



FACT SHEET
 INDUSTRIAL STORMWATER (Except Construction)
 GENERAL NPDES PERMIT; SCR000000
 South Carolina Department of Health and Environmental Control
 May 20, 2022

Introduction:

This fact sheet describes the basis and procedures for reissuance of a National Pollutant Discharge Elimination System Permit (SCR000000) for Stormwater Discharges Associated with Industrial Activities (Except Construction) by the South Carolina Department of Health and Environmental Control. Stormwater for Construction Activity is covered separately under South Carolina permit SCR100000. This permit will be referenced throughout this Fact Sheet as the IGP.

An NPDES permit was first issued in South Carolina for industrial stormwater in October 1992. The permit was reissued in 1998, 2004 (having an effective date of July 1, 2005 because of an appeal of the permit), 2010, and most recently in 2016.

The 2016 permit expired September 30, 2021. However, that permit continues in effect under language in 1.3.2. of the permit and under South Carolina Regulation 61-9, Water Pollution Control Permits, Section 122.6, and will do so until this draft permit becomes effective, with any appropriate changes based on public participation and the United States Environmental Protection Agency (EPA) review.

Permit Basis:

This permit would be available to applicable facilities throughout South Carolina.

This permit is based on requirements in the Federal Clean Water Act, 33 US Code §§ 1251 et seq., and the South Carolina Pollution Control Act, SC Code Sections 48-1-10 et seq., that discharges of pollutants apply for and receive permits for the discharges. Additional requirements are established in South Carolina Regulation 61-9, Water Pollution Control Permits, and especially South Carolina Regulation 61-9.122.26, Stormwater Discharges.

The draft permit is patterned after the EPA NPDES Multi-Sector General Permit (MSGP) for industrial stormwater issued January 15, 2021. While the MSGP is the basis, the permit reflects the regulations and policies applicable to industrial stormwater in the state of South Carolina and is adapted to meet those requirements.

Activities Covered by the Permit:

South Carolina Regulation 61-9.122.26(b)(14) lists categories of industrial facilities that are required to obtain NPDES permit coverage for their stormwater discharges:

Sector A: Timber Products	Sector R: Ship and Boat Building and Repairing Yards
Sector B: Paper and Allied Products	Sector S: Air Transportation Facilities
Sector C: Chemical and Allied Products	Sector T: Treatment Works

Manufacturing	
Sector D: Asphalt Paving and Roofing Materials and Lubricant Manufacturing	Sector U: Food and Kindred Products
Sector E: Glass, Clay, Cement, Concrete, and Gypsum Products	Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing; Leather and Leather Products
Sector F: Primary Metals	Sector W: Furniture and Fixtures
Sector G: Metal Mining (Ore Mining and Dressing)	Sector X: Printing and Publishing
Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities	Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries
Sector L: Landfills, Land Application Sites, and Open Dumps	Sector Z: Leather Tanning and Finishing
Sector M: Automobile Salvage Yards	Sector AA: Fabricated Metal Products
Sector N: Scrap Recycling Facilities	Sector AB: Transportation Equipment, Industrial or Commercial Machinery
Sector O: Steam Electric Generating Facilities	Sector AC: Electronic, Electrical, Photographic, and Optical Goods
Sector P: Land Transportation and Warehousing	Sector AD: Non-Classified Facilities
Sector Q: Water Transportation	

A more specific and detailed listing of facilities required to obtain coverage under the IGP are listed in SC Reg. 61-9.122.26(b)(14). This listing includes the SIC codes associated with these facilities.

In addition, the Department may designate a particular facility to obtain an NPDES permit, such as coverage under this permit through SC Reg. 61-9.122.26 (a)(1)(v), even though the facility does not meet a definition of a category of activities generally required to be covered by a permit. This corresponds with Sector AD. Such a designation would be made where there is a concern, as defined in the regulation, for the discharge to cause a water quality problem. However, this has been done rarely, and it is expected to continue to be the case.

Maintaining Coverage Under the Reissued Permit

The Department will require the submittal of a Notice of Intent (NOI) to maintain coverage under the re-issued permit through SC Reg. 61-9.122.28 (b)(2)(i). These submittals will be made electronically through the Department's new software called ePermitting.

Major Changes in the Draft Permit from the 2016 South Carolina Permit:

1. Some benchmark values have been updated per EPA's 2021 MSGP. Those affected include cadmium, selenium, and silver. Selenium has been given a distinction between flowing (lotic) Freshwaters and standing (lentic) Freshwaters. The Saltwater selenium value remains unchanged from the previous IGP. The Freshwater cadmium and silver values were updated while the Saltwater values remain unchanged from 2016.

