

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55



Fiscal Year FY 2024-2025

Agency Budget Plan

FORM A - BUDGET PLAN SUMMARY

**OPERATING
REQUESTS
(FORM B1)**

For FY 2024-2025, my agency is (mark "X"):	
<input checked="" type="checkbox"/>	Requesting General Fund Appropriations.
<input checked="" type="checkbox"/>	Requesting Federal/Other Authorization.
<input type="checkbox"/>	Not requesting any changes.

**NON-RECURRING
REQUESTS
(FORM B2)**

For FY 2024-2025, my agency is (mark "X"):	
<input checked="" type="checkbox"/>	Requesting Non-Recurring Appropriations.
<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
<input type="checkbox"/>	Not requesting any changes.

**CAPITAL
REQUESTS
(FORM C)**

For FY 2024-2025, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting funding for Capital Projects.
<input checked="" type="checkbox"/>	Not requesting any changes.

**PROVISOS
(FORM D)**

For FY 2024-2025, my agency is (mark "X"):	
<input checked="" type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
<input type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Simon Li	(803) 422-0711	lisw@dhec.sc.gov
SECONDARY CONTACT:	Scott Hagins	(803) 920-6833	haginsms@dhec.sc.gov

I have reviewed and approved the enclosed FY 2024-2025 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

	<u>Agency Director</u>	<u>Board or Commission Chair</u>
SIGN/DATE:		
TYPE/PRINT NAME:		

This form must be signed by the agency head – not a delegate.

Fiscal Year 2024-2025 Executive Summary

Agency Code:	P500
Agency Name:	Department of Environmental Services
Section:	55

Agency Priority	Request Type	Title	General Dollars	Federal Dollars	Earmarked Dollars	Restricted Dollars	Total Dollars	General FTEs	Federal FTEs	Earmarked FTEs	Restricted FTEs	Total FTEs
1	B1 - Recurring	Retaining Experienced & Credentialed Workforce	\$10,228,003	\$0	\$0	\$0	\$10,228,003	48.93	-22.33	-18.85	-7.75	0.00
2	B1 - Recurring	Fiscal Impact of Restructuring-IT Needs	\$4,548,509	\$0	\$0	\$0	\$4,548,509	0.00	0.00	0.00	0.00	0.00
3	B2 - Non-Recurring	Fiscal Impact of Restructuring- IT Needs	\$5,793,448	\$0	\$0	\$0	\$5,793,448	0.00	0.00	0.00	0.00	0.00
4	B1 - Recurring	Supporting Environmental IT Services with Data Driven Decision Making	\$1,977,443	\$0	\$0	\$0	\$1,977,443	5.00	0.00	0.00	0.00	5.00
5	B1 - Recurring	Sustaining SC's Air Quality Program for Environmental and Economic Success	\$4,325,116	\$0	\$0	\$0	\$4,325,116	15.44	0.00	-7.44	0.00	8.00
6	B1 - Recurring	Sustaining SC's Drinking Water Program	\$4,325,116	\$0	\$0	\$0	\$4,325,116	40.40	0.00	-32.40	0.00	8.00
7	B1 - Recurring	Sustaining SC's National Pollutant Discharge Elimination System (NPDES) Program for Environmental and Economic Success	\$1,818,508	\$0	\$0	\$0	\$1,818,508	14.95	0.00	-11.95	0.00	3.00
8	B1 - Recurring	Reducing Review Times for Environmental and Economic Development Projects in the Coastal Zone	\$754,876	\$0	\$0	\$0	\$754,876	7.00	0.00	0.00	0.00	7.00
9	B1 - Recurring	Sustaining SC's Mining and Reclamation Program for Environmental and Economic Success	\$620,000	\$0	\$0	\$0	\$620,000	6.00	0.00	-4.00	0.00	2.00
10	B1 - Recurring	Sustaining SC's Laboratory Certification Program	\$275,000	\$0	\$0	\$0	\$275,000	3.00	0.00	-3.00	0.00	0.00
11	B1 - Recurring	Establishing an Office of Compliance Assistance	\$1,015,158	\$0	\$0	\$0	\$1,015,158	7.00	0.00	0.00	0.00	7.00
12	B1 - Recurring	Sustaining SC's Fish Advisory Program	\$390,773	\$0	\$0	\$0	\$390,773	3.00	0.00	0.00	0.00	3.00
13	B1 - Recurring	Sustainable Funding for the Clean-Up of Uncontrolled Hazardous Waste Sites	\$2,500,000	\$0	\$0	\$0	\$2,500,000	0.00	0.00	0.00	0.00	0.00
14	B1 - Recurring	Sustaining SC's Ambient Air Quality Monitoring Network for Environmental and Economic Success	\$1,580,000	\$0	\$0	\$0	\$1,580,000	10.11	0.00	-10.11	0.00	0.00
15	B1 - Recurring	Maintaining South Carolina's Asbestos Program for Environmental and Economic Success	\$336,704	\$0	\$0	\$0	\$336,704	4.00	0.00	-4.00	0.00	0.00
16	B2 - Non-Recurring	Department of Environmental Services (DES) Transfer-State Water Plan and River Basin Planning Implementation	\$2,800,000	\$0	\$0	\$0	\$2,800,000	0.00	0.00	0.00	0.00	0.00
17	B1 - Recurring	Fiscal Impact of Restructuring - Facilities	\$1,279,867	\$0	\$0	\$0	\$1,279,867	0.00	0.00	0.00	0.00	0.00
18	B2 - Non-Recurring	Fiscal Impact of Restructuring - Facilities	\$642,000	\$0	\$0	\$0	\$642,000	0.00	0.00	0.00	0.00	0.00
19	B1 - Recurring	Additional Federal Authorization to Support Infrastructure Grants	\$0	\$5,000,000	\$0	\$0	\$5,000,000	0.00	0.00	0.00	0.00	0.00
Subtotal:			\$45,210,521	\$5,000,000	\$0	\$0	\$50,210,521	164.83	-22.33	-91.75	-7.75	43.00

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Retaining Experienced & Credentialed Workforce
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$10,228,003 Federal: \$0 Other: \$0 Total: \$10,228,003
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input checked="" type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p>Goal 4: Develop our people, strengthen our processes and invest in our technology to support a high-performance organization and a culture of continuous improvement.</p> <p>Funds will be used to retain an experienced and credentialed workforce. This will allow the agency to reduce turnover rates and decrease initial hiring/training costs.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>This budget request is for retention of experienced and credentialed workforce to ensure that the Department of Environmental Services (DES) is established as a new Cabinet Agency with adequate personnel funding to maintain experienced staffing levels, provide continual technical training to retain a competent workforce and establish an incentive-based compensation plan for future retention opportunities.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

ISSUE:

Environmental Affairs (future DES staff) is facing an upcoming wave of employee retirements as more than a third of the agency's expert workforce is eligible to retire within the next three to five years. Meanwhile, 40 percent of future DES employees have been with the agency less than five years.

Like other environmental regulatory agencies across the nation, the work that we do is very complex and requires 5 or more years of experience to gain the knowledge and expertise to be effective. Succession planning, knowledge transfer, recruiting and employee retention are critical success factors for the success of the new cabinet agency. To prepare for anticipated staff attrition, we are aggressively working to implement several succession planning, recruiting and retention initiatives designed to make DES the premier employer in South Carolina.

Engineer and Technical Workforce Salaries:

The current workforce has the lowest average salaries in the state for Microbiologist, Chemist, Geologist/Hydrologist, and entry-level Engineer staff. As staff continue to leave for higher-paid opportunities, we are losing credentialed staff in our management chain. Having credentialed staff in our programs adds credibility to our permit, plan, and report reviews, and enhances the quality of our workforce.

Need for Credentialed Workforce:

The State recognizes this need for qualified engineers and geologists to support the local and global economy and, to that end, encourages efforts to increase access to accredited education, the examinations, and the experience necessary and appropriate to protect the health, safety, and welfare of South Carolina citizens and its environment.

Encouraging and supporting staff to attain professional status will heighten the caliber and quality of our planning, permitting, and report reviewing for programs regulated and overseen by the agency. A formalized agency plan for certification, retention of certified staff, and continuing education does not exist.

SOLUTION:

Engineer and Technical Workforce Salary Increases:

Increase starting salaries for critical technical staff and increase the capacity of the current workforce so they are more in line with market averages and competitive with other state agencies. The current workforce will receive the new starting salaries or a 2 percent increase, whichever is higher.

Training to Build Credentialed Workforce:

Increase capacity and retention of workforce and improve customer service to citizens by implementing training plans to develop a premier workforce. Training will help to ensure sound and consistent decision permitting decision, support compliance initiatives, and support retention by building a competent and confident workforce.

Our current workforce requires a high level of technical expertise, and we often find it difficult to hire staff with the qualifications we need. This is especially true for our Chemist, Microbiologist, and Engineer positions. Funding for targeted Environmentally focused training is needed. Training budget will be used to:

- Provide mandated EPA training and additional job-related certifications,
- Pay for classes and resources to obtain job-related certifications,
- Grow number of Professional Engineers and Professional Geologists,
- Reduce the amount of time spent on travel expenses by holding local in-person training for groups of staff, and
- Partner with Department of Administration for customer service and additional soft skill training, when possible.

Incentive-Based Compensation for Staff

Establish recognition and action plan to retain seasoned and experienced staff. Salary increases will go to current staff who continue to provide critical services for the state of South Carolina.

