



The Town of Summerville Stormwater Management Plan (SWMP)

Adopted July 1, 2014

200 South Main Street
Summerville, SC 29463
Telephone: (843) 871-6000
www.summerville.sc.us

Prepared in accordance with SCDHEC Permit #SCR030000

CERTIFICATION OF STORMWATER MANAGEMENT PLAN

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Name (Print)

Title

Signature

Date

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- Appendix G: Contract with Dorchester County for MMs# 1, 2, and 3

List of Acronyms and Abbreviations

BMP	Best Management Practice
CEPSCI	Certified Erosion Prevention and Sediment Control Inspector
CSR	Construction Site Runoff
ERP	Enforcement Response Plan
EPA	Environmental Protection Agency
IDDE	Illicit Discharge Detection and Elimination
IECA	International Erosion Control Association
MEP	Maximum Extent Practicable
MCM	Minimum Control Measure
MS4	Municipal Separate Storm System
NPDES	National Pollutant Discharge Elimination System
NOI	Notice of Intent
PP&GH	Pollution Prevention and Good House Keeping
PCR	Post Construction Runoff
PEO	Public Education and Outreach
PIP	Public Involvement and Participation
SMS4	Small Municipal Separate Storm System
SCDHEC	South Carolina Department of Health and Environmental Control
SOP	Standard Operating Procedure
SWMP	Stormwater Management Plan
SWP3	Storm Water Pollution Prevention Plan
TMDL	Total Maximum Daily Load

The Town of Summerville

NPDES Stormwater Management Plan (SWMP)

1.0 Introduction

This Stormwater Management Plan (SWMP) is designed to reduce the discharge of pollutants from the Town of Summerville's Municipal Separate Storm Sewer System (MS4) to the maximum extent practicable, to protect water quality and to satisfy the appropriate requirements of the Clean Water Act. The contents are expected to change with time due to the iterative process of developing the SWMP recognized by the Environmental Protection Agency (EPA) and the South Carolina Department of Health and Environmental Control (SCDHEC). EPA predicts that it will likely take two to three SMS4 general permit terms (5-year terms) to fully develop and implement the SWMP. The first permit term focused heavily on data collection, organization, development of necessary programs, and initial implementation. During the current second SMS4 general permit cycle, the SWMP will need to be amended based on the observed effectiveness of existing plan components and to address the terms and conditions of the new permit. This document is meant to be a living document that will be reviewed and revised on an annual basis to reflect accomplishments, revisions to plan components, and additions of other or expanded efforts.

This SWMP addresses the requirements of the NPDES General Permit for Discharges from Regulated Small MS4s; Permit No. SCR030000, effective January 1, 2014 and expiring December 31, 2018. Specific language from the SMS4 general permit has been copied and pasted into this SWMP for consistency. The section numbers used in this SWMP correspond with the general permit section numbers.

Updates to the SWMP will be included in Appendix B.

2.0 Notice of Intent (NOI) Information

The following information is applicable to the Town of Summerville.

Table 1: NOI Information

General Permit Section	NOI Requirement	Description
2.2.1 INFORMATION ON THE PERMITTEE:		
2.2.1.1	Name of Municipality:	The Town of Summerville
	Mailing Address:	Russell W. Cornette Public Works Director Town of Summerville 200 South Main Street Summerville, SC 29483
	Telephone Number:	843-851-4226
2.2.1.2	Public Entity Type:	Town
2.2.2 INFORMATION ON THE SMS4:		
2.2.2.1	Map of [SMS4 Area]:	<p><u>SMS4 Location:</u> MS4 Regulated Area</p> <p><u>SMS4 Center Coordinates:</u> Latitude: N33° 01.05' Longitude: W80° 10.34'</p> <p><u>SMS4 Urbanized Area:</u> Approximately 18 square miles</p> <p>See Appendix A for Town of Summerville Urbanized Area Map.</p>
2.2.2.2	Major Receiving Waters:	Ashley River**, Chandler Bridge Creek, Coosaw Creek, Dorchester Creek**, Eagle Creek*, Hurricane Branch, Negro Branch, Platts Branch, Rumphs Hill Creek, Sawmill Branch**
2.2.2.3	Indian Lands:	No portion of Town of Summerville's MS4 is located on Indian Country Lands.
2.2.2.4	List of MS4s Operating within Town of Summerville's SMS4 Area:	<p>The following entities operate a small separate storm sewer system within the regulated SMS4 area of Town of Summerville.</p> <p><u>Highway Departments:</u></p> <ul style="list-style-type: none"> • SCDOT

General Permit Section	NOI Requirement	Description
2.2.2.5	Other Governmental Entities:	<p><u>Dorchester County:</u> Responsible for Implementing and managing Minimum Control Measures 1, 2, and 3 for the Town of Summerville under the NPDES Permit. The Town and County are in an Intergovernmental Local Agreement that states this.</p> <p><u>Clemson University Cooperative Extension Service:</u> Responsible for implementing Minimum Control Measures 1 and 2 of the NPDES program. The County and Town are members of the Ashley Cooper Stormwater Education Consortium (ACSEC). The County pays the Towns annual fee to participate in the ACSEC.</p>
2.2.2.6	BMP Information:	See Section 4.0 for a discussion of the BMPs for each minimum measure. Each minimum measure contains all available information on the BMPs that are to be implemented, their measurable goals, a schedule for their implementation, and the person(s) responsible.

*Listed on the CWA §303(d) list; **Allocated a TMDL

3.0 Special Conditions Applicable to Permitted Stormwater Discharges to Sensitive Waters

The SMS4 general permit requires that the Town of Summerville determine whether its systems discharge to sensitive waters. For the purpose of the permit, sensitive waters are waters:

- With a Total Maximum Daily Load (TMDL) developed and approved, or established by EPA,
- Included in the most recent SCDHEC Section 303(d) impaired waters list,
- Pursuant to DHEC Water Classifications & Standards (R.61-68) and Regulations (R.61-69) classified as either:
 - Outstanding National Resource Waters (ONRW)
 - Outstanding Resource Waters (ORW)
 - Trout Waters, or
 - Shellfish Harvesting Waters (SFH), and
- In Source Water Protection Areas (SWPA).

3.1 Determination of Receiving Water Conditions and Impacts

The SMS4 general permit requires the Town of Summerville to determine whether their SMS4 discharges to receiving waters within a TMDL watershed or on the most recent SCDHEC

Section 303(d) impaired waters list. To meet this permit requirement, the Town of Summerville has collected information from SCDHEC on the location of existing TMDLs and impaired waters, as determined from results of the State’s monitoring program, that could potentially be impacted by discharges from the Town of Summerville’s SMS4. Tables 2 and 3 in the sections below provide a list of approved TMDLs and the impaired waterbodies on the 2012 303(d) list that the Town of Summerville’s SMS4 contributes to, either directly or indirectly.

3.2 TMDL Monitoring and Assessment

In compliance with Section 3.2.1 of the SMS4 general permit, TMDL monitoring and assessment plans will be developed for all TMDL waters receiving SMS4 discharges of pollutant(s) of concern, except where Section 3.1.1.2 of the SMS4 general permit is applicable. For TMDLs existing before the effective date of permit coverage, TMDL monitoring and assessment plans will be completed, submitted to SCDHEC, and appended to this SWMP within 12 months of the effective date of permit coverage. For newly established TMDLs, the Town of Summerville will complete a TMDL monitoring and assessment plan within 12 months of the effective date of the TMDL. As completed, TMDL monitoring and assessment plans will be submitted to SCDHEC and attached to this SWMP in Appendix C. Sampling will be initiated within 18 months of the effective date of permit coverage for TMDLs existing before the effective date of permit coverage. For newly established TMDLs, the Town of Summerville will initiate sampling within 18 months of the effective date of TMDL.

A list of waterbodies within the Town of Summerville’s regulated MS4 area, and/or which the Town of Summerville’s MS4 area drains to, can be found in Table 2. In addition to the approved TMDLs, the Wando River is included on this list because it was under development by DHEC at the time of this SWMP update.

Table 2: List of Approved TMDLs

TMDL Watershed	Pollutant of Concern	Monitoring Stations	Effective Date
Ashley-Cooper-Wando-Charleston Harbor	Dissolved Oxygen	CSTL-102*, RT-032046*	2002 (Original) 2013 (Revision)
Sawmill Branch - Dorchester Creek	Fecal Coliform	CSTL-013, CSTL-043	2003

*Station not located inside the Town of Summerville’s Urbanized Area

3.3 TMDL Implementation and Analysis

In compliance with Section 3.3.2 of the SMS4 general permit, TMDL implementation and analysis plans will be developed for all TMDL waters receiving SMS4 discharges of pollutant(s) of concern, except where Section 3.1.1.2 of the SMS4 general permit is applicable. TMDL implementation and analysis plans will be completed and submitted to SCDHEC within 48

months from the effective date of permit coverage, or, for TMDLs established after the effective date of permit coverage, within 48 months of the effective date of the TMDL.

3.4 Discharges to Impaired Waterbodies

For discharges to Impaired Waterbodies, protection will be provided through BMP applications conducted through implementation of the minimum control measures in section 4.2. The BMP implementation strategies will not cause or contribute to violations of water quality standards in water bodies with impaired monitoring stations.

A list of all impaired water bodies receiving discharges from the Town of Summerville SMS4 can be found in the Table 3 below.

Table 3: 2012 303(d) List of Impaired Stations within the Town of Summerville’s SMS4 Area and/or that the SMS4 Area Drains Into

Basin	Station Description	Station	Pollutant of Concern	Projected TMDL Date
Santee	Sawmill Branch at SC 78 E of Summerville	CSTL-043	DO	2024
Santee	Dorchester Creek at SC 165	CSTL-013	DO, PH	2024, 2021
Santee	Eagle Creek at SC 642 5 MI SSE of Summerville	CSTL-099	FC*, NH3N	2013*, 2022
Santee	Ashley River At Dorchester State Park	CSTL-560	DO	2025
Santee	Ashley River 1.8 MI NW Runnymede Plantation	RT-032046	FC*	2013*
Santee	Ashley River at Magnolia Gardens	MD-049	TURBIDITY, FC	2022

*TMDL to be developed within two years

3.5 Discharges to Classified Waters

The Town of Summerville does not discharge to any classified waters.

3.6 Discharges to Source Water Protection Areas

The Town of Summerville is not aware of any discharges to Source Water Protection Areas.

4.0 Stormwater Management Plan (SWMP)

Table 4: SWMP Requirements

SWMP REQUIREMENTS			
Develop and Implement SWMP	Not Started: <input type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input checked="" type="checkbox"/>		
	Section: 4.1.2		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Revise and update written SWMP document and submit the SWMP to SCDHEC Bureau of Water.	Deadline: July 1, 2014	Once	Town of Summerville -
Update Stormwater Management Ordinance	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.1.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Review and revise the Stormwater Management Ordinance, or adopt any new ordinances or other regulatory mechanisms that provide adequate legal authority to control pollutant discharges into and from the SMS4, and to meet the requirements of the SMS4 general permit.	Deadline: December 31, 2014	Once	Town of Summerville -
Enforcement Response Plan (ERP)	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.1.5		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop & Implement an enforcement response plan (ERP).	Deadline: December 31, 2014	Once	Town of Summerville
Update Stormwater Management Plan	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.1.10		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Review and revise the SWMP document to keep it up to date during the term of the permit.	Throughout the Permit Term	Annually	Town of Summerville

4.1.1 Requirements of the NPDES SMS4 General Permit

The Town of Summerville will implement this SWMP to reduce the discharge of pollutants from its SMS4 to the maximum extent practicable to protect water quality.

4.1.2 SWMP Development

The Town will revise and update the written SWMP document and submit the SWMP to SCDHEC Bureau of Water by July 1, 2014.

4.1.3 Contents of the SWMP

At a minimum, the Town must include ordinances, or other regulatory mechanisms, providing the legal authority necessary to implement and enforce the requirements of the SMS4 general permit. See Appendix D for the Town of Summerville's Stormwater Management Ordinance. By January 1, 2015, the Town will review and revise the Stormwater Management Ordinance, or adopt any new ordinances or other regulatory mechanisms that provide adequate legal authority to control pollutant discharges into and from the SMS4, and to meet the requirements of the SMS4 general permit.

