South Carolina
13405

W.P.

COASTAL ZONE
INFORMATION CENTER

ENVIRONMENTAL QUALITY CONTROL

AND

COASTAL ZONE MANAGEMENT

South Carolina Coastal Council

TD
169
.S6
E58
1974

Department of Health and Environmental Control

13405

Property of CSC Library

COASTAL ZONE INFORMATION CENTER

ENVIRONMENTAL QUALITY CONTROL AS IT RELATES TO COASTAL ZONE PLANNING AND MANAGEMENT IN SOUTH CAROLINA

U.S. DEPARTMENT OF COMMERCE NOAA
COASTAL SERVICES CENTER
2234 SOUTH HOBSON AVENUE
CHARLESTON, SC 29405-2413

Submitted to

SOUTH CAROLINA COASTAL ZONE MANAGEMENT AND PLANNING COUNCIL

Property of CSC Library

by

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

OFFICE OF ENVIRONMENTAL QUALITY CONTROL

South Carolina Coastal Council
TD 169.S6 E58 1974
APR 10 1987

13905

TABLE OF CONTENTS

		Page
List of Figures		ii
List of Appendices		iii
I.	Introduction	1
II.	Office of Environmental Quality Control Department of Health and Environmental Control	3
III.	Coastal Zone Planning and Management Wildlife and Marine Resources Department	5
IV.	Summary of Office of Environmental Quality Control Activities Affecting the Coastal Zone	8
	A. Water Classification and Standards System	8
	B. Waste Discharge Allocation Program	9
	C. Monitoring and Surveillance	10
	D. District Services	11
	E. Shellfish Sanitation Program	12
	F. Waste Treatment Facilities Planning	12
	G. Areawide Waste Treatment Management Planning	13
	H. Water Quality Management Planning	15
	I. NPDES Permitting System	16
	J. Water Quality Certification Process	18
	K. Air Quality Control Program	19
	L. Water Supply Program	20
	M. Solid Waste Program	21
V.	Coastal Zone Management Program	23
	A. Interaction with Environmental Quality Programs of DHEC - Recommendations	23
	B. Suggestions Concerning Coastal Zone Legislation and Management	25
VI.	Bibliography	36

LIST OF FIGURES

		Page
Figure 1	Organizational Structure of the Department of Health and Environmental Control	28
Figure 2	Organizational Structure of the Office of Environmental Quality Control	29
Figure 3	Organizational Structure of the Department of Wildlife and Marine Resources	30
Figure 4	Organizational Structure of the Division of Natural Areas Acquisition and Resources Planning	31
Figure 5	Primary Water Quality Monitoring Stations in South Carolina	32
Figure 6	Biological Monitoring Stations in South Carolina	33
Figure 7	Sub-Basin Segment Delineation Map of South Carolina	34
Figure 8	Recommended Permitting Process for Coastal Zone Discharges	35

LIST OF APPENDICES

		Page
Appendix I	South Carolina Pollution Control Act as Amended.....	37
Appendix II	Water Classification Standards System for the State of South Carolina.....	38
Appendix III	Classification of Natural Waters in South Carolina.....	39
Appendix IV	1. Joint Agreement Between EPA and NOAA 2. Federal Activities Guidance.....	40

INTRODUCTION

The passage of the Coastal Zone Management Act of 1972 made it plain that there is a national interest and concern over the protection of the coastal area of the United States. Unmanaged and haphazard development could and is leading to unnecessary destruction of many of the valuable resources inherent in the coastal zone. There is concern not only over the unplanned development of coastal land, but also concern over the protection of valuable natural resources and water quality. A coastal zone management plan for South Carolina will have to incorporate many factors within its framework. Many of these factors, which will be considered, involve programs administered and regulated by agencies outside the jurisdiction of the Coastal Zone Planning and Management Council. Examples of these programs are that of water quality control, air quality control, solid waste management, and water supply management which are administered by the Office of Environmental Quality Control of the Department of Health and Environmental Control. The Federal Coastal Zone Management Act clearly [(Section 307(f)] states that the Coastal Zone Management Act shall in no way affect any requirement established by the State pursuant to the Federal Water Pollution Control Act (P.L. 92-500) or the Clean Air Act as amended. In addition, any such requirements shall be incorporated into the management program developed pursuant to the Coastal Zone Management Act.[1] Thus, the State's Water Pollution and Air Pollution Control requirements should be reflected in the Coastal Zone Management Plan.

It is the intent of this report to describe the various programs concerning environmental quality which are being implemented by the Department

of Health and Environmental Control and recommend procedures for their application in the Coastal Zone Management process. Even though legal requirements of the law concerning coordination must be met, it is not intended that it stop there. Continual and close coordination will be encouraged and fostered between the Coastal Zone Council staff and that of the Office of Environmental Quality Control.

This report outlines briefly the goals and objectives of the Office of Environmental Quality Control of the Department of Health and Environmental Control. It summarizes the objective of the Coastal Zone Planning and Management Program and its relationship to environmental quality planning and management for the State. In addition, it briefly describes the various planning and operational programs within the Department of Health and Environmental Control that involve the coastal zone and should possibly be included or considered in the Coastal Zone Planning and Management Process. Finally, recommendations are made concerning interaction between the Coastal Zone Management Program and environmental quality programs of the Department of Health and Environmental Control.

OFFICE OF ENVIRONMENTAL QUALITY CONTROL
DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

The Office of Environmental Quality Control of the South Carolina Department of Health and Environmental Control (DHEC) implements State policy concerning environmental quality in accordance with the Pollution Control Act of South Carolina as amended, the S.C. Code of Laws, the Federal Water Pollution Control Act as amended, the Clean Air Act, and the Safe Drinking Water Act. The amendments to the South Carolina Pollution Control Act in 1973 formed the South Carolina Department of Health and Environmental Control as a new State agency on July 1, 1973 by the merger of the former South Carolina Pollution Control Authority and the State Board of Health. The Department of Health and Environmental Control (DHEC) is the designated State agency for administering the laws and regulations pertaining to the control, abatement and prevention of environmental pollution throughout the State. It performs this function through the efforts of its Office of Environmental Quality Control (EQC).

It is the policy of EQC to maintain reasonable standards of purity of the air and water resources of the State. It has the authority to abate, control and prevent pollution in all waters of the State including estuaries, marshes, inlets, canals, lakes, bays, sounds, ponds, reservoirs, springs, wells, rivers, streams, and the Atlantic Ocean within the territorial limits of the State. This is put forth in the South Carolina Pollution Control Act as amended. In addition, DHEC shall adopt standards and determine what qualities and properties of water and air shall constitute a polluted condition. Such water quality standards

shall be adopted pursuant to a public hearing process. DHEC shall also adopt emission and effluent control standards, regulations, and limitations that are applicable only within specified areas or zones of the State or that are applicable only when a specified class of pollutant is present.[2]

DHEC prepares an annual document outlining and developing the strategy for the water pollution control program of the State each fiscal year. Review and approval of this document by EPA results in the flow of Federal grant monies to the State for program activities as well as grant money for the construction of municipal waste treatment facilities. The water pollution control strategy includes an assessment of water quality problems in the State in respect to inland surface waters, marine waters and ground waters. This assessment identifies problem areas within four geographically separate drainage basins and sub-basins in the State (Figure 1).

Using the sub-basin analysis technique, water quality problems have been identified at several locations along the coast. Generally, these areas are located in waterways associated with heavy populations and are caused by numerous types of waste including domestic, industrial and non-point sources.[3]

Detailed information concerning the water quality control strategy of the State can be found in the State of South Carolina Water Pollution Control Programs for Fiscal Years 1974, 1975, and 1976.

COASTAL ZONE PLANNING AND MANAGEMENT

Pursuant to the passage of the Federal Coastal Zone Management Act of 1972, the Governor of South Carolina issued an executive order creating the Coastal Zone Planning and Management Council on August 15, 1973. The purpose of the Council is to undertake planning and research necessary to develop and recommend to the Governor and to the General Assembly within 3 years of the order a planning and management program designed to promote public health, safety and welfare in and insure the maximum beneficial use of the South Carolina Coastal Zone. The Council was thereby designated as the single State agency for the purpose set forth in the Federal Coastal Zone Management Act of 1972. The executive order also designated that the staff of the Division of Marine Resources of the Wildlife and Marine Resources Department shall provide the core staff for the Council. The Director of the Marine Resources Division was ordered to direct and coordinate staff functions.[4]

One of the initial actions of the Council was to apply to the Department of Commerce for a management program development grant which was approved by the Department's Office of Coastal Environment in March 1974. Much of the Council's efforts have been directed toward preparing legislation for management of the coastal zone of South Carolina. Such legislation was introduced in the State Senate by Senator James Waddell of Beaufort (Chairman of the Coastal Zone Council) and was designated as Senate Bill 260. This bill, in practice, was incorporated into House Bill 2420 and retained the designation of that bill. House Bill 2420 was introduced by Representative Bill Campbell of Richland County.

The language of the Federal Coastal Zone Act and Regulations published pursuant to the Act requires close coordination of the coastal zone management program and environmental programs administered under the Federal Water Pollution Control Act amendments. The Federal Coastal Zone Management Act in section 307(f) states that it shall not affect, in any way, requirements (1) established by the Federal Water Pollution Control Act as amended or the Clean Air Act as amended, or (2) established by the Federal Government, or any State or local government pursuant to such acts. It further states than any requirements developed under such acts shall be the water pollution control and air pollution control requirements applicable to the management program developed under the Coastal Zone Act. This is to insure that the coastal zone management program does not conflict with plans and regulations mandated by the Federal Water Pollution Control Act or the Clean Air Act.[5] Therefore, the coastal zone management program should provide for a continual program of coordination and cooperation with water and air programs subsequent to the approval of a coastal zone management plan.

Further, the management program must be developed in close coordination with the planning and regulatory systems being implemented under the Federal Water Pollution Control Act and the Federal Clean Air Act and be consistent with applicable State or Federal Water and Air Pollution Control Standards in the coastal zone. The regulations developed pursuant to the Federal Coastal Zone Act also state that documentation by the official responsible for air and water pollution control activities that those requirements have been incorporated into the body of the coastal zone management program should accompany submission of the management program.[1]

In addition, there will be significant opportunities for developing working relationships between DHEC and the Coastal Zone Management Council. Such relationships could include: coordination of monitoring and evaluation activities; increased environmental management attention focused on the coastal zone; and consultation concerning State water quality standards and criteria affecting the coastal zone.

Since three areas that include portions of the coastal zone as presently defined have been designated as 208 areawide waste treatment management areas, close coordination between the agencies responsible for coastal zone programs and the designated 208 regional planning agencies must be developed during the planning process. Continual coordination will be necessary during subsequent administration of the approved management programs. Representatives of the Coastal Zone Council should act in an advisory capacity to the 208 regional planning agencies in those three areas involving the coastal zone.

SUMMARY OF DHEC ACTIVITIES RELATING TO THE COASTAL ZONE

A. Water Classification and Standards System

The Pollution Control Act of South Carolina, as passed by the General Assembly, states the following policy: "It is declared to be the public policy of the State to maintain reasonable standards of purity of the water resources of the State, consistent with public health, safety and welfare of its citizens, maximum employment, the industrial development of the State, the propagation and protection of terrestrial and marine flora and fauna, and the protection of physical property and other resources. It is further declared that to secure these purposes and the enforcement of the provisions of this Act, the South Carolina Department of Health and Environmental Control shall have authority to abate, control and prevent pollution."[2] Consistent with this statement, the Department of Health and Environmental Control has set water quality standards and general guidelines for all the waters of South Carolina. This includes classification of waters according to their best use. Specific water quality standards are set based on the classification of the water and separately for fresh and salt water bodies. A thorough description of this system can be found in the DHEC publication, "Water Classification Standards System for South Carolina" (Appendix I).[6] These standards are not set arbitrarily by DHEC, but are established through a thorough review and public hearing process and are reviewed and revised every 3 years.

B. Waste Load Allocations

In accordance with the Federal Water Pollution Control Act and in cooperation with EPA, DHEC has developed and calibrated water quality models for all surface waters receiving significant point source waste discharges. Significant point sources are defined as those designed for a waste discharge capacity greater than or equal to 0.1 million gallons per day (MGD). The purpose of these models is to predict the effect of the waste discharge on the quality of the receiving waters with respect to specific water quality parameters such as dissolved oxygen (DO), biological oxygen demand (BOD) and nutrients. By predicting the effects of the waste load on the receiving water quality an allocation of allowable waste concentration can be given to the discharger and will become part of his permit restrictions. This waste load allocation should not cause the water quality to become lower than the standards as established for the different water classifications.

Various computerized models are used by the Compliance Section for determining the assimilative capacity of receiving waters. The model routinely used for streams is the DOSAG I model (Texas Water Quality Development Board Routing Model). Those models described in Simplified Mathematical Modelling of Water Quality, EPA, March 1971, are used for estuarine areas. Additional models have been developed on contract for various other areas of the State.

Additional detailed information concerning the waste load allocation procedures employed by DHEC can be found in the South Carolina Santee-Cooper River Basin Water Quality Management Plan (Page 45).[7]

C. Monitoring and Surveillance

In order to provide information and analysis of the quality of the State's waters, the Office of Environmental Quality Control has established a water quality sampling and evaluation program covering the entire State. Physical, biological and chemical parameters are considered.

There are 75 DHEC biological monitoring stations located throughout the State of which 13 are in coastal marine waters. These 75 stations are analyzed for plankton, periphyton, macroinvertebrates, macrophyton and fish. Reference collections of the flora and fauna being collected are maintained in the Biological Monitoring Section. In addition, special projects including bioassay work using fish, and analysis of metals and pesticides in natural fish populations are being conducted. Also, coordination with the Marine Resources Center at Charleston results in additional information useful in analysis of marine water quality.

There are 221 chemical primary water quality stations established throughout the State with 51 of these being located in the coastal zone. These stations are sampled every month. In addition there are 77 secondary sampling stations located in the coastal zone which are sampled monthly during the period from May through September. Water samples from both primary and secondary stations are analyzed for heavy metals, pesticides, nutrients, phenols, coliform bacteria, DO, pH, temperature, salinity, and other parameters as requested. All the data accumulated from these stations is placed on file and statistically treated in a STORET computer system at EPA via terminals at DHEC and can be retrieved when required. Figure 5 shows the location of the primary sampling stations and figure 6 shows the biological monitoring stations.

In addition to chemical and biological monitoring, DHEC conducts special investigations and intensive studies of specific water bodies as required. These special studies include investigation of the causes of fish kills, control of hazardous chemicals and oils, and detailed water quality studies of specific water bodies such as lakes or estuaries. The results of such studies provide additional data that can be used in enforcement actions and in analyzing the effects of specific discharges on water quality and aquatic biota.

Analysis of water samples is conducted at 6 regional laboratories supported by a central more sophisticated laboratory in Columbia. The regional laboratories are geographically dispersed and are located in Charleston, Aiken, Florence, Greenville, Lancaster, and Columbia. Each regional laboratory has the capability of analyzing water samples for pH, DO, BOD, suspended solids, alkalinity, turbidity, color, COD, oil and grease, phenols, total coliform and fecal coliform. The central laboratory in Columbia has the additional capability for analysis of a wide range of metals, nutrients and organic constituents such as pesticides and hydrocarbons.

D. District Services

The Division of District Services is made up of a central office in Columbia and 12 offices throughout the State with three located in the coastal zone. Personnel assigned to these districts have numerous responsibilities including: (1) preliminary engineering evaluations of discharge facilities; (2) construction site inspections and approvals; (3) final construction inspections; (4) special investigations concerning pollution; (5) technical assistance; (6) coordination with the compliance section concerning permit compliance; (7) facilities monitoring; and (8) impact evaluation investigations.

The three district services offices in the coastal zone are located in Beaufort, Charleston and Myrtle Beach and are staffed with an environmental engineer and support personnel.

E. Shellfish Sanitation Program

To insure that the public consumes a safe shellfish product, DHEC monitors and controls the harvesting of shellfish from areas in the coastal zone. The monitoring program includes analysis of coliform bacterial levels in shellfish tissues and in surrounding waters as an indicator of pollution. If shellfish waters are found to contain quantities of bacteria which are considered unsafe by Food and Drug Administration Standards, the harvesting of shellfish will be prohibited. DHEC shellfish patrolmen routinely patrol shellfish areas that are closed to insure that oysters and clams are not gathered from such areas. In addition, DHEC inspectors routinely visit and inspect all shellfish processing plants in the State to insure that they are operating within public health standards. Shellfish program officials also work with water quality officials to help determine sources of water pollution affecting shellfish areas and work cooperatively to eliminate them. In addition, a program to evaluate the levels of metals and pesticides in oyster tissue has been initiated.

F. Waste Treatment Facilities Planning

Section 201 of the Federal Water Pollution Control Act requires each state to develop and implement waste treatment management plans and practices which will achieve the goals of the Act. Section 201 requires that all waste treatment management be on an areawide basis and provide for control or treatment of all point and non-point sources of pollution to the extent practical.[8] For this purpose, EPA will provide 75 percent of the costs of construction

of municipal waste treatment facilities. Obviously, adequate funding does not exist for every municipality to receive a grant, so DHEC has established a priority review system which is described in the South Carolina Water Pollution Control Program for Fiscal Year 1974.[9] In addition, DHEC reviews and approves municipal treatment facilities plans to insure their compliance with State standards for operation and efficiency.

Currently, there are 8 facilities planning areas in the coastal zone (see Table 1) out of a total of 61 in the State.

Each 201 planning project results in the compilation of a report that encompasses many factors, including an assessment of the environmental impact of each project, therefore, these reports should prove to be a valuable information source to coastal zone planners.

G. Areawide Waste Treatment Management Planning

Areawide Waste Treatment Management Planning has been organized pursuant to Section 208 of the Federal Water Pollution Control Act of 1972 and is referred to as "208 planning". The primary goal of 208 planning is to focus on sources of pollution which threaten the achievement by 1983 of a level of water quality that will support aquatic life and recreation on and in the nation's waters. The Act and grant regulations prescribe that designated planning agencies will develop water quality management plans for (1) municipal and industrial point sources to include storm water; (2) non-point sources; (3) protection of groundwater; and (4) pollution from residual wastes.[8]

The Governor has designated 5 areas of the State as 208 planning areas. Three of these are located in the coastal zone of the State and are as follows:

TABLE 1. 201 PLANNING AREAS

FISCAL YEAR 74

1. ABBEVILLE
2. ALLENDALE
3. ANDERSON
4. ANDREWS
5. BEAUFORT COUNTY
6. BELTON-HONEA PATH
7. BENNETTSVILLE
8. BLACKSBURG
9. CAMDEN
10. CHARLESTON
11. CHESTER
12. CHESTERFIELD-CHERAW
13. COLUMBIA
14. CLOVER
15. DENMARK
16. DILLION
17. EDGEFIELD COUNTY
18. ESTILL
19. FLORENCE-DARLINGTON-HARTSVILLE
20. GAFFNEY
21. GEORGETOWN
22. GRAND STRAND
23. GREENVILLE
24. GREENWOOD
25. HAMPTON-VARNVILLE
26. HARDEEVILLE
27. HEMMINGWAY
28. HOLLY HILL-HARLEYVILLE
29. HORRY
30. IVA-STARR
31. JONESVILLE
32. KINGSTREE
33. LAKE CITY
34. LAKE VIEW
35. LANCASTER
36. LATTA
37. LAURENS COUNTY
38. MANNING-SUMMERTON
39. MONCKS CORNER
40. MARION-MULLINS-NICHOLS
41. NORTH
42. OCONEE COUNTY
43. OLANTA
44. PELZER-WEST PELZER-WILLIAMSTON
45. PICKENS COUNTY
46. RIDGELAND
47. ROCK HILL
48. ST. MATHEWS
49. SALUDA
50. SPARTANGURG
51. UNION-BUFFALO
52. WILLISTON-BLACKSVILLE-ELKO
53. YORK

FISCAL YEAR 75

54. BARNWELL
55. BATESBURG-LEESVILLE
56. LAMAR
57. PAMPLICO
58. PROSPERITY
59. SALLEY-PERRY-WAGENER
60. SUMTER
61. WALTERBORO

FISCAL YEAR 76

62. BOWMAN
63. CALHOUN FALLS
64. EHRHARDT
65. RIDGE SPRING
66. ST. STEPHEN

(1) Georgetown, Horry and Williamsburg counties. The lead planning agency for this area is the Waccamaw Regional Planning Council.

(2) Berkeley, Charleston and Dorchester counties. The lead planning agency is the Berkeley-Charleston-Dorchester Regional Planning Council.

(3) Beaufort, Colleton, Hampton and Jasper counties. The lead planning agency is the Lowcountry Regional Planning Council.

DHEC has responsibility for reviewing and certifying 208 management plans prior to submission to EPA for approval. The designated 208 planning agencies will work closely with DHEC to insure that the 208 areawide plan conforms to and is consistent with the management strategy and constraints spelled out in the Section 303 Basin Plan. DHEC will assist the areawide planning organizations in the preparation of water quality plans as spelled out in the State of South Carolina Continuous Water Quality Planning Process. Such assistance includes the following:

(1) Assess the status of water quality planning and determine what work is needed to achieve or maintain minimum planning standards as required by Federal and State laws and regulations.

(2) Determine the availability of financing, and upon request, assist in obtaining funds from EPA.

(3) Provide technical assistance, such as, identification of water pollution sources, assessment of stream water quality, assignment of maximum stream loading capacity, and evaluation of alternative solutions for water pollution problems.

(4) Provide all pertinent data accumulated in the development of basin plans.

