

Compliance Assistance for Regulatory Relief During the COVID-19 Pandemic
Office of Environmental Affairs
March 26, 2020

The Department is aware that the onset of the COVID-19 pandemic is presenting challenges to our normal ways of living and working. Regulated entities may be experiencing impacts to normal operations such as reductions in workforce and/or inaccessibility to outside, supporting contractors, consultants, deliveries and supplies.

The Department understands these are unprecedented circumstances. Regulated entities should remain diligent in taking safe best efforts to maintain compliance. However, in the event that non-compliance is unavoidable **directly due to impact from COVID-19 and/or related legal restrictions (federal/state/local declarations or orders)**, the Department is prepared to address such issues. The Office of Environmental Affairs (EA) will evaluate each non-compliance situation, or other request for relief, on a timely and consistent basis using:

- Permit flexibility
- Compliance discretion

An electronic mailbox has been set up to receive requests for regulatory relief consideration due to the COVID-19 event:

environmentalcompliance@dhec.sc.gov

This mailbox is monitored throughout the day; messages will be routed to the proper regulatory program area for action. Messages will be responded to no later than one (1) business day. The Department will coordinate with delegating Federal agencies, as needed.

A message to the Department regarding specific requests for regulatory relief must include the following minimum information:

- Facility/entity identifying and descriptive information (*e.g.*, location, permit number, etc.) or identification of representative association and extent of request [*i.e.*, for one (1) entity or one (1) or several sectors]
- Contact information for authorized representative
- Situation or issue for which submittal is made
- Has situation or issue occurred or is anticipated it will occur
- Anticipated needed duration for relief
- Regulatory analysis including rule and/or permit provision citation for which relief is being sought

To ensure a timely response from the Department, the message must be clear, concise and complete.

Regulated entities must maintain records that adequately document activities related to a non-compliance event or issue, including documentation of the entity's best efforts to comply. For example, entities should inform the Department of staffing or compliance plans that depart from regulatory requirements and update the Department should those plans change due to the COVID-19 pandemic.

The mailbox cited above can also be used for general inquiries regarding regulatory relief and potential non-compliance issues during the COVID-19 pandemic. Such inquiries will also be responded to within one (1) business day when at all possible.