



COMPASS



APRIL 2014

April is Earth Month! This issue includes a hazardous waste reporting reminder, a regulatory update and much more. If you have questions or topic suggestions, please reply to this e-mail – enviroassist@dhec.sc.gov.

What is Compass?

Compass is a program designed to help you find the information to better understand regulations and how to be in compliance with their requirements.

This newsletter includes hyperlinks, or shortcuts, to specific areas within the S.C. Department of Health and Environmental Control (DHEC), the U.S. Environmental Protection Agency (EPA) and other environmental and government entities. The hyperlinks will connect you to useful information such as forms and instructions, contacts, training opportunities, outreach, on-site technical assistance, financial assistance and much more.

Visit www.scdhec.gov/compass for additional resources and information.

Contents

Area Source Boiler Rule	2
Risk Management Plan Resubmission.....	2
Bureau of Air Quality (BAQ) Exemption Booklet	2
Regulatory Update	2
Conditional Exclusion of Solvent Contaminated Wipes	4
Reminder to Report Hazardous Waste Activities.....	4
Dry-cleaning Restoration Trust Fund Eligibility Application.....	4
Underground Storage Tanks: Electronic Inspections.....	5
Wastewater Treatment Plant Sludge Containing Polychlorinated Biphenyls (PCBs).....	6
DHEC Proposes New Water Quality Standards for Methylmercury	6
DHEC Recognizes Facilities of Excellence	6
S.C. Environmental Excellence Program Quarterly Update.....	7
GREEN TIP: No recycling containers? No problem.	7
It's Good Business – Green Hospitality and Smart Business Recycling Programs.....	7

What does Compass provide?

Compass provides “compliance assistance” – activities, tools or technical assistance services that includes clear and consistent information to help individuals, business, industry and government understand and meet – or surpass – their environmental obligations. DHEC partners with other providers of assistance to develop and deliver compliance assistance.

Compliance assistance activities may include:

- on-site assistance;
- workshops, conferences and training;
- telephone assistance;
- booklets, fact sheets and brochures;
- web-based information;
- special mailings; and
- information on financial assistance.



Compliance assistance is a part of DHEC’s commitment to customer service, and is part of a continuum of activities that includes public education and outreach, permitting, compliance and enforcement. The compliance assistance process is not intended to delay a timely and appropriate return to compliance by a regulated entity.

“Compliance incentive” means activities and programs that encourage or reward facilities for voluntary efforts to improve environmental performance or to go “beyond compliance” through the use of pollution prevention, environmental management practices, and innovative technologies.

“Compliance assurance” is the means by which it is determined whether regulated entities are in compliance with environmental requirements. Compliance assurance activities include inspections, sampling, testing, continuous monitoring, reporting and record keeping.

Bureau of Air Quality

Area Source Boiler Rule

On February 1, 2013, the U.S. Environmental Protection Agency (EPA) issued amendments to final Clean Air Act (CAA) standards for boilers at area sources, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial and Institutional Boilers at Area Sources (Area Source Boiler Rule). The types of boilers covered by these updated standards include boilers that burn coal, biomass and/or fuel oil located at small sources of air toxics emissions such as small industrial facilities, universities, hospitals, hotels and commercial buildings.

The compliance date for the Area Source Boiler Rule was March 21, 2014. Facilities that are required to complete energy assessments and/or boiler tune-ups must submit their Notification of Compliance Status (NOCS) reports no later than July 19, 2014. In addition to submitting the NOCS to the S.C. Department of Health and Environmental Control (DHEC), the EPA is requiring facilities to submit the NOCS electronically through the Central Data Exchange (CDX).

Visit www.epa.gov/boilercompliance for more information.

Risk Management Plan Resubmission

The five-year Risk Management Plan (RMP) update and resubmission date for most facilities subject to S.C. Regulation (R) 61-62.68 and Federal Regulation 40 CFR 68 (Chemical Accident Prevention Provisions) is **June 21, 2014**.

