

# South Carolina Board of Pyrotechnic Safety Newsletter

2017 Newsletter

## Meeting Dates

The SC Board of Pyrotechnic Safety will meet at the SC Department of Labor, Licensing, and Regulation, Synergy Business Park, Kingstree Building, room 204 at 10 a.m. on the following dates:

- ◆ August 9, 2017
- ◆ November 1, 2017

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## Office Information

### Office Staff

Molly Price - Administrator  
Tyler Kritz - Program Assistant  
Georgia Lewis - Advice Counsel

### Office Contact Information

110 Centerview Drive  
Post Office Box 11329  
Columbia, SC 29211-1329  
Phone: (803) 896-4259  
Fax: (803) 896-9651  
Email: [Contact.Pyro@llr.sc.gov](mailto:Contact.Pyro@llr.sc.gov)  
Website: [www.llr.sc.gov/POL/  
Pyrotechnic/](http://www.llr.sc.gov/POL/Pyrotechnic/)

### Board Office Hours

The Board is open Monday -  
Friday, 8:30 a.m. - 5 p.m., except on  
the following State holidays:

May 29 - National Memorial Day  
July 4 - Independence Day  
September 4 - Labor Day  
November 10 - Veteran's Day  
November 23-24 - Thanksgiving Day  
December 21-26 - Christmas Day

## Board Members

**Rodney L. Wyndham**  
Chairman  
Pyrotechnics Retailer

**Ann M. Graham**  
Vice Chairman  
Fire Service

**Kelly R. Campsen**  
General Public

**Ricky A. Howell**  
General Public

**Joshua D. Spencer**  
General Public

**Gary L. Ward**  
Law Enforcement

**Vacant**  
Pyrotechnics Wholesaler



# Fireworks Recalls

The products below are listed as recalled within the last five years by the Consumer Product Safety Commission. More details can be found at: [www.cpsc.gov/recalls?combine=fireworks](http://www.cpsc.gov/recalls?combine=fireworks)

## Winco Fireworks Black Cat Cone Fountains

When ignited, the device can burst and spread sparks and pyrotechnic materials outward instead of upward as intended, posing fire and burn hazards to bystanders. (7/1/16)

Remedy: Refund / Replace



## North Central Industries Fireworks Fountains

The rear plug of the candle can dislodge while lit, posing burn and fire hazards to the user if the user is holding the device. (12/2/15)

Remedy: Refund



## Fireworks Over America Space Monkey

The lit firework can tip over and fire shells at bystanders posing burn, fire and impact hazards to consumers. (11/6/15)

Remedy: Refund



## Jake's Fireworks YoYo Sparklers

The sparklers burn faster and with a larger flame than normal and can burn down the stick towards users' hands, posing a burn hazard. (7/9/15)

Remedy: Refund



## Big Fireworks Big Sword Fountain Devices

The handheld fountain device can unexpectedly explode, posing a risk of impact and burn to the user. (7/3/14)

Remedy: Refund



## Winco Contraband 24 Canister Shell Fireworks Kits

The shell can blow up in the tube during firing, posing impact and burn hazards to the user and bystanders (7/27/14)

Remedy: Refund



# Permitting Changes

It is time to submit applications for Temporary Retailer Fireworks Permits for the 4<sup>th</sup> of July season. Applications must be submitted to the Board by **June 16, 2017**. Applications submitted after June 16, 2017, **will be subject to a \$200 special processing fee per facility**, no exceptions.

Facility inspections will not be scheduled without a complete application and processed payment (\$100 per facility). The fee stated is for one inspection. Any return inspection resulting from the owner's failure to comply will be charged at a rate of \$75 per hour (including travel time). Incomplete applications will be returned unprocessed.

Applications and instructions are available on the Board of Pyrotechnic Safety's website at:

[www.llr.sc.gov/POL/Pyrotechnic/index.asp?file=pub.htm](http://www.llr.sc.gov/POL/Pyrotechnic/index.asp?file=pub.htm)

Previous versions of this application are no longer accepted and will be returned unprocessed. If you do not have Internet access, please contact the Board's office at (803) 896-4259 to request that an application packet be mailed to you.

Wholesale licenses will be inspected annually beginning with the 2017-18 licensure cycle.

## Licensure Statistics

License/ Permit Type Number	Issued	Revenue
2017 Temp. Fireworks Retailer Permits (New Year's Season)	358	\$35,800
2017 Annual Fireworks Retailer Permit	378	\$75,600
2017 Jobber Licenses	3	\$1,500
2017 Wholesaler Licenses	32	\$40,000
2017 Display Fireworks Magazine Permits	34	\$1,700
	Total	\$154,600

## How to File a Complaint

Licensees and permit holders play an important role in safeguarding the public, and the Board relies on you to advise us when you encounter unprofessional, unethical, or unlicensed activities. We encourage you to file a complaint with the Board if you witness a possible violation. The Board can accept anonymous complaints and pursue them if the related information or documentation is publicly available.

