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South Carolina Department of Health
and Environmental Control

# *National Pollutant Discharge Elimination System Permit*
## for Discharge to Surface Waters

### This Permit Certifies That

***SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION***

**has been granted permission to discharge storm water from the municipal separate storm sewer system located in**

***The State of South Carolina***

**to all receiving waters in the State of South Carolina**

**in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, III, IV and V hereof. This permit is issued in accordance with the provisions of the Pollution Control Act of South Carolina (S.C. Code Sections 48-1-10 *et seq.*, 1976), Regulation 61-9 and with the provisions of the Federal Clean Water Act (PL 92-500), as amended, 33 U.S.C. 1251 *et seq.*, the "Act."**

Ann R. Clark

**Ann Clark, Director**
**Storm Water, Construction and Agricultural Permitting Division**
**Bureau of Water**

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| **Issued:** | **October 2, 2006** | **Expires:** | **October 31, 2011** |
| **Effective:** | **November 1, 2006** | **Permit No.:** | **SCS040001** |

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**
**NPDES PERMIT N°: SCS040001**
**SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION**
**MUNICIPAL SEPARATE STORM SEWER SYSTEM**

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# PART I.

## DISCHARGES AUTHORIZED UNDER THIS PERMIT

**A. Permit Area.** This permit covers all areas located within the political boundary of the State of South Carolina and served by Municipal Separate Storm Sewer Systems (MS4) owned or operated by the permittee identified in Part I.C.

**B. Authorized Discharges.** Except for discharges prohibited under Part I.D., this permit authorizes all existing or new storm water point source discharges to waters of the State of South Carolina from those portions of the (MS4) owned, operated or maintained by the permittee (South Carolina Department of Transportation, or SC DOT), including SC DOT rights of way, and SC DOT properties within the State. Discharge of pollutants shall achieve the "effective prohibition" and Maximum Extent Practicable "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act, shall not cause, nor contribute to, violations of South Carolina Water Quality Standards, and shall be in compliance with Total Maximum Daily Loads (TMDLs) where applicable.

**C. Permittee.** The following entity is the permittee subject to the conditions of this permit:

° South Carolina Department of Transportation

References to "permittee" in this permit mean South Carolina Department of Transportation.

1. The permittee is responsible for:

   a. Compliance with permit conditions relating to discharges from portions of the MS4 where the permittee is the operator, including SC DOT rights-of-way and SC DOT properties within the State;

   b. Storm water management program (SWMP) implementation on portions of the MS4 where either, the permittee is the operator, the owner or the responsible party;

   c. Where permit conditions are established for specific portions of the MS4, the permittee need only comply with the permit conditions relating to those portions of the MS4 for which either, the permittee is the owner, the operator or the responsible party;

   d. A plan of action to assume responsibility for implementing storm water management and monitoring programs on its portions of the MS4. (See Part II.H.3. of this permit also.); and,

   e. The permittee (SC DOT) is responsible for any violation of specific standards for ground water quality as outlined in SC regulation 61-68 resulting from runoff discharged into the subsurface via storm water controls or storage / detention. For areas within the boundaries of the MS4 where it is determined by SC DHEC, that there is a potential ground water contamination caused by storm water from the MS4, the permittee will, after proper notification by SC DHEC, develop and upon approval, implement a ground water monitoring plan to monitor compliance with specific standards for ground water. If an

impact to groundwater is confirmed by monitoring results, the permittee, after notification from SC DHEC, will develop a proposal to determine the source and extent of the impact to Soil/Groundwater; and upon approval, implement the assessment. Further, the permittee will, upon notification from SC DHEC, develop, and upon approval, implement a corrective action plan to remediate groundwater, soil and/or other media impacted as determined by the monitoring assessment.

2. For all areas of the MS4 owned or operated by the permittee, the permittee is responsible for:

   a. Submission of annual reporting requirements as specified in Part V.C. (ANNUAL REPORT);

   b. Collection of monitoring data as required by Part V.B.;

   c. Ensuring implementation of system-wide management program elements, including any system-wide public education efforts.

3. For all areas of the MS4 owned or operated by the permittee, the permittee is specifically responsible for permit compliance on portions of the MS4:

   a. Where operational or SWMP implementation authority over portions of the MS4 exist; or,

   b. Where both the owner and the operator are jointly responsible for permit compliance on those portions of the MS4.

**D. <u>Limitations on Coverage.</u>** Section 402(p)(3)(B)(ii) of the Clean Water Act specifically requires the South Carolina Department of Health and Environmental Control (SC DHEC or the Department) to include within this permit an effective prohibition on non-storm water entering the MS4. The following discharges are not authorized by this permit:

1. *Non-storm Water:* discharges of non-storm water, except where such discharges are:

   a. in compliance with a separate NPDES permit; or,

   b. identified by and in compliance with Part II.B.7.a. of this permit.

2. *Spills*: discharges of SC DOT material resulting from a spill, except where such discharges are:

   a. the result of an Act of God where reasonable and prudent measures have been taken to minimize the impact of the discharge; or,

   b. an emergency discharge required to prevent an imminent threat to human health or prevent severe property damage, provided reasonable and prudent measures have been taken to minimize the impact of the discharge.

## PART II.

## STORM WATER MANAGEMENT PROGRAM

A. **Introduction**.

1) The permittee shall develop, revise, and implement a comprehensive SWMP including pollution prevention measures, treatment or removal techniques, storm water monitoring, use of legal authority, and other appropriate means to control the quality of storm water discharged from the MS4. The Storm Water Management Program, SWMP, shall be implemented in accordance with Section 402(p)(3)(B) of the Clean Water Act and South Carolina (SC) Regulation 61-9, Part 122.26; and be consistent with: SC Water Classifications and Standards (SC Regulation 61-68), SC Classified Waters (SC Regulation 61-69) Sections 48-1-10, et seq of the 1976 Code, and, with Storm Water Management and Sediment Reduction Act (SC Regulation 72-300 and 72-400 as applicable) Chapter 14, Title 48, 1976 SC Code, as amended, or similarly applicable statute.

2) Controls and activities in the SWMP shall clearly define areas of permittee jurisdiction, applicability and responsibility on specific area basis. The SWMP shall include controls necessary to effectively prohibit the discharge of non-storm water into the MS4 and to reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable, MEP. The SWMP shall be consistent with the SC Watershed Water Quality Management Strategy (see definition in Part VIII). Compliance with this SWMP shall be reported annually in the ANNUAL REPORT in Part V.C.

3) The SWMP shall cover the term of the permit and shall be updated as necessary, or as required by SC DHEC, to ensure compliance with this statutory requirement of the Clean Water Act Section 402(p)(3)(B). Modifications to the SWMP shall be made in accordance with Part II.H of this permit. Compliance with the SWMP, with the compliance schedules in this Part, and with Parts III, IV, and V of this permit shall be deemed as compliance with this permit. The SWMP, and its updates, submitted by the permittee as scheduled in this permit, upon approval, shall be incorporated into this permit by reference and shall become permit conditions.

4) The environmental provisions included in the SC DOT's technical publication *Requirements for Hydraulic Design Studies* dated July 15, 1997 and all approved updates, or similar guidance, may be consulted in relation to storm water management where applicable. The SC Standards for Storm Water Management and Sediment Reduction (SC regulation 72-300 and 72-400, which ever is applicable, Chapter 72 of the Code of Laws of South Carolina 48-14-10, et. seq) is hereby incorporated into this permit by reference and thus is a condition of this permit. Specific components from these guidance documents and regulations are identified in Parts II and V to serve as measurable enforcement permit conditions.

5) The SWMP, taken as a whole, shall achieve the "effective prohibition" and "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act. The SWMP shall be

consistent with South Carolina Pollution Control Act, Title 48, Chapter 1 of the Code of Laws of South Carolina. The guidance in the SCDHEC Bureau of Water publication entitled "Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters - Maintaining Water Quality Through Storm Water Controls" dated November 1999, or subsequent updates, must be addressed throughout the SWMP and particularly in Parts II.B.2, II.B.4 and II.B.9.

6) The SWMP shall include detailed measures and practices and associated implementation schedules in conformance with Part III.B for each of the categories of SWMP requirements in Part II.B. Once the SWMP is approved by SCDHEC, the measures and practices approved and their associated implementation schedules will become an enforceable permit condition.

7) Maximum extent practicable (MEP) determination basis.

MEP is the technology-based control standard used in the municipal storm water program against which SC DHEC and SC DOT assess whether or not an adequate level of control has been proposed in the storm water management program (SWMP). MEP is applied to all permits issued to municipal separate storm sewer systems, including this one, to achieve greater cooperation and consistency, to reduce conflicts and confusion, and to improve economies of scale in the effort to manage storm water pollution.

a. EPA and SC DHEC Bureau of Water have had the opportunity to review the application submitted by SC DOT to verify that the identified BMPs and measurable goals meet the MEP requirement. If necessary, SC DHEC could ask SC DOT to revise the mix of BMPs to better reflect the requirement. This process will be followed by the actual SWMP implementation by SC DOT.

b. (1) This NPDES individual permit for a large municipal separate storm sewer system (MS4) requires SC DOT to develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants to the maximum extent practicable. SC DOT is expected to reduce the pollutants to the MEP through implementation of the SWMP elements; namely, *Structural Controls and Storm Water Collection System Operation, Areas of New Development and Significant Redevelopment including Post Construction, Existing SC DOT Roadways, Flood Control Projects, Industrial Facilities, Application of Pesticides, Herbicides, and Fertilizers (PHFs), Illicit Discharges and Improper Disposal, Construction Site Runoff, Monitoring Program, and Public Education.*

(2) The pollutant reductions that represent MEP are different for SC DOT given the unique storm water concerns that may exist and the differing possible remedies. Therefore, SC DOT will determine the specific details in each of the SWMP elements that represent MEP through an evaluative process. In this process, SC DHEC Bureau of Water and SC DOT evaluate the proposed SWMP controls to determine whether reduction of pollutants to the MEP could be achieved with the identified BMPs. SC DHEC envisions that this evaluative process will consider such factors as conditions of receiving waters, specific local concerns, and other aspects included in the comprehensive watershed plan.

c. SC DOT is herein required to identify the BMPs and the associated measurable goals for addressing each of the elements in its SWMP. The SWMP performance will be evaluated against MEP criteria including but not limited to:

(1) The effectiveness to address the pollutant(s) of concern,
(2) public acceptance,
(3) cost,
(4) technical feasibility, and
(5) compliance with Federal, State, local laws and all applicable regulations.

d. (1) MEP may be determined through a series of iterations associated with identification and implementation of the SWMP elements. SC DHEC establishes requirements for each of the SWMP elements and requires SC DOT to identify the Best Management Practices (BMPs) to be performed and the measurable goals to be achieved.

(2) Implementation of BMPs consistent with the SWMP pursuant to applicable provisions of SC Water Pollution Control Permits Regulation 61-9 122.26(d) or 122.34 required as a condition of this NPDES MS4 permit will require SC DOT to:

i. develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants from SC DOT MS4 to the MEP,

ii. protect water quality,

iii. satisfy the appropriate water quality requirements of the Clean Water Act,

iv. include in the SWMP elements required under SC Water Pollution Control Permits Regulation 61-9 122.26(d), and,

v. implement the controls to reduce the discharge of pollutants, including management practices, control techniques, and system, design and engineering methods and such other provisions as SC DHEC determines appropriate for the control of such pollutants in order to constitute compliance with the standard of "reducing pollutants to the maximum extent practicable."

(3) For purposes of this permit, narrative effluent limitations requiring implementation of BMPs are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements (including reductions of pollutants to the MEP) and to protect water quality. Implementation of BMPs consistent with the provisions of the SWMP required pursuant to the provisions of the permit constitutes compliance with the standard of reducing pollutants to the "maximum extent practicable."

(4) SC DHEC Bureau of Water and SC DOT acknowledge that control of SC DOT discharges to the MEP is generally expected to protect State water quality standards. SC DHEC Bureau of Water and SC DOT acknowledge that for most

stormwater discharges EPA regulation anticipates and allows for an iterative approach during two to three permit terms to any increase in controls if water quality standards are not met. This approach uses BMPs during this permit, and expanded or more suitable BMPs in subsequent permits, wherever necessary and appropriate to provide for the attainment of water quality standards.

(5) SC DHEC Bureau of Water will specify a period of up to 5 years from the effective date for SC DOT to develop and implement the SWMP in accordance to this permit. Measurable enforcement permit conditions and compliance dates are specified in Parts II, III, IV and V of this permit.

Should there be additional policy and technical guidance developed on the process of evaluating MEP for MS4 permits, such guidance would be applicable to SC DOT large MS4 system addressed by the SWMP requirements. It is important to note that SC DHEC Bureau of Water may develop more stringent requirements than these should water quality merit it.

B. **SWMP Requirements.**

1. *Structural Controls and Storm Water Collection System Operation:* The MS4 and any storm water structural control shall be operated in a manner to reduce the discharge of pollutants to achieve the "effective prohibition" and "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act.

   The permittee listed in Part I.C. of this permit owns, operates, or is responsible for structural controls. The permittee is required to: maintain an internal record keeping system to track inspections and maintenance activities performed during the permit term, provide for maintenance logs and identify specific maintenance activities for each class of control, show how pollutants from private conveyances will be controlled, and, develop guidance on BMPs to ascertain the effectiveness of the SWMP with respect to structural and non-structural controls. The following tasks shall be outlined in the SWMP to be submitted for approval by the Department as a condition of the permit by the SUBMITTED DATE.

   a. A description of existing structural and source controls that control pollutants discharged from the MS4.

   b. A USGS 7.5 minute topographic map (or equivalent topographic map with a scale between 1:10,000 and 1:24,000 if cost effective) extended to include the contributing watershed area for each major outfall. The following information shall be provided:

      (1) location of known municipal storm sewer system outfalls discharging to waters of the United States;

      (2) description of the land use activities (e.g. divisions indicating undeveloped, residential, commercial, agricultural, and industrial uses) accompanied with estimates of population densities and projected growth for a ten year period within

the drainage area served by the separate storm sewer. For each land use type, an estimate of an average runoff coefficient shall be provided;

(3) location and a description of the activities of the facility of each currently operating or closed municipal landfill or other treatment, storage or disposal facility for municipal waste;

(4) location and the permit number of any known discharge to the municipal storm sewer that has been issued a NPDES permit;

(5) location of major structural controls for storm water discharge (retention basins, major infiltration devices, etc.);

(6) identification of publicly owned parks, recreational areas, and other open lands; and,

(7) location of any major outfall that discharges to waters of the State. Provide an inventory, for each watershed, of the name and address, and a description (such as SIC codes) which best reflects the principal products or services provided by each facility which may discharge to the MS4, storm water associated with industrial activity.

c. Prepare a summary of the inspection and maintenance program; describe the facilities inspected, the findings, and the maintenance activities undertaken to maintain the proper operation of the structural controls and storm water collection systems, provide this information in the report along with any modifications in the frequency of inspections and/or maintenance activities planned in the future, re-evaluate the location of representative outfalls and adjust the SWMP accordingly; note specific maintenance practices and activities that are to be used to maintain optimum performance, and, install needed structural control devices.