Facilities covered by these regulations must submit their RMPs to the EPA electronically through the CDX using the online RMP reporting software **RMP*eSubmit** – visit www.epa.gov/emergencies/content/rmp/index.htm. The website also provides information for facilities that will be submitting confidential business information (CBI) and/or trade secrets, guidance documents and fact sheets.

DHEC is encouraging facilities in South Carolina to review the online reporting software and referenced documents to ensure continued compliance with these regulations.

Bureau of Air Quality (BAQ) Exemption Booklet

Common questions asked by businesses are “Do I need an air permit?” and “What is involved in the permitting process?” DHEC’S “Simplifying the Air Permitting Process: Exemptions” booklet – visit www.scdhec.gov/administration/library/CR-010877.pdf – provides basic information on how



to determine if your process/equipment qualifies for exemption from the requirement to obtain a construction permit. Topics covered include types of exemptions, air emissions calculations and sample exemption determinations.

Regulatory Update

1. Notice of Drafting: 2013 End of the Year Revision

On March 28, 2014, DHEC’s BAQ published a Notice of Drafting for the 2013 End of the Year Revision in the *S.C. State Register*. DHEC is proposing to:

- Amend R.61-62, Air Pollution Control Regulations and Standards, and the S.C. Air Quality Implementation Plan (State Implementation Plan or SIP);
- Amend R.61-62.1, Definitions and General Requirements to incorporate amendments to the definition of Volatile Organic Compounds (VOCs) in 40 CFR 51;
- Amend R.61-62.5, Standard No. 2, Ambient Air Quality Standards, to incorporate the EPA’s revision to the National Ambient Air Quality Standards for Fine Particulate Matter (PM_{2.5}), Sulfur Dioxide (SO₂) and Nitrogen Dioxide (NO₂) in 40 CFR 50; and
- Amend R.61-62.60, S.C. Designated Facility Plan and New Source Performance Standards, and 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, to incorporate by reference recent federal amendments promulgated from January 1 through December 31, 2013.

The proposed amendments are mandated by federal law and do not require legislative review. DHEC will receive comments by April 28, 2014, the close of the drafting comment period. This notice is available at www.scstatehouse.gov/state_register.php.

2. Notice of Drafting: 2014 General Assembly Package

DHEC proposes to make changes to R.61-62, Air Pollution Control Regulations and Standards, to amend R.61-62.1, Definitions and General Requirements, to streamline and update permitting requirements; and to make other revisions as deemed necessary that may include modification to public notice requirements. DHEC also proposes to make the following changes to R.61-62.5:

- Standard 1, Emissions from Fuel Burning Operations, to add an exemption for propane;
- Standard 2, Ambient Air Quality Standards, to remove the SO₂ 24 hour primary standard level;
- Standard 8, Toxic Air Pollutants to remove from the list of pollutants Gaseous Fluorides

[as hydrogen fluoride (HF)], and to add HF as a pollutant;

- Standard 3, Waste Combustion and Reduction to specify renewable energy exemptions;
- To repeal Standard No. 5.1, Best Available Control Technology (BACT)/Lowest Achievable Emission Rate (LAER) Applicable to Volatile Organic Compounds; and
- Standard No. 7.1, Nonattainment New Source Review, to make revisions to add timing flexibility language that was inadvertently omitted from the section of the regulation governing the calculation of emission offsets.

Additionally, revisions will be made to R.61-62.70, Title V Operating Permit Program, to correct a unit of measurement error, and to make changes to R.61-62 that may include corrections for internal consistency, clarification, reference, punctuation, codification, formatting and spelling to improve the overall text of R.61-62 as necessary. These proposed amendments are not mandated by federal law and will require legislative review.

This notice, which is scheduled to be published on April 25, 2014, will be available at www.scstatehouse.gov/state_register.php. For more information on this action, contact Anthony Lofton at (803) 898-7217 or loftonat@dhec.sc.gov.