IMPACT IF NOT RECEIVED:

DES is competing with the same workforce as industry for permitting and technical

**JUSTIFICATION OF
REQUEST**

staff. If we are not able to retain and train our current workforce,

- Permitting times will continue to increase,
- Number of PEs and PGs in management will continue to decline,
- Customer service to the regulated community and other stakeholders will suffer, and
- Delegation of authority could be compromised.

METHOD OF CALCULATION:

Environmental Affairs used the Department of Transportation (DOT) as our salary comparison, we calculated the cost to increase our Engineer salaries to be more aligned with other state agency salaries. Additional technical staff salaries will also be increased based on the level of education and technical skills needed for job duties.

Current mandated training budgets (Environmental Affairs) were pulled to calculate training costs.

Costs for incentive-based compensation focused on 10% of staff receiving a 6% increase and included current average fringe and indirect rates.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	2
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Fiscal Impact of Restructuring- IT Needs
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$4,548,509 Federal: \$0 Other: \$0 Total: \$4,548,509
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input checked="" type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input checked="" type="checkbox"/>	IT Technology/Security related
<input checked="" type="checkbox"/>	Consulted DTO during development	
<input checked="" type="checkbox"/>	Related to a Non-Recurring request – If so, Priority # 3	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p>This request is necessary to fully implement Act 60 (S.399) of FY23. Without additional funding, the Department of Environmental Services' (DES) ability to implement all goals will not be achieved.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>DES will utilize funding for shared services provided by the Department of Admin (Admin). All expenditures will be made in accordance with current state procurement code and personnel guidelines.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

The Department of Environmental Services (DES) will become its own cabinet level agency on July 1, 2024. Initial cost estimates provided in the Fiscal Impact Statement detail several items that will be required for the successful launch of the two agencies (note that these costs are specific to DES):

IT Network/System Separation, Migration (\$4,548,509)

DHEC has been a single entity for over 50 years; accordingly, its IT systems are fundamentally integrated, and its infrastructure is shared agency-wide across the state. Currently, the agency maintains one complex network containing business administration and communication software, shared network drives and Intranet, as well as databases and records management systems. To unravel this highly integrated network without losing data, threatening security, impeding business continuity, or interrupting public services will be a massive and complex undertaking.

The Department of Administration has performed a preliminary analysis of the strategic division of information technology processes as they pertain to either public health or environmental operations. Based on their assessment, we believe that these costs are necessary for the process of establishing new environments for each agency. These separation efforts will require the purchase of new equipment and programs and the use of contractors to augment current staff capabilities.

\$4,548,509 in recurring funds are needed for hardware, licensing agreements and critical IT systems (security, disaster recovery, servers, document management, etc.). This supports the ongoing costs of separate networks and systems. Costs are based on current agency charges for shared services and recent costs for data migrations and upgrades.

IMPACT IF NOT RECEIVED:

Without additional funding, we must redirect environmental program resources to cover these expenses, delaying the timely delivery of permitting and other services which will impact economic development in the state.

METHOD OF CALCULATION:

Calculations were based on existing costs and a thorough review of IT and operational needs. IT systems were reviewed for usage and impact. An estimate was made to identify anticipated costs to create new systems for each agency based on current actual charges.

JUSTIFICATION OF REQUEST

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	4
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Supporting Environmental IT Services with Data Driven Decision Making
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$1,977,443 Federal: \$0 Other: \$0 Total: \$1,977,443
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	5.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input checked="" type="checkbox"/>	IT Technology/Security related
	<input checked="" type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input checked="" type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p>Strategy 4.1.1 Expand the capacity and increase the reliability of our IT infrastructure.</p> <p>To support data driven decision making, the agency needs to maintain its current utilization of Department of Administration (Admin) shared services for compute and storage and support utilization of Geographic Information Systems (GIS) products.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>The Department of Environmental Services (DES) will utilize funding for shared services provided by Admin, software licenses, technology and security contractors to maintain servers and databases housed at the State IT Data Center and would allocate funding to support GIS personnel across all environmental programs.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

PROBLEM:

Legacy systems in use are inefficient, difficult to support, and provide limited functionalities for all stakeholders. Since 2016, our costs for IT services necessary for execution of the environmental programs have increased. One-time funds have been used to supplement costs. Moving forward, DES needs adequate funding to maintain our current critical IT infrastructure. We do not have sufficient resources to fully utilize our GIS tools to effectively analyze data and communicate with internal and external stakeholders.

SOLUTION:

DES will become its own cabinet level agency on July 1, 2024. This move will require significant system transformation based on ever evolving business requirements that drive service to SC citizens.

DES needs recurring funding of \$1,508,641 to maintain DES's current critical IT infrastructure needs.

The agency will also need recurring funding of \$468,802 to address the full implementation of GIS. This funding will allow the agency to use the GIS tool to its fullest capacity to communicate data and information internally as well as with stakeholders.

IMPACT IF NOT RECEIVED:

IT Operations: These funds are necessary; otherwise, we must redirect environmental program resources to cover these expenses, delaying the timely delivery of permitting and other services which will impact economic development in the state.

GIS: We will also be unable to quickly and effectively provide critical information to decision makers and risk communicators, again, delaying the timely delivery of permitting and other services which will impact economic development in the state. For example, GIS provides real-time information to ensure protection of citizens that could ultimately be impacted by flooding due to breached dams. Other sister agencies like Emergency Management Division (EMD) and Department of Transportation (DOT) rely heavily on data provided through GIS.

METHOD OF CALCULATION:

Act 60 (S.399) restructured DHEC into two agencies and appropriations and estimated costs have been separated. The DES portion of the projected shortage for data services is \$1,508,641.

For the GIS initiative, calculations were pulled together to fund the following new positions: Cartographer (1), GIS Analysts (3) and GIS Manager (1). Salaries were calculated using the midpoint salary for each band, as well as the average fringe and assessment rates. Analyzed current staff salaries to determine state funding needed. Operating costs include a standard per employee cost (\$1,000) which includes general supplies, software licenses, phones, rent, insurance, etc. Computers and supplies for staff operation were based on current state contracted quotes and/or recent quotes for similar needs. Travel costs are estimated using typical mileage traveled at the state reimbursement rate, required EPA training costs and federal GSA rates.

Additional state FTEs are needed because all available FTEs have been assigned to existing programs.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
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FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	5
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Sustaining SC’s Air Quality Program for Environmental and Economic Success
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$4,325,116 Federal: \$0 Other: \$0 Total: \$4,325,116
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	8.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p><i>Strategy 2.1 – Ensure air is healthy to breathe through regulatory oversight and monitoring.</i></p> <p><i>Strategy 1.1 – Prevent and control chronic disease and promote healthy lifestyles for all South Carolinians.</i></p> <p>This request supports needed funding for Air Quality program staff who write air permits and directly provide regulatory oversight. Not having adequate funding to support the state’s air quality program ultimately impacts public health and economic growth in South Carolina.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency’s accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	All funds would be used by the agency to support existing personnel and operating costs and 8 new state FTEs associated with the Air Quality program.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

ISSUE:

Emission-based fee structure: Air emission fees are based on actual emissions and as emissions decrease, so does the program's primary revenue. Emission fees collected from regulated facilities have been declining steadily for the last decade as air emissions decrease due to Clean Air Act reduction standards. This fee structure worked to significantly lower emissions; however due to the emission reductions, fees also reduced significantly. Fee revenue also significantly decreased due to business decisions made by power utility companies to shut down less-efficient units and to switch the fuel of many remaining units from coal to natural gas. A flat maintenance fee was added to the emission-based fees in 2014 to help address the projected shortfall at that time. The program is currently projected to have another deficit by FY25.

The US EPA has finalized over 200 new national air quality reduction standards since 1990. As a result, air permit requirements have become more stringent and complex. The program's workload has also continued to increase as South Carolina's business economy has grown.

SOLUTION:

Fund existing Air Quality program to ensure:

- issuance of timely construction and operating permits,
- compliance with state and federal air quality regulations and standards,
- South Carolinians continue to breathe healthy, clean air, and
- adequate funding for the air quality program until changes can be made to the fee statute and/or fee regulation to sustain the program long term.

The agency will continue streamlining the permitting process, refining program costs and revenue projections, and working with industry stakeholders to determine other appropriate future funding structures as SC's population and economic goals continue to grow.

IMPACT IF NOT RECEIVED:

1) **Adverse Impacts to Economic Development:** The Air Quality program is critical to South Carolina's business economy as most new companies cannot locate into a state (or existing businesses cannot expand) prior to first obtaining an air permit. South Carolina is third fastest growing states in the U.S. and is experiencing tremendous growth in businesses that need air permits to operate. When new businesses are considering locations to build new facilities, they carefully consider the status of the area's attainment (or compliance) with air standards. States who are not in attainment with air quality standards are typically not selected for new development. South Carolina currently meets all national ambient air quality standards and has no non-attainment areas; however, without adequate funding, the Air Quality program cannot maintain the necessary staff levels to maintain compliance with these standards and issue timely construction and operating air permits to meet business demands.

