

Regulation 61-9.610 Operation and Maintenance of Satellite Sewer Systems.

610.1 Purpose. This regulation establishes rules for governing the operation and maintenance of wastewater sewer systems, including gravity or pressure interceptor sewers. It is the purpose of this rule to establish standards for the management of sewer systems to prevent and/or minimize system failures that would lead to public health or environmental impacts.

610.2 Authority and applicability. Under Section 48-1-30 of the Code of Laws of South Carolina (1976 as amended), the Department is authorized to adopt such rules and regulations as may be necessary to implement the Pollution Control Act. This regulation applies to all sewer systems that have been or would be subject to a DHEC construction permit under Regulation 61-67, except for those whose owner owns or operates the wastewater treatment system to which the sewer discharges and which discharges under NPDES or a State permit (see 122.41(e)(4) and 505.41(e)(4)), and to systems approved pursuant to 61-9.505.8. Nothing in this regulation supersedes a more stringent requirement that may be imposed by sewer system owners that manage wastewater from satellite systems. This regulation is effective when published in the State Register.

610.3. General requirements. The requirements to properly operate and maintain sewer systems are the responsibility of the system owner. General Standards. The sewer system owner must:

(a) Properly manage, operate, and maintain at all times all parts of its sewer system(s), to include maintaining contractual operation agreements to provide services, if appropriate;

(b) Provide adequate capacity to convey base flows and peak flows for all parts of the sewer system or, if capital improvements are necessary to meet this standard, develop a schedule of short and long term improvements;

(c) Take all reasonable steps to stop and mitigate the impact of releases of wastewater to the environment; and

(d) Notify the Department within 30 days of a proposed change in ownership of a sewer system.

610.4 [Reserved.]

610.5 [Reserved.]

610.6 Permitting of satellite sewer systems. The Department may issue permits for the operation of a satellite sewer system in cases where the sewer system owner does not have an NPDES or Land Application discharge permit for the wastewater for that sewer system. Such permits do not supersede or replace the requirement under R.61-67.100.E.7 to obtain an approval to place a system into operation.

(a) **Authority for general permits for sewer system operation.** The requirements for operation and maintenance of a sewer system may be set forth in a general permit issued by the Department. If a general permit is issued, the Department has the authority to apply general permit coverage to system owners and subsequently enforce the provisions of the general permit. For existing systems, the provisions of the permit will be effective upon notice to individual system owners. For proposed systems, they will obtain coverage upon issuance of a construction permit issued pursuant to R.61-67 if the owner has demonstrated it will be a viable operator in accordance with R.61-9.600.

(b) **Authority for individual permit for sewer system operation.** If a general permit does not address the circumstances appropriate to a sewerage system proposed for permitting under R.61-67, the Department may require an individual operating permit.

(c) **Sewer system permit coverage transfers.** If a sewer system is sold, coverage under the permit must be transferred by the Department to a new owner before the previous owner is free of the responsibilities outlined in the permit. A request to transfer the permit may be denied if the new owner or proposed new owner cannot demonstrate that it will be a viable operator in accordance with R.61-9.600.

610.7 Sewer system permit (general and individual) administration.

(a) The Department may issue a permit to implement the requirements of R.61-9.610. Once a permit is issued and effective, the Department has the authority to grant or deny coverage or deny transfer of coverage.

(b) Where applicable, applicants for permits must submit their applications on permit application forms designated by the Department.

(c) Permit issuance or modification of a permit shall be preceded by a 30-day public comment period.

(d) Term of permits. Permits issued under R.61-9.610 may be issued without a finite term.