If these activities are performed by others under a contractual agreement, then the permittee shall retain copies of the contractual agreement which specifies the maintenance activities to be performed and the schedule of frequency. Once the submittal is approved, the submitted schedules will become an enforceable permit condition.

Inspection and maintenance records shall be retained by the permittee in accordance with Part V.G. of this permit. Annual evaluations shall be made to assess the accomplishments of the inspection and maintenance program in maintaining the proper operation of the structural controls. Modifications of the inspection or maintenance activities are allowed, as warranted, to meet MEP. These modifications must follow Part II.H.2.c of this permit. A summary of the annual evaluation and/or any modifications shall be included within the information of the ANNUAL REPORT required under Part V.C.4. of this permit.

2. *Areas of New Development and Significant Redevelopment, including Post Construction:* A comprehensive master planning process (or equivalent) shall be implemented by the

permittee to achieve the "effective prohibition" and "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act to reduce the discharge of pollutants, after construction is completed, from MS4s which receive discharges from areas of new development and significant redevelopment. The comprehensive master planning process shall include provisions to:

a. limit the increases in the discharge of pollutants in storm water as a result of new development to achieve the "effective prohibition" and "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act,

b. reduce the discharge of pollutants in storm water from redeveloped areas to achieve the "effective prohibition" and "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act,

c. establish requirements to effectively prohibit non-storm water discharges to the MS4 and to implement the necessary controls to reduce the discharge of pollutants to the MEP including management practices, control techniques, system design and engineering methods deemed appropriate by SC DHEC for the control of such pollutants through the use of post-construction storm water management BMPs,

d. include clear standards describing the decision process and procedures to developers, design engineers and permittees consistent with specific water quality design criteria, and,

e. identify in the SWMP, at a minimum, the following six (6) components by the SUBMITTED DATE:

   (1) management objectives for streams, wetlands and other receiving waters; Consideration should be given to receiving waters, topography, soil types, ground-water uses potential impacts of the aforementioned, and other relevant factors;

   (2) standards such as design criteria and performance standards for storm water controls for new developments, such as buffer zones, open space preservation, erosion and sediment controls, etc.;

   (3) measures to minimize the effects of new development and redevelopment (widening) of roadways on storm water quality.;

   (4) site development review process for the evaluation and approval of storm water drainage or storm water management programs;

   (5) measures to specifically protect all highly sensitive waters located within the MS4s from industrial and municipal storm water discharges. Development of these measures shall effectively protect not only existing outstanding resource waters (ORWs), natural trout waters (TNs), trout put, grow and take waters (TPGTs) as listed in South Carolina Water Classifications & Standards and Classified Waters (SC R.61-68 and 61-69 respectively), but also drinking water

surface intakes that could be reasonably expected to be adversely impacted by municipal storm water discharges. For construction activities, protection shall be extended during and after construction; and,

(6) measures to address the discharge of pollutants to the impaired waters. Special consideration shall be given to: highly sensitive waters, areas in proximity to drinking water intakes, watersheds for which a TMDL has been approved, areas of development and significant redevelopment where Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters applies to any watershed draining to an impaired waterbody. The SCDHEC Bureau of Water publication entitled," Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters - Maintaining Water Quality Through Storm Water Controls" dated November 1999 or later, as updated should be consulted.

f. *Post Construction:* By the SUBMITTED DATE, describe the decision process and rationale for establishing the post construction storm water program and the expected results. A description of planning procedures including a comprehensive master plan to develop, implement and enforce controls to reduce discharge of pollutants from SC DOT MS4 which receive discharges from areas of new development and significant redevelopment. Such plan shall address controls to reduce pollutants in discharges from MS4s after construction is completed. Include the decision process and the rationale in the second annual report and document modifications in each subsequent annual report. The decision process shall address all of the requirements in Part II.B.2. in accordance with SC Regulation 61-9, 122.26(d)(2)(iv)(A)(2) and 122.34(b)(5). Your post construction program must be fully developed and implemented eighteen months from the effective date of this permit.

3. *Existing SC DOT Roadways:* Public streets, roads and highways, including but not limited to unpaved roads, shall be operated and maintained in a manner to reduce to the *MEP* the discharge of pollutants, including those pollutants related to deicing or sanding activities. Standard road repair practices shall include limiting the amount of soil disturbance to the immediate area under repair and scheduling potential pollutant-causing routine repair work during dry seasons, when possible. SCDOT shall develop and implement a plan to inspect SCDOT owned, operated, or maintained dirt roads that impact waters of the US within the urbanized areas of South Carolina (see Appendix J of the Part 2 application). The inspections should include evaluations of the storm conveyance systems on these dirt roads. From the results of the inspections, a plan will be developed to correct deficiencies that negatively impact water quality. Storm water conveyances which are denuded should be seeded & mulched for rapid revegetation, and these areas should have effective erosion control until stabilized. Should water quality problems exist due to roadway runoff, from existing paved or unpaved roads that the permittee owns, operates, or maintains, water quality improvements, up to roadway runoff capture, shall be accomplished. By the IMPLEMENTED DATE, permittees shall be performing scheduled maintenance activities for storm water structures (i.e., catch basins, etc.) including roadside ditches, and properly dispose of accumulated sediments. The storage piles of salt used for deicing or other road maintenance purposes that generates storm water discharges to the MS4 shall be enclosed or covered to prevent exposure to precipitation, except for exposure resulting from adding materials to or removing materials

from the pile (in order to decrease ground water contamination potential, piles need to be enclosed or covered even where storm water from the pile is not discharged to the MS4, where liquid calcium chloride ($CaCl_2$) is the de-icer of choice, containment shall be incorporated); a program to reduce the pollutants in storm water runoff from areas associated with road repair and from owned or operated equipment yards & maintenance shops that support road maintenance activities shall be implemented; and, road repair practices to reduce the pollutants in storm water runoff from areas associated with road repair, including but not limited to unpaved roads shall be implemented (the practices shall include limiting the amount of soil disturbance to the immediate area under repair and utilizing appropriate storm water erosion & sediment control BMPs until disturbed areas are stabilized, or, in the case of unpaved roads, maintaining BMPs and structural controls as long as the roads remain unpaved)

Interstate Rest Area Management Plan: The permittee shall develop, implement and maintain a storm water runoff management plan for Interstate Rest Areas by the IMPLEMENTED DATE. This plan shall address operation of park and ride areas, parking facilities for RV's, Semi-trucks, cars, walking areas, pet relief areas as well as other functional areas accessible by the traveling public. This plan may include a combination of nonstructural and structural BMPs to reduce to the MEP pollutants associated with these discharges. Each rest area may have its own site specific management plan or there may be one general plan developed and applied to all rest areas.

4. *Flood Control Projects:* Water quality impacts on receiving water shall be assessed for all flood management projects implemented by the SC DOT and identified in the watershed planning process (or equivalent). The feasibility of retrofitting existing structural flood control devices to provide additional pollutant removal from storm water shall be evaluated.
   The permittee shall review existing plans to determine whether the plans call for applicable water quality criteria to be used in the design of future structural flood control devices. By the SUBMITTED DATE, when storm water conveyance upgrades and other capital improvements to the storm sewer system are defined as a result of watershed planning (or equivalent), the permittee shall: include an assessment of water quality impacts; develop procedures and data to establish water quality and hydrologic criteria per watershed; identify and prioritize watersheds by characterization to establish the nature and quantity of non-point pollutants on an ongoing basis; incorporate water quality, whenever and wherever detention is required, to the MEP; use SC Regulations 61-68 and 61-69 when master plans (or equivalent) are created or revised. SCDOT shall take into consideration any impaired water bodies identified under Sections 303(d), 304, 305(b), 314(a) and 319(a) plus estuaries designated under 320 when master plans (or equivalent) are created or revised. Impaired water bodies and their respective parameter(s) of concern (those parameters with violated water quality criteria) shall be effectively addressed in the SWMP. For storm water infrastructure projects proposed in watersheds that drain to impaired water bodies, an assessment of impacts to water quality caused by the discharge of parameter(s) of concern shall be considered in the development of the project. The SCDHEC Bureau of Water publication entitled, "Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters - Maintaining Water Quality Through Storm Water Controls" dated November

1999, or later as updated, should be consulted. Existing and proposed pollution discharge procedures, processes and methods to control the discharge of pollutants from the MS4 into impaired water bodies and publicly owned lakes will be described in the SWMP by this date. Special consideration shall be given to: highly sensitive waters, areas in proximity to drinking water intakes, watersheds for which a TMDL has been approved, areas of development and significant redevelopment where Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters applies to any watershed draining to an impaired waterbody. **See Part IV.C.**

5. *Industrial Facilities:* All SC DOT industrial facilities storm water discharges are permitted by SCR000000 Industrial Storm Water General Permit. The permittee shall review activities completed for compliance with SCR000000 and summarize these for annual reporting as part of the compliance activities for this MS4 permit. Based on this information SC DOT will determine if representative inspections are necessary. If so, SC DOT will conduct random inspections of its industrial facilities and report the results in the annual report.

6. *Application of Pesticides, Herbicides, and Fertilizers (PHFs):* The permittee shall develop and implement a program to reduce pollutants in discharges from the MS4 associated with the application of PHFs to achieve the "effective prohibition" and "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act and provide details of the program developed in the ANNUAL REPORT. The program shall include as appropriate:

   a. an educational program as described in the Part 2 application with the Clemson Extension Service;

      - Development of an inventory of products that may be accepted under the program, and collection of the Material Safety Data Sheets (MSDS) for these products. This publication should be updated annually and made available to SCDOT employees.
      - Identification of transportation, storage and disposal requirements should be published and made available to the public and be posted in any establishment that distributes pesticides, herbicides or fertilizers
      - A shelf-life program for disposal of expired products.

   b. controls to reduce to the MEP, the discharge of pollutants related to the storage and application of PHFs by commercial applicators and distributors, such as restriction of application due to current or forecasted weather conditions;

   c. controls to reduce, to the *MEP,* the discharge of pollutants related to the storage and application of PHFs applied by employees or contractors, to public property and rights of ways;
      - A published list of selected materials and their use. This publication should be updated annually and made available to SCDOT employees.
      - Information about the formulation and instructions for use should be published and available to SCDOT employees.
      - Application methods and estimated quantities to be used including site-specific soil testing to determine appropriate fertilizer application rates;

- Equipment use and maintenance;
- Training in safe use, storage and disposal of pesticides should be made available to anybody and required by those who are applicators of pesticides, herbicides and fertilizers.
- Inspection and monitoring procedures; and
- Record keeping and public notice procedures.

d. encourage the reduction of the discharge of pollutants related to application and distribution of PHFs through minimizing the use of pesticides, herbicides and fertilizers; and,

e. identify all areas known to receive high applications of PHFs, detect improper usage, and prioritize problem areas, require evidence of proper certification and licensing for all applicators contracted to apply pesticides or herbicides.

7. *Illicit Discharges and Improper Disposal:* The permittee shall describe a program, including a schedule, to detect and remove (or require the discharger to the MS4 to obtain a separate NPDES permit for) illicit discharges and improper disposal into the storm sewer. The proposed program shall include:

   a. *Inspection, Policies and Reporting Measures:* A description of a program, including inspections and reporting of illicit discharges to the MS4. This program description shall address all types of illicit discharges; however, the following categories of non-storm water discharges or flows shall be addressed where such discharges are identified by the SC DOT as sources of pollutants to waters of the State:

      - water line flushings,
      - landscape irrigation,
      - diverted stream flows,
      - rising ground waters,
      - uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)) to separate storm sewers,
      - uncontaminated pumped ground water,
      - discharges from potable water sources,
      - foundation drains,
      - air conditioning condensation,
      - irrigation water,
      - springs,
      - water from crawl space pumps,
      - footing drains,
      - individual residential car washing,
      - flows from riparian habitats and wetlands,
      - dechlorinated swimming pool discharges and
      - street wash waters, pavement wash waters (program descriptions shall address discharges or flows from fire fighting only where such discharges or flows are identified as significant sources of pollutants to waters of the State);

The permittee shall identify and report to the Department those non-storm water discharges listed above, as well as any other non-storm water discharges, which will be allowed to be discharged to the MS4; describe any conditions to be placed on these allowable discharges; develop the program to report illicit connections and illegal dumping into the MS4; set a schedule of implementation indicating staff and resources allocation for that purpose; and, describe a program developed to uncover illicit connections to the MS4 by the SUBMITTED DATE. Minimum components of the program are:

- the inspectors reports will be used in enforcement actions,
- a direct link between this SWMP component and the legal authority requirements for the ordinances and orders to effectively prohibit illicit discharges,
- an annual schedule for inspections and an allocation of staff and resources.

The permittee shall maintain an internal log documenting the inspections performed and reporting actions taken. The annual inspection schedule, allotment of staff and resources, inspections performed and reporting actions taken shall all be summarized for each permit year and provided within each ANNUAL REPORT. The permittee shall consider the specific land use and age of development when determining inspection priorities and inspection schedules for this program component. Facility inspections may be carried out in conjunction with other programs , but must include random inspections for facilities not normally visited by the permittee.