2) **Potential Loss of State Program Delegation:** SC DHEC currently has delegation of authority to implement Federal air quality standards. In accordance with federal law (40 CFR Part 70), when the US EPA makes a determination that a state authority is not adequately administering or enforcing the Title V program, including the "failure to collect, retain, and allocate fee revenue", the EPA may withdraw approval of the program and apply sanctions, including administering the Federal program under Title V of the Act. If the deficiencies are not corrected within 18 months, the EPA is required to take control and administer the Title V program. Should this happen, the EPA, not SC's agency, would be responsible for issuing necessary air construction permits to new and expanding businesses, issuing and renewing existing operating permits, conducting required compliance inspections of regulated facilities, and taking enforcement actions against these facilities. An EPA-run program would cost South Carolina businesses more to operate and would result in slower permit turnaround times. For instance, the agency's annual emissions fee rate is \$25 per ton (adjusted annually for inflation). The EPA rate is \$32 per ton and is also adjusted annually for inflation. The agency's regulatory timeframe for issuance of very large major source construction permit is

270 days. On average, these construction permits are expedited and issued by the SC DHEC in less than 150 days. The EPA does not have a regulatory timeframe for these types of permits and on average takes more than a year to issue.

3) **Impact on small businesses:** Many small businesses in South Carolina are minor sources of air pollution and are required to have minor source air permits. These small

JUSTIFICATION OF REQUEST

businesses pay a small fee annually to maintain a permit to operate in South Carolina. The fees for the minor source program have also continued to decline over time as air emissions have decreased. These air permits often contain Federal requirements that are very complex and difficult to understand by most small businesses. Many of these small businesses rely on Air Quality program staff to assist them with completing their permit applications and providing compliance assistance. The agency also currently funds a Small Business Environmental Assistance Program (SBEAP) Ombudsman to work directly with small businesses and their trade organizations to keep them abreast of regulatory changes, to assist them with emissions calculations and permit forms, and to oversee compliance assistance efforts. Without adequate funding, these opportunities for compliance assistance may be lost.

METHOD OF CALCULATION:

The requested funding will be used to support existing staff and 8 new state FTEs. The Air Quality program currently has adequate FTEs, with the exception of the requested 7.44 FTE conversions and 8 new FTEs, but lacks the funding to cover the cost of these existing staff. \$3,067,064 will be used to cover the cost of Title V/Major Source program staff, \$702,355 will be used to cover the cost of Minor Source program staff and \$555,697 will be used for operational costs. Personnel costs are based on current salaries.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	6
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Sustaining SC's Drinking Water Program
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$4,325,116 Federal: \$0 Other: \$0 Total: \$4,325,116
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	8.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p>Strategy 2.3.2 - Maintain percent of population served by community public water systems that are in compliance with all health based standards at 95% or above.</p> <p>Compliance of public drinking water systems ensures protection of consumers.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	Funds would be used by the agency to convert 32.4 existing fee-funded FTEs to state FTEs, fund current unfunded FTEs, fund 8 new state FTEs and additional operating costs.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

ISSUE:

Safe drinking water is a priority for the agency. There are over 2,500 public drinking water systems in the state that are required to meet complex state and federal drinking water regulations, including monitoring for over eighty (80) regulated compounds. In the late 1990's the State Legislature authorized the agency to collect a fee annually from each public drinking water system in the state to be deposited in the Drinking Water Fee Fund for the purpose of implementing the state and federal Safe Drinking Water Acts. Unfortunately, the federal funding and fees have not kept up with the increasing cost to monitor. In addition, more compounds need monitoring, as the regulations continue to become more stringent. Using these funds, the agency arranges for the collection and analyses of a vast majority of drinking water samples required for compliance with state and federal drinking water regulations.

Funding issues include:

- The existing cash balance from fees is decreasing to a point where the Drinking Water Fee Fund will not be able to support the program needs by FY25.
- EPA requires water systems to conduct 2 yearlong sampling events, with 1 year off in between, under the Unregulated Contaminants Monitoring Rule (UCMR).

Between the last UCMR and the current one, the drinking water fee fund will have expended nearly \$1 million. These are federally mandated program with no additional federal funding to support the effort.

SOLUTION:

Convert 32.4 fee funded FTEs to state FTEs, fund current unfunded FTEs, fund 8 new state FTEs and additional operating costs to sustain the current level of service currently being provided to the regulated community. This needed FTE conversion and funding would result in \$3,769,418 with an additional \$555,698 for operating, in state appropriations.

JUSTIFICATION OF REQUEST

IMPACT IF NOT RECEIVED:

In the absence of the requested state funds, the Drinking Water Fee Fund will not be capable of providing the current level of service beginning FY25. In addition:

- The agency may risk losing primary enforcement authority over the federal Safe Drinking Water Act if it does not have the resources necessary to adopt new regulations and continue to enforce existing federal regulations.
- Increased fees to regulated systems will likely result in increased costs to consumers.
- The agency may be required to curtail some services to public water systems that are designed to ensure that they remain in compliance with state and federal drinking water regulations. Currently, the agency conducts most compliance monitoring for public water systems in the state utilizing monies in the Drinking Water Fee Fund. If the fund is unable to support these monitoring services in the future, the rate of public water system non-compliance with state and federal monitoring regulations will increase.

METHOD OF CALCULATION:

Used projection report to determine the needed state offset to the fee fund to keep revenue ahead of expenditures for personnel and operating. Analyzed current staff salaries to determine the fewest number of FTEs needed to convert to state funding

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	7
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Sustaining SC’s National Pollutant Discharge Elimination System (NPDES) Program for Environmental and Economic Success
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$1,818,508 Federal: \$0 Other: \$0 Total: \$1,818,508
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	3.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p><i>Strategy 2.3 - Provide regulatory oversight and monitoring to ensure water is clean and available for all uses.</i></p> <p>The regulation of discharges to waters of the state minimizes industrial source and storm water impacts to water quality.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency’s accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	Funds will be used by the agency to convert 11.95 existing fee-funded FTEs to state FTEs, fund current unfunded FTEs, fund 3 new state FTEs and additional operating costs.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

ISSUE:

It is vital to have good water quality and water that is available in the growing and thriving state of South Carolina. The agency achieves this by the authority given under the Clean Water Act and South Carolina Pollution Control Act. Both gives the agency the authority to regulate the discharge of pollutants from wastewater and stormwater sources into waters of the state through the National Pollutant Discharge Elimination System (NPDES). Currently there are over 6,000 NPDES permits that protect water quality. The agency implements the program in the state, employing engineers and technical staff to:

- Review applications and make permitting decisions to protect South Carolina's water quality.
- Coordinate with internal and external stakeholders on specific applications and broader programmatic topics.
- Issue permits with pollution reduction measures needed to aid in reducing contributions of pollutants to impaired water and ultimately return the waterway to state standards.

Heightened levels of pollution elevate the risk of health issues for the state's residents and environmental impairments, each of which may negatively impact our communities, tourism, and economy.

24 FTEs split among 46 staff are funded using NPDES fee funds. Fees for this program below the level to sustain current staffing in 2026. Currently, the NPDES program is only funded 38% by NPDES fees with the remainder being made up by 34% federal, 25% state and 3% other funding. Having 62% of the NPDES program not funded by fees takes away the ability to utilize those funds in other needed areas of the bureau.

SOLUTION:

Convert 11.95 fee funded FTEs to state FTEs, fund current unfunded FTEs, fund 3 new state FTEs and additional operating costs to sustain the current level of service. These FTE conversions, new FTEs and funding would result in \$1,591,598 with an additional \$226,910 for operating, in state appropriations.

IMPACT IF NOT RECEIVED:

In the absence of the requested state funds, the NPDES Program will not be capable of providing the current level of service. In addition:

- The agency will be at risk of third-party litigation for failure to issue permits in a timely manner.
- The amount of backlog being addressed by FY24 funding would increase again, negatively affecting permit timeframes.

METHOD OF CALCULATION:

Used projection report to determine the needed state offset to the fee fund to keep revenue ahead of expenditures for personnel and operating. Analyzed current staff salaries to determine the fewest number of FTEs needed to convert to state funding

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	8
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Reducing Review Times for Environmental and Economic Development Projects in the Coastal Zone
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$754,876 Federal: \$0 Other: \$0 Total: \$754,876
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	7.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p><i>Strategy 2.3.1 - Wetlands preserved, restored or mitigated (acres, credits) per acre of allowed wetlands impacts.</i></p> <p>This request would allow for more timely, thorough review of projects to minimize impacts to coastal resources and improve coordination with resource agencies, including SC Department of Natural Resources, US Fish and Wildlife Service, SC Department of Archives and History, and NOAA National Marine Fisheries Service, on new economic developments in coastal counties. The effective use of these funds would be demonstrated through a significant reduction in timeframes for Coastal Zone Consistency (CZC) and major Critical Area Permit (CAP) issuance.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>The agency would receive these funds directly and would allocate funding to the Coastal Zone Consistency Section for five (5) Environmental Health Manager II staff and to the Critical Area Permitting Section for two (2) Environmental Health Manager II staff. These positions would be filled based on state Office of Human Resources policies.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

ISSUE:

Before certain state permits can be issued, the agency must ensure project activities located within the eight-county coastal zone are consistent with the applicable enforceable policies of the SC Coastal Management Program. Impacts to wetlands and other coastal resources associated with those project activities are avoided or minimized to the maximum extent practicable. This process is referred to as state Coastal Zone Consistency (CZC) certification. Projects requiring CZC certification are often large scale, critical to supporting state infrastructure, commerce, or economic growth. General examples include:

- transportation (highway, ports, and railway improvements),
- commercial warehouse and industrial complexes, and
- utility transmission lines.

