



SC DEPARTMENT of
**ENVIRONMENTAL
SERVICES**

Water Quality Standards 2026 Triennial Review
Summary of Public Comments and Department Responses

NAME	SECTION CITATION	PUBLIC COMMENT	DEPARTMENT RESPONSE
Paul Calamita, South Carolina Water Quality Association (5/2/25)	R.61-68	The Department should not consider the use of diatom indices as indicators of water quality impairment. SCWQA does not believe that diatom indices are an appropriate predictor of water quality standards attainment and should therefore not be used.	The Department is not currently using diatom indices to determine water quality standards attainment or impairment.
Paul Calamita, South Carolina Water Quality Association (6/24/25, 2/27/26)	R.61-68.C.4.b.(1), R.61-68.E.14.c.(5), R.61-68 Appendix: Priority Toxic Pollutants, R.61-68 Appendix Non-Priority Toxic Pollutants	The Department should consider using annual average flow or harmonic mean flow for non-carcinogens and carcinogens as recommended by EPA.	The Department acknowledges that EPA recommends the use of harmonic mean flow for implementing human health criteria as outlined in Chapter 5 of the Water Quality Standards Handbook. Currently, the Department defines the applicable critical flow as annual average flow for carcinogens and 7Q10 for noncarcinogens. The Department will consider the water quality impacts of revising the applicable critical flow for noncarcinogens to annual average flow or harmonic mean flow.
Paul Calamita, South Carolina Water Quality Association (6/24/25, 2/27/26)	R.61-68	The Department should consider moving the NPDES permit implementation procedures to the NPDES permit regulation.	The Department acknowledges this suggestion and plans to move the permit implementation language out of R.61-68 in the future.

NAME	SECTION CITATION	PUBLIC COMMENT	DEPARTMENT RESPONSE
Paul Calamita, South Carolina Water Quality Association (6/24/25, 2/27/26)	R.61-68.E.14.c.(8), R.61-68.E.14.c.(9), R.61-68.E.14.c.(10), R.61-68.E.14.c.(12)	The Department should consider removing the daily maximum bacteria permit limit and replacing it with a weekly geomean permit limit.	The Department will consider revisions to the existing bacteria permit limits.
Paul Calamita, South Carolina Water Quality Association (6/24/25, 2/27/26)	R.61-68.E.14.c.(13)	The Department should clarify the language regarding MS4 permit compliance.	The Department will consider revising the permit compliance language.
Charles Mauro, MD (12/22/25)	R.61-69.H	The Department should consider reclassifying portions of the AICW between Venning Creek to Price's Creek and Inlet, Cape Romain, and Sewee Bay as Outstanding National Resource Waters.	The Department is planning to establish a formal ONRW strategy. This reclassification request will be delayed until the ONRW strategy is complete.
Sara Hazzard, South Carolina Manufacturers + Commerce (1/22/26, 3/24/26)		EPA does not require nationally recommended criteria to be adopted by reference.	The Department acknowledges this comment.
Sara Hazzard, South Carolina Manufacturers + Commerce (1/22/26, 3/24/26)	R.61-68	The Department lacks the authority to incorporate EPA's recommended human health and aquatic life criteria by reference.	The water quality standards contained within R.61-68 and R.61-69 are duly promulgated in accordance with the SC Administrative Procedures Act. The SC Pollution Control Act Sections 48-1-10 et seq., 48-6-10 et seq., and 2023 Act No. 60 grants authority to the Department to adopt water quality standards for the protection of human health and aquatic life. Currently, there are no water quality standards that have been incorporated by reference, and the Department has no plans to add language to the water quality standards that would incorporate any criteria by reference.

NAME	SECTION CITATION	PUBLIC COMMENT	DEPARTMENT RESPONSE
Sara Hazzard, South Carolina Manufacturers + Commerce (1/22/26, 3/24/26)		EPA methods are not consistent with state law.	The Department acknowledges this comment.
Preston Kelly, Waccamaw Riverkeeper (1/22/26)	R.61-68	The Department should consider adopting criteria for PFAS and other emerging contaminants.	The Department will consider criteria for PFAS and other emerging contaminants.
Preston Kelly, Waccamaw Riverkeeper (1/22/26)	R.61-68.D.4.a-c.	The Department should protect sensitive waters by clarifying the natural conditions which allow for a depression of the dissolved oxygen water quality standard.	The Department will consider clarifying the definition of natural conditions. The Department will also consider defining naturally variable parameters.
Erin Donmoyer, Black-Sampit Riverkeeper (1/22/26)	R.61-68	The Department should consider adopting criteria for PFAS and other emerging contaminants.	The Department will consider criteria for PFAS and other emerging contaminants.
Erin Donmoyer, Black-Sampit Riverkeeper (1/22/26)	R.61-68.D.4.a-c.	The Department should protect sensitive waters by clarifying the natural conditions which allow for a depression of the dissolved oxygen water quality standard.	The Department will consider clarifying the definition of natural conditions. The Department will also consider defining naturally variable parameters.
Erin Donmoyer, Black-Sampit Riverkeeper (1/22/26)	R.61-68.D.2.a-c.	The Department's antidegradation policy should not allow for the lowering of water quality based on economic or social benefits.	An antidegradation policy is a core component of water quality standards and one that is required by the Clean Water Act. Chapter 4 of EPA's Water Quality Standards Handbook provides a detailed history of antidegradation policy and explains how this policy must maintain water quality standards. The Department's antidegradation implementation (https://des.sc.gov/sites/des/files/Documents/BOW/WaterQuality/Antideg.pdf) explains how existing and classified uses will be maintained and protected.

