



SC Water & Wastewater Regulatory Environment: An Overview

MASC Utility Policy &
Administration

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Presentation Outline

Water: Our Most Important Resource

Water: Regulatory History

Water: SC Regulatory Programs

Water: Additional Regulatory Programs

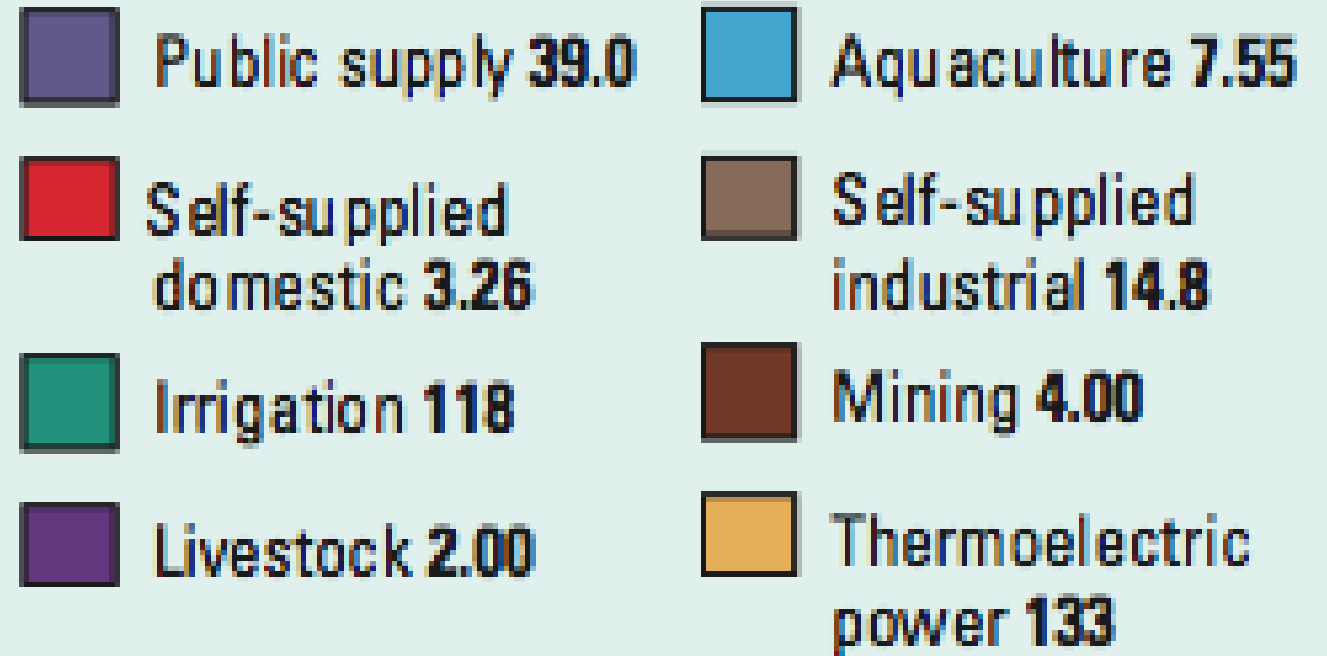
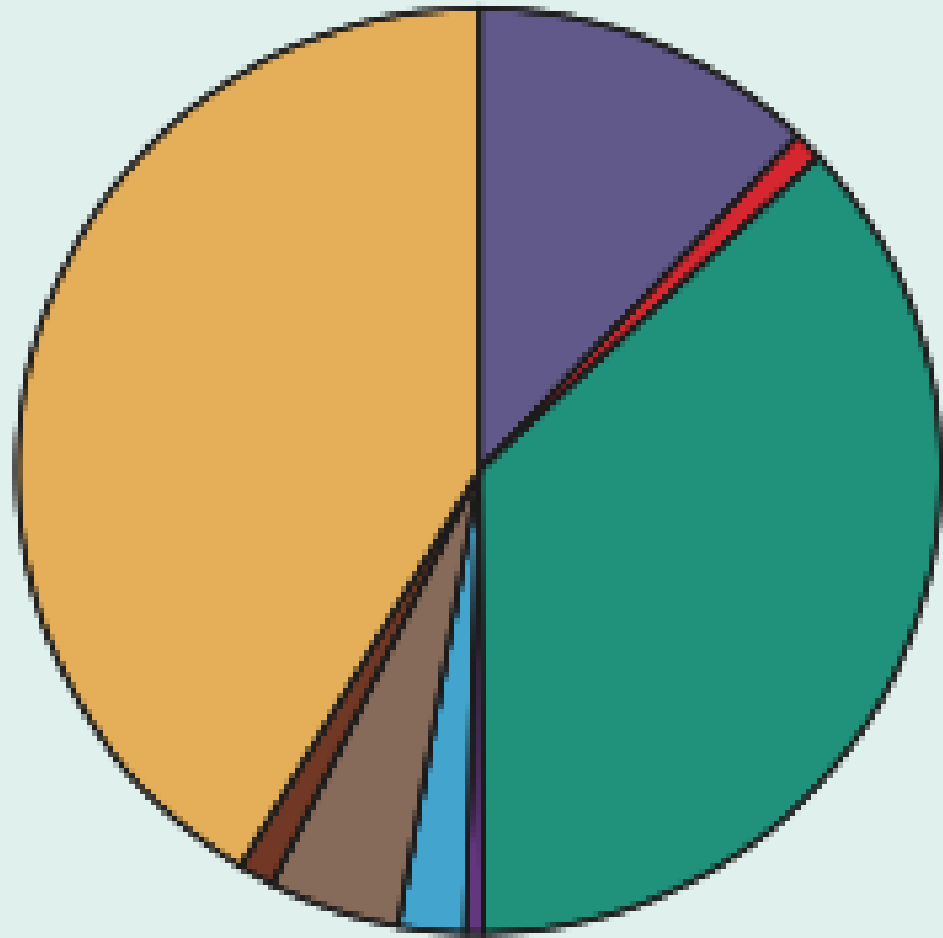


