SC DEPARTMENT *of*
ENVIRONMENTAL
SERVICES

South Carolina Water Quality Standards

2026 Triennial Review





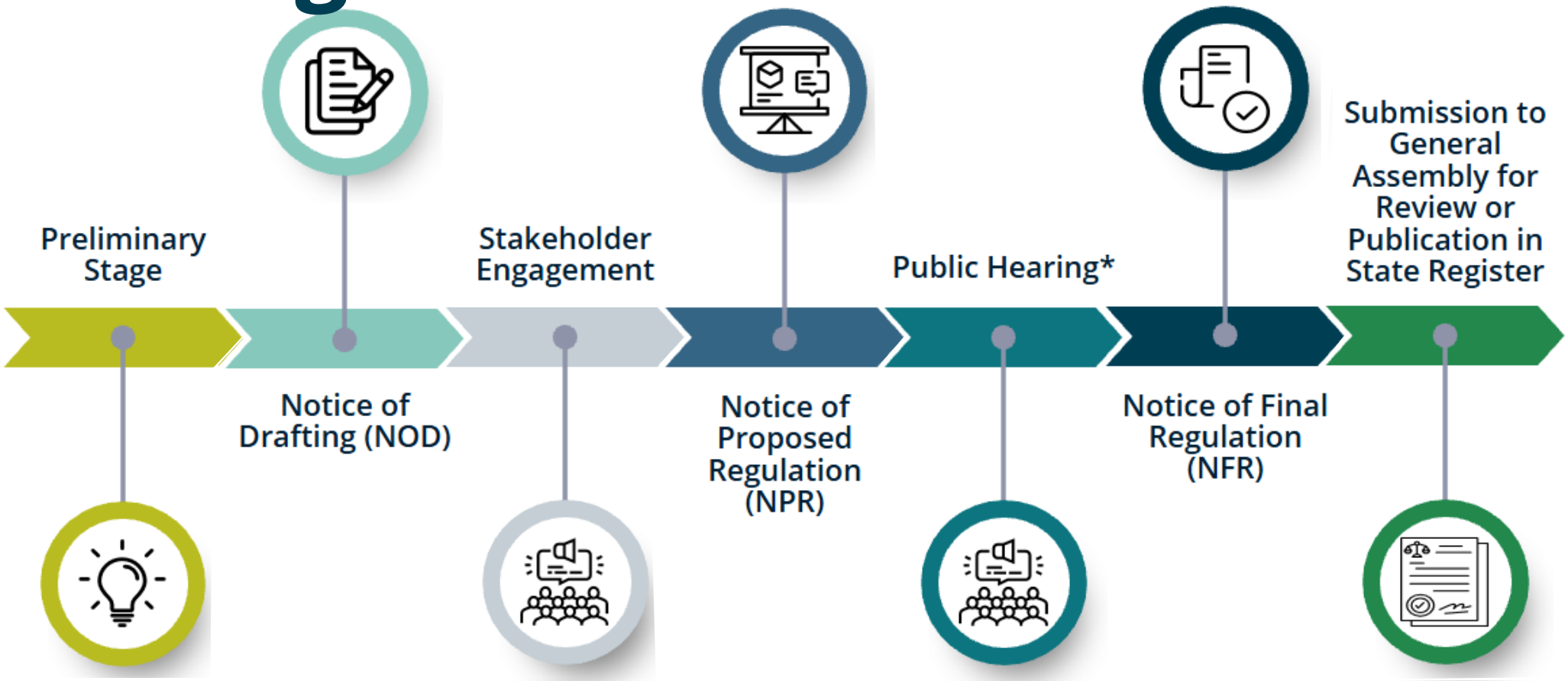
Agenda

- Triennial Review Schedule
- Proposed Revisions

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Triennial Review Schedule

Promulgation Process



*A qualifying request must be received by the close of the NPR public comment period for the public hearing to be held. A qualifying request is defined as a request made by 25 persons, a governmental subdivision or agency, or an association having not less than 25 members.

