

November 5, 2015

**NOTICE OF NPDES PERMIT STAFF / DEPARTMENT DECISION**

**STATE OF SOUTH CAROLINA NPDES PERMIT COVERAGE FOR STORM  
WATER DISCHARGES FROM THE SMALL MUNICIPAL SEPARATE STORM  
SEWER SYSTEMS (SMS4) OWNED OR OPERATED BY BEAUFORT COUNTY  
AND BY THE TOWNS OF BLUFFTON AND HILTON HEAD ISLAND**

NPDES GENERAL PERMIT AUTHORIZATION N<sup>o</sup>: SCR031301, SCR031302 & SCR031303

PRIOR PUBLIC NOTICE: 15-813-R

NPDES PERMIT AUTHORIZATION DATE: December 1, 2015 [**CHANGED**]

After due consideration of the administrative record including, but not limited to, the application, public comments [**RESPONSE TO COMMENTS INCLUDED**] and other supporting documents and facts applicable to the above-named permit authorizations, the Department of Health and Environmental Control has determined that the National Pollutant Discharge Elimination System Permit Authorizations for Storm Water Discharges From the Small Municipal Separate Storm Sewer Systems (SMS4) located in Beaufort County and in the towns of Bluffton and Hilton Head Island meet the requirements and policies expressed in the Federal Water Pollution Act, 33 U.S.C.A. § 1251 *et. seq.* and the South Carolina Pollution Control Act, S.C. CODE ANN. 48-1-10 *et. seq.* (Supp.2005); the Federal Clean Water Act, 33 U.S.C.A. § 303-305, 311, 314, 319, 320, 401, 402, 404, 502, and 510; Environmental Protection Agency Grants and Federal Assistance, 40 C.F.R. § 35.2005; Environmental Protection Agency Water Program 40 C.F.R. § 122, 130.7, and 136; Emergency Planning and Community Right to Know Act (EPCRA) Title III, Section 313, 42 U.S.C.A. § 11041-11050; Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C.A. § 9601 *et. seq.*; South Carolina Erosion and Sediment Reduction Act, S.C. CODE ANN. 48-18-70 (Supp. 2005); South Carolina Water Pollution Control Permits Regulation, S.C. CODE ANN. REGS. 61-9 (Supp. 2005); South Carolina Classifications and Standards Regulation Waters Regulation, S.C. CODE ANN. REGS. 61-68 (Supp. 2005); South Carolina Classified Waters Regulation, S.C. CODE ANN. REGS. 61-69 (Supp. 2005); South Carolina Pesticide Regulations, S.C. CODE ANN. REGS. 27-107 to 1085 (Supp. 2005); South Carolina Pesticide Control Act, S.C. CODE ANN. 46-13-10 to 240 (Supp. 2005); South Carolina Storm Water Management and Sediment Reduction Act, S.C. CODE ANN. 48-14-10 *et. seq.* (2000), and S.C. CODE ANN. REGS. 72-300, 400 (Supp. 2005); South Carolina Hazardous Waste Management Act, S.C. CODE ANN. 44-56-10 to 840 (Supp. 2005); South Carolina Oil and Gas Act, S.C. CODE ANN. 48-43-10 to 850 (2000); SC DHEC document titled Antidegradation for Activities Contributing Nonpoint Source Pollution to Impaired Waters – Maintaining Water Quality Through Storm Water Controls of November 1999, as updated; and, SC DOT Requirement for Hydraulic Design Studies. It is therefore determined that discharges from Beaufort County and from the towns of Bluffton and Hilton Head Island small MS4 will be issued with changes from the tentative determinations announced by the prior Public Notice 15-813-R. Changes made to the permit coverage to be issued pursuant to this Department decision is attached as Exhibit “A”.

These permit authorizations will become effective on December 1, 2015 provided no appeal is filed in accordance with the Adjudicatory Hearings Procedure Pursuant to S.C. Code Ann. § 44-1-60.

Please see the Department’s Guide to Board Review:

<http://www.scdhec.gov/Agency/BoardofDirectors/GuidetoBoardReview/> .

In the event an appeal is filed, the permit coverage in question will not become effective until the Board of SC DHEC reaches a final agency decision or the deadline for the final review conference lapses, whichever happens first.

