



South Carolina Association of Counties

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REGULATIONS UPDATE

To: Chief Administrative Officers
From: Susan Turkopuls
Subject: *DHEC: Management of Wastewater Sludge System Impacted by PCB Discharges*

Please take note of the following items of interest from the **STATE REGISTER**. **PLEASE CIRCULATE TO APPROPRIATE STAFF FOR REVIEW AND COMMENT.** To view any proposed or final regulation online, go to <http://www.scstatehouse.gov/regnsrch.php>. You can search by document number, subject or agency. If you have any questions, comments or are interested in obtaining a copy of any regulation, please call the SCAC offices at 1-800-922-6081.

EMERGENCY REGULATIONS

DHEC: Emergency Regulation for Management of Wastewater System Sludge, including Land Application of Sludge, Impacted by Illicit Discharges of Polychlorinated Biphenyls (PCB) (Document No. 4448)

DHEC was notified in July 2013 of polychlorinated biphenyls (PCB) contaminated material in three publicly owned treatment works (POTWs) located in upstate South Carolina. After investigation, DHEC finds there is a significant risk that illicit discharges of PCBs may be occurring statewide, and it is appropriate to take immediate action to prohibit land application of PCB contaminated material. DHEC further finds that this regulation is needed to immediately manage wastewater system sludge, including land application of sludge, impacted by illicit discharges. DHEC further finds that this regulation is needed to protect the public health and the environment from the adverse effects of PCBs in the environment. DHEC is a natural resources and health related agency, and finds that abnormal or unusual conditions exist that require immediate action to promulgate this emergency regulation.

Text:

Emergency Regulation for Management of Wastewater Treatment System Sludge, including Land Application of Sludge, Impacted by Illicit Discharges of Polychlorinated Biphenyls (PCB)

Section 1.

Polychlorinated Biphenyls (PCBs) Restriction Related to Land Application.

Land application pursuant to permits under Regulation 61-9 of sewage sludge (including domestic septage), industrial sludge, and/or grease trap waste (e.g., interceptor tanks for restaurants), of which for the purpose of this regulation is referred to as sludge, may not occur if levels of PCBs are quantifiable using EPA SW-846 Method 8082A, with sample preparation method #3550C ONLY.

Section 2.

Land Application of Sludge.

Land application permittees under Regulation 61-9 must collect representative sludge samples for PCB levels at least quarterly based on calendar year quarters to confirm compliance with Section 1. If a representative sample has not been taken within fifteen (15) days prior to the effective date of this regulation, the permittee shall cease land application until sampling has been completed to confirm compliance with Section 1. Data collected must be maintained by the permittee for five (5) years and submitted to the Department annually and should accompany other applicable annual reports. Any quantifiable level of PCBs in the sludge shall be reported to the Department in writing within five (5) calendar days of receipt of the results by the permittee.

Section 3.

Sludge Treatment at Wastewater Systems.

- a) This section applies when a wastewater system is managing PCB contaminated sludge following illicit discharges of PCB waste to the system.
- b) When operating sludge management systems (e.g., thickening, dewatering), where wastewater is generated that is feeding back in the wastewater treatment system (e.g., filtrate piped to the head of the treatment facility), if the returned wastewater is below levels of quantification as set by item “c” below, then such operation is deemed in compliance with state water quality regulations.
- c) For the purposes of this regulation, the practical quantification level for the returned wastewater should be evaluated based on EPA Method 608 for PCBs in wastewater. The wastewater system owner must collect representative samples to confirm that the returned wastewater is below this level of quantification.

Section 4.

Implementation.

Definitions applicable to this regulation are specified in R.61-9 and the Pollution Control Act, South Carolina Code Section 48-1-10 et seq. This regulation is self-implementing, and is in addition to the requirements in permits issued pursuant to Regulation 61-9. This regulation is effective for ninety (90) days from the date of filing with the Legislative Council pursuant to South Carolina Code Section 1-23-130.