(5) As appropriate, assist in arriving at arrangements that are cost effective.[10]

The 208 planning process could theoretically become involved in land use management as it relates to water quality. Thus, land management practices incorporated into coastal zone management must be coordinated with and be consistent with the management program established in the 208 planning process.

H. Water Quality Management Planning

Water quality management planning is organized by DHEC in accordance with the requirements of Section 303 of Public Law 92-500 and 40 CFR, Part 130-131 and is generally referred to as "Basin Planning". South Carolina is divided into 4 geographical water drainage basins (Figure 7) and DHEC prepares a water quality plan for each basin every three years. These plans are prepared so as to: (1) organize information and select water quality management actions; (2) assess water quality problems and needs to include recommendations for revising water quality standards and identifying areas of priority for grant assistance; (3) set forth compliance and abatement dates concerning water quality and (4) establish and identify goals and needs for other planning activities such as 201 facilities planning, 208 areawide planning and other water resource related plans. The basic objective of the plan is to provide the most cost-effective abatement strategy for protecting existing and projected water uses and to prevent degradation of existing high quality waters.

The goals of the basin planning process is to: (1) restore and maintain the biological, chemical, physical and aesthetic integrity of the

basin's waters; (2) to provide for solutions to water quality problems and to institute continuous management programs for water quality which result in maximum benefit to the State; and (3) to encourage re-use of wastewater whenever economically feasable.[7]

Since each basin drains into the coastal area, considerable information will be included in the basin plans concerning water quality in coastal waters. An assessment of the water quality of each sub-basin in the coastal zone is complete and is available upon request.

I. NPDES Permitting System

The National Pollutant Discharge Elimination System (NPDES) is a waste discharger permitting system created and required by the Federal Water Pollution Control Act (Section 402). It is part of a comprehensive effort to prevent, reduce and eliminate water pollution. Under the law, it is illegal to discharge any pollutant into any of the Nation's waters without an NPDES permit. Types of discharges requiring permits include municipal wastewater treatment facilities, manufacturing plants, agricultural operations, forestry, mining, and fishing operations and other service, wholesale, retail, and commercial establishments. An NPDES permit is not a license to pollute, but rather is a method of regulating what and how much may be discharged. It sets limits on what can be contained in a effluent and requires a discharger to comply with all aspects of the law. It also requires a discharger to monitor his waste and report the amount and nature of all the components in his discharge. If a discharger operates without a permit or violates his permit conditions, he may be fined up to $10,000/day. Willful or negligence violations could bring even stiffer penalties.

The law requires EPA to turn over NPDES permit issuing authority to a state if the state requests it and if the state permitting program meets EPA requirements. South Carolina has obtained this permitting authority.

All dischargers in South Carolina have not yet received NPDES permits, however, DHEC is working closely with EPA in establishing a workable permitting program for South Carolina. EPA retains the authority to veto a proposed permit if it does not comply with the Federal Water Pollution Control Act or EPA regulations. EPA also retains the authority to step in and enforce discharger permit compliance if the state fails to act and can even revoke a state's permitting authority if necessary.

Information concerning NPDES permits already issued in South Carolina is stored in the EPA STORET computer system used by DHEC and is available upon request.

Pollutants excluded from the NPDES and covered by other pollution control requirements are: (1) sewage from vessels or other floating craft in coastal or ocean waters; (2) discharges from properly functioning marine engines; (3) water, gas, or other material injected into oil or gas wells; (4) aquaculture projects; (5) separate storm sewers; and (6) dredged or fill material.

Discharging and dumping pollutants into coastal and ocean waters is regulated by EPA under the Federal Water Pollution Control Act and the Marine Protection, Reserarch and Sanctuaries Act of 1972 (ocean dumping). NPDES permits may be issued for ocean waters only if the discharges meet EPA requirements identified in its regulations.

The NPDES Administration Section within the Bureau of Wastewater and Stream Quality Control of DHEC's Office of Environmental Quality administers

the NPDES for the State. Basically, the program is administered in 3 phases: (1) issuance of permit; (2) administration; and (3) monitoring and enforcement. The receipt of applications and final issuance of a permit is administered by the NPDES permits section of the Compliance/ Enforcement Division. This section also handles public notices, public hearings, and information dissemination concerning NPDES. The technical input is provided by the appropriate engineering division. The monitoring and enforcement functions are provided by the Compliance/Enforcement Division.[11]

J. Water Quality Certification Process

Pursuant to Section 401 of Public Law 92-500, the Office of Environmental Quality Control of DHEC has the responsibility and authority to issue water quality certificates to the licensing or permitting agency for such activities that may be determined to affect water quality. This will be the case for such activities for which a discharger permit is not required under other sections of the law. Once the necessity for a water quality certificate is decided upon by the licensing or permitting agency (usually the U.S. Army Corps of Engineers), the Office of Environmental Quality Control will be asked to consider issuing a water quality certificate. Prior to issuing such a certificate, a public notice will be issued and comments will be received for 30 days. After this 30 day notice period, a decision is made and sent to the permitting agency concerning within 15 days, thus, the water quality certificate issuance could take a maximum of 45 days. No license or permit shall be granted until the water quality certification has been received by the licensing or permitting agency from DHEC. Most of the water quality certificates concern permit applications submitted to the Army Corps of Engineers or the U.S. Coast Guard. The DHEC water quality

certificate is issued by the Division of Industrial and Agricultural Wastewater.

Because of these procedures required by Public Law 92-500 (Section 401) most of the activities in the wetlands of the coastal zone require a water quality certificate from DHEC. Most all of the water quality certificates issued in the past have been the result of applications submitted to the U.S. Army Corps of Engineers for construction and fill activities in coastal wetlands. Such activities can have affect on adjacent water quality and are receiving closer scrutiny than in the past.

K. Air Quality Control Program

Pursuant to the authority contained in the South Carolina Pollution Control Act (Code of Laws, Section 63-195.7) as amended, the South Carolina Board of Health and Environmental Control has adopted regulations and standards pertaining to the maintenance of air quality within South Carolina. These standards and regulations are enforced by personnel of the Bureau of Air Quality Control within the Department of Health and Environmental Control (DHEC). As part of its program, DHEC has compiled an Air Quality Implementation Plan to provide for the attainment and maintenance of State Air Quality Standards as adopted. The state was divided into 10 air quality regions, with the coastal zone being divided into 3 regions. These regional boundaries were designed and approved during 1970 and coincide with the Regional Planning Districts' boundaries.[12] Since then the plan has been revised, and, monitoring, analysis and reporting of air quality is accomplished on a county by county basis. To assist in accomplishing this task, air pollution engineers and specialists are assigned to each of the 12 health districts in the State. In the coastal zone these offices are located at Myrtle Beach, Charleston, and

Beaufort.

The control strategy for air pollution in South Carolina contained in the implementation plan describes the steps necessary to realize the goals and requirements of the Federal Clean Air Act (Public Law 91-604). The Requirements for Preparation, Adoption, and Submittal of Implementation (42 CFR420) published in the Federal Register on August 14, 1971 define the statutory powers which must be available to States to carry out the responsibilities of the Federal Clean Air Act as amended. 42 CFR420.11(a) sets forth six specific requirements for state authority. The South Carolina Pollution Control Act (Act 1157) as amended provides the State with the authority to respond to these requirements. This authority is vested in the Department of Health and Environmental Control.

L. Water Supply Program

The objective of the Water Supply Program is to protect the health and well-being of the people of South Carolina as it may be affected by public and semi-public drinking water supplies.[13] This objective is achieved by authority of Sections 1201 through 1206 of the Code of Laws as amended.

The Water Supply Program involves numerous activities involving central office personnel in Columbia and personnel assigned to the health districts throughout the State. The quality of drinking water sources (surface and groundwater) is monitored and evaluated continuously and includes the drilling and monitoring of 400 test wells around the State. Such evaluation of water resources includes the impact of waste treatment facilities on groundwater supplies and includes site investigations of all treatment facilities. In addition, reported cases of groundwater contamination are

investigated and action initiated to correct any source of contamination.

An application has been made to the Coastal Plains Regional Commission for grant funds to study the background quality of groundwater aquifiers in the coastal zone with a view toward establishing criteria for land application of domestic wastes. This project has been endorsed by the State Development Board and the Coastal Zone Council. A lowcountry capacity use study is also being conducted in cooperation with the South Carolina Water Resources Commission.

The permitting program requires that every drinking water treatment facility meet design and construction criteria approved by the Department of Health and Environmental Control. DHEC is also implementing the requirements of the Federal Safe Drinking Water Act of 1974 (P.L. 93-523) and these requirements will be incorporated into existing regulations which are presently in the process of revision. After certification and approval all public water supplies must have a bacteriological analysis completed monthly and chemical tests completed periodically as determined by DHEC. The finished water shall meet bacteriological and chemical quality as required by DHEC.[13]

M. Solid Waste Management Program

The Solid Waste Management Division of the Department of Health and Environmental Control (DHEC) manages through a regulatory process, the disposal of all solid waste within South Carolina. The regulations were promulgated pursuant to and under the authority of Section 32-8(11) of the 1962 Code of Laws as amended. The adopted regulations cover the disposal, storage, and transportation of all types of solid wastes for the protection

of public health and the environment of the State. Permits are required for the establishment of solid waste disposal areas, sanitary landfills, milled or shredded refuse disposal sites, and industrial solid waste disposal sites. In addition, rules and regulations have been established to provide for the storage, transport, and disposal of pesticide containers. Standards have also been set and are enforced for the design, construction, and operation of sanitary landfills.

The overall purpose of the solid waste management program is to regulate the storage, collection, transportation, and disposal of all refuse; including residential, industrial, agricultural, and commercial refuse so as to prevent the pollution of the air, land, and waters of the State by such solid waste. The goal of the program is also to provide each citizen, industry, or entity the availability of an economically feasible solid waste management system that will also prevent the spread of disease, prevent the creation of nuisances, conserve natural resources, and enhance the beauty and quality of the environment.[13]

The solid waste program is enforced through the efforts of solid waste consultants assigned to the 12 health district offices covering the entire State. Coastal health district offices are located in Myrtle Beach, Charleston, and Beaufort.

A. Interaction with Environmental Quality Programs - Recommendations

To insure continual cooperation and coordination between the Coastal Zone Council and DHEC concerning environmental quality matters in the coastal zone, the staff of the Coastal Zone Council should establish a close working relationship with the Programs Development Division and other divisions of EQC as necessary. This will allow a mechanism for including the State's environmental quality strategy in the Coastal Zone Management Plan and insure the Coastal Zone Council's participation in matters pertaining to environmental quality in the coastal zone toward this end. The coastal zone planning office should take an active part in the development of water quality standards in the coastal zone. This can be accomplished through participation in the evaluation and review of water quality standards conducted by the Compliance Section and the Water Programs Section of the Bureau of Wastewater and Stream Quality Control. Water quality standards could not be reduced, but could be increased if deemed necessary. In addition, coastal zone planning staff participation in the classification of coastal waters under the State's water classification system would be encouraged. General water quality criteria are established to maintain a water quality sufficient for the survival and general well-being of fish and other aquatic life. The coastal zone planning office's involvement in the classification and standards process affecting marine waters would insure proper consideration would be given to coastal environmental interests in the development of such standards and classifications.

In regards to the discharge permitting system of the Bureau of Wastewater and Stream Quality Control, the process represented in Figure 8 is suggested. This would allow the decision as to location of a discharger in the coastal zone to be determine by the Coastal Zone Council with consideration of the discharge restrictions that would be imposed by DHEC. The discharge permit would be issued by DHEC after approval of location. The discharge restrictions of the permit would reflect the water classification and standards criteria for the receiving waters.

In that planning for water quality under Section 208 of the Federal Water Pollution Control Act is being undertaken for designated areas in the coastal zone, close coordination should be maintained between DHEC, the Coastal Zone Council Staff and the Councils of Government responsible for 208 planning. Hopefully, such close coordination would help prevent a duplication of effort in some areas. Strategy and policy developed in the basin planning process and in the 208 planning process should be incorporated into the coastal zone plan and become part of the water quality strategy for the coastal zone.

The Surveillance and Monitoring Division monitors the chemical and biological conditions of natural waters and selected stations in the coastal zone in order to evaluate the level of pollutants in such waters. In order to make use of as much information as possible concerning the level of pollution in these areas, a close relationship should be developed between the Marine Resources Center personnel and DHEC personnel. Much of the data collected by the Marine Resources Center could be useful in evaluating pollution levels in coastal waters in relation to existing water quality standards.

Documentation by the officials responsible for State implementation of air and water pollution control activities that these requirements have been incorporated into the body of the Coastal Zone Management Program should accompany submission of the management program. NOAA regulations state that, "the basic purpose of Section 307 of the Federal Coastal Zone Management Act is to insure that the State's Coastal Management Program does not conflict with National and State policies, plans and regulations mandated by the Federal Water Pollution Control Act and the Clean Air Act. The policies and standards adopted pursuant to these acts should be considered essential baselines against which the overall management program is developed. This is a specific statutory requirement that reflects the overall coastal zone management objective of unified State management of environmental laws, regulations and applicable standards. To this end management programs should provide for continuing coordination and cooperation with air and water programs during subsequent administration of the approved management plan,"[1]

B. Suggestions Concerning Coastal Zone Legislation and Management

Coastal zone legislation and the coastal zone management plan should address the management of water quality, air quality, solid waste management, groundwater, and drinking water quality in the coastal zone. The Department of Health and Environmental Control has operational programs (described herein) covering these areas that were established pursuant to the S.C. Code of Laws as amended, the Federal Water Pollution Control Act, the Federal Clean Air Act, and the Federal Safe Drinking Water Act. In view of these ongoing and established programs, the following statements are suggested for inclusion in the proposed South Carolina Coastal Zone Management Act:

"Notwithstanding the provisions contained herein the South Carolina Department of Health and Environmental Control as provided by the South Carolina Pollution Control Act as amended (Section 63.195 Code of Laws) and Section 32-8 Code of Laws and as the designated agency for enforcement of the Federal requirements pursuant to the Water Pollution Control Act of 1972, the Clean Air Act of 1970, and the Safe Drinking Water Act of 1974 shall have authority for management of air quality, water quality, groundwater and drinking water quality, and solid waste disposal in the coastal zone. Such management and regulatory programs established pursuant to these requirements shall be considered as part of the coastal zone management plan. The Coastal Zone Council shall provide advice and assistance to the Department of Health and Environmental Control in seeing that these management programs are consistent with the provisions and guidelines of the coastal zone management plan."

In addition to those programs already being administered by various State agencies, a new program should be organized that would establish administrative and regulatory procedures for coastal land use planning, wetlands protection, and beach protection. Such programs would be commensurate with the declared policy of the Federal Coastal Zone Management Act. The Coastal Zone Council could assist and cooperate with local and State agencies in establishing such a program within the framework of the coastal zone management plan.

Consideration should be given to the need for a permit to fill wetlands based on the effect of the fill material on water quality and aquatic life. Section 1(7) of the South Carolina Pollution Control Act includes in its definition of pollution the presence in the environment of any substance in such quantity and of such characteristics that may cause the environment to

be degraded or tends to be injurious to plant, animal, or marine life. Section 13(a) additionally states that it shall be unlawful for any person to allow any organic or inorganic matter to enter the waters of the State if it tends to cause a condition of pollution. Based on these sections, a permit could be required for fill of wetlands because of the fill material's effect on environmental quality. Specifically, water quality could be affected by leachates from the fill material. Such a permit system should be carefully considered as part of a coastal zone management strategy. This could be issued in conjunction with the water quality certificate currently required by Section 401 of the Federal Water Pollution Control Act.

The environmental quality management programs and plans currently administered by the Department of Health and Environmental Control would adhere to any guidelines that may be established as part of the coastal zone management plan. Such guidelines must be developed in very close coordination with the Department of Health and Environmental.

EPA and NOAA's Office of Coastal Zone Management very recently arrived at a joint agreement concerning EPA's environmental programs and NOAA's coastal zone management planning efforts. In addition, EPA's Office of Federal Activities has put forth guidance for EPA participation in the development and review of State coastal zone management programs. In view of their importance and impact, both of these are attached as Appendix IV.

FIGURE 1

ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL

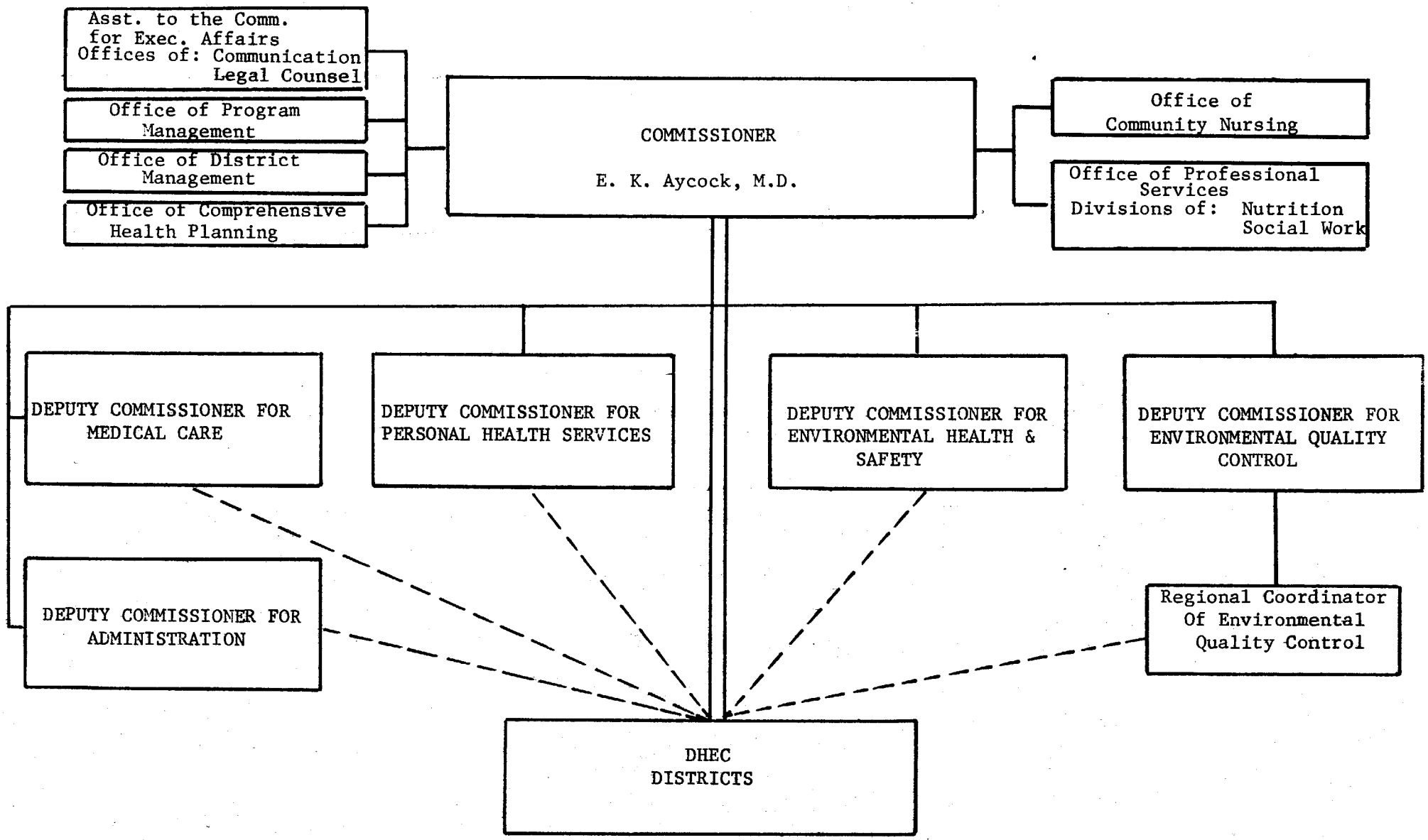

Asst. to the Comm. for Exec. Affairs
Offices of: Communication
Legal Counsel
Office of Program Management
Office of District Management
Office of Comprehensive Health Planning
COMMISSIONER
E. K. Aycock, M.D.
Office of Community Nursing
Office of Professional Services
Divisions of: Nutrition
Social Work
DEPUTY COMMISSIONER FOR MEDICAL CARE
DEPUTY COMMISSIONER FOR PERSONAL HEALTH SERVICES
DEPUTY COMMISSIONER FOR ENVIRONMENTAL HEALTH & SAFETY
DEPUTY COMMISSIONER FOR ENVIRONMENTAL QUALITY CONTROL
DEPUTY COMMISSIONER FOR ADMINISTRATION
Regional Coordinator Of Environmental Quality Control
DHEC DISTRICTS