One year from the effective date of this permit, the permittee shall have enacted and begin to enforce an encroachment permit process which prohibits illicit connections and illegal dumping into the MS4. It includes but is not limited to provide documentation which establishes the following legal authority:

(a) Control through policy, permit contract, order or similar means, the contribution of pollutants to the municipal storm sewer by storm water discharges associated with industrial activity and the quality of storm water discharged from sites of industrial activity;

(b) Reporting of illicit discharges to the municipal separate storm sewer;

(c) Control through policy, order or similar means the discharge to a municipal separate storm sewer of spills, dumping or disposal of materials other than storm water;

(e) Require compliance with conditions in policies, permits, contracts or orders; and

(f) Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance and noncompliance with permit conditions including the prohibition on illicit discharges to the municipal separate storm sewer.

The permittee shall implement the program developed to enforce policies prohibiting illicit connections and illegal dumping into the MS4 as describe in the proposed

Management one year from the effective date of this permit; and, shall maintain an internal log documenting inspections and reporting actions performed, providing a summary of these reports as described in the proposed management plan.

b. *Dry Weather Field Screening Program:* The permittee shall describe procedures to conduct on-going field screening activities during the life of the permit, including areas or locations that will be evaluated by such field screens. The permittee shall develop and implement a field screening analysis program to detect the presence of illicit connections and eliminate improper discharges to the MS4. The permittee shall incorporate the following into the SWMP:

(1) A dry weather field screening management program to locate and eliminate illicit discharges and improper disposal into the MS4. During dry weather conditions, the municipal separate storm sewer system shall be inspected for suspect flow which would indicate possible illicit connections or illegal discharges. The minimum level of effort for the field screening program shall be based upon sampling of all the major outfalls in a watershed implementation schedule as depicted in part III.B of this permit. The basins sequence is determined by SC DHEC Watershed program five years rotating schedule; hence, no grid shall be used. Each watershed must sample at least one major outfall for each of the land uses characterized in South Carolina Water Pollution Control Permits Regulation 61-9 122.26(d)(1)(iii)(2) and in (d)(2)(iii)(A). In office/commercial, industrial and transportation watersheds, the minimum level of effort shall be based upon sampling a minimum of two major outfalls for each one of the above land uses. . Under this scenario, all watersheds of the MS4 must be screened at least once during the permit term, including agricultural and forested lands. Industrial and heavy commercial areas require more than one outfall sampled in each watershed. Otherwise, a more frequent sampling schedule must be established. In lieu of the watershed sampling, the permittee may choose to conduct field screening at ALL major outfalls, regardless of size, with the exception of those outfalls draining exclusively agricultural or forested lands.

(2) Follow-up activities to eliminate illicit discharges and improper disposal may be prioritized on the basis of magnitude and nature of the suspected discharge; sensitivity of the receiving water; and/or other relevant factors. Screening methodology may be modified based on experience gained during actual field screening activities including a detailed summary of responsibilities for field activity, frequency of inspections, procedures and equipment to be used, and extensive documentation of screening activities both in the field and in the office while performing field screening activities, the permittee shall collect information on outfalls and portions of the MS4 which are not mapped. This updated information shall be added to the database on an ongoing basis including improvements and refinements of a mapping system to manage field screening data.

(3) An internal log documenting the results of all field screening performed shall be maintained. This shall include identification of direct and illicit discharges and an

inspection program to effectively address pollutants of concern by eliminating illicit sources to achieve the "effective prohibition" and "MEP" standards from Section 402(p)(3)(B) of the Clean Water Act. Starting within three months of the EFFECTIVE DATE of this permit, the entire watershed for the year shall be screened. Each subsequent year, a watershed shall be screened. All land uses in the entire MS4 area shall be screened during the permit term at least once / 4 years **OR** beginning within three months of the EFFECTIVE DATE of this permit, all outfalls shall be screened each year with all major outfalls screened at least once / 4 years according to the schedule in Part III.B of this permit.

(4) SC DOT shall: identify all of the outfalls that were not identified previously, describing the method used to identify them by the IMPLEMENTED DATE, and list all known major outfalls located in the MS4 on a map by the REPORTED DATE.

(5) Included as part of this ongoing effort, the permittee shall cooperate with other municipalities to purchase information relating to outfalls that fall within SC DOT jurisdiction. The Permittee shall develop and maintain a database to track all illicit connection and illicit spills activities. The illicit connections database will be used to store the results of the illicit connection investigations of each outfall, generate reports and assist in data analysis.

(6) SC DOT shall develop and maintain a database to contain all illicit SC DOT spill incidences information. This database will act as the maintenance log for SCDOT maintenance facilities. This database will include information that is found onsite during the investigation of a leak, spill or illegal dumping incident such as:

- Toxicity and quantity of any chemicals produced, stored or discharged from the site;
- The history of any NPDES permit violations from a site;
- History of significant leaks or spill of toxic or hazardous pollutants;
- The designated uses of the receiving waters at a site; and
- Inspection and maintenance activities such as containment berm integrity testing, or cleaning of oil/water separators

c. *Investigation of Suspected Illicit and/or Improper Disposal:* The permittee shall develop and implement standard procedures to be followed to investigate portions of the MS4 that, based on the results of the field screen or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-storm water. Notification to the appropriate SC DHEC District Office of any illicit connection shall be a standard procedure. The permittee shall incorporate the following into the SWMP:

(1) Development of standard investigative procedures to investigate, identify and effectively terminate the source of all illicit connection or discharges. There shall be protocols to handle potential violators and polluters. For those illicit discharges identified to be removed and when the elimination of the illicit

connection or the submittal of an NPDES application to SC DHEC is not possible within a specified time frame determined by the permittee, the standard procedures developed shall require that the responsible parties submit for approval a written compliance schedule for the removal of the discharge. In the interim, the permittees shall require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4, or to rectify any environmental impact associated with an illicit discharge. After implementation, provide a summary in of the results of the investigations conducted and the follow-up on enforcement actions by the REPORTED DATE.

(2) Submit in the SWMP, a detailed Standard Operating Procedure (SOP) to identify the job positions and training required for the investigators to be able identify and report conditions in storm water facilities, provide specific laboratory methods and define specific details for the use of the detection systems by the SUBMITTED DATE.

d. *Spill Prevention and Response:* The permittee shall implement procedures to prevent, contain and respond to spills that may discharge into the MS4 from maintenance and equipment yards by effectively mitigating potential pollutant discharges to surface or ground waters. The permittee shall provide for the training of appropriate personnel in spill prevention and response procedures and in techniques to mitigate pollutant discharges from spills to the MS4, surface waters or ground water. Personnel shall be trained to recognize and quickly assess the nature of spills and to promptly report all spills to the appropriate authority. Sources with the greatest potential for spills to occur (or cause the most severe damage) shall be addressed in the SWMP. The program shall address reporting procedures, spills containment, storage and disposal activities, documentation and follow-up procedures. The permittee shall implement the spill-prevention/spill-response plan and procedures, as described in the SWMP, to mitigate pollutant discharges to surface waters from spills. Focus shall be placed on good housekeeping and materials management practices with detailed procedures that address spill prevention, material management practices and good housekeeping measures established at all SC DOT equipment yards & maintenance shops. Special training requirements for employees in these sites who are involved in prevention, response and control of spills of hazardous chemicals from any facility into the storm sewer system shall be identified. The permittee shall also develop and maintain a program to track SC DOT maintenance related spills that are reported and cleaned up, and report this information in the Annual Report. .

e. *Oils, Toxics, and Household Hazardous Waste Control:* The permittee shall prohibit to the MEP the discharge or disposal of used motor vehicle fluids, household hazardous wastes, and trash litter into the MS4.

8. *Construction Site Runoff:* The permittee shall develop and implement a program to reduce erosion and sedimentation at construction sites such that sediment is retained on-site to the MEP.

a. *Site Planning and Non-structural & Structural Best Management Practices:* The permittee shall require the use and maintenance of appropriate structural and non-structural best management practices to reduce pollutants discharged to the MS4 during the time of construction.

The permittee shall implement construction practices and standards through appropriate State laws addressing storm water runoff water quality control requirements for all areas of [new development and significant redevelopment]. Limit clearing, grading and disturbance to preserve existing vegetation, including trees, and pervious soils that attenuate, treat and infiltrate rainfall and runoff. Provide a description and the code excerpt in the report of the regulation(s) in your municipal land development codes (or similar document) which require proper sediment and erosion practices during and after construction and storm water management controls after construction is completed to reduce pollutants from areas of development and redevelopment resulting from that development. This requirement may be satisfied by adopting into the local development codes a section that requires receipt of a SC DHEC permit before issuance of a local building, clearing, or grading permit in accordance to SC Regulations 61-68, 61-69 and 72- 400 or equivalent local ordinance. In the SWMP, incorporate as part of the codes, a list of appropriate storm water management structures and erosion & sediment controls to be used during and after construction to improve water quality and to reduce pollutants from areas of development and redevelopment. The Permittee shall develop a set of Development Standards including design criteria for the use in preparing storm water and sediment and erosion control calculations and plans. These development standards will establish the best methods for improving storm water quality. The permittee will implement requirements that land disturbing development include a plan and description of design features that serve to minimize or reduce to the maximum extent practicable the impact of storm water runoff during construction and development; will include a copy of South Carolina's pollution prevention plan requirements for both NPDES and SC 72-400 in its SWMP; will oversee the development and implementation of construction and pollution prevention plans. SC DOT will make plan approval a pre-requisite to the beginning of construction, will establish a schedule for plan review and approval and will demonstrate that it has the authority to require operators to install and maintain applicable erosion and sediment control plans. The permittee shall revise the SCDOT design manual as needed to reflect new design standards for water quality. As part of this effort, the permittee shall develop a standard checklist for the use in the preparation of construction plans. The checklist will include all requirements for construction plans and address the use of appropriate BMPs. Special consideration shall be given to: highly sensitive waters, areas in proximity to drinking water intakes, watersheds for which a TMDL has been approved, areas of development and significant redevelopment where Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters applies to any watershed draining to an impaired waterbody. New and reviewed storm water management systems shall adhere to the standards set forth in the SC Water Classifications and Standards, in the SC Classified Waters (48-1-10, et seq, S.C. Code of Laws, 1976), and in the SC Storm Water Management and Sediment Reduction

Regulations Chapter 72 and Chapter 14 Title 48 of the Code of Laws of South Carolina.

b. *Inspection and Enforcement:* The permittee shall develop and implement a program for inspecting construction sites and for enforcing the requirement for control measures.

The permittee shall address in the SWMP the following elements:

(1) enhance erosion control during construction and ensure compliance with state storm water requirements by providing more detail of the specific - procedures for handling violations found during inspections, such as methods of serving notice, imposing restrictions, administrative penalties (stop work order);

(2) SC DOT must provide at least one certified inspector for each and every one of its construction sites. The subjects to be addressed in the training program shall be detailed for review including a copy of the inspection procedures;

(3) Include verification that construction sites subject to the NPDES Storm Water Regulations have a Storm Water Pollution Prevention Plan on site, and,

(4) Must comply with the enforceability provisions of South Carolina Water Pollution Control Permits Regulation 61-9 122.26(d)(2)(i)(E)&(F), (iv)(D)(3), 122.34(b)(4)(ii)(F) & (b)(5)(ii)(B) and of the Standards for Storm water Management and Sediment Reduction Regulation 72-430

c. *Site Operator Training:* The permittee shall conduct appropriate education and training measures for construction site operators and those associated with the implementation of proper sediment & erosion control measures at construction sites.

d. Special consideration shall be given to: highly sensitive waters, areas in proximity to drinking water intakes, watersheds for which a TMDL has been approved, areas of development and significant redevelopment where Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters applies to any watershed draining to an impaired waterbody.

9. *Monitoring Program:* The permittee shall develop a monitoring program to meet the requirements of Part V of this permit. In addition, the program shall incorporate monitoring requirements identified in Part IV, if applicable. The elements of the proposed monitoring program shall be described in detail in the SWMP. Particular attention should be paid to the following sections of South Carolina Water Pollution Control Permits Regulation 61-9;
   - 122.21(g)(7),
   - 122.26(d)(1)(iv)(C),
   - 122.26(d)(1)(iv)(D), grid not withstanding,
   - 122.26(d)(2)(ii),
   - 122.26(d)(2)(iii),

- 122.26(d)(2)(iv)(B)(3),
- 122.26(d)(2)(v)

The monitoring program will be established to collect data that can be used to determine when and where BMPs need to be installed in new development or redevelopment projects. Also, where an approved TMDL has identified the SCDOT as a contributor to a particular impairment, the monitoring program will address compliance with the TMDL.

10. *Public Education:* A public education program shall be developed and implemented

    a. The permittee shall develop this program to address specific users of the traveling public such as:
        Truckers
        Garbage haulers
        Septic haulers
        Recreation vehicles
        AAA Carolinas
        Pet owners
        Others as defined with a high potential impact

    b. SCDOT will cooperate to the extent practicable with Clemson Extension Service such that overlapping activities are identified. SCDOT will develop messages for particular groups to be presented at rest areas and overhead signs along interstate highways. SCDOT will work with professional associations such as the Truckers Association, RV Manufacturers Association, etc. to develop messages concerning water quality improvement. SCDOT will adapt existing programs to the extent practicable to incorporate a storm water quality message.

    c. The Public Education program will be outlined and developed in the first year and fully implemented in years two (2) through five (5)

    d. In the first annual report, SC DOT will report on needs identification, pollutant sources, coordination of efforts and measurable goals. The decision making process (what, when, where, who, why and how) should be explained and BMPs specified.

**C. <u>Area-specific SWMP Requirements.</u>** Permit requirements for specific SWMPs are formulated to maintain or improve water quality standards. Section 401 review is initiated by a federal permit. Some of the activities mentioned in the permit (like areas of new development) may require a 401 Certification if they directly involve impacts to waters of the State (including wetlands). Structural practices should be placed on upland soils to the degree attainable as the installation of these and other devices may be subject to Section 404 and/or Section 401 of the Clean Water Act.

**D. <u>Deadlines for Program Compliance.</u>** As provided in Parts II, III and V, compliance with the SWMP shall be required, as indicated in the schedule, from the effective date of the permit.

