Bag limit is 15 birds per youth participant. Birds harvested by individual hunters must be kept separate, and in no instance may an individual hunter harvest more than 15 birds.

ABBEVILLE COUNTY YOUTH HUNT

U.S. Forest Service – Power of Partnerships Field, September 5.

BERKELEY COUNTY YOUTH HUNT

Bonneau Ferry WMA September 5, 12, 26

CHARLESTON COUNTY YOUTH HUNT

Botany Bay Plantation WMA September 5, 12; Nov. 28; Dec. 19; Jan. 9.

NEWBERRY COUNTY YOUTH HUNT

Belfast WMA September 5.

ORANGEBURG COUNTY YOUTH HUNT

Santee Cooper – Santee Cooper WMA, September 5.

SUMTER COUNTY YOUTH HUNT

Manchester State Forest Bland Tract Field 1 near Wedgefield, September 5.

UNION COUNTY YOUTH HUNT

U.S. Forest Service Herbert Field, September 5.

28 EMERGENCY REGULATIONS

YORK COUNTY YOUTH HUNT
DNR Draper WMA, September 5.

Statement of Need and Reasonableness:

Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on new WMAs as well as expanding use opportunities on existing WMAs. Since the availability of specific fields changes each year and season dates change as allowed by Federal Regulation it is necessary to file Dove Field regulations annually. Because these hunts begin on September 5, it is necessary to refile these regulations as emergency so they take effect immediately.

Fiscal Impact Statement:

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

Filed: November 25, 2015 8:51am

Document No. 4633
DEPARTMENT OF NATURAL RESOURCES
CHAPTER 123

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

Emergency Situation:

These emergency regulations amend and supersede South Carolina Department of Natural Resources Regulation Number 123-40 and 123-52. These regulations set open and closed seasons, bag limits and methods of taking wildlife; define special use restrictions related to hunting and methods for taking wildlife on Wildlife Management Areas. Because the hunting seasons on many of these areas begin September 1, it is necessary to refile these regulations as emergency.

Text:

SUBARTICLE 1
HUNTING IN WILDLIFE MANAGEMENT AREAS

123-40. Wildlife Management Area Regulations.

1.1 The regulations governing hunting including prescribed schedules and seasons, methods of hunting and taking wildlife, and bag limits for Wildlife Management Areas and special restrictions for use of WMA lands are as follows:

VISIBLE COLOR CLOTHING

7.1 On all WMA lands during any gun and muzzleloader hunting seasons for deer, bear and hogs, all hunters including small game hunters must wear either a hat, coat, or vest of solid visible international orange, ~~except~~

Archery hunters during archery-only deer seasons and hunters for dove, turkey, ducks, geese and other hunted migratory birds including crows are exempt from this requirement while hunting for those species.

Statement of Need and Reasonableness:

This amendment is necessary in order to clarify the current exemption of archery hunters from the requirement to wear international orange clothing during archery only seasons. The Current regulation exempts archery hunters by default. This emergency regulation will specifically clarify that exemption. Because some hunts begin on September 1, it is necessary to refile these regulations as emergency so they take effect immediately.

Fiscal Impact Statement:

The amendment of Regulations 123-40 will have no fiscal impact.

30 FINAL REGULATIONS

Document No. 4599
CLEMSON UNIVERSITY
STATE LIVESTOCK-POULTRY HEALTH COMMISSION
CHAPTER 27
Statutory authority: 1976 Code Sections 47-4-30 and 47-17-130

27-1023. State Meat Inspection Regulation

Synopsis:

These regulations are being promulgated to modernize, clarify and update existing regulations which govern, to the extent authorized by S. C. Code, Title 47, Chapter 4, the inspection of meat and meat food products produced for intrastate commerce. These updated regulations are necessary to comply with the Federal Meat Inspection Act (21 USCA 661, Section 301) which established Federal-State Cooperative Meat Inspection Programs. This is a grant program with equal federal-state funding. A cooperating state is required to adopt regulations “at least equal to” those adopted by the federal government. This regulation will, in effect, adopt the current Federal Meat Inspection Regulations with some minor exceptions for some state specific requirements.

The Notice of Drafting was published in the *State Register* on August 28, 2015.

Instructions:

Replace R.27-1023 with the following amendment.

Text:

27-1023. State Meat Inspection Regulation.

A. Definitions.

1. Commission means the State Livestock-Poultry Health Commission, Clemson University.
2. Director means the Director, Livestock-Poultry Health Programs, Clemson University.
3. Custom Processor means the custom preparation by any person of carcasses, parts thereof, meat or meat food products derived from the slaughter by any individual of cattle, sheep, swine or goats of his own raising or from game animals, delivered by the owner thereof for such custom preparation and transportation in commerce of such custom prepared article, exclusively for the use in the household by the owner and members of the owners household and the owners non-paying guests and employees in an establishment permitted by the State Meat Inspection Department for that purpose.