The public relies on you to file a complaint if you suspect violations of Board's statutes or regulations. It is not taken lightly, and will be investigated in a timely manner.

Complaints must be filed through the online complaint form. Instructions on filing complaints are available at:

[www.llr.sc.gov/POL/pyrotechnic/index.asp?file=complaint.htm](http://www.llr.sc.gov/POL/pyrotechnic/index.asp?file=complaint.htm).

# Frequently Asked Questions

## Do I need a permit from the Board to sell “novelty items” such as wedding sparklers, snakes, or snappers?

No. The Board, per S.C. Code of Laws 40-56-35(B)(4), does not require a license for the sale of all fireworks deregulated by the US Department of Transportation. The official guidance and criteria for fireworks novelty devices can be found at: [www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Hazmat/Final\\_Guidance\\_and\\_Criteria\\_For\\_Fireworks\\_Novelty\\_Devices\\_03192015.pdf](http://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Hazmat/Final_Guidance_and_Criteria_For_Fireworks_Novelty_Devices_03192015.pdf).

## Do I need to have insurance?

Yes. The Board, per S.C. Code of Laws 40-56-230, requires that an application for a retail fireworks sales license must be accompanied by evidence that the applicant holds a policy that:

- (1) provides public liability insurance coverage for retail sales activities at the location for the permitted sale period;
- (2) is issued by an insurance company authorized to do business in this State; and
- (3) provides coverage in the following minimum amounts:
  - (a) one million dollars for injuries or damage to any one person in one accident or occurrence;
  - (b) one million dollars for injuries to two or more persons in any accident or occurrence; and
  - (c) one million dollars combined single-limit coverage for any one accident or occurrence.

## How old do you have to be to purchase fireworks?

South Carolina Law states that no person under the age of sixteen (16) shall be sold permissible fireworks.

## Can I sell fireworks from a tent?

No. State law prohibits retail sale of consumer fireworks from a tent, canopy, and membrane structures.

## Can I sell fireworks from a vehicle?

No. Fireworks cannot be sold from vehicles such as cars, vans, buses, or any other motor-driven vehicle.

# Are You Interested in Serving on the Board?

The State Board of Pyrotechnic Safety is composed of seven members appointed by the Governor. One appointee must be employed by a local fire authority, one must be a pyrotechnics retailer, one must be a pyrotechnics wholesaler, one must be a law enforcement representative, and three must be members of the public who do not possess any pecuniary interest in any entity engaged in a business directly involving the sale of pyrotechnics. The terms of office for members are for four years and until their successors are appointed and qualified.

Interested in serving? Please contact Tommy Windsor at 803.734.5086. Interested individuals should complete a resume that includes the following information:

- Education and collegiate achievements.
- Professional experience.
- Professional and technical society activities.
- Civic and humanitarian activities.
- Continuing competence.
- General personal data.
- References or letters of recommendation, if available.

### Submittal information:

The Honorable Henry McMaster  
Office of the Governor  
1205 Pendleton Street  
Columbia, SC 29201  
FAX: (803) 734-5167



## Meet LLR's Director

Emily H. Farr was confirmed as Director of the South Carolina Department of Labor, Licensing and Regulation on March 8, 2017, by the S.C. Senate. She was appointed as LLR's interim director by Governor Nikki R. Haley on August 8, 2016. Farr came to LLR from Haynsworth Sinkler Boyd, P.A., where she focused on employment advice and counsel, consumer financial services litigation, and title insurance defense.

While at the law firm, Farr provided advice and counsel to human resource professionals and employers to identify practical solutions to workplace issues, including drafting company policies and procedures, assisting with the preparation and implementation of employee handbooks, and preparing restrictive covenants severance agreements and independent contractor agreements.

Farr's practice also included title insurance litigation, handling a variety of real estate litigation matters such as quiet title actions, deed and mortgage reformation actions, and lien priority issues. She also handled financial litigation, which involved an array of business and banking matters under federal law, such as the Fair Credit Reporting Act and the Truth in Lending Act, and state law, such as the South Carolina Consumer Protection Code and statutes addressing predatory lending.

Farr graduated from the University of North Carolina at Chapel Hill. She received her law degree from the University of South Carolina School of Law where she was a Petigru Scholarship recipient and served on The South Carolina Law Review as the Student Works Editor. She was also a member of the Order of Wig and Robe and the Order of the Coif.

Currently, Farr serves on the Board of Directors Executive Committee for the Junior Achievement of Greater South Carolina, where she is Program Chair. She also is a member of the South Carolina Bar, the Richland County Bar Association, the Employment & Labor Section of the State Bar, and the Society of Human Resource Management. She is a 2015 graduate of Leadership Columbia.

### We Want to Hear From You

We hope the information in this newsletter is beneficial to you. We welcome you sharing this newsletter and the Board's website with anybody that has an interest in fireworks in South Carolina. If you have questions for the Board or suggestions for a future newsletter, please submit information to: [Contact.Pyro@llr.sc.gov](mailto:Contact.Pyro@llr.sc.gov)