3. Notice of Proposed Rulemaking: Environmental Protection Fees

On March 28, 2014, DHEC's BAQ published a Notice of Proposed Regulation amending R.61-30, Environmental Protection Fees, in the *S.C. State Register*. DHEC proposes to amend Regulation 61-30(G)(3), Schedule of Air Quality Fees, to increase fees in order to cover the cost of its Title V permit program. The proposed amendments are mandated by federal law and do not require legislative review. DHEC will receive comments until April 28, 2014.

This notice is available at www.scstatehouse.gov/state_register.php.

4. EPA Extends Comment Period on Proposed 111(b) Rulemaking

On March 6, 2014, the EPA extended the comment deadline for its proposed New Source Performance Standards for greenhouse gas emissions from electric generating units (published January 8, 2014). The new comment deadline is May 9, 2014.

The proposed rule can be viewed at www.gpo.gov/fdsys/pkg/FR-2014-01-08/pdf/2013-28668.pdf.

5. Notice of Intent to Revise the State Implementation Plan (SIP)

On February 28, 2014, DHEC's BAQ published a notice in the *S.C. State Register* taking comment on

proposed revisions to the SIP regarding the submission of an "Infrastructure" SIP for Sulfur Dioxide (SO₂). Infrastructure SIPs outline the state's ability to implement, maintain and enforce any new or revised National Ambient Air Quality Standard (NAAQS). The comment period for this notice ended on March 31, 2014. A public hearing was tentatively scheduled for April 7, 2014, but was cancelled after no request for a hearing was received.

This notice is available at www.scstatehouse.gov/state_register.php.

6. Notice of Intent to Revise the SIP

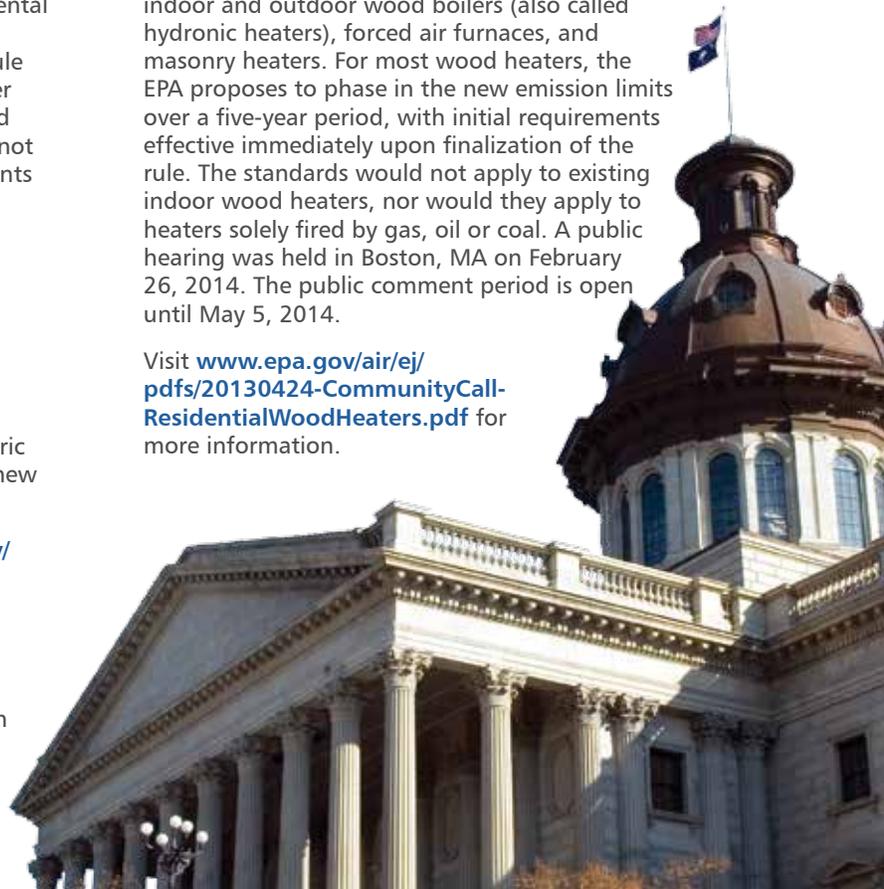
On February 28, 2014, the DHEC's BAQ published a notice in the *S.C. State Register* taking comment on proposed revisions to the SIP regarding the submission of an "Infrastructure" SIP for Nitrogen Dioxide (NO₂). This "infrastructure" SIP outlines the state's ability to implement, maintain, and enforce the 2010 1-hour primary NAAQS for NO₂. The comment period for this notice ended March 31, 2014. A public hearing was tentatively scheduled for April 7, 2014, but was cancelled after no request for a hearing was received.