Water: Our Most Important Resource

Q&A Break

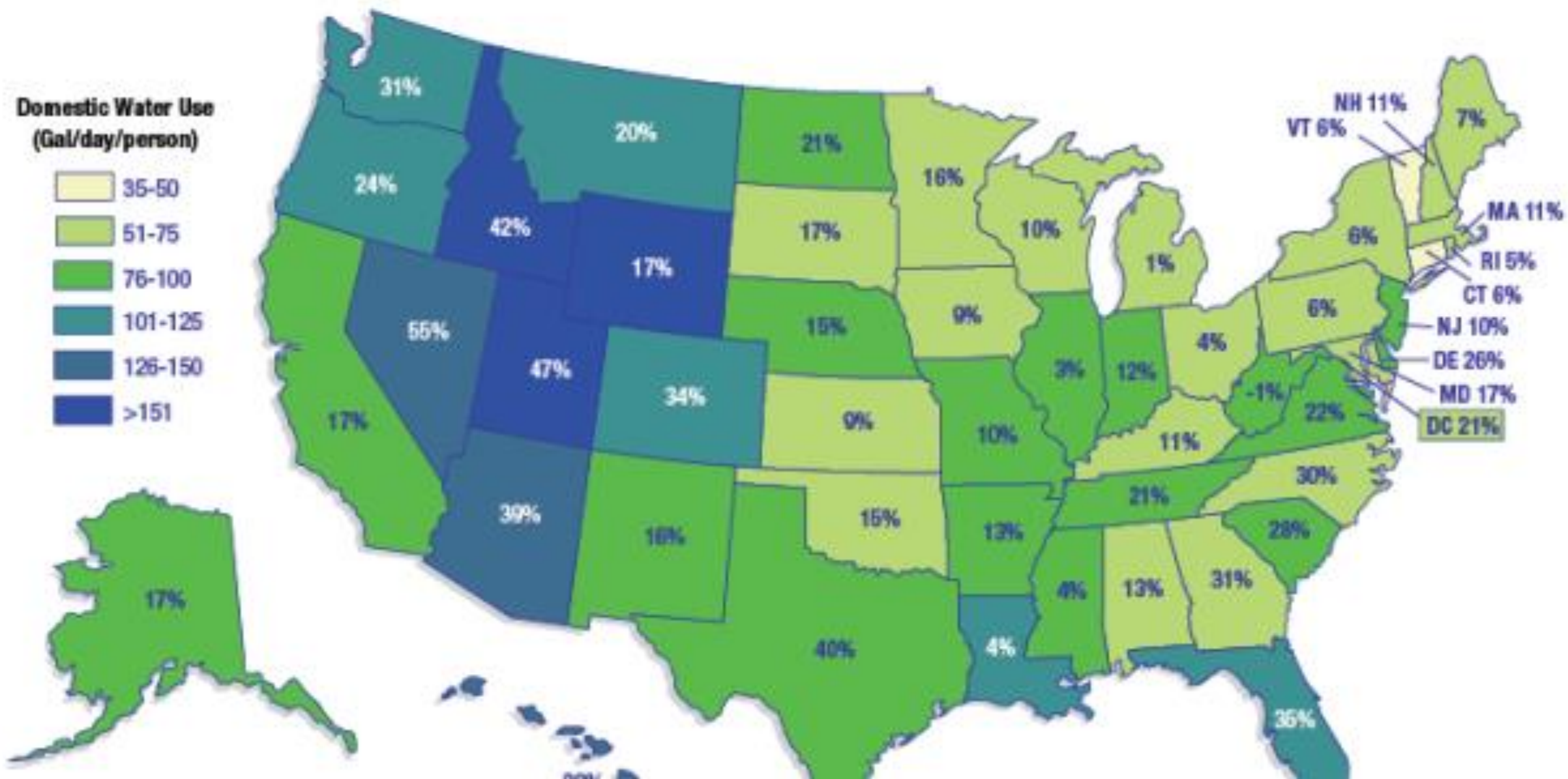
What is most freshwater used for in the United States?

