

Document No. 5451
DEPARTMENT OF ENVIRONMENTAL SERVICES
CHAPTER 61

Statutory Authority: 1976 Code Sections 44-55-10 et seq., 48-6-10 et seq., and 2023 Act No. 60, effective July 1, 2024

61-58. State Primary Drinking Water Regulations.

Preamble:

Pursuant to S.C. Code Section 44-55-10 et seq. and 2023 Act No. 60, the Department is authorized to promulgate regulations governing the design, construction, operation, and maintenance of public water systems in the State. The Department proposes amending S.C. Code Ann. Regs. 61-58, State Primary Drinking Water Regulations (R.61-58), to adopt federal regulations commonly referred to as the Revised Consumer Confidence Report Rule.

The United States Environmental Protection Agency (EPA) promulgated the Revised Consumer Confidence Report Rule on May 24, 2024. This rule revised applicable portions of the Code of Federal Regulations (CFR), at 40 CFR Parts 141 and 142, to establish updated minimum requirements related to Consumer Confidence Reports (CCRs) that community water systems must provide to their customers.

Pursuant to 40 CFR Part 142, States are required to adopt drinking water regulations no less stringent than federally promulgated national primary drinking water regulations in order to maintain State primary enforcement responsibility for public water systems. Accordingly, the Department proposes to amend R.61-58 to adopt the requirements of the Revised Consumer Confidence Report Rule.

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.

The Department had a Notice of Drafting published in the January 23, 2026, South Carolina State Register.

Section-by-Section Discussion:

Section	Type of Change	Purpose
R.61-58.12.A	Revision	Revised the applicability standards for the regulation.
R.61-58.12.B	Revision	Adds effective dates for the requirements in the Consumer Confidence Report Rule Revisions.
R.61-58.12.C	Revision	Adds new requirements for the content of CCRs and revises some existing content requirements.
R.61-58.12.D	Revision	Adds new additional health information to be included in CCRs and revises existing additional health information to be included in CCRs.
R.61-58.12.E	Revision	Revises CCR report delivery, reporting criteria and recordkeeping requirements
R.61-58.12.F	Addition	Adds requirements for summary of report contents to be included in CCRs.
R.61-58.12, Appendix D	Revision	Revised to eliminate language that is no longer relevant.

12 PROPOSED REGULATIONS

Notice of Public Hearing and Opportunity for Public Comment:

Interested persons may submit written comments on the proposed amendments to Doug Kinard of the Bureau of Water, South Carolina Department of Environmental Services, 2600 Bull Street, Columbia, South Carolina 29201; or via email at Doug.Kinard@des.sc.gov. To be considered, the Department must receive comments no later than 5:00 p.m. on Monday, April 27, 2026, the close of the comment period.

Should a public hearing on the proposed regulations be requested by qualifying entities or the requisite number of persons pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, the South Carolina Administrative Law Court will conduct a public hearing on Tuesday, May 12, 2026, beginning at 10:00 a.m. at the South Carolina Administrative Law Court, Edgar Brown Building, Second Floor, 1205 Pendleton Street, Columbia, SC 29201. If a qualifying request pursuant to Section 1-23-110(A)(3) is not received by 5:00 p.m. on Monday, April 27, 2026, the hearing will be cancelled.

Statement of Need and Reasonableness:

The following presents an analysis of the factors listed in 1976 Code Sections 1-23-115(C)(1)-(3) and (9)-(11):

DESCRIPTION OF REGULATION: R.61-58, State Primary Drinking Water Regulations.

Purpose: The Department proposes amending R.61-58 to adopt federal regulations commonly referred to as the Consumer Confidence Report Rule Revisions to maintain consistency with federal regulations and maintain primary enforcement authority for the Safe Drinking Water Act in the State.

Legal Authority: 1976 Code Sections 44-55-10 et seq., 48-6-10 et seq., and 2023 Act No. 60, effective July 1, 2024.

Plan for Implementation: The amendments will take legal effect upon publication of a Notice of Final Regulation in the State Register. Department personnel will then take appropriate steps to inform the regulated community of the amendments.

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

The adoption of these proposed amendments will allow the Department to maintain primary enforcement authority for the Safe Drinking Water Act in the State. The proposed amendments will comply with Title 40, Parts 141 and 142 of the Code of Federal Regulations (40 CFR 141 and 142). These proposed amendments update several aspects of the requirements for the distribution and content of Consumer Confidence Reports for the purpose of informing customers of public water systems about the quality of drinking water provided to them by their public water system.

DETERMINATION OF COSTS AND BENEFITS:

These proposed amendments may have some limited additional costs to the regulated community and the State in that CCRs would be required to be produced and delivered twice per year instead of once. However, some or all of that cost would be offset by the allowance for electronic delivery of the reports. There would also be a benefit to the public in being better informed of their drinking water quality and on a more frequent basis.

UNCERTAINTIES OF ESTIMATES:

There are not significant uncertainties in the estimated costs and benefits.

EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH:

There are no anticipated effects on the environment from these proposed amendments. These proposed amendments provide an opportunity for enhanced public health protection by better informing the public about the quality of their drinking water.

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

There will be no detrimental effect on the environment if these proposed amendments are not adopted. If the proposed revisions are not adopted, the public will not be as well informed concerning the quality of their drinking water.

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. 5450
DEPARTMENT OF TRANSPORTATION
CHAPTER 63
Statutory Authority: 1976 Code Section 57-3-110

63-390 through 63-397. Tandem Trailer Combination and Other Larger Vehicle Access Control Act.
63-700 through 63-718. Disadvantaged Business Enterprise Program.

Preamble:

These regulations are being promulgated to modernize, clarify and update existing regulations which govern, to the extent authorized by S. C. Code, Title 57. The regulations concern tandem trailer combinations and disadvantage business enterprise program, guidelines for selection of set aside projects,

Section-by-Section Discussion:

63-390 through 63-397. Tandem Trailer Combination and Other Larger Vehicle Access Control Act. The South Carolina Department of Transportation proposes to amend Chapter 63, Article 4, Subarticle 7 entitled "Tandem Trailer Combination and Other Larger Vehicle Access Control Act". This subarticle sets forth the regulations governing the operation of tandem trailer combination and other large vehicles within the State. In consultation with SC State Transport Police (STP), a Law Enforcement Division of South Carolina Department of Public Safety, STP has confirmed that they do not currently use these regulations. The South Carolina Department of Transportation proposes to retain Regulation 63-390 and strike the remaining provisions. The Department will comply with the National Network criteria as specified in the U.S. Code of Federal Regulations (23 CFR 658).

63-700 through 63-718. Disadvantaged Business Enterprise Program. The South Carolina Department of Transportation proposes to repeal Chapter 63, Article 8 entitled "Disadvantaged Business Enterprises Program". This article was promulgated to carry out the disadvantaged business enterprise program mandated by Section 12-28-2930 of the Code of Laws (1976) as amended, (hereinafter "State DBE Program") and to comply with 49 CFR Part 26 (hereinafter Federal DBE Program). The program requires participation by ethnic minority and female/women owned businesses. The federal program requires removal of minority and sex-based certification. The department, as recipient of federal-aid highway and transit funds, is required and intends to implement DBE Program in accordance with 49 CFR part 26 criteria.