**E. Roles and Responsibilities of the Permittee.** The SWMP shall clearly identify the role and responsibility of the permittee. Following the effective date of the permit, the SWMP portions developed and implemented must be included in the ANNUAL REPORT covering the permit year in which they were developed and implemented.

**F. Legal Authority.** To the extent allowed by law, the permittee shall ensure legal authority to control discharges to and from the MS4 area over which it has jurisdiction or, in the case of new permittees included after a permit modification, a year after the permit has been modified to reflect the new permittee inclusion. This legal authority may be a combination of statute, ordinance, permit, contract or order with adequate existing legal authority to accomplish items 1 - 6 below.

1. Control the contribution of pollutants to the MS4 by illicit discharges or improper disposal and identify storm water discharges associated with industrial activity within the permitted areas, control the permittee's compliance status with NPDES regulations and control the quality of storm water discharged from sites of industrial activity;

2. Prohibit illicit discharges to the MS4;

3. Prevent, contain and respond to the discharge of spills and the dumping or disposal of materials other than storm water (e.g. industrial and commercial wastes, household waste, trash, used motor vehicle fluids, etc.) into the MS4;

4. Control the contribution of pollutants from one portion of the MS4 to another;

5. Require compliance with conditions in ordinances, permits, contracts or orders; and,

6. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with permit conditions.

**G. SWMP Resources.** The permittee shall provide adequate finances to implement their activities under the SWMP. The permittee shall also have a source of funding for implementing all other requirements included within this NPDES permit.

**H. SWMP Review and Modification.**

1. *Program Review:* The permittee shall conduct an annual review of the current Storm Water Management Program (SWMP) in conjunction with preparation of the ANNUAL REPORT required under Part V.C. of the permit.

2. *Program Modification:* The permittee may modify the SWMP during the life of the permit in accordance with the following procedures:

   a. Modifications adding (but not subtracting nor replacing) components, controls, or requirements to the approved SWMP may be made by the permittee at any time. A description of the modification shall be included within the subsequent ANNUAL REPORT.

b. Modifications replacing an ineffective or infeasible BMP specifically identified in the SWMP with an alternate BMP may be made by the permittee at any time. A description of the replacement BMP shall be included in the subsequent ANNUAL REPORT along with the following information:

(1) an analysis of why the former BMP was ineffective or infeasible (including cost prohibitive);

(2) expectations on the effectiveness of the replacement BMP; and,

(3) an analysis of why the replacement BMP is expected to achieve the goals of the BMP which was replaced.

c. Modifications to adjust the schedule for maintenance activities or the frequency of inspections or monitoring identified in the SWMP may be made by the permittee on an annual basis. The permittee must include in the subsequent ANNUAL REPORT a description of the schedule adjustment along with the following information:

(1) an analysis of why the former schedule was ineffective or infeasible;

(2) expectations on the effectiveness of the replacement schedule; and

(3) an analysis, if applicable, of why the replacement schedule will ensure the optimization of equipment use.

d. Modifications subtracting components, controls, or requirements of the SWMP may not be made by the permittee UNLESS it can be clearly demonstrated that with the elimination of this component, the SWMP will continue to achieve a reduction in pollutants to the MEP and shall not cause or contribute to violations of the South Carolina Pollution Control Act and Water Quality Classification and Standards. In the case where this type of modification is appropriate, the permittee may make the required modification and shall include in the subsequent ANNUAL REPORT, a description of the component which has been eliminated along with the following information:

(1) an analysis of why the component was ineffective or infeasible,

(2) assurance that the elimination of the component will neither cause a transfer of contaminants to ground water, nor contribute to exceed standards, and,

(3) a detailed explanation of why, with the elimination of this component, the SWMP will continue to achieve a reduction in pollutants to the MEP and shall not cause or contribute to violations of the South Carolina Pollution Control Act Chapter 1 Title 48 of the Code of Laws of South Carolina.

e. Modifications included within the ANNUAL REPORT shall be signed in accordance with Part VI.H.

3. *Transfer of Ownership, Operational Authority or Responsibility for Storm Water Management Program Implementation:* The permittees shall implement the SWMP on all new areas added to its portion of the Municipal Separate Storm Sewer System (or for which the permittee become responsible for implementation of storm water quality controls) as expeditiously as practicable. Implementation of the program in any new area shall consider the plans in the SWMP of the previous MS4 ownership.

## PART III. SCHEDULES FOR PERMIT IMPLEMENTATION AND COMPLIANCE

### A. WATERSHED MANAGEMENT

The permit will be implemented in five phases as indicated in the Table below. Each phase corresponds to the basin scheduled for permitting according to South Carolina DHEC's Watershed Program Five Year Rotating Basin Schedule and their respective 11 Digit Hydrologic Unit Codes (HUCs). The only deviation allowed from this must be justified by the number of impaired stations in a given basin according to the table included in Part IV.

There are four priority watersheds in the State of South Carolina designated by US EPA they are:

The entire Upper Saluda HUC 03050109 (From the Mountains above Greenville to the Lake Murray Dam),

The entire Middle Savannah HUC in SC 03060106 the area around Aiken to the Savannah river,

The Seewee to Santee area which is the upper portion of the eleven digit 0305022060 watershed, and,

The Lower Edisto-03050205

| | | |
|---|---|---|
| 200[illegible] | Broad | 03050106060 (4), 03050106070 (2), 03050106090 (1) |
| | | **03050105150 (3), 03050105160 (2), 03050107010 (4), 03050107040 (3)** |
| | | **03050108010 (17)** |
| | | 03050106050 |
| | | 03050105090 (7), 03050105110 (1), 03050105130 (6), 03050105170 (4), 03050105180 (5), 03050105190 (2), 03050107020 (2), 03050107030 (1), 03050107060 (13) |
| **2008** | Savannah | 03060101040, 03060103030 (1), 03060103070 (6), 03060103080 (1), 03060101100 |
| | | 03060106050, 03060106060 (4), 03060106070 (1), 03060106100*, 03060107040 |
| | | 03060101040, 03060101070, 03060101090 |
| | | 03060101060 (1), 03060101070 (4), 03060101090 (6), 03060101100 (1) |
| | | 03060103150 (3), 03060107010 (2) |
| | Salkehatchie | *03050208090*, 03050208100 (5), 03050208110 |
| **2009** | Saluda | 03050109070, 03050109090 (3) |
| | | **03050109190 (1), 03050109210 (7), 03050110010**, 03050110020 (4), **03050110030, 03050110050, 03050110060, 03050110070** |
| | | **03050109010 (1), 03050109020 (3), 03050109040 (5)**, 03050109050 (2), 03050109060 (1), **03050109080, 03050109100, 03050109110, 03050109120 (2)**, 03050109130 **(4)** |
| | | 03050109140 |
| | | 03050109150 (3) |
| | Edisto | 03050204020 |
| | | 03050203060, 03050203070, 03050203080, 03050206020 |
| **2010** | Catawba | 03050101180 (2), 03050103020 |
| | | **03050104030, 03050104060 (1), 03050104090 (2), 03050104100** |
| | | 03050101190 (2), 03050103010 (4), 03050103050 (3), 03050103060 (6), 03050103070 (2) |
| | | 03050104030 |
| | Santee | *03050111010 (1)* |
| | | 03050201050, 03050201060, 03050201070, 03050201080 (1), *03050202010*, 03050202020 (1), 03050202030 (2), 03050202040 (1), 03050202050, 03050202060, 03050202070 |
| **2011** | Pee Dee | 03040201110, *03040201120*, 03040201130 (1), *03040202120* |
| | | 03040206090, 03040206120, 03040206130, 03040206140 (6), 03040206150 (2), 03040207020 (12) |
| | | *03040205050, 03040205060*, 03040205080 (3), 03040205090 |

*HUCs with no impaired waterbodies in them

(n) Number in parenthesis represents the TMDL stations count

The above table is for general information purposes. For up-to-date information, please visit

http://www.scdhec.gov/eqc/water/html/tmdl.html, or
www.scdhec.gov/water/tmdl

## B. SWMP IMPLEMENTATION

The implementation of the permit is progressive. It means that during the first year, the general approach to the SWMP and the first basin is implemented. This implementation continues while the second basin is implemented during the year indicated. By the end of the permit term, the permit will be implemented in all five basins. The milestones to be implemented are depicted in the following table.

NPDES MS4 Permit SCS040001- SCDOT –SWMP Implementation Schedule

| Fiscal Year | Urbanized Areas-MS4s | SWMP Compliance Implementation Schedule |
|---|---|---|
| **2007**<br>Broad | Columbia UA, Greenville UA, **Greenville County**<br>Mauldin-Simpsonville UA, Newberry, **Richland County,**<br>Spartanburg UA | Submitted: 6 months from the effective date<br>Implemented: 12 months from the effective date<br>Reported, corrections included: 21 months from the effective date of the permit |
| **2008**<br>Savannah | Anderson-Augusta UAs, Clemson, Greenville UA,<br>Greenwood | Submitted: 15 months from the effective date<br>Implemented: 24 months from the effective date<br>Reported, corrections included: 33 months from the effective date of the permit |
| Salkehatchie | Beaufort, Hilton Head | Same as the Savannah basin |
| **2009**<br>Saluda | Anderson County, Anderson&ColumbiaUAs,<br>**Columbia,** GreenvilleUA, **Greenville County,** Mauldin-<br>SimpsonvilleUA, Greenwood, Newberry, **Richland County** | Submitted: 27 months from the effective date<br>Implemented: 36 months from the effective date<br>Reported, corrections included: 45 months from the effective date of the permit |
| Edisto | Augusta UA, Orangeburg | Same as the Saluda basin |
| **2010**<br>Catawba | Charlotte&ColumbiaUAs, Fort Mill, Tega Cay **Richland County,**<br>Rock Hill & Sumter UAs | Submitted: 39 months from the effective date<br>Implemented: 48 months from the effective date<br>Reported, corrections included: 52 months from the effective date of the permit |
| Santee | Charleston UA | Same as the Catawba basin |
| **2006**<br>Pee Dee | Florence, Myrtle Beach & Sumter UAs | Submitted: 50 months from effective date<br>Implemented: 59 months from effective date<br>Reported, corrections included: *Implied date* No later than 64 months from the effective date of this permit. |

## Scheduled Implementation of NPDES Requirements for the 5 Year Period

| Year 1 Activities |
|---|
| **Legal Authority Requirements**<br>• Update encroachment Permit process<br>• Develop a standard environmental section for all contracts |
| **Source Identification Requirements**<br>• Acquire outfall data<br>• Analyze data to identify potential illicit discharges |
| **Characterization Data Requirements**<br>• Perform an evaluation of characterization data from other South Carolina Large MS4s for applicability to SCDOT regulated outfalls<br>• Perform a review of the existing literature search to determine if updates are appropriate (Literature search performed as part of the Permit Application Process) |
| **Commercial and Residential Program NPDES Requirements**<br>• Inspect the SC DOT dirt roads located within SC urban areas that impact waters of the US<br>• Develop a plan to address deficiencies identified during inspections of dirt roads<br>• Develop a plan to evaluate water quality impacts of conveyance system upgrades<br>• Continue to promote Herbicide/Pesticide/Fertilizer – Use training<br>• Develop methodology for tracking inventory and proper disposal of herbicides/pesticides/fertilizers<br>• Develop a shelf life program for disposal of expired herbicides/pesticides/fertilizers |
| **Construction Sites Program NPDES Requirements**<br>• Revise design manual for construction activities<br>• Develop protocol to ensure that plans are NPDES compliant<br>• Continue training for contractors and engineers to provide water quality BMP training for employees, contractors, consultants<br>• Establish standards for the use of various erosion control products, TRMs and other devices<br>• Develop NPDES related inspection procedures, including checklists for inspectors for construction sites |
| **Structural Controls Program NPDES Requirements**<br>• Inspect existing or newly constructed basins and ponds<br>• Conduct maintenance activities on SCDOT owned structures, including clean up and sediment removal as needed<br>• Document inspection and maintenance activities<br>• Include in planning process procedure to identify land area necessary to install water quality controls |

## Scheduled Implementation of NPDES Requirements for the 5 Year Period

| Year 1 Activities (contd.) |
|---|
| **Illicit Discharge Detection and Removal Programs NPDES Requirements**<br>• Create a database to track and document field screening data<br>• Identify and report illicit discharges<br>• Develop a method for tracking spills at SCDOT maintenance facilities<br>• Coordinate with Clemson Extension Service and SCDHEC to provide public education program<br>• Develop educational materials describing SCDOT's water quality efforts<br>• Develop a used oil and toxics recycling program for all SCDOT maintenance facilities |
| **Assessment of Controls Requirements**<br>• Determine appropriate BMPs for highway construction<br>• Develop baseline survey for highway users to assess knowledge about storm water discharges from SCDOT systems |
| **Annual Report NPDES Requirements**<br>• Develop an NPDES activity tracking database<br>• Prepare the Year 1 annual report |

## Scheduled Implementation of NPDES Requirements for the 5 Year Period

| Year 2 Activities |
|---|
| **Source Identification Requirements**<br>• Acquire outfall data<br>• Analyze data to identify potential illicit discharges |
| **Characterization Data Requirements**<br>• Perform an evaluation of characterization data from other South Carolina Large MS4s for applicability to SCDOT regulated outfalls<br>• Perform review of existing literature search to determine if updates are appropriate |
| **Commercial and Residential Program Requirements**<br>• Inspect the SC DOT dirt roads located within SC urban areas that impact waters of the US<br>• Develop a plan to address deficiencies identified during inspections of dirt roads<br>• Continue to promote Herbicide/Pesticide/Fertilizer – Use training<br>• Address water quality impacts of conveyance system upgrades on SCDOT construction projects |
| **Construction Sites Program NPDES Requirements**<br>• Develop a set of review standards that reflect water quality requirements<br>• Develop a checklist for use in preparation of construction plans for submittal including standardized symbols<br>• Require utility contractors to obtain encroachment permits and become co-permitees or work through a Utility agreement to address NPDES requirements<br>• Continue training for contractors and engineers ,and provide water quality BMP training for employees, contractors, and consultants<br>• Implement water quality inspection procedures for construction sites |
| **Structural Controls Program NPDES Requirements**<br>• Inspect existing or newly constructed basins and ponds<br>• Conduct maintenance activities on SCDOT owned structures, including clean up and sediment removal as needed<br>• Document inspection and maintenance activities |
| **Illicit Discharge Detection and Removal Programs NPDES Requirements**<br>• Identify and report illicit discharges<br>• Coordinate with Clemson Extension Service and SCDHEC to provide public education program<br>• Distribute educational materials describing SCDOT's water quality efforts<br>• Report all used oil and toxics recycling from SCDOT maintenance facilities |
| **Annual Report NPDES Requirements**<br>• Prepare the Year 2 annual report |

