




COMPLIANCE AND ENFORCEMENT

South Carolina Department of Health and Environmental Control
Healthy People. Healthy Communities.




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SC DHEC BUREAU OF WATER

Paul Wise


Bureau of Water Pollution Control



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COMPLIANCE AND ENFORCEMENT

- Compliance / Noncompliance
- Enforcement Process
- Order Requirements
- Injunctive Relief Requirements
- Penalties

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Compliance Monitoring

- Permit Compliance (Who's Responsible)
- Permittee Inspections
- MS4 Inspections
- Regulatory Inspections (DHEC)
- Complaints may trigger DHEC Inspection

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Non-Compliance Outcome and Process

- Referral from Compliance or from Regional Office
- Referral Package Includes:
 - Includes Site Information
 - Permittee Information
 - Inspection Reports
 - Correspondence
 - Any Documentation of Attempts to attain Compliance
 - PHOTOGRAPHS

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ENFORCEMENT PROCESS

- Project Manager Reviews Referral
- Prepares "Invitation" to Enforcement Conference
- Purpose for conferences and potential outcomes
- Identify specific alleged violations to Permittee and basis for violations
- Permittee Acknowledge findings of fact
- Reach agreement on injunctive relief
- End with a clear understanding of what to expect next
- Order Requirements

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PENALTIES

Civil Penalties
Up to \$10,000 per day for each day of a violation

Penalty based on:

- Number of Unsatisfactory Inspections
- Potential for Harm (For Discharges/Impacts to waters of the State)


Plus Economic Benefit

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ECONOMIC BENEFIT

Based on Cost of Construction AND Maintenance of BMPs Required In the Approved SWPPP

Example:

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Economic Benefit: BMP Construction Cost
Did not follow construction sequence. Failed to Construct BMP's prior to mass-grading Site.

See attached construction cost detail.

	EB = \$195,379
BMP	Construction Cost / unitTotal Cost
Sediment Basin 2* 625,333 ft ³ storage*	\$ 0.225 / ft ³ storage \$140,700
Sediment Basin 3* 174,686 ft ³ storage*	\$ 0.225 / ft ³ storage 39,304
Sediment trap 5 acres	\$ 825 / acre 4,125
Site Stabilization 10 acres w/seed & mulch)	\$1,125 / acre 11,250
	Total \$195,379

*Data From Site plans






EB can be assessed for Maintenance Cost

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CONTACT US

Paul Wise
Water Pollution Control Division
(803) 898-4181
wisepf@dhec.sc.gov

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 scdhec  @scdhec  blog.scdhec.gov  scdhec  S.C. Department of Health and Environmental Control