4.1.4 Requirement to Develop Adequate Legal Authority

At a minimum the legal authority will address the following:

- Authority to Prohibit Illicit Discharges
- Determination of Allowable Non-Stormwater Discharges
- Authority to Prohibit Spills or Other Releases
- Authority to Require Compliance
- Authority to Require Installation, Implementation, and Maintenance of Control Measures
- Authority to Receive and Collect Information
- Authority to Inspect
- Response to Violations
- Monetary Penalties
- Civil/Criminal Penalties
- Interagency Agreements (if applicable)

A certification statement has been included in this SWMP that certifies the Town of Summerville has taken the necessary steps to obtain and maintain full legal authority to implement and enforce each of the requirements contained in the NPDES SMS4 general permit (see Page i).

4.1.5 Enforcement Measures and Tracking

The Town will implement an Enforcement Response Plan (ERP) by January 1, 2015, and revise as necessary. The ERP outlines the Town of Summerville's potential responses to violations and addresses repeat and continuing violations through progressively stricter responses as needed to achieve compliance.

4.1.5.2 Enforcement Tracking - The Town will track instances of non-compliance either in hard-copy files or electronically.

4.1.5.3 Recidivism Reduction - The Town will summarize inspection results by consuetudinary violators and include incentives, disincentives, or an increased inspection frequency at the operator's sites.

4.1.6 Report Requirements

The Town of Summerville will at a minimum submit the following information in the report (See Section 5.3 for details).

-
- The status of implementing the components of the SWMP that are established as permit conditions;
 - Proposed changes to the SWMP that are established as permit conditions;
 - Revisions, if necessary, to the assessment of controls and the fiscal analysis, including a description of staff resources necessary to meet the requirements of the permit;
 - A summary of data, including monitoring data, that is accumulated throughout the reporting year; and,
 - A summary describing the number and nature of enforcement actions, inspections, and public education programs.

4.1.7 SWMP Minimum Control Measure Requirements

The Town of Summerville SWMP will include the following information for each of the six minimum control measures (MCM) described in Section 4.2 of this SWMP in detail:

- Best management practices (BMP) that the Town or another entity will implement for each of the MCM;
- Measurable goals for each of the BMP including, as appropriate, the months and years in which the Town will undertake required actions, including interim milestones and the frequency of the action; and,
- Person, or persons, responsible for implementing or coordinating the BMP for the Town's SWMP.

4.1.10 SWMP Modifications

SCDHEC Bureau of Water may notify the Town of Summerville of the need to modify the SWMP document to be consistent with the permit, in which case the Town of Summerville will have 90 days to finalize such changes to the plan.

The Town of Summerville will keep the SWMP document up to date during the term of the permit. Where the Town of Summerville determines that Ordinance modifications are needed to address any procedural, protocol, or programmatic change, such changes must be made as soon as practicable, but not later than 360 days.

4.2 Minimum Control Measures

In compliance with SMS4 general permit requirements; this SWMP includes a description of the six minimum control measures (MCMs) and details on the development and implementation of the plan to address MCM requirements. The details on each minimum measure include the measurable goals for each proposed BMP, the responsible departments and staff to implement the BMP, and the implementation schedule for the BMP (i.e. start date, frequency of activities, etc.)

4.2.1 Public Education and Outreach (Minimum Measure #1)

4.2.1.1 Minimum Measure #1 Permit Requirements

In order to meet the requirements of Minimum Measure #1, the Town of Summerville has partnered with Dorchester County and Clemson University/Carolina Clear to focus on the development and implementation of educational programs designed to inform the public about the impacts that stormwater discharges could have on local waterbodies and the steps that the public can take to reduce pollutants in stormwater runoff. The Town of Summerville intends to work in cooperation with Dorchester County and Clemson University/ Carolina Clear in order to efficiently reach as many citizens as economically possible through public education and outreach efforts.

Table 5: Minimum Measure #1 Permit Requirements

4.2.1.1.1	Identify the pollutant(s) of concern (POC) within the City of Summerville's watershed area(s).
4.2.1.1.2	Analyze the POC(s) listed, above, to be targeted.
4.2.1.1.3	Initiate a planning process that defines the goals and objectives of the program as they relate to at least three high priority community issues with potential to decrease the POC's effect on water quality.
4.2.1.1.4	Identify and analyze audience(s) that is believed to have an influence on the POC identified and that is believed to have an influence on the goals and objectives identified.
4.2.1.1.5	Create appropriate message(s) directed at the target audience(s) listed above to achieve the program goals and objectives.
4.2.1.1.6	Develop education campaign(s) and materials, as needed, to convey any messaging created in accordance with program goals and objectives and based on knowledge of the target audience(s).
4.2.1.1.7	Determine methods and process of distribution for campaign materials in accordance with a knowledgebase of the target audience(s).
4.2.1.1.8	To the MEP utilize quantitative and/or qualitative formative assessment of programs to guide and/or change the program goals and objectives and/or program activities as needed. Evaluate the effectiveness of the program.
4.2.1.1.9	Utilize public input into the development of this program to the MEP.
4.2.1.1.10	Implement the program goals and objectives identified to the MEP.
4.2.1.1.11	Assess the stormwater education/outreach program annually. Adjust education materials and the delivery of such materials to address any shortcomings found as a result of these assessments.

4.2.1.2 Minimum Measure #1 BMP Implementation

Evaluation of the success of this minimum measure will be through careful analysis of the measurable goals for each BMP included in this minimum measure.

In order to meet the requirements of Minimum Measure #1, The Town of Summerville will implement the following BMPs:

- Continue Agreement with Dorchester County and Clemson University/Carolina Clear to Implement a Public Education and Outreach Program. See Appendix G for Contract.

Table 6: Best Management Practices - Minimum Measure #1

PUBLIC EDUCATION AND OUTREACH BMPS			
Agreement with Clemson University Cooperative Extension Service - Carolina Clear	Not Started: <input type="checkbox"/> In Progress : <input checked="" type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.1.1		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Contract with Clemson University via agreement with Dorchester County to implement a public education/outreach program for the Town of Summerville.	Throughout Permit Term	Annually	Dorchester County and Clemson University/Carolina Clear
Measurable Goal:			
<ul style="list-style-type: none"> • A program that provides public education concerning water quality issues in the watershed area of the Town of Summerville. 			
Support Ashley-Cooper Stormwater Education Consortium	Not Started: <input type="checkbox"/> In Progress : <input checked="" type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.1.1.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
The Town of Summerville will support the Ashley-Cooper Stormwater Education Consortium by: participating in meetings/workshops, promoting/advertising events, distributing water quality awareness campaign items, and providing other general assistance as resources allow.	Throughout Permit Term	Annually	Dorchester County and Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • Support Ashley-Cooper Stormwater Education Consortium. 			

4.2.2 Public Involvement/Participation (Minimum Measure #2)

4.2.2.1 Minimum Measure #2 Permit Requirements

The Town of Summerville will partner with Dorchester County and Clemson University/Carolina Clear in order to efficiently reach as many citizens as economically possible through public involvement and participation efforts. Clemson University/Carolina Clear will provide the citizens of the Town of Summerville opportunities to participate in activities and events relating to water quality preservation and water quality education.

Table 7: Minimum Measure #2 Permit Requirements

4.2.2.1.1	Create opportunities for citizens to participate in the implementation of stormwater controls.
4.2.2.1.2	Provide access to information on this SWMP.
4.2.2.1.3	Incorporate written procedures for implementing the public involvement/participation (PIP) MCM in the SWMP.

4.2.2.2 BMP Implementation

The measurable goals for each BMP for the Public Participation and Involvement minimum measure will be used to evaluate the success of each BMP. The following sections describe the components of the Town of Summerville's Public Involvement/Participation program:

In order to meet the requirements of Minimum Measure #2, the Town of Summerville will:

- Continue to implement its written procedures (Contract) with Dorchester County who uses Clemson University/Carolina Clear to Implement a Public Involvement and Participation Program. See Appendix G for Contract and written procedures.
- Provide Access to Information for the SWMP

The following sections describe the components of the Town of Summerville's Public Involvement/Participation program:

Table 8: Best Management Practices - Minimum Measure #2

PUBLIC INVOLVEMENT/PARTICIPATION BMPS			
Opportunities for Citizen Participation	Not Started: <input type="checkbox"/> In Progress : <input checked="" type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.2.1.1		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Contract with Clemson University via agreement with Dorchester County to implement a public involvement/participation program for the Town of Summerville.	Throughout Permit Term	Annually	Dorchester County, and Clemson University/Carolina Clear
Measurable Goal:			
<ul style="list-style-type: none"> A program that will provide the citizens of the Town of Summerville opportunities to participate in activities and events relating to water quality preservation and water quality education. 			
Provide Access to Information for the SWMP	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.2.1.2		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Ensure the public can easily find information about the SWMP.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> The Town of Summerville will include the SWMP on the Town's webpage. 			
Written Procedures for Implementing MCM#2	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.2.1.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop written procedures for implementing the public involvement program.	Throughout Permit Term	Annually	Dorchester County, and Clemson University/Carolina Clear
Measurable Goal:			
<ul style="list-style-type: none"> Signed Contract with Clemson University/Carolina Clear. 			

4.2.3 Illicit Discharge Detection and Elimination (Minimum Measure #3)

4.2.3.1 Minimum Measure #3 Permit Requirements

The Town of Summerville with partner with Dorchester County and will locate and eliminate illicit discharges by developing BMPs in accordance with the SMS4 general permit requirements. Priority areas will be established based on the higher likelihood of illicit connections, and outfalls located within the priority areas will be visited to check for dry weather flow. Outfalls with dry weather flow will be screened to identify potential illicit discharges. Prior to illicit tracking activities, the Town will develop illicit tracking procedures. After illicit tracking procedures have been established, illicit discharges will be tracked to a source and eliminated when possible. Illicit tracking activities will be documented for review.

Table 9: Minimum Measure #3 Permit Requirements

4.2.3.2.1	Develop storm sewer system map.
4.2.3.2.2	Identify priority areas.
4.2.3.2.3.a	Conduct field screening to detect illicit discharges.
4.2.3.2.3.b	Assess field screening to detect illicit discharges.
4.2.3.2.3.c	Notify another MS4 of an illicit discharge if illicit connection or illicit discharge is observed.
4.2.3.2.3.d	Address a notification of an illicit discharge by another operator.
4.2.3.2.3.e	Include procedures for implementing program into SWMP document.
4.2.3.2.4/5	Develop procedures for tracing the source of an illicit discharge and include the minimum investigation requirements stated in NPDES General Permit for Storm Water Discharges from Regulated SMS4, SCR03000.
4.2.3.2.6	Determine and document the source of the illicit.
4.2.3.2.7	Follow the Corrective Action plan to eliminate illicit discharges as seen in NPDES General Permit SCR030000.
4.2.3.2.8	Promote, publicize, and facilitate a reporting mechanism for the public and staff to report illicit discharges.
4.2.3.2.9	Train appropriate employees regarding illicit discharges and illicit connections.

4.2.3.2 Minimum Measure #3 BMP Implementation

In order to meet the requirements of Minimum Measure #3, the Town of Summerville has listed BMPs that focus on the detection and elimination of illicit discharges into the SMS4. In order to provide a summative document for the various IDDE permit requirements, the Town of Summerville (Dorchester County) will develop a document which includes the following

sections: map of priority areas, list of screening points in the priority area, dry weather screening procedures, illicit tracking procedures, illicit elimination procedures, and IDDE documentation procedures. Evaluation of the success of this minimum measure will be based on the level of implementation of the BMPs included in this minimum measure. The following sections describe the components of the Town’s Illicit Discharge Detection and Elimination (IDDE) program. The Town of Summerville (Dorchester County) will review and update their IDDE manual to incorporate requirements of the new SMS4 general permit (i.e. response timeframes, etc.).

