



SC DEPARTMENT *of*  
**ENVIRONMENTAL  
SERVICES**

# **NPDES General Permit for Stormwater Discharges Information Session**

February 5, 2026

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# **NPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES SCR100000**

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Air Quality

Land & Waste Management

Coastal Management

Water

Regional & Laboratory Services

Science • Service • Sustainability



# SCDES Staff

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## Bureau of Water – Stormwater Permitting Section, Division of Dam Safety & Stormwater Permitting

Dr. Roxanne Stiglitz Senior Permit Writer

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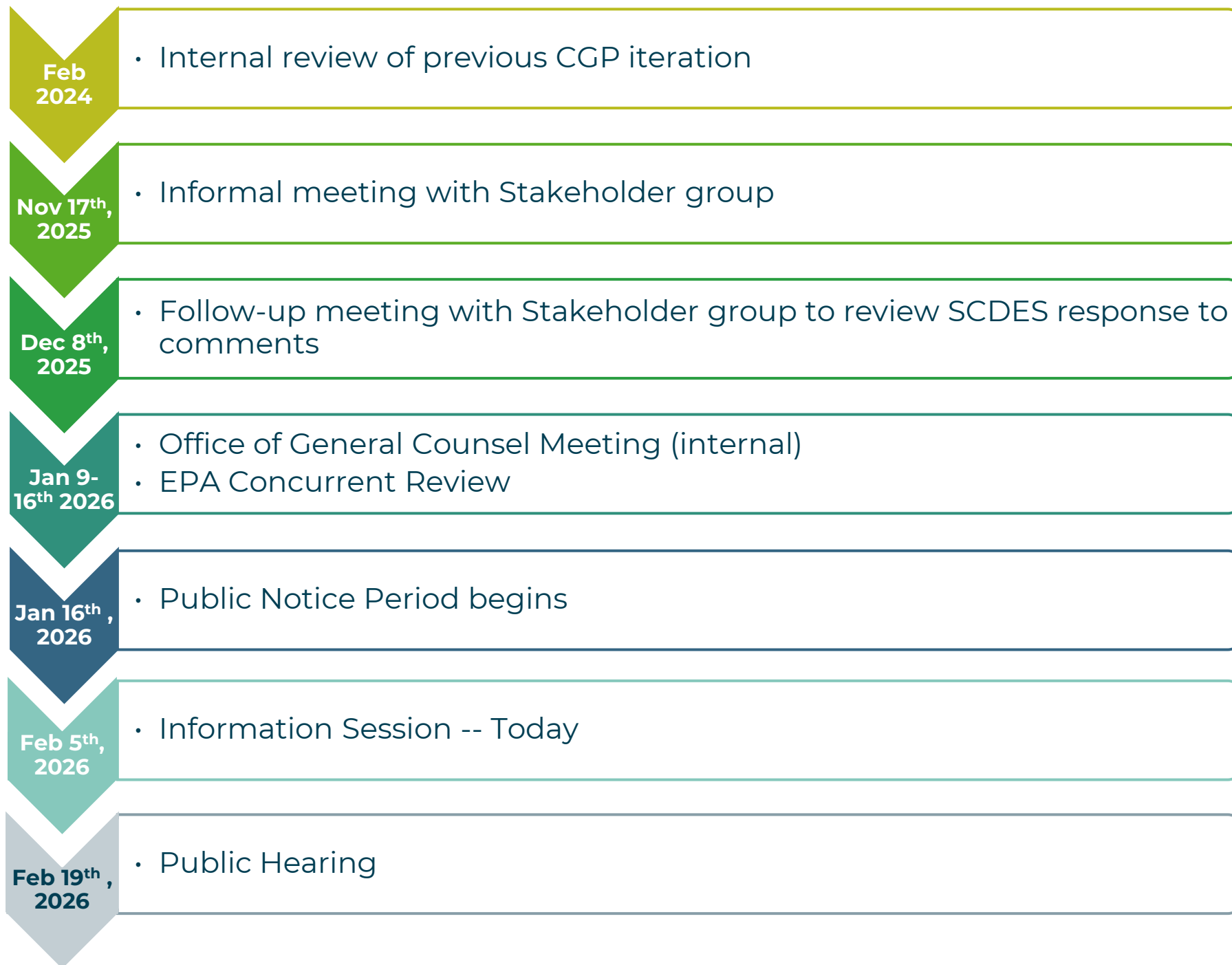
Luke Abel Stormwater Permitting Manager

