



South Carolina Department of Health and Environmental Control

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# DHEC's Review of Surface Water Withdrawal, Permitting Use and Reporting Act and Regulations

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# Current Act Review

## Types of Surface Water Withdrawers

Existing Surface  
Water  
Withdrawer

New Surface  
Water  
Withdrawer

Agricultural  
Withdrawer



## Existing or “Grandfathered” Permits

- Existing surface water withdrawers on January 1, 2011
- Permits were required to be issued for the **largest of:** documented historical use, current permitted treatment capacity, **designed capacity of intake structure.**
- Required to submit Operation and Contingency Plan based on industry standards for conditions when flow is below the minimum in stream flows

# Agricultural Registration

- Registration rather than a permit, but report their water use
- Safe yield or “legally available water” is calculated to be 80% mean annual daily flow (MADF) at the point of withdrawal. This is the maximum amount that can be registered for a withdrawal
- If requested amount is not within safe yield, applicant may modify request for reduced volume within safe yield

# New or Expanding Withdrawers

1. Evaluated for reasonableness
2. Subject to minimum instream flow (20, 30, 40 percent of mean annual daily flow)
3. Safe Yield calculated at the point of withdrawal
4. If the requested withdrawal is in excess of the safe yield, additional contingency planning shall be required
5. New surface water withdrawals must be Public Noticed for 30 days (mandatory Public Hearing for IBT)

# Major Differences

After discussion with PPAC:

- Permit for all
  - All users re-evaluated for reasonableness and subject to safe yield and MIF
  - If approaching MIF – reduce use in a step-wise way vs. completely discontinue use
- 30 year permits with 10 year reviews
- Permit can be reduced if the permit limit is not necessary to meet permittee's future needs **for length of permit**

## Minor Differences

- 15 to 8 basins for permitting and review
- PN through online platform vs. newspaper
- Removed “turf grass” from agricultural use definition



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Questions?





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