The CZC certification process also provides a coordinated and efficient mechanism for other state resource agencies to review and comment on individual project applications that may have a significant impact on sensitive resources, such as wetland habitats or historic and cultural resources. Environmental review typically examines a project in terms of its impacts to wetlands, which provide critical flood mitigation and runoff filtration, and effects on threatened and endangered species. The cultural and archeological review examines whether there are potential areas of historical significance, such as unmarked African American graves, revolutionary or civil war resources, or historic Native American features. The public access review evaluates a project's potential impact on other resources of significant value within our coastal zone including state parks or Heritage Trust sites and coastal waters.

In 2014, the agency reviewed 940 state permits for CZC. By 2022, the number of state permits reviewed for CZC increased to 2523, over 150% increase. In addition to reviewing state permits, CZC staff also review federal permits and activities within the coastal zone to ensure consistency with the SC Coastal Management Program policies, adding to their substantial workload.

In 2014, the CZC section had three staff to review permits. By 2022, the CZC section gained only one additional staff. With the increase in submissions from 2014 to 2022 and backlog from staff attrition, review times have increased to 150-180 days on average.

Infrastructure improvements, flood reduction efforts and economic development projects may also require a critical area permit if impacts are proposed to coastal waters or tidelands. Examples of these projects include drainage improvements, bridge maintenance, and port redevelopment and expansion.

The Critical Area Permit (CAP) section currently has one staff to review major projects, which include most activities other than private, recreational use docks. Given the limited staff, the complexity of these projects and the necessary coordination with other resource agencies, the CAP section does not have the capacity to address emerging issues and provide a dedicated pathway for permitting of these projects.

SOLUTION:

The agency is requesting seven additional staff. The addition of these FTEs will help reduce each existing staff's workload by half. With the requested staff positions, the goal for review times for most projects would be reduced to approximately 60 days for CZC. More complex projects may take slightly longer given the necessary coordination with other resource agencies. Additional CAP staff will provide dedicated resources to address key infrastructure and flood reduction projects, as well as other emerging issues. By reducing workloads, staff will be available to provide additional guidance and pre-application meetings for consultants and applicants to reduce administrative and technical deficiencies. This will improve the quality of applications and further reduce delays in both CZC and CAP reviews. Reduced review times will benefit applicants seeking land disturbance permits or other state authorizations.

IMPACT IF NOT RECEIVED:

If additional staff positions are not available, review times will continue to average

**JUSTIFICATION OF
REQUEST**

150-180 days, causing delays for applicants seeking state permits for a variety of projects including transportation, infrastructure, and economic development projects. Ultimately, delays in CZC review negates any efforts made to streamline other program reviews under the new agency.

METHOD OF CALCULATION

The Office of Ocean and Coastal Resource Management (OCRM) staff analyzed the agency online ePermitting database to determine the average number of project reviews per CZC staff. Consideration was given to the number of staff needed to reduce review time to approximately two months for CZC and to provide CAP with adequate staff to address major permitting projects.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	9
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Sustaining SC’s Mining and Reclamation Program for Environmental and Economic Success
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$620,000 Federal: \$0 Other: \$0 Total: \$620,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	2.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p>Goal 2: Protect, enhance and sustain environmental and coastal resources.</p> <p>Funds will be used to:</p> <ul style="list-style-type: none"> perform administrative and technical reviews of applications (including public notices, public meetings, and public hearings), issue permits and certificates of exploration, conduct annual and complaint-driven inspections of active sites, and follow through with compliance assistance. <p>Resources will support personnel and operating costs to implement the Mining program. All activities are reported annually to the SC Mining Council, established by S.C. Section 48-21-20.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency’s accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF	Funds will be used to pay staff salaries and associated operating costs including the costs for public notice and public meetings/hearing and the required annual Interstate Mining Compact Commission (IMCC) cost (\$16,588).
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

ISSUE:

Infrastructure and construction materials from mine sites are essential to South Carolina’s growing economy. Examples include cement, sand and gravel (construction and industrial), stone (crushed), and gold. Due to high transportation costs, mine sites are required to be within a set radius of the construction location. The current funding available to the program through fee revenue (approximately \$128,000 in FY23) and appropriations is insufficient to meet the demands on the program to support the increased mining activity in the state that is driven by population and economic growth and infrastructure growth. The last fee increase occurred in FY03, which allocates \$250 per active mine permit and \$300 per application to the mining and reclamation program, per the SC Mining Act 48-20-240. \$700,000 of additional funding is needed in appropriations by the General Assembly to support the regulatory program to meet the mining industries need for timely permits and the public’s expectation for oversight of mining activities and assurance of reclamation activities.

SOLUTION:

A recurring appropriation of \$380,000 is needed to sustain the program’s current staffing. In addition, we will need to have 4 FTEs converted to state funding. An additional recurring appropriation of \$240,000 will be used to add 2 new FTEs to meet the growth in mines and to ensures the future augmentation of the program. Additional inspections will be able to be conducted to assist sites in maintaining or bringing sites into compliance.

IMPACT IF NOT RECEIVED:

Without this recurring appropriation, the mining program will continue to see expenditures exceed revenues. The Mining fee fund is at risk of running into a deficit in FY24. Without opportunities for growth and advancement within the program, turnover will remain high. The efficiency of the program will remain low due to loss of institutional knowledge and experience, as well as relationships with operators. This will impact the rate at which applications are processed and permits are issued, as well as the number of inspections performed to ensure compliance with permits. The program is expected to inspect 500 mine sites annually. In FY23, 82% of inspections were conducted.

METHOD OF CALCULATION:

Requested funding will be used to support staff and operations. \$240,000 will cover some general operating costs and two (2) new FTEs – Environmental Health Manager II and Geologist/Hydrologist III. The remainder of the \$620,000 request will cover costs for the four (4) existing FTEs. Personnel costs are calculated using current staff salary amounts.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	10
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Sustaining SC’s Laboratory Certification Program
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$275,000 Federal: \$0 Other: \$0 Total: \$275,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input checked="" type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input type="checkbox"/>	Government and Citizens

ACCOUNTABILITY OF FUNDS	<p><i>Strategy 2.3 - Provide regulatory oversight and monitoring to ensure water is clean and available for all uses.</i></p> <p>The purpose of Environmental Lab Certification is to ensure quality data is generated to determine regulatory compliance with environmental regulations. An Environmental Lab Certification Program is required by law to maintain the State of South Carolina’s delegation of the federal Safe Drinking Water Act programs (also known as "primacy"). The Environmental Laboratory Certification Program certifies laboratories performing analyses for environmental data submitted to the Agency. The Laboratory Certification program is subject to the timeframe requirements under the Environmental Protection Fund Act of issuing Initial certification of a laboratory within 90 Days. Regulation 61-81 State Environmental Laboratory Certification Program requires a laboratory to be evaluated for renewal of certification every three (3) years.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency’s accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

	These funds will be utilized to convert 3 existing fee-funded FTEs to state
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RECIPIENTS OF FUNDS

appropriations.

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

ISSUE:

Current funding is inadequate to support the program.

The purpose of the Environmental Laboratory Certification program is to ensure quality data is generated and reported to the agency for decision making and to determine compliance with environmental regulations. To make data driven decisions, quality data must be provided. There are approximately 500 certified laboratories – both in state and out of state. The number of laboratories has decreased as commercial laboratories have consolidated, reducing revenue coming to the agency.

Additionally, to maintain primacy for the federal Safe Drinking Water Act (SDWA), meaning the authority to implement and enforce SDWA within South Carolina, the state must have a program to certify laboratories that analyze water samples required by the federal regulations.

SOLUTION:

Convert 3 fee funded FTEs to state FTEs to sustain the level of service currently being provided to the regulated community and citizens of SC. This needed FTE conversion would result in state appropriations and headcount needed annually.

IMPACT IF NOT RECEIVED:

The agency would be unable to ensure that data submitted meets quality standards for decision making and unable to meet statutory requirements of issuing certifications within 90 days and regulatory requirement of conducting re-evaluation of laboratories every three years. Additionally, SC would be unable to meet federal Safe Drinking Water Act requirements to maintain federal enforcement responsibility for public water systems (primacy).

METHOD OF CALCULATION:

Projection report was used to determine the needed state offset to the fee fund to keep revenue ahead of expenditures. Analyzed current staff salaries to determine the fewest number of FTEs needed to convert to state funding.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	11
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Establishing an Office of Compliance Assistance
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$1,015,158 Federal: \$0 Other: \$0 Total: \$1,015,158
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	7.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input checked="" type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p><i>Goal 2 - Protect, enhance and sustain environmental and coastal resources.</i></p> <p><i>Strategy 2.1 - Ensure air is healthy to breathe through regulatory oversight and monitoring,</i></p> <p><i>Strategy 2.2 - Promote healthy and thriving communities through environmental cleanup, education and community engagement</i></p> <p><i>Strategy 2.3 - Provide regulatory oversight and monitoring to ensure water is clean and available for all uses.</i></p> <p>This request advances pollution prevention strategies for clean air, water, and land. Engaging with regulated entities early to offer compliance assistance with the regulations and their permits can prevent negative environmental impacts and minimize costs of non-compliance related to enforcement activities including civil penalties. Working collaboratively with our regulated entities to provide compliance assistance efforts and pollution prevention strategies provide additional environmental and pollution protection. The program's effectiveness can be evaluated by collecting and analyzing data to determine correlation between compliance assistance activities and reduction in violations and enforcement actions.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS

All funds would be allocated to the agency for six (6) Environmental Health Manager III and one (1) Program Coordinator II staff positions. These positions would be filled based on state Office of Human Resources policies.