Derrick Stanley Public Participation Coordinator

# Today's Schedule

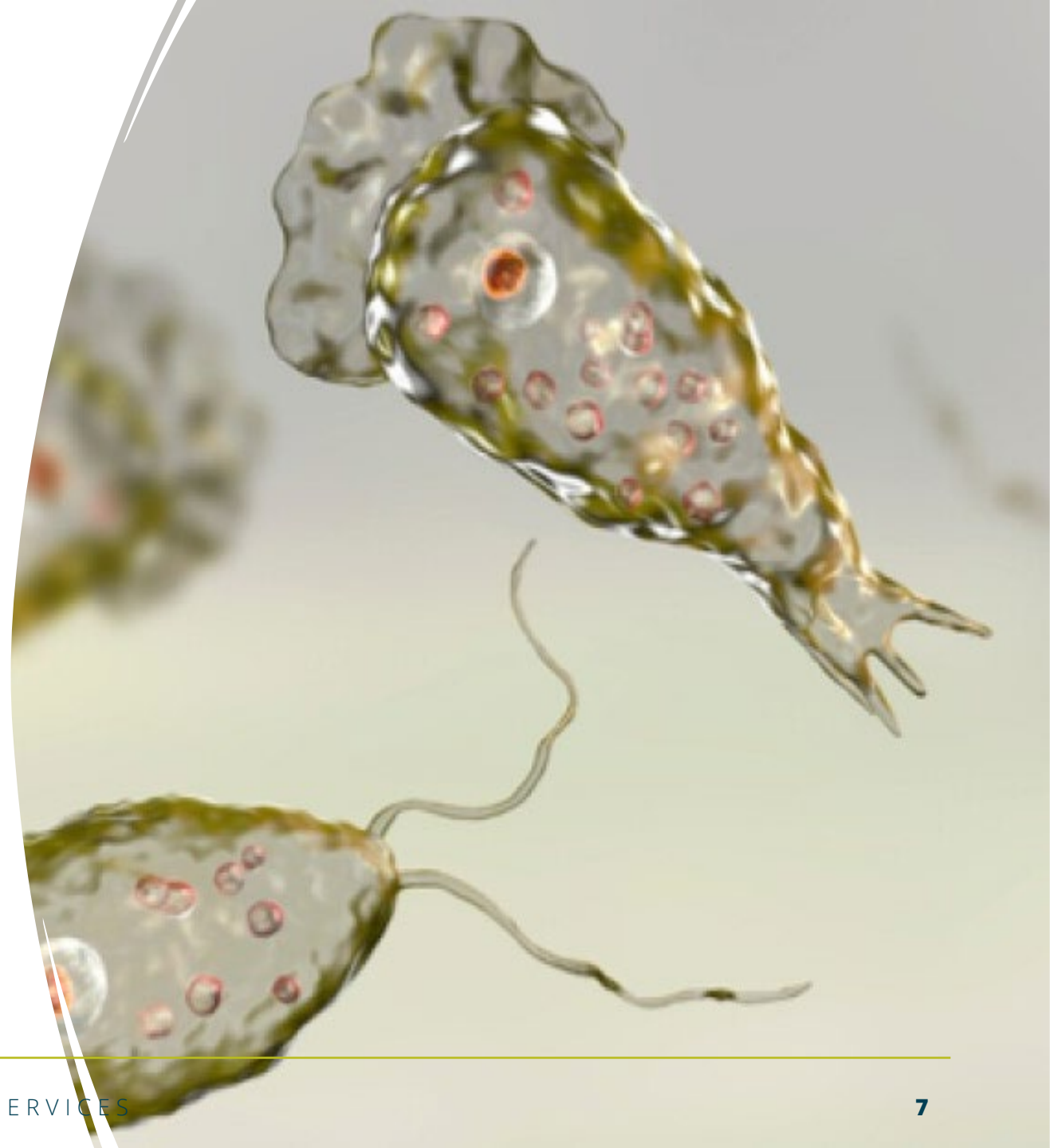
- History
  - What is the NPDES Stormwater Program?
- How do we, as a state, regulate Stormwater Construction?
  - The Construction General Permit SCR100000
- Reissuance Process
  - Internal Review of Previous Issue
  - Meeting with Stakeholders
  - OGC Review
  - EPA Concurrence
  - Public Notice and Issuance
  - New Permit is Effective
- Stakeholders Comments
- Answer your questions





