

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

January 24, 2002

Mr. Alton C. Boozer, Chief
Bureau of Water
South Carolina Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201-1708

SUBJECT: Intention to Delist Pollutants from 2000 § 303(d) List

Dear Mr. Boozer:

This is to acknowledge receipt of your December 17, 2001 request that the United States Environmental Protection Agency (EPA) review proposed § 303(d) list modifications that are intended by the State of South Carolina. EPA Region 4 has completed its review of the provided information and offers the following findings of its review.

As you are aware, 40 Code of Federal Regulations (C.F.R.) § 130.7(b)(1) requires the State to identify water quality limited segments still requiring total maximum daily loads (TMDLs), i.e., the § 303(d) list. Title 40 C.F.R. § 130.7(b)(4) requires the identification of pollutants causing or expected to cause violations of the applicable water quality standards. Title 40 C.F.R. § 130.7(b)(6)(iv) allows the State to not include a water on the § 303(d) list if good cause for that decision can be demonstrated. Good cause includes, but is not limited to, more recent or accurate data; more sophisticated water quality modeling; flaws in the original analysis that led to the water being listed; or changes in conditions, e.g., new control equipment or elimination of discharges.

The South Carolina Bureau of Water (the Bureau) intends to delist the following waterbodies for the causes listed below based on monitoring data that documents that the current applicable water quality standards have been attained:

Waterbody -site	Station Number	Cause
Congaree River at Blossom Street (Saluda River)	CSB-O01 L	Zinc
Crane Creek at S-4U-43 under 1-20 north of Columbia	B-316	Copper
Enoree River at SC 296, 7.5 miles northeast of Mauldin	BE-017	Copper
Fairforest Creek at SC 56	B-021	Zinc
Four Hole Swamp at S-38-50, 5.2 miles southeast of Cameron	E-059	Copper
Haile Gold Mine Creek at 3-29-1 88	PD-334	Copper

Jackson Creek at S-20-54, 5 miles west of Winnsboro	B-102	Chromium
Jackson Creek at S-20-54, 5 miles west of Winnsboro	B-102	Copper
Lake Greenwood at US 221, 7.6 miles north northwest of Ninety Six	S-131	Zinc
Lake Hartwell, Seneca River Arm at USACE buoy between Markers S-28A and S-29	SV-288	Copper
Lake Marion at end of S-i 4-64 at Camp Bob Cooper	ST-024	Zinc
Lake Marion at Old US 301/15 Bridge at Santee	ST-025	Copper
Langston Creek at SC 253	S-264	Chromium
Lynches River at SC 403	PD-319	Copper
Mill Creek at Bent Bridge Road below Carolina Plating	S-315	Zinc
Ninety Six Creek at SC 702, 5.2 miles east southeast of Ninety Six	S-093	Copper
North Fork Edisto River at SC 3, 5.5 miles northwest of North	E-092	Zinc
North Tyger River at US 29, 7.2 miles west of Spartanburg	B-21 9	Zinc
Princess Creek at Suber Mill Road, second road south of US 29 off S-23-540	B-192	Zinc
Reedy River at S-23-30, 3.9 miles southeast of Greenville	S-01 3	Chromium
Reedy River at S-23-448, 1.75 miles southeast of Conestee	S-01 8	Chromium
Reedy River at S-23-448, 1.75 miles southeast of Conestee	S-U18	Zinc
Reedy River at Rivers Street, downtown Greenville	S-319	Zinc
Saluda River at SC 34, 6.5 miles east southeast of Ninety Six	S-186	Zinc
Saluda River at USGS Gauging Station, 0.5 mile below 1-20	S-298	Zinc
Savannah River at US 301, 12.5 miles southwest of Allendale	SV-118	Zinc
Six Mile Creek at S-29-54	CW-176	Zinc
Sugar Creek at SC 160, east of Fort Mill	CW-013	Chromium
Tawcaw Creek at 5-1 4-1 27, 3.2 miles south of Summerton	ST-018	Copper
Twelve Mile Creek at US Route 378	S-294	Zinc
Wateree River 1.6 miles, US confluence with Congaree River	CW-222	Copper
Wildcat Creek at 3-46-998, 9 miles east northeast of McConnells	CW-096	Chromium

My *staff* and I have reviewed the proposed § 303(d) list modifications. We concur with the Bureau's position that these waterbodies attain the applicable water quality standards for the indicated pollutants of concern. At this time, Region 4 concludes that these § 303(d) listings are appropriate candidates for delisting actions by the State.

EPA Region 4 agrees that the State has documented that these waterbodies are not water quality limited segments still requiring TMDLs for the particular causes listed above. The State may proceed to make National Pollutant Discharge Elimination System (NPDES) permitting decisions based on the revised status of these receiving waters for the identified pollutants of concern. There need not be a formal revision of any list of impaired waters to make such permitting decisions.

EPA's conclusion should remain the same when the next § 303(d) list submittal and request for approval is made to EPA, unless new data and/or information indicates that the conclusions (that the waters are not water quality limited segments still requiring TMDLs for the identified pollutants) are incorrect. The State should include a reopener in any permit issued after these decisions which would allow the State to revise the permit conditions in the event that the

decisions are found to be incorrect.

The decision (that a water is not a water quality limited segment still requiring a TMDL for the identified pollutant) and documentation must be part of the fact sheet for any permit action so that the public can be aware of the State's decision regarding the water quality status of the receiving water. The State's public notice of the proposed permit action need not include notice of the revised status of the waterbody; however, such announcement might provide a useful explanation for the State's proposed permit action.

If you have any questions concerning this matter, please feel free to contact me at (404)562-9234.

Sincerely,

Gail Mitchell, Chief
Standards, Monitoring, and TMDL Branch
Water Management Division