In order to meet the requirements of Minimum Measure #3, the Town of Summerville (Dorchester County) will:

- Update the Storm Sewer Map
- Identify Priority Areas for Illicit Discharges
- Identify Screening Points
- Conduct Field Screening (Dry Weather Screening)
- Develop Illicit Tracking Procedures
- Conduct Illicit Tracking
- Eliminate Illicit Discharges
- Document Illicit Discharge Investigations
- Assess Field Screening Procedures
- Provide Employee Training on Illicit Discharge Identification

The following sections describe the components of the Town of Summerville’s Illicit Discharge Detection and Elimination (IDDE) program.

Table 10: Best Management Practices - Minimum Measure #3

IDDE BMPs			
Update Storm Sewer Map	Not Started: <input type="checkbox"/> In Progress : <input checked="" type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.1		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Update the storm sewer map showing the location of all outfalls and names and locations of all waters of the United States that receive discharge from those outfalls.	Throughout Permit Term	Annually	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • The storm sewer map will provide a visual means to observe the location of outfalls in relation to waters of the United States. 			

Identify Priority Areas	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.2		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Create a map and GIS layer for illicit priority areas based on the higher likelihood or illicit connections. The map will be updated Annually.	Deadline: December 31, 2014	Annually	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> The priority area map and GIS layer will be used to set the boundaries for SMS4 Dry-Weather Screening for the given permit year. 			
Develop Field Screening & Illicit Tracking Procedures	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.3a/3c/3d/4/5/7/8		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop Illicit section for the ERP Update the IDDE Manual to include: <ul style="list-style-type: none"> A description of the screening methods to be used A description of field screening equipment with respective methodologies to be used Procedures for notifying another MS4 of an illicit discharge Procedures for addressing notifications from another MS4 of an illicit discharge A map of the priority area (updated annually) A schedule for screening List of outfalls to be screened in priority area (updated annually) Field screening documentation procedures Illicit tracking procedures Illicit discharge elimination procedures Illicit discharge reporting procedures Illicit discharge documentation procedures Procedures for responding to public notices of illicit discharge Corrective action plan 	Deadline: December 31, 2014	As Needed	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> The Field Screening and Illicit Tracking procedures will provide the methodology in which outfall screening and illicit tracking will be conducted. 			

Conduct Field Screening	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.3a		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
<ul style="list-style-type: none"> Conduct dry weather flow screening at outfalls in the priority areas and at dry weather discharges. 	Deadline: December 31, 2015	Annually	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> The Field Screening activities will be used to identify potential illicit discharges. 			
Conduct Illicit Tracking	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.4/5		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
<ul style="list-style-type: none"> Conduct illicit tracking at outfalls identified as potential illicit discharges by the field screening effort. 	Deadline: December 31, 2015	Annually	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Determine source and eliminate illicit discharges. 			
Field Screening Assessment	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.3b		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
<ul style="list-style-type: none"> Create a report assessing the effectiveness of the Field Screening program by the end of permit year 3. 	Deadline: December 31, 2016	Once during permit term	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> The Field Screening Assessment document will determine the effectiveness of the program, and potentially provide recommendations for changes in field screening procedures. 			

Document Illicit Discharge Investigations	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.5/6		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Create a document for illicit discharge tracking and elimination activities to include: <ul style="list-style-type: none"> • Date(s) the illicit discharge was observed • Results of the illicit investigation • Results of any follow-up investigations; • Date the investigation was closed. • Source of illicit discharge • Documentation for unresolved illicit tracking investigations in which no source is located. 	Deadline: December 31, 2016	Annually	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • Document of Illicit Tracking and Elimination activities. 			
Develop Public Reporting Mechanism	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.8		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
<ul style="list-style-type: none"> • Develop a written spill/dumping response to promote, publicize, and facilitate a reporting mechanism for the public and staff to report illicit discharges. 	Deadline: December 31, 2016	Once	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • Provide a means for the public to report potential illicit discharges. 			
Employee Training	Not Started: <input type="checkbox"/> In Progress : <input checked="" type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.3.2.9		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
<ul style="list-style-type: none"> • Provide internal staff training for identifying potential illicit discharges. This BMP will be implemented through training for Pollution Prevention in Section 4.2.6.5. 	Deadline: December 31, 2016	Ongoing	Dorchester County / Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • Provide training to appropriate staff for identifying potential illicit discharges. 			

4.2.4 Construction Site Stormwater Runoff Control (Minimum Measure #4)

4.2.4.1 Minimum Measure #4 Permit Requirements

The Town of Summerville will revise the construction program by developing and implementing BMPs in order to meet the SMS4 general permit requirements. The Town will update appropriate design requirements, the BMP Design Manual, Stormwater Ordinance and revise the corresponding SWP3 plan review procedures. Site inspection procedures will be updated to conform to the SMS4 general permit requirements, and an enforcement response plan (ERP) will be developed to determine how the Town will use specific type of responses to address various types of violations. In addition, the Town will develop educational packets for construction operators to educate them about areas in which improvements are needed.

Table 11: Minimum Measure #4 Permit Requirements

4.2.4.4.1	Develop and implement a regulatory mechanism for erosion and sediment controls as well as sanctions to ensure compliance.
4.2.4.4.2	Develop and implement requirements for erosion and sediment controls and soil stabilization practices.
4.2.4.4.3	Develop and implement requirements for pollution prevention measures.
4.2.4.4.4	Develop and implement requirements for Stormwater Pollution Prevention Plans (SWP3).
4.2.4.4.5	Implement site plan review procedures of SWP3 that meet the requirements stated in the NPDES General Permit SCR030000.
4.2.4.4.6	Maintain an inventory of all active construction projects and inspect construction projects in accordance with the frequency stated in the NPDES General Permit SCR030000.
4.2.4.4.7	Develop an Enforcement Response Plan (ERP).
4.2.4.4.8	Ensure that the appropriate MS4 staff is trained.
4.2.4.4.9	Construction site operator and public involvement:
4.2.4.4.9.a	Develop and implement an effective communication process with construction contractors to educate them on areas in which improvements are needed and to enforce any required actions.
4.2.4.4.9.b	Implement procedures for receipt and consideration of information submitted by the public.

4.2.4.2 Minimum Measure #4 BMP Implementation

In order to meet the requirements of Minimum Measure #4, the Town of Summerville has listed BMPs that focus on the reduction of pollutants in stormwater runoff to the SMS4 from construction activities that result from a land disturbance greater than or equal to one acre, or located within ½ mile of a receiving waterbody and disturbing 0.5 acre or more. The Town of Summerville will continue existing BMPs that provide assistance and ensure compliance through routine inspections. Evaluation of the success of this minimum measure will be through careful analysis of the measurable goals for each BMP included in this minimum measure. Measurable goals for each BMP were selected by formulating attainable goals for the various BMP implementation steps or tasks. In order to meet the requirements of Minimum Measure #4, the Town of Summerville will:

- Update Pollution Prevention BMP Requirements
- Revise SWP3 Submittal & Review Requirements
- Develop SWP3 Review Procedures for Discharges to Impaired Waters
- Develop and Maintain a Construction Site and Site Inspection Inventory
- Develop/Modify Site Inspection Procedures
- Develop Section of ERP for Construction Activities
- Update the Town’s Stormwater BMP Manual
- Update the Town’s Stormwater Management Ordinance
- Construction Operator Training/Education

The following sections describe the components of the Town of Summerville’s construction site stormwater runoff control program:

Table 12: Best Management Practices - Minimum Measure #4

CONSTRUCTION SITE STORMWATER RUNOFF CONTROL BMPs			
EPSC Requirements	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.4.4.2		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Update the Storm Water Management Design Manual to include requirements for Erosion and Sediment Controls and Soil Stabilization Practices.	Deadline: December 31, 2015	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • Provide a tool to assist construction site operators to implement appropriate EPSC BMPs. 			
Pollution Prevention Requirements	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.4.4.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Update the Storm Water Management Design Manual to include requirements for Pollution Prevention Measures listed in Section 4.2.4.4.3.	Deadline: December 31, 2015	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • Provide a tool to assist construction site operators to implement appropriate Pollution Prevention BMPs. 			

Revise Plan Review Procedures	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.4.5		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
<p>Approve SWP3 that complies with the technical requirements of the effective NPDES General Permit for Storm Water Discharges from Construction Activities, SCR100000, or establish alternative technical criteria that are equally, or more, protective of water quality.</p> <p>Procedures for SWP3 review, including the review of pre-construction site plans, for construction activity that discharge pollutant(s) of concern to TMDL waters and to waters on the 303(d) List of Impaired Waters must identify potential water quality impacts the permitted discharges may have. The SWP3 shall limit sediment discharges to the MEP, and shall protect water quality.</p>	<p>Deadline: December 31, 2015</p>	<p>Once during permit term</p>	<p>Town of Summerville</p>
Measurable Goal:			
<ul style="list-style-type: none"> Revise plan review procedures. 			
Maintain Construction Site and Site Inspection Inventory	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.4.6(a)		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
<p>Maintain an inventory of all active construction projects to include information for:</p> <ul style="list-style-type: none"> Relevant contact information The size of the project Area of disturbance Number of inspections by Town of Summerville for each construction site Inspection results and enforcement activities 	<p>Deadline: December 31, 2015</p>	<p>Once during permit term</p>	<p>Town of Summerville</p>
Measurable Goal:			
<ul style="list-style-type: none"> Develop a database for construction sites to provide general site information and ensure appropriate site inspections are conducted by the construction operator. The database will be available for review upon request. 			

Develop/Modify Site Inspection Procedures	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.4.6(b-d)		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Modify the Storm Water Management Design Manual (or other document) for site inspection procedures to include: <ul style="list-style-type: none"> • Updated inspection frequency requirements • Procedures for inspecting all phases of construction • Ensuring coverage under SCR100000 • Determining if control measures have been selected, installed, implemented, and maintained according to the SWP3 • Ensuring compliance with Town of Summerville's ordinances and design manuals • Assessing the effectiveness of control measures • Addressing and documenting non-stormwater discharges • Electronic inspection documentation procedures 	Deadline: December 31, 2015	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • Modify the Town's Stormwater Management Design Manual and Ordinance for site inspection procedures that includes items listed above. 			
Develop Section of ERP for Construction Activities	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.4.7		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop enforcement responses for permit violations, SWP3 violations, and EPSC BMP installation, operation, and maintenance violations.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • Develop an enforcement response plan (ERP) to clearly identify types of violations, response to violations, and enforcement measures. 			

4.2.5 Post-Construction Stormwater Management for New Development and Redevelopment (Minimum Measure #5)

4.2.5.1 Minimum Measure #5 Permit Requirements

The post construction stormwater management program is designed to give the Town of Summerville the authority to require structural and non-structural stormwater quality BMPs on sites being developed. The Town of Summerville currently provides design requirements to control stormwater discharges from new development and redeveloped sites. The Town of Summerville will improve the post construction program by developing additional or revising existing site performance standards and ensuring post construction BMPs are inspected and maintained appropriately.

Table 13: Minimum Measure #5 Permit Requirements

4.2.5.1.	Implement a Post-Construction Stormwater Management Program.
4.2.5.2	Establish, implement, and enforce Site Performance Standards.
4.2.5.3	Implement project review, approval, and enforcement procedures for site plan review.
4.2.5.4	Ensure the long-term maintenance of post-construction stormwater control measures.
4.2.5.5	Maintain an inventory of post-construction stormwater control measures.
4.2.5.6	Inspections and Enforcement:
4.2.5.6.1	Conduct inspections of each project site covered under Part 4.2.5.2 performance standards, at least one time during the permit term.
4.2.5.6.2	Conduct post-construction inspection within 30 days of completion of construction.
4.2.5.6.3	Document inspection findings and inspection reports. Maintain records of inspection findings and enforcement actions.