Promulgation Stage 1

- Revisions are driven by SCDES and stakeholders

Date		Step	Notes
2/27/26	☑	NOD published in State Register	official start to the rulemaking process
3/30/26	☑	Public Comment period closes	5:00 p
4/28/26	☑	Stakeholder Meeting 1	10:30 a, virtual
5/12/26	☑	Stakeholder Meeting 2	10:30 a, 2600 Bull Street (Linton Room), Columbia, SC
~~7/6/26~~ 7/13/26	☑	Internal Review	first draft revisions reviewed by management internally
7/13/26	☑	Legal Review	revisions reviewed by general counsel internally
~~7/27/26~~ 9/2/26	☑	NPR Presentation	presentation of revisions to Department leadership

Promulgation Stage 2

- Revisions are driven by **stakeholders only**

Date	Step	Notes
~~8/28/26~~ 9/25/26 ☑	NPR published in State Register	
~~September 2026~~ 10/20/26	Stakeholder Meeting 3	2:00 p, virtual
~~9/28/26~~ 10/26/26	Public Comment period closes	5:00 p
~~10/19/26~~ 12/1/26	Public Hearing	10:00 a, either at ALC or SCDES
~~10/26/26~~ December 2026	Legal Review	legal review begins internally

Promulgation Stage 3

- Revisions are driven by **Legislature only**

Date	Step	Notes
~~11/27/26~~ January 2027	NFR submitted to Legislature	final version handed over to State Legislature
January – May 2027	Legislative Review	

Promulgation Stage 4

- No further revisions possible during this promulgation process

Date	Step	Notes
May – June 2027	NFR published in State Register	
Summer 2027	Triennial Review submitted to EPA	
Fall 2027	EPA review and approval	

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Proposed Revisions

Topics Suggested by Stakeholders

	Comment		Comment
	use of diatom indices		aquatic life criteria
	switch 7Q10 to AAQ for non-carcinogens	☑	remove biological assessment language
	remove permit language from R.61-68		technology based effluent limitations
☑	revise bacteria permitting requirements for POTWs		SCDES lacks authority to adopt EPA recommendations
☑	revise MS4 permit compliance requirements	☑	naturally low dissolved oxygen waterbodies
	reclassify portions of AICW to ONRW		water quality certification criteria
☑	correct waterbody name for Stoop Creek		numeric nutrient criteria
	EPA's recommendations not consistent with State law	☑	narrative hydrologic criteria
	remove the antidegradation policy		1,4-dioxane
	human health criteria		PFAS and other emerging contaminants

Topics Suggested by SCDES

Comment	Comment
correct significant digits for consistency	correct typographical errors throughout
clarify language related to unnamed tributaries	
clarify hardness dependent metals language	
correct waterbody description for Bear Creek	
correct waterbody name for Edisto River	
correct waterbody name for Gaffney Creek	
add Great Swamp as freshwater	
correct waterbody classification for New River	
delete duplicate listings for Santee River and unnamed creek	
correct waterbody name for Town Creek	

Definitions

R.61-68.B.45. Natural conditions means those water quality conditions unaffected by anthropogenic sources of pollution or the collection of conditions that would remain after the removal of all anthropogenic sources of pollution including point source discharges, non-point source discharges, and other activities.

R.61-68.B. 46. Naturally variable parameters means those certain parameters including bacteria, dissolved oxygen, pH, temperature, and turbidity that may vary daily or seasonally due to natural conditions.

Tributaries

R.61-68.C.5. Intermittent streams and ephemeral streams shall be considered waters of the State. ~~The~~For intermittent and ephemeral streams which are not classified by name (unlisted) in R.61-69, Classified Waters, the water quality standards of the class of the stream to which intermittent and ephemeral streams are tributary shall apply, disregarding any site-specific numeric criteria for the named waterbody. This does not preclude the development of site-specific numeric criteria for intermittent and ephemeral streams.

R.61-68.C.7. The existing and classified uses of downstream waters shall be maintained and protected and existing uses shall be protected regardless of the classification of the downstream waters. ~~In tidally-influenced waters, the existing and classified uses of both upstream and downstream waters shall be maintained and protected and the existing uses shall be protected regardless of the classification of the upstream and downstream waters.~~ Where surface waters are not classified by name (unlisted) in R.61-69, Classified Waters, the water quality standards of the class of the stream to which they are tributary shall apply, disregarding any site-specific numeric criteria for the named waterbody.

Tributaries

R.61-68.C.8. ~~Where surface waters are not classified by name (unlisted) in R.61-69, Classified Waters, the water quality standards of the class of the stream to which they are tributary shall apply, disregarding any site-specific numeric criteria for the named waterbody.~~ In tidally-influenced waters, the existing and classified uses of both upstream and downstream waters shall be maintained and protected and the existing uses shall be protected regardless of the classification of the upstream and downstream waters. In tidal areas where an unlisted tributary may affect or flows between two (2) differently classified waterbodies, regardless of whether the location is upstream or downstream, the more stringent numeric criteria of the classified waters apply to the unlisted tributary, disregarding any site-specific numeric criteria for those waterbodies. This does not preclude the development of site-specific numeric criteria for unlisted tributaries.