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

ISSUE:

Compliance is required throughout the lifetime of a facility and their permit. Many facilities that the Department regulates find environmental regulations complicated and the often don't understand the specific requirements that apply to their facility making it difficult for them to comply with regulatory and permit requirements. The Department's limited resources have been focused on performing inspections rather than technical assistance and education up front. Our goal is continued compliance with all applicable regulations to provide enhanced environmental and public health protection.

Permittees must understand applicable regulatory requirements and stay engaged through:

- regulatory changes,
- emerging contaminants,
- permit updates,
- technology changes,
- community/citizen concerns,
- local and state-wide development, and
- economic growth.

SOLUTION:

A robust compliance assistance program with permittee collaboration is critical to understanding and implementing complex environmental regulations and should reduce non-compliance and the need for enforcement actions and penalties. Creating a DES technical/compliance assistance team serves a non-regulatory function and builds meaningful partnerships that reflect trust and collaboration. This team will work directly with individual businesses (especially small businesses), industry groups, and local governments to deliver compliance assistance and reduce how often the enforcement process must be used. This team will have the ability to:

- discuss and address compliance challenges as they arise,
- provide support throughout the lifetime of the permit,
- help with understanding permit conditions and requirements,
- offer guidance through the inspection process, and
- facilitate educational opportunities and best practices to businesses.

IMPACT IF NOT RECEIVED:

Currently, there is no coordinated compliance assistance program. Without a program, the focus continues to be on traditional inspection and enforcement processes. While compliance assistance may be provided on a permit by permit or inspection by inspection basis, there is a lost opportunity to take a non-regulatory assistance approach, globally address issues, and conduct comprehensive and coordinated compliance assistance campaigns. Environmental excellence and success with implementing complex multi-media environmental permits comes from partnering with industries and businesses.

METHOD OF CALCULATION:

The requested recurring appropriation is based on 7 FTEs to work statewide. These staff will be program experts and therefore have a solid understanding of industrial process and regulatory compliance. Operational costs will cover:

- compliance and technical assistance workshops,
- an annual environmental assistance conference,
- the environmental excellence program,
- partner meetings,
- trades-show participation, and
- training to maintain program expertise.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have

been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	12
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Sustaining SC’s Fish Advisory Program
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$390,773 Federal: \$0 Other: \$0 Total: \$390,773
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	3.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input checked="" type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input type="checkbox"/>	Government and Citizens

ACCOUNTABILITY OF FUNDS	<p><i>Goal 2 – Protect, enhance and sustain environmental and coastal resources.</i></p> <p><i>Strategy 2.3 – Provide regulatory oversight and monitoring to ensure water is clean and available for all uses.</i></p> <p>Additional water bodies would be able to be included in an upgraded fish tissue monitoring program. Increased funding would allow for surveilling and assessing of new or emerging contaminants of concern.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency’s accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>The South Carolina Department of Environmental Service’s Bureau of Water will receive these funds to hire 3 new positions (personnel and operating) for the Fish Advisory Program to better evaluate bioaccumulation of contaminants and protect the health of the public through more comprehensive fish consumption guidelines.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

**JUSTIFICATION OF
REQUEST**

ISSUE:

The agency has operated a statewide fish advisory program for more than thirty years. The program collects freshwater fish species at ~ 100 stations across the state on a bi-annual schedule. Several different fish species are collected in the field, processed in the Bureau's Aquatic Science Programs' laboratory and shipped to agency and contract laboratories for mercury, metals, and Polychlorinated biphenyls (PCB) analysis. This program is understaffed with only 1.5 dedicated FTEs. The program is underfunded by state appropriations and federal EPA grants (Performance Partnerships Grants (PPG), Section 106 Supplemental Monitoring Initiative grants, etc.). The current sampling program is mainly focused on the larger water bodies, lakes and rivers. The program needs to expand the number of fish collection sites to include smaller tributaries and streams used by the general population for fishing. Additionally, the fish advisory program has a need to begin assessing the bioaccumulation risks of emerging contaminants (ECs) into fish tissue traditionally consumed by the public.

SOLUTION:

Through the heightened awareness of mercury, metals, PCBs and ECs found in freshwater fish, additional staff and funding to support the program would expand the number of collection sites statewide as well as the diversity of species collected at these sites. Additional parameters would also be added for laboratory fish tissue analysis (whole fish and filets) to include emerging contaminants along with the currently analyzed parameters.

This additional data will allow for the publication of a more robust Fish Consumption Advisory which will be distributed across the state, but especially to critical segments of the population. The most sensitive population is made up of, but not limited to, pregnant or nursing mothers, the elderly, underserved communities including subsistence fishermen.

IMPACT IF NOT RECEIVED:

Without the requested increase in staff and funding support, the program will continue to have to rely on additional staffing assistance from other programs to collect and process the fish species. There will not be the ability to increase the number of collection sites for smaller creeks and tributaries or increase the number of different species to assess. The expansion of the emerging contaminant sampling and laboratory analysis could not be added to the program and therefore, not addressed in fish consumption advisories in the future, ultimately putting certain portions of the population in danger of adverse health issues.

No other entities in SC are conducting statewide assessments of fish tissue analysis and providing a consumption advisory program.

METHOD OF CALCULATION:

Requested funding will be used to support additional staff and operations. \$390,773 will cover general operating and personnel costs for three (3) new Environmental Health Manager II FTEs. Personnel costs are calculated using current state pay bands for the classification of positions requested.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	13
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Sustainable Funding for the Clean-Up of Uncontrolled Hazardous Waste Sites
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$2,500,000 Federal: \$0 Other: \$0 Total: \$2,500,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input checked="" type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input type="checkbox"/>	Government and Citizens

ACCOUNTABILITY OF FUNDS	<p><i>Strategy 2.2 - Promote Healthy and Thriving Communities Through Environmental Cleanup, Education, and Community Engagement</i></p> <p>Funds will be used to promote healthy communities and protect human health and the environment by providing resources to perform emergency response actions necessary due to accidents in the transportation of hazardous materials, to defray the costs of governmental response actions at uncontrolled hazardous waste sites, and fund ongoing cleanup commitments. Resources will also support personnel and operating costs to implement this program, which includes oversight of cleanups by Responsible Parties. Cleanup of these sites supports redevelopment and reuse of existing infrastructure. All activities are reported annually to the General Assembly, per S.C. Code Ann. Section 44-56-180.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF	<p>These funds will be used to pay contractors to perform state-lead governmental response actions, pay EPA for the state's required 10% cost-share for federal-lead remedial action sites, and pay staff salaries and associated operating costs.</p>
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FUNDS

Contractors are selected based on a competitive procurement process.

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST**ISSUE:**

The Uncontrolled Hazardous Waste Site Clean-up program uses fee and state appropriation funds to assess and clean up uncontrolled hazardous waste sites, thereby protecting human health and the environment.

Current fee revenue (approximately \$700,000/year), and recurring appropriations (\$1M) are insufficient to meet the financial demands of the program (\$2.5M/year) as well as to support the agency's ability to respond to future uncontrolled hazardous waste sites. Fees on hazardous waste generators are set by the Hazardous Waste Management Act and have not changed since 2008. There were no appropriations allocated to the Fund between FY04 and FY22. There have been two one-time appropriations (\$2 million in FY23 and \$2.5 million in FY24) as well as a \$1 million recurring funds appropriation beginning in FY24. Based on historical expenditures, current and projected costs significantly exceed revenues. The balance available to the Uncontrolled Hazardous Waste Site Clean-up program has dropped to its lowest level since the 1980s and will be out of resources by FY26 without additional funding.

At the current Fund balance, the agency will be unable to investigate and potentially remediate the existing backlog of approximately 220 sites, or respond to a large-scale cleanup, which has historically occurred every 4-5 years, without additional resources.

In addition, the State has leveraged over \$50M in EPA funds over the last two decades by having the funding available to commit South Carolina's required 10% cost share toward remedial activities at EPA fund-lead Superfund sites.

Clean-up of these contaminated sites also brings the potential for future economic redevelopment opportunities. A current example is the former Cone Mills site in Greenville. The availability of these funds allowed SC to commit to our 10% cost share to EPA, which, in turn, allowed EPA to move forward with listing the abandoned site as a federal Superfund site, address the environmental contamination at the site, and to provide the avenue for the site to be successfully redeveloped into productive use once again.

SOLUTION:

Additional state appropriations would ensure sites of concern can be addressed as quickly and efficiently as possible. An additional recurring appropriation of \$2.5 million would support the agency's current routine operating and response costs and allow adequate funding to be directed to investigate and potentially remediate a backlog of approximately 220 known contaminated sites, as well as being available for future site response actions.

IMPACT IF NOT RECEIVED:

Without the requested recurring appropriation, and based on current workload, the capacity for the program to continue existing site clean-up work is projected to be exhausted by FY26. At that point, the agency will not be able to conduct necessary response actions for ongoing cleanups. Future emergency responses could not be dealt with in an effective or timely manner.

METHOD OF CALCULATION:

The requested recurring appropriation of \$2.5 million is based on known costs to conduct routine and ongoing response actions plus personnel and operating costs compared to the existing revenue stream. Approximately \$2.5 million per year has been the average expenditures without large scale/cost events.

The projections are based on the last 10 years of data and anticipated revenue and costs to operate the program.