4.2.5.2 Minimum Measure #5 BMP Implementation

In order to meet the requirements of Minimum Measure #5, the Town of Summerville will:

- Develop Water Quality Design Requirements
- Develop Site Performance Standards
- Revise Plan Review Checklist & Design Manual for Post Construction SWP3 Submittal Requirements
- Develop Long Term Maintenance Requirements for Post Construction BMPs
- Create Post Construction BMP Inventory
- Develop Post Construction BMP Inspection Procedures
- Conduct Initial Post Construction BMP Installation Inspections
- Conduct Post Construction BMP Maintenance and Operation Inspections
- Document Post Construction BMP Inspections

The following sections describe the components of the Town of Summerville's Post-Construction stormwater management plan:

Table 14: Best Management Practices - Minimum Measure #5

POST-CONSTRUCTION STORMWATER MANAGEMENT BMPs			
Develop Water Quality Design Requirements	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input checked="" type="checkbox"/>		
	Section: 4.2.5.1		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop post-construction program requirements to be implemented in the Storm Water Management Design Manual to control stormwater discharges from new development and redeveloped sites that disturb at least one acre and are within ½ mile of a receiving waterbody and disturb 0.5 acre or more.	Deadline: December 31, 2015	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Provide design community with design guidance for Post Construction BMPs. 			
Develop Site Performance Standards	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.5.2		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Update Storm Water Management Design Manual to include Post Construction Site Performance Standards.	Deadline: December 31, 2015	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Provide design community with performance and design standards for Post Construction BMPs. 			
Revise Plan Review Checklist for Post Construction SWP3 Submittal Requirements	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.5.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Revise the Plan Review Checklist to include SWP3 submittal requirements for Post Construction Site Performance Standards.	Deadline: December 31, 2015	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Develop SWP3 requirements for Post Construction Site Performance Standards. 			

Develop Long Term Maintenance Requirements for Post Construction BMPs	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.5.4		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Update the long term maintenance agreement form for post construction BMPs to be signed by the property owner. Develop maintenance verification process to ensure post construction BMPs are properly maintained.	Deadline: December 31, 2015	Update As Needed	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Develop a post construction BMP maintenance agreement form and a post construction BMP maintenance verification process. 			
Post-Construction BMP Inventory	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.5.5		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop an inventory of all Town permitted post-construction BMPs constructed since the effective date of permit SCR030000 (January 1, 2014).	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Update Town permitted Post-Construction BMP Inventory.	Throughout Permit Term Beginning in Year 2	Annually	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Provide an inventory of Town permitted post-construction BMPs. 			

Post-Construction BMP Inspections Program	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.5.6		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop procedures and forms for post-construction BMP installation inspections.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Conduct post-construction BMP inspections on Town permitted post-construction BMPs within 30 days of construction completion to ensure BMP is installed per approved plans.	Throughout Permit Term Beginning in Year 2	Annually	Town of Summerville
Develop procedures and forms for post-construction BMP maintenance inspections.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Conduct post-construction BMP inspections on Town permitted post-construction BMPs to ensure BMPs are maintained properly after the Town is notified through a Notice of Termination (NOT).	Throughout Permit Term Beginning in Year 2	Once during permit term	Town of Summerville
Document and maintain records of inspection findings and enforcement actions and make them available for review by the permitting authority.	Throughout Permit Term Beginning in Year 2	Annually	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Develop procedures and forms for Post-Construction BMP installation inspections and include procedures in this document. Inspect all Town permitted post-construction BMPs within 30 days of construction completion. Develop procedures and forms for Post-Construction BMP maintenance inspections and include procedures in this document. Inspect appropriate construction sites to ensure Town permitted post-construction BMPs are maintained and operating correctly. Provide documentation of Post-Construction BMP inspections. 			

4.2.6 Pollution Prevention / Good Housekeeping (Minimum Measure #6)

4.2.6.1 Minimum Measure #6 Permit Requirements

In order to meet the requirements of Minimum Measure #6, the Town of Summerville will implement a range of BMPs targeted to reduce pollutants from Town-Owned facilities and storm sewer systems. A Town wide inventory of major municipal facilities will be developed, and each facility will be assessed for the potential pollutant discharges. Based on the assessment, a list of high priority facilities will be developed, and annual inspections will be conducted at the high priority facilities. The Town of Summerville will prioritize their owned and /or operated stormwater management systems and implement a maintenance schedule. All Town-Owned structural controls (stormwater BMPS) will be inspected and maintained. In addition, the Town will develop a set of pollution prevention measures for operation and maintenance activities. The Town of Summerville will provide training to appropriate employees to ensure pollution prevention and good housekeeping activities are practiced throughout the Town's separate departments.

Table 15: Minimum Measure #6 Permit Requirements

4.2.6.1	Develop a municipal facility and stormwater control inventory.
4.2.6.2.1	Develop a comprehensive assessment of pollutant discharge potential.
4.2.6.2.2	Identify high priority facilities.
4.2.6.2.3	Document comprehensive assessment results.
4.2.6.3	Perform annual comprehensive inspections of high priority facilities.
4.2.6.4	Storm Sewer System Maintenance Activities - MS4 Maintenance:
4.2.6.4.1	Prioritize and implement a maintenance schedule for MS4 owned and operated catch basins.
4.2.6.4.2	Develop pollution prevention measures for operation and maintenance activities that will reduce the discharge of pollutants in stormwater.
4.2.6.4.3	Inspect and maintain municipally-owned and/or maintained structural stormwater controls.
4.2.6.5	Develop an annual employee training program for appropriate employees involved in implementing pollution prevention and good housekeeping practices.
4.2.6.6	Provide oversight of contractor activities to ensure that contractors are using appropriate control measures and procedures. Contractors must be contractually required to comply with all of the SMS4 stormwater control measures, good housekeeping practices, and facility-specific stormwater management procedures.

4.2.6.2 Minimum Measure #6 BMP Implementation

In order to meet the requirements of Minimum Measure #6, the Town of Summerville will:

- Develop a Municipal Facility Inventory
- Conduct Assessment of Non-Permitted Municipal Facility & Identify High Priority Facilities
- Conduct High Priority Facility Inspections
- Prioritization Stormwater Management Systems/Structures
- Develop and Implement Pollution Prevention Measures for Operation and Maintenance Activities
- Inspect and Maintain Town-Owned Structural Controls (stormwater BMPs)
- Conduct Pollution Prevention and Good House Keeping Employee Training

The following sections describe the components of the Town of Summerville’s pollution prevention/good housekeeping for municipal operations program:

Table 16: Best Management Practices - Minimum Measure #6

POLLUTION PREVENTION / GOOD HOUSEKEEPING BMPS			
Municipal Facility Inventory	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.6.1		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop an inventory of all Town-owned facilities and stormwater controls that are not covered under a separate NPDES permit. In addition, include a list of all municipally owned facilities that are covered under a separate NPDES permit.	Deadline: December 31, 2014	Once during the permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • An inventory of non-permitted municipal facilities. 			
<ul style="list-style-type: none"> • A list of all municipally owned facilities that are covered under a separate NPDES permit. 			

Assessment of Non-Permitted Municipal Facilities		Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>	
		Section: 4.2.6.2	
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Conduct a GIS analysis based on type of facility/use, locations to waterbody, Town owned BMPs to rank Town facilities.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Based on the results of the GIS analysis, identify high priority facilities.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Create a site evaluation checklist that will be used to conduct an assessment of all facilities.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Conduct facility site inspections with evaluation checklist at each facility identified in the inventory from Section 4.2.6.1.	Deadline: December 31, 2018	Once during permit term	Town of Summerville
Document results of facility evaluations.	Deadline: December 31, 2018	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • A GIS analysis to identify potential high priority facilities. 			
<ul style="list-style-type: none"> • A site evaluation checklist for facility assessment. 			
<ul style="list-style-type: none"> • Conduct inspections at municipal facilities and complete site evaluation checklist. 			
<ul style="list-style-type: none"> • Documentation of site evaluation checklists. 			
<ul style="list-style-type: none"> • A list of high priority facilities. 			
Conduct High Priority Facility Inspections		Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>	
		Section: 4.2.6.3	
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Create a high priority inspection report template with sections for identified deficiencies and corrective action taken for each site inspection.	Deadline: December 31, 2015	Once during permit term	Town of Summerville
Conduct annual facility site inspections including evaluations of potential “pollutant generating” areas.	Throughout Permit Term Beginning in Year 3 (January 1, 2016)	Annual	Town of Summerville
Document inspection reports.	Deadline: December 31, 2018	Annual	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> • A high priority facility inspection report form. 			
<ul style="list-style-type: none"> • Conduct annual inspections and determine potential “polluting generating” areas at high priority facilities. 			
<ul style="list-style-type: none"> • Documentation of facility inspection report forms. 			

Prioritization of Stormwater Management Systems/Structures	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.6.4.1		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Prioritize storm water management systems / structures and implement a maintenance schedule.	Deadline: December 31, 2015	Once during permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Create a maintenance schedule based on the prioritization of the storm water management systems / structures 			
Develop Pollution Prevention Measures for Operation and Maintenance Activities	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.6.4.2		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Develop a written set of pollution prevention measures for municipal operation and maintenance activities.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Implement pollution prevention measures for municipal operation and maintenance activities.	Deadline: June 1, 2015	Throughout permit term	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> Create a set of pollution prevention measures for municipal operation and maintenance activities. 			
Inspect and Maintain Town Owned Structural Controls	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.2.6.4.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Create a structural control inspection and maintenance form.	Deadline: December 31, 2014	Once during permit term	Town of Summerville
Conduct inspections for City-Owned structural controls.	Ongoing	Annually	Town of Summerville
Perform necessary maintenance for City-Owned structural controls.	Ongoing	Annually	Town of Summerville
Measurable Goal:			
<ul style="list-style-type: none"> A structural control inspection and maintenance form. Conduct inspections for City-Owned structural controls. Conduct maintenance for City-Owned structural controls. Documentation of completed inspection and maintenance forms. 			

Pollution Prevention and Good Housekeeping Employee Training		Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
		Section: 4.2.6.5		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party	
Develop an annual employee training program for appropriate employees involved in implementing pollution prevention and good housekeeping practices. Include training for IDDE.	Deadline: December 31, 2014	Once during permit term	Town of Summerville	
Conduct pollution prevention and good housekeeping training.	Start-up deadline: January 1, 2015	Annually	Town of Summerville	
Create a list of employees that have been identified for pollution prevention training.	Deadline: December 31, 2014	Annually	Town of Summerville	
Measurable Goal:				
<ul style="list-style-type: none"> Conduct employee training. 				

4.5 Reviewing and Updating Storm Water Management Plans

Table 17: Reviewing and Updating SWMP

SWMP REQUIREMENTS			
Update Storm Water Management Plan	Not Started: <input type="checkbox"/> In Progress : <input checked="" type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.5.1 & 4.5.2		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Review and revise the SWMP document to keep it up to date during the term of the permit.	Deadline: December 31, 2018	Annually	Town of Summerville
Storm Water Management Plan Updates Required by SCDHEC	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 4.5.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
SCDHEC requested changes to the SWMP.	Deadline: December 31, 2018	As Required	Town of Summerville

This SWMP is a living document and will be updated and revised throughout the permit term. In accordance with Section 4.5.2 of the SMS4 general permit, additions (but not subtracting or replacing) components to the SWMP will be made at any time with a written notification made to SCDHEC.

Any changes intended to replace an ineffective or unfeasible BMP with an alternate BMP will be requested and submitted in written form to SCDHEC at any time. Unless denied SCDHEC, changes proposed in accordance with the criteria below will be deemed approved and may be implemented sixty (60) days from submittal of the request. If request is denied, SCDHEC will send the Town of Summerville a written response giving a reason for the decision. The modification requests must include the following:

- An analysis of why the BMP is ineffective or infeasible (including cost prohibitive),
- Expectations on the effectiveness of the replacement BMP, and
- An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.

Additionally, SCDHEC may request the Town of Summerville to make changes to the SWMP at any time to:

- Address documented impacts on receiving water quality caused, or contributed to, by discharges from the SMS4;
- Include more stringent requirements necessary to comply with new Federal statutory or regulatory requirements; or
- Include such other conditions deemed necessary by the Department to comply with the goals and requirements of the Clean Water Act.