FIGURE 2

ORGANIZATIONAL STRUCTURE OF THE OFFICE
OF ENVIRONMENTAL QUALITY CONTROL

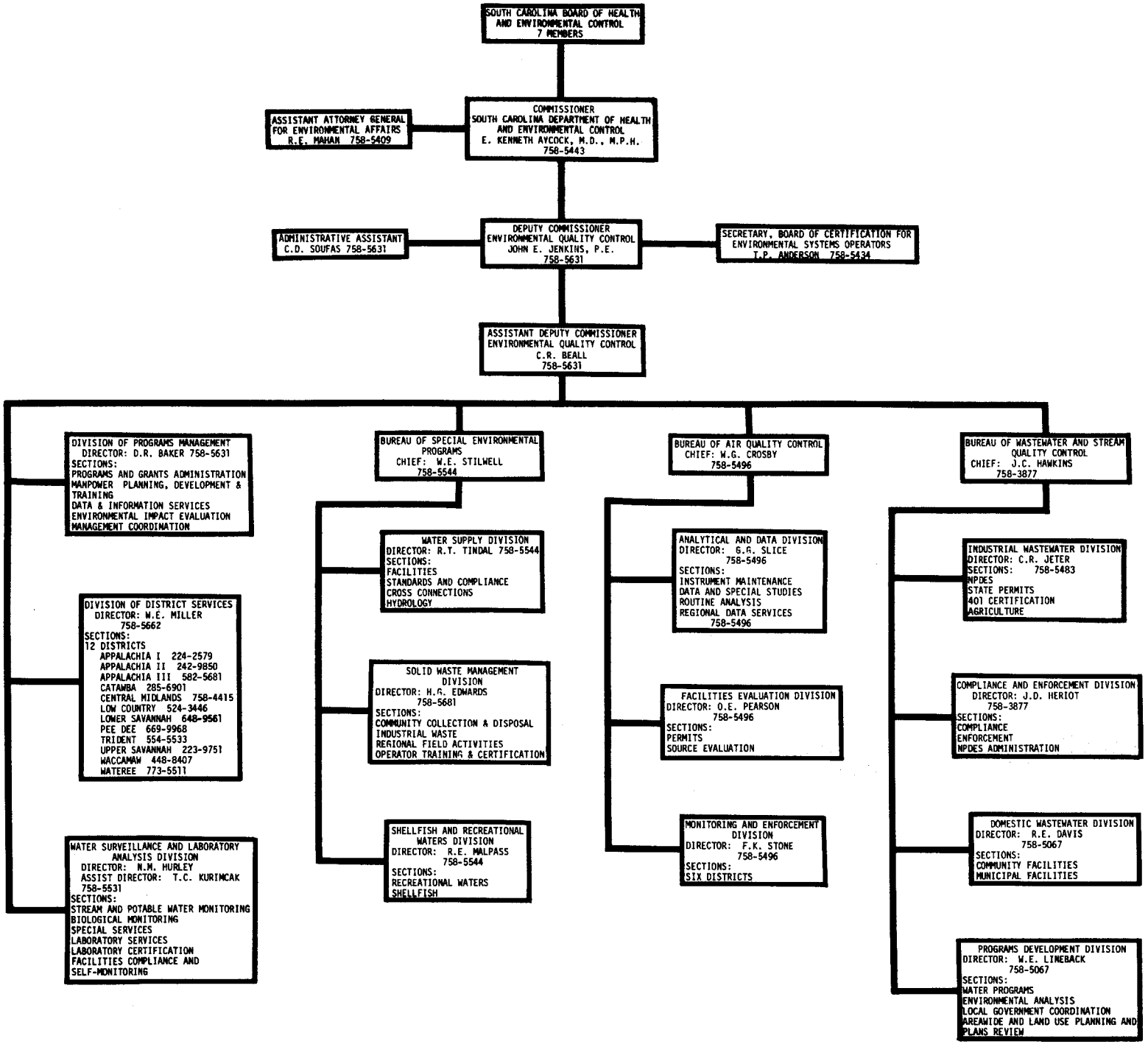

SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
7 MEMBERS
COMMISSIONER
SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
E. KENNETH AYCOCK, M.D., M.P.H.
758-5443
ASSISTANT ATTORNEY GENERAL FOR ENVIRONMENTAL AFFAIRS
R.E. MAHAN 758-5409
DEPUTY COMMISSIONER
ENVIRONMENTAL QUALITY CONTROL
JOHN E. JENKINS, P.E.
758-5631
ADMINISTRATIVE ASSISTANT
C.D. SOUFAS 758-5631
SECRETARY, BOARD OF CERTIFICATION FOR ENVIRONMENTAL SYSTEMS OPERATORS
T.P. ANDERSON 758-5434
ASSISTANT DEPUTY COMMISSIONER
ENVIRONMENTAL QUALITY CONTROL
C.R. BEALL
758-5631
DIVISION OF PROGRAMS MANAGEMENT
DIRECTOR: D.R. BAKER 758-5631
SECTIONS:
PROGRAMS AND GRANTS ADMINISTRATION
MANPOWER PLANNING, DEVELOPMENT & TRAINING
DATA & INFORMATION SERVICES
ENVIRONMENTAL IMPACT EVALUATION
MANAGEMENT COORDINATION
DIVISION OF DISTRICT SERVICES
DIRECTOR: W.E. MILLER
758-5662
SECTIONS:
12 DISTRICTS
APPALACHIA I 224-2579
APPALACHIA II 242-9850
APPALACHIA III 582-5681
CATAWBA 285-6901
CENTRAL MIDLANDS 758-4415
LOW COUNTRY 524-3446
LOWER SAVANNAH 648-9561
PEE DEE 669-9968
TRIDENT 554-5533
UPPER SAVANNAH 223-9751
WACCAMAW 448-8407
WATEREE 773-5511
WATER SURVEILLANCE AND LABORATORY ANALYSIS DIVISION
DIRECTOR: N.M. HURLEY
ASSIST DIRECTOR: T.C. KURIMCAK
758-5531
SECTIONS:
STREAM AND POTABLE WATER MONITORING
BIOLOGICAL MONITORING
SPECIAL SERVICES
LABORATORY SERVICES
LABORATORY CERTIFICATION
FACILITIES COMPLIANCE AND SELF-MONITORING
BUREAU OF SPECIAL ENVIRONMENTAL PROGRAMS
CHIEF: W.E. STILWELL
758-5544
WATER SUPPLY DIVISION
DIRECTOR: R.T. TINDAL 758-5544
SECTIONS:
FACILITIES
STANDARDS AND COMPLIANCE
CROSS CONNECTIONS
HYDROLOGY
SOLID WASTE MANAGEMENT DIVISION
DIRECTOR: H.G. EDWARDS
758-5681
SECTIONS:
COMMUNITY COLLECTION & DISPOSAL
INDUSTRIAL WASTE
REGIONAL FIELD ACTIVITIES
OPERATOR TRAINING & CERTIFICATION
SHELLFISH AND RECREATIONAL WATERS DIVISION
DIRECTOR: R.E. MALPASS
758-5544
SECTIONS:
RECREATIONAL WATERS
SHELLFISH
BUREAU OF AIR QUALITY CONTROL
CHIEF: W.G. CROSBY
758-5496
ANALYTICAL AND DATA DIVISION
DIRECTOR: G.G. SLICE
758-5496
SECTIONS:
INSTRUMENT MAINTENANCE
DATA AND SPECIAL STUDIES
ROUTINE ANALYSIS
REGIONAL DATA SERVICES
758-5496
FACILITIES EVALUATION DIVISION
DIRECTOR: O.E. PEARSON
758-5496
SECTIONS:
PERMITS
SOURCE EVALUATION
MONITORING AND ENFORCEMENT DIVISION
DIRECTOR: F.K. STONE
758-5496
SECTIONS:
SIX DISTRICTS
BUREAU OF WASTEWATER AND STREAM QUALITY CONTROL
CHIEF: J.C. HAWKINS
758-3877
INDUSTRIAL WASTEWATER DIVISION
DIRECTOR: C.R. JETER
SECTIONS: 758-5483
NPDES
STATE PERMITS
401 CERTIFICATION
AGRICULTURE
COMPLIANCE AND ENFORCEMENT DIVISION
DIRECTOR: J.D. HERIOT
758-3877
SECTIONS:
COMPLIANCE
ENFORCEMENT
NPDES ADMINISTRATION
DOMESTIC WASTEWATER DIVISION
DIRECTOR: R.E. DAVIS
758-5067
SECTIONS:
COMMUNITY FACILITIES
MUNICIPAL FACILITIES
PROGRAMS DEVELOPMENT DIVISION
DIRECTOR: W.E. LINEBACK
758-5067
SECTIONS:
WATER PROGRAMS
ENVIRONMENTAL ANALYSIS
LOCAL GOVERNMENT COORDINATION
AREAWIDE AND LAND USE PLANNING AND PLANS REVIEW

FIGURE 3

ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT
OF WILDLIFE AND MARINE RESOURCES

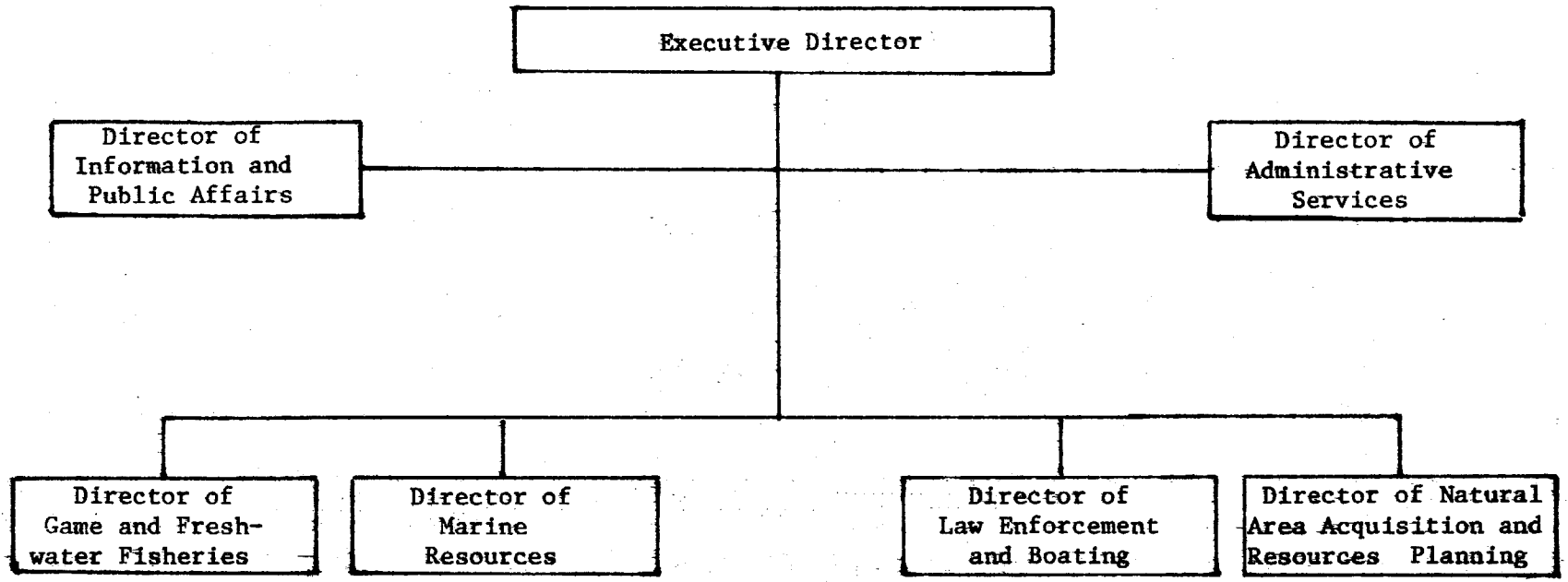

Executive Director
Director of Information and Public Affairs
Director of Administrative Services
Director of Game and Fresh-water Fisheries
Director of Marine Resources
Director of Law Enforcement and Boating
Director of Natural Area Acquisition and Resources Planning

FIGURE 4

ORGANIZATIONAL STRUCTURE OF THE DIVISION OF
NATURAL AREAS ACQUISITION AND RESOURCES PLANNING

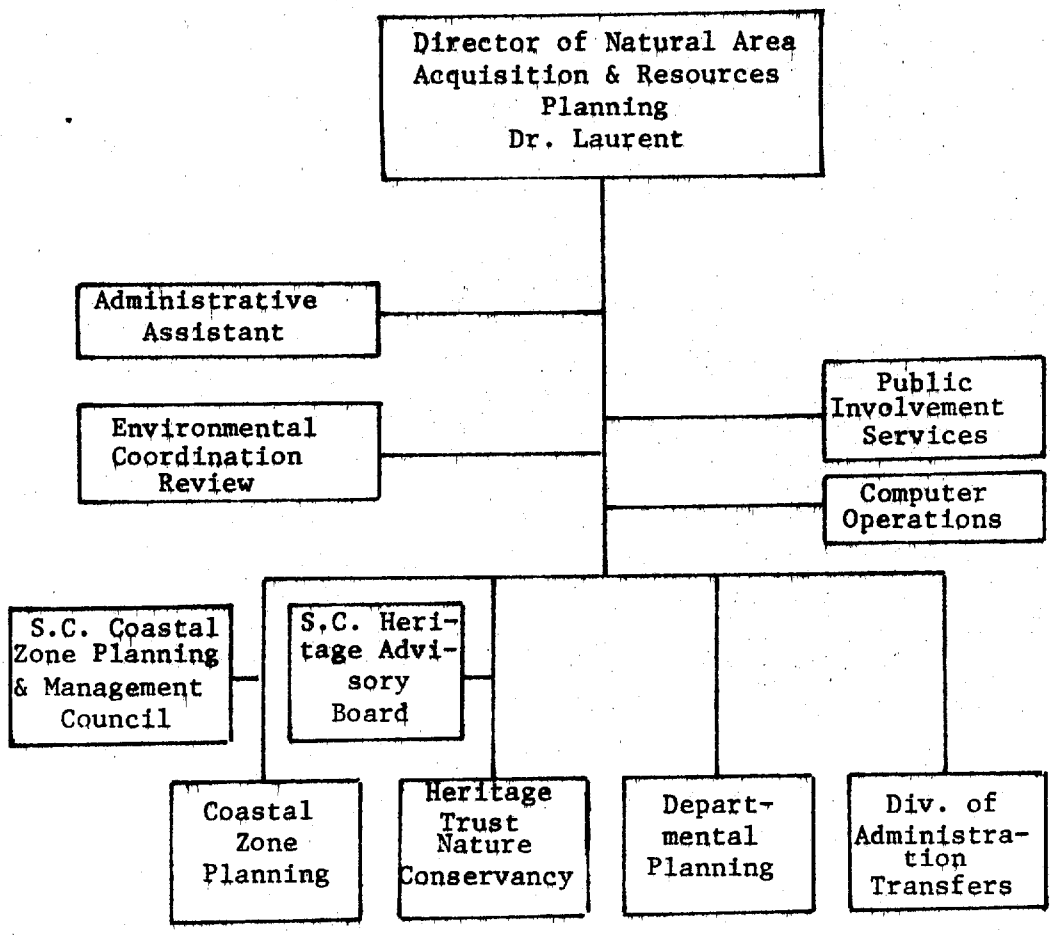

Director of Natural Area Acquisition & Resources Planning
Dr. Laurent
Administrative Assistant
Environmental Coordination Review
Public Involvement Services
Computer Operations
S.C. Coastal Zone Planning & Management Council
S.C. Heritage Advisory Board
Coastal Zone Planning
Heritage Trust Nature Conservancy
Departmental Planning
Div. of Administration Transfers

FIGURE 5

PRIMARY WATER QUALITY MONITORING STATIONS IN SOUTH CAROLINA

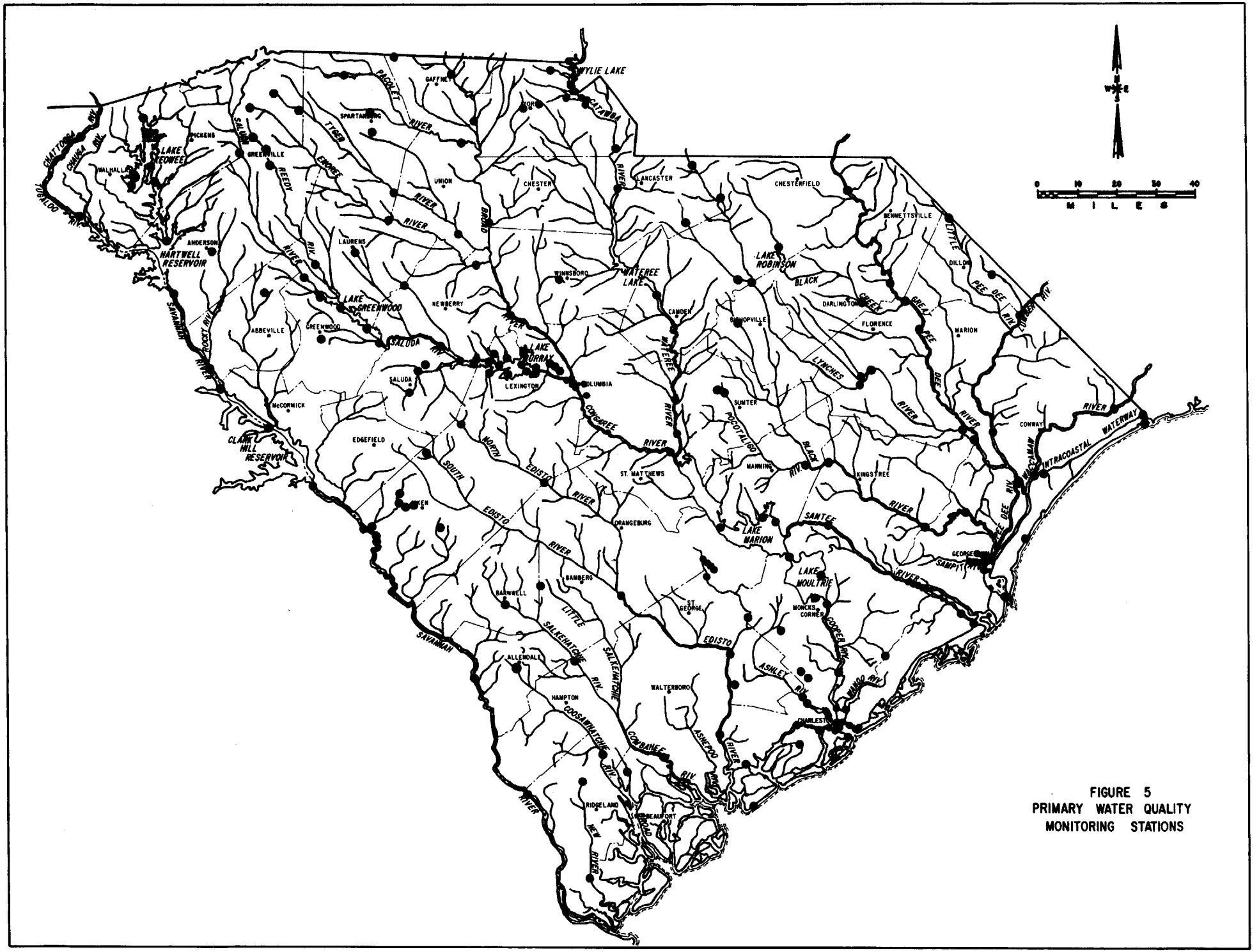

WYLIE LAKE
CATAWBA RIVER
LAKE KEOWEE
HARTWELL RESERVOIR
LAKE GREENWOOD
LAKE MURRAY
LAKE ROBINSON
WATEREE LAKE
CLARK HILL RESERVOIR
LAKE MARION
LAKE MOULTRIE
INTRACOASTAL WATERWAY
SAVANNAH RIVER
SALUDA RIVER
BROAD RIVER
CONGAREE RIVER
SANTEE RIVER
EDISTO RIVER
COOPER RIVER
ASHLEY RIVER
WANDO RIVER
COOSAWHATCHIE RIVER
COMBAHEE RIVER
ASHEPOO RIVER
NEW RIVER
LITTLE PEE DEE RIVER
LYNCHES RIVER
BLACK RIVER
PEE DEE RIVER
WACCAMAW RIVER
SALKEHATCHIE RIVER
LITTLE SALKEHATCHIE RIVER
SOUTH EDISTO RIVER
NORTH EDISTO RIVER
PACOLET RIVER
TYGER RIVER
ENOREE RIVER
REEDY RIVER
CHATTOOGA RIVER
CHATTAHOOCHEE RIVER
GREENVILLE
SPARTANBURG
ANDERSON
LAURENS
NEWBERRY
ABBEVILLE
GREENWOOD
SALUDA
LEXINGTON
COLUMBIA
CHESTER
LANCASTER
CHESTERFIELD
BENNETTSVILLE
DILLON
DARLINGTON
FLORENCE
MARION
CONWAY
CAMDEN
SUMTER
MANNING
KINGSTREE
ORANGEBURG
ST MATTHEWS
BAMBERG
BARNWELL
EDGEFIELD
McCORMICK
ALLENDALE
HAMPTON
WALTERBORO
ST GEORGE
MONCKS CORNER
GEORGETOWN
CHARLESTON
RIDGELAND
BEAUFORT
0 10 20 30 40
MILES
FIGURE 5
PRIMARY WATER QUALITY
MONITORING STATIONS