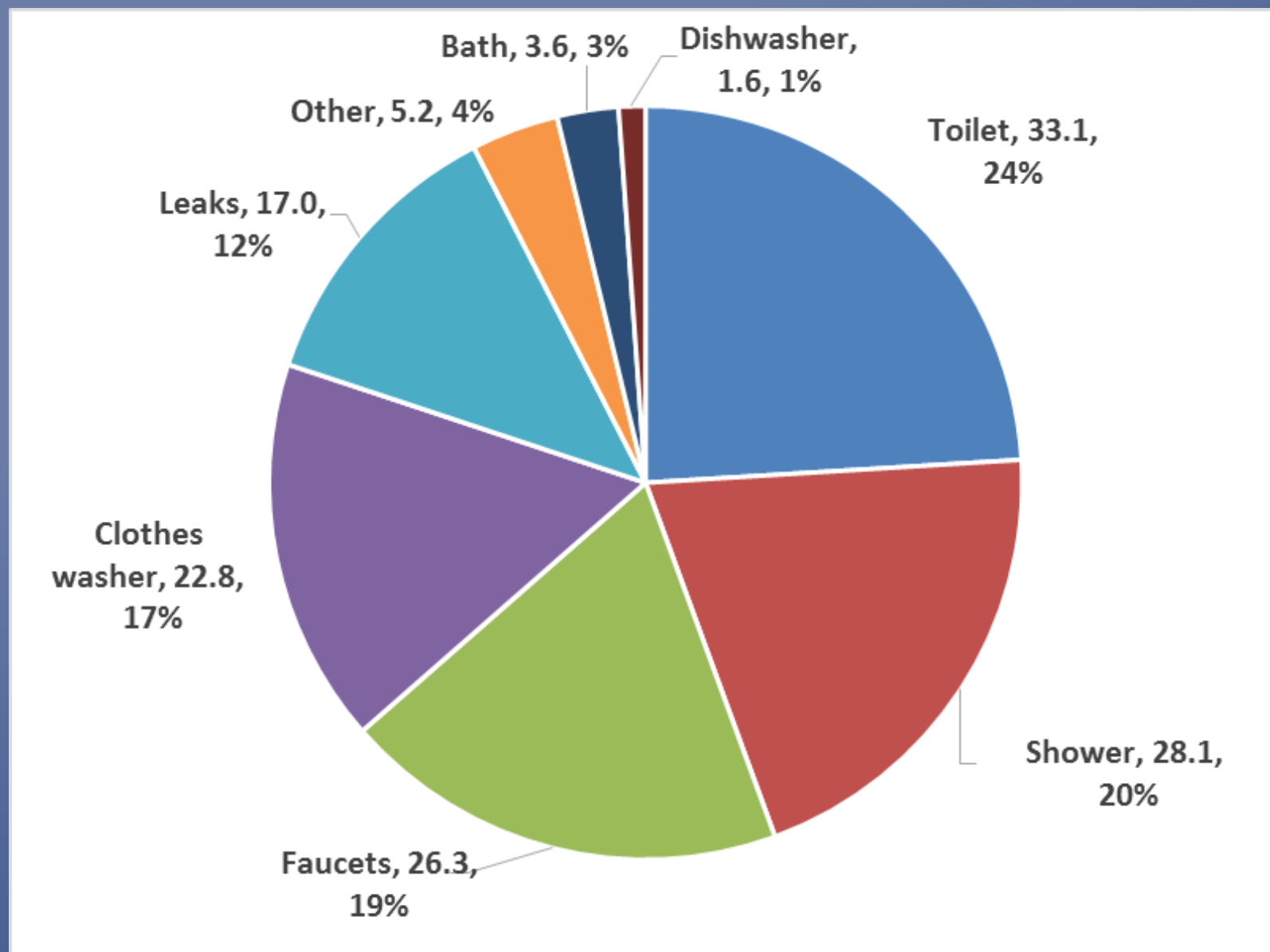
2015 withdrawals by category, in billion gallons per day



Water Usage in the United States

Domestic Water Use in Gallons per Day per Person and Percent Population Growth from 2000 to 2020