# Why are we here?

- Unregulated pollution into our water sources has dire consequences to our environment and public health.
- Water is the basis for life, as well as the universal solvent
  - Provides a medium for which organic life can grow
  - Many chemicals dissolve or remain in water in forms that are harmful to life, sediment can transport these harmful chemicals



# History



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- Federal Water Pollution Control Act of 1948
  - First law to address water pollution in the U.S.
- Amended in 1972 to become what we now know as the Clean Water Act (CWA)
  - Further refined over the years to address more specific issues

# CWA Development

A large, dark, billowing plume of smoke or fire rises from a body of water, with a city skyline visible in the background. The plume is thick and dark, with some orange and yellow flames visible at its base. The city skyline is in the distance, under a clear blue sky.

- Chesapeake Bay Pollution – 1968
  - Found to cost fishermen millions in lost revenue
- Cuyahoga River Fire – 1969
  - Cleveland, OH. The result of oil and debris collecting in the river

# Clean Water Act of 1972



Provided the basis for regulating pollution discharges to Waters of the U.S.



Set pollution control standards for industry and wastewater



Set standards for water quality



Began the regulation of point source discharges



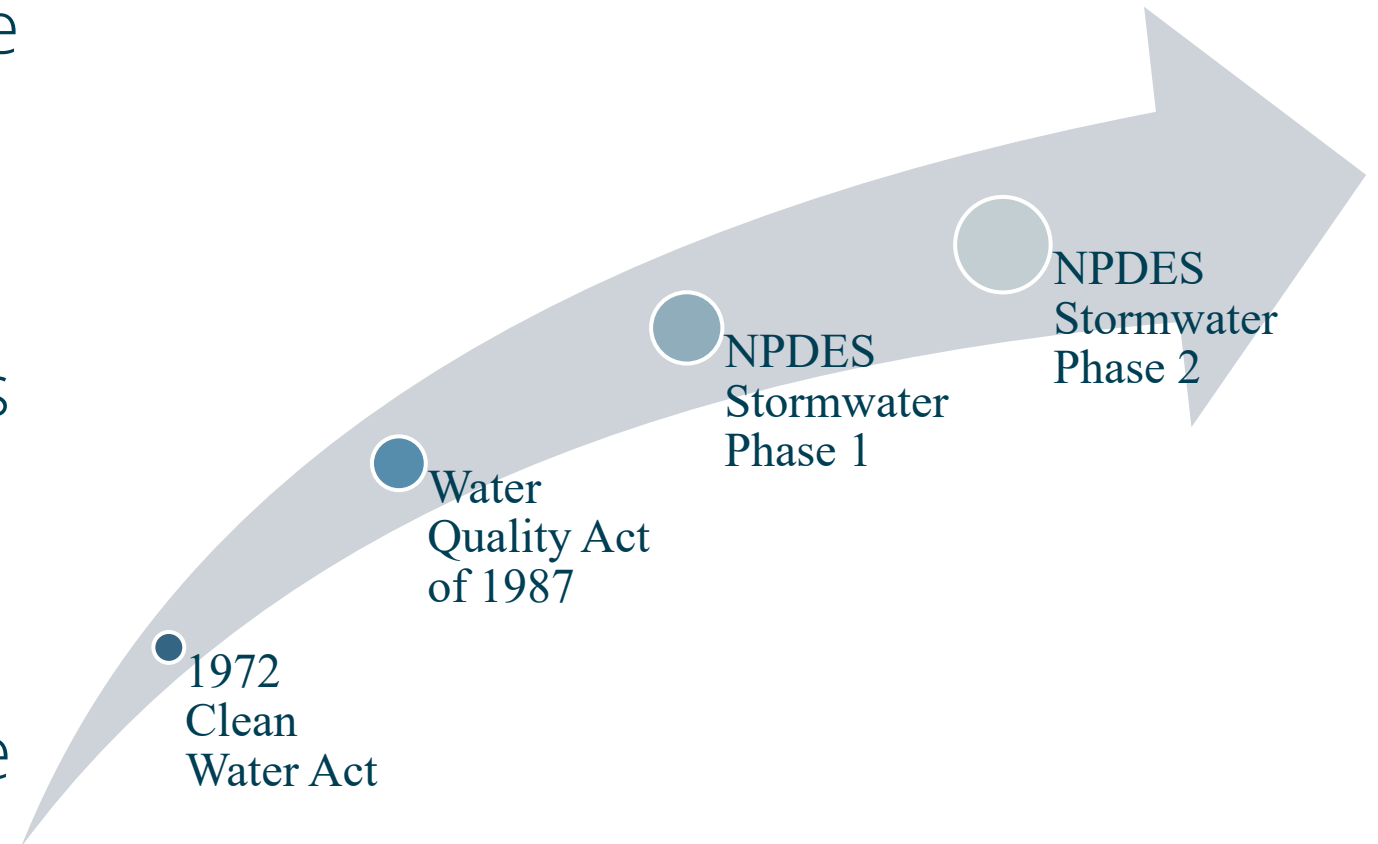
Made possible via the creation of the NPDES permit program