This notice is available at www.scstatehouse.gov/state_register.php.

7. Proposed Federal New Source Performance Standard for Residential Wood Heaters

On February 3, 2014, the EPA published in the Federal Register proposed new source performance standards for residential wood heaters (wood stoves). The proposal would strengthen the requirements for new manufactured wood stoves, fireplace inserts, indoor and outdoor wood boilers (also called hydronic heaters), forced air furnaces, and masonry heaters. For most wood heaters, the EPA proposes to phase in the new emission limits over a five-year period, with initial requirements effective immediately upon finalization of the rule. The standards would not apply to existing indoor wood heaters, nor would they apply to heaters solely fired by gas, oil or coal. A public hearing was held in Boston, MA on February 26, 2014. The public comment period is open until May 5, 2014.

Visit www.epa.gov/air/ej/pdfs/20130424-CommunityCall-ResidentialWoodHeaters.pdf for more information.



Bureau of Land & Waste Management

Conditional Exclusion of Solvent Contaminated Wipes

The U.S. EPA has adopted a new rule under the Resource Conservation and Recovery Act (RCRA) regarding the management of solvent contaminated wipes.

The rule revises the definition of solid waste to conditionally exclude solvent contaminated wipes that are cleaned and reused. It also revises the definition of hazardous waste to conditionally exclude solvent contaminated wipes that are disposed of properly. DHEC intends to adopt the solvent contaminated wipes rule.

The S.C. Hazardous Waste Management Regulations must be revised before it becomes effective. It is uncertain exactly when the rule will be effective because the revisions require Legislative approval.

For more information, visit www.epa.gov/osw/laws-regs/state/revision/program.htm. The solvent wipes rule is included in RCRA Cluster XXIII.

If you have additional questions, contact Joe Bowers at (803) 898-0247.

Reminder to Report Hazardous Waste Activities

Hazardous Waste Large Quantity Generators (LQG) and Treatment, Storage and Disposal (TSD) facilities have a regulatory requirement to report hazardous waste activity each quarter. Forms to complete these reports are available online and should be submitted within 30 days after the end of each calendar quarter to the Bureau of Land and Waste Management, Division of Compliance and Enforcement. Companies should use the following forms to meet these requirements: DHEC 1962; DHEC 1963; DHEC 1964 (Facility Report); and DHEC 1965.

Small Quantity Generators (SQGs) are not required to submit quarterly reports. SQGs are required to submit an Annual Declaration to the Division of Compliance and Enforcement on or before January 30th of each calendar year. This form (DHEC 2701) is intended to let DHEC know that your company is projected to be a SQG for the

upcoming calendar year. You can retrieve the Hazardous Waste Quarterly Reporting and Notification forms at www.scdhec.gov/lwm. Click on FORMS in the left menu.

Please submit your original completed forms to:

DHEC's Bureau of Land and Waste Management
Hazardous Waste Compliance Section
2600 Bull Street
Columbia, SC 29201

Please contact Lillian McFadden at (803) 898-0486 or mcfaddln@dhec.sc.gov if you have any questions or need assistance.

Dry-cleaning Restoration Trust Fund Eligibility Application

The S.C. Dry-cleaning Restoration Trust Fund (Fund) is designed to pay for the assessment and cleanup of environmental contamination at participating dry-cleaning facilities.