- Changes requested by SCDHEC must be made in writing, set forth the time schedule for the Town to develop the changes, and offer the Town the opportunity to propose alternative plan changes to meet the objective of the requested modification. All changes required by SCDHEC will be made in accordance with South Carolina Water Pollution Control Permits Regulation 61-9 124.5, 122.62, or as appropriate 122.63.

5.3 Reporting

Table 18: Reporting

REPORTING			
1st Report	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 5.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Complete and Submit 1 st Report (covering years 1 and 2)	Deadline: April 01, 2016	Once	Summerville CPW
2nd Report	Not Started: <input checked="" type="checkbox"/> In Progress : <input type="checkbox"/> Completed: <input type="checkbox"/>		
	Section: 5.3		
Milestone(s)	Schedule/Deadline	Frequency	Responsible Party
Complete and Submit 2 nd Report (covering years 3 and 4)	Deadline: July 4, 2018	Once	Summerville CPW

Unless DHEC requires more frequent reports, reports will be submitted based on the following schedule:

1. The first report covering years 1 and 2 must be submitted to the Department twenty-seven (27) months after the effective date of the permit.
2. The following report, covering years 3 and 4 shall be submitted 180 days before the permit expiration date as part of the renotification.
3. While, and if the expired permit is continued, Reports are due every year on the anniversary date of the expired permit.

All reports shall be sent to the address below unless the Department instructs permittees to submit via alternate mechanisms (i.e. electronic mechanisms):

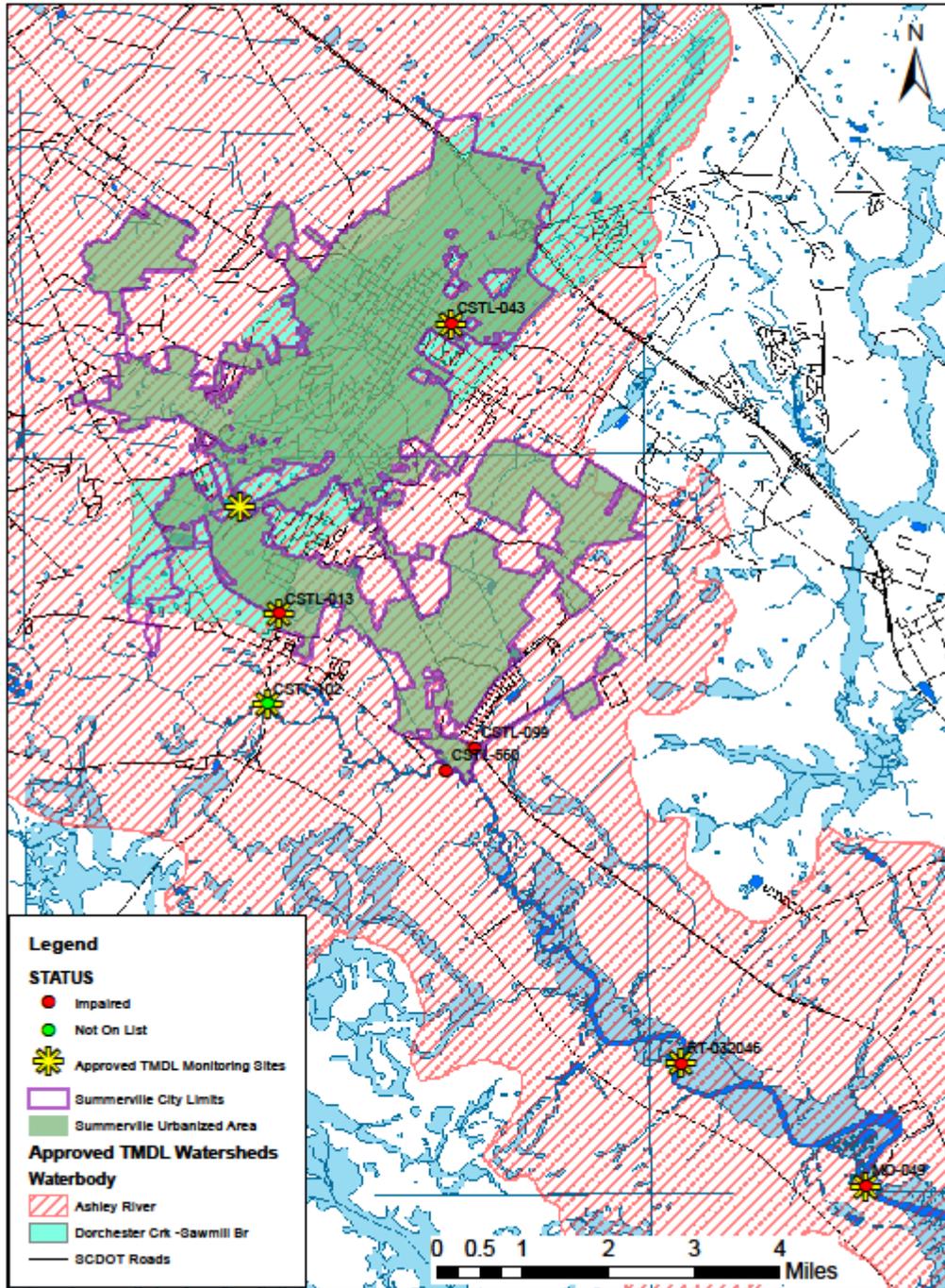
SCDHEC Bureau of Water
Water Pollution Compliance & Enforcement
2600 Bull Street
Columbia, SC 29201-1708

All reports will include:

- The status of the Town's compliance with permit conditions, an assessment of the appropriateness of the identified BMP under Part 4, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, and the measurable goals for each of the minimum control measures;
- Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the plan at reducing the discharge of pollutants to the MEP;
- A summary of the storm water activities the Town plans to undertake during the next reporting cycle (including an implementation schedule);
- Proposed changes to the Town's SWMP, including changes to any BMP or any identified measurable goals that apply to the plan elements; and
- Notice that the Town is relying on another entity to satisfy some of the Town's SMS4 general permit obligations (if applicable).
- Information requested in the SMS4 general permit including, but not limited to: sections 1.4.7, 3.1.1.1, 3.2.1.1, 3.2.1.2.2, 3.3.6, 4.1.6 and in the additional conditions applicable to NPDES MS4 permits contained in Appendix B of the SMS4 general permit.

Appendix A
The Town of Summerville
Urbanized Area

The Town of Summerville Urbanized Area



Appendix B
The Town of Summerville
SWMP Updates

Appendix C
The Town of Summerville
TMDL Monitoring and Assessment Plans

Appendix D
The Town of Summerville
Stormwater Management Ordinance

Summerville, South Carolina, Code of Ordinances >> - CODE OF ORDINANCES >> **Chapter 22 - STORMWATER MANAGEMENT >> ARTICLE II. - STORMWATER QUALITY MANAGEMENT >>**

ARTICLE II. - STORMWATER QUALITY MANAGEMENT

[Sec. 22-20. - Definitions and synopses of referenced regulations.](#)

[Sec. 22-21. - General provisions.](#)

[Sec. 22-22. - Organization and administration.](#)

[Sec. 22-23. - Stormwater control.](#)

[Sec. 22-24. - Detection and removal of illicit connections and discharges and improper disposal.](#)

[Sec. 22-25. - Monitoring and inspections.](#)

[Sec. 22-26. - Enforcement, penalties, and abatement.](#)

[Sec. 22-27. - Variances.](#)

[Sec. 22-28. - Charges and fees.](#)

Sec. 22-20. - Definitions and synopses of referenced regulations.

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Best management practices means stormwater management practices that have been demonstrated to effectively control movement of pollutants, prevent degradation of soil and water resources, and that are compatible with the planned land use.

Clean Water Act means the Federal Water Pollution Control Act, as amended, codified at 33 U.S.C § 1251 et. seq.

Concept plan means a preliminary version of the stormwater plan, illustrating the general intent of the proposed development including, but not limited to, the layout of physical improvements, existing site conditions, layout of all stormwater management facilities, location and description of planned BMPs, and phasing plan (if planned).

County means Dorchester County, South Carolina.

County council means the elected officials of Dorchester County, South Carolina.

Critical urbanized area means that land within the town and designated as an "urbanized area" having a small municipal separate storm sewer system (MS4) and having a geographical boundary as defined by the most current NPDES Phase II Regulations.

Department of planning and development means the planning and development director or any duly authorized representatives.

Development or develop land means any of the following actions undertaken by any person, including, without limitation, any public or private individual or entity:

- (1) Division of a lot, tract, or parcels, or other divisions by plat or deed with the intent of construction of a residential or commercial structure(s).

- (2) The construction, installation, or alteration of a structure, impervious surface or drainage facility.
- (3) Clearing, scraping, grubbing or otherwise significantly disturbing the soil, vegetation, mud, sand or rock of a site.
- (4) Adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging, or otherwise disturbing the soil, vegetation, mud, sand or rock of a site.

Disconnected impervious areas or *disconnected impervious surfaces* means those impervious areas or impervious surfaces which produce stormwater runoff that discharges through or across a nonimpervious area or surface (i.e. vegetated cover), of sufficient width to reduce or eliminate pollutants associated with stormwater runoff, prior to discharge to the stormwater system.

Environment means the complex of physical, chemical, and biotic factors that act upon an ecological community and ultimately determine its form and survival.

Illicit connection means a connection to the town stormwater system, which results in a discharge that is not composed entirely of stormwater runoff except discharges pursuant to an NPDES permit.

Illicit discharge means any activity which results in a discharge to the Town of Summerville Stormwater System or receiving waters that is not composed entirely of stormwater except; (a) discharge pursuant to an NPDES permit; and (b) other allowable discharges as defined in this article.

Impervious coverage or *impervious surface* means those surfaces that can not effectively infiltrate rainfall (i.e. building rooftops, pavements, sidewalks, driveways, etc.), and that is not constructed using pervious pavement technology.

Improper disposal means any disposal other than through an illicit connection that result in an illicit discharge, including, but not limited to, the disposal of used oil and toxic materials resulting from the improper management of such substances.

Industry or *enterprise* means an organization created for business venture.

Land disturbance means the use of land by any person that results in a change in the natural vegetated cover or topography, including clearing that may contribute to or alters the quantity and/or quality of stormwater runoff.

Land-disturbing activity means any use of the land by any person that results in a change in the natural cover or topography that may cause erosion and contribute to sediment and alter the quality and quantity of stormwater runoff.

Maintenance means any action necessary to preserve stormwater management facilities in proper working condition, in order to serve the intended purposes set forth in this article and to prevent structural failure of such facilities.

Major subdivision means a subdivision of greater than ten lots as defined in current Dorchester County Ordinances.

Major violation means any action (knowingly or otherwise) that creates or has the potential to create an adverse impact due to flooding or water quality impairment to more than one property, as a result of nonconformance with the stormwater management ordinance.

Minor subdivision means a subdivision of ten lots or less as defined in current Town of Summerville Ordinances.

Minor violation means any action (knowingly or otherwise) that creates or has the potential to create an adverse impact due to flooding or water quality impairment to an adjacent property or the property owner's own facilities, as a result of nonconformance with the stormwater management ordinance.

Modeling plan means a submittal of documents, calculations, data, and results demonstrating the attainment of a specified water quality performance standard. The submittal shall include the following, but not necessarily be limited to: an explanation of the analysis approach, identification of pollutants or indicators and relationships thereof, description of model methodology, expected range of accuracy in result prediction, and sources of all data to be used for modeling.

MS4 means municipal separate stormsewer system.

Natural resources means land, fish, wildlife, biota, air, water, groundwater, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the federal, state or local government, any foreign government, any Indian tribe, or, if such resources are subject to a trust restriction on alienation, any member of an Indian tribe.

NPDES means National Pollutant Discharge Elimination System (see "Clean Water Act").

NPDES permit means the NPDES permit for stormwater discharges issued pursuant to the Clean Water Act and the Federal Stormwater Discharge Regulations (40 CFR 122.26).

Outfall means the point where the Town of Summerville Stormwater System discharges to waters of the United States.