Household Water Use in the United States

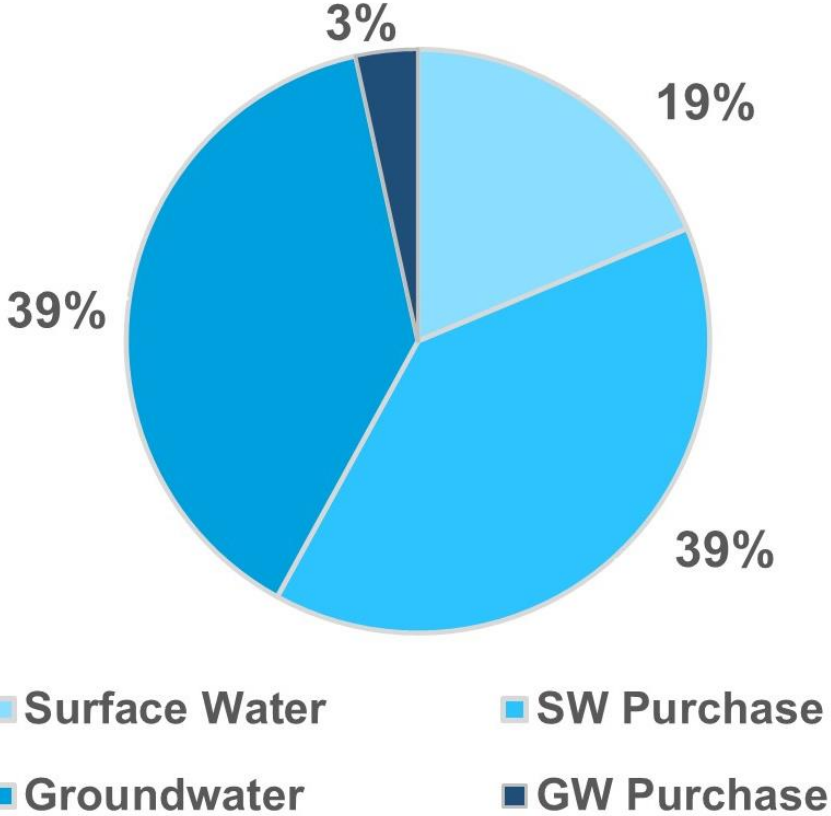
Q&A Break

In South Carolina, where does most of our drinking water come from?

Public Water Supply Sources in SC

South Carolina Water Utility Assessment & Viability Strategy, RIA (February 2022)

Statewide Water Utilites: System Type





Water: Regulatory History

Q&A Break

What was the first federal water law passed and in what year was it enacted?

History of US Water Regulations

- **Federal Pollution Control Act Amendments, 1972**

- *Provided the federal framework to regulate discharges to the waters of the US.*
- *Gave EPA the authority to implement pollution control programs.*
- *Set water quality standards.*
- *Covers wastewater and stormwater.*

- **Safe Drinking Water Act, 1974**

- *Provided the federal framework to regulate public water supplies.*
- *Gave EPA the authority to establish health-based standards for contaminants.*
- *Covers all drinking water systems serving at least 15 service connections or 25 people for 60 days per year.**

State Primacy



- States must establish a regulatory program to implement the federal laws.
- EPA must review and approve the state program.
- States must adopt (and continue to adopt) regulations that are at least as stringent as their companion federal regulations.
- If this is done, EPA will delegate its authority to implement and enforce the regulations to the state.
-BUT there is continued federal oversight & primacy can be revoked.



Water: SC Regulatory Programs

SCDES: Primary State Water Regulatory Agency

SC Department of Environmental Services
(SCDES) – formerly SCDHEC

State Safe Drinking Water Act &
SC Pollution Control Act

Issues construction & operating permits

Performs inspections, audits, reviews
reports, evaluates compliance

Provides regulatory & compliance
assistance

Oversees the State Revolving Fund
programs (in cooperation with RIA)



SCDES Regulatory Role: Some Details

- Permitting
 - All public water & wastewater systems, including construction permits for system expansions & operational permits once complete.
 - All public water supply sources, including special permits to protect sources that are overused or of particular significance (e.g., Groundwater Capacity Use, Interbasin Transfer, Surface Water Withdrawal).
 - All public wastewater systems with significant industrial users (*i.e.*, Pretreatment Program).

SCDES Regulatory Role: Some Details

- Regulatory compliance oversight
 - Permit compliance
- Inspections – planned & unplanned
- Monitoring & reporting and state monitoring

Your utility should strive to maintain good rapport & working relationship with SCDES – they really are here to help!

Q&A Break

What are some reports that you as local leaders may review periodically in order to stay informed about the regulatory compliance of your utility?

SCDES Regulatory Role: Some Details

- Regulatory enforcement
 - Notice of Violation
- Enforcement conferences
- Consent/Administrative Orders
 - Require corrective actions
 - May levy civil penalties