FIGURE 6

BIOLOGICAL MONITORING STATIONS IN SOUTH CAROLINA

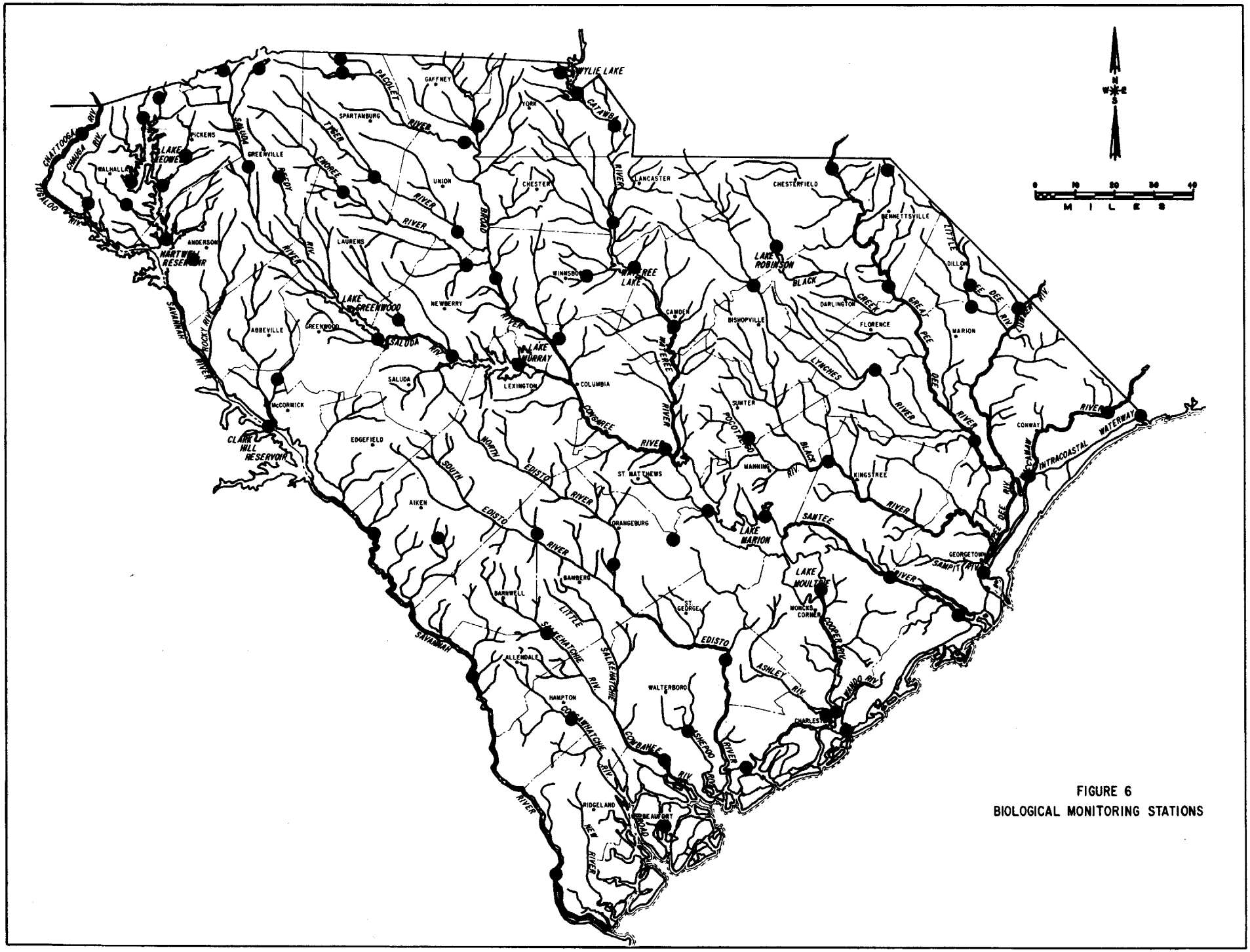


FIGURE 6
BIOLOGICAL MONITORING STATIONS

FIGURE 7

SUB-BASIN SEGMENT DELINEATION MAP OF SOUTH CAROLINA

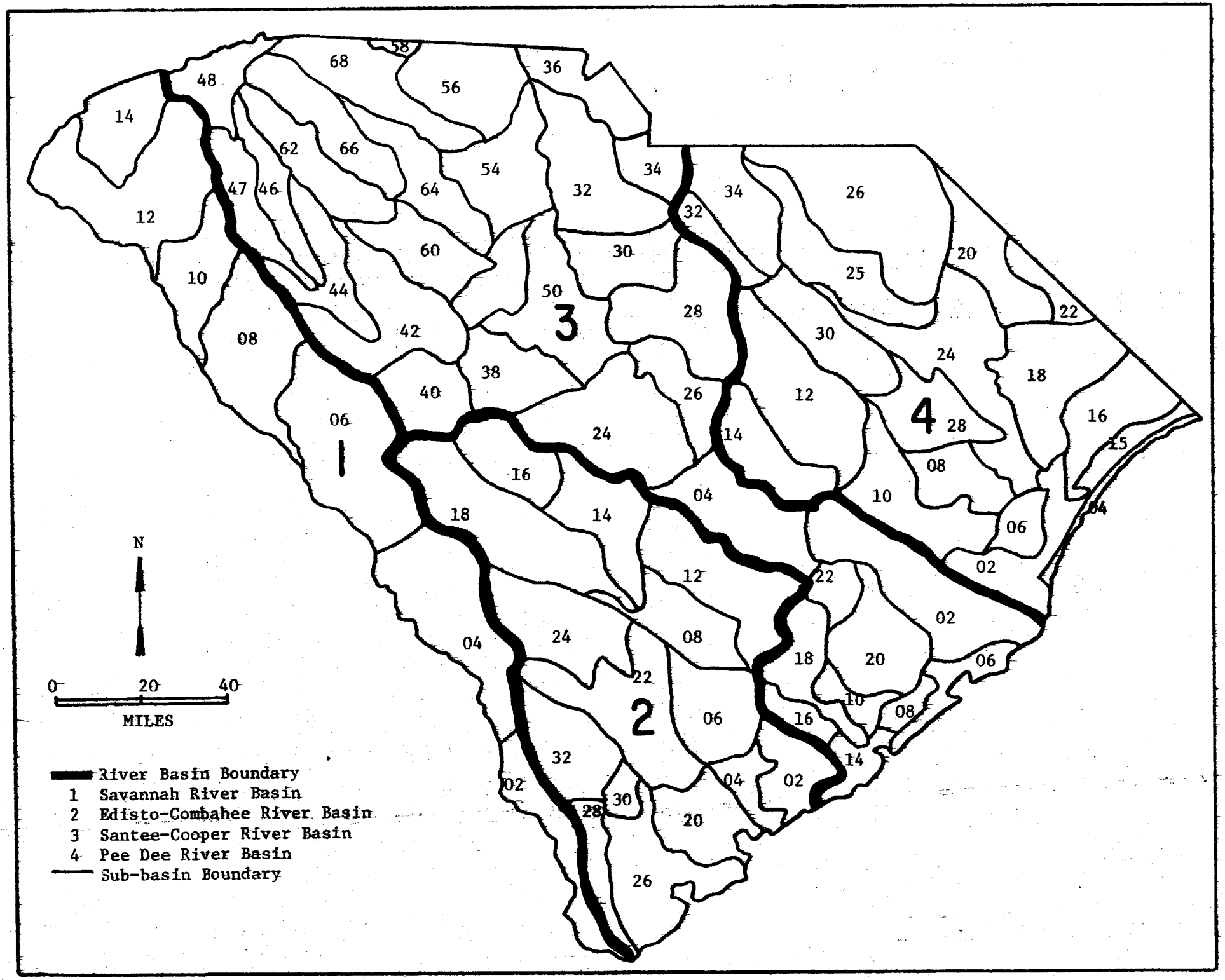
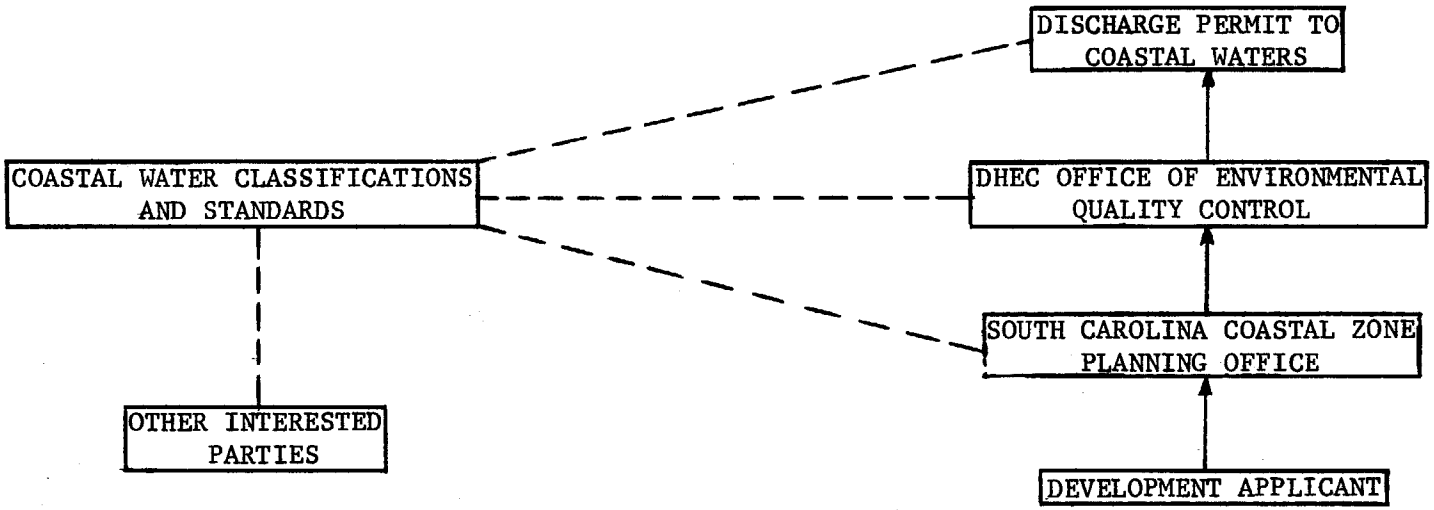

N
0 20 40
MILES
River Basin Boundary
1 Savannah River Basin
2 Edisto-Combahee River Basin
3 Santee-Cooper River Basin
4 Pee Dee River Basin
Sub-basin Boundary

FIGURE 8

RECOMMENDED PERMITTING PROCESS FOR COASTAL ZONE DISCHARGES


DISCHARGE PERMIT TO COASTAL WATERS
COASTAL WATER CLASSIFICATIONS AND STANDARDS
DHEC OFFICE OF ENVIRONMENTAL QUALITY CONTROL
SOUTH CAROLINA COASTAL ZONE PLANNING OFFICE
OTHER INTERESTED PARTIES
DEVELOPMENT APPLICANT

BIBLIOGRAPHY

1. Department of Commerce, Coastal Zone Management Program Administrative Grants. Federal Register, Volume 40, No. 6, Part 923,

2. South Carolina Pollution Control Act of 1970 as amended (Act 1157).

3. State of South Carolina Water Pollution Control Program, Fiscal Year 1976. South Carolina Department of Health and Environmental Control.

4. State of South Carolina Executive Order. Governor John C. West, August 15, 1973.

5. Federal Coastal Zone Management Act of 1972 (Public Law 92-583).

6. Water Classification Standards System for the State of South Carolina. South Carolina Department of Health and Environmental Control, 1974.

7. Santee-Cooper River Basin Water Quality Management Plan. South Carolina Department of Health and Environmental Control, 1975.

8. Federal Water Pollution Control Act of 1972 as amended (Public Law 92-500).

9. State of South Carolina Water Pollution Control Program for Fiscal Year 1974. South Carolina Department of Health and Environmental Control.

10. State of South Carolina Continuous Water Quality Planning Process. South Carolina Pollution Control Authority, February 1973.

11. Permit Program of the South Carolina Department of Health and Environmental Control for Participation in the National Pollutant Discharge Elimination System. South Carolina Department of Health and Environmental Control, 1975.

12. South Carolina Air Quality Implementation Plan. South Carolina Pollution Control Authority, 1972.

13. Department of Health and Environmental Control Fiscal Year 1975 Plans for Programs, Supportive Services, Consultative Activities, and Special Projects. South Carolina Department of Health and Environmental Control, July 1974.

APPENDIX I

South Carolina Pollution Control Act
As Amended

ACT 1157 - THE POLLUTION CONTROL ACT OF SOUTH CAROLINA - 1970

As Amended by the 1971-1972 General Appropriations Act
For the Fiscal Year 1971-1972
And by Act No. 390 of the 1973 General Assembly
And by Act No. 446 of the 1973 General Assembly
And by Act No. 1094 of the 1974 General Assembly
And by Act No. 395 of the 1975 General Assembly

An Act To Provide For The Creation Of The Pollution Control Authority And To Repeal Chapter 3 Of Title 70 Of The 1962 Code And Act 383, Of 1965, Relating To Pollution Control.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the "Pollution Control Act" and, when used herein, unless the context otherwise requires:

(1) "Person" means any individual, public or private corporation, political subdivision, government agency, municipality, industry, copartnership, association, firm, trust, estate or any other legal entity whatsoever;

(2) "Waters" means lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial limits of the State and all other bodies of surface or underground water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially within or bordering the State or within its jurisdiction;

(3) "Marine district" means the waters of the Atlantic Ocean within three nautical miles from the coast line and all other tidal waters within the State;

(4) "Sewage" means the water-carried human or animal wastes from residences, buildings, industrial establishments, or other places, together with such ground water infiltration and surface water as may be present and the admixture with sewage of industrial wastes or other wastes shall also be considered "sewage";

(5) "Industrial waste" means any liquid, gaseous, solid or other waste substance or a combination thereof resulting from any process of industry, manufacturing, trade or business or from the development of any natural resources;

(6) "Other wastes" means garbage, refuse, decayed wood, sawdust, shavings, bark, sand, clay, lime, cinders, ashes, offal, oil, gasoline, other petroleum products or by-products, tar, dye stuffs, acids, chemicals, dead animals, heated substances, and all other products, by-products or substances not sewage or industrial waste;

(7) "Pollution" means, (1) the presence in the environment of any substance, including but not limited to, sewage, industrial waste, other waste, air contaminant, or any combination thereof in such quantity and of such characteristics and duration as may cause, or tend to cause the environment of the State to be contaminated, unclean, noxious, odorous, impure or degraded, or which is, or tends to be injurious to human health or welfare; or which damages property, plant, animal or marine life or use of property; or (2) the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

(8) "Standard" or "standards" means such measure of purity or quality for any waters in relation to their reasonable and necessary use as may after hearing be established;

(9) "Board" means the Board of Health and Environmental Control;

(10) "Sewage system" or "sewerage system" means pipelines and conductors, pumping stations, force mains and all other construction, devices and appliances appurtenant thereto used for conducting sewage, industrial waste or other wastes to a point of ultimate discharge;

(11) "Treatment works" means any plant, disposal field, lagoon, constructed drainage ditch or surface water intercepting ditch, incinerator, area devoted to sanitary landfills or other works not specifically mentioned herein, installed for the purpose of treating, neutralizing, stabilizing or disposing of sewage, industrial waste or other wastes;

(12) "Disposal system" means a system for disposing of sewage, industrial waste or other wastes, including sewerage systems and treatment works;

(13) "Outlet" means the terminus of a sewer system or the point of emergence of any water-borne sewage, industrial waste or other wastes, or the effluent therefrom, into the waters of the State;

(14) "Shellfish" means oysters, scallops, clams, mussels and other aquatic mollusks and lobsters, shrimp, crawfish, crabs and other aquatic crustaceans;

(15) "Ambient air" means the portion of the atmosphere outside of buildings and other enclosures, stacks, or ducts which surrounds human, plant or animal life, water or property;

(16) "Air contaminant" means particulate matter, dust, fumes, gas, mist, smoke, or vapor, or any combination thereof produced by processes other than natural;

(17) "Source" means any and all points of origin of air contaminants whether privately or publicly owned or operated;

(18) "Undesirable level" means the presence in the outdoor atmosphere of one or more air contaminants or any combination thereof in sufficient quantity and of such characteristics and duration as to be injurious to human wealth or welfare, or to damage plant, animal or marine life, to property or which unreasonably interfere with enjoyment of life or use of property;

(19) "Emission" means a release into the outdoor atmosphere of air contaminants; (as amended in 1973)

(20) "Environment" means the waters, ambient air, soil and/or land; (as amended in 1973)

(21) "Effluent" means the discharge from a waste disposal system; (as amended in 1973)

(22) "Effluent limitations" means restrictions or prohibitions of chemical, physical, biological, and other constituents which are discharged from point sources into State waters, including schedules of compliance; (as amended in 1973)

(23) "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, or vessel, or other floating craft, from which pollutants are or may be discharged.

SECTION 2. It is declared to be the public policy of the State to maintain reasonable standards of purity of the air and water resources of the State, consistent with the public health, safety and welfare of its citizens, maximum employment, the industrial development of the State, the propagation and protection of terrestrial and marine flora and fauna, and the protection of physical property and other resources. It is further declared that to secure these purposes and the enforcement of the provisions of this act, the Board of Health and Enviromental Control shall have authority to abate, control and prevent pollution.

SECTION 3 - No longer applicable - see Reorganization Plan 10

SECTION 4 - No longer applicable - see Reorganization Plan 10

SECTION 5 - No longer applicable - see Reorganization Plan 10

SECTION 6 - No longer applicable - see Reorganization Plan 10

SECTION 7. The Board shall promulgate rules and regulations to implement this act and to govern the procedure of the Board with respect to meetings, hearings, filing of reports, the issuance of permits and all other matters relating to procedure. The rules and regulations for preventing contamination of the air may not specify any particular method to be used to reduce undesirable levels, nor the type, design, or method of installation or type of construction of any manufacturing processes or other kinds of equipment.

SECTION 8. The Board, after public hearings as herein provided, shall adopt standards and determine what qualities and properties of water and air shall indicate a polluted condition and these standards shall be promulgated and made a part of the rules and regulations of the Board. The Board, in determining standards and designating the use of streams, shall be guided by the provisions of this act.

SECTION 9. The Board may:

(1) Hold public hearings, compel attendance of witnesses, make findings of fact and determinations and assess such penalties as herein prescribed;

(2) Hold hearings upon complaints or upon petitions in accordance with Section 17A or as otherwise provided in this act;

(3) Make, revoke or modify orders requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the State, or the discharge of air contaminants into the ambient air so as to create an undesirable level, resulting in pollution in excess of the applicable standards established. Such orders shall specify the conditions and time within which such discontinuance must be accomplished;

(4) Institute or cause to be instituted in a court of competent jurisdiction, legal proceedings, including an injunction, to compel compliance with the provisions of this Act, or the determinations, permits and permit conditions, and orders of the Board. An injunction granted by any court shall be issued without bond;

(5) Issue, deny, revoke, suspend or modify permits, under such conditions as it may prescribe for the discharge of sewage, industrial waste or other waste or air contaminants or for the installation or operation of disposal systems or sources or parts thereof; provided, however, that no permit shall be revoked without first providing an opportunity for a hearing;

(6) Conduct studies, investigations and research with respect to pollution abatement, control or prevention. Such studies shall include but not be limited to, air control, sources, disposal systems and treatment of sewage, industrial waste or other wastes, by all scientific methods and, if necessary, of the use of mobile laboratories;

(7) Settle or compromise any action or cause of action for the recovery of a penalty or damages under this act as it may deem advantageous to the State;

(8) Cooperate with the governments of the United States or other states or State agencies or organizations, official or unofficial, in respect to pollution control matters or for the formulation of interstate pollution control compacts or agreements;

(9) Prepare and develop a general comprehensive program for the abatement, control and prevention of air and water pollution;

(10) Require to be submitted to it and consider for approval plans for disposal systems or sources or any parts thereof and inspect the construction thereof for compliance with the approved plans;

(11) Administer penalties as otherwise provided herein for violations of this act, including any order, permit, regulation or standards;

(12) Accept, receive and administer grants or other funds or gifts for the purpose of carrying out any of the purposes of this act; accept, receive and receipt for federal money given by the federal government under any federal law to the State of South Carolina for air or water control activities, surveys or programs;

(13) Encourage voluntary cooperation by persons, or affected groups in restoration and preservation of a reasonable degree of purity of air and water;

(14) Collect and disseminate information on air or water control;

(15) Approve projects for which applications for loans or grants under the Federal Water Pollution Control Act or the Federal Air Quality Act are made by any municipality (including any city, town, district, or other public body created by or pursuant to the laws of this State and having jurisdiction over disposal of sewage, industrial wastes or other wastes) or agency of this State or by an interstate agency;

(16) Participate through its authorized representatives in proceedings under the Federal Water Pollution Control Act or the Federal Air Quality Act to recommend measures for abatement of water pollution originating in this State;

(17) Take all action necessary or appropriate to secure to this State the benefits of the Federal Water Pollution Control Act or the Federal Air Quality Act and any and all other Federal and State acts concerning air and water pollution control;

(18) Consent on behalf of the State to request by the Federal Security Administrator to the Attorney General of the United States for the bringing of suit for abatement of such pollution;

(19) Consent to the joinder as a defendant to such suit of any person who is alleged to be discharging matter contributing to the pollution, abatement of which is sought in such suit;

(20) Conduct investigations of conditions in the air or waters of the State to determine whether or not standards are being contravened and the origin of materials which are causing the polluted conditions;

(21) Establish the cause, extent and origin of damages from waste including damages to the fish, waterfowl, and other aquatic animals and public property which result from the discharge of wastes to the waters of the State;

(22) Require the owner or operator of any source or disposal system to establish and maintain such operational records; make reports; install, use, and maintain monitoring equipment or methods; sample and analyze emissions or discharges in accordance with prescribed methods, at locations, intervals, and procedures as the Board shall prescribe; and provide such other information as the Board reasonably may require; (as amended in 1973)

(23) Adopt emission and effluent control regulations, standards and limitations that are applicable to the entire State, that are applicable only within specified areas or zones of the State, or that are applicable only when a specified class of pollutant is present; (as amended in 1973)

(23.1) Enter at all times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to pollution or the possible pollution of the environment of the State. Its authorized agents may examine and copy any records or memoranda pertaining to the operation of a disposal system or source that may be necessary to determine that the operation thereof is in compliance with the performance as specified in the application for a permit to construct; provided, however, that if such entry or inspection is denied or not consented to, and no emergency exists, the Board is empowered to and shall obtain from the magistrate from the jurisdiction in which such property, premise or place is located, a warrant to enter and inspect any such property, premise or place prior to entry and inspection. The magistrate of such jurisdiction is empowered to issue such warrants upon a proper showing of the needs for such entry and inspection. The results of any such inspection and investigation conducted by the Board shall be reduced to writing and a copy shall be furnished to the owner or operator of the source or disposal system; and (as amended in 1973)

(24) Issue orders prohibiting any political entity having the authority to issue building permits from issuing such permits when the political entity has been ordered to correct a condition which has caused or is causing pollution. Provided, that no such order shall be issued until the State is capable of participating in Federal, State and local cost-sharing arrangements for municipal waste treatment facilities as set forth in the Clean Water Restoration Act of 1966.