# NPDES & South Carolina



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- National Pollutant Discharge Elimination System
- Program to reduce discharge of pollutants into Waters of the State / Waters of the United States
- SCDES has been delegated by EPA to implement the NPDES Program in our state



# NPDES Stormwater

- Under the NPDES Permit Program, storm water discharges are considered point sources and site operators are required to receive a NPDES permit before they can discharge stormwater runoff.
- Types of Storm Water Permits



Construction Activities



Industrial Activities



Municipal Separate Storm Sewer Systems (MS4)

# Municipal Separate Storm Sewer Systems (MS4)

## Phase I:

\* Large- DOT

\* **Medium** - Greenville and Richland Counties, and City of Columbia

## Phase II:

All Small MS4 (sMS4)



# Municipal Separate Storm Sewer Systems (MS4) – MCM's

Public Education and Outreach	Construction Site Stormwater Runoff Control
Public Involvement/ Participation	Post Construction Stormwater Management in New Development and Redevelopment
Illicit Discharge Detection and Elimination	Pollution Prevention / Good Housekeeping for Municipal Operations

# How do we, as a state, regulate Stormwater Construction?

- NPDES Stormwater was further delegated to SC
  - Allowed for the development of General Permits for Stormwater Discharges
  - EPA maintains jurisdiction
- NPDES General Permit For Stormwater Discharges From Construction Activities (SCR100000) establishes the requirements for construction sites across the State of South Carolina
  - Utilizes SC Pollution Control Act, R.61-9, R.72-300, R.72-400, Clean Water Act

# Construction Storm Water

1 acre or more of land disturbance -  
Statewide

Less than 1 acre of land disturbance when the activity is part of a Larger Common Plan of Development or Sale (LCP)

- Subdivision
- Shopping Center

Less than 1 acre of land disturbance when activity is located within ½ mile of a receiving waterbody in the coastal zone



# Coverage Under the CGP

- Application Process
  - NOI
  - Engineering Report and Calculations
  - Drainage Maps
  - Stormwater Pollution Prevention Plan (SWPPP)
    - Erosion Control Plans
  - Permanent Maintenance Agreements
  - Any additional documentation as required dependent upon project conditions

