



# COMPASS E-NEWSLETTER

OCT. 2014

**What's new this month?** This issue includes information on the 2014 Environmental Assistance Conference, regulatory updates and much more. If you have questions or topic suggestions, please reply to this e-mail – [enviroassist@dhec.sc.gov](mailto:enviroassist@dhec.sc.gov).

## Contents

DHEC salutes SmartWay® award recipients .....2

DHEC program works to reduce runoff pollution .....2

S.C. Environmental Excellence Program Quarterly Update.....2

Composting regulation takes root in South Carolina.....3

Help the environment, improve your bottom line .....3

GREEN TIP: Tick. Tock. It's reporting time. ....3

REGULATORY UPDATES

Bureau of Air Quality.....4

Bureau of Environmental Services .....5

Bureau of Water.....5

## About this Newsletter

The "Compass E-Newsletter" is published quarterly by DHEC and is compiled by the Office of Solid Waste Reduction and Recycling.

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## REGISTER TODAY!

# Environmental Assistance Conference to be held November 5 in Columbia

The S.C. Department of Health and Environmental Control's (DHEC) 2014 Environmental Assistance Conference will be held **November 5, 2014** at the Columbia Conference Center – [www.columbiameetings.com](http://www.columbiameetings.com).

Register for the conference at [www.regonline.com/EAC2014](http://www.regonline.com/EAC2014). The registration fee is \$55 and will cover a light breakfast, lunch and an afternoon snack.

The agenda topics for this year will include:

- hazardous waste;
- air quality updates;
- water updates;

- a common violations discussion;
- a panel discussion with DHEC's Permitting Directors;
- a sustainability case study;
- a certified energy audits review;
- a zero-waste-to-landfill presentation; and
- an update on recognition programs offered by DHEC.

DHEC staff will be available during lunch and the afternoon to answer specific questions.

Please contact Rebecca Sproles at [rebecca.sproles@dhec.sc.gov](mailto:rebecca.sproles@dhec.sc.gov) for more information about this event.

## Additional Newsletters

- **Underground Storage Tank Newsletter**  
[www.scdhec.gov/Environment/LW/UST/Publications/](http://www.scdhec.gov/Environment/LW/UST/Publications/)
- **Swimming Pool Newsletter, Newsplash**  
[www.scdhec.gov/Environment/WaterQuality/SwimmingPoolsRecreationalWaters/index.htm](http://www.scdhec.gov/Environment/WaterQuality/SwimmingPoolsRecreationalWaters/index.htm)
- **Coastal Currents – News from the S.C. Coastal Management Program**  
[www.scdhec.gov/HomeAndEnvironment/Water/CoastalManagement/ProductsServices/](http://www.scdhec.gov/HomeAndEnvironment/Water/CoastalManagement/ProductsServices/)



## DHEC salutes SmartWay® award recipients

The U.S. Environmental Protection Agency (EPA) honored 11 shipper and logistics companies on September 23 at the Council of Supply Chain Management Professionals conference in San Antonio, TX.



These SmartWay partners have demonstrated outstanding achievements in moving the nation's goods efficiently, with the lowest carbon dioxide and criteria emissions of all company program participants.

The SmartWay Excellence Awardees represent leading environmentally responsible businesses that are moving more goods, more miles with lower emissions and less energy. All of these companies do business in South Carolina.

The award recipients below are the top program performers and leaders for freight supply chain efficiency.

- **Hewlett Packard**
- **Lowe's Companies, Inc.**
- **The Home Depot U.S.A, Inc.**
- **Johns Manville**
- **Kimberly-Clark Corporation**
- **SC Johnson and Son, Inc.**
- **Nordstrom, Inc.**
- **Expeditors International of Washington, Inc.**
- **Menlo Logistics**
- **Ryder Supply Chain Solutions**
- **ShipCarsNow**

Visit [www.epa.gov/smartway](http://www.epa.gov/smartway) for more information on the program.

## DHEC program works to reduce runoff pollution

Nonpoint source (NPS) pollution, also known as runoff pollution, comes from many sources, each contributing pollutants that can cause degradation of South Carolina's water resources. Imagine the path taken by a single drop of rain from the time it hits the ground to when it reaches a creek, river or lake. As the rain drops collect, they become surface water sheet flow and start a journey across the landscape. During their journey there are many places along the way they can pick up pollutants which may pose health risks to people, livestock and wildlife.