Additional details are available upon request.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	14
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Sustaining SC’s Ambient Air Quality Monitoring Network for Environmental and Economic Success
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$1,580,000 Federal: \$0 Other: \$0 Total: \$1,580,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p><i>Strategy 2.1 – Ensure air is healthy to breathe through regulatory oversight and monitoring.</i></p> <p>This request is related to the overall Air Program request as the monitoring/laboratory programs are the foundation for the program. Existing fee funding is not adequate to cover existing program costs based on current projections. State and federal air quality standards have been established to protect public health and the environment. To know if SC’s air quality is meeting the standards, the ambient (outdoor) air quality must be monitored. The salary funding request supports 10.11 existing FTEs who operate and maintain air monitoring equipment and analyze samples. This funding will also be used to modernize South Carolina’s aging ambient air quality monitoring network and replace monitors before the equipment begins to fail. Not attaining air quality standards ultimately impacts public health and economic growth in South Carolina.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency’s accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

	All funds would be used by the agency to convert existing fee funded FTEs to state
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RECIPIENTS OF FUNDS

appropriations and replace aging monitoring equipment. Equipment will be purchased through vendors following state procurement guidelines or existing state contracts

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

ISSUE:

Air program fee revenue has decreased and no longer covers the associated costs of operating SC's ambient air quality monitoring network. EPA has provided almost \$2,000,000 to replace antiquated equipment and help modernize the monitoring network. The agency operates 21 air monitoring sites with 60 monitors or samplers.

Although the 2021 EPA Technical Systems Audit report noted some improvements made to the monitoring network from temporary additional federal grant funding, additional state appropriation funds are still necessary to fully upgrade and maintain the entire system.

Aging monitoring infrastructure:

The EPA's Technical Systems Audits (TSA) of South Carolina's ambient air quality monitoring network in 2015, 2018, and 2021 cited many deficiencies, including the age of the monitoring equipment and the agency's failure to meet federal data completeness requirements. The TSA report specified that monitoring equipment should be replaced every 7 years for optimal operations. Older monitoring equipment can result in invalid data and lost data. As South Carolina's population continues to grow, the agency will be required to install and maintain additional monitoring sites across the state. Although the 2021 TSA report noted some improvements made to the monitoring network from temporary additional federal grant funding, additional state appropriation funds are still necessary to fully upgrade and maintain the entire system.

SOLUTION:

State appropriations are requested to support the regular replacement of monitoring equipment and staff salaries. This funding will allow us to modernize and automate the ambient air quality monitoring network.

Monitoring equipment will be upgraded to allow the agency's network to become more automated and more efficient, resulting in more reliable data, and meeting EPA air monitoring data completeness and compliance standards. More automated equipment also leads to cost savings as less travel/staff time is needed to physically maintain the sites and allows data to be transferred more quickly. Funding will also be sufficient to perform timely maintenance on the equipment.

IMPACT IF NOT RECEIVED:

1) **Uncertainty Surrounding Air Quality Status and Public Health Impacts:** The agency's Air Program is responsible for assuring South Carolinians continue to breathe clean air that meets all National Ambient Air Quality Standards (NAAQS). Federal law requires all states to operate and maintain an ambient air quality monitoring network to demonstrate compliance with the NAAQS. Without a properly functioning monitoring network and specially trained staff, DES cannot demonstrate compliance with the NAAQS, cannot issue timely construction and operating permits, cannot continue to qualify for federal grants, and cannot assure the citizens of South Carolina that they are breathing clean air.

2) **Adverse Impacts to Economic Development:** The Air Program is also critical to South Carolina's business economy as most new companies cannot locate into a state (or existing businesses cannot expand) prior to first obtaining an air permit. When new businesses are considering locations to build new facilities, they carefully consider the area's air regulation attainment status. States not in attainment with air quality standards are typically not selected for new development. Without adequate funding, the Air Program cannot maintain the necessary staff levels to operate the ambient air network and cannot modernize its monitoring network to demonstrate compliance with the air quality standards.

METHOD OF CALCULATION:

The requested \$880,000 salary funding will be used to support current personnel costs for 10.11 existing FTEs. Specific FTEs will be converted from "Other" to State Appropriations. Personnel costs are calculated using current staff salary amounts. The requested \$700,000 is needed to replace and maintain monitoring equipment currently funded through Air Quality fees. The annual cost is based on the EPA's recommended 7-year replacement schedule for optimal performance.

The costs for monitoring equipment are based on current vendor quotes and purchase

orders. Air monitoring devices are expensive, some costing over \$100,000. These devices also require annual maintenance and supplies.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	15
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Maintaining South Carolina’s Asbestos Program for Environmental and Economic Success
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$336,704 Federal: \$0 Other: \$0 Total: \$336,704
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark “X” for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p><i>Strategy 2.1 – Ensure air is healthy to breathe through regulatory oversight and monitoring.</i></p> <p><i>Strategy 1.1 – Prevent and control chronic disease and promote healthy lifestyles for all South Carolinians.</i></p> <p>This request supports 4 existing FTEs in SC DHEC’s Asbestos Program that issue asbestos abatement project licenses and asbestos personnel licenses, and directly provide regulatory oversight, and site inspections. Not adequately implementing the asbestos licensing and project oversight ultimately impacts public health and economic growth in South Carolina.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency’s accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	All funds would be used by the agency to support existing asbestos program staff.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

ISSUE:

Asbestos is known to cause adverse health impacts, such as lung cancer, mesothelioma, and cancers of the larynx, ovaries, stomach, colon, and rectum. Asbestos was the first hazardous air pollutant regulated by the US EPA. Asbestos Containing Materials (ACM) were widely used in building construction for many years prior to it being first regulated in 1973. **There is no current ban on asbestos containing materials, and asbestos is still found in many imported products and buildings across South Carolina today.** Common asbestos-containing building materials include, but are not limited to, ceiling tiles, roofing materials, flashing, putty/caulk, vinyl and asphalt flooring, mastic, flooring backing, ductwork taping, plumbing insulation, door insulation, wiring materials, lighting and fixtures, paints and textured coatings, elevators, blown-in and spray-on insulation, and HVAC piping insulation. Without appropriately trained and experienced staff to provide necessary oversight of regulated activities, the risk of public exposure to asbestos is significantly increased.

The Asbestos program has been fully funded by fees since 1986. On an annual basis, the agency issues over 5,300 asbestos abatement project licenses for building renovation and demolition projects and over 2,800 personnel licenses for asbestos contractors. The agency also audits and oversees asbestos personnel license training providers statewide.

1. **Abatement Project License Fee Structure:** Asbestos project fees are based on the amount of regulated asbestos containing materials (ACM), and as the number of applications fluctuate, so does the program's revenue. Licensing fees collected from regulated projects have remained relatively steady over the past decade; however, the costs associated with program implementation have been increasing. The project fee structure was first established in 1986 when the SC 61-86.1 Standards of Performance for Asbestos Projects were first promulgated and has not been adjusted to accommodate the increasing cost of program implementation or inflation. Under the current regulation, large abatement project license fees are capped at \$1,000.00 regardless of size.
2. **Contractor Personnel License Fee Structure:** The number of personnel licenses issued is based on the quantity of applications received. As applications fluctuate, so does the program's revenue. The contractor personnel license fee structure was also established in 1986 when the SC 61-86.1 Standards of Performance for Asbestos Projects were first promulgated and has not been adjusted to accommodate increasing cost of program implementation or inflation. Under the current regulation, some fees are as low as \$10 to process a license.

South Carolina's asbestos program fees are the lowest in the Southeast. States that have similar regulatory commitments in EPA Region 4 collect higher fees for abatement projects and personnel licenses. Past trends in lower revenue were accelerated by an economic downturn and the increasing cost of program implementation that includes growing personnel costs, increased laboratory analysis costs, and higher operations expenses. Budget projections indicate that the current fee structure is not sustainable for the future.

Based on current trends, projected fee revenue will experience a deficit starting in FY25 and may take several years to obtain stakeholder support to change the asbestos regulations to increase fees.

SOLUTION:

State appropriations would fund 4 existing staff to continue:

- issuing timely air asbestos licenses,
- responding to citizen complaints in a timely manner,
- assuring compliance with state and federal asbestos regulations, and
- minimizing public exposure to asbestos.

The agency will continue streamlining the licensing process, refining program costs and revenue projections and working with stakeholders to determine appropriate future funding structures.

IMPACT IF NOT RECEIVED:

1) **Adverse Impact to Economic Development:** The Asbestos Program is critical to South Carolina's economic development. South Carolina is one of the fastest growing states in the U.S. and is experiencing tremendous growth in construction projects that need asbestos licenses to demolish or renovate commercial or industrial buildings. South Carolina has many unused existing structures that could be repurposed. When

JUSTIFICATION OF REQUEST

companies are considering locations to start new businesses and want to repurpose an old facility instead of building a new one, timely issuance of asbestos project licenses is critical to meeting developmental time frames.

2) Not Maintaining Federal Delegation and Regulatory Compliance: The agency's Asbestos program is responsible for ensuring compliance with state and federal regulations. Federal law delegates authority to SC DHEC to implement and maintain a statewide asbestos regulatory program. Without properly trained and experienced staff, the asbestos program cannot issue timely asbestos abatement project and personnel licenses, cannot ensure regulated entities' compliance with the state and federal standards, and cannot adequately prevent asbestos exposure to the public.