# Stormwater Pollution Prevent Plan (SWPPP)

- The SWPPP must:
  1. Be specific
  2. identify all potential sources of pollution which may affect the quality of stormwater discharges from the construction site
  3. Describe best management practices to reduce pollutants from stormwater discharges from the construction site
  4. Assure compliance with the terms and conditions of the permit
  5. Be certified that signee assumes all responsibility for the site and that the site is designed to meet all requirements

*The permittee must ensure the SWPPP is reviewed and approved by either the local MS4 or SCDES and is implemented and updated accordingly*

# Reissuance Process

- Internal review of the CGP
- Meeting with stakeholders
- OGC Review
- EPA Concurrence
- Public Notice and Issuance
- New permit is effective

# Internal Review of Previous Issue

- Allows for staff to make improvements based on the observed functionality of the previous permit issuance.
- Compliance groups provide input on what is working and what may not be to ensure the next iteration provides a clear foundation for environmental protection.
- Coastal stormwater groups review for consistent and improved water protections while seeking to streamline permitting processes.

# Meeting with Stakeholders

- Stakeholders are chosen based on groups or individuals who have a vested interest in the reissuance of the General Permit and who represent various groups across South Carolina.
  - Home builders
  - Energy suppliers
  - Academic groups
  - Environmental specialists
  - Environmental consultants
  - Other environmental regulatory sections
- Stakeholders were consulted during the review and asked to provide comments during the drafting process.

# OGC Review

- Once all comments are received from internal and external stakeholder groups, we consult with our Office of General Counsel to ensure that all suggested changes to the CGP are legally sound and do not contradict any existing requirements or regulations.

# EPA Concurrence

- A final draft is developed and it, along with all comments and edits received, are sent to the EPA Region 4 staff for a final review.
- The EPA provides any additional changes that need to be made to ensure all federal requirements are met.
- Once this draft is approved, the permit is ready for issuance and public notice.

# Public Notice and Issuance

- Once the final draft is ready for issuance, it will be posted and available for public review and commenting
- The public is allowed 30 days to comment on the permit draft during the public notice period
- All comments must be received within the 30-day window and must be addressed prior to the permit becoming effective
- During that time, a meeting and/or public hearing may be requested to further discuss the permit draft

# New Permit is Effective

- Once all comments have been addressed and the draft updated as necessary, the permit will become effective.
- All incoming construction project applications will receive their coverage under the new permit issue
- The new CGP will remain in effect for the next 5 years, which is a fixed term designated by the EPA's requirements for the NPDES program

# List of Stakeholders During the Review Process

- Home Builder's Association (HBA)
- Energy Groups: Dominion Energy
- Academics: Clemson University/Clemson Extension
- Saluda River Keepers
- South Carolina Environmental Law Project (SCELP)
- Local Municipalities

# Stakeholder Comments and Solutions - Home Builders Association

## Comment

- Request to allow the OS-SWPPP, rain gauge data, and all site/permit related documents to be stored and maintained electronically.
  - Also allow for off-site weather station rain data to be used if within close enough proximity to the site.

## Response

- The Department agrees and allows for alternative means of rain logging via weather stations within proximity that are representative of site conditions during rain events. Copies of documents found in a maintained SWPPP may be kept electronically and must be kept up to date and available within 30 minutes upon request.

# Stakeholder Comments and Solutions - Home Builders Association

## Comment

- Request to remove requirement of 5 contiguous lots for automatic coverage in pre-1992 subdivisions.

## Response

- The 5 contiguous lots language has been removed in the draft CGP. Automatic coverage will remain for LCPs with no more than 5 acres of potential construction activities remain within the development.
- Automatic coverage for single-family residential construction was added for clarification.

# Stakeholder Comments and Solutions - Home Builders Association

## Comment

- Request to remove permitting timeline burden from applicants due to Proviso 55.26

## Response

- This comment stems from the Department's implementation of Proviso 55.26 rather than from any requirements outlined in the Construction General Permit (CGP). In adapting to Proviso 55.26, the Department has structured its processes to operate within a 90-day window for action on SWPPP submissions.
- Individual project review timeline agreements (PTA) are available to extend the review period for an agreed-upon amount of time beyond the 90-day window.