Person means any and all persons, natural or artificial and includes any individual, association, firm, corporation, business trust, estate, trust, partnership, two or more persons having a joint or common interest, state or federal or an agent or employee thereof, or any other legal entity.

Pollutant means those manmade or naturally occurring constituents that when introduced to a specific environment creates undesirable effect. Typical pollutants found in stormwater include, but are not limited to, sediment (suspended and dissolved), nutrients (nitrogen and phosphorus), oxygen demanding organic matter, heavy metals (iron, lead, manganese, etc.), bacteria and other pathogens, oil and grease, household hazardous waste (insecticide, pesticide, solvents, paints, etc.) and Polycyclic Aromatic Hydrocarbons (PAHs).

Property owner or *owner* means the legal or beneficial owner of land, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, or long-term or commercial lessee, or any other person or entity holding proprietary rights in the property or having legal power of management and control of the property.

Receiving waters means all natural water bodies, including oceans, salt and freshwater marsh areas, lakes, rivers, streams, ponds, wetlands, and groundwater which are located within the jurisdictional boundaries of the Town of Summerville. Stormwater management ponds, wetlands, ditches, and swales constructed for the sole purpose of controlling and treating stormwater are excluded.

Regulation means any regulation, rule or requirement prepared by the town, and adopted by the town council pursuant to this article.

Riparian areas means vegetated ecosystems along a waterbody through which energy,

materials, and water pass. Riparian areas characteristically have a high water table and are subject to periodic flooding and influence from the adjacent waterbody. These systems encompass wetlands, uplands, or some combination of these two land forms. They will not in all cases have all of the characteristics necessary for them to be classified as wetlands.

Stormwater means stormwater runoff, snowmelt runoff, and surface runoff and drainage.

Stormwater management means the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner to meet the objectives of this article and its terms, including, but not limited to, measures that control the increased volume and rate of stormwater runoff and water quality impacts caused by manmade changes to the land.

Stormwater management facilities means the conveyance or system of conveyances (including roads with drainage systems, highways, right-of-way, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, storm drains, detention ponds, and other stormwater facilities) which is; (a) designed or used for collecting or conveying stormwater; (b) not a combined sewer system; and (c) not part of a publicly owned treatment works (POTW).

Stormwater management plan or "*SWMP*" means the set of drawings and other documents that comprise all of the information and specifications for the programs, drainage systems, structures, BMPs, concepts, and techniques for the control of stormwater and which is incorporated as part of the NPDES permit for Town of Summerville and as part of this article.

Total impervious coverage means all impervious coverage or impervious surfaces on a site regardless if it is directly connected to each other, and that is not constructed using pervious pavement technology.

Town engineering office means the town engineer or any duly authorized representatives.

Town of Summerville Stormwater System means the conveyance or system of conveyances (including roads with drainage systems, highways, right-of-way, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, storm drains, detention ponds, and other stormwater facilities) which is; (a) owned or operated by the Town of Summerville; (b) designed or used for collecting or conveying stormwater; (c) not a combined sewer system; and (d) not part of a publicly owned treatment works (POTW).

Unincorporated areas means the areas of Dorchester County, Charleston County and Berkeley County that have not been incorporated as a single governing body separate from that of the county.

Variance means the modification of the minimum stormwater management requirements contained in this article and the stormwater management program for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this article.

Water quality means those characteristics of stormwater runoff that relate to the physical, chemical, biological, or radiological integrity of water.

Water quantity means those characteristics of stormwater runoff that relate to the rate and volume of the stormwater runoff.

Wetlands means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a

prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar type areas.

Working day means Monday through Friday, excluding all town-observed holidays.

(b) *Synopses of referenced regulations.*

72-300 Standards for Stormwater Management and Sediment Reduction.

These proposed regulations pursuant to the Stormwater Management and Sediment Reduction Act of 1991, establish the procedure and minimum standards for a state-wide uniform program for stormwater management and sediment reduction with the option of being operated locally. The regulations establish the procedure for local governments or conservation districts to apply for program component delegation. They also establish the criteria to be met for delegation. Minimum standards and specifications are established for land-disturbing activities that require a permit.

R. 61-9.122 The National Pollutant Discharge Elimination System.

The NPDES program requires permits for the discharge of "pollutants" from any "point source" into "waters of the state" and into "waters of the United States."

(Ord. No. 07-0914, 10-10-2007)

Sec. 22-21. - General provisions.

- (a) *Title.* This article shall be known as the "Stormwater Management Program Ordinance of The Town of Summerville, South Carolina (Ordinance)."
- (b) *Authority.* This article is adopted pursuant to the authority conferred upon the Town of Summerville (the "town") by the South Carolina Constitution, the South Carolina General Assembly and in compliance with the requirements imposed upon the town by the National Pollutant Discharge Elimination System (NPDES) Permit No. SC230001, issued in accordance with the Federal Clean Water Act, the South Carolina Pollution Control Act, and regulations promulgated thereunder.
- (c) *Findings.* The town council makes the following findings:
- (1) Uncontrolled stormwater runoff has significant, adverse impact on the health, safety and general welfare of the town and the quality of life of its citizens by transporting pollutants into receiving waters and by causing erosion and/or flooding. Development and redevelopment alter the hydrologic response of local watersheds and increases stormwater runoff rates and volumes, flooding, soil erosion, stream channel erosion, nonpoint and point source pollution, and sediment transport and deposition, as well as reducing groundwater recharge. These changes in stormwater runoff contribute to increased quantities of water-borne pollutants and alterations in hydrology which are harmful to public health and safety, as well as to the natural environment.
 - (2) Development within the town and the effects of alterations to existing land use have shown evidence of downstream degradation of the town's receiving waters, thereby adversely affecting the unique qualities of the town's estuaries, its commercial and recreational fishing, the ecosystems's ability to naturally reproduce, and the general ability of the area to sustain its natural coastal resources. Development within the town that has created concentrated urbanized areas have also effected the town's receiving waters and aquatic species.
 - (3) The town is required by Federal Law [33 U.S.C 1342(p) and 40 CFR 122.26] to obtain a NPDES permit from the South Carolina Department of Health and Environmental Control (SCDHEC), for stormwater discharges from the Town of Summerville Stormwater

System. The NPDES permit requires the town to impose controls to reduce the discharge of pollutants in stormwater to the maximum extent practicable using management practices, control techniques and system, design and engineering methods, and such other provisions that are determined to be appropriate for the control of such pollutants.

- (4) Additionally, certain facilities that discharge stormwater associated with an industrial activity, including land-disturbing activities, are required to obtain their own respective NPDES permits. Also, the South Carolina Stormwater Management and Sediment Reduction Act [S.C. Code 1976, § 48-14-10 et seq.] requires the town to obtain a permit for certain land-disturbing activities.

(d) *Purpose.*

- (1) It is the purpose of this article to protect, maintain, and enhance the environment of the town and the short and long-term public health, safety, and general welfare of the citizens of the town by establishing requirements and procedures to control the potential adverse effects of increased stormwater runoff associated with both future development, redevelopment, and existing developed land. Proper management of stormwater runoff will minimize damage to public and private property, ensure a functional drainage system, reduce the effects of development on land and stream channel erosion, attain and maintain water quality standards, enhance the local environment associated with the drainage system, reduce local flooding, reduce pollutant loading to the maximum extent practicable and maintain to the extent practicable the predeveloped runoff characteristics of the area, and facilitate economic development while minimizing associated pollutant, flooding, and drainage impacts.
- (2) It is further the purpose of this article to comply with the federal and corresponding state stormwater discharge (NPDES) regulations (40 CFR 122.26 and SC Regulation 61-9.122.26) developed, pursuant to the Clean Water Act and to assure the town the authority to take any action required by it to obtain and comply with its NPDES permit for stormwater discharges. Among other things, these regulations require the county to establish legal authority which authorizes or enables the town at a minimum to:
 - a. Prohibit illicit discharges to the town stormwater system and receiving waters.
 - b. Control the discharge of spills, dumping or disposal of materials other than stormwater to the town stormwater system and receiving waters.
 - c. Address specific categories of nonstormwater discharges and similar other incidental nonstormwater discharges listed in the town stormwater management plan (SWMP).
 - d. Require temporary erosion and sediment controls to protect water quality to the maximum extent practicable during construction activities, in accordance with current state regulations.
 - e. Define procedures for site plan review, inspection, and enforcement.
 - f. Define procedures for receipt and consideration of information submitted by the public.
 - g. Address post-construction runoff particularly volume, rate, and quality through the control and treatment of stormwater with stormwater management facilities and/or best management practices (BMPs).
 - h. Develop post-construction stormwater quality performance standards, through enforcement of minimum design standards for BMPs.
 - i. Ensure effective long-term operation and maintenance of BMPs.
 - j. Carry out all inspection, surveillance and monitoring, and enforcement

procedures necessary to determine compliance and noncompliance with stormwater permit (permit) conditions including the prohibition of illicit discharges to the town stormwater system and the protection of water quality of the receiving waters.

- (3) This article is to be construed to further its purpose of controlling and reducing pollutant discharges to the town stormwater system and to the waters of the state to assure the obligations under its NPDES permit issued by the SCDHEC as required by 33 USC 1342 and 40 CFR 122.26.
 - (4) The article requires prudent site planning, including special considerations for the purposes of preserving natural drainage ways; incorporating on-site stormwater retention and infiltration; to minimize runoff from individual sites to streams, rivers, and the ocean by use of effective runoff management, structural and nonstructural BMPs, drainage structures, and stormwater facilities.
- (e) *Liability to discharger.* The application of this article and the provisions expressed herein are the minimum stormwater management requirements and shall not be deemed a limitation or repeal of any other powers granted by statute. In addition, if site characteristics indicate that complying with the town's minimum stormwater management requirements will not provide adequate design or protection for local property or residents, the town, as part of its review process will require the owner and operator of these facilities to exceed the minimum stormwater management practices, control techniques design and engineering methods and such other programs and controls as are required to comply with the town's NPDES permit.
- (f) *Construction and scope.*
- (1) It is the goal of the town council that the provisions of this article will result in reduction of the discharge of pollutants to the town stormwater system and its receiving waters to the maximum extent practicable using management practices, control techniques and systems, design and engineering methods and such other programs and controls as are required by the town's NPDES permit.
 - (2) The application of this article, the provisions expressed herein, and the federal and state stormwater regulations are the minimum stormwater management requirements and should not be deemed a limitation or repeal of any other ordinances of the town or powers granted to the town by the State of South Carolina Statutes, including, without limitation, the power to require additional or more stringent stormwater management requirements.
 - (3) This article shall be applicable to all development and redevelopment, including, but not limited to, site plan applications, major subdivision applications, land grading applications, and any other land-disturbing activity, unless specifically exempt.
 - (4) The provisions of this article apply throughout the incorporated boundaries of the Town of Summerville, as defined in subsection [22-20\(a\)](#).
- (g) *Severability.* Should any word, phrase, clause or provision of this article be declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect this article as a whole, or any part hereof, except that specific provision declared by such court to be invalid or unconstitutional.
- (h) *Definitions.* For the purpose of this article, definitions contained in South Carolina regulations 61-9.122.2 and 72-301 are incorporated herein by reference. Where the same words are defined in both the aforementioned regulations, but are not the same, the definitions contained in R. 61-9.122.2 will be used for the purposes of this article. A synopsis for each referenced regulation can be found in the subsection [22-20\(b\)](#). Additional terms, phrases, and words will have the meaning given in the subsection [22-20\(a\)](#).

(Ord. No. 07-0914, 10-10-2007)

Sec. 22-22. - Organization and administration.