NPS pollution is widespread and hard to address because it can occur anywhere activities disturb the land or water such as construction projects, agriculture, forestry, grazing, failing septic systems and urban runoff. The most common NPS pollutant in South Carolina is bacteria.

DHEC's Nonpoint Source Program is funded by Section 319 of the Clean Water Act and was established to combat these types of pollution problems. The NPS Program uses a holistic, watershed planning approach to develop Watershed Based Plans (WBPs) which identify the potential sources of pollutants and outline the methods needed to reduce or eliminate those sources.

To implement the recommendations in the WBPs, the NPS Program provides funding annually through a competitive grant program which solicits proposals for projects. Projects may implement either a portion or all of the recommendations in a WBP and typically targets sources such as failing septic systems, livestock in stream beds and pet waste in parks.

To learn more about DHEC's NPS 319 Grant Program, call (803) 898-1904 or go to [www.scdhec.gov/HomeAndEnvironment/BusinessesandCommunities-GoGreen/EnvironmentalGrantsandLoans/319NonpointSourcePollutionGrants](http://www.scdhec.gov/HomeAndEnvironment/BusinessesandCommunities-GoGreen/EnvironmentalGrantsandLoans/319NonpointSourcePollutionGrants).

## S.C. Environmental Excellence Program Quarterly Update

The S.C. Environmental Excellence Program (SCEEP) would like to recognize BMW Manufacturing Co., LLC and Michelin North America, Inc. (Lexington Plants) on being selected to renew their membership in the program. Each of these companies will be members in the program through 2017.

The SCEEP Advisory Committee has also accepted a new member, Joseph McMillin, President of Junk Matters, LLC. Mr. McMillin will be filling an open seat for a small business. The next Advisory Committee meeting is scheduled for December 5, 2014.



Visit [www.scdhec.gov/sceep](http://www.scdhec.gov/sceep) or contact Rebecca Sproles at [rebecca.sproles@dhec.sc.gov](mailto:rebecca.sproles@dhec.sc.gov) for more information on the SCEEP or to apply for membership.

## Composting regulation takes root in South Carolina

Effective June 27, 2014, South Carolina has a revised compost regulation, designed to help keep organics out of landfills and to promote a more robust compost industry.

The regulation includes multiple categories of compost feedstocks, with varying levels of regulation. The less problematic the feedstock, the less regulatory oversight required. Additionally, the regulation provides permitting exemptions based on feedstock selection and quantity of material managed.

DHEC's Division of Mining and Solid Waste Management will assist you in finding ways the revised regulation may help you reduce the waste you generate. If you compost now, they can help you assess your options in increasing the amount or type of waste you compost. If you do not compost, they can help you decide if it would be beneficial to start or help you identify local options for having someone else compost the organics you generate.

To talk to a composting specialist or to have a waste assessment performed at your facility call **1-800-768-7348**. Please contact Patrick Brownson at [brownsdpd@dhec.sc.gov](mailto:brownsdpd@dhec.sc.gov) for specific questions about permitting and the revised compost regulation.



## Help the environment, improve your bottom line

Want to increase your recycling rate and improve your bottom line? The Green Hospitality and S.C. Smart Business Recycling programs can help!

Through technical assistance and certification, the programs help businesses reduce waste, conserve resources and reduce their environmental footprint.

We encourage lodging or food establishments to join the Green Hospitality Program and businesses to participate in the S.C. Smart Business Recycling Program.

Visit [www.scdhec.gov/smartbusiness/](http://www.scdhec.gov/smartbusiness/) for fact sheets, tips and a guide for starting or improving a recycling program at your facility.



### GREEN TIP:

## Tick. Tock. It's reporting time.

Help South Carolina reach its recycling goal. The state's recycling rate is currently 31.5 percent, but many recycling activities are not reported.

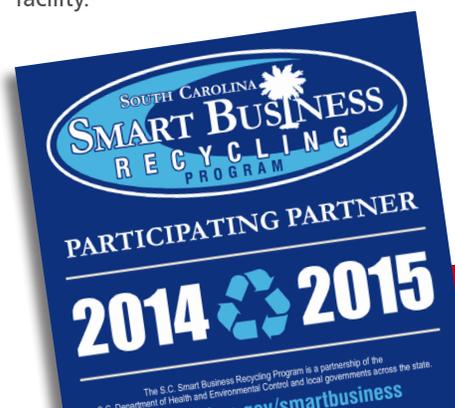
Businesses and industries are encouraged to help reach this goal by reporting recycling activities for Fiscal Year 2014 (July 1, 2013 – June 30, 2014) to DHEC's Office of Solid Waste Reduction and Recycling (Office).