SECTION 10. It is recognized that, due to variable factors, no single standard of quality and purity of the environment is applicable to all ambient air, land or waters of the State. In order to attain the objectives of this act, the Board, after proper study and after conducting a public hearing upon due notice, shall adopt rules and regulations and classification standards. The classification and the standards of quality and purity of the environment shall be adopted by the Board in relation to the public use or benefit to which such air, land or waters are or may, in the future, be put. Such classification and standards may from time to time be altered or modified by the Board.

The adoption of a classification of the waters and the standards of quality and purity of the environment shall be made by the Board only after public hearing on due notice as provided by this act.

SECTION 11. The standards for water adopted pursuant to this act may prescribe:

(1) The extent, if any, to which floating solids may be permitted in the water;

(2) The extent to which suspended solids, colloids or a combination of solids with other substances suspended in water may be permitted;

(3) The extent to which organisms of the coliform group (intestinal bacilli) or any other bacteriological organisms may be permitted in the water;

(4) The extent of the oxygen which may be required in receiving waters; and

(5) Such other physical, chemical or biological properties as may be necessary for the attainment of the objectives of this act.

SECTION 12. In adopting the classification of waters and the standards of purity and quality, consideration shall be given to:

(1) The size, depth, surface area covered, volume, direction, rate of flow, stream gradient and temperature of the water;

(2) The character of the district bordering such water and its peculiar suitability for the particular uses and with a view to conserving it and encouraging the most appropriate use of the lands bordering on such water for residential, agricultural, industrial or recreational purposes;

(3) The uses which have been made, are being made or may be made of such waters for transportation, domestic and industrial consumption, irrigation, bathing, fishing and fish culture, fire prevention, sewage disposal or otherwise; and

(4) The extent of present defilement or fouling of such waters which has already occurred or resulted from past discharges therein.

SECTION 13. (a) It shall be unlawful for any person, directly or indirectly, to throw, drain, run, allow to seep, or otherwise discharge into the environment of the State organic or inorganic matter, including sewage, industrial wastes, and other wastes, except as in compliance with a permit issued by the Department.

(b) Any person who discharges organic matter into the waters of this State as described in subsection (a) to the extent that the fish, shellfish, aquatic animals, wildlife or plant life indigenous to or dependent upon the receiving waters or any property are damaged or destroyed shall be liable to the State for such damages as may be proved. The action shall be brought by the State in its own name or in the name of the Board.

The amount of any judgment for damages recovered by the State, less cost, shall be remitted to the agency, commission, department or political subdivision of the State that has jurisdiction over the fish, shellfish, aquatic animals, wildlife or plant life damaged or destroyed.

The civil remedy herein provided shall not be exclusive, and any agency, commission, department or political subdivision of the State with appropriate authority may undertake in its own name an action to recover such damages as it may deem advisable independent of this subsection.

SECTION 14. Any person affected by the provisions of this act or the rules and regulations adopted by the Board desiring to make any new outlet or source, or to increase the quantity of discharge from existing outlets or sources, for the discharge of sewage, industrial waste or other wastes, or the effluent therefrom, or air contaminants, into the waters or ambient air of the State, shall first make an application to the Board for a permit to construct and a permit to discharge from such outlet or source. If, after hearing, the Board finds that the discharge from such proposed outlet or source will not be in contravention of provisions of this act, such permit to construct and such permit to discharge shall be issued to such applicant. The Board may, if sufficient hydrologic and environmental information is not available for it to make a determination of the effect of such a discharge, require the person proposing to make such discharge to conduct studies that will enable the Board to determine that its quality standards will not be violated. (as amended in 1973 - remainder of this section no longer applicable, see Reorganization Plan 10)

SECTION 15. It shall be unlawful for any person, until plans therefor have been submitted to and approved by the Board and a written permit therefor shall have been granted to:

(1) Construct or install a disposal system or source;

(2) Make any change in, addition to or extension of any existing disposal system or part thereof that would materially alter the method or the effect of treating or disposing of the sewage, industrial waste or other wastes;

(3) Operate such new disposal systems or new source, or any existing disposal system or source; or

(4) Increase the load through existing outlets of sewage, industrial waste or other wastes into the waters of the State.

It shall be unlawful for any person to operate an approved waste disposal facility in violation of the conditions of the permit to construct or the permit to discharge.

It shall be unlawful for any person, directly or indirectly, negligently or willfully, to discharge any air contaminant or other substance in the ambient air that shall cause an undesirable level.

SECTION 16. If the Board shall determine that an undesirable level exists, it shall take such action as necessary to control such condition.

The Board shall grant such time as is reasonable for the owner or operator of a source to correct the undesirable level, after taking all factors into consideration that are pertinent to the issue.

In making its order and determinations, the Board shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions involved including, but not limited to:

(a) The character and degree of injury to, or interference with, the health and physical property of the people;

(b) The social and economic value of the source of the undesirable levels;

(c) The question of priority of location in the area involved; and

(d) The technical practicability and economic reasonableness of reducing or eliminating the emisssions resulting from such source.

If the undesirable level is not corrected within the required time, then the Board shall issue an order to cease and desist from causing such emissions.

SECTION 17. Any person discharging sewage, industrial waste or other waste or air contaminant into any of the waters or ambient air of the State, without regard to the time that such discharge began or whether such continued discharge has been by virtue of a permit issued by the Board, shall discontinue the discharge of such sewage, industrial waste or other wastes into, or in such manner or quantity as to cause pollution of, the waters of the State upon receipt of a final order of the Board issued pursuant to the provisions of this act. But in the case of such discharges, except those discharges causing an actual or potential hazard to public health, no final order or discontinuance of discharge shall be entered until a reasonable time after service of an order of the Board determining that such discharge constitutes pollution in contravention of the standards adopted by the Board and directing the alleged polluter to take such steps as may be necessary to abate the polluting content of such discharge to conform to the standards of the Board.

SECTION 17A. (a) The Board may, after notice and opportunity for a public hearing, revise or modify a National Pollutant Discharge Elimination System permit in accordance with the procedures and criteria set out in Sections 301(c), 302, and 316(a) of the Federal Water Pollution Control Act Amendments of 1972.

(b) The Board may, after notice and opportunity for a public hearing, revise or modify a final compliance date for any stationary source or class or sources of air pollution whether contained in regulations or a compliance order, if the Board determines that

(1) good faith efforts have been made to comply with such requirement before such date;

(2) such source (or class) is unable to comply with such requirement because the necessary technology or other alternative methods of control are not reasonably available or have not been available for a sufficient period of time;

(3) any available alternative operating procedures and interim control measures have reduced or will reduce the impact of such source on public health; and,

(4) the continued operation of such source is essential to national security or to the public health or welfare.

Provided, however, that such compliance date shall not be extended for more than one year beyond any compliance deadline prescribed in the State Implementation Plan relating to such source (or class). Provided, further, that where the compliance date is one prescribed in the State Implementation Plan, the findings and recommendations of the Board shall be submitted to the Governor for transmittal to the Administrator of the Federal Environmental Protection Agency or his designated representative for his concurrence or rejection. Rejection by the Administrator may constitute grounds for rejection of a request for modification or revisions of such compliance requirement.

(c) Any determination under items (a) or (b) shall (1) be made on the record after notice to interested persons and opportunity for hearing, (2) be based upon a fair evaluation of the entire record at such hearing, and (3) include a statement setting forth in detail the findings and conclusions upon which the determination is based.

SECTION 18. Public hearings shall be conducted by the Board prior to action by the Board in the classification of the waters of the adoption of standards of purity and quality thereof as provided by this act. The Board may conduct public hearings prior to action in the following cases, either of its own volition or upon the request of affected person, (a) an order of determination of the Board requiring the discontinuance of discharge of sewage, industrial waste or other wastes into the waters of the State or air contaminant into the ambient air, (b) an order issuing, denying, revoking, suspending or modifying a permit, (c) a determination that a discharge constitutes pollution of waters or a marine district, and (d) any other proceeding resulting in a finding of fact or determination that a discharge of air contaminants into the ambient air or sewage, industrial waste or other wastes into the waters of the State contravenes the standards established for such air and waters.

SECTION 19. The hearings herein provided for may be conducted by the Board at a regular or special meeting or it may delegate to any member, to the Commissioner or to any employee or agent of the Board, the authority to conduct such hearings in the name of the Board at any time and place. But the Board shall make all necessary decisions as to the matter under consideration. Such decisions may be based solely

upon the record of any hearing conducted by the Board or by its duly authorized representatives.

SECTION 20. In any hearing held by the Board in which a quasi-judicial decision is rendered, the Board shall make a report of the decision and secure its prompt publication. The decision shall include a statement of the facts in controversy, the decision of the Board, the law or regulation upon which the decision is based and any other information deemed necessary.

To serve as a guide and precedent of the policy of the Board, the decisions shall be chronologically numbered according to date and compiled in an annual report similar in style to the Reports of the Supreme Court. The reports of these decisions shall be made available to the public.

If any person concerned with such hearing requests it, a complete transcript of the testimony presented shall be made and filed.

SECTION 21. In any such hearing, any member of the Board, the Commissioner or any employee or agent thereof authorized by the Board may administer oaths, examine witnesses and issue in the name of the Board notices of hearings and subpoenas requiring the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearing. Witnesses shall receive the same fees and mileage as in civil action.

SECTION 22. In case of refusal to obey a notice of hearing or subpoena, the Court of Common Pleas shall have jurisdiction, upon application of the Board, to issue an order requiring such person to appear and testify or produce evidence, as the case may require, and any failure to obey such order of the court may be punished by the court as a contempt thereof.

SECTION 23. Any person may appeal from any order of the Board within thirty days after the filing of the order, to the Court of Common Pleas of any county in which the pollution occurs. The Board shall thereupon certify to the court the record in the hearing. The court shall review the record and the regularity and the justification for the order, on the merits, and render judgment thereon as in ordinary appeals in equity. The court may order or permit further testimony on the merits of the case, in its discretion such testimony to be given either before the judge or referee by him appointed. From such judgment of the court an appeal may be taken as in other civil actions.

SECTION 24. The Attorney General shall be the legal adviser of the Board and shall upon request of the Board institute injunction proceedings or any other court action to accomplish the purpose of this act. In the prosecution of any criminal action by the Attorney General and in any proceeding before a grand jury in connection therewith the Attorney General may exercise all the powers and perform all the duties which the solicitor would otherwise be authorized or required to exercise or perform and in such a proceeding the solicitor shall exercise such powers and perform such duties as are requested of him by the Attorney General.

SECTION 25. Prosecutions for the violation of a final determination or order shall be instituted only by the Board or as otherwise provided for in this act.

SECTION 26. Any funds appropriated to or received by the Board shall be deposited

in the State Treasury as provided by law. Such funds shall be paid out on warrants issued by the State as prescribed by law, but only on order of the authorized representative of the Board and in accordance with an annual budget or amendments thereto approved by the Board at an official meeting, such order being the authority of the proper fiscal officials of the State for making payment.

SECTION 27. It is the purpose of this act to provide additional and cumulative remedies to abate the pollution of the air and waters of the State and nothing herein contained shall abridge or alter rights of action in the civil courts or remedies existing in equity or under the common law or statutory law, nor shall any provision in this act or any act done by virtue of this act be construed as estopping the State, persons or municipalities, as riparian owners or otherwise, in the exercise of their rights under the common law, statutory law or in equity to suppose nuisances or to abate any pollution.

SECTION 28. Causes of action resulting from the violation of the prohibitions contained in this act inure to and are for the benefit of any person or persons damaged as the result of any such violation. A determination by the Board that pollution exists or a violation of any of the prohibitions contained in this act, whether or not actionable by the state, create no presumption of law or fact inuring to or for the benefit of persons other than the State.

SECTION 29. Nothing contained in this act shall be deemed to grant to the Board any authority to make any rule, regulation or determination or to enter any order with respect to air conditions existing solely within the industrial boundaries of commercial and industrial plants, works or shops or to affect the relations between employers and employees with respect to or arising out of any air pollution within such boundaries.

SECTION 30. Any records, reports or information obtained under any provision of this Act shall be available to the public. Upon a showing satisfactory to the Department by any person that records, reports or information, or particular parts thereof, other than effluent or emission data, if made public would divulge methods or processes entitled to protection as trade secrets of such person, the Department shall consider such record, report or information or particular portion thereof confidential in the administration of this act.

SECTION 31. Nothing herein contained shall be construed to postpone, stay or abrogate the enforcement of the provisions of the public health laws of this State and rules and regulations promulgated hereunder in respect to discharges causing actual or potential hazards to public health nor to prevent the Board from exercising its right to prevent or abate nuisances.

SECTION 32. Whenever the Board finds that an emergency exists requiring immediate action to protect the public health or property, the Board, with concurrent notice to the Governor, may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as the Board deems necessary to meet the emergency. Such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but on application to the Board or by direction of the Governor shall be afforded a hearing within 48 hours. On the basis of such hearing, the Board shall continue such order in effect, revoke it, or modify it. Regardless of whether a hearing is held, the Board shall revoke all emergency orders as soon as conditions or operations change to the extent that an emergency no longer exists.

SECTION 33. The civil and criminal liabilities herein imposed upon persons violating the provisions hereof shall not be construed to include any violation which was caused by an act of God, war, strike, riot or other catastrophe as to which negligence on the part of such person was not the proximate cause.

SECTION 34. The governing body of any county is hereby authorized to establish, administer and enforce a local air pollution control program, subject to the approval of the Board. Such programs shall be formulated in accordance with standards and procedures adopted by the Board, and shall be subject to periodic review by the Board, which shall have the power to invalidate such programs if found to be unsatisfactory. County pollution control authorities, when constituted under this section, are hereby authorized to exercise in the geographic area involved all of the powers specified in this act, including the authority to adopt rules, regulations and procedures for the control of air pollution.

SECTION 35. Any person who willfully or negligently violates any of the provisions of this Act, or any rule or regulation, permit or permit condition, final determination or order of the Board, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than five hundred dollars nor more than twenty-five thousand dollars for each day's violation or be imprisoned for not more than two years, or both.

SECTION 35.1 Any person violating any of the provisions of this act, or any rule or regulation, permit or permit condition, final determination or order of the Board, shall be subject to a civil penalty not to exceed ten thousand dollars per day of such violation.

SECTION 35.2. Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this act or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this act, shall be subject to the civil or criminal provisions contained in this act. For the purposes of this section, the term "person" shall mean, in addition to the definition contained in Section 1 of this act, any responsible corporate officer.

SECTION 36. All penalties assessed under this act shall be held as a debt payable to the State by the person against whom they have been charged and shall constitute a lien against the property of such person. One-half of the penalties so collected shall inure to the benefit of the county.

SECTION 37. Chapter 3 of Title 70 of the 1962 Code and Act 383 of 1965 and all other acts or parts of acts inconsistent herewith are repealed.

APPENDIX II

Water Classification Standards System for the State of South Carolina

APPENDIX III

Classification of Natural Waters in South Carolina

STREAM CLASSIFICATIONS

FOR THE STATE OF

SOUTH CAROLINA

as adopted by the

SOUTH CAROLINA POLLUTION CONTROL AUTHORITY

I. Authority For Adoption Of Classifications: (S.C. Code of Laws, 1962 and 1971 Cumulative Supplement)

Section 10. It is recognized that, due to variable factors, no single standard of quality and purity of the environment is applicable to all ambient air, land or waters of the State. In order to attain the objectives of this act, the Board, after proper study and after conducting a public hearing upon due notice, shall adopt rules and regulations and classification standards. The classification and the standards of quality and purity of the environment shall be adopted by the Board in relation to the public use or benefit to which such air, land or waters are or may, in the future, be put. Such classification and standards may from time to time be altered or modified by the Board.

The adoption of a classification of the waters and the standards of quality and purity of the environment shall be made by the Board only after public hearing on due notice as provided by this act.

Section 12. In adopting the classification of waters and the standards of purity and quality, consideration shall be given to:

(1) The size, depth, surface area covered, volume, direction, rate of flow, stream gradient and temperature of the water;

(2) The character of the district bordering such water and its peculiar suitability for the particular uses and with a view to conserving it and encouraging the most appropriate use of the lands bordering on such water for residential, agricultural, industrial or recreational purposes;

(3) The uses which have been made, are being made or may be made of such waters for transportation, domestic and industrial consumption, irrigation, bathing, fishing and fish culture, fire prevention, sewage disposal or otherwise; and

(4) The extent of present defilement or fouling of such waters which has already occurred or resulted from past discharges therein.

II. Criteria For Classes:

All adopted classifications must conform to the standards contained within State Water Classification Standards System as adopted by the South Carolina Pollution Control Authority on September 8, 1971 and filed with the South Carolina Secretary of State on September 10, 1971.

III. Tributary To Classified Waters:

In any case where streams are not otherwise classified and are tributaries to a classified stream they shall meet the quality standards of the classified stream.

IV. Significance Of Dates:

The filing date after each classified body of water represents the date on which the adopted classification was filed with the South Carolina Secretary of State.

On file with the Secretary of State and the Pollution Control Authority are the date and place of each public hearing on stream classification and the date on which the classifications was adopted by the Pollution Control Authority.

V. Status Of Classifications:

The classification for all bodies of water contained herein supersedes all previous classifications.

ALLAN CREEK (also called Allen Creek): Spartanburg County. The entire stream tributary to Enoree River, Class B. Filed August 7, 1972.

ARCHER CREEK: Beaufort County. That portion from Port Royal to U.S. Government Parris Island Bridge, Class SB; from the Bridge to Broad River, Class SA. Filed March 15, 1968.

ASHEPOO RIVER: Colleton County. That portion to salt water intrusion, Class B. Filed August 7, 1972; Salt water intrusion to Atlantic Ocean, Class SA. Filed November 5, 1955.

ASHLEY RIVER: Dorchester and Charleston Counties. That portion to salt water intrusion, Class B. Filed September 27, 1954 and August 7, 1972; Salt water intrusion to Charleston Harbor, Class SC. Filed September 27, 1954.

ASHPOLE SWAMP: Dillon and Marion County. The entire stream tributary to Lumber River, Class A (swamp). Filed June 8, 1956.

BACK RIVER: Berkeley County. The entire stream tributary to Cooper River, Class B. Filed September 27, 1954.

BAILEY CREEK: Anderson County. The entire stream tributary to Rocky River, Class B. Filed June 29, 1953.

BAKER CREEK: McCormick County. The entire stream tributary to Clark Hill Reservoir, Class B. Filed May 26, 1955.

BARTONS BRANCH (Summerhouse Branch and Johnsons Swamp): Williamsburg and Georgetown Counties. The entire stream tributary to Black River, Class B (swamp). Filed August 7, 1972.

BATTERY CREEK: Beaufort County. The entire stream tributary to Beaufort River, Class SB. Filed March 15, 1968.

BEAR CREEK: Newberry and Lexington Counties. The entire stream tributary to Lake Murray, Class B. Filed August 7, 1972.

BEAR CREEK: Lancaster County. The entire stream tributary to Cane Creek, Class B Filed December 7, 1962.

BEAR SWAMP: Dillon County. The entire stream tributary to Ashpole Swamp, Class A (swamp). Filed June 8, 1956.

BEARDS FORK CREEK: Laurens County. The entire stream tributary to Duncan Creek, Class B. Filed August 7, 1972 and March 31, 1954.

BEAUFORT RIVER: Beaufort County. The entire stream tributary to Port Royal Sound, Class SB. Filed November 5, 1955.

BEAVER CREEK: Anderson County. The entire stream tributary to Rocky River, Class B. Filed August 7, 1972.

BEAVER CREEK: Kershaw County. The entire stream tributary to Wateree Lake, Class A. Filed January 18, 1957.

BEAVERDAM CREEK: Anderson County. The entire stream tributary to Rocky River, Class B. Filed June 29, 1953.

BEAVERDAM CREEK: Darlington and Chesterfield Counties. The entire stream tributary to Black Creek, Class A. Filed August 7, 1972.

BEAVERDAM CREEK (also called Irene Creek): Cherokee County. The entire stream tributary to Thicketty Creek, Class B. Filed August 7, 1972.

BEAVERDAM CREEK: Laurens County. The entire stream tributary to Enoree River, Class A. Filed October 15, 1969.

BEAVERDAM CREEK: Marlboro County. The headwaters to the upper end of McLaurins Pond, Class B; McLaurins Mill Pond to Little Pee Dee River, Class A. Filed June 8, 1956.

BEAVERDAM CREEK: York County. The entire stream tributary to Crowder's Creek, Class B. Filed August 7, 1972.

BEES CREEK: Jasper County. The entire stream tributary to Coosawhatchie River, Class SC. Filed November 5, 1955.

BELL SWAMP CREEK: Dillon County. The entire stream tributary to Little Pee Dee River, Class A. Filed August 7, 1954.