- (a) *Regulations.* The town council, may, in its discretion, amend or change this article or adopt additional regulations or resolutions to implement this article in order to comply with the NPDES permit, implement the SWMP, or to otherwise further the goal of protecting the quality of the receiving waters into which the Town of Summerville MS4 outfalls flow.
- (b) *Town stormwater management program.*
- (1) The stormwater management program (SWMP) developed by the town to comply with the NPDES stormwater permit, serves as the basis for the town's program implementation and administration. The SWMP, as amended from time to time by the town, is hereby adopted for the duration of the town's stormwater system NPDES permit as the official operational program.
 - (2) The town engineer, with guidance and direction from the director of operations and town administrator, shall administer, implement, and enforce provisions of this article on behalf of the town. Any powers granted or duties imposed upon the town engineer may be delegated in writing by the town engineer to persons or entities acting in the beneficial interest of or in the employment of the town.
- (c) *Coordination with other agencies.* The town engineer will coordinate the town's activities with other federal, state, and local agencies, which manage and perform functions relating to the protection of receiving waters. Authority not expressly reserved for other agencies or restricted by statute is placed with the town engineer for the protection and preservation of receiving waters.
- (d) *Cooperation with other governments.* The town may enter into agreements with other governmental and private entities to carry out the purposes of this article. These agreements may include, but are not limited to; enforcement, resolution of disputes, cooperative monitoring, and cooperative management of stormwater systems and cooperative implementation of stormwater management programs.
- Nothing in this article or in this section should be construed as limitation or repeal of any ordinances of these local governments or of the powers granted to these local governments by the South Carolina Constitution or Statutes, including, without limitation, the power to require additional or more stringent stormwater management requirements within their jurisdictional boundaries.
- (e) *Design/engineering standards.* The town shall develop, maintain, and implement such design or engineering standards that are consistent with the SWMP and provide a sound technical basis for the achievement of stormwater management and water quality objectives. All stormwater management facilities shall be designed in such a way as to allow for maximum removal of pollutants and maximum reduction in flow velocities, in accordance with this article and the stormwater management design manual.
- (f) *Stormwater management design manual.* The town shall develop and maintain a "stormwater management design manual (manual)" in accordance with the approved SWMP. The manual shall serve as minimum criteria for the design, construction, and maintenance of facilities which collect, control, treat (through pollutant removal), and convey stormwater. This manual will include, but not be limited to, the following information:
- (1) Details describing the policies, goals, and tasks of the stormwater management program.
 - (2) Design requirements and specifications for the preparation of stormwater management plans. Acceptable techniques for obtaining, calculating and presenting the information required in the plans shall be described, as will design conditions which must be accounted for.

- (3) Minimum specifications for designing, constructing, and maintaining stormwater management facilities. These specifications shall be established in accordance with current good engineering practices.
- (4) Minimum easement requirements for the inspection and maintenance of stormwater management facilities.
- (5) Site design approaches that minimize the impact of development on runoff, and protect natural resources and sensitive areas.

The manual shall be reviewed and, if needed, updated periodically (at a minimum every three years) to reflect the most current and effective practices, regulations and most current water quality standards, and shall be made available to the public. Although the intention of the manual is to establish minimum design practices for the protection of water quality and downstream impacts, it neither replaces the need for engineering judgment nor precludes the use of information not presented. Other accepted engineering procedures may be used to conduct stormwater studies as required by the town engineer.

- (9) *Best management practices.* The town shall develop and maintain a set of BMP designs in accordance with the approved SWMP. The BMP designs are located in a section of the manual, and shall serve as minimum criteria for the design, construction, and maintenance of facilities which collect, control, treat (for pollutant removal), and discharge stormwater. This section of the manual will include, but not be limited to, the following information:
 - (1) Guidance in selecting environmentally sound practices for managing and treating stormwater. Development and use of techniques emphasizing the use of natural systems shall be strongly encouraged.
 - (2) Minimum specifications for designing, constructing, and maintaining stormwater management facilities. These specifications shall be established in accordance with current good engineering practices.
 - (3) Easement, setback, and buffer requirements.
 - (4) Post-development water quality performance standards for stormwater management facilities and practices. Methodology/criteria for evaluation will include; (1) hydrologic and hydraulic evaluations; (2) chemical and biological evaluations; (3) evaluation of BMPs; and (4) evaluation of downstream impacts. BMPs can be either structural or nonstructural and may be enforced by specific prescription in zoning requirements, major subdivision regulations, or on a site-specific basis as shall be prescribed to meet SWMP objectives. The practices shall be updated periodically to reflect the most current and technologically effective practices and shall be made available to the public.

These practices are not designed to replace the need for sound engineering judgment. Rather, other accepted engineering procedures may be used to conduct stormwater studies if they equal or exceed the procedures contained in the manual or if they are required by the town engineer.

(Ord. No. 07-0914, 10-10-2007)

Sec. 22-23. - Stormwater control.

- (a) *Regulations.*
 - (1) Federal regulations governing stormwater management, as specified in 40 C.F.R. 122.26, and state regulations, as specified in R. 61-9.122.26, adopted pursuant thereto, and state regulation R. 72.300 et. seq., are adopted as the minimum requirements for all facilities as defined in the respective regulations.
 - (2) The town engineer will be responsible for day to day coordination, implementation and

enforcement of this article and the SWMP. This includes, but is not limited to; requirements for commercial and residential activities, construction site runoff, industrial and related facilities, and illicit discharges and improper disposal. Without limitation of the foregoing, the town engineer has the following specific powers and duties:

- a. To issue any permit, certification or license that may be required by the SWMP.
- b. To issue any permit, certification or license that meets the minimum requirements under this article and state or federal statutes and regulations.
- c. To approve a facility connection to the stormwater system or discharge to waters of the state (including ocean outfalls) if state, or federal regulations or requirements under this article are met.
- d. To approve stormwater plans, and to require as a condition of such approvals structural and/or nonstructural controls, practices, devices, or operating procedures, required under the SWMP.
- e. To require financial guarantees of any person to secure that person's compliance with any stormwater plan, permit, certificate, license or authorization issued or approved by the town engineer pursuant to the SWMP.
- f. To comply with all federal and state regulatory requirements, promulgated or imposed pursuant to the Clean Water Act and the South Carolina Stormwater Management Act, applicable to the management of stormwater discharges to or from the Town of Summerville Stormwater System.
- g. To conduct all activities necessary to carry out the SWMP and other requirements included in the town's NPDES permit, the SWMP and this article, and to pursue the necessary means and resources required to properly fulfill this responsibility.
- h. To enter into agreements with other governmental entities or private persons or entities to provide or procure services to conduct and carry out stormwater management activities.
- i. Plans must meet the minimum requirements of this article in order for a permit to be issued. An approval by other state and federal agencies does not constitute approval by the town.

(b) *Prohibitions and exemptions.*

- (1) No person may: (1) develop or redevelop any land; (2) engage in any industry or enterprise; (3) construct, operate or maintain any landfill, hazardous waste treatment, disposal or recovery facility, or any other industrial or related facility; or (4) dispose of any hazardous or toxic substance or other pollutant without having first obtained a permit issued pursuant to this article and having complied with any program, plan, permit, or regulation of the town's SWMP adopted in accordance with this article, and having complied with the policies of the South Carolina Coastal Management Program.
- (2) No person may obtain a permit issued pursuant to this article for any activity impacting wetlands or other waters of the state without first having complied with the policies of the South Carolina Coastal Management Program. All permits must be reviewed by SCDHEC, Office of Ocean and Coastal Resources Management for consistency with the coastal management program. If the department suspects that there are wetlands or other waters of the state not disclosed in the application, the applicant shall obtain Army Corps of Engineers delineation and submit the delineation to SCDHEC, office of ocean and coastal resources management for certification that the project is consistent with the coastal management program.
- (3) No person shall create or cause a blockage of an open channel or pipe system used to

convey or transport stormwater runoff from one property to another separately owned property.

- (4) No person shall modify the topography of a property such that stormwater runoff is diverted from its original path such as to cause it to be directed onto an adjacent property.
- (5) The following development activities are exempt from the provisions of this article:
 - a. Construction or improvement of single-family residences or their accessory buildings which are separately built and not part of a major subdivision development.
 - b. Land-disturbing activities on agricultural land for production of plants and animals useful to man, including, but not limited to: forages and sod crops, grains and feed crops, tobacco, cotton, and peanuts; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, including the breeding and grazing of these animals; bees; fur animals and aquaculture (under the condition they are in compliance with SCDHEC agriculture regulations), except that the construction of an agricultural structure of one or more acres, such as broiler houses, machine sheds, repair shops and other major buildings and which require the issuance of a building permit will require the submittal and approval of a stormwater plan prior to the start of the land-disturbing activity.
 - c. Land-disturbing activities undertaken on forestland for the production and harvesting of timber and timber products.
 - d. Activities undertaken by persons who are otherwise regulated by the provisions of [Chapter 20](#) of Title 48, the South Carolina Mining Act.
 - e. Certain land-disturbing activities undertaken by persons who are exempt from the provisions of the Stormwater Management and Sediment Reduction Act as set forth in S.C. Code 1976, § 48-14-40, as amended.
 - f. Industrial facilities having a valid NPDES general stormwater permit issued by SCDHEC, and if the facility is in compliance with the conditions contained in the NPDES general permit will be deemed in compliance with the requirements of this article.

(c) *Scope of development plans.*

- (1) For all major subdivisions development and commercial development greater than half an acre, for any related land-disturbing activities all of the requirements of a stormwater plan, as defined in the design manual, apply. Inside the CUA requirements of the stormwater plan, as defined in the design manual, apply to all subdivision of residential and/or commercial property regardless of size.
- (2) For single-family residential construction by individuals, and construction of half an acre or less for commercial properties, the person responsible for the land-disturbing activity shall conform to the residential stormwater requirements as defined in the design manual. By obtaining a town building permit, the owner grants the right to the town engineer to conduct on-site inspections.
- (3) In developing plans for residential major subdivisions, each individual lot in a residential major subdivision development shall be required to obtain and comply with the major subdivision's overall stormwater permit, including specified BMPs for addressing stormwater quality. The residential major subdivision development, as a whole, is considered to be a single land-disturbing activity requiring a permit. Hydrologic parameters that reflect the fully-built major subdivision development will be used in all engineering calculations.

- (4) If individual lots or sections in a residential major subdivision are being developed by different property owners, all land-disturbing activities related to the residential major subdivision shall be covered by the approved stormwater plan for the residential major subdivision. Individual lot owners or developers will sign a certificate of compliance that all activities on that lot will be carried out in accordance with the approved stormwater plan for the residential major subdivision.
- (d) *Stormwater plan process.*
- (1) A stormwater concept plan for each development will be submitted for review by the department prior to submission of the stormwater plan and construction plans for the entire development, or any portion thereof.
 - (2) All preliminary plats of the development will be consistent with the stormwater concept plan required above.
 - (3) The stormwater concept plan shall be reviewed, with the designer, after department review, where it will be approved, approved with changes, or rejected. If rejected, changes, additional analysis, or other information needed to approve the next submittal of the concept plan will be identified.
 - (4) Upon approval of the concept plan, the applicant shall submit a final stormwater plan (as part of the construction plans) through the department for review and approval. Requirements for the stormwater plan are detailed in the manual.
 - (5) Should any stormwater plan involve any future stormwater management facilities or land to be dedicated to public use, the same information will also be submitted to the town engineer for review and approval.
 - (6) The review and approval of a stormwater plan will follow the procedures outlined for development review and approval by the town, and as detailed in this article and the design manual. The review of the stormwater plan shall be performed by the county stormwater engineer or his appointed representative.
- (e) *Permit requirements.*
- (1) An application is not complete until the following information is submitted to the town engineer:
 - a. Name and address of applicant.
 - b. A stormwater plan meeting the requirements set forth in the design manual.
 - c. A narrative statement meeting the requirements set forth in the design manual.
 - d. Design calculations meeting the requirements set forth in the design manual.
 - e. An operations and maintenance plan meeting the requirements set forth in the design manual.
 - f. A completed permit application and the appropriate permit fee.
 - g. Information necessary for the posting of a public notice by the town engineer, as further detailed in this article.
 - (2) No permit for a land-disturbing activity shall be issued or modified without the following being secured:
 - a. An approved stormwater plan, as appropriate.
 - b. Right of entry for emergency maintenance if necessary.
 - c. Right of entry for inspections and monitoring.
 - d. Any off-site easements needed.
 - e. All public easements for stormwater management facilities should be identified and recorded prior to issuance of any construction permit.
 - f. As applicable, evidence of a receipt of all other required permits including, but

not limited to: erosion and sediment control, endangered species, historic properties, archaeological and all other state and federal permits.