METHOD OF CALCULATION:

The requested funding will be used to support staff currently funded through asbestos license fees. The requested funds will be used to support current personnel costs for 4 existing FTEs. Specific asbestos FTEs will be converted to State appropriations. Personnel costs are calculated using current salaries.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	17
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Fiscal Impact of Restructuring - Facilities
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$1,279,867 Federal: \$0 Other: \$0 Total: \$1,279,867
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input checked="" type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
<input type="checkbox"/>	Consulted DTO during development	
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p>This request is necessary to fully implement Act 60 (S.399) of FY23. Without additional funding, the Department of Environmental Services' (DES) ability to implement all goals will not be achieved.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>Funds would be allocated in line with the Fiscal Impact Statement that was submitted by the South Carolina Department of Health and Environmental Control as the bill was being developed. DES will utilize funding for shared services provided by the Department of Admin (Admin). All expenditures will be made in accordance with current state procurement code and personnel guidelines.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

**JUSTIFICATION OF
REQUEST**

The Department of Environmental Services (DES) will become its own cabinet level agency on July 1, 2024. Initial cost estimates provided in the Fiscal Impact Statement detail several items for facilities for DES staff.

Facilities (\$1,279,867)

DES will need to consolidate employees into different buildings if the agencies do not move subject to Proviso 118.22.

\$1,279,867 in recurring funds are needed to cover lease and utility costs for approximately 80,000 additional square feet needed in various locations across the state. Some regional environmental offices are located in county owned buildings. Counties are required to provide space for the state's public health agency, but not for the environmental agency, so DES will need to lease space for staff located in county buildings.

IMPACT IF NOT RECEIVED:

These funds are necessary; otherwise, we must redirect environmental program resources to cover these expenses, delaying the timely delivery of permitting and other services which will impact economic development in the state. Public access to regional offices will be limited and inconvenienced.

METHOD OF CALCULATION:

Potential costs for space needs were based on commercial lease costs estimated at the average price per square foot provided by the Department of Administration. Utility costs were calculated at the national average based on the Commercial Building Energy Consumption Survey.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	19
------------------------	----

Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Additional Federal Authorization to Support Infrastructure Grants
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Provide a brief, descriptive title for this request.

AMOUNT	General: \$0 Federal: \$5,000,000 Other: \$0 Total: \$5,000,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	0.00
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Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input checked="" type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input checked="" type="checkbox"/>	Non-mandated program change in service levels or areas
	<input checked="" type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	<p><i>Strategy 2.3: Provide regulatory oversight and monitoring to ensure water is clean and available for all uses.</i></p> <p>Additional federal authorization will support the spending and implementation of new federal grants which support new infrastructure grant initiatives. These grants support water infrastructure across the state. Progress will be tracked with both grant reports and DES's annual accountability report.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>DES will utilize these grants primarily to assist with permitting of State Revolving Fund-related infrastructure projects.</p> <p>Note that this request is for additional authorization ONLY and is not a request for funding from the state.</p>
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

The Bipartisan Infrastructure Law signed in November 2021 provided over \$47 billion nationally in additional funding for the Clean Water and Drinking Water State Revolving Funds. These revolving loan programs are used by utilities and local governments to support infrastructure investments. DES already implements these programs, and will now review, permit, and oversee projects funded with these additional resources. DES is allowed to reserve a small portion of the annual award to cover staff costs, which amounts to an additional \$3 million in federal spending each year.

These new grants must be budgeted and expended against the Agency's federal authorization levels. An increase of \$5 million in spending authorization is needed to ensure that DES can continue receiving and spending these additional resources.

**JUSTIFICATION OF
REQUEST**

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	3
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Fiscal Impact of Restructuring- IT Needs
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Provide a brief, descriptive title for this request.

AMOUNT	\$5,793,448
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input checked="" type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input checked="" type="checkbox"/>	IT Technology/Security related
	<input checked="" type="checkbox"/>	Consulted DTO during development
	<input checked="" type="checkbox"/>	Request for Non-Recurring Appropriations
	<input type="checkbox"/>	Request for Federal/Other Authorization to spend existing funding
<input checked="" type="checkbox"/>	Related to a Recurring request – If so, Priority # Fiscal Impact of Restructuring- IT Needs	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
<input type="checkbox"/>	Government and Citizens	

ACCOUNTABILITY OF FUNDS	This request is necessary to fully implement Act 60 (S.399) of FY23. Without additional funding, the Department of Environmental Services' (DES) ability to implement all goals will not be achieved.
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	DES will utilize funding for shared services provided by the Department of Admin (Admin).All expenditures will be made in accordance with the current state procurement code.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

**JUSTIFICATION
OF REQUEST**

The Department of Environmental Services (DES) will become its own cabinet level agency on July 1, 2024. Initial cost estimates provided in the Fiscal Impact Statement detail several items needed to launch both agencies.

IT Network/System Separation and Migration (\$5,793,448)

DHEC has been a single entity for over 50 years; accordingly, its IT systems are fundamentally integrated, and its infrastructure is shared agencywide across the state. Currently, the agency maintains one complex network containing business administration and communication software, shared network drives and intranet, as well as databases and records management systems. To unravel this highly integrated network without losing data, threatening security, impeding business continuity, or interrupting public services will be a massive and complex undertaking.

The Department of Administration has performed a preliminary analysis of the strategic division of information technology processes as they pertain to either public health or environmental operations. Based on their assessment, these costs are necessary for the process of establishing new environments for each agency. These separation efforts will require the purchase of new equipment and programs and the use of contractors to augment current staff capabilities.

\$5,793,448 in one-time funds are needed for hardware and vendor support for data migration. Costs are based on current agency charges for shared services and recent costs for data migrations and upgrades.

IMPACT IF NOT RECEIVED:

Without additional funding, we must redirect environmental program resources to cover these expenses, delaying the timely delivery of permitting and other services which will impact economic development in the state.

METHOD OF CALCULATION:

Calculations were based on existing costs and a thorough review of IT and operational needs. IT systems were reviewed for usage and impact. An estimate was made to identify anticipated costs to create new systems for each agency based on current actual charges.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	16
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Department of Environmental Services (DES) Transfer-State Water Plan and River Basin Planning Implementation
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Provide a brief, descriptive title for this request.

AMOUNT	\$2,800,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program change in service levels or areas
	<input checked="" type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
	<input type="checkbox"/>	Request for Non-Recurring Appropriations
<input type="checkbox"/>	Request for Federal/Other Authorization to spend existing funding	
<input type="checkbox"/>	Related to a Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input checked="" type="checkbox"/>	Government and Citizens

ACCOUNTABILITY OF FUNDS	<p>State Water Planning: Measure 1.1.1 Use hydrology information to develop regional water plans to ensure surface and groundwater of suitable quality is available for all users.</p> <p>Funding will support the completion of the State Water Plan as well as the Implementation Plans documented in each River Basin Plan for the eight Planning Basins (Broad, Catawba, Edisto, Lower Savannah-Salkehatchie, Pee Dee, Saluda, Santee, and Upper Savannah). The River Basin Plans are being developed for each Planning Basin under the guidance of the SC State Water Planning Framework. The development of the plans will be led by River Basin Councils, a collection of stakeholders with diverse water interests, appointed in each basin. The River Basin Plans will then be used as a foundation for developing the State Water Plan. This bottom-up approach ensures that state and river basin planning rely on a stakeholder-led process.</p> <p><i>Evaluation:</i> The development and successful implementation of the eight River Basin Plans by the River Basin Councils as evaluated by the Chief Hydrologist and by the stakeholders on the River Basin Councils.</p>
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	Other Operating: Goods and services for program operations obtained by following the State Procurement Code. Funds for some implementation activities may be allocated through a competitive bidding process.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST

The request is prompted by the legislatively described duties in Section 49-3-40 of the Water Resources Planning and Coordination Act. Based on the legislation, the authorization of studies and of the appointment of advisory boards are defined as relevant to development of water policy.

Recent multi-year droughts have stressed the state's surface and groundwater resources. The state is also experiencing significant population growth which will lead to increased water demand. These two factors highlight the need for comprehensive state and river basin planning to ensure enough water is available to support all future uses and to provide for economic growth while protecting the ecological health of the state's water resources. Comprehensive planning includes rigorous hydrologic analyses involving surface water and groundwater models that are essential in evaluating future water availability. River Basin Plans document the results of these hydrologic analyses, specifically, the potential water shortages and other constraints on future water supply. The River Basin Plans also document water management strategies developed by the River Basin Council to address shortages and water supply constraints. The River Basin Plans also include recommendations regarding future technical studies or data needed to improve long-term decision making in the basin.

Each River Basin Plan includes a formal 5-year implementation plan that describes various management strategies to pursue after a River Basin Plan is complete. Implementation Plans include a detailed schedule and budget and provide a framework for RBCs to work with agency staff to accomplish objectives. Successive water resource planning will depend on reaching the goals outlined in each plan and on effective implementation of water management strategies.

Though agency staff will provide technical and logistical support to RBCs to the extent possible for implementation activities, many implementation objectives will require funding to complete. Though funding needs will likely vary from basin to basin, potential funding needs would include:

- hiring contractors to complete hydrologic investigations recommended by RBCs that address basin-specific knowledge gaps
- the collection of additional hydrologic information by outside contractors or for monitoring equipment
- the development of supplemental decision-support tools or models
- basin-wide education and outreach activities
- assistance to water users in the basin to improve water use efficiency and conservation practices
- implementation of other water management strategies recommended by RBC.

Impact: If Implementation Plans are not adequately funded, the effectiveness of River Basin Plans on sound, science-based water management in the state will be severely compromised. The economy and quality of life in South Carolina, which greatly depends on the quantity and quality of our water resources, will be negatively impacted.