It's easy. Just visit [www.scdhec.gov/smartbusiness/Reporting](http://www.scdhec.gov/smartbusiness/Reporting). Please submit your information by **November 15, 2014**.

All business reporting will be kept confidential and combined for a state number and attributed to the county of origin. Additionally, if you report your recycling you will become a Smart Business Partner and receive a window cling for 2014-2015 (pictured below) and a certificate.

If your county has already contacted your business, the Office encourages you to report your recycling activities through the county instead of the S.C. Smart Business Recycling Program.

Please contact DHEC's Office of Solid Waste Reduction and Recycling at **1-800-768-7348** for more information on how to reduce your waste and prevent pollution at your facility.



# Regulatory Updates

## Bureau of Air Quality (BAQ)

- 1. Notice of Final Rulemaking: 2013 End of the Year Revision** – On September 26, 2014, DHEC’s Bureau of Air Quality (BAQ) published a Notice of Final Regulation amending Regulation 61-62, Air Pollution Control Regulations and Standards and the S.C. Air Quality Implementation Plan (State Implementation Plan or SIP) in the S.C. State Register. DHEC specifically amended the following:
  - Regulation 61-62.5, Standard No. 2, Ambient Air Quality Standards, to incorporate the EPA’s revision to the National Ambient Air Quality Standards for Fine Particulate Matter (PM<sub>2.5</sub>), Sulfur Dioxide (SO<sub>2</sub>), and Nitrogen Dioxide (NO<sub>2</sub>);
  - Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards; and
  - Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, to incorporate by reference recent federal amendments promulgated from January 1 through December 31, 2013.

The amendments are mandated by federal law and therefore do not require legislative review. They became effective upon publication in the S.C. State Register.

The Notice of Final Regulation is available at [www.scstatehouse.gov/state\\_register.php](http://www.scstatehouse.gov/state_register.php).

- 2. Notice of Proposed Rulemaking: 2014 General Assembly Package Revision** – On September 26, 2014, DHEC’s BAQ published a Notice of Proposed Regulation amending Regulation 61-62, Air Pollution Control Regulations and Standards, and the SIP in the S.C. State Register.

The proposed amendments are not mandated by federal law and therefore require legislative review. DHEC will receive comments on the proposed revisions until October 27, 2014, the close of the public comment period.

Visit [www.scstatehouse.gov/state\\_register.php](http://www.scstatehouse.gov/state_register.php) to view this notice.

- 3. The EPA Publishes Supplemental Notice of Proposed Rulemaking (SNPR) to Address Affirmative Defense Provisions** – On September 17, 2014, the EPA published a rulemaking supplementing and revising what it previously proposed as its response to a petition for rulemaking filed by the Sierra Club (the Petition). By notice published on February 22, 2013, EPA proposed its response to the Petition’s requests

concerning treatment of excess emissions in state rules by sources during periods of startup, shutdown or malfunction (SSM). Subsequent to that proposal, a federal court ruled that the Clean Air Act (CAA or Act) precludes authority of the EPA to create affirmative defense provisions applicable to private civil suits. As a result, in this SNPR the EPA is proposing to apply its revised interpretation of the CAA, but only with respect to affirmative defense provisions in SIPs. For specific affirmative defense provisions identified in the Petition, EPA is revising the basis for the proposed findings of substantial inadequacy and SIP calls, or proposing new findings of substantial inadequacy and SIP calls. For specific provisions that EPA has independently identified, including SIP provisions in states not included in the February 2013 proposal notice, new findings and SIP calls are proposed.

EPA will hold a public hearing on this supplemental proposal on October 7, 2014, in Washington, DC and will accept comment on this action until November 6, 2014.

This notice is available at [www.gpo.gov/fdsys/pkg/FR-2014-09-17/pdf/2014-21830.pdf](http://www.gpo.gov/fdsys/pkg/FR-2014-09-17/pdf/2014-21830.pdf). Chronology of this action is available at [www.epa.gov/airquality/urbanair/sipstatus/emissions.html](http://www.epa.gov/airquality/urbanair/sipstatus/emissions.html).