BETSY CREEK: Anderson County. The entire stream tributary to Beaver Creek, Class B. Filed August 7, 1972.

BIG ALLISON CREEK: York County. The entire stream tributary to Lake Wylie, Class B. Filed August 7, 1972.

BIG BOGGY SWAMP: Darlington County. The entire stream tributary to McIntosh Mill Stream, Class A. Filed August 7, 1972.

BIG CREEK: Anderson County. The entire stream tributary to Saluda River, Class B. Filed August 7, 1972 and September 27, 1963.

BIG GENEROSTEE CREEK: Anderson County. The entire stream tributary to Savannah River, Class B. Filed August 7, 1972.

BIG PINE TREE CREEK: Kershaw County. Headwaters through Hermitage Mill Canal, Class A. Filed January 18, 1957; Hermitage Mill Canal to Wateree River, Class B. Filed August 7, 1972.

BIG ROCK CREEK: Greenwood County. The entire stream tributary to Wilson Creek, Class B. Filed October 5, 1953.

BIG SWAMP: Florence County. The entire stream tributary to Lynches River, Class B (swamp). Filed August 7, 1972.

BLACK CREEK: Darlington, Chesterfield and Florence Counties. From its headwaters to S.C. 145, Class B; from S.C. 145 through Prestwood Reservoir at Hartsville, Class A (swamp); Filed June 8, 1956. From Prestwood Reservoir to U.S. 52, Class B (swamp). Filed August 7, 1972. From U.S. 52 to S.C.L. Railroad bridge east of Hartsville, Class B; from the S.C.L. Railroad bridge to its confluence with Pee Dee River, Class A. Filed January 21, 1969.

BLACK RIVER: Lee, Sumter, Clarendon, Williamsburg and Georgetown Counties. From the headwaters to the confluence with Pocotaligo River, Class B (swamp); from this point to the junction with U.S. 701, Class A (swamp); from U.S. 701 to Winyah Bay, Class SB. Filed June 8, 1956.

BLUE HILL CREEK: Abbeville County. The entire stream tributary to Norris Creek, Class B. Filed August 7, 1972 and May 26, 1955.

BOHICKET CREEK: Charleston County. From its junction with North Edisto River to its junction with Church Creek, Class SA. Filed March 15, 1968.

BRANCH FROM HAILE GOLDMINE: Lancaster County. The entire stream tributary to Lynches Creek, Class B. Filed August 7, 1972.

BRICKYARD CREEK: Beaufort County. The entire stream tributary to Beaufort River, Class SA. Filed November 5, 1955

BRICKYARD CREEK: Charleston County. The entire stream tributary to Ashley River, Class SC. Filed September 27, 1954.

BROAD CREEK: Beaufort County. The entire stream tributary to Calibogue Sound, Class SA. Filed March 15, 1968.

BROAD RIVER (Main Stem): Cherokee, York, Union, Chester, Newberry, Fairfield and Richland Counties. The entire stream tributary to Congaree River, Class B. Filed February 24, 1953.

BROAD RIVER: Jasper and Beaufort Counties. The entire stream tributary to Port Royal Sound, Class SA. Filed November 5, 1955.

BROADMOUTH CREEK: Abbeville and Anderson Counties. The entire stream tributary to Saluda River, Class B. Filed August 7, 1972.

BROADWAY CREEK: Anderson County. Headwaters from Broadway Creek to backwaters of Broadway Lake, Class B; Broadway Lake to Rocky River, Class A. Filed January 27, 1956.

BROWNS SWAMP: Marion County. The entire stream tributary to Pee Dee River Swamp, Class B (swamp). Filed August 7, 1972.

BRUSHY CREEK: Greenville County. Headwaters northeast of Greenville to Enoree River, Class B. Filed November 7, 1956.

BRUSHY CREEK: Greenville County. The entire stream tributary to Reedy River, Class B. Filed August 7, 1972.

BRUSHY CREEK: Pickens County. The entire stream tributary to Saluda River, Class B. Filed August 7, 1972.

BUCK CREEK: Barnwell County. The entire stream tributary to Salkehatchie River, Class B. Filed August 7, 1972.

BUCK CREEK: Spartanburg County. The entire stream tributary to Pacolet River, Class B. Filed August 7, 1972.

BUCK SWAMP: Dillon, Marion and Marlboro Counties. The entire stream tributary to Little Pee Dee River, Class B (swamp). Filed August 7, 1972.

BUFFALO CREEK: Cherokee County. The entire stream tributary to Broad River, Class B. Filed January 18, 1962 and March 20, 1964.

BUFFALO CREEK: Union County. The entire stream tributary to Fairforest Creek, Class B. Filed August 7, 1972.

BULL BRANCH: Marlboro County. The entire stream tributary to Hagins Prong, Class B. Filed August 7, 1972.

BULL CREEK: Horry County. Pee Dee River to Waccamaw River, Class B. Filed March 15, 1968.

BULLOCKS CREEK: York County. Headwaters to Broad River, Class A. Filed August 25, 1969.

BULL RUN BRANCH: Chester County. The entire stream within chester County, Class A. Filed January 22, 1959.

BULL SWAMP CREEK: Lexington and Orangeburg Counties. That portion of the stream above Swansea, Class A. Filed February 16, 1956; that portion below Swansea, Class B. Filed August 7, 1972.

BURDINE CREEK: Pickens County. The entire stream tributary to Georges Creek, Class B. Filed June 28, 1954.

BURNETTS CREEK. Saluda County. The entire stream tributary to Little Saluda River, Class B. Filed August 7, 1972.

BURNT GIN LAKE: Sumter County. The entire lake located on the western reaches of Cane Savannah Creek, Class A. Filed January 24, 1972.

BUSH CREEK (or River): Laurens and Newberry Counties. The entire stream tributary to Lake Murray, Class B. Filed October 14, 1955 and August 7, 1972.

BYRUM'S CREEK (Branch from Appleton Mill to Whitner Creek). Anderson County. The entire stream tributary to Whitner Creek, Class B. Filed August 7, 1972.

CALHOUN CREEK: Abbeville County. The entire stream tributary to Little River, Class B. Filed August 7, 1972.

CALIBOGUE SOUND: Beaufort County. The entire sound tributary to Atlantic Ocean, Class SA. Filed March 15, 1968.

CANE CREEK: Lancaster County. The entire stream tributary to Catawba River, Class B. Filed August 7, 1972.

CANE CREEK: Oconee County. That portion through the Walhalla Water Reservoir, Class B. Filed May 24, 1954; That portion below County Road 202, Class B. Filed February 3, 1955.

CANNONS CREEK: Newberry County. The entire stream tributary to Broad River, Class B. Filed October 14, 1955.

CANOE CREEK: Anderson County. The entire stream tributary to Little Generostee Creek, Class B. Filed August 7, 1972.

CAPE ROMAIN HARBOR: Charleston County. The entire stream tributary to Atlantic Ocean, Class SA. Filed March 15, 1968.

CATAWBA-WATEREE RIVER: York, Lancaster, Chester, Fairfield, Kershaw, Richland and Sumter Counties. The entire stream tributary to Lake Marion, Class B. Filed February 17, 1954.

CATFISH CREEK: Marion County. The entire stream tributary to Pee Dee River, Class B (swamp). Filed August 7, 1972.

CAW CAW SWAMP: Allendale and Hampton Counties. The entire stream tributary to Whippy Swamp, Class B. Filed August 7, 1972.

CEDAR CREEK: Darlington and Chesterfield Counties. The entire stream tributary to Pee Dee River, Class A. Filed August 7, 1972.

CEDAR CREEK: Fairfield and Richland Counties. The entire stream tributary to Broad River, Class B. Filed August 7, 1972.

CEDAR CREEK: Richland County. The entire stream tributary to Congaree River, Class A. Filed January 26, 1972.

CEMETERY CREEK (or Silver Brook Creek): Anderson County. The entire stream tributary to Rocky River, Class B. Filed August 7, 1972.

CHARLESTON HARBOR: Charleston County. From Battery to Atlantic Ocean, Class SC. Filed March 15, 1968.

CHATOOGA RIVER: Oconee County. The entire stream tributary to Tugaloo River, Class A. Filed March 15, 1968.

CHAUGA CREEK (also called Jerry Creek): Oconee County. From headwaters through Oconee State Park swimming area, Class A; from this point to Chauga River, Class B. Filed May 24, 1954.

CHAUGA RIVER: Oconee County. Headwaters to 1 mile above U.S. 76, Class AA. Filed May 24, 1954; from 1 mile above U.S. 76 to Tugaloo River, Class B. Filed August 1, 1955.

CHEROKEE CREEK: Anderson County. The entire stream tributary to Hen Coop Creek, Class B. Filed August 7, 1972.

CHEROKEE CREEK: Cherokee County. The entire stream tributary to Broad River, Class B. Filed February 24, 1953 and August 7, 1972.

CHICKASAW CREEK: Abbeville County. The entire stream tributary to Little Pee Dee River, Class B. Filed March 24, 1955 and August 7, 1972.

CHOESTOEA CREEK: Oconee County. The entire stream tributary to Hartwell Reservoir, Class B. Filed August 7, 1972.

CHOWAN CREEK: Beaufort County. The entire stream tributary to Beaufort River, Class SA. Filed November 5, 1955.

CLARK CREEK: Williamsburg and Florence Counties. The entire stream tributary to Pee Dee River, Class B (swamp). Filed August 7, 1972.

CLARK HILL RESERVOIR: McCormick County. The entire reservoir on the Savannah River, Class A. Filed March 15, 1968.

CLARK SOUND: Charleston County. The entire sound tributary to Charleston Harbor, Class SC. Filed March 15, 1968.

CLARKS CREEK: York County. The entire stream tributary to Bullocks Creek, Class A. Filed August 25, 1969.

CLOUDS CREEK: Saluda County. The entire stream tributary to Lake Murray, Class B. Filed August 7, 1972.

COASTAL WATERS: Charleston County. From the land to the limits of State jurisdiction, Class SA. Filed March 15, 1968.

COASTAL WATER: Georgetown and Horry Counties. From the land to the limits of State jurisdiction, Class SA. Filed March 15, 1968.

COASTAL WATER: Jasper, Beaufort and Colleton Counties. Coastal waters offshore to the land to the limits of the State jurisdiction, Class SA. Filed March 15, 1968.

COLLETON RIVER: Beaufort County. The entire stream tributary to Port Royal Sound, Class SA. Filed November 5, 1955.

COMBAHEE-SALKEHATCHIE RIVER: Barnwell, Bamberg, Allendale, Hampton, Colleton and Beaufort Counties. That portion of the stream to salt water intrusion, Class A; from salt water intrusion to St. Helena Sound, Class SA. Filed November 5, 1955.

CONEROSS CREEK: Oconee County. That portion through Negro Fork Creek, Class A. Filed May 24, 1954 and March 22, 1962.

CONGAREE CREEK: Lexington County. That portion of the stream above the Cayce intake, Class A. Filed October 14, 1955; from that point to the Congaree River, Class B. Filed August 7, 1972.

CONGAREE RIVER: Richland, Lexington and Calhoun Counties. The entire stream tributary to Lake Marion, Class B. Filed August 7, 1972.

CONTRARY SWAMP: Dillon County. The entire stream from its headwaters to the North Carolina line near South of the Border, Class B. Filed August 7, 1972.

COOPER RIVER: Berkeley and Charleston Counties. That portion of the stream from U.S. 52 to a point approximately 30 miles above the junction of the Ashley and Cooper Rivers, Class B. Filed September 27, 1954 and February 24, 1953. That portion below that point to the junction of the Ashley and Cooper Rivers, Class SC. Filed February 24, 1953.

COOPER RIVER: Beaufort County. The entire stream tributary to Calibouge Sound, Class SA. Filed November 5, 1955.

COOSAW RIVER: Beaufort County. The entire stream tributary to St. Helena Sound, Class SA. Filed November 5, 1955.

COOSAWHATCHIE RIVER: Allendale Hampton and Jasper Counties. Headwaters to salt water intrusion, Class A. Salt water intrusion to Broad River, Class SA. Filed November 5, 1955.

COPAHEE SOUND: Charleston County. The entire sound, Class SA. Filed March 15, 1968.

CORNER CREEK: Abbeville County. The entire stream tributary to Little River, Class B. Filed August 7, 1972.

CORONACA CREEK: Greenwood County. The entire stream tributary to Wilson Creek, Class B. Filed October 5, 1953.

COWPEN SWAMP: Dillon County. The entire stream tributary to Bear Swamp, Class A (swamp). Filed June 8, 1956.

COWPENS CREEK: Cherokee County. The entire stream tributary to Little Thicketty Creek, Class B. Filed August 7, 1972.

COX BRANCH: Bamberg County. The entire stream tributary to Lemon Creek, Class B. Filed August 7, 1972.

CANE CREEK: Richland County. That portion above Lake Elizabeth (Best Lake), Class A. Filed February 17, 1954. From Lake Elizabeth to Broad River, Class B. Filed August 7, 1972.

CRIMMS CREEK: Newberry County. The entire stream tributary to Broad River, Class B. Filed August 7, 1972.

CROOKED CREEK: Marlboro County. That portion of the stream above S.C. 9 at Bennetsville, Class A. Filed June 8, 1956; from S.C. 9 to Pee Dee River, Class B. Filed August 7, 1972.

CROWDERS CREEK: York County. The entire stream tributary to Lake Wylie, Class B. Filed August 7, 1972.

CYPRESS SWAMP: Dorchester County. The entire stream tributary to Ashley River, Class B. Filed September 27, 1954.

DIVERSION CANAL: Berkeley County. The entire canal between Lake Marion and Lake Moultrie, Class A. Filed March 15, 1968.

DOOLITTLE CREEK: Cherokee County. The entire stream tributary to Broad River, Class B. Filed August 7, 1972.

DOUBLE BRANCH: Abbeville County. The entire stream tributary to Long Cane Creek, Class B. Filed August 7, 1972.

DRY BRANCH (also known as Dye Branch): York County. The entire stream tributary to Jones Branch, Class B. Filed August 7, 1972.

DRY FORK BRANCH: Chester County. The entire stream tributary to Sandy River, Class B. Filed August 7, 1972.

DUCK CREEK: Allendale County. The entire stream tributary to Coosawhatchie River, Class B. Filed August 7, 1972.

DUNCAN CREEK: Laurens and Newberry Counties. That portion of the stream in Laurens County, Class B. Filed March 31, 1954 and August 7, 1972. From the Laurens and Newberry County line to the Whitmire discharge, Class A. Filed October 14, 1955. From the Whitmire discharge to the Enoree River, Class B. Filed August 7, 1972.

DUNCAN CREEK: Lexington County. The entire stream tributary to Chinzuapin Creek, Class B. Filed October 14, 1955.

DURBIN CREEK: Greenville and Laurens County. The entire stream tributary to Enoree River, Class B. Filed August 7, 1972.

DUTCHMANS CREEK: Fairfield County. The entire stream tributary to Lake Wateree, Class B. Filed August 7, 1972.

DUTCHMANS CREEK (also known as Big Dutchmans Creek): York County. The entire stream tributary to Catawba River, Class B. Filed August 7, 1972.

DYE BRANCH: York County. See Dry Branch in (York County).

EAST BEARDS CREEK: Anderson County. The entire stream tributary to Wilson Creek, Class B. Filed August 7, 1972.

EAST ROCK CREEK: Anderson County. The entire stream tributary to Broadway Creek, Class B. Filed August 7, 1972.

EAST FORK (also known as Fork Creek): Chesterfield County. The entire stream tributary to Lynches River, Class B. Filed August 7, 1972.

EDISTO RIVER (Main Stem): Orangeburg, Bamberg, Dorchester, Colleton and Charleston Counties. The entire stream to the North Edisto and South Edisto Rivers, Class A. Filed July 13, 1956.

EIGHTEEN MILE CREEK: Pickens and Anderson Counties. The entire stream tributary to Hartwell Reservoir, Class B. Filed August 7, 1954, August 7, 1972 and June 29, 1953.

ENOREE RIVER: Greenville, Spartanburg, Laurens, Union and Newberry Counties. The entire stream tributary to Broad River, Class B. Filed April 7, 1953; April 17, 1953; April 23, 1955 and August 7, 1972.

FAIRFOREST CREEK: Spartanburg and Union Counties. The entire stream tributary to Broad River, Class B. Filed August 7, 1972.

FIRST CREEK: Lexington County. The entire stream tributary to Congaree Creek, Class A. Filed October 14, 1955.

FISHING CREEK: Chester and York Counties. From headwaters to S.C. 72, Class A. Filed June 26, 1959. From S.C. 72 to Lando intake, Class B. Filed November 3, 1953; and January 22, 1959. From the Lando intake to Catawba River, Class B. Filed August 7, 1972.

FISHING CREEK LAKE: Chester and Lancaster Counties. The entire Lake on Catawba River, Class A. Filed September 7, 1972.

FLAGREED CREEK: Abbeville County. The entire stream tributary to Calhoun Creek, Class B. Filed August 7, 1972.

FOLLY RIVER: Charleston County. The entire stream tributary to Stono River, Class SA. Filed March 15, 1968.

FORK CREEK: Chesterfield County. See East Fork in (Chesterfield County).

FOUR HOLE SWAMP: Orangeburg, Corchester, Berkeley and Calhoun Counties. The entire stream tributary to Edisto River, Class B (swamp). Filed February 16, 1956.

FOUR MILE CREEK: Orangeburg County. The entire stream tributary to North Fork Edisto River, Class B. Filed February 16, 1956.

FOURTEEN MILE CREEK: Lexington County. The entire stream tributary to Twelve Mile Creek, Class B. Filed October 14, 1955.

FRIPP INLET: Beaufort County. The entire stream tributary to Atlantic Ocean, Class SA. Filed November 5, 1955.

FROWHAWK CREEK: Spartanburg County. The entire stream tributary to South Tyger River, Class B. Filed August 7, 1972.

GAFFNEY CREEK: Cherokee County. See Peoples Creek in (Cherokee County).

GEORGES CREEK (and branch from Easley): Pickens County. The entire stream tributary to Saluda River, Class B. Filed August 7, 1972.

GILLARD CREEK: Greenville County. See Gilders Creek in (Greenville County).

GILDERS CREEK (also known as Gillard Creek): Greenville County. The entire stream tributary to Enoree River, Class B. Filed August 7, 1972.

GILLS CREEK: Richland County. From the headwaters through Forest Lake, Class A. Filed February 17, 1954; from Forest Lake to Congaree River, Class B. Filed August 7, 1972.

GOLDEN CREEK: Pickens County. The entire stream tributary to Twelve Mile Creek, Class B. Filed August 7, 1972.

GRANNY'S QUARTER CREEK: Kershaw County. The entire stream tributary to Wateree River, Class A. Filed January 18, 1957.

GRAPEVINE BRANCH: Bamberg County. The entire stream tributary to Lemon Creek, Class B. Filed August 7, 1972.

GRASSY RUN BRANCH: Chester County. The entire stream tributary to Rocky Creek, Class B. Filed August 7, 1972.

GRAYS SOUND: Charleston County. The entire sound, Class SA. Filed March 15, 1968.

GREAT FALLS LAKE: Chester and Lancaster Counties. The entire lake on Catawba River, Class A. Filed September 7, 1971.

GULLEY BRANCH: Florence County. The entire stream tributary to Jefferies Creek, Class A. Filed June 8, 1956.

HAILE GOLD MINE BRANCH: Lancaster County. See Branch from Haile Gold Mine in (Lancaster County).

HALFMOON BRANCH: Bamberg County. The entire stream tributary to Ghents Branch, Class B. Filed August 7, 1972.

HAMLIN SOUND: Charleston County. The entire sound, Class SA. Filed March 15, 1968.

HANGING ROCK CREEK: Lancaster and Kershaw Counties. That portion from the headwaters to County Road 84 below Kershaw, Class B. Filed October 6, 1966.

HARBOR RIVER: Beaufort County. The entire stream tributary to St. Helena Sound and Fripp Inlet, Class SA. Filed November 5, 1955.

HARD LABOR CREEK: Greenwood and McCormick Counties. The entire stream tributary to Stevens Creek, Class B. Filed August 7, 1972.

HARRIS MILL BRANCH: Greenwood County. The entire stream tributary to Rocky Creek, Class B. Filed August 7, 1972.

HARTWELL RESERVOIR: Oconee, Pickens and Anderson Counties. All that portion within South Carolina, Class A. Filed April 4, 1960.

HAWE CREEK: McCormick County. The entire stream tributary to Clark Hill Reservoir, Class B. Filed August 7, 1972.

HAYES SWAMP: Dillon County. The entire stream tributary to Little Pee Dee River, Class B (swamp). Filed August 7, 1972.

HELLHOLE CREEK: Lexington County. The entire stream tributary to Lightwood Knot Creek, Class A. Filed October 14, 1955.

HEMBREE CREEK: Anderson County. The entire stream tributary to Hartwell Reservoir, Class B. Filed August 7, 1972.

HEMEDY CREEK (Ramsey Creek): Oconee County. The entire stream tributary to Chauga River, Class B. Filed May 24, 1954.

HEN COOP CREEK: Anderson County. The entire stream tributary to Rocky River, Class B. Filed August 7, 1972.

HOLLOW CREEK: Lexington County. The entire stream tributary to Lake Murray, Class A. Filed December 9, 1968.

HORSE CREEK: Aiken County. That portion above Flat Rock Pond, Class A. Filed November 25, 1957; from Flat Rock Pond to Savannah River, Class B. Filed August 7, 1972.

HUSBANDS CREEK: Marlboro County. The entire stream tributary to Pee Dee River, Class B. Filed August 7, 1972.

