SC DEPARTMENT of ENVIRONMENTAL SERVICES

Building Compliance Confidence – Question & Answer

1. **Question: What resources are available to assist utilities with maintaining compliance?**

   Answer: The Office of Compliance Assistance has many resources linked on our webpage (des.sc.gov/oca). Various programs across SCDES also have many guidance tools, which can be accessed through the agency webpage (des.sc.gov). Ultimately, if you have questions and are unsure where to look, please fill out our **Compliance Assistance Request Form** or email us at complianceassistance@des.sc.gov.

2. **Question: When does routine landscaping, grading, or property maintenance trigger stormwater permitting requirements?**

   Answer: Stormwater permit coverage is required when landscaping, grading, or property-maintenance activities meet any of the following criteria:

   i. **Construction activities** (clearing, grading, excavating, filling of low areas) that **disturb one acre or more** of land.

   ii. Construction activities that **disturb less than one acre** but are part of a **larger common plan of development or sale**.

   iii. Construction activities occurring **within ½ mile of a receiving waterbody** in South Carolina's Coastal Zone. Coastal Zone Consistency Certification | South Carolina Department of Environmental Services

   If any of these conditions apply, the activity is considered construction under South Carolina's stormwater regulations and requires permit coverage. Stormwater - Construction Activities | South Carolina Department of Environmental Services

3. **Question: Is it okay to use the information in the presentations in facility internal training?**

   Answer: Absolutely! Feel free to use any of the language or photos in your internal training. ***However, we would ask that you remove our SCDES logo*.

4. **Question: Does the Office of Compliance Assistance (OCA) keep files on a separate server from permitting and enforcement?**

   Answer: Permitting and enforcement information is housed in ePermitting. OCA maintains their own files with limited access to those outside of the office. Public facing files and guidance documents can be found on our website. (des.sc.gov/oca)

5. **Question: Is there a guidance checklist to help a lab prepare for an audit?**

   Answer: Please reference the following document: LabCertChecklist.pdf. Prior to an environmental laboratory certification evaluation, correspondence from the Office of Environmental Laboratory Certification will indicate a date which the evaluation will take place. For more information regarding the SCDES Office of Environmental Laboratory Certification, please reference the guidance tools on this webpage: Environmental Laboratory Certification | South Carolina Department of Environmental Services

6. **Question: How can I get assistance to calculate the emissions from a process?**

   Answer: Emissions calculations can vary significantly depending on the process, equipment, and materials involved. In most cases, facilities hire an environmental consultant or qualified engineer to develop emissions calculations and determine applicable regulatory requirements. If you need assistance identifying calculation methods or available guidance documents, please contact our office and we can help point you to appropriate resources.

For the Bureau of Air Quality, several different emissions calculators are available on the following website Guidance & Emission Calculators for Air Permits | South Carolina Department of Environmental Services.

7. **Question: Beyond this workshop, what is the preferred way to request ongoing technical guidance from OCA compliance assistance team for a complex or unique operational change?**

   Answer: If you are unsure of how we can assist you or have questions on which program to contact, please reach out to us. The **Compliance Assistance Request Form** is housed on the Office of Compliance Assistance Webpage. Also feel free to email us with your questions at complianceassistance@des.sc.gov.

8. **Question: What are the most common mistakes that delay permit applications or modifications, and how can facilities avoid them?**

   Answer: Permits vary from program to program, but there is a list of common helpful practices to prepare for permit applications. Please see the information on **Permit Central** regarding "Tips on Speeding the Process" for permit applications. Tips to Speed Process | South Carolina Department of Environmental Services

9. **Question: What is the best way to obtain copies of permits or files for facilities that were previously owned by another company, that we have acquired?**

   Answer: Reach out to your inspector, program staff, or the Office of Compliance Assistance. The information is yours as a representative of a permitted facility, so just reach out.

Question & Answer: Inspection Readiness

1. **Question: What are the most common findings during facility inspections?**

   Answer: The slide called "Most Common Deficiencies" in the Inspection Readiness presentation listed the following: recordkeeping, installing new equipment without permit coverage, failure to maintain equipment and gauges, failure to conduct calibrations, poor container management, off-site impacts, operating without permit coverage, and employee training. The OCA is working on a more detailed program specific document for common deficiencies.

2. **Question: What records should facilities have readily available on the day of an inspection?**

   Answer: Any permits and approval letters, logs, monitoring, calibrations, maintenance, employee training, internal facility inspections or other documentation required by all permits issued by the SCDES. These records may be maintained as hard copies, electronically or a combination of both. In addition, make sure that the records are kept for the timeframe required by the permit or regulation.