Request may create a need for recurring funds to support and maintain future water-planning efforts.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM B2 – NON-RECURRING OPERATING REQUEST

AGENCY PRIORITY	18
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Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Fiscal Impact of Restructuring - Facilities
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Provide a brief, descriptive title for this request.

AMOUNT	\$642,000
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What is the net change in requested appropriations for FY 2024-2025? This amount should correspond to the total for all funding sources on the Executive Summary.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input checked="" type="checkbox"/>	Non-mandated program change in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
	<input checked="" type="checkbox"/>	Request for Non-Recurring Appropriations
	<input checked="" type="checkbox"/>	Request for Federal/Other Authorization to spend existing funding
<input checked="" type="checkbox"/>	Related to a Recurring request – If so, Priority # Fiscal Impact of Restructuring - Facilities	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input checked="" type="checkbox"/>	Public Infrastructure and Economic Development
	<input type="checkbox"/>	Government and Citizens

ACCOUNTABILITY OF FUNDS	This request is necessary to fully implement Act 60 (S.399) of FY23. Without additional funding, the Department of Environmental Services' (DES) ability to implement all goals will not be achieved.
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What specific strategy, as outlined in the most recent Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	DES will utilize funding for shared services provided by the Department of Admin (Admin). All expenditures will be made in accordance with current state procurement code.
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What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

**JUSTIFICATION
OF REQUEST**

The Department of Environmental Services (DES) will become its own cabinet level agency on July 1, 2024. Initial cost estimates provided in the Fiscal Impact Statement detail several items that will require duplication and recreation among the two agencies.

Facility upfitting, staff relocation, signage (\$642,000)

DES will be a need to consolidate employees into different buildings if the agencies do not move subject to Proviso 118.22.

\$642,000 in one-time funds would be needed to move staff from co-located facilities and to replace signage. Updated signage ensures no disruption in services. Utilizing professional moving services will allow for this process to be efficient and timely.

IMPACT IF NOT RECEIVED:

Without additional funding, we must redirect environmental program resources to cover these expenses, delaying the timely delivery of permitting and other services which will impact economic development in the state.

METHOD OF CALCULATION:

Staff moving costs were calculated at \$9,000 per location, based on recent local office relocation costs under state contract.

New signage replacement was estimated based on the number of signs currently in operation at all environmental facilities. Costs were estimated at \$300 per sign.

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM D – PROVISO REVISION REQUEST

NUMBER	34.20
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	DHEC: Allocation of Indirect Cost and Recoveries
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	I. Administration
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Amend
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	N/A
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>As interpreted, the language in the current proviso directs the agency to include both general fund appropriations and earned funds for Administration in our indirect cost calculation. Because the general funds do not need to be recovered, this artificially inflates the rate, which negatively impacts funds for direct services.</p> <p>Regardless of the funding source, an inflated rate reduces the amount of funding available to support direct program services. DHEC wants to clarify the proviso language so that the resources appropriated by the General Assembly are fully available to focus on service delivery.</p> <p>The clarifying language does not change the amount recovered and returned to the state for federal grants as required by law.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

There would be no change to overall agency expenditure or authority levels. This language change would simply redirect funding to direct program services.

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

**PROPOSED
PROVISO TEXT**

The department shall continue to deposit in the general fund all indirect cost recoveries **for the department's portion of the Statewide Central Services Cost Allocation Plan (SWCAP)**. derived from state general funds participating in the calculation of the approved indirect cost rate. Further administration cost funded with other funds used in the indirect cost calculation may, based on their percentage, be retained by the agency **The department shall retain recoveries in excess of the SWCAP amount** to support the remaining administrative costs of the agency.

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM D – PROVISO REVISION REQUEST

NUMBER	34.21
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	Permitted Site Fund
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	II. Programs and Services D. Land and Waste Management
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Codify
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	N/A
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Expending funds from the permitted fund to cover legal costs associated with environmental response needs, regulatory and enforcement to include costs of actions in state and federal courts.</p> <p>Codification has been requested in the event a codification bill is introduced this session.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

None

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

**PROPOSED
PROVISO TEXT**

34.21. (DHEC: Permitted Site Fund) The Department of Health and Environmental Control may expend funds as necessary from the permitted site fund established pursuant to Section 44-56-160(B)(1), for legal services related to environmental response, regulatory, and enforcement matters, including administrative proceedings and actions in state and all federal courts.

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM D – PROVISO REVISION REQUEST

NUMBER	34.25
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	Radiological Health Monetary Penalties
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	II. Programs and Services D. Land & Waste Management
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Amend
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	N/A
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Radiological Health can retain up to \$30,000 of monetary penalties collected to carry out regulatory functions of the program including enforcement. The Radiological Health Bureau has been merged into the Bureau of Land and Waste Management which will be a Division of the new Department of Environmental Services. We recommend changing reference to Bureau of Radiological Health to reflect this. The funds will continue to be directed to the Radiological Health Program.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

None

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

**PROPOSED
PROVISO TEXT**

34.25. (DHEC: Radiological Health Monetary Penalties) In the course of regulating health care facilities/services, the ~~Bureau of Radiological Health (BRH)~~ **Department of Environmental Services (DES)** assesses civil monetary penalties against nonconforming providers. ~~BRH~~ **DES** shall retain up to the first \$30,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to **the radiological health programs in DES.** ~~that Bureau.~~ These funds shall be separately accounted for in the department's fiscal records.

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM D – PROVISO REVISION REQUEST

NUMBER	34.57
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	Permit Extension
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	II. Programs and Services B. Coastal Resource Improvement
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Delete
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	N/A
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>Act 87 of 2023 was ratified and required the Department to extend certain permits, including dock permits, retroactively for the period of January 1, 2020 through December 31, 2023. This joint resolution suspends the running of the time period of the approval during the four-year period from January 1, 2020, through December 31, 2023. For development approvals that were issued before January 1, 2020, the time period is suspended and any time that remained on January 1, 2020, starts running again on January 1, 2024. For development approvals issued between January 1, 2020, and December 31, 2023, the time period will begin to run on January 1, 2024. The Department recommend deletion of this proviso as it has been captured by the Act.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

None

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

PROPOSED PROVISO TEXT

~~**34.57.** (DHEC: Permit Extension) The expiration and any associated vested right of a critical area permit or navigable water permit issued by Department of Health and Environmental Control for the construction of a dock is extended until June 30, 2023-2024, provided the permit is valid on July 1, 2021 or at any time during the previous eighteen months. This provision may not be construed or implemented to:~~

~~(1) extend a permit or approval issued by the United States or its agencies or instrumentalities;~~

~~(2) extend a permit or approval for which the term or duration of the permit or approval is specified or determined pursuant to federal law;~~

~~(3) shorten the duration that a permit would have had in the absence of this provision;~~

~~(4) prohibit the granting of additional extensions provided by law;~~

~~(5) affect an administrative consent order issued by the department which is in effect on, or issued at any time from the effective date of this provision to June 30, 2023-2024;~~

~~(6) affect the ability of a governmental entity to revoke or modify a permit pursuant to law;~~

~~(7) modify a requirement of law that is necessary to retain federal delegation by the State of South Carolina of the authority to implement a federal law or program; or~~

~~(8) affect department's Office of Ocean and Coastal Resource Management permits issued pursuant to R.30-12(N) Access to Coastal Lands~~

~~Within thirty days after the effective date of this act, the department shall place a notice in the State Register noting the extension of expiration dates provided for in this provision.~~

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.

Agency Name:	Department of Environmental Services		
Agency Code:	P500	Section:	55

FORM D – PROVISO REVISION REQUEST

NUMBER	New
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Cite the proviso according to the renumbered list (or mark "NEW").

TITLE	DES: Water Recreational Resources Fund Transfer
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Provide the title from the renumbered list or suggest a short title for any new request.

BUDGET PROGRAM	II.A. Water Management
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Identify the associated budget program(s) by name and budget section.

RELATED BUDGET REQUEST	
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Is this request associated with a budget request you have submitted for FY 2024-2025? If so, cite it here.

REQUESTED ACTION	Add
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Choose from: Add, Delete, Amend, or Codify.

OTHER AGENCIES AFFECTED	Department of Natural Resources
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Which other agencies would be affected by the recommended action? How?

SUMMARY & EXPLANATION	<p>The Aquatic Nuisance Species Program, as created by SC Law Section 49-6-10, works to control aquatic invasive plants in the public waters of SC. The funding of the program includes a portion of the Water Recreation Resource Fund (Water Rec) (12-28-2730). This proviso transfers funding equal to the authorization transferred pursuant to Act 60 of 2023, which transfers the Aquatic Nuisance Species Program from the Department of Natural Resources to the Department of Environmental Services.</p>
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Summarize the existing proviso. If requesting a new proviso, describe the current state of affairs without it. Explain the need for your requested action. For deletion requests due to recent codification, please identify SC Code section where language now appears.

FISCAL IMPACT

None

Provide estimates of any fiscal impacts associated with this proviso, whether for state, federal, or other funds. Explain the method of calculation.

**PROPOSED
PROVISO TEXT**

For the current fiscal year, notwithstanding the provisions of Section 12-28-2730(D), South Carolina Code of Laws, the Department of Natural Resources shall transfer the amount of Seven Hundred and eight thousand (\$708,000.00) Dollars from the special water recreational resources fund to the Department of Environmental Services to fund the hydrology and aquatic nuisance species programs transferred to and devolved upon the Department of Environmental Services pursuant to Act 60 of 2023.

Paste existing text above, then bold and underline insertions and strikethrough deletions. For new proviso requests, enter requested text above.