NAME	SECTION CITATION	PUBLIC COMMENT	DEPARTMENT RESPONSE
Amanda Howell, US EPA Region 4 (2/26/26)	R.61-68	The Department should consider adopting the updated human health criteria for 94 chemical pollutants.	During the 2016 triennial review the Department proposed to adopt the nationally recommended human health criteria into the state's water quality standards. However, numerous public comments received by the Department during the triennial review raised concern over the methodology used to develop the human health criteria. The Department is still evaluating different strategies for adopting and implementing the recommended human health criteria into the state's water quality standards.
Amanda Howell, US EPA Region 4 (2/26/26)	R.61-68	The Department should consider adopting the updated aquatic life criteria for ammonia and aluminum.	The Department is evaluating EPA's aquatic life criteria recommendation for ammonia and aluminum.
Amanda Howell, US EPA Region 4 (2/26/26)	R.61-68	The Department should consider adopting numeric nutrient criteria for both nitrogen and phosphorus.	The Department has adopted ecoregional numeric nutrient standards (e.g., total nitrogen and total phosphorus) for reservoirs. The Department is in the process of developing site-specific numeric nutrient criteria and TMDLs for the lakes of the Lower Catawba River Basin. The Department is also considering priority TMDL watersheds of Lake Murray and Lake Hartwell.
Amanda Howell, US EPA Region 4 (2/26/26)	R.61-68.E.14.d.(2)	The Department should consider removing assessment language which currently defaults to no impairments for toxic pollutants when the toxic pollutant concentration is above the water quality standard, if biological monitoring demonstrates that the indigenous biological community is not adversely impacted.	The Department will consider removing the assessment language at R.61-68.E.14.d.(2).

NAME	SECTION CITATION	PUBLIC COMMENT	DEPARTMENT RESPONSE
Sara Hazzard, South Carolina Manufacturers + Commerce (3/24/26)	R.61-68.E.16	This section should be revised to say “The Department may consider other scientifically-defensible published data which are appropriate for use in developing permit limits and evaluating water quality for constituents and promulgated in regulations consistent with the Pollution Control Act.”	The Department acknowledges this comment.
Sara Hazzard, South Carolina Manufacturers + Commerce (3/24/26)	R.61-9.122.44 R.61-9.125.1 R.61-9.125.3	Technology-based effluent limitations (TBELs) must be promulgated by EPA as part of an effluent limitation guideline.	The current promulgation process is limited in scope to Regulation 61-68 and Regulation 61-69. Amendments to Regulation 61-9 must occur during a separate promulgation process.
Edward Weber, PE, SCPA (3/26/26)	R.61-68	The Department should consider clarifying that a “naturally low dissolved oxygen waterbody” includes waterbodies with bathymetric modifications authorized by the Corps and maintained under ongoing federal authorization. It is unreasonable for the standards to disregard permanent, authorized modifications to bathymetry, such as harbor deepening or reservoir construction.	The Department will consider clarifying the definition of natural conditions. The Department will also consider defining naturally variable parameters.
Ethan Ware, Williams Mullen (3/30/26)	R.61-101	Regulation 61-101 includes water quality standards and should be included as part of the triennial review.	The current promulgation process is limited in scope to Regulation 61-68 and Regulation 61-69. Amendments to Regulation 61-101 must occur during a separate promulgation process.
Ethan Ware, Williams Mullen (3/30/26)	R.61-101	As part of the 401 water quality certification process, the Clean Water Act is limited to criterion governing “discharges” not “activities.”	The current promulgation process is limited in scope to Regulation 61-68 and Regulation 61-69. Amendments to Regulation 61-101 must occur during a separate promulgation process.

NAME	SECTION CITATION	PUBLIC COMMENT	DEPARTMENT RESPONSE
Ethan Ware, Williams Mullen (3/30/26)	R.61-101.A R.61-101.C R.61-101.F	The Department should consider revising certain portions of R.61-101 to maintain consistency with the Clean Water Act.	The current promulgation process is limited in scope to Regulation 61-68 and Regulation 61-69. Amendments to Regulation 61-101 must occur during a separate promulgation process.
Bill Stangler, Congaree Riverkeeper and Emily Poole, South Carolina Environmental Law Project, on behalf of SC Rivers Forever (3/30/26)	R.61-68	The Department should establish in-stream nutrient standards for estuaries, rivers, and streams.	The Department has adopted ecoregional numeric nutrient standards (e.g., total nitrogen and total phosphorus) for reservoirs. The Department is in the process of developing site-specific numeric nutrient criteria and TMDLs for the lakes of the Lower Catawba River Basin. The Department is also considering priority TMDL watersheds of Lake Murray and Lake Hartwell.
Bill Stangler, Congaree Riverkeeper and Emily Poole, South Carolina Environmental Law Project, on behalf of SC Rivers Forever (3/30/26)	R.61-68	The Department should develop and adopt narrative flow standards for aquatic life and recreation in the state's rivers, streams and estuaries.	The Department will consider adopting narrative flow standards that would protect aquatic life and recreation uses.
Bill Stangler, Congaree Riverkeeper and Emily Poole, South Carolina Environmental Law Project, on behalf of SC Rivers Forever (3/30/26)	R.61-68	The Department should develop water quality standards for PFAS and 1,4 dioxane.	The Department will consider criteria for PFAS and other emerging contaminants.