Money for the Fund is collected from dry cleaners through surcharges on dry-cleaning solvents, registration fees and a 1 percent sales tax. Fund participants are responsible for a deductible of up to \$25,000.

The law authorizing the Fund was amended in May 2013. Dry-cleaning facilities must submit an eligibility package to participate in the Fund. The amendments set a **submittal deadline of December 30, 2014** for dry cleaners that started operations prior to November 24, 2004. **Application packages from dry cleaners that started operations prior to November 24, 2004 postmarked on or after December 31, 2014 cannot be accepted.** Facilities that began operations after November 24, 2004 must submit an application package within six months of discovery of contamination.

An operating dry cleaner registered with the S.C. Department of Revenue may submit an eligibility application by completing the following three items available at www.scdhec.gov/environment/lwm/html/drycleaner.htm:

- an eligibility application;
- findings of due diligence; and
- containment structure certification.

A dry-cleaning business that started operations prior to November 24, 2004 and has not applied for eligibility by the deadline will not be eligible to participate in the Fund even though fees and surcharges will be paid to the



REPORTING QUARTERS

Quarter	Reporting Period	Due Date
1st Quarter	January 1 to March 31	Due April 30
2nd Quarter	April 1 to June 30	Due July 30
3rd Quarter	July 1 to September 30	Due October 30
4th Quarter	October 1 to December 31	Due January 30

S.C. Department of Revenue. Not participating in the Fund may result in financial liability for all parties that have been associated with this site in the event environmental contamination is discovered.

Information about the Fund, the Act, the regulations and associated forms are available at www.scdhec.gov/environment/lwm/html/drycleaner.htm. If you have any questions or to request an application package by mail, contact Paul M. Bergstrand, P.G., at (803) 898-0761, toll free at (866) 343-2379 or bergstpm@dhec.sc.gov.

Underground Storage Tanks: Electronic Inspections

In July 2012, the Underground Storage Tank (UST) Program received federal supplemental funding to develop a mobile electronic tablet capability in order to increase efficiency, enhance standardization and information gathering abilities, increase detailed reporting capabilities and drastically reduce paper usage.

A core team worked with a selected vendor to develop a system that specifically could produce the following capabilities:

- entering UST inspection data via a mobile electronic tablet optimized with business rules and a compliance engine;