INDIAN CREEK: Laurens County. The entire stream tributary to Enoree River, Class B. Filed August 7, 1972.

INDIAN FIELD SWAMP: Dorchester and Orangeburg Counties. The entire stream tributary to Polk Swamp, Class B (swamp). Filed February 16, 1956.

INTRACOASTAL WATERWAY: Horry and Georgetown Counties. From the North Carolina line to salt water ~~intrusion~~, Class A; from salt water intrusion to Winyah Bay, Class SA. Filed June 8, 1956; from Winyah Bay to South Santee River, Class SA. Filed March 15, 1968.

INTRACOASTAL WATERWAY: Charleston County. That portion of the waterway from South Edisto River to S.C.L. Railroad Bridge over Stono River, Class SA. From the S.C.L. Bridge over Stono River through Charleston Harbor to Ben Sawyer Bridge, Class SC. From Ben Sawyer Bridge to South Santee River, Class SA. Filed March 15, 1968.

IRENE CREEK: Cherokee County. See Beaverdam Creek in (Cherokee County).

JACKSON BRANCH: Allendale and Hampton Counties. The entire stream tributary to Whippy Swamp, Class A. Filed November 5, 1955.

JACKSON CREEK: Fairfield County. The entire stream tributary to Little River, Class A. Filed June 27, 1968.

JACKSON CREEK: Richland County. The entire stream tributary to Gills Creek, Class A. Filed February 17, 1954.

JACOBS CREEK: Laurens County. The entire stream tributary to Sand Creek, Class B. Filed August 7, 1972.

JEFFRIES CREEK: Darlington and Florence Counties. From the headwaters to Claussen Crossroads (S.C. 327), Class B (swamp). From S.C. 327 to Pee Dee River, Class A (swamp). Filed June 8, 1956.

JERICHO CREEK: Beaufort County. The entire stream tributary to Battery Creek, Class SB. Filed March 15, 1968.

JERRY CREEK (also called Chauga Creek): Oconee County. See Chauga Creek in (Oconee County).

JIMMIES CREEK: Spartanburg County. The entire stream tributary to Tyger River, Class B. Filed August 7, 1972.

JOHNSONS SWAMP (Summerhouse Branch and Bartons Branch): Williamsburg and Georgetown Counties. The entire stream tributary to Black River, Class B. Filed August 7, 1972.

JORDAN BRANCH: Barnwell County. The entire stream tributary to Toby Creek, Class B. Filed August 7, 1972.

KATE FOWLER BRANCH: Greenwood County. The entire stream tributary to Ninety-six Creek, Class B. Filed August 7, 1972.

KELLERS CREEK: Abbeville County. The entire stream tributary to McCord Creek, Class B. Filed March 24, 1955.

KELSEY CREEK: Spartanburg County. The entire stream tributary to Fairforest Creek, Class B. Filed April 21, 1970.

KEOWEE LAKE: Oconee and Pickens Counties. The entire lake Class A. Filed September 7, 1971.

KILGORE BRANCH: Darlington County. The entire stream tributary to Black Creek, Class A. Filed August 7, 1972.

KINGS CREEK: Newberry County. The entire stream tributary to Enoree River, Class B. Filed October 14, 1955.

LAKE GREENWOOD: Greenwood, Laurens, Newberry Counties. The entire lake on Saluda River, Class A. Filed November 26, 1963.

LAKE LANIER: Greenville County. The entire lake on Vaughn Creek, Class A. Filed Januray 24, 1972.

LAKE MARION: Berkeley, Clarendon, Sumter and Orangeburg Counties. The entire Lake, Class A. Filed March 15, 1968.

LAKE MOULTRIE: Berkeley County. The entire lake, Class A. Filed March 15, 1968.

LAKE MURRAY: Newberry, Lexington, Saluda and Richland Counties. The entire lake on Saluda River, Class A. Filed September 7, 1971.

LAKE SWAMP (Lake City, also called Lynches Lake): Florence and Williamsburg Counties. That portion to the developed swimming area, Class A (swamp). Filed June 8, 1956. From the developed swimming area to Lynches River, Class B (swamp). Filed August 7, 1972.

LAKE SWAMP: Darlington and Florence Counties. The entire stream tributary to Sparrow Swamp, Class B (swamp). Filed August 7, 1972.

LAKE WYLIE: York County. The entire lake on Catawba River, Class A. Filed September 7, 1971.

LANGSTON CREEK (formerly Unnamed Creek which enters Reedy River 1 1/2 miles above Long Branch): Greenville County. The entire stream tributary to Reedy River, Class B. Filed August 7, 1972.

LAUREL CREEK: Greenville County. The entire stream tributary to Reedy River, Class B. Filed November 7, 1956.

LAWSONS FORK CREEK: Spartanburg County. The entire stream tributary to Pacolet River, Class B. Filed August 7, 1972.

LEMON CREEK: Bamberg County. The entire stream tributary to Little Salkahatchie River, Class B (swamp). Filed August 7, 1972.

LIGHTWOOD KNOT CREEK: Lexington County. The entire stream tributary to North Fork Edisto River, Class A. Filed October 14, 1955.

LIMESTONE CREEK: Cherokee County. The entire stream tributary to Broad River, Class B. Filed August 7, 1972.

LITTLE BOGGY SWAMP: Darlington County. The entire stream tributary to Big Boggy Swamp, Class A. Filed August 7, 1972.

LITTLE FORK CREEK: Chesterfield County. See West Fork in (Chesterfield County).

LITTLE GENEROSTEE CREEK: Anderson County. The entire stream tributary to Savannah River, Class B. Filed August 7, 1972.

LITTLE HORSE CREEK: Aiken County. That portion above Clearwater Dam, Class A. Filed November 25, 1957. From Clearwater Dam to Horse Creek, Class B. Filed August 7, 1972.

LITTLE LYNCHES RIVER (also called Lynches Creek): Lancaster and Kershaw Counties. The entire stream tributary to Lynches River, Class B. Filed November 24, 1953; June 8, 1956 and August 7, 1972.

LITTLE PEE DEE RIVER: Dillon County. That portion of the stream from its headwaters to Ropers Mill Branch, Class A. Filed August 7, 1954. From Ropers Mill Branch to S.C. 41, Class B. Filed August 7, 1972. From S.C. 41 to Lumber River, Class A. Filed June 8, 1956.

LITTLE PINE TREE CREEK: Kershaw County. That portion of the stream above Wateree Mill Pond, Class A. Filed January 18, 1957. From Wateree Mill Pond to Big Pine Tree Creek, Class B. Filed August 7, 1972.

LITTLE RIVER: Abbeville and McCormick Counties. The entire stream tributary to Clark Hill Reservoir, Class B. Filed March 24, 1955; May 26, 1955 and August 7, 1972.

LITTLE RIVER: Farifield County. The entire stream tributary to Broad River, Class B. Filed January 21, 1954 and August 7, 1972.

LITTLE RIVER: Laurens and Newberry Counties. The entire stream tributary to Saluda River, Class B. Filed October 14, 1955 and August 7, 1972.

LITTLE SALKEHATCHIE RIVER: Bamberg and Colleton Counties. The entire stream in Bamberg County, Class B. Filed August 7, 1972. The entire stream in Colleton County tributary to Salkehatchie River, Class A. Filed November 5, 1955.

LITTLE SALUDA RIVER: Saluda County. The entire stream tributary to Lake Murray, Class B. Filed August 7, 1972.

LITTLE SANDY RIVER: Chester County. The entire stream tributary to Sandy River, Class A. Filed January 22, 1959.

LITTLE THICKETTY CREEK: Cherokee County. The entire stream tributary to Thicketty Creek, Class B. Filed August 7, 1972.

LONG CANE CREEK: Abbeville and McCormick Counties. The entire stream tributary to Clark Hill Reserboir, Class B. Filed March 24, 1955; May 26, 1955 and August 7, 1972.

LUDLOW BRANCH: McCormick County. The entire stream tributary to Clark Hill Reservoir, Class B. Filed August 7, 1972.

LUMBER RIVER: Marion, Dillon and Horry Counties. The entire stream tributary to Little Pee Dee River, Class A. Filed June 8, 1956.

LYNCHES LAKE: Florence and Williamsburg Counties. See Lake Swamp in (Florence and Williamsburg Counties).

LYNCHES RIVER: Chesterfield, Lee, Lancaster, Kershaw, Darlington, Sumter and Florence Counties. The entire stream tributary to Pee Dee River, Class B. Filed July 12, 1963 and August 7, 1972.

MAD DOG BRANCH: Pickens County. The entire stream tributary to Georges Creek, Class B. Filed June 28, 1954.

MAPLE CREEK: Spartanburg County. The entire stream tributary to South Tyger River, Class B. Filed August 7, 1972.

MAPLE SWAMP: Dillon County. The entire stream tributary to Little Pee Dee River, Class B (swamp). Filed August 7, 1972.

MARTIN CREEK: Oconee County. The entire stream tributary to Hartwell Reservoir, Class B. Filed August 7, 1972.

MAY RIVER: Beaufort County. The entire stream tributary to Calibogue Sound, Class SA. Filed November 5, 1955.

MEINGS CREEK (also called Meng Creek): Union County. The entire stream tributary to Broad River, Class B. Filed February 24, 1953 and August 7, 1972.

MIDDLE TYGER RIVER: Spartanburg and Greenville Counties. The entire stream tributary to North Tyger River, Class B. Filed August 7, 1972.

MILL BRANCH: Orangeburg County. The entire stream tributary to North Fork Edisto River, Class B. Filed February 16, 1956.

MILL CREEK: Cherokee County. The entire stream tributary to Limestone Creek, Class B. Filed August 7, 1972.

MILL CREEK: Fairfield County. Headwaters to Winnsboro intake, Class A. Filed April 8, 1968. From Winnsboro intake to Little River, Class B. Filed August 7, 1972.

MILL CREEK: Richland County. The entire stream tributary to Congaree River, Class A. Filed February 17, 1954.

MILL CREEK: Spartanburg County. The entire stream tributary to Enoree River, Class B. Filed August 7, 1972.

MILL CREEK: Sumter County. The entire stream tributary to Lake Marion, Class A. Filed January 24, 1972.

MINE CREEK: Saluda County. The entire stream tributary to Little Saluda River, Class B. Filed October 14, 1955.

MITCHEL CREEK: Union County. The entire stream tributary to Fairforest Creek, Class B. Filed August 7, 1972.

MORGAN RIVER: Beaufort County. The entire stream tributary to St. Helena Sound, Class SA. Filed November 5, 1955.

MUD CREEK: Jasper County. The entire stream between Savannah River and Wright River, Class SB. Filed March 15, 1968.

MUDDY CREEK: Williamsburg and Florence Counties. The entire stream tributary to Clarks Creek, Class B (swamp). Filed August 7, 1972.

MURRELLS INLET: Georgetown County. The entire inlet tributary to Atlantic Ocean, Class SA. Filed March 15, 1968.

MCALPINE CREEK: Lancaster County. The entire stream tributary to Sugar Creek, Class B. Filed August 7, 1972.

MCCORD CREEK: Abbeville County. The entire stream tributary to Long Cane Creek, Class B. Filed March 24, 1955.

MCINTOSH MILL STREAM: Darlington County. The entire stream tributary to Black Creek, Class A. Filed August 7, 1972.

NAKED CREEK: Marlboro County. The entire stream tributary to Pee Dee River, Class A. Filed June 8, 1956.

NEW CHEHAW RIVER: Colleton County. The entire stream tributary to St. Helena Sound, Class SA. Filed March 15, 1968.

NEWMAN SWAMP: Darlington County. The entire stream tributary to Sparrow Swamp, Class B (swamp). Filed August 7, 1972.

NEW RIVER: Beaufort and Jasper Counties. The entire stream tributary to Atlantic Ocean, Class SB. Filed November 5, 1955.

NINETY SIX CREEK: Greenwood County. The entire stream tributary to Wilson Creek, Class B. Filed October 5, 1953 and August 7, 1972.

NORRIS CREEK: Abbeville County. The entire stream tributary to Long Cane Creek, Class B. Filed August 7, 1972.

NORTH FORK CHATOOGA RIVER: Oconee County. From North Carolina State Line to its junction with South Fork Chatooga River, Class A. Filed March 15, 1968.

NORTH FORK EDISTO RIVER: Orangeburg, Lexington and Aiken Counties. From its headwaters to the Orangeburg discharge, Class A. Filed July 13, 1956. From the Orangeburg discharge to Edisto River, Class B. Filed August 7, 1972.

NORTH EDISTO: Charleston County. The entire stream tributary to Atlantic Ocean, Class SA. Filed February 16, 1956.

NORTH PACOLET RIVER: Spartanburg County. The entire stream tributary to Pacolet River, Class B. Filed August 7, 1972.

NORTH SALUDA RIVER: Greenville County. That portion from its headwaters to S.C. 42, Class AA. Filed September 26, 1956. From S.C. 42 to Saluda River, Class B. Filed December 9, 1968.

NORTH SANTEE RIVER: Georgetown County. That fresh water portion of the stream, Class B. Filed August 7, 1972. From U.S. 17 to 1000 feet below the Intracoastal Waterway, Class SB. From that point to the Atlantic Ocean, Class SA. Filed February 15, 1962.

NORTH TYGER RIVER: Spartanburg County. The entire stream tributary to Tyger River, Class B. Filed August 7, 1972.

OLD CHEHAW RIVER: Colleton County. The entire stream tributary to Combahee River, Class SA. Filed March 15, 1968.

OLIVE BRANCH: Lexington County. The entire stream tributary to Duncan Creek, Class B. Filed August 7, 1972.

PACOLET RIVER: Spartanburg, Union and Cherokee Counties. The entire stream tributary to Broad River, Class B. Filed January 26, 1972 and August 7, 1972.

PANTHER CREEK: Marlboro County. The entire stream tributary to Beaverdam Creek, Class B. Filed June 8, 1956.

PARK CREEK: Abbeville County. The entire stream tributary to Little Pee Dee River, Class B. Filed August 7, 1972.

PEE DEE RIVER: Chesterfield, Dillon, Marlboro, Darlington and Florence Counties. The entire stream tributary to Winyah Bay, Class B. Filed May 26, 1953 and August 7, 1972.

PEOPLES CREEK (also known as Gaffney Creek and Town Creek): Cherokee County. The entire stream tributary to Broad River, Class B. Filed August 7, 1972.

PLEASANT MEADOW SWAMP: Horry County. The entire stream tributary to Lake Swamp, Class B (swamp). Filed August 7, 1972.

POCOTALIGO RIVER: Sumter and Clarendon Counties. The entire stream tributary to Black River, Class B (swamp). Filed June 8, 1956.

POLK SWAMP: Dorchester and Orangeburg Counties. The entire stream tributary to Edisto River, Class B (swamp). Filed February 16, 1956.

PORT ROYAL SOUND: Beaufort County. The entire sound tributary to Atlantic Ocean, Class SA. Filed November 5, 1955.

PROVIDENCE CREEK: Cherokee County. That portion of the stream below County Road 793 to Cherokee Creek, Class B. Filed January 24, 1964.

PYE BRANCH: Florence County. The entire stream tributary to Jeffries Creek, Class B. Filed August 7, 1972.

RABON CREEK: Laurens County. The entire stream tributary to Lake Greenwood, Class B. Filed March 31, 1954.

RAMSEY CREEK (Hemedy Creek): Oconee County. See Hemedy Creek in (Oconee County).

RAMSHORN CREEK: Beaufort County. The entire stream between New River and Cooper River, Class SA. Filed November 5, 1955.

RED BANK CREEK: Lexington County. The entire stream tributary to Congaree Creek, Class A. Filed October 14, 1955.

RED BANK CREEK: Saluda County. The entire stream tributary to Mine Creek, Class B. Filed October 14, 1955 and August 7, 1972.

REEDY FORK BRANCH: Laurens County. The entire stream tributary to Little River, Class B. Filed March 31, 1954 and August 7, 1972.

REEDY RIVER: Greenville and Laurens Counties. The entire stream tributary to Lake Greenwood, Class B. Filed August 7, 1972.

RICES CREEK: Pickens County. The entire stream tributary to Twelve Mile Creek, Class B. Filed August 7, 1972.

RICHARDSON BRANCH: Allendale County. The entire stream tributary to Coosawhatchie River, Class B. Filed August 7, 1972.

ROCKY CREEK (Cedar Creek Lake): Chester, Fairfield and Lancaster Counties. The entire lake on Catawba River, Class A. Filed September 7, 1971.

ROCKY CREEK (also called Rock Creek): Greenwood County. The entire stream tributary to Coronaca Creek, Class B. Filed August 7, 1972.

ROCKY CREEK: McCormick County. The entire stream tributary to Hard Labor Creek, Class B. Filed May 26, 1955 and August 7, 1972.

ROCKY RIVER: Anderson and Abbeville Counties. The entire stream tributary to Savannah River, Class B. Filed January 27, 1956 and August 7, 1972.

ROSEMARY CREEK: Barnwell County. The entire stream tributary to Salkehatchie River, Class B. Filed August 7, 1972.

SAINT HELENA SOUND: Beaufort and Colleton Counties. The entire sound tributary to Atlantic Ocean, Class SA. Filed March 15, 1968.

SALKEHATCHIE-COMBAHEE RIVER: Barnwell, Bamberg, Allendale, Colleton, Hampton and Beaufort Counties. From headwaters to salt water intrusion, Class A. From salt water intrusion to St. Helena Sound, Class SA. Filed November 5, 1955.

SALT WATER CREEK (Fields Cut): Jasper County. See Fields Cut in (Jasper County).

SALUDA RIVER (Main Stem): Greenville, Pickens, Anderson, Abbeville, Laurens, Greenwood, Newberry, Saluda, Lexington and Richland Counties. The entire stream tributary to Congaree River, Class B. Filed October 5, 1953 and October 14, 1954.

SALUDA LAKE: Greenville County. The entire lake on Saluda River, Class A. Filed January 24, 1972.

SAMPIT RIVER: Georgetown County. From the headwaters to salt water intrusion, Class B (swamp). Filed August 7, 1972. From salt water intrusion to Winyah Bay, Class SC. Filed June 8, 1956.

SAND CREEK: Fairfield County. The entire stream tributary to Jackson Creek, Class A. Filed April 8, 1968.

SAND CREEK: Laurens County. The entire stream tributary to Duncan Creek, Class B. Filed August 7, 1972.

SANDERS CREEK: Kershaw County. The entire stream tributary to Wateree River, Class A. Filed January 18, 1957.

SANDERS BRANCH: Hampton County. The entire stream tributary to Coosawhatchie River, Class B (swamp). Filed August 7, 1972.

SANDY RIVER: Chester County. From its headwaters through the Chester Reservoir, Class A . Filed January 22, 1959. From the Chester Reservoir to a point 100 yards above Bear Creek, Class B. Filed August 7, 1972. From this point to Broad River, Class A. Filed January 22, 1959.

SANTEE RIVER (North & South): Berkeley, Charleston and Georgetown Counties. See North Santee River and South Santee River in (Berkeley, Charleston and Georgetown Counties).

SANTEE RIVER: Clarendon, Berkeley, Williamsburg and Georgetown Counties. That portion of the stream below Lake Marion to the North and South Santee Rivers, Class B. Filed August 7, 1972.

SANTEE RIVER: Calhoun and Sumter Counties. From junction of Congaree and Wateree Rivers to Lake Marion, Class A. Filed March 15, 1968.

SAVANNAH CREEK: Bamberg and Colleton Counties. The entire stream tributary to Salkehatchie River, Class B. Filed August 7, 1972.

SAVANNAH RIVER: Abbeville, Allendale, Anderson, McCormick, Edgefield, Barnwell, Hampton, Aiken and Jasper Counties. From Lake Hartwell through Clark Hill Lake, Class A. Filed March 15, 1968. From Clark Hill Dam to Ft. Pulaski, Class B. Filed March 15, 1968 and August 7, 1972. From Ft. Pulaski to Atlantic Ocean, Class A. Filed March 15, 1968.

SAWMILL BRANCH: Dorchester and Berkeley Counties. The entire stream tributary to Dorchester Creek, Class B. Filed August 7, 1972.

SAWNEY CREEK: Abbeville and McCormick Counties. The entire stream tributary to Little River, Class B. Filed August 7, 1972.

SAWNEYS CREEK: Fairfield and Kershaw Counties. The entire stream tributary to Wateree River, Class B. Filed August 7, 1972.

SCHEWBOUGH BRANCH (also called Skeebo Branch): Horry County. The entire stream tributary to the North Carolina Line, Class B (swamp). Filed August 7, 1972.

SCOTT CREEK: Newberry County. The entire stream tributary to Bush River, Class B. Filed August 7, 1972.

SCOUTER CREEK: Lexington County. The entire stream tributary to Congaree Creek, Class A. Filed October 14, 1955.

SECOND CREEK: Lexington County. The entire stream tributary to First Creek, Class A. Filed October 14, 1955.

SHANKLIN CREEK: Anderson County. The entire stream tributary to Three and Twenty Mile Creek, Class B. Filed August 7, 1972.

SHAVER CREEK (also called Cheves Creek): Edgefield County. From its headwaters to Georgia and Florida Railroad, Class A. From the Railroad to its junction with Stevens Creek, Class B. Filed July 7, 1955.

SHAW CREEK: Aiken and Edgefield Counties. The entire stream tributary to South Fork Edisto River, Class A. Filed July 7, 1955 and February 16, 1956.

SHELL CREEK: Laurens County. The entire stream tributary to Bush River, Class B. Filed August 7, 1972.