## Scheduled Implementation of NPDES Requirements for the 5 Year Period

| Year 3 Activities |
|---|
| **Source Identification Requirements**<br>• Acquire outfall data<br>• Analyze data to identify potential illicit discharges |
| **Characterization Data Requirements**<br>• Perform an evaluation of characterization data from other South Carolina Large MS4s for applicability to SCDOT regulated outfalls<br>• Perform review of existing literature search to determine if updates are appropriate |
| **Commercial and Residential Program Requirements**<br>• Inspect the SC DOT dirt roads located within SC urban areas that impact waters of the US<br>• Develop a plan to address deficiencies identified during inspections of dirt roads<br>• Continue to promote Herbicide/Pesticide/Fertilizer – Use training<br>• Address water quality impacts of conveyance system upgrades on SCDOT construction projects |
| **Construction Sites Program NPDES Requirements**<br>• Implement review standards that reflect water quality requirements<br>• Implement checklist for use in preparation of construction plans for submittal including standardized symbols<br>• Require utility contractors to obtain encroachment permits and become co-permitees or work through a Utility agreement to address NPDES requirements<br>• Continue training for contractors and engineers ,and provide water quality BMP training for employees, contractors, and consultants<br>• Implement water quality inspection procedures for construction sites<br>• Develop an annual training program for maintenance personnel, inspectors, and contractors |
| **Structural Controls Program NPDES Requirements**<br>• Inspect existing or newly constructed basins and ponds<br>• Conduct maintenance activities on SCDOT owned structures, including clean up and sediment removal as needed<br>• Document inspection and maintenance activities |
| **Illicit Discharge Detection and Removal Programs NPDES Requirements**<br>• Identify and report illicit discharges<br>• Coordinate with Clemson Extension Service and SCDHEC to provide public education program<br>• Distribute educational materials describing SCDOT's water quality efforts<br>• Report all used oil and toxics recycling from SCDOT maintenance facilities |
| **Annual Report NPDES Requirements**<br>• Prepare the Year 3 annual report |

## Scheduled Implementation of NPDES Requirements for the 5 Year Period

| Year 4 Activities |
|---|
| **Source Identification Requirements**<br>• Acquire outfall data<br>• Analyze data to identify potential illicit discharges |
| **Characterization Data Requirements**<br>• Perform an evaluation of characterization data from other South Carolina Large MS4s for applicability to SCDOT regulated outfalls<br>• Perform review of existing literature search to determine if updates are appropriate |
| **Commercial and Residential Program Requirements**<br>• Inspect the SC DOT dirt roads located within SC urban areas that impact waters of the US<br>• Develop a plan to address deficiencies identified during inspections of dirt roads<br>• Continue to promote Herbicide/Pesticide/Fertilizer – Use training<br>• Address water quality impacts of conveyance system upgrades on SCDOT construction projects |
| **Construction Sites Program NPDES Requirements**<br>• Implement review standards that reflect water quality requirements<br>• Implement checklist for use in preparation of construction plans for submittal including standardized symbols<br>• Require utility contractors to obtain encroachment permits and become co-permitees or work through a Utility agreement to address NPDES requirements<br>• Continue training for contractors and engineers ,and provide water quality BMP training for employees, contractors, and consultants<br>• Implement water quality inspection procedures for construction sites<br>• Continue annual training program for maintenance personnel, inspectors, and contractors |
| **Structural Controls Program NPDES Requirements**<br>• Inspect existing or newly constructed basins and ponds<br>• Conduct maintenance activities on SCDOT owned structures, including clean up and sediment removal as needed<br>• Document inspection and maintenance activities |
| **Illicit Discharge Detection and Removal Programs NPDES Requirements**<br>• Identify and report illicit discharges<br>• Coordinate with Clemson Extension Service and SCDHEC to provide public education program<br>• Distribute educational materials describing SCDOT's water quality efforts<br>• Report all used oil and toxics recycling from SCDOT maintenance facilities |
| **Annual Report NPDES Requirements**<br>• Prepare the Year 4 annual report |

## Scheduled Implementation of NPDES Requirements for the 5 Year Period

| Year 5 Activities |
|---|
| **Source Identification Requirements**<br>• Acquire outfall data<br>• Analyze data to identify potential illicit discharges |
| **Characterization Data Requirements**<br>• Perform an evaluation of characterization data from other South Carolina Large MS4s for applicability to SCDOT regulated outfalls<br>• Perform review of existing literature search to determine if updates are appropriate |
| **Commercial and Residential Program Requirements**<br>• Inspect the SC DOT dirt roads located within SC urban areas that impact waters of the US<br>• Develop a plan to address deficiencies identified during inspections of dirt roads<br>• Continue to promote Herbicide/Pesticide/Fertilizer – Use training<br>• Address water quality impacts of conveyance system upgrades on SCDOT construction projects |
| **Construction Sites Program NPDES Requirements**<br>• Implement review standards that reflect water quality requirements<br>• Implement checklist for use in preparation of construction plans for submittal including standardized symbols<br>• Require utility contractors to obtain encroachment permits and become co-permitees or work through a Utility agreement to address NPDES requirements<br>• Continue training for contractors and engineers ,and provide water quality BMP training for employees, contractors, and consultants<br>• Implement water quality inspection procedures for construction sites<br>• Continue annual training program for maintenance personnel, inspectors, and contractors |
| **Structural Controls Program NPDES Requirements**<br>• Inspect existing or newly constructed basins and ponds<br>• Conduct maintenance activities on SCDOT owned structures, including clean up and sediment removal as needed<br>• Document inspection and maintenance activities |
| **Illicit Discharge Detection and Removal Programs NPDES Requirements**<br>• Identify and report illicit discharges<br>• Coordinate with Clemson Extension Service and SCDHEC to provide public education program<br>• Develop educational materials describing SCDOT's water quality efforts<br>• Report all used oil and toxics recycling from SCDOT maintenance facilities |
| **Assessment of Controls Requirements**<br>• Conduct follow up survey of highway users to assess public education program success |
| **Annual Report NPDES Requirements**<br>• Create Year 5 annual report |

## PART IV. NUMERIC EFFLUENT LIMITATIONS, TMDLs, AND IMPAIRED WATERS

**NUMERIC EFFLUENT LIMITATIONS.** There are no numeric effluent limitations at the time of permit issuance. Should the need arise for an effluent limitation, a permit modification may be necessary and the permit can be reopened according to Part VII. The permit modification should reflect the terms of compliance with the effluent limitation(s) imposed.

### B. TOTAL MAXIMUM DAILY LOADS (TMDLs).

1. *General.* In the first Annual Report after issuance of this permit, the permittee shall identify the watersheds of impaired monitoring stations and the location of all known MS4 major outfalls discharging a pollutant of concern in these watersheds. The permittee shall propose a monitoring plan in the SWMP to address the pollutants of concern. The monitoring plan shall include the sampling type, frequency, any seasonal considerations and an implementation schedule to start monitoring for each pollutant of concern. The monitoring plan must also include a schedule for the permittee to confirm the location of all MS4 major outfalls discharging a pollutant of concern to these watersheds. Subsequent Annual Reports will include an assessment of the data for each pollutant of concern, and an assessment of the effectiveness of the BMPs employed to determine what, if any, additional adaptive BMP measures may be necessary to contribute towards returning the stream to compliance with State water quality standards (Following any review or comment on the monitoring plan by SCDHEC, the permittee will incorporate any necessary changes into the monitoring plan). All storm water outfalls from SCDOT, discharging anywhere to the waters of the State of South Carolina, are permitted under this MS4 permit. Since these outfalls are permitted point sources, they may become part of the wasteload allocation (WLA), in the event a TMDL is approved for the watershed in which they discharge. The permittee shall be responsible for implementation of its allocated portion of the TMDL.

2. Implementation of the permittee's allocated portion of an existing TMDL, approved no later than four months prior to the EFFECTIVE DATE of this permit, shall consist of incorporating into the SWMP:

   a. Measures to meet the goal reduction of the TMDL
   b. A schedule to accomplish the measures, and
   c. The approved schedule

   The approved schedule becomes a permit requirement, as scheduled in Part III, as follows:

   (1) The approved TMDL requirements that are applicable to the permittee shall be incorporated into the first SWMP update after the permittee's allocated portion of the TMDL has been determined.

   (2) When the SWMP submittal date in Part III is scheduled earlier than three months after the permittee's allocated portion of the TMDL has been determined, the SWMP update addressing the permittee's allocated portion of the TMDL addition shall be submitted no later than the succeeding SWMP submittal date scheduled in Part III regardless of watershed.

   (3) *Applicable to all TMDLs.* The SWMP will include a description of the BMPs and implementation procedures used to comply with approved and applicable TMDLs. Any limitations, conditions, and requirements contained within the TMDL including monitoring and reporting requirements will be incorporated into the SWMP. Applicable limitations, conditions, and requirements contained within the TMDL are those

limitations, conditions, and requirements set forth in the TMDL implementation plan and attributed specifically to SCDOT. Control of SCDOT discharges to the maximum extent practicable is expected to protect state water quality standards. This permit allows for an iterative approach if water quality standards are not met. The SCDOT will evaluate progress towards compliance with TMDL goals on an annual basis and adjust BMPs as appropriate and report these modifications in the annual report. It is the responsibility of the permittee to keep abreast of approved TMDLs by visiting http://www.scdhec.gov/eqc/water/html/tmdl.html.

(4) Effluent limitations, when determined by the Department to be necessary, will be imposed by modification of this permit in accordance with SC Regulation 61-9.

C. **IMPAIRED WATER BODIES**. The SWMP will address discharges to impaired water bodies and the TMDLs listed in the Approved TMDL and in http://www.scdhec.gov/eqc/water/html/tmdl.html The list of impaired water bodies (303(d) list) is updated every two years. For the water bodies listed, the goal is to restore their use by abating the pollutants that cause their impairment, the pollutants of concern. For the water quality stations showing impairment, pollutant reduction loads are prescribed by the Department to the sources contributing pollutants of concern to the watersheds upstream to the impaired stations, these are TMDLs. The goal of the TMDLs is to restore the water quality of the streams to a level such water quality standards are met and the stations are no longer deemed impaired. This is a very dynamic process. It is the responsibility of the permittee to keep abreast with the development of the 303(d) list as well as with the issuance of TMDLs. As TMDLs are approved, impaired stations are removed from the 303(d) list. Once water quality standards are met and the uses are sustained, TMDLs are no longer in effect once the pollutant reduction goals are met. The permittee shall, no earlier than THREE (3) MONTHS BEFORE THE SUBMITTED DATE, assess the status of the 303(d) list and the list of approved TMDLs per watershed. The water bodies listed in the 303(d) list have a notation indicating the ones for which TMDLs will be developed the two years following the list's publication. SC DHEC maintains a web site, www.scdhec.gov/water/tmdl, that is updated periodically and includes TMDLs under development. The SWMP shall consider the information contained in the SCDHEC Bureau of Water publication entitled, *"Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters - Maintaining Water Quality Through Storm Water Controls"* dated November 1999, or its updates, no later than SIX (6) MONTHS FROM THE EFFECTIVE DATE OF THE PERMIT when addressing discharges from the MS4 to 303(d) and TMDL water bodies.

**Number of Stations Impaired and with TMDLs as of September 2005**

| FY | Basin | Urbanized Area | MS4s | Urbanized Hydrologic Unit Codes (HUCs) | Impaired / TMDL Stations |
|---|---|---|---|---|---|
| 07 | Broad | GREENVILLE MAULDIN SIMPSONVILLE | Greenville County, Greenville, Greer, Mauldin, Simpsonville, Travelers Rest | 03050108010 | 25 / 17 |
| 07 | Broad | SPARTANBURG | Spartanburg County, Spartanburg | 03050107060 | 14 / 13 |
| 07 | Broad | | Cherokee County Gaffney | 03050105090 | 7 / 7 |
| 07 | Broad | COLUMBIA | Richland County, Columbia, Irmo | 03050106060 | 7 / 4 |
| 07 | Broad | | Richland County | 03050106090 | 0 / 1 |
| 07 | Broad | GREENVILLE | Greenville County, Spartanburg County, Greenville, Greer | 03050107010 | 7 / 4 |
| 07 | Broad | SPARTANBURG | Cherokee County Cowpens, Gaffney Spartanburg County | 03050105130 | 6 / 6 |
| 07 | Broad | SPARTANBURG | Inman, Wellford Spartanburg, Spartanburg County | 03050105180 | 6 / 5 |
| 07 | Broad | | Spartanburg County | 03050105150 | 4 / 3 |
| 07 | Broad | | Cherokee County, Gaffney | 03050105110 | 3 / 1 |
| 07 | Broad | SPARTANBURG | Cherokee County, Cowpens, Spartanburg County | 03050105170 | 3 / 4 |
| 07 | Broad | SPARTANBURG | Spartanburg County | 03050105190 | 3 / 2 |
| 07 | Broad | SPARTANBURG | Lyman, Wellford, Spartanburg County | 03050107020 | 3 / 2 |
| 07 | Broad | GREENVILLE | Greenville County, Spartanburg County | 03050107040 | 3 / 3 |
| 07 | Broad | SPARTANBURG | Greenville County Spartanburg County | 03050105160 | 2 / 2 |
| 07 | Broad | | Newberry | 03050106050 | 2 |
| 07 | Broad | | Richland County | 03050106070 | 2 / 2 |
| 07 | Broad | SPARTANBURG | Spartanburg County | 03050107030 | 1 / 1 |
| 08 | Salkehatchie | | Beaufort County Beaufort | 03050208100 | 13 / 5 |
| 08 | Salkehatchie | | Beaufort, Beaufort County | 03050208090 | 12 |