- 4. EPA Extends Public Comment Period for Proposed Clean Power Plan** – On September 16, 2014, the comment period for EPA’s Proposed Clean Power Plan (the “111(d)” proposal – 79 FR 34829) was extended from October 16, 2014, to December 1, 2014. Visit [www2.epa.gov/carbon-pollution-standards/clean-power-plan-proposed-rule](http://www2.epa.gov/carbon-pollution-standards/clean-power-plan-proposed-rule) for more information.
- 5. EPA Extends Public Comment Period for Proposed Standards of Performance for Grain Elevators** – On September 16, 2014, EPA announced that the period for providing public comments on the July 9, 2014 proposed rule titled “Standards of Performance for Grain Elevators” (79 FR 39241) is being extended by 30 days to November 6, 2014.

The September 16, 2014 notice of the extension is available at [www.gpo.gov/fdsys/pkg/FR-2014-09-16/html/2014-21811.htm](http://www.gpo.gov/fdsys/pkg/FR-2014-09-16/html/2014-21811.htm).



# Regulatory Updates

## Bureau of Environmental Services (BES)

**South Carolina Updates Retail Food Establishment Regulation 61-25** – South Carolina’s revision of Regulation 61-25, Retail Food Establishments, became effective on June 27, 2014. The purpose of the revision was to align state regulation more closely with the Food and Drug Administration Food Code (2013).

Some of the changes/requirements/allowances in the amendment to R 61-25 include:

- potentially hazardous foods are now called Time/Temperature Control for Safety Food (TCS);
- all cooked plant food and leafy greens are now considered TCS food(s);
- cooling of TCS foods from 130°F to 45°F within a total of 6 hours. Two years from now this requirement will change to cooling of TCS foods from 135°F to 41°F within a total of 6 hours;
- allowance of time instead of temperature as a public health control;
- changes in records keeping and labeling requirements for molluscan shellfish;
- no bare hand contact with ready to eat foods.
- requirement for hair and beard restraints;
- definitive rule for fingernail length;
- consumer advisory requirements;
- designation of a Person in Charge (PIC);
- requirement for employees to report diseases that are transmissible through food to the PIC; and
- requirement for new commercial food equipment to be certified or classified to American National Standards Institute (ANSI)/National Sanitation Foundation (NSF) commercial food equipment standards.

For a complete list of changes and more information on the new regulation, visit [www.dhec.sc.gov/FoodSafety/FoodServiceIndustry/FoodRegulation](http://www.dhec.sc.gov/FoodSafety/FoodServiceIndustry/FoodRegulation).

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Additional opportunities for comment on drafts proposed by DHEC on any of the regulations being revised will be provided. Please visit [www.scdhec.gov/Agency/RegulationsAndUpdates/RegulationDevelopmentUpdate/](http://www.scdhec.gov/Agency/RegulationsAndUpdates/RegulationDevelopmentUpdate/) for regulation development updates.

## Bureau of Water (BOW)

**Proposed Amendment of R.61-67, Standards for Wastewater Facility Construction** – Regulation 61-67 is proposed for amendment to reduce the unit loading flows in Appendix A by 25 percent based on the knowledge of water savings fixtures and improved designs of sewer collection systems. For ease of implementation, the loading was rounded to the nearest whole number. The proposed revisions also include having a service connection definition similar to the definition for a drinking water service connection, reducing the number of plans and other documents that need to be submitted, revisions to streamline industrial pump and haul operations and allowing issuance of a treatment plant permit coincident with a discharge permit.

A Notice of Drafting was published in the State Register on April 25, 2014. The DHEC Board granted approval during their September 11, 2014 meeting to proceed with a Notice of Proposed Regulation. This notice was published in the State Register on September 26, 2014. A staff informational forum will be conducted on October 27, 2014, and a public hearing before the Board will be scheduled for December 11, 2014. The proposed amendments will make changes to and be incorporated into R.61-67 upon approval of the General Assembly and publication in the State Register.

These amendments should bring clarity to the regulation; reduce economic burdens on local communities by better approximating the loadings in a sewer system; reduce the burden to obtain a sewer construction permit in certain cases; reduce the amount of paperwork DHEC needs to have in order to review a construction permit application; reduce the burden on industries when needing to haul small quantities of wastewater to another system; and allow simultaneous issuance of a treatment plant permit and a discharge permit, reducing unnecessary burdens on permittees.

The regulation can be found at [www.scdhec.gov/Agency/docs/water-regs/r61-67.pdf](http://www.scdhec.gov/Agency/docs/water-regs/r61-67.pdf).