SHEM CREEK: Charleston County. The entire stream tributary to Charleston Harbor, Class SC. Filed March 15, 1968.

SILVER BROOK CREEK: Anderson County. See Cemetery Creek in (Anderson County).

SIX MILE CREEK: Lexington County. The entire stream tributary to Congaree Creek, Class B. Filed August 7, 1972.

SKEEBO BRANCH: Horry County. See Schewbough Branch in (Horry County).

SMITH BRANCH: Richland County. The entire stream tributary to Broad River, Class B. Filed August 7, 1972.

SOUTH EDISTO RIVER: Charleston and Colleton Counties. The entire stream tributary to Atlantic Ocean, Class SA. Filed February 16, 1956.

SOUTH FORK EDISTO: Edgefield, Aiken, Barnwell, Orangeburg and Bamberg Counties. That portion from its headwaters to U.S. 1, Class B. From U.S. 1 to 3/4 mile above S.C.L. Railroad, Class A. Filed July 13, 1956. From 3/4 mile above the Railroad to its junction with North Fork Edisto River, Class B. Filed January 20, 1960.

SOUTH PACOLET RIVER: Spartanburg County. The entire stream tributary to Pacolet River, Class B. Filed April 7, 1953.

SOUTH SALUDA RIVER: Greenville County. That portion from its headwaters through Table Rock Cove, Class AA. From the Cove to the junction with North Saluda River, Class B. Filed April 17, 1953.

SOUTH SANTEE RIVER: Georgetown, Berkeley and Charleston Counties. That fresh water portion, Class B. Filed August 7, 1972. From U.S. 17 to 1000 feet below the Intracoastal Waterway, Class SB. From that point to the Atlantic Ocean, Class SA. Filed February 15, 1962.

SOUTH TYGER RIVER: Spartanburg and Greenville Counties. The entire stream tributary to Tyger River, Class B. Filed April 7, 1953 and August 7, 1972.

SPAIN CREEK: Greenville County. The entire stream tributary to Saluda River, Class B. Filed August 7, 1972.

SPARROW SWAMP: Lee, Darlington and Florence Counties. The entire stream tributary to Lynches River, Class B (swamp). Filed August 7, 1972.

STEEL CREEK: York County. The entire stream tributary to Sugar Creek, Class B. Filed August 7, 1972.

STEVENS CREEK: McCormick and Edgefield Counties. The entire stream tributary to Savannah River, Class B. Filed August 7, 1972.

STITT BRANCH: Fairfield County. The entire stream tributary to Jackson Creek, Class A. Filed April 8, 1968.

STONO RIVER: Charleston County. That portion extending eastward to S.C.L. Railroad bridge, Class SA. From the S.C.L. bridge to Abbapoola Creek, Class SC. From Abbapoola Creek to Folly River, Class SA. Filed March 15, 1968.

STUART CREEK: Fairfield County. The entire stream tributary to Jackson Creek, Class B. Filed January 21, 1954 and August 7, 1972.

SUGAR CREEK: York and Lancaster Counties. The entire stream tributary to Catawba River, Class B. Filed August 7, 1972.

SUMMERHOUSE BRANCH (Bartons Swamp and Johnsons Swamp): Williamsburg and Georgetown Counties. See Bartons Swamp and Johnsons Swamp in (Williamsburg and Georgetown Counties).

SWAMP (near North, S.C.): Orangeburg County. The entire stream tributary to North Fork Edisto River, Class B (swamp). Filed August 7, 1972.

SWEETWATER BRANCH: Edgefield County. The entire stream tributary to Stevens Creek, Class A. Filed December 12, 1966.

SWIFT CREEK: Kershaw and Sumter Counties. The entire stream tributary to Wateree River, Class A. Filed January 18, 1957.

TAILRACE CANAL: Berkeley County. From Lake Moultrie power plant to Moncks Corner, Class A. Filed March 15, 1968.

THICKETTY CREEK: Cherokee County. That portion of the stream below the Cowpens discharge tributary to Broad River, Class B. Filed August 7, 1972.

THOMPSON CREEK: Chesterfield County. The entire stream tributary to Pee Dee River, Class B. Filed June 8, 1956 and August 7, 1972.

THREE CREEKS: Marlboro County County. The entire stream tributary to Pee Dee River, Class A. Filed June 8, 1956.

TIMOUTHY CREEK: Newberry County. The entire stream tributary to Bush River, Class B. Filed August 7, 1972.

TINKER CREEK: Union County. The entire stream tributary to Tyger River, Class B. Filed August 7, 1972.

TINKERS CREEK: Chester County. The entire stream tributary to Fishing Creek, Class A. Filed January 22, 1959.

TOBY CREEK: Barnwell County. The entire stream tributary to Salkehatchie River, Class B. Filed August 7, 1972.

TODDS BRANCH: Lancaster County. The entire stream tributary to Little Lynches River, Class B. Filed August 7, 1972.

TOMS CREEK: Lexington County. The entire stream tributary to Congaree River, Class A. Filed October 14, 1955.

TOWN CREEK: Cherokee County. See Peoples Creek in (Cherokee County).

TOWN CREEK: Kershaw County. The entire stream tributary to Wateree River, Class B. Filed August 7, 1972.

TOWN CREEK: Pickens County. The entire stream tributary to Twelve Mile Creek, Class B. Filed June 28, 1954 and August 7, 1972.

TRENCHARDS INLET: Beaufort County. The entire inlet tributary to Atlantic Ocean, Class SA. Filed November 5, 1955.

TUGALOO RIVER: Oconee County. From Tugaloo Dam to Lake Hartwell, Class A. Filed March 15, 1968.

TURKEY CREEK: Barnwell County. That portion through Fuller Park, Class A. Filed Nobember 5, 1955. From Fuller Park to Salkehatchie River, Class B. Filed August 7, 1972.

TURKEY CREEK: Chester and York Counties. The entire stream tributary to Broad River, Class B. Filed Nobember 3, 1953 and August 7, 1972.

TURKEY CREEK: Edgefield and McCormick Counties. The entire stream tributary to Stevens Creek, Class B. Filed July 7, 1955 and August 7, 1972.

TURKEY CREEK: Greenwood County. The entire stream tributary to Saluda River, Class B. Filed August 7, 1972.

TURKEY CREEK: Lancaster County. The entire stream tributary to Cane Creek, Class B. Filed Nobember 24, 1953 and August 7, 1972.

TWELVE MILE CREEK: Lexington County. That portion from its headwaters to S.C. 6, Class A. Filed October 14, 1955. From S.C. 6 to Saluda River, Class B. Filed August 7, 1972.

TWELVE MILE CREEK: Pickens County. The entire stream tributary to Lake Hartwell, Class B. Filed October 14, 1955.

TWENTY-FIVE MILE CREEK: Kershaw County. The entire stream tributary to Wateree River, Class A. Filed January 18, 1957.

TWENTY-SIX MILE CREEK: Anderson County. The entire stream tributary to Lake Hartwell, Class B. Filed June 29, 1953.

TWENTY-THREE MILE CREEK: Anderson County. The entire stream tributary to Lake Hartwell, Class B. Filed June 29, 1953 and August 7, 1972.

TYGER RIVER (Main Stream): Spartanburg, Union and Newberry Counties. The entire stream tributary to Broad River, Class B. Filed August 7, 1972.

UNNAMED CREEK: Greenville County. The Unnamed Creek which enters Reedy River on the west bank 1 1/4 miles below Conestee Lake, Class B. Filed August 7, 1972.

UNNAMED CREEK: Greenville County. See Langston Creek in (Greenville County).

UNNAMED CREEK: Oconee County. Which enters Little River at Newry, Class B. Filed May 24, 1954.

UNNAMED CREEK: Union County. Which originates in Jonesville and flows north-northeast to Mill Creek, Class B. Filed August 7, 1972.

VAUGHN'S CREEK: Greenville County. The entire stream tributary to Lake Lanier, Class AA. Filed April 7, 1953.

WACCAMAW RIVER: Horry and Georgetown Counties. That portion from headwaters to Conway discharge, Class A (swamp). Filed June 8, 1956. From the Conway discharge to Winyah Bay, Class A. Filed March 15, 1968.

WADMALAW RIVER: Charleston County. The entire stream tributary to North Edisto River, Class SA. Filed March 15, 1968.

WADMALAW SOUND: Charleston County. The entire sound tributary to Wadmalaw River, Class SA. Filed March 15, 1968.

WALKER BRANCH: Fairfield County. The entire stream tributary to Dutchmans Creek, Class B. Filed August 7, 1972.

WANDO RIVER: Charleston and Berkeley Counties. The entire stream tributary to Cooper River at Charleston Harbor, Class SB. Filed March 15, 1968.

WAPPOO CREEK: Charleston County. The entire stream tributary to Enoree River, Class B. Filed August 7, 1972.

WARRIOR CREEK: Laurens County. The entire stream tributary to Enoree River, Class B. Filed August 7, 1972.

WATEREE LAKE: Fairfield, Kershaw and Lancaster Counties. The entire lake on Catawba-Wateree River, Class A. Filed September 7, 1972.

WATTS MILL BRANCH: Laurens County. The entire stream tributary to Little River, Class B. Filed August 7, 1972.

WEST FORK (also called Little Fork Creek): Chesterfield County. The entire stream tributary to East Fork or Fork Creek, Class B. Filed August 7, 1972.

WHALE BRANCH: Beaufort County. The entire stream between Broad River and Coosaw River, Class SA. Filed Nobember 5, 1955.

WHITE OAK CREEK: Kershaw County. The entire stream tributary to Wateree Lake, Class A. Filed January 18, 1957.

WHITE OAK CREEK: Marion County. The entire stream tributary to Pee Dee River Swamp, Class B (swamp). Filed August 7, 1972.

WHITNER CREEK: Anderson County. The entire stream tributary to Big Generostee Creek, Class B. Filed August 7, 1972.

WILDCAT CREEK: Richland County. The entire stream tributary to Gills Creek, Class A. Filed February 17, 1954.

WILDCAT CREEK: York County. The entire stream tributary to Fishing Creek, Class B. Filed August 7, 1972.

WILKERSON CREEK: Aiken County. From its headwaters to the Aiken discharge, Class A. Filed November 25, 1957. From the Aiken discharge to Horse Creek, Class B. Filed August 7, 1972.

WILSON CREEK: Anderson and Abbeville Counties. The entire stream tributary to Rocky River, Class B. Filed August 7, 1972.

WILSON CREEK: Greenville County. The entire stream tributary to Durbin Creek, Class B. Filed August 7, 1972.

WILSON CREEK: Greenwood County. The entire stream tributary to Saluda River, Class B. Filed August 7, 1972.

WINDY HILL CREEK: Barnwell and Bamberg Counties. The entire stream tributary to South Fork Edisto River, Class B. Filed February 16, 1956.

WINYAH BAY: Georgetown County. The entire bay tributary to Atlantic Ocean, Class SC. Filed June 8, 1956.

WOLF CREEK: Pickens County. The entire stream tributary to Twelve Mile Creek, Class B. Filed August 7, 1972.

WRIGHT RIVER: Jasper County. The entire stream tributary to Atlantic Ocean, Class SB. Filed November 5, 1955.

ZEKIAL CREEK: Cherokee County. From headwaters to its intersection with S.C. Highway #110, Class B. Filed March 8, 1966.

APPENDIX IV

1. Joint Agreement Between EPA and NOAA

2. Federal Activities Guidance

JOINT AGREEMENT

OCZM/EPA Water Programs Coordination Principles

The purpose of this joint letter is to emphasize the intent of both the Environmental Protection Agency and NOAA's Office of Coastal Zone Management to bring about close coordination between coastal zone management (CZM) and EPA's water quality programs. The first step in achieving such coordination is to assure that the policy directions and planning efforts of these programs are compatible and work to complement and reinforce one another. This letter provides guidance on how to facilitate such coordination; we strongly encourage our respective regional, state and areawide agencies to respond actively to its spirit and content.

In addition to the legislative mandate for program coordination, there are practical reasons why coordination is critical. Both the Federal Water Pollution Control Act and the Coastal Zone Management Act involve extensive planning and implementation efforts and are logically interrelated, especially in the area of land and water uses. For example, the control of nonpoint sources of pollution forms an important element of Section 208 areawide waste treatment management and could involve performance standards for certain uses in coastal areas where a nonpoint source is a significant contributor to water pollution. At the same time, a coastal zone management program involves such tasks as identifying areas of particular management concern, defining permissible land and water uses for the coastal region, and developing priorities of use within particular areas.

Program Status

Most states have completed their first year of CZM program development; many states will be seeking approval of their programs within a year to eighteen months. Concurrently, a wide range of EPA water planning, regulatory, and construction activities are either beginning (e.g. 208 areawide waste treatment management planning), or are in progress (e.g. basin planning, 201 wastewater treatment facilities, and the NPDES permit system). Thus it is essential that specific coordination procedures be implemented immediately if needed integration is to be achieved.

Future Steps

State CZM programs are directed by Section 307(f) of the Coastal Zone Management Act to insure that water quality standards and effluent limitations are incorporated in their programs and that these regulations are not violated by any of the programs' procedural or substantive provisions. This basic requirement can only be fulfilled by close and continuing consultation with water programs at the state and substate levels of government during program development and implementation, and by integrating water quality considerations into the process of designating permissible and priority uses. Water quality agencies must also recognize

that their planning construction and management activities should be carried out in close cooperation with CZM programs and that they must be consistent with approved CZM programs which are consonant with water quality standards.

The following statements are designed to achieve the consultation needed during the planning phase of program development. They represent the joint OCZM and EPA position on coordination procedures:

1. CZM agencies should make a special effort to coordinate with basin and 208 areawide waste treatment management programs in the coastal zone and vice versa. This is to be encouraged particularly in the case of the 208 program because CZM policies can provide input to the 208 planning process for regulation of construction activities, development of land use policies, and identification of no discharge areas. Conversely, if 208 plans are closely coordinated with CZM plans, they can provide significant additional detail for defining permissible land and water uses and incorporating water quality concerns into the developing CZM program. CZM plans and policies should also take account of other EPA activities in progress. For example, CZM plans should be coordinated with facilities planning for wastewater treatment facilities, especially where no 208 designations have been made.

2. Compatibility of assumptions, technical criteria, and data use and analysis is strongly encouraged. While there will be variation in approach in many cases it will be possible to integrate elements of the work plans so that the work can be done jointly and tasks can be divided either functionally or geographically.

3. Participation on advisory, review, and working groups established pursuant to CZM and water quality programs should be afforded to the appropriate agencies. It is essential that this take place at the state level and whenever feasible, at the substate level.

FEDERAL ACTIVITIES
GUIDANCE

Guidance for Participation in the Development and Review of State Coastal Zone Management Programs (CZMP's)

I. Participation in the Development of CZMP's

It is extremely important that the EPA Regional personnel participate to the maximum extent practicable in the early development of CZMP's. Early participation provides the most effective means to insure that our programs and concerns are adequately reflected in the CZMP. In addition, early participation should provide the CZM agency with maximum opportunities to utilize EPA information and data in the CZMP and thus to help develop the best possible CZMP. Our reviews of proposed CZMP's and associated environmental impact statements will be greatly facilitated by early and continuing participation in program development.

II. Nature of the Review

After CZMP's are developed, in draft form, EPA will be given the opportunity to review simultaneously the proposed CZMP's and the associated draft EIS's prior to approval by the Secretary of Commerce.

In addition to our general review requirements under NEPA and Section 309 of the CAA, specific requirements are placed on EPA by Section 307(f) of the CZMA, as follows:

> (f) Notwithstanding any other provision of this title, nothing in this title shall in any way affect any requirement (1) established by the Federal Water Pollution Control Act, as amended, or the Clean Air Act, as amended, or (2) established by the Federal Government or by any State or local government pursuant to such Acts. Such requirements shall be incorporated in any program developed pursuant to this title and shall be the water pollution control and air pollution control requirements applicable to such program.

The implementating regulations (15 CFR Part 923.44(a)) accomplish these requirements through requiring documentation by responsible State air and water pollution control officials that air and water pollution requirements have been incorporated into the body of the CZMP. In addition, we have interpreted the EPA role in the review of CZMP's and their associated EIS's as being one of quasi-certification. Our failure to object to a CZMP which is inconsistent with the applicable State air and water requirements would be inconsistent with the intent of the CZMA.

Meeting the requirements of Section 307(f) will call for a thorough interdisciplinary coordinated review by EPA involving air, water, enforcement and other interested program elements.

Importance of Review

EPA's review of the CZMP as well as the EIS is extremely important. The CZM program can provide significant opportunities for environmental protection in an area where growth and environmental resources are particularly critical. Further, implementation of the CZMP will place constraints on EPA's permits, construction grants, standard setting, and other future activities which will be required to be consistent with the CZMP. The position that we have been taking with NOAA is that these constraints will normally control our activities unless the Administrator of EPA determines that certain activities (such as issuance of a particular grant or permit) are necessary to meet air and water requirements and there is no feasible alternative. We interpret the CZMP requirements as minimum requirements to be met; more stringent requirements may be set to protect the environment without special approval of the CZM agency.

III. Suggestions for Becomming Oriented to CZMP's and Items of Concern to EPA in CZMP Development and Review

The following guidance is intended to be of assistance in both participating in the development and in the review of CZMP's. As pointed out above, early participation is of utmost importance and the considerations outlined below should be helpful in raising the issues which EPA believes are important as CZMP's are developed. The regulations cited are the NOAA program approval regulations.

A. General Suggestions in Review Programs

The following items represent the basic considerations in becoming oriented to CZM programs.

1. Understand the State's approach - 306(e)(1) CZMA - This is the key to placing the program in perspective and outlining the types of controls to be used in implementing the program. The controls will be embodied in State legislation which form the basis of the CZMP. Of particular importance are the State-local relationships relative to implementation and enforcement of the CZMP.

2. Understand which agencies are responsible for the implementation of the CZMP (federal, state, local)

and for the implementation of air and water pollution control requirements - and how they relate to each other and to the CZM agency.

3. Understand the criteria for defining permissible land and water uses - 923.12. - They should be clear and specific enough to be used in decision making, in setting priorities and recognize the role or air and water quality standards in establishing priority uses such as recreation areas. The complementarity between land and water uses, such as access to recreation water areas, should also be recognized.

4. Understand and make suggestions for improving the resource capability data the State has.

B. Special Items of Concern to EPA in Reviewing CZMP's

1. Incorporation and implementation of applicable air and water quality standards, implementation programs (including Section 208 planning) and emission limitations (including significant deterioration regulations and air quality maintenance plans). These considerations represent the static or initial consistency requirements of Section 307(f) of the CZMA. Included should be:

   a. A statement that air and water pollution requirements are overriding.

   b. A positive recognition that certain uses in the coastal zone are contingent on the achievement of standards and that the achievement of standards and desired water uses is contingent on supporting land uses and land use controls.

   c. Documentation of adequate consultation with the State agency responsible for air and water pollution control as well as coordination at the substate level (e.g. 208 planning agency) and with EPA where appropriate.

   d. Guidance on integrating air and water quality considerations into land use planning decisions.

2. Incorporation of procedures for continuing participation of appropriate air and water authorities, including EPA where necessary, in the implementation of the CZM program including new sources. These considerations represent the dynamic consistency requirements of Section 307(f) of the CZMA. Included should be:

a. A substantive element, defining permissible land and water uses, including the interrelationships of uses, and setting priorities for specific areas in the coastal zone.

b. A guidance element, including an explanation of how the developing air and water planning requirements (208 and 209 planning, Air Quality Maintenance, Significant Deterioration, Transportation Planning, HUD 701, etc.) will be integrated into the CZMP. This will be especially important where land use planning is undertaken by local units of government under performance criteria issued by the State or by administrative review.

c. A regulatory element, including procedures for regulating permissible land and water uses and evidence of means for future participation by agencies responsible for administering State-local and State-Federal environmental requirements.

d. A procedural element, requiring the State air and water pollution control officials to be involved in the establishment of land and water uses for specific areas and a means for resolving conflicts with State air and water pollution control officials.

3. An adequate consideration of impacts of the CZMP beyond the coastal zone boundary and of actions beyond the coastal zone boundary on the CZMP.

   a. examples of elements to be considered here include:

      cooperative planning efforts with affected areas.

      consistency with environmental standards and pollution control programs beyond the boundary, e.g. air quality maintenance plans, 208 plans.

4. An adequate consideration of areas of EPA concern and how they relate to permissible uses including provision for solid waste disposal sites, waste treatment plants, acceptable noise effects in sensitive use areas, water supply (ground water protection), dredge spoil disposal, etc.

5. An adequate consideration of important conflicts and processes for their resolution. Examples include wetlands protection and development projects, ocean outfalls and beach uses, shellfish beds and marine sanitation devices, recreation areas and noise effects from transporation, as well as conflicts between OCS development and dredged spoil disposal on the conservation of coastal environments.

6. An identification of priority areas for cleanup in the coastal zone.

7. Explicit recommendations pertaining to areas and priorities for future upgrading of air and water quality standards where land and water uses will either reinforce this upgrading, for example, estuarine sanctuaries, or necessitate it to provide adequate protection.

8. An adequate evaluation of the impact of the program on the environment, which will be useful in preparing the EIS, outlining of the impact of the program on air and water quality and other environmental values, including the following:

    a. A demonstration that the process for establishing permissible land uses includes air and water quality considerations.

    b. An after the fact evaluation of how air and water quality considerations have influenced the designation of permissible uses.

    c. A substantive evaluation of the effect of the CZMP on air and water quality, noise, solid waste, and water supply.