# Exhibit “A”

## Summary of Changes

STATE OF SOUTH CAROLINA NPDES PERMIT AUTHORIZATIONS FOR STORM WATER DISCHARGES FROM  
THE SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (SMS4) OWNED OR OPERATED BY  
BEAUFORT COUNTY, TOWN OF BLUFFTON AND TOWN OF HILTON HEAD ISLAND

NPDES PERMIT AUTHORIZATIONS: SCR031301, SCR031302 & SCR031303

Authorization	Section	Change
SCR031301 SCR031302 SCR031303	1.4.4	Effective authorization date changed from 10/01/2015 to 12/01/2015. Expression “geo-political-jurisdictional” now reads: “geo-political, or jurisdictional”
SCR031302	2.2.2.4	Whether military bases, large hospitals, prison complexes, universities, sewer districts, highway departments and others that may operate a separate storm sewer system, if found, are an integral part of Town of Bluffton small MS4 must be indicated by 12/01/2016.
SCR031301 SCR031302 SCR031303	4.1.5 4.2.1.1 4.2.3.2.2 4.2.3.2.3 4.2.6.5.4	Requirement date for the Enforcement Response Plan (ERP), implementation of the Public Education and Outreach on Storm Water Impacts MCM, identification of Priority Areas for IDDE MCM, implementation of dry weather field screening and procedures for IDDE and beginning of Employee Training and Education changed from 10/01/2016 to 12/01/2016

Authorization	Section	Change
SCR031301 SCR031302 SCR031303	1.4.8 & 4.5.4 3.1.1.1 3.1.1.2 4.1.4.3.a 4.1.6 4.1.8 & 10 4.2.1.1.11 4.2.2 4.5.1 & 3.4 5.2.2 5.3 5.3.1 5.3.2 5.3.3 5.3.4	<p>Requirement date to report on: annexations, or de-annexations; new 303(d) requirements; determination of receiving waters conditions and impacts; stormwater management roles in the organizational chart, insurance of adequate resources to comply with the permit; development of the SWMP, implementation of the Public Education and Outreach on Storm Water Impacts MCM (including assessment); SWMP annual review; and, the annual report with applicable MCM Compliance, monitoring results, next year planning and proposed changes, changed from 12/01/2016 and 12/01/2017 to 02/01/2017 and 02/01/2018 respectively.</p> <p>Same requirements previously due on 12/01/2018 are implicitly changed to 02/01/2019 in the event the permit is continued (2.6.4), provided, of course, that a timely, complete, re-notification NOI is received no later than 06/29/2018 (2.6.1) as indicated in the Certificate of Coverage.</p> <p>This is also applicable to all permit sections listed in the Section column of this Summary of Changes.</p> <p>Public Involvement / Participation MCM requirements to: involve the public in the SWMP (4.2.2.1), ensure the public can easily find information about the SWMP (4.2.2.1.2), and, incorporate the written procedures for the requirements above in the SWMP (4.2.2.1.3) are now part of the Certificate of Coverage. Records, including the NOI and the SWMP description must be made available to the public (5.2.2) and is now indicated in the Certificate of Coverage.</p>
SCR031301 SCR031302 SCR031303	4.1.9 4.2.4.1 4.2.4.4.1.a 4.2.5 4.2.5.6.1	<p>The date required to have the Construction Site Storm Water Runoff Control and the Post-Construction Storm Water Management for new Development and Redevelopment changed from 04/01/2017 &amp; to 06/01/2017</p>
SCR031301 SCR031302	3.2.1.1.2	<p>Date required to: complete the Existing TMDL Monitoring and Assessment changed from 10/01/2017 &amp; to 12/01/2017;</p>
SCR031301 SCR031302 SCR031303	4.1.4.1 4.2.3.2.2 4.2.6.3.1	<p>Ensure Adequate Legal Authority to Implement and Enforce SWMP; update Priority IDDE Areas ID; and, start the Comprehensive inspection of “High-Priority” facilities by 12/01/2017</p>
SCR031301 SCR031303	3.2.1.2.1.a.ii	<p>Schedule for conducting TMDL monitoring must be initiated no later than 06/01/2018</p>