

## 8 DRAFTING NOTICES

### DEPARTMENT OF ENVIRONMENTAL SERVICES

#### CHAPTER 61

Statutory Authority: 1976 Code Sections 44-56-30 et seq., 48-6-10 et seq., and 2023 Act No. 60, effective July 1, 2024

#### **Notice of Drafting:**

The Department of Environmental Services (Department) proposes amending R.61-79, Hazardous Waste Management Regulations. Interested persons may submit comment(s) on the proposed amendments to Joe Bowers of the Bureau of Land and Waste Management; South Carolina Department of Environmental Services, 2600 Bull Street, Columbia, S.C. 29201; Joe.Bowers@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 R.61-79, Hazardous Waste Management Regulations, the Department has the authority to manage hazardous waste in the state of South Carolina. The Department proposes amending R.61-79, Hazardous Waste Management Regulations, to adopt six (6) rules published in the Federal Register by the United States Environmental Protection Agency (EPA). These rules are summarized as follows:

1. The Department proposes adopting the rule titled “Canada Import Export Recovery and Disposal Code Changes,” published by the EPA on October 1, 2021, at 86 FR 45381 - 45386. The rule makes conforming changes to remain consistent with import/export requirements for both the United States and Canada. The changes in this rule are due to Canada’s import-export recovery and disposal operations promulgated on March 17, 2021, which became effective October 31, 2021.

2. The Department proposes adopting the rule titled “Test Method for Standards to Control Organic Emissions,” published by the EPA on March 20, 2023, at 88 FR 16732 - 16774. This rule makes technical and editorial corrections to EPA’s Method 23 (Determination of Polychlorinated Dibenzo-p-Dioxins, Polychlorinated Dibenzofurans, and Polycyclic Hydrocarbons from Stationary Sources) and specifies it can be used instead of SW-846 method 0023A.

3. The Department proposes adopting the rule titled “Technical Corrections for the Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceutical Rule, and the Definition of Solid Waste Rule” published by the EPA on August 9, 2023, at 88 FR 54086 – 54115. This rule makes technical corrections to the three rules noted and clarifies specific provisions in existing hazardous waste regulations.

4. The Department proposes adopting the rule titled “Integrating e-Manifest with Hazardous Waste Exports and Other Manifest-Related Reports,” published by the EPA on July 26, 2024, at 89 FR 60692 - 60740 and October 31, 2024, at 89 FR 86758 - 86759. This rule makes changes to manifest requirements for the import and export of hazardous waste.

5. The Department proposes adopting the rule titled “Management of Certain Hydrofluorocarbons and Substitutes under the American Innovation and Manufacturing Act of 2020,” published by the EPA on October 11, 2024, at 89 FR 82682 - 82872. In this rule, the EPA established alternative Resource Conservation and Recovery Act (RCRA) standards for certain ignitable spent refrigerants being recycled for reuse.

6. The Department proposes adopting the rule titled “Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceutical Rule, and the Definition of Solid Waste Rule; Technical Corrections,” published by the EPA on December 11, 2024, at FR 99727 – 99732. This rule makes technical corrections and clarifies specific provisions in these rules.

The proposed amendments may also include corrections for clarity and readability, grammar, punctuation, codification, and other such regulatory text improvements.

The Administrative Procedures Act, S.C. Code Ann. Section 1-23-120(H)(1), exempts these amendments from General Assembly review, as the Department proposes these amendments for compliance with federal law.

**SOUTH CAROLINA HUMAN AFFAIRS COMMISSION**

**CHAPTER 65**

Statutory Authority: 1976 Code Sections 1-13-10 et seq.

**Notice of Drafting:**

The South Carolina Human Affairs Commission proposes to comprehensively revise and modernize its employment discrimination regulations in Chapter 65 of the South Carolina Code of Regulations. This regulatory modernization initiative addresses critical compliance deficiencies, implements structural improvements required by the 2025 Standards Manual for Drafting and Filing Regulations, and aligns Commission procedures with federal Equal Employment Opportunity Commission practices and contemporary administrative law standards. Interested persons may submit written comments on the proposed amendments to E.B. “Trey” McLeod, General Counsel, South Carolina Human Affairs Commission, 1026 Sumter Street, Columbia, SC 29201, or by email at [tmcleod@schac.sc.gov](mailto:tmcleod@schac.sc.gov).

**Synopsis:**

The General Assembly enacted the South Carolina Human Affairs Law (Sections 1-13-10 et seq.), which established a state-administered program for the prevention and elimination of unlawful discriminatory practices in employment. The law authorizes the South Carolina Human Affairs Commission to receive, investigate, and conciliate complaints of discrimination and to promulgate regulations necessary to carry out those functions. The Act requires the Commission to administer complaint processing procedures, investigative protocols, conciliation processes, and related enforcement mechanisms in a manner consistent with state and federal civil rights frameworks.

The proposed regulations will address procedural and administrative improvements to Chapter 65 of the South Carolina Code of Regulations. Amendments to Regulations 65-1, 65-2, 65-3, 65-5, 65-7, 65-8, and 65-9, and new Regulation 65-14, will provide for updated definitions, complaint filing and processing procedures, investigative and evidentiary standards, conciliation requirements, reconsideration procedures, hearing procedures, civil action procedures, and confidentiality protections.

Legislative review of these proposals will be required.

**DEPARTMENT OF PUBLIC HEALTH**

**CHAPTER 60**

Statutory Authority: 1976 Code Sections 44-33-310 et seq.

**Notice of Drafting:**

The Department of Public Health (Department) proposes new Regulation 60-9, Sickle Cell Disease Voluntary Patient Registry, to implement the provisions of the Rena Grant Sickle Cell Disease Voluntary Patient Registry Act (“Act”) (2022 Act No. 206 (H.3166)), as set forth in S.C. Code Sections 44-33-310 et seq. The Act requires the Department to develop and maintain a voluntary patient registry for residents of this State who have been diagnosed with sickle cell disease and authorizes the Department to promulgate regulations necessary to carry out its provisions. Interested persons may submit comments on the proposed new regulation to the Sickle Cell