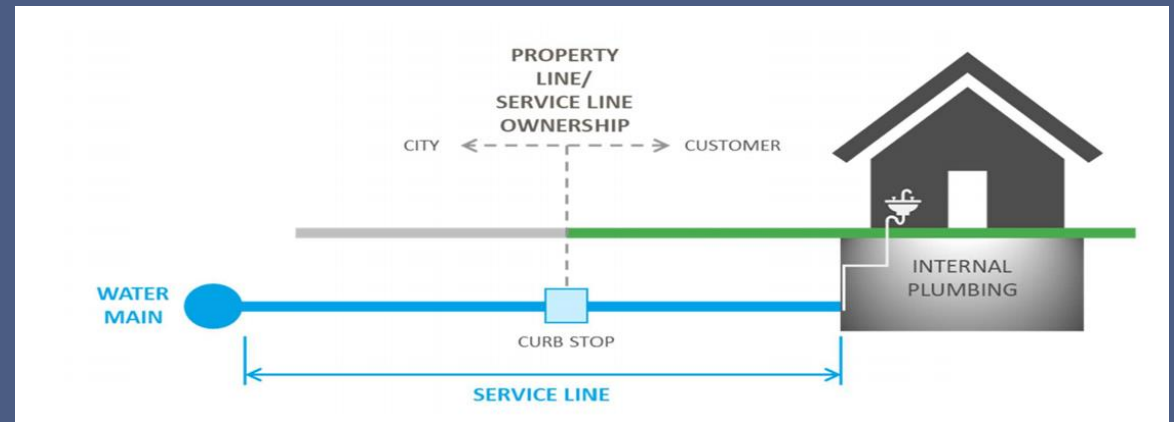
Regulations: They are a-changing

- Sanitary Sewer Overflows (SSOs)
 - SC Pollution Control Act, SC Code Ann. Section 48-1-95
 - 2 or more significant spills per 100 miles of pipe per year = SCDES MUST issue an order



Regulations: They are a-changing

- Lead & Copper Rule Improvements (LCRI)
 - LCRI was issued by EPA on October 7, 2024. Requires the service lines requiring replacement be replaced within 10 years; upholds the new lower trigger level for lead of 10 ug/L; requires additional work on inventory to eliminate unknowns; requires enhanced public communications; and strengthens tap sampling requirements.
 - Both LCRR & LCRI have brought funding for service line replacement projects (IIJA).



Regulations: They are a-changing

- Perfluoroalkyl substances (PFAS)
 - EPA has set MCLs for six PFAS compounds: PFOA, PFOS, PFHxS, PFBA & HFPO-DA as well as a Hazard Index.
 - EPA recently issued final Water Quality Criteria & Benchmarks that will impact wastewater utilities (NPDES limits).
 - These regulations have also brought funding to deal with enhanced treatment or new sources (Bipartisan Infrastructure Law).
 - EPA has signaled a rescission of some of these MCLs, but it has not happened yet.
- Perchlorate – **NEW!!!**
 - Rulemaking announced by EPA on January 6, 2026, to require monitoring and set MCLs.





Water: Additional Regulatory Programs

Utility Staff Regulations

Federal OSHA promulgated safety regulations

SC OSHA has primacy.

Regularly conducts inspections of utilities including treatment plants, digging/trenching, electrical work, confined space.

Employee safety practices, safety equipment & regular training.

Includes personal protective equipment (PPEs), chemical labeling & handling, structural (wrenches, trenching, ladders, railings, etc.).



Utility Staff Regulations

- SC Department of Labor, Licensing & Regulation (SCLLR)
- Through SCLLR, the Environmental Certification Board licenses ALL water and wastewater operators.
- Licenses required by state & federal laws, permits.
- Licenses required by area of operation.
- Biological wastewater treatment, drinking water treatment, water distribution, wastewater collection (voluntary).
- 12 hours of continuing education required **per license** every two years.



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LICENSING
REGULATION

Regulatory Resources

- SCDES <https://des.sc.gov/>
- USEPA <http://water.epa.gov/>
- Lead and Copper Rule: <https://www.epa.gov/ground-water-and-drinking-water/revised-lead-and-copper-rule>
- SSO Reg. 48-1-95: <https://www.scstatehouse.gov/code/t48c001.php>
- OSHA
<https://www.osha.gov/> (Federal)
<http://www.scosha.llronline.com/> (State)
- SCLLR – Environmental Certification Board
<http://www.llronline.com/POL/Environmental/>



Thank You

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