3. **Question: Is it possible to get a pre-audit visit?**

   Answer: You may contact the Office of Compliance Assistance (OCA) as we have staff with experience in most programs. You may also reach out to the individual program to see what pre-audit assistance they offer. Also, looking at past inspection reports will give you an idea of what inspectors will be looking for during an inspection. OCA is working to create a file of inspection checklists for the various programs.

4. **Question: Is there any information on frequency of inspections?**

   Answer: Each program has set routines based on priorities set by EPA and State requirements. We do not want to become predictable. We will also visit if a complaint is received. Inspection frequencies vary from program to program.

5. **Question: Are there recommended practices for maintaining electronic compliance records so they are considered inspection-ready?**

   Answer: Ensuring the documents and records are accessible and up to date. If there is an emergency, loss of power, or employment change, making sure the records can still be retrieved. If the individual responsible for those records is away, making sure someone else can access them.

6. **Question: Any suggestions for inspection readiness for NESHAP facilities?**

   Answer: Maintaining complete and organized compliance records, including permits, monitoring data, inspection logs, maintenance records, emissions calculations, and required notifications and reports. In addition, periodic environmental compliance audits to verify compliance with applicable standards, ensure monitoring and control equipment are operating properly, confirm personnel are trained, perform corrective actions for any deficiencies found etc., assist a facility with staying on top of compliance. Ensuring required reporting has been submitted to the delegated authorities.

7. **Question: After an inspection is it possible to receive a copy of the report?**

   Answer: Inspection reports are provided after the finalization of the inspection. Depending upon the specific program, inspection reports will be sent through mail, email, and/or ePermitting. If you did not receive a copy or have follow-up questions regarding the inspection, please follow up with your inspection contact.

8. **Question: I have several plant sites that are unmanned during the day, the operator will check the facility and go to another site. If an inspector shows up and no one is onsite, what happens then?**

   Answer: If inspectors know that a facility is unstaffed for portions of the day, they will typically provide advanced notice the day before or morning of the inspection. This allows them to adjust their schedule and to have records pulled and ready for review.

Question & Answer: ePermitting

1. **Question: When we have specific ePermitting questions, who should we contact?**

   Answer: The ePermitting troubleshooting webpage, along with the Chatbot, are a great first option for ePermitting assistance. For ePermitting help, please email epermittinghelp@des.sc.gov. Include as much information as possible, as well as which environmental program you are attempting to submit ePermitting documents for.

2. **Question: When are certifier agreements needed? Once you receive "Certifier Rights" for a site, will you automatically have access to new projects/permits for that site?**

   Answer: Certifier agreement approvals occur on the site level **and** on the account level. Your "Certifier Rights" are directly tied to your email address. If you are creating a new site, you automatically obtain "Certifier Rights" for that site. If you are joining a pre-existing site, you will need to request certifier rights. Reach out to the designated SCDES program area if you have questions or need info on approval requirements. Sometimes you may have gained account approval but will need to request site access separately.

3. **Question: What is the maximum file size for submissions in ePermitting?**

   Answer: File size for attachments is 50MB for each attachment. If you need to submit something larger, reach out to the designated program staff to get an email address or dropbox so the project can move forward.

4. **Question: If a contractor/consultant is the ePermitting account manager, will facility personnel get linked to that site automatically?**

   Answer: Facility personnel should be the "Administrators" or account managers for the site. It is recommended that facility personnel reach out to the consultant/contractor to send an invite to join the site as a user. The user invitation will take you directly to the site. The only requirements to join a site are name and an accessible email address.

5. **Question: Individuals that have multiple permits and multiple programs, they have ePermitting access, but not specific site access. How do they get site approval?**

   Answer: Reach out to the specific ePermitting help email (epermittinghelp@des.sc.gov). They can direct you to ePermitting program staff and assist you with adding the users needed for various sites.

6. **Question: Is there another option to pay fees/dues outside of ePermitting?**

   Answer: On the financial invoice document, an agency contact should be included at the bottom of the page. Reach out to the agency contact, as there are various options depending on the SCDES program. ACH and checks are an also an option.

   ***Please note:** Checks will need to be mailed to SCDES, to the address listed on the invoice. Make sure you **do not** send or direct the check to DHEC as it will not be accepted and will be returned. This may delay projects, create accrual of late fees and other potential concerns.*