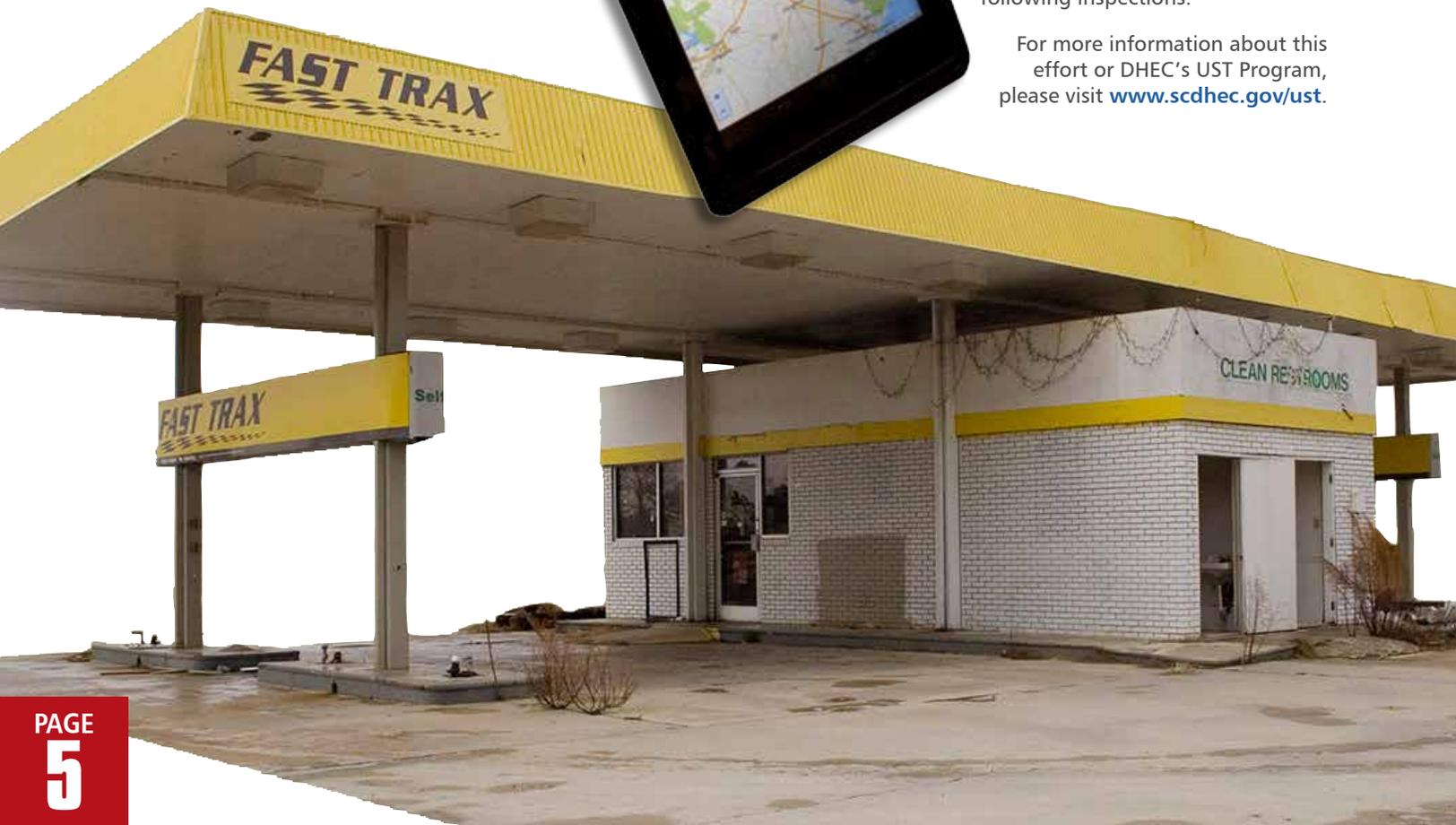
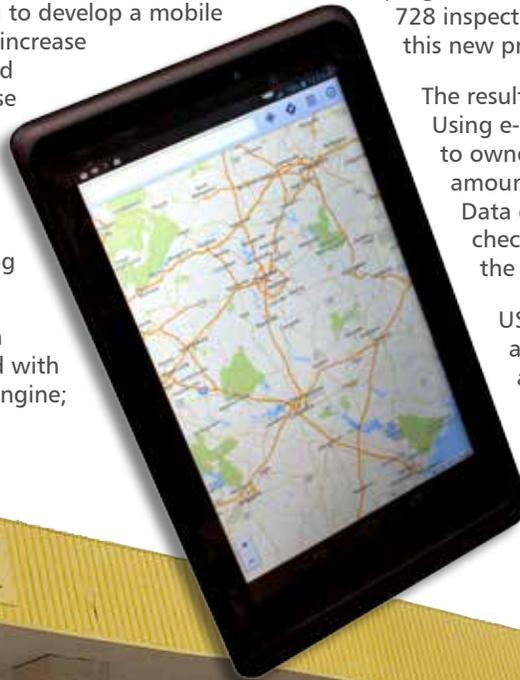
- synchronizing data with the existing database and downloading the entire set of facilities to the tablet via an Internet-enabled Web service;
- on-site signing and wireless printing of inspection reports and letters;
- standardizing inspection and compliance reports;
- advanced scheduling (electronically setting inspection schedules);
- site diagramming and capturing GPS coordinates; and
- administering operator training quizzes for retraining owners/operators.

The statewide deployment of the electronic inspection program started in November 2013. Since then, 728 inspections have been conducted using this new program.