2. The draft permit would add a year 4 “check up” to any and all applicable benchmark monitoring. The requirement is not affected by any results determined in years one, two, and/or three of coverage under the IGP. The “check up” monitoring will ensure that operators have current data on their industrial stormwater discharges and control measures throughout the permit term and will help identify potential adverse effects from modifications in facility operations over that timeframe.
3. Similarly to the above change, the monitoring required of impaired waters *without* an EPA approved or established TMDL (commonly referred to as 303(d) monitoring in reference to the section of the Clean Water Act requiring such a list of impaired waters be maintained) will likewise require a “check up.” Again results determined in years one, two, and/or three of permit coverage will have no bearing on this requirement. Monitoring required of impaired waters *with* an EPA approved or established TMDL will remain unchanged.
4. Full definition of “Stormwater Discharges Associated with Industrial Activity” has been added to the Definitions in Appendix A of the IGP. Previous versions had an abridged version of the definition. The Department hopes citing the full definition will foster a better understanding of applicability to the regulated community.
5. The draft permit has made it explicit that fees for coverage and continuing coverage under the IGP must be paid. This has always been the case but the permit now has it stated clearly. Refer to 1.3.1.d.x. of the IGP.
6. The numeric effluent limit discharge monitoring reports (DMR) no longer have staggered reporting periods for different Sectors. They are now uniform across all applicable Sectors. The total number of DMR is considered manageable and is expected to remain that way in the foreseeable future.
7. TSS has been removed as a default indicator for turbidity. Since both parameters do not directly correlate to each other, that has been corrected in this iteration of the IGP.

Differences between Draft Permit and EPA MSGP 2021:

1. Reporting.
 - a. Continued no reporting of the monitoring required for benchmarks or water quality required under the draft permit.
 - b. Continued no annual report of facility inspections or corrective actions is proposed for the draft permit. Instead, monitoring and, for some Sectors, a benchmark for TSS will be the substitute.
2. Sector J: Non-metallic Mineral Mining and Dressing will continue to be covered by the separate NPDES General Permit for Discharges Associated with Nonmetal Mineral Mining, SCG730000.
3. The draft permit will continue to exclude Sector H: Coal Mines and Coal Mining-Related Facilities and Sector I: Oil and Gas Extraction. After consultation with the Department’s

Bureau of Land and Waste Management, it has been determined that it is highly unlikely for activities covered under these Sectors to be located in the state.

4. NOI.
 - a. Coverage will occur in 17 days after receipt of an administratively complete NOI by the Department, rather than 30 days as EPA designates.
 - b. For individual coverages, it is proposed there will be no public notice.
5. The draft permit will continue to include a specific allowance for salt storage/pavement deicing (see 5.1.3.5 of the draft permit) outside of the requirements in Sector S. The requirement is taken from the 2005 version of the IGP (item 3.4.H).
6. The requirement to submit information related to the Endangered Species Act and the Historic Properties Preservation policies continues to be removed and reserved.
7. There is a fee required by SC Regulation 61-30, Environmental Protection Fees, for submittal of the No Exposure Certification (NEC) for each five-year period. The fee is presently \$350 for each five-year period.
8. Federal CERCLA sites language remains removed. Part 1.1.7. of the current MSGP pertains to sites in EPA, Region 10. South Carolina is located in Region 4.
9. The “at our discretion” option under the Allowable Non-Stormwater Discharges (see 1.1.3 of the draft permit) will remain available. This option will allow certain non-stormwater discharges to be authorized by the IGP that meet the general spirit of the other discharges stated in 1.1.3. Inclusion of this language allows the Department to have flexibility in cases where the existing list of allowed discharges does not clearly and explicitly match the situation in question but does meet the intent. A written submittal to the Department will be required, as will a written response, before the discharge is allowed under the IGP.

Miscellaneous - Streams with Reduced pH

If the pH of the receiving waterbody is less than 6.0 standard units (6.5 for classifications SFH, SA, and SB), the discharge pH may be less than 6.0 standard units (6.5 for classifications SFH, SA, and SB) only if the discharge pH is not less than the stream pH by a difference of more than 0.2 standard units. This variance will be granted only if the waterbody’s pH is analyzed on the day of the discharge.

Example: If a Freshwater classification waterbody’s pH is 5.5, the discharge pH must be between 5.3 and 8.5. The difference between the waterbody’s pH (5.5) and the discharge pH (5.3) is 0.2 standard units.

Administrative Considerations:

The receiving waters for the various permittees may be characterized by any class stated in South Carolina Regulation 61-68, Water Classifications and Standards, except that no new discharge is allowed to waterbodies classed as Outstanding National Resource Waters (ONRW).

The Department has made a preliminary determination that these stormwater discharges are necessary to important economical or social development, and they will be allowed if water quality necessary for existing and classified uses will be maintained and protected consistent with Antidegradation Rules. The Department is seeking comment on this preliminary finding. In accordance with the Section D (2), Antidegradation, of the State Water Quality Standards, this notice provides public participation and intergovernmental coordination for this decision.

NOTE: DHEC is not involved in zoning, land use, or property tax/value issues. Please contact your local County or Municipal officials for questions or concerns on these issues.