B. Permit required; fee; application; refusal, revocation or suspension.

1. Custom processors shall secure a permit from the Commission.
2. The permit fee is twenty-five dollars (\$25.00) annually or for part of a year. The permit year is July 1 to June 30. The fee must be retained by the Commission. The Commission by regulation may increase the fee to not more than fifty dollars (\$50.00).
3. The Commission, for cause, may refuse to grant a permit, may revoke or modify a permit, or assess a civil penalty in accordance with Section 47-4-130, South Carolina Code of Laws (1976) as amended.

C. Adoption of Federal Meat Inspection Regulations.

The United States Department of Agriculture, Food Safety and Inspection Service, Meat Inspection Regulations, 9 CFR, Chapter III, Subchapter A, Parts 300-321, 325, 329, 332, 335, 352 and 354, and Subchapter E, Parts 412, 416-418, 424, 430, 441, 442 and 500 and all changes thereto in effect as of January 1, 2016 are hereby adopted as the State Meat Inspection Regulations, with exceptions as noted below.

D. Exceptions to the Federal Meat Inspection Regulations.

1. Subchapter A, Part 303 – Exemptions, Section 303.1(a)(2). The provisions of this section related to custom slaughter of livestock do not apply. Custom slaughtering is not a specified exemption in the State Meat and Meat Foods Regulations and Inspection Law of 1967.

2. Subchapter A, Part 307, Section 307.5(a) – Overtime Inspection Service. Fees and charges for overtime inspection service will be established, as required, by the Commission.

3. Subchapter A, Part 307, Section 307.5(b) – Holiday Inspection Service. State holidays as designated by the State Budget and Control Board will be utilized by the state inspection program.

4. Subchapter A, Part 312 – Official Marks, Devices and Certificates. Official state marks, devices and certificates of inspection will be utilized by the state inspection program.

5. Subchapter A, Part 352, Section 352.5 – Holiday and Overtime Inspection Services. Fees and charges for overtime and state holiday inspection services will be established, as required by the Commission.

6. Subchapter A, Part 352, Section 352.7 – Marking Inspected Products. Official state marks, devices and certificates of inspection will be utilized by the state inspection program.

E. In addition to temporary suspension in whole or in part of inspection services, as provided for in this regulation, the Director may, when he determines that the operator of any official establishment or any subsidiary therein, acting within the scope of his office, employment or agency, has threatened to forcibly assault or has forcibly assaulted, intimidated, harassed or interfered with any program employees in or on account of his official duties under the law, assess a civil penalty in accordance with Section 47-4-130(b), S.C. Code of Laws, (1976) as amended.

F. The complete text of these regulations is available for review at the Meat-Poultry Inspection Department, Livestock-Poultry Health Programs, Clemson University.

Document No. 4600

CLEMSON UNIVERSITY

STATE LIVESTOCK-POULTRY HEALTH COMMISSION

CHAPTER 27

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

27-1022. State Poultry Products Inspection Regulation

Synopsis:

These regulations are being promulgated to modernize, clarify and update existing regulations which govern, to the extent authorized by S.C. Code, Title 47, Chapter 4, the inspection of poultry products produced for intrastate commerce. These updated regulations are necessary to comply with the federal Poultry Products Inspection Act (21 USCA 454, Section 5) which establishes Federal-State Cooperative Poultry Inspection Programs. This is a grant program with equal federal-state funding. A cooperating state is required to adopt regulations “at least equal to” those adopted by the federal government. This regulation will, in effect, adopt the current Federal Poultry Products Inspection Regulations with some minor exceptions for some state specific requirements.

The Notice of Drafting was published in the *State Register* on August 28, 2015.

Instructions:

Replace R.27-1022 with the following amendment.

32 FINAL REGULATIONS

Text:

27-1022. State Poultry Products Inspection Regulation.

A. Definitions.

1. Commission means the State Livestock-Poultry Health Commission, Clemson University.
2. Director means the Director, Livestock-Poultry Health Programs, Clemson University.

B. Adoption of Federal Poultry Products Regulations.

The United States Department of Agriculture, Food Safety and Inspection Service, Poultry Products Inspection Regulations, 9 CFR, Chapter III, Subchapter A, Parts 362 and 381 and Subchapter E. Parts 412, 416-418, 424, 430, 441, 442 and 500 and all changes thereto in effect as of January 1, 2016 are hereby adopted as the State Poultry Inspection Regulations, with exception as noted below.

C. Exceptions to the Federal Poultry Products Inspection Regulations.

(1) Subchapter A, Part 362, Voluntary Poultry Inspection Regulations, Section 362.5. Fees and charges for voluntary inspection services will be established, as required, by the Commission.

(2) Subchapter A, Part 381, Subpart G, Facilities for Inspection, Section 381.38. State holidays as designated by the State Budget and Control Board will be utilized by the state inspection program.

(3) Subchapter A, Part 381, Subpart G, Facilities for Inspection, Section 381.39. Fees and charges for overtime and holiday inspection services will be established, as required, by the Commission.

(4) Subchapter A, Part 381, Subpart M, Official Marks, Devices and Certificates. Official state marks, devices and certificates of inspection will be utilized by the state inspection program.

D. The complete text of these regulations is available for review at the Meat-Poultry Inspection Department, Livestock-Poultry Health Programs, Clemson University.