

**DEPARTMENT OF ENVIRONMENTAL SERVICES**  
**CHAPTER 61**

Statutory Authority: 1976 Code Sections 48-1-10 et seq., 48-6-10 et seq., and 2023 Act No. 60, effective July 1, 2024

**Notice of Drafting:**

The South Carolina Department of Environmental Services (Department) proposes amending R.61-62, Air Pollution Control Regulations and Standards, and the South Carolina Air Quality Implementation Plan (State Implementation Plan or SIP). Interested persons may submit comments on the proposed amendments to Marie Brown of the Air Regulation and Data Analysis Section, Bureau of Air Quality; South Carolina Department of Environmental Services, 2600 Bull Street, Columbia, S.C. 29201; or via email at [marie.brown@des.sc.gov](mailto:marie.brown@des.sc.gov). To be considered, the Department must receive comments no later than 5:00 p.m. on April 27, 2026, the close of the Notice of Drafting comment period.

**Synopsis:**

Pursuant to S.C. Code Sections 48-1-10 et seq., 48-6-10 et seq., and 2023 Act No. 60, the Department is authorized to adopt emission control regulations, standards, and limitations, and take all actions necessary or appropriate to secure to the state the benefits of federal air pollution control laws. The Department proposes amending R.61-62 and the SIP as follows:

- (1) The Department proposes amending R.61-62.1, Definitions and General Requirements, Section II, Permit Requirements, to update provisions as appropriate to address outstanding matters related to previously submitted permit streamlining SIPs (U.S. EPA Docket No. EPA-R04-OAR-2024-0241).
- (2) The Department proposes amending R.61-62.1, Definitions and General Requirements, Section II, Permit Requirements, to update transfer of ownership procedures, to update terminology and procedures to reflect the electronic submission of permit applications, notifications, and requests through the Department's e-Permitting system, and to make other select additions and clarifications to definitions and requirements.
- (3) The Department proposes amending R.61-62.5, Standard No. 1, Emissions from Fuel Burning Operations, to clarify opacity monitoring and reporting requirements for woodwaste boilers subject to Section IV.
- (4) The Department proposes amending R.61-62.5, Standard No. 4, Emissions from Process Industries, to clarify the applicability of Section VIII.
- (5) The Department proposes amending R.61-62.5, Standard No. 5.2, Control of Oxides of Nitrogen (NO<sub>x</sub>), to clarify and update provisions as appropriate to address outstanding matters related to previously submitted NO<sub>x</sub> SIPs.

The Department may also propose other changes to R.61-62 that may include other definitional updates, clarifying changes, and other changes or additions as deemed necessary, as well as corrections for internal consistency, clarification, reference, punctuation, codification, formatting, and spelling to improve the overall text as necessary.

The Administrative Procedures Act, S.C. Code Section 1-23-120(A), requires General Assembly review of these proposed amendments.