The results have been extremely positive. Using e-mail to deliver inspection reports to owners and operators has reduced the amount of paper inspection forms used. Data quality has improved since inspection checklists (criteria) are programmed into the electronic inspection program.

UST inspection information, notices of alleged violations, compliance history and GIS data can also be downloaded directly to the EFIS database following inspections.

For more information about this effort or DHEC's UST Program, please visit www.scdhec.gov/ust.



Wastewater Treatment Plant Sludge Containing Polychlorinated Biphenyls (PCBs)

On March 13, 2014, the DHEC Board approved a draft regulation related to land application of wastewater treatment plant sludge that contains polychlorinated biphenyls (PCBs). The regulation has been forwarded to the General Assembly for legislative review and approval.

The draft regulation requires quarterly PCB monitoring and reporting of sludge. In cases where land application occurred where PCBs were above 10 parts per million (ppm), sampling of soils at the land application sites is required.

R.61-9 is promulgated pursuant to Section 48-1-10 of the 1976 Code. R.61-9 establishes wastewater and sludge permitting requirements for discharges to the land and surface waters of the state. Related to these changes for PCBs, sections 503 and 504 address land application of sludge, which is a by-product of wastewater treatment systems. Sludge, also known as biosolids, is recycled nationally by farmers because of the nutrient value typically found in sludge and because sludge has soil conditioning value. In regulation of this material for beneficial use, care must be given to pollutants that could impact public health and the environment.

DHEC Proposes New Water Quality Standards for Methylmercury

DHEC has submitted to the state legislature proposed amendments to R.61-68, Water Classifications and Standards, to adopt new water quality criterion for methylmercury to protect human health.

Methylmercury is highly toxic to mammals, including people, and causes a number of adverse effects. According to health studies neurotoxicity, particularly in developing organisms, are most abundant. The brain is the most sensitive organ for which suitable data are available to quantify a dose-response relationship. A recent study by the National Academy of Science concluded that the population at highest risk is the children of women who consume large amounts of fish and seafood during pregnancy, and that the risk to that population is likely to be sufficient to result in an increase in the number of children who have to struggle to keep up in school and who might require remedial classes or special education.

The proposed amendments to R.61-68 were developed through consultation with stakeholders from the regulated community, environmental organizations and others. DHEC anticipates the revised standards will be approved by the legislature by the end of this session and will become

effective as a matter of state law. The amendments will then be submitted to EPA for their approval.

If you have any questions concerning the new methylmercury criterion, please contact Jason Gillespie with DHEC's Bureau of Water at gillesjl@dhec.sc.gov.

DHEC Recognizes Facilities of Excellence

DHEC has presented 32 wastewater treatment facilities across the state the 2013 Facility Award of Excellence.

"The Facility Award of Excellence recognizes those facilities that are striving to meet or exceed customers' expectations in environmental protection," said David Wilson, Bureau Chief of DHEC'S Bureau of Water. "All facilities that have a National Pollutant Discharge Elimination System (NPDES) or a No Discharge (ND) permit were eligible to submit an application for this award."

The 2013 winners are:

- **Beaufort-Jasper Water and Sewer Authority** – Cherry Point Water Reclamation Facility (WRF)/REUSE, Hardeeville Church Road, Palm Key Wastewater Treatment Plant (WWTP), Palmetto Bluff WWTP, Point South WWTP, Port Royal WRF;
- **Berkeley County Water and Sanitation** – Lower Berkeley WWTP;
- **City of Camden** – Camden Water Treatment Plant (WTP);
- **Easley Combined Utilities** – Georges Creek Lagoon, Golden Creek Lagoon, Middle Branch WWTP;
- **Georgetown Water & Sewer District** – DeBordieu Colony;
- **Greenwood Metro District** – West Alexander WWTP, Wilson Creek WWTP;
- **Mount Pleasant Waterworks** – Center Street WWTP, Rifle Range Road WWTP;
- **Renewable Water Resources (REWA)** – Durbin Creek, Georges Creek WWTP, Gilder Creek WWTP, Lower Reedy River WWTP, Marietta WWTP, Mauldin Road WWTP, Pelham WWTP, Piedmont WWTP; and
- **Spartanburg Sanitary Sewer District** – Clifton WWTP, Cowpens/Pacolet River WWTP, Fairforest WWTP, Fingerville WWTP, Lower North Tyger River WWTP, Pacolet Mills WWTP, Page Creek WWTP, South Tyger River WWTP.