# Stakeholder Comments and Solutions - Home Builders Association

## Comment

- Request to allow for alternative locations for pre-construction meetings regardless of project size or type

## Response

- SCDES agrees. 10 acres+ and non-linear construction site pre-construction meetings can occur virtually, in-person or at an off-site location designated by the Permittee. Language has been updated to replace location requirements with a general statement.

# Stakeholder Comments and Solutions- Dominion Energy

## Comment

- Request for Annual Blanket NOI to become Utility Blanket NOI for the term of the GP

## Response

- The Department will update Annual Blanket to Utility Blanket which will last the term of the CGP. Applicants will need to reapply for coverage 180 days prior to the expiration of the CGP if coverage is still desired. Permittees may apply for coverage at anytime during the term of this permit.
- Coverage that applied to AB-NOI will apply to the UB-NOI, however, this coverage will exist until the expiration of the CGP.

## Information Session

- Presentation & Information sharing
- Opportunity for your questions & facilitated discussions

## Public Hearing

- Formal proceeding
- Oral comments received
- Not interactive
- Time-limited

**Written Comments via ePermitting may be submitted until  
Thursday, February 26<sup>th</sup>, 2026**

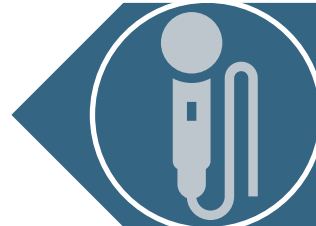
# How to Provide Comments



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Submit comments through ePermitting  
portal



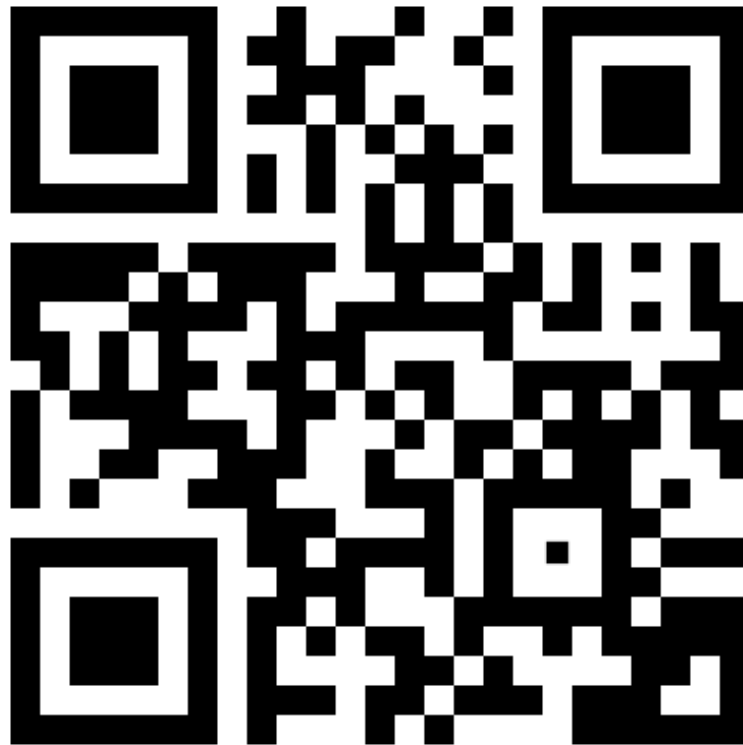
Record Comments at the Public Hearing  
February 19<sup>th</sup>, 2026

**Written Comments via ePermitting may be submitted until  
Thursday, February 26<sup>th</sup>, 2026**

# How to Provide Comments



Submit comments through ePermitting portal



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# Next Steps

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- SCDES will review all comments received during today's session & upcoming hearing
- SCDES will issue a formal response to comments to everyone that provided comments
- Final decision date begins 30-day appeal period
- Permit anticipated to go into effect March 30<sup>th</sup>, 2026

# Questions?

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Bureau of Water – Stormwater Permitting Section, Bureau of  
Dam Safety & Stormwater Permitting

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