**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4536**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. M.A. Pitts

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Introduced in the House on February 4, 2010

Currently residing in the House Committee on **Agriculture, Natural Resources and Environmental Affairs**

Summary: Phosphorus and nitrogen

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\02-04-10.docx)‑22

2/4/2010 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** [HJ](file:///h:\HJ%20Archive\2010\02-04-10.docx)‑23

**VERSIONS OF THIS BILL**

[2/4/2010](file:///p:\pprever\2009-10\4536_20100204.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48‑1‑82 SO AS TO DEFINE CERTAIN TERMS, TO ESTABLISH EFFLUENT LIMITATIONS ON PHOSPHORUS AND NITROGEN, AND TO PROVIDE FOR A COMPLIANCE SCHEDULE FOR A PERMITTEE.

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

SECTION 1. Chapter 1, Title 48 of the 1976 Code is amended by adding:

“Section 48‑1‑82. (A) For the purposes of this section:

(1) ‘Department’ means the Department of Health and Environmental Control.

(2) ‘National Pollutant Discharge Elimination System (NPDES)’ means a permit program authorized by the Clean Water Act to control water pollution by regulating point sources that discharge pollutants into waters of the United States.

(B) Notwithstanding another provision of law, an NPDES permit issued by the department shall limit effluents for total phosphorous and total nitrogen in wastewaters discharged to surface waters in this state in an amount equal to:

(1) 0.5 mg/L total phosphorous as a monthly average for publicly owned treatment works and privately owned domestic sewage works subject to Regulation 61‑9, subject to required modification to 0.5 mg/L total phosphorous as a monthly average on reissuance of the permit; and

(2) 3.0 mg/L total nitrogen as a monthly average for publicly owned treatment works and privately owned domestic sewage works subject to Regulation 61‑9, subject required modification to 3.0 mg/L total nitrogen as a monthly average on reissuance of the permit.

(C) Nothing in this section may affect the department’s authority to establish more stringent effluent limitations for phosphorous or nitrogen that it considers necessary to achieve compliance with applicable water quality standards.

(D) The department shall determine and specify a reasonable compliance schedule in the permittee’s NPDES permit when the permit is issued or reissued. The compliance date may not exceed three years following the date on which the permit was issued or reissued, unless the department determines that circumstances beyond the permittee’s control, such as an environmental impact statement, require additional time for compliance. In these circumstances, the date for compliance may be extended as the department considers necessary but in no event may the compliance date extend more than five years following the date on which the permit was issued or reissued.”

SECTION 2. This act takes effect upon approval by the Governor.

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