



State of South Carolina Office of the Governor

NIKKI R. HALEY
GOVERNOR

1205 PENDLETON STREET
COLUMBIA 29201

December 20, 2013

Dear DHEC Board Members,

On November 15, 2013, the *2013 Regulatory Review Task Force Executive Summary Report* was presented by the Regulatory Review Task Force to fulfill the goals set forth in Executive Order 2013-02. This report proposes numerous recommendations to streamline administrative functions and reduce many costly, unreasonable, unnecessary, or over-burdensome regulations, policies, and statutes.

In creating this Task Force, my intent was to see direct and timely action by state agencies to put into effect Task Force recommendations and start cutting red tape. Accordingly, I have ordered my Cabinet agencies to implement certain reforms, either recommended by the Task Force or proposed by the agencies, and additionally, I am meeting with legislators prior to the start of the next legislative session to ask for legislation on some of the reforms that require statutory changes. Together, my Cabinet agencies and I are delivering immediate results to the people and businesses of South Carolina – however, we cannot complete this task without your help.

As members of the DHEC Board, I strongly encourage you to carefully evaluate and consider approving the recommendations pertaining to your agency, a synopsis of which is enclosed for your review. **After the Board's due consideration, I ask that you provide me with an update on your plan of action with regard to Task Force and/or DHEC recommendations by January 31, 2014.**

As you may be aware, your fellow board member Mark Lutz served as Chairman of this Task Force, and I am confident that his expertise, along with the leadership of Commissioner Catherine Templeton in her ongoing regulatory review process, will no doubt serve as a wealth of information to the Board in your discussions of these recommendations. Your agency has already made great strides in cutting the red tape for businesses; I hope that you will join our statewide efforts to continue to improve South Carolina's business climate by adopting and implementing these regulatory reforms. Thank you again, and God bless.

My very best,

A handwritten signature in black ink that reads "Nikki".

Nikki R. Haley

NRH/rs

Enclosure

A handwritten note in black ink that reads "Thank you." with a period at the end.

Thank you.

Synopsis of Regulatory Reforms presented to the DHEC Board

These reforms were proposed by the “2013 Regulatory Review Task Force Executive Summary Report” and/or were recommended by DHEC. Please visit www.sccommerce.com/taskforce to view the complete report.

1. **S.C. Code Reg. § 61-102.H(7)(e)** – Eliminate the requirement for Midwives to have extra-wide doors, which is an economic burden and provides no increased safety for the patient.
2. **S.C. Code Reg. § 61-102.J(2)** – Eliminate the requirement for Midwives to have a 50-foot candle power lighting, which is an economic burden and provides no increased safety for the patient.
3. **S.C. Code Reg. § 61-9, 72-101 et seq., 300 et seq., 405 et seq.** – Amend permitting requirements for Water Pollution Control, which will reduce unnecessary burdens on permitted businesses and eliminate redundancy in the regulations.
4. **S.C. Code Reg. § 61-62.5** – Reduce the stringency of permitting for emission levels applicable to Volatile Organic Compounds (VOC) (i.e. Best Available Control Technology (BACT), Lowest Achievable Emission Rate (LAER)), which is currently more stringent than the federal standard.
5. **S.C. Code Reg. § 61-67** – Amend standards for Wastewater Facility construction to ensure consistency and reduce permitting, including providing an exemption for small discharges of treatment technology, which is a more reasonable regulation.
6. **S.C. Code Reg. § 61-107.19** – Streamline the permitting process for Solid Waste Landfills and Structural Fill, which also includes removing zoning consistency determinations and allowing for the mining and recycling of wastes within an operation area, which is more reasonable and less burdensome on permitting businesses.
7. **S.C. Code Reg. § 61-107.279** – Eliminate the requirement for Used Oil Marketers to obtain a state permit, which is in excess of federal requirements and creates an administrative burden on businesses.
8. **S.C. Code Reg. § 72.101-108** – Repeal the regulation for Erosion and Sediment Reduction and Stormwater Management to eliminate duplicative requirements for the control of stormwater runoff during construction and post-construction activities, which is less burdensome on businesses.

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