Narrative Flow Criteria

R.61-68.C.3. ~~Uses~~Existing and classified uses in all waters shall be protected, wherever attainable, regardless of flow and classification of waters.

R.61-68.D.1.b. Existing uses and water quality necessary to protect these uses are presently affected or may be affected by instream modifications or water withdrawals. The stream flows necessary to fully protect classified and existing uses and the water quality supporting these uses shall be maintained ~~consistent with riparian rights to reasonable use of water~~.

R.61-68.E.20. The stream flows necessary to fully protect existing and classified uses shall be maintained.

Hardness Dependent Metals

R.61-68.E.14.a.(3) If metals concentrations for numeric criteria are hardness-dependent, the CMC and CCC ~~concentrations~~ shall be based on ~~25 mg/L~~the actual mixed stream hardness (as expressed as $CaCO_3$). ~~i~~If the ~~ambient~~actual mixed stream hardness is less than 25 mg/L, then the CMC and CCC shall be based on a hardness of 25 mg/L. If the actual mixed stream hardness is greater than or equal to 25 mg/L and less than or equal to 400 mg/L, then the CMC and CCC shall be based on the actual mixed stream hardness. If the actual mixed stream hardness is greater than 400 mg/L, then the CMC and CCC shall be based on a hardness of 400 mg/L. In the absence of actual stream hardness it is assumed to be 25 mg/L.~~Concentrations of hardness less than 400 mg/L maybe based on the actual mixed stream hardness if it is greater than 25 mg/L and less than 400 mg/L and 400 mg/L if the ambient hardness is greater than 400 mg/L.~~

Same exact changes at Appendix Attachment 4

POTW Bacteria Requirements

R.61-68.E.14.c.(12) *revisions too long to display word-for-word*

- split freshwater daily maximum bacteria (e. Coli) permitting requirements for POTWs and non-POTWs

POTWs	non-POTWs
frequency of using follow up samples changed from previous 12 months to calendar year	frequency of using follow up samples changed from previous 12 months to calendar year
automatic permit violation limit of 800 MPN/100 mL removed	automatic permit violation limit of 800 MPN/100 mL remains
can use follow up samples for any exceedance of 349 MPN/100 mL	can use follow up samples for any exceedance of 349 MPN/100 mL if it is less than 800 MPN/100 mL
can use follow up samples until 4 exceedances of 349 MPN/100 mL per calendar year regardless of sampling frequency	can use follow up samples until 4 exceedances of 349 MPN/100 mL per calendar year if sampling frequency is ≥ 120 samples/year
	can use follow up samples until 1 exceedance of 349 MPN/100 mL per calendar year if sampling frequency is < 120 samples/year

MS4 Permit Compliance

R.61-68.E.14.c.(13) For waters of the State, where a permit has been issued pursuant to R.61-9.122.26 and R.61-9.122.34, the Department shall consider the permittee in compliance with the established bacterial (i.e., E. coli, enterococci, fecal coliform) criteria for recreational uses of the waterbody if the permittee is in compliance with bacteria-related provisions in their permit.

Biological Assessments

R.61-68.E.14.d.(2) ~~If the ambient concentration is higher than the numeric criterion for toxic pollutants, the criterion is not considered violated if biological monitoring has demonstrated that the instream indigenous biological community is not adversely impacted.~~[Reserved]

Technical Corrections in R.61-68

R.61-68.B. correcting 14 typos

R.61-68.C.4.c.(1)(iii) correcting significant digits for dissolved oxygen

R.61-68.G.9.e.correcting significant digits for dissolved oxygen

R.61-68.G.11.e. correcting significant digits for dissolved oxygen

Appendix correcting 2 typos

R.61-69 Classified Waters

R.61-69.H. correcting significant digits for dissolved oxygen for 61 waterbodies.

R.61-69.H. Bear Creek - The entire creek tributary to Rocky ~~Creek~~River [description]

R.61-69.H. Edisto River ~~(Main Stem)~~ [name]

R.61-69.H. Gaffney Creek (also called Peoples Creek and Town Creek) [name]

R.61-69.H. Great Swamp Jspr FW The entire swamp tributary to New River [addition]

R.61-69.H. New River - entire river currently listed as SA, proposed change splits New River into FW/SA with the transition listed as SC Hwy 170 (i.e. headwaters to 170 is FW, 170 to Atlantic Ocean is SA)

R.61-69.H. Santee River currently listed twice, one entry deleted

R.61-69.H. Stoop~~s~~ Creek [name]

R.61-69.H. Town Creek (also called Gaffney Creek and Peoples Creek), The entire creek tributary to Broad ~~Creek~~River [name and description]

R.61-69.H. Unnamed Creek currently listed twice, one entry deleted

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