| FY | Basin | Urbanized Area | MS4s | Urbanized Hydrologic Unit Codes (HUCs) | Impaired / TMDL Stations |
|---|---|---|---|---|---|
| | | | Hilton Head island | | |
| 08 | Salkehatchie | | Hilton Head Island | 03050208110 | 2 |
| 08 | Savannah | ANDERSON | Anderson County, Anderson, Belton | 03060103070 | 9 / 6 |
| 08 | Savannah | ANDERSON | Anderson County, Anderson | 03060103030 | 8 / 1 |
| 08 | Savannah | | Greenwood County Greenwood | 03060103150 | 7 / 3 |
| 08 | Savannah | AUGUSTA | Aiken County, Aiken, Burnettown, North Augusta | 03060106060 | 7 / 4 |
| 08 | Savannah | GREENVILLE | Anderson County, Clemson, Easley, Liberty, Pickens, Pickens County, | 03060101090 | 6 / 6 |
| 08 | Savannah | | Clemson, Anderson County, Pickens County | 03060101040 | 5 |
| 08 | Savannah | | Greenwood County Greenwood | 03060107010 | 5 / 2 |
| 08 | Savannah | AUGUSTA | Aiken County, North Augusta | 03060106050 | 4 |
| 08 | Savannah | AUGUSTA | Aiken County, Edgefield County, North Augusta | 03060107040 | 2 |
| 08 | Savannah | GREENVILLE | Pickens, Pickens County | 03060101060 | 1 / 1 |
| 08 | Savannah | | Clemson, Pickens County | 03060101070 | 1 / 4 |
| 08 | Savannah | ANDERSON GREENVILLE | Anderson County, Pickens County | 03060101100 | 1 / 1 |
| 08 | Savannah | ANDERSON | Anderson County | 03060103080 | 1 / 1 |
| 08 | Savannah | AUGUSTA | Aiken, Aiken County | 03060106070 | 1 / 1 |
| 09 | Edisto | | Orangeburg County Orangeburg | 03050203080 | 9 |
| 09 | Edisto | | Orangeburg, Orangeburg County | 03050206020 | 5 |
| 09 | Edisto | | Orangeburg | 03050203060 | 1 |
| 09 | Edisto | | Orangeburg | 03050203070 | 1 |
| 09 | Edisto | AUGUSTA | Aiken County Aiken | 03050204020 | 1 |
| 09 | Saluda | GREENVILLE MAULDIN SIMPSONVILLE | Greenville County, Greenville, Mauldin, Simpsonville, | 03050109100 | 12 |

| FY | Basin | Urbanized Area | MS4s | Urbanized Hydrologic Unit Codes (HUCs) | Impaired / TMDL Stations |
|---|---|---|---|---|---|
| | | | Travelers Rest | | |
| 09 | Saluda | | Laurens County<br>Lexington County<br>Newberry County<br>Newberry | 03050109150 | 10 / 3 |
| 09 | Saluda | COLUMBIA | Lexington County,<br>Richland County,<br>Irmo, West Columbia | 03050109210 | 10 / 5 |
| 09 | Saluda | | Anderson County<br>Greenville County<br>Greenwood County<br>Laurens County<br>Newberry County | 03050109080 | 8 |
| 09 | Saluda | GREENVILLE | Greenville County,<br>Pickens County | 03050109040 | 7 / 5 |
| 09 | Saluda | | Greenville County<br>Laurens County | 03050109120 | 5 / 2 |
| 09 | Saluda | | Greenwood County,<br>Greenwood | 03050109140 | 5 |
| 09 | Saluda | COLUMBIA | Lexington County | 03050109190 | 5 / 1 |
| 09 | Saluda | COLUMBIA | Cayce, Pine Ridge,<br>Lexington County,<br>South Congaree,<br>Springdale,<br>West Columbia | 03050110020 | 5 / 4 |
| 09 | Saluda | ANDERSON | Anderson County,<br>Belton | 03050109090 | 4 / 3 |
| 09 | Saluda | MAULDIN-SIMPSONVILLE | Fountain Inn,<br>Greenville County,<br>Laurens,<br>Simpsonville | 03050109130 | 4 / 4 |
| 09 | Saluda | COLUMBIA | Arcadia Lakes,<br>Columbia,<br>Forest Acres,<br>Richland County | 03050110030 | 4 |
| 09 | Saluda | COLUMBIA | Lexington County,<br>Richland County | 03050110010 | 3 |
| 09 | Saluda | GREENVILLE | Greenville County | 03050109010 | 2 / 1 |
| 09 | Saluda | GREENVILLE | Easley,<br>Pickens County | 03050109050 | 2 / 2 |
| 09 | Saluda | MAULDIN-SIMPSONVILLE | Greenville County | 03050109110 | 2 |
| 09 | Saluda | | Richland County | 03050110060 | 2 |
| 09 | Saluda | | Greenville County, | 03050109020 | 1 / 3 |

| FY | Basin | Urbanized Area | MS4s | Urbanized Hydrologic Unit Codes (HUCs) | Impaired / TMDL Stations |
|---|---|---|---|---|---|
| | | | Pickens County | | |
| 09 | Saluda | GREENVILLE | Greenville County, Easley, Pickens County | 03050109060 | 1 / 1 |
| 09 | Saluda | | Anderson County | 03050109070 | 1 |
| 09 | Saluda | COLUMBIA | Richland County | 03050110050 | 1 |
| 09 | Saluda | | Richland County | 03050110070 | 1 |
| 10 | Catawba | ROCK HILL | York County, Rock Hill | 03050103010 | 10 / 4 |
| 10 | Catawba | ROCK HILL | York County, Rock Hill | 03050103060 | 9 / 6 |
| 10 | Catawba | CHARLOTTE | York County, Fort Mill | 03050103020 | 7 |
| 10 | Catawba | CHARLOTTE | York County | 03050101180 | 7 / 2 |
| 10 | Catawba | SUMTER | Richland County, Sumter County | 03050104030 | 5 |
| 10 | Catawba | COLUMBIA | Elgin, Kershaw County, Richland County | 03050104060 | 4 / 1 |
| 10 | Catawba | ROCK HILL | York County | 03050103050 | 2 / 3 |
| 10 | Catawba | COLUMBIA | Elgin, Kershaw County, Richland County | 03050104090 | 2 / 2 |
| 10 | Catawba | ROCK HILL | York County | 03050101190 | 1 / 2 |
| 10 | Catawba | ROCK HILL | York County | 03050103070 | 1 / 2 |
| 10 | Catawba | COLUMBIA | Richland County | 03050104100 | 1 |
| 10 | Santee | CHARLESTON | Charleston County, Isle of Palms, Mt. Pleasant, Sullivan's Island | 03050202060 | 24 |
| 10 | Santee | | | 03050111010 | 12 / 1 |
| 10 | Santee | CHARLESTON | Berkeley County, Charleston County, Mt. Pleasant | 03050201080 | 12 / 1 |
| 10 | Santee | CHARLESTON | Charleston County, Charleston, Folly Beach, Mt. Pleasant, Sullivan's Island | 03050202070 | 11 |
| 10 | Santee | CHARLESTON | Charleston County Charleston | 03050202050 | 7 |
| 10 | Santee | CHARLESTON | Berkeley County Goose Creek Hanahan | 03050201060 | 5 |
| | | | Berkeley County Goose Creek | | |

| FY | Basin | Urbanized Area | MS4s | Urbanized Hydrologic Unit Codes (HUCs) | Impaired / TMDL Stations |
|---|---|---|---|---|---|
| 10 | Santee | CHARLESTON | Charleston County<br>Lincolnville<br>North Charleston | 03050201070 | 5 |
| 10 | Santee | CHARLESTON | Berkeley County,<br>Charleston County,<br>Dorchester County,<br>Lincolnville,<br>Summerville | 03050202030 | 3 / 2 |
| 10 | Santee | CHARLESTON | Berkeley County,<br>Dorchester County | 03050202010 | 2 |
| 10 | Santee | CHARLESTON | Charleston County,<br>Dorchester County | 03050202040 | 2 / 1 |
| 10 | Santee | CHARLESTON | Charleston,<br>Charleston County,<br>Mt. Pleasant | 03050201050 | 1 |
| 10 | Santee | CHARLESTON | Charleston County,<br>Dorchester County,<br>Lincolnville,<br>Summerville | 03050202020 | 1 / 1 |
| 11 | Pee Dee | MYRTLE BEACH | Georgetown County<br>Horry County<br>Atlantic Beach,<br>Briarcliffe Acres,<br>Myrtle Beach,<br>North Myrtle Beach,<br>Surfside Beach | 03040207020 | 24 / 12 |
| 11 | Pee Dee | FLORENCE | Darlington County,<br>Florence County,<br>Florence | 03040201110 | 7 |
| 11 | Pee Dee | MYRTLE BEACH | Horry County,<br>Myrtle Beach,<br>Conway | 03040206140 | 6 / 6 |
| 11 | Pee Dee | FLORENCE | Darlington County,<br>Florence County,<br>Florence | 03040201130 | 5 / 1 |
| 11 | Pee Dee | SUMTER | Sumter County,<br>Sumter | 03040205080 | 5 / 3 |
| 11 | Pee Dee | FLORENCE | Florence County | 03040202120 | 4 |
| 11 | Pee Dee | SUMTER | Sumter County | 03040205090 | 4 |
| 11 | Pee Dee | MYRTLE BEACH | Horry County | 03040206120 | 3 |
| 11 | Pee Dee | FLORENCE | Florence County | 03040201120 | 1 |
| 11 | Pee Dee | MYRTLE BEACH | Horry County | 03040206090 | 1 |
| 11 | Pee Dee | MYRTLE | Conway, | 03040206130 | 1 |

| FY | Basin | Urbanized Area | MS4s | Urbanized Hydrologic Unit Codes (HUCs) | Impaired / TMDL Stations |
|---|---|---|---|---|---|
| | | BEACH | Horry County | | |
| 11 | Pee Dee | MYRTLE BEACH | Horry County | 03040206150 | 2 |

## PART V. MONITORING AND REPORTING REQUIREMENTS

**Seasonal Loadings, Event Mean Concentrations and Major Outfall Inventory.**

General:

Requirements for monitoring written in South Carolina (SC) Regulation 61-9, Part 122.26 primarily address discharges from urbanized or urbanizing areas of local municipal government. The criteria established here revises this concept to apply to SCDOT roadways where narrow bands of impervious areas drain to many waterbodies through open and closed system outfalls. Based on a literature review, where DOT discharges flow through or over grassed buffers along right of way or through grassed lined conveyances, monitoring is not required or expected. Monitoring of the SCDOT system will be accomplished by applying the procedure listed below, however, the selection criteria to be used for identification and selection of monitoring points is given as follows in V.A.1.a.

1. Characterization data. When "quantitative data" for a pollutant are required under paragraph A.1.a.(3) of this part, the permittee must collect a sample of effluent in accordance with V.B.2.b. of this part and analyze it for the pollutant in accordance with analytical methods approved under 40 CFR Part 136. When no analytical method is approved, the permittee may use any suitable method but must provide a description of the method. The permittee must provide information characterizing the quality and quantity of discharges covered in the permit application, including:

   a. Quantitative data will be collected from representative outfalls as selected by SCDOT using the criteria given below.

      1. Where the SCDOT MS4 discharges to a Stream where a TMDL has been approved that is applicable to the SCDOT and the water quality standard has not been attained or
      2. Where the SCDOT discharges to an impaired waterbody where the impairment is partially attributed to a SCDOT discharge and where,
         a. Contributing runoff to the SCDOT outfall comes from SCDOT right of way, only.
         b. The average daily traffic count is 30,000 vehicles or more
         c. The outfall is a major outfall
         d. The flow is not filtered by grass or other vegetation before entering waters of the state
         e. An open system outfall is constructed with a paved lining.

   Location of the monitoring point must consider safety and accessibility without requiring traffic control and shall not endanger life, limb or property to conduct the field sampling.

      3. For each outfall or field screening point designated under this subparagraph, samples shall be collected of storm water discharges from three storm events occurring at least one month apart in accordance with the requirements at section V.B.2.b. of this part. (The Department may allow exemptions to sampling three storm events when climatic conditions create good cause for such exemptions);

      4. A narrative description shall be provided of the date and duration of the storm event(s) sampled, rainfall estimates of the storm event which generated the sampled discharge and the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event;

5. For samples collected and described under paragraphs A.1.a.(3) and a.(4) above, quantitative da[t]a shall be provided for the pollutant of concern and other parameters listed in the table below wh[e]n they are expected to be present.

| |
|---|
| (i) Biochemical oxygen demand, 5-day (BOD)5 |
| (ii) Chemical oxygen demand (COD) |
| (iii) Total suspended solids (TSS) |
| (iv) Total dissolved solids (TDS) |
| (v) Nitrate plus nitrite nitrogen |
| (vi) Total Kjeldahl nitrogen (TNH3+ON) |
| (vii) Total phosphorus |
| (viii) Dissolved phosphorus |
| (ix) Oil & grease |
| (x) Fecal coliform |
| (xi) Total cadmium |
| (xii) Total chromium |
| (xiii)Total copper |
| (xiv)Total lead |
| (xv)Total mercury |
| (xvi)Total zinc |
| (xvii)Flow |

6. Additional limited quantitative data required by the Department for determining SWMP conditi[on] (the Department may require that quantitative data shall be provided for additional parameters, a[nd] may establish sampling conditions such as the location, season of sample collection, form of precipitation (snow melt, rainfall) and other parameters necessary to ensure representativeness);

b. Estimates of the annual pollutant load of the cumulative discharges to waters of the State from all identified municipal outfalls and the event mean concentration of the cumulative discharges to waters of the State from all identified municipal outfalls during a storm event (as described under section V.B.2.b. of this part for $BOD_5$, COD, TSS, dissolved solids, total nitrogen, total ammonia plus organic nitrogen, total phosphorus, dissolved phosphorus, cadmium, copper, lead, and zinc. Estimates shall be accompanied by a description of the procedures for estimating constituent loads and concentrations, including any modeling, data analysis, and calculation methods;

c. A proposed schedule to provide estimates for each major outfall identified in either Part II.B.1.b.(7) or Part V.A.1.a.(1) of this section of the seasonal pollutant load and of the event mean concentration of a representative storm for any constituent detected in any sample required under Part V.A.1.a.(1) of this section; and

d. A proposed monitoring program for representative data collection for the term of the permit that describes the location of outfalls or field screening points to be sampled (or the location of in stream stations), why the location is representative, the frequency of sampling, parameters to be sampled, and a description of sampling equipment.