The awards were presented March 12 at the 2014 S.C. Environmental Conference.

Please visit www.scdhec.gov/environment/water/npdespage.htm for more information about NPDES permitted wastewater treatment facilities.

S.C. Environmental Excellence Program Quarterly Update

The S.C. Environmental Excellence Program (SCEEP) would like to recognize Meritor, Inc. (Manning) on being selected to renew their membership. Also, South Atlantic Canners (Coca Cola Bottling Company Consolidated) and Google, Inc. were selected as new members. Congratulations to all of these companies on their achievements. Each of these companies will be members through 2017.

The SCEEP Annual Members Meeting was held April 8, 2014. This year's focus was on corporate sustainability.

Visit www.scdhec.gov/sceep or contact Rebecca Sproles at rebecca.sproles@dhec.sc.gov for more information on the SCEEP or to apply for membership.



Additional Newsletters

- **UST Newsletter**
www.scdhec.gov/environment/lwm/usthome/ust_news.htm
- **Newsplash Swimming Pool Newsletter**
www.scdhec.gov/environment/water/recreation.htm#splash
- **Coastal Currents: News from the S.C. Coastal Management Program**
www.scdhec.gov/environment/ocrm/products_services.htm

GREEN TIP: No recycling containers? No problem.

Is having the proper recycling containers hindering your recycling program? Do not let not having recycling containers be an excuse to not recycle. Trash cans can be turned into recycling containers with proper signs. Additionally, paper boxes can be used as desk side bins. You can even get employees involved in decorating the bins and designing signs.

If you have a budget to purchase recycling containers, you can buy containers from your office supply vendor like Staples and Office Max. To find additional companies that sell recycling containers use DHEC's Green Resource Index – www.scdhec.gov/environment/lwm/recycle/smart_business/green_resource_index.htm – and search in the VENDOR LISTINGS under material handling.

Please contact DHEC's Office of Solid Waste Reduction and Recycling at **1-800-768-7348** or visit www.scdhec.gov/recycle for more information on how to reduce your waste and prevent pollution at your facility.



About This Newsletter

The "Compass E-Newsletter" is published quarterly by DHEC and is compiled by the Office of Solid Waste Reduction and Recycling.

EDITOR: Stacey Washington

CONTRIBUTING WRITERS: Paul Bergstrand; Joe Bowers; Richard Chesley; Phyllis Copeland; Jeff DeBessonnet; Lindsey Evans; Jason Gillespie; Van Keisler; Anthony Lofton; Mihir Mehta; Rebecca Sproles; Amanda St. John; Mary Peyton Wall; and Stacey Washington

LAYOUT/DESIGN: Gregg Glymph

For back issues of this newsletter, visit the www.scdhec.gov/compass. To subscribe or unsubscribe to this newsletter send an email to enviroassist@dhec.sc.gov.



www.scdhec.gov

CR-010960 4/14

It's Good Business – Green Hospitality and Smart Business Recycling Programs

Want to increase your recycling rate while helping your bottom line? The Green Hospitality and S.C. Smart Business Recycling Programs can help. Technical assistance and certification offered by both the programs can show businesses how to become more sustainable.

Lodging and/or food establishments can join the Green Hospitality Program. For membership details, visit www.scdhec.gov/greenhospitality.

Businesses are encouraged to participate in the S.C. Smart Business Recycling Program. To learn more, visit www.scdhec.gov/smartbusiness.