2. Major Basins and Major Outfalls. For the purposes of this permit, the location of all known major outfa[lls] shall be inventoried and identified on a map and in a database, included in the SWMP, and ANNUAL

REPORTS for each permitted basin, with updates showing any additionally identified major outfalls and the method used in identifying them in each subsequent year.

3. Field Survey and Potential Sources of Organic Compounds. The permittee shall conduct a field survey to determine the potential sources of organic compounds which are found in detectable quantities during sampling at any given site or outfall. A report summarizing the conclusions of this investigation shall be included in the report due by the **reported date** for each of the four watersheds.

## B. Monitoring Data Collection.

1. General

The permittee shall develop and implement a monitoring program that meets the requirements identified in this section. The proposed initial sampling for the first two basins shall be described in detail in the Fiscal Year 2006 basin SWMP to be submitted 6 months from the effective date of this permit and in the Fiscal Year 2007 basin SWMP to be submitted 15 months from the effective date of the permit respectively. The initial sampling program must have been conducted 12 and 24 months from the effective date of this permit respectively. Results shall be reported in the first annual report, 21 and 33 months from the effective date of this permit respectively. On-going monitoring programs for the 2008 basin shall be developed and proposed in the first annual report; for the 2009 and 2010 basins, the on-going monitoring program shall be developed and proposed in the second annual report to be submitted 33 months from the effective date of this permit.

For a complete schedule of submission, implementation, and reporting dates refer to the table in Section III.B. titled, "SWMP Implementation: NPDES MS4 Permit SCS040001- SCDOT –SWMP Implementation Schedule".

2. *Monitoring:*

a. Selection of Monitoring Locations: Representative monitoring locations as required within the four basins shall be selected for the collection of storm water samples according to Part II.B.1.(2) and Part V.A.1a.(1) of this permit. In addition, the representative monitoring locations shall be selected such that SCDHEC can use the monitoring information collected in a useful manner to evaluate any trends in the reduction of pollutants loads discharged to waters of South Carolina during the term of the permit. The pollutant loading trends will be used to evaluate the effectiveness of the permittee's SWMP to reduce the discharge of pollutants to the MEP and to not cause nor contribute to violations of Water Quality Standards.

b. Initial Sampling Program and Sample Collection Procedures: For each selected representative sampling monitoring location, the permittee shall collect samples of storm water discharges from three qualified storm events occurring at least a month apart from each other. When reporting the monitoring results from sampling of a qualified storm event, a narrative description, including but not limited to the date and the duration of the storm event sampled, rain estimates of the storm event which generated the sampled discharged, the duration between the storm event sampled and the end of the previous qualified storm event, and the approximate volumetric flow of the discharge. "When "quantitative data" for a pollutant are required, the permittee must collect a sample of effluent and analyze it for the pollutant in accordance with analytical methods approved under 40 CFR Part 136. When no analytical method is approved the permittee may use any suitable method but must provide a description of the method. Grab samples must be used for ph, temperature, cyanide, total phenols, residual chlorine, oil and grease, fecal

coliform, and fecal streptococcus. For all other pollutants, 24-hour composite samples must be used. However, a minimum of one grab sample may be taken for effluents from holding ponds or oth- impoundments with a retention period greater than 24 hours. For storm water discharges, all samp shall be collected from the discharge resulting from a storm event that is greater that 0.1 inch and at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where feasible, the variance in the duration of the event and the total rainfall of the event should not exceed 50 percent from the average or median rainfall event in that area. A flow-weighted composite shall be taken for either the entire discharge or for the first three hours of the discharge. The flow-weighted composite sample for a storm water discharge may be taken with a continuous sampler or as a combination of a minimum of three sample aliquots taken in each hour of discharge for the entire discharge or for the first three hours of the discharge, with each aliquot being separated by a minimum period of fifteen minutes. A minimum of one grab sample may be taken for storm water discharges from holding ponds or other impoundments with a retention period greater than 24 hours. For a flow-weighted composite sample, only one analysis of the composite of aliquots is required. When taking flow-weighted composites, quantitative data must be reported for all pollutants specified in SC Regulation 61-9 122.26 except pH, temperature, cyanide, total phenols, residual chlorine, oil and grease, fecal coliform and fecal streptococcus. The Department may allow or establish appropriate site specific sampling procedures or requirements, including sampling locations, the season in which the sampling takes place, the minimum duration between the previous measurable storm event and the storm event sampled, the minimum or maximum level of precipitation required for an appropriate storm event, the form of precipitation sampled (snow melt or rain fall), protocols for collecting samples under 40 CFR Part 136, and additional time for submitting data on a case-by-case basis. A permittee is expected to "know or have reason to believe" that a pollutant is present in an effluent based on an evaluation of the expected use, production, or storage of the pollutant, or on any previous analyses for the pollutant. (For example, any pesticide manufactured by a faci may be expected to be present in contaminated storm water runoff from the facility). For eve pollutant expected to be discharged in concentrations of 10 ppb or greater the permittee must report quantitative data. For acrolein, acrylonitrile, 2,4 dinitrophenol, and 2-methyl-4,6 dinitrophenol, where any of these four pollutants are expected to be discharged in concentrations of 100 ppb or greater the permittee must report quantitative data. For every pollutant expected to be discharged in concentrations less than 10 ppb, or in the case of acrolein, acrylonitrile, 2,4 dinitrophenol, and 2-methyl-4,6 dinitrophenol, in concentrations less than 100 ppb, the permittee must either submit quantitative data or briefly describe the reasons the pollutant is expected to be discharged.

c. On-Going Sampling Program: Based on the results of the initial sampling program, the permittees shall develop a monitoring program for representative data collection for the term of the permit that describes the locations to be sampled if different from the initial sampling locations, frequency of sampling, parameters to be sampled and a description of the sampling equipment to be used.

d. Water Quality Monitoring: As described in the SWMP, the permittee will list all water bodies defined by the State or US Fish and Wildlife's Service's Wetland's Inventory as wetlands and found to have pollutants in bottom sediments, fish tissue or biosurvey data that are located within the MS4 area.

e. The permittee shall monitor for the required parameters for each watershed for the term of the permit. The methods, parameters, and field techniques shall be in accordance with SC Regulation 61-9.122.26(d)(1)(iv)(D). Sampling shall be completed and reported. The need for additional parameters to be sampled shall be determined. All characterization points shall be implemented. A correc course of action, if needed, should be established.

3. *Pollutant Loadings and Event Mean Concentration Estimates.*
The permittee shall provide an estimate of annual pollutant load of the cumulative discharges to waters of the State from all identified major outfalls and the event mean concentration of the cumulative discharges to waters of the State from all identified major outfalls during a qualified storm event for the parameters listed in Part V.A.b. The permittee shall also propose a schedule to provide estimates for all major outfalls of the seasonal pollutant load and of the event mean concentration of a representative storm event for any constituent detected in the samples collected under Part V.A.1.a. of this permit. The estimates shall consider land uses and drainage areas within the basin and shall be included in the ANNUAL REPORT for each permitted basin.

4. *Record Keeping for Monitoring Data.*
For Part V.B.2, records of all analytical results shall be maintained in accordance with Part VI.R. of this permit.

5. *Sample Analysis.*
All samples collected for Part V.A.1. a, 3, shall be analyzed in accordance with the methods specified in 40 CFR Part 136 by a lab certified to perform the analyses by the SC DHEC Bureau of Environmental Services (SCDHEC BES) unless otherwise specified. When no analytical method is approved in 40 CFR Part 136, a suitable method may be used but a description of the method must be provided.

6. *Sampling Waiver.*
When a discharger is unable to collect samples required by Part V.B.2 due to adverse climatic conditions, the discharger must submit in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. Adverse climatic conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, etc.). Dischargers are precluded from exercising this waiver more than once during a two year period.

## C. Annual Report.

1. *Preparation and Submission.* The permittee shall prepare an annual system-wide report to be submitted by the **reported date**. The preparation and submittal of a system-wide report shall be coordinated and prepared by a member or designated representative from each municipal entity covered by this permit. The permittee shall be responsible for providing information on the MS4 and for providing information for the system-wide report in a timely manner. The permittee shall sign and certify the report in accordance with Part VI.H. & VI.I. of this permit, and shall include a statement or resolution that the permittee's governing body or agency (or delegated representative) has reviewed or has been appraised of the content of the report.

2. *Sections.* The report shall include the following sections:

   a. Contacts List
   b. SWMP Evaluation
   c. Summary Table
   d. Narrative Report
   e. Monitoring Section
   f. Summary of SWMP and Monitoring Modifications

g. Fiscal Analysis
h. Any information required to be submitted by the reported date
i. Appendices

3. *Specific Requirements.* The following items describe in more detail the specific requirements for the report.

   a. Provide a list of contacts and responsible parties (e.g.: agency, name, phone number) who had input to and are responsible for the preparation of the report.

   b. Provide an overall evaluation of the SWMP including: Objective of Program; Major Findings (e.g.: water quality improvements or degradation); Major Accomplishments; Overall Program Strengths / Weaknesses; and Future Direction of Program.

   c. Extensive mention shall be made of the SWMP performance and evaluation in the following areas: highly sensitive waters, areas in proximity to drinking water intakes, watersheds for which a TMDL has been approved, areas of development and significant redevelopment where Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters applies to any watershed draining to an impaired waterbody.

   d. Provide a Summary Table of SWMP Elements

      (1) A Summary Table of appropriate SWMP annual activities for the permittee shall be provided. The purpose of the Summary Table is to document in a concise form the program activities and permittee's compliance status with quantifiable permit requirements. Program elements that are administrative (e.g.: planning procedures, program development and pilot studies) are inappropriate for the summary table and shall be discussed in the narrative section of the ANNUAL REPORT. The following are examples of SWMP activities to be included in the Summary Table:

         (i) Structural Controls - maintenance and/or inspection activities of existing structural controls
         (ii) Roadway Maintenance - street sweeping, litter control activities, and maintenance on storm water structures & roadside ditches
         (iii) Maintenance SC DOT Facilities - inspections, monitoring, and implementation of control measures
         (iv) Application of Pesticide, Herbicide, and Fertilizer Application - certification training and public education
         (v) Illicit discharges - facility inspections, investigations, reporting actions, illicit (dry weather) screening, illicit public reporting, oil/household hazardous waste collection, and storm sewer inlet stenciling
         (vi) Industrial Facilities - inspection activities and monitoring
         (vii) Construction - training of inspectors, certification of construction site operators, inspections, and enforcement actions
         (viii) Storm Water Treatment Projects - description of municipal storm water treatment projects that have been completed, including a brief description of the affected drainage basin
         (ix) Public Education Program - Summary of public notification and education activity

(2) The Summary Table shall indicate the permittee's SWMP activities and accomplishments. 1. Items to be reported include:

(i) Activity description;
(ii) Number of activities (with frequency) that were scheduled for implementation and/or accomplishment in program element discussion (i.e., once/6 months, 100%/5 years, 6 sites monitored once/year, all sites inspected/permit term). Enter "Not Applicable" (N/A) if no specific schedule was specified;
(iii) Status of schedule for year ("yes" for schedule was adhered to, or "no" for schedule was not adhered to);
(iv) Number of activities which were accomplished; and
(v) The availability of documentation (i.e., inspection reports) for those activities which were accomplished and comments describing the reason(s) for any non-compliance.

e. The report shall contain a Narrative Report to succinctly discuss the SWMP elements which were not included within the SWMP Summary Table. Those SWMP elements required to be developed under Parts II and III of this permit shall be discussed within this section of the report following development.

(1) The permittee shall include a brief discussion of the following applicable SWMP Elements:
(i) Structural Controls Maintenance
(ii) Development Planning Procedures
(iii) Roadway Maintenance
(iv) Flood Management
(v) SC DOT Maintenance Facilities
(vi) Pesticides, Herbicides, and Fertilizers
(vii) Illicit Discharge Inspection/Investigation/Reporting
(a) Inspection Procedures and Reporting Measures
(b) Dry Weather Field Screening Program
(c) Investigation of illicit discharges
(d) Spill Response
(e) Oil and Household Hazardous Waste
(f) Sanitary Sewer Seepage
(viii) Industrial Facility Inspection
(ix) Construction Planning Procedures and Inspections
(x) Education Activities
(xi) Monitoring Activities
(xii) Ground Water Protection
(xiii) Any additional elements of Storm Water Management Program

(2) The format for the Narrative Report section of the report shall be a brief discussion of the SWMP Element. The aspects of the permittee's activities concerning a SWMP Element shall be succinctly discussed in the section of the Narrative Report dedicated to that Element. The discussion shall include the following:

(i) Objective of SWMP Element,
(ii) SWMP Element activities completed and those in progress,

(iii) General discussion of Element. Explanation of all Element activity deficiencies (e.g.: activities described in the program that have not been fully implemented or completed). Results of activities shall be summarized and discussed (e.g.: maintenance caused by inspection, pollutants detected by monitoring, investigations as a result of dry and wet weather screening, number and nature of enforcement items, education activities participation),
(iv) Status of SWMP Element with respect to Parts II and III of the permit,
(v) SWMP Element strengths and weaknesses,
(vi) Assessment of controls, and
(vii) Discussion of Element revisions that are summarized elsewhere in the report.

f. The report shall contain a Monitoring Section which discusses the progress and results of the monitoring programs required under Parts II, III and V of the permit.

(1) The Monitoring Section of the report shall include a summary of the monitoring program developed and implemented under Part V.B.2 of the permit. The details to be discussed include:

(i) Brief summary statement of the objective of each monitoring project included under the program,
(ii) Summary chart of the data from the monitoring completed,
(iii) Discussion of any results or conclusions derived from the monitoring completed,
(iv) Status of monitoring with respect to the compliance schedule in Part V.B.2 of the permit, and
(v) Discussion of monitoring program revisions that are summarized elsewhere in the report

(2) The Monitoring Section of the report shall include the following information as required in Parts II, III and V of the permit:

(i) The report for Year One of the permit shall contain an inventory of all known major outfalls, with updates describing additionally identified major outfall in each sequent report.

(ii) The report for Year Two of the permit shall include the investigation of the sources of the organic pollutants detected in the Part 2 application sampling data as required in Part V.A.3. of the permit.

(iii) The report for Year Four of the permit shall include estimates of seasonal pollutant loadings and event mean concentrations (EMC) for each major watershed required by Part V.A.1.

g. Provide a summary of SWMP and monitoring modifications made during the permit year.

h. Provide a complete fiscal analysis for the permittee's program implementation, both for the past calendar year and the next. The analysis shall indicate budgets and funding sources.

i. The following information shall be included as Appendices within the report for each watershed:

(1) Analytical data collected from the monitoring program.

(2) Results of illicit connections screening or dry weather screening.
(3) Any other data specifically requested by SC DHEC to substantiate statements and conclusions reached in any reports.

**D. Certification and Signature of Reports.**

All reports required by the permit and other information requested by the Director shall be signed and certified in accordance with Parts VI.H. & VI.I. of the permit.

**E. Reporting: Where and When to Submit.**

1. Monitoring results obtained during the reporting period running from the 12 month term beginning on the effective date of this permit and annually thereafter as required by Part V.C. shall be submitted on Discharge Monitoring Report (DMR) form(s) in the ANNUAL REPORT for the five years of the permit. A separate DMR form is required for each event monitored.

2. The ANNUAL REPORT required by Part V.C. and all other reports required herein, shall be submitted in a format acceptable to the Department and sent to:

SC Department of Health and Environmental Control (SC DHEC)
ATTN: Bureau of Water / Compliance Assurance Division
2600 Bull Street.
Columbia, South Carolina 29201

**Additional Notification.**

In addition, the permittee shall provide a copy of each ANNUAL REPORT to:

SC Department of Health and Environmental Control (SC DHEC)
Storm Water Section
2600 Bull Street
Columbia, South Carolina 29201

**G. Retention of Records.**

The permittee shall retain the latest version of the Storm Water Management Program developed in accordance with Parts II and III of this permit during the term of the permit and for at least three years after the expiration date of this permit.

## PART VI. STANDARD PERMIT CONDITIONS

**A. Duty to Comply.** The permittee must comply with all conditions of this permit insofar as those conditions are applicable. Any permit noncompliance by a permittee constitutes a violation of the CWA and the SC Pollution Control Act and is grounds for enforcement action, for permit termination, revocation and re-issuance, or modification, or for denial of a permit renewal application for the non-complying permittee.

**B. Penalties for Violations of Permit Conditions.**

1. Criminal

   a. Negligent Violations, Knowing Violations, and Knowing Endangerment The SC Pollution Control Act provides that any person who negligently violates permit conditions under Section 48-1-320 of the Act is subject to a fine of not less than $500 nor more than $25,000 per day of violation, or by imprisonment for not more than 2 years, or both.

   b. False Statement The SC Pollution Control Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than 2 years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $25,000 per day of violation, or by imprisonment of not more than 2 years, or by both. (See Section 48-1-340 of the SC Pollution Control Act).

2. Civil Penalties - The SC Pollution Control Act provides that any person who violates a permit condition under Section 48-1-330 of the Act is subject to a civil penalty not to exceed $10,000 per day for each violation.

**C. Duty to Reapply.** If the permittee wishes to continue an activity regulated by this permit after the permit expiration date, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days prior to expiration of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at SC Reg 61-9 122.6 and any subsequent amendments.

**D. Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**E. Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

**F. Duty to Provide Information.** The permittee shall furnish to the Director, within a time specified by the Director, any information which the Director may request to determine compliance with this permit. The permittee shall also furnish to the Director upon request copies of records required to be kept by this permit.

**G. Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in any report to the Director, he or she shall promptly submit such facts or information.

**H. Signatory Requirements.** All DMRs, SWMPs, reports, certifications or information either submitted to the Director or required to be maintained by the permittee, shall be signed by:

1. Either a principal executive officer or ranking elected official; or
2. A duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described above and submitted to the Director, and

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

   If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new written authorization satisfying the requirements of this paragraph must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

**I. Certification.** Any person signing documents under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

**J. Penalties for Falsification of Reports.** Section 48-1-320 of the SC Pollution Control Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $25,000, or by imprisonment for not more than 2 years, or by both.

**K. Penalties for Falsification of Monitoring Systems.** The SC Pollution Control Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment described in Section 48-1-320 of the Act.

**L. Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the Clean Water Act, section 106 of the Comprehensive Environmental Response Compensation and Liability Act

(CERCLA), the SC Pollution Control Act, the SC Hazardous Waste Management Act, or the South Carolina Oil & Gas Act.

**M. Property Rights.** The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

**N. Severability.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

**O. Requiring an Individual Permit.**

Reserved.

**P. Federal/Environmental Laws.**

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal law or regulation under authority preserved by Section 510 of the CWA.

2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

**Q. Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water management programs. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by the permittee only when necessary to achieve compliance with the conditions of the permit.

**R. Monitoring and Records.**

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. The permittee shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of the reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

3. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;

3. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;
   b. The initials or name(s) of the individual(s) who performed the sampling or measurements;
   c. The date(s) analyses were performed;
   d. The time(s) analyses were initiated;
   e. The initials or name(s) of the individual(s) who performed the analyses;
   f. References and written procedures, when available, for the analytical techniques or methods used; and
   g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

S. **Monitoring Methods.** Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

T. **Inspection and Entry.** The permittee shall allow the Director or an authorized representative of SCDHEC, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

'nspect at reasonable times any facilities or equipment (including monitoring and control equipment).

U. **Permit Actions.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

V. **Additional Monitoring by the Permittees.** If the permittee monitors more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased monitoring frequency shall also be indicated on the DMR.

## PART VII. PERMIT MODIFICATION

A. **Modification of the Permit:** The permittee may request SCDHEC to reopen the permit to incorporate relevant elements of the Comprehensive Management Plan including, but not limited to, living resource targets and associated pollutant loading targets. If a permit modification is not requested during the term of this permit, elements of the plan will be considered for incorporation in the permit renewal. At any time, during the permit term, the permit will not be modified to include the relevant plan elements unless SCDHEC has previously agreed to incorporate consistent conditions in any permits or related rules and regulations that might affect the permittee. In addition, the permit may be reopened and modified during the life of the permit to:

Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

2. Address changes in State or Federal statutory or regulatory requirements;

3. Include the addition of a new permittee who is the owner or operator of a portion of the MS4 located within the geographical boundaries of the existing permit;

4. Include additional Separate Storm Sewer(s) located adjacent to the geographical boundaries of the existing permittees but under the jurisdiction of another MS4 to be consistent with the State watershed permitting approach;

5. Allow for the inclusion of Separate Storm Sewer(s) designated by the permitting authority; or,

6. Include other modifications deemed necessary by the Director to comply with the goals and requirements of the Clean Water Act.

All modification to the permit will be made in accordance with SC Regulation 61-9 122.62, 122.63, and 124.5.

**B. Modification of Storm Water Management Program(s)**

Only those portions of the SWMP specifically required as permit conditions shall be subject to the modification requirements of SC regulation 61-9 124.5. Replacement of an ineffective or infeasible BMP implementing a required component of the Storm Water Management Program with an alternate BMP expected to achieve the goals of the ineffective or infeasible BMP shall be considered minor modifications to the SWMP and not modifications to the permit. (See also Part II.G.) Modifications that are due to updates to documents incorporated by reference in the body of the permit, or to addition or deletion of items to appendices of this permit shall be considered minor modifications.

**C. Changes in Monitored Outfalls**

This permit is issued on a system-wide basis in accordance with Clean Water Act §402(p)(3)(I) and authorizes discharges from all portions of the MS4. Since all outfalls are authorized, changes in monitoring outfalls, other than those with specific numeric effluent limitations, if any, shall be considered minor modifications to the monitoring program and not modifications to the permit. (See also Part V.) Changes in monitoring outfalls with specific numeric effluent limitations shall be considered modifications to the permit and will be made in accordance with the procedures at SC Regulation 61-9 122.62.

## PART VIII. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

A. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

B. "CWA" means Clean Water Act, also referred to as "the Act" (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq., as amended by the WQA of 1987, P.L. 100-4, the "Act."

C. "Director" means the SC Department of Health and Environmental Control, or an authorized representative.

D. "Discharge" for the purpose of this permit, unless indicated otherwise, refers to discharges from the unicipal Separate Storm Sewer System (MS4).

E. "Effective Prohibition" means to include requirements to effectively prohibit non-Storm Water discharges into the storm sewers.

F. "Flow-weighted composite sample" means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge at the time of sampling.

G. "Illicit connection" means any man-made conveyance connecting a non-storm water discharge directly to a municipal separate storm sewer system.

H. "Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and other discharges listed in Part II. A.7.a. of this permit.

I. "Industrial Land Use" means land utilized in connection with manufacturing, processing, or raw materials storage at facilities identified under SC Regulation 61-9 122.26(b)(14).

J. "Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

K. arge Municipal Separate Storm Sewer System" means all municipal separate storm sewers that are either:

(i) located in an incorporated place (city) with a population of 250,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or
(ii) located in the counties with unincorporated urbanized populations of 250,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or
(iii) owned or operated by a municipality other than those described in paragraph (I) or (ii) and that are designated by the Director as part of the large municipal separate storm sewer system.

L. "Major outfall" is defined as follows:

- a pipe (or closed conveyance) system with a cross-sectional area equal to or greater than 7.07 square feet (e.g., if a single circular pipe system, an inside diameter of 36 inches or greater);
- a single conveyance other than a pipe, such as an open channel ditch, which is associated with a drainage area of more than 50 acres;
- a pipe (or closed conveyance) system, draining *"industrial land use,"* with a cross-sectional area equal to or greater than 0.79 square feet (e.g., if a single circular pipe system, an inside diameter of 12 inches or greater); or
- a single conveyance other than a pipe, such as an open channel ditch, which is associated with an *"industrial land use"* drainage area of more than 2 acres;

For the purpose of this permit, outfalls of the "double barrel" type, whose combined cross-sectional area is greater than 7.07 square feet, equivalent to a single circular pipe outfall with an inside diameter of 36 inches or greater, are also considered major outfalls

M. "Major Watershed" is defined as one or more hydrologic units as derived from the United States Geological Survey (USGS) and the United States Department of Agriculture (USDA-NRCS) with an area of approximately two hundred miles. There are four major watersheds to be managed by the permittee as shown on Part III.A of this permit that can be defined as an area bounded peripherally by a water parting (i.e., ridge) and draining to a particular body of water, or basin. A major watershed shall encompass one or more named major water body or may consist of a coastal area draining directly into a bay. A major watershed may contain one or more "major outfalls".

N. "Medium Municipal Separate Storm Sewer System" means all municipal separate storm sewers that are either:

(i) located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR Part 122); or
(ii) located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR Part 122); or
(iii) owned or operated by a municipality other than those described in paragraph (I) or (ii) and that are designated by the Director as part of the medium municipal separate storm sewer system.

O. "MEP" is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems established by CWA §402(p)

P. "MS4" is an acronym for "municipal separate storm sewer system" and is used to refer to either a Large or Medium Municipal Separate Storm Sewer System (e.g. "the SC DOT MS4").

Q. "Municipal Separate Storm Sewer" means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm drains):

(i) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State Law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian Tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
(ii) designed or used for collecting or conveying storm water;
(iii) which is not a combined sewer; and
(iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined at SC Regulation 61-9 122.2.

R. "Permittee" means each individual co-applicant for an NPDES permit who is only responsible for permit conditions relating to the discharge that they own or operate. (Also, See SC Regulation 61-9 122.2)

S. "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

T. "State Water Quality Standards", is defined in Water Classification and Standards, SC Regulation 61-68, and Classified Waters, SC Regulation 61-69 and Sections 48-1-10, et seq., of the South Carolina Code.

U. Storm Sewer", unless otherwise indicated, refers to a municipal separate storm sewer.

V. "Storm Water" means storm water runoff, snow melt runoff, surface runoff and drainage.

W. "Storm Water Discharge Associated with Industrial Activity" is defined at SC Regulation 61-9 122.26(b)(14).

X. "Storm Water Management Program" refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system. For the purposes of this permit, the Storm Water Management Program is considered a single document, but may actually consist of separate programs (e.g. "chapters") for each permittee.

Y. "SWMP" is an acronym for "Storm Water Management Program."

Z. "Time-weighted composite" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

AA. "Total Maximum Daily Load (TMDL)" definition from CHAPTER 61 Statutory Authority: 1976 Code Section 48-1-10 et seq. from SC Regulation 61-110, Total Maximum Daily Loads for Pollutants in Water.

- "Total Maximum Daily Load" (TMDL) means a written quantitative analysis of water quality for a pollutant at one or more sites in a watershed. A TMDL shall include identification of the pollutant, a calculation of the maximum amount of the pollutant that a waterbody can receive and still meet state water quality standards, load allocations for nonpoint sources and natural background, individual or categorical wasteload allocations for point sources, and a margin of safety.

AB. "Waters of the State" is defined at SC Regulation 122.2.

AC. "Watershed Water Quality Management Strategy" The interdependence of water quality and all the activities that occur in the associated drainage basin is affirmed through this approach. For the purposes of this program, South Carolina is divided into 5 major drainage basin groupings. NPDES permitting, among other activities, is performed for each basin during each five-year cycle. The current NPDES permitting cycle for each basin is presented next:

| | FFY07 | FFY08 | FFY09 | FFY10 | FFY11 |
|---|---|---|---|---|---|
| **Broad (05)** | NPDES Permitting | | | | |
| **Savannah Salkehatchie (01)** | | NPDES Permitting | | | |
| **Saluda Edisto (02)** | | | NPDES Permitting | | |
| **Catawba Santee (03)** | | | | NPDES Permitting | |
| **Pee Dee (04)** | | | | | NPDES Permitting |

SC DHEC watershed managers focus on identifying sources of water quality problems in each basin. The watershed managers work closely with local governments, lake and river associations, industry representatives and state and federal agencies to implement water quality improvement and prevention strategies.