- g. Where land-distributing activity may impact wetlands or any other waters of the state, evidence of receipt of the following is required: 1) all state and federal permits, and a state coastal zone consistency certification, including nationwide wetlands permit; and 2) a copy of the Army Corp of Engineers letter of verification for wetlands. Revocation of any state and/or federal permit will constitute revocation of any local permit.
- (3) Any and all site grading permits will, as determined by the town, be revoked at any time if the construction of stormwater management facilities is not in strict accordance with approved plans.
- (4) The town reserves the right to reject any plan, or require additional information and/or requirements to be met as a condition of town approval.
- (f) *Minimum runoff control requirements.* Minimum runoff control requirements for stormwater management facilities have been outlined in detail in the manual. Before beginning the stormwater permit process, the permit applicant shall ensure that the most updated manual is being used. The following outlines the general requirements for controlling stormwater runoff rate and pollutant discharge:
- (1) All single-family residential individual lots (not part of a larger development), minor subdivisions, or commercial properties of one-half acre or less, control of the peak runoff discharge is not required and post-construction water quality control is not required unless specifically required by current state or federal regulations.
- (2) For nonresidential development and all multi-lot residential development within the Charleston Urbanized Arch (CUA):
- a. New development on undisturbed tracts of land: Follow requirements as outlined in Section 3.6, part 2 [of the design manual]. Pervious pavement technology will be strongly encouraged for all driveways and parking lots for new development, in accordance with the design manual.
 - b. Redevelopment or expansion of existing development: Both existing and future development will follow requirements as outlined in Section 3.6, part 2, [of the design manual] if at least one of the following criteria is met:
 1. Value of improvements to the property meets or exceeds 51 percent of the current property value (based on current tax records).
 2. Amount of land disturbance meets or exceeds 40 percent of the total acreage of the parcel.
 3. Construction of at least 9,000 square feet total of additional impervious surface.
 - c. Redevelopment or expansion of existing development not meeting subsection (f)b., above: All new driveways and parking lots shall be constructed with pervious pavement technology, and all building roof drains and downspouts will be disconnected from impervious pavement/surfaces, and directed to vegetative ground cover for conveyance through a properly designed filter strip or vegetated swale (in accordance with the manual). Properly installed and maintained porous paving technologies, including pervious concrete and pavers, will be considered 100 percent pervious and will not count against any total allowable impervious percentage on-site, nor will it be considered impervious in determining the hydrologic runoff properties.
 - d. Buffer requirements. Buffer requirements shall be in accordance with SCDHEC

and town zoning regulations.

- (3) Construction site runoff control measures for all qualifying developments shall be in accordance with the most current version of the SCDHEC erosion and sediment reduction and stormwater management regulations.
- (g) *Stormwater management facilities.*
- (1) Stormwater management facilities may include natural and manmade elements. Natural swales and other natural runoff conduits shall be retained to the maximum extent practicable.
 - (2) Where additional stormwater management facilities are required to satisfy the minimum control requirements, the following measures are examples of what may be used along with other measures subject to the approval of the town engineer:
 - a. Facilities designed to encourage overland flow, slow velocities of flow, and allow for sheet flow through buffer zones.
 - b. Infiltration practices.
 - c. Bioretention facilities.
 - d. Swales and filter strips.
 - e. Constructed wetlands.
 - f. Pervious paving technologies, including pervious concrete, asphalt and pavers.
 - g. Natural and vegetated buffers.
 - h. Stormwater detention structures (dry basins used for reducing peak discharge only).
 - i. Stormwater retention structures (wet ponds used for reducing peak discharge and reducing pollutant discharge).
 - j. Retention of natural landscape and trees in parking lots.
 - k. Other BMPs aimed at reducing the discharge of polluted stormwater.
 - (3) Where detention and retention structures are used, designs which consolidate these facilities into a limited number of large structures will be preferred over designs which utilize a large number of small structures.
 - (4) When wet ponds are employed, retention/planting of littoral vegetation, particularly native wetland plants selected for nutrient and contaminant uptake capacity shall be included.
 - (5) Drainage plans can be rejected by the town engineer if they incorporate structures and facilities that will demand considerable maintenance and will be difficult to maintain, or utilize numerous small structures if other alternatives are physically possible.
 - (6) The drainage system and all stormwater management structures within the county (including both public and private portions) will be designed to the same engineering and technical criteria as provided in the manual. The department's review will be the same whether the portion of the drainage system will be under public or private control or ownership.
- (h) *Stormwater plan requirements.* Stormwater plan requirements for stormwater permit submittal shall be outlined in the design manual.
- (i) *Plan hydrologic criteria.* Plan hydrologic criteria for stormwater management facilities shall be outlined in the design manual.
- (j) *Ownership and town participation.*
- (1) All stormwater management facilities should be privately owned and maintained, unless the town accepts the facility for town ownership and maintenance. Should the owner of a private facility desire the town to assume operation and maintenance of a stormwater

management facility, the owner shall grant to the town, a perpetual, nonexclusive easement that allows for public inspection, maintenance, and monitoring, and emergency access. Owners of privately owned stormwater management facilities shall grant the town right of entry to inspect and monitor the performance of the stormwater management facilities upon appropriate notice to the property owner. In emergency cases where the potential exists where the blockage of stormwater facilities may be causing structural or roadway flooding, the town will make all reasonable attempts to notify the effected property owner(s) prior to entering the property but will maintain the right to enter the property if such flooding is a danger to the public or off-site property owners.

- (2) All stormwater management measures relying on designated vegetated areas or special site features (including buffers) will be privately owned and maintained as defined in the stormwater plan.
- (3) When the town engineer determines that additional storage and/or treatment capacity beyond that required by the applicant for on-site stormwater management is necessary or additional BMP's may be required in order to enhance or provide for the public health, safety and general welfare, to correct unacceptable or undesirable existing conditions or to provide protection in a more desirable fashion for future development, the town may:
 - a. Require that the applicant grant any necessary easements over, through or under the applicant's property to provide access to or drainage for such a facility.
 - b. Require that the applicant attempt to obtain from the owners of property over, through or under where the stormwater management facility is to be located, any easements necessary for the construction and maintenance of same (and failing the obtaining of such easement the town may, at its option, assist in such matter by purchase, condemnation, dedication or otherwise, and subject to subsection (j)(4) below, with any cost incurred thereby to be paid by the town).
 - c. Participate financially in the construction of such facility to the extent that such facility exceeds the required on-site stormwater management as determined by the town engineer.
- (4) To implement this provision both the town and developer will be in agreement with the proposed facility that includes the additional storage and/or treatment capacity and jointly develop a cost sharing plan which is agreeable to all parties.

(k) *Construction, inspection, and maintenance.*

- (1) A permanent maintenance plan for each stormwater management facility will be included in the drainage plan. As part of the maintenance plan, the owner of such facility shall specifically agree to be responsible for permanent maintenance including, but not limited to; the physical and operational aspects of each facility to function to reduce peak discharge and reduce pollutants to the receiving streams. In order to transfer maintenance responsibility, a letter of acceptance by the entity accepting permanent maintenance responsibility should be filed with the town engineer.
- (2) Prior to the approval of the stormwater plan; the applicant will submit a proposed staged construction and inspection control schedule. This plan will indicate a phase line for approval otherwise the construction and inspection control schedule will be for the entire drainage system.
- (3) No subsequently staged work, related to the construction of stormwater management facilities, may proceed until the preceding stage of work, according to the sequence specified in the approved staged construction and inspection control schedule, is inspected and approved, unless otherwise approved by the town engineer.

- (4) The permittee will notify the town engineer before commencing any work to implement the stormwater plan and upon completion of the work.
- (5) The permittee shall provide an "as-built" plan certified by a registered professional engineer to be submitted upon completing of the stormwater management facilities included in the stormwater plan. The registered professional engineer will certify that:
 - a. The facilities have been constructed as shown on the "as-built" plan.
 - b. The facilities meet the approved stormwater plan and specifications or achieve the function for which they were designed.
- (6) Acceptable "as-built" plans will be submitted prior to:
 - a. The use or occupancy of any commercial or industrial site.
 - b. Final acceptance of any road into the official town road inventory.
 - c. Release of any financial guarantees held by the town.
 - d. Approval and/or acceptance for recording of maps, plats or drawings, the intent of which is to cause a division of a single parcel of land into two or more parcels.
 - e. A final inspection will be conducted by the town engineer upon completion of the work included in the approved stormwater plan to determine if the completed work is constructed in accordance with the plan.

(Ord. No. 07-0914, 10-10-2007)

Sec. 22-24. - Detection and removal of illicit connections and discharges and improper disposal.

- (a) *Illicit connections, illicit discharges and improper disposal.*
 - (1) It is unlawful for any person to connect any pipe, open channel, or any other conveyance system that discharges anything except stormwater or unpolluted water, which is approved by the town engineer, into receiving waters or the town system.
 - (2) It is unlawful for any person to continue the operation of any such illicit connection regardless of whether the connection was permissible when constructed. Improper connections in violation of this article will be disconnected and redirected, if necessary, to the satisfaction of the town engineer and any other federal, state, or local agencies or departments regulating the discharge.
 - (3) It is unlawful for any person to throw, drain, run or otherwise discharge to any component of the town's stormwater system or to the waters of the state or to cause, permit or allow to suffer to be thrown, drained, run, or allow to seep or otherwise discharge into such system or receiving water all matter of any nature excepting only such storm or surface water as herein authorized.
 - (4) The department may require controls for or exempt from the prohibition provision in subsections (1), (2) and (3) above, the following, provided it is determined that they are not a significant source of pollution, but the permissibility of the following depends on their discharge into a vegetated area where practicable rather than onto an impervious surface or directly into a receiving water body:
 - a. Unpolluted industrial cooling water, but only under the authorization and direction of the town engineer and appropriate NPDES permit.
 - b. Water line flushing performed or required by a government agency, diverted stream flows, rising groundwaters, and unpolluted pumped groundwaters, and unpolluted groundwater infiltration.
 - c. Unpolluted pumped groundwater.
 - d. Discharges from potable water sources, foundation drains, air conditioning

condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual car washing, residential pool backwashing, de-chlorinated pool water, flows from riparian habitats and wetlands, and street wash water.

- e. Discharges or flows from fire fighting.
- f. Other unpolluted water.
- g. Any of the permitted discharges are only to be made if suitable protection is provided by use of silt screens, or hay bales or such other approved methods to prevent the erosion or conveyance of silts or contaminants into the MS4.
- h. In the event of an accidental discharge or an unavoidable loss to the town stormwater system of any pollutant, the person concerned will abide by requirements as regulated by the SCDHEC, informs the town engineer's office as soon as possible, but not to exceed 12 hours from time of discovery, of the nature, quantity and time of occurrence of the discharge. The person concerned must take immediate steps to contain the waste, treat the waste or other actions to minimize affects of the discharge on the stormwater system and receiving waters. The person will also take immediate steps to ensure no recurrence of the discharge.

(b) *Detection of illicit connections and improper disposal.*

- (1) The town engineering department will take appropriate steps to detect and eliminate illicit connections to town stormwater system, including the adoption of a program to screen illicit discharges and identify their source or sources.
- (2) The town engineering department shall take appropriate steps to detect and eliminate improper discharges, including programs to screen for disposal and programs to provide for public education, public information, and other appropriate activities to facilitate the proper management and disposal of used oil, toxic materials and household hazardous waste.

(Ord. No. 07-0914, 10-10-2007)

Sec. 22-25. - Monitoring and inspections.

- (a) *Monitoring.* Dorchester County Department of Public Works will perform water quality monitoring for the Town of Summerville. The department will monitor the quantity of, and the concentration of pollutants in, stormwater discharges from the areas and/or locations designated in the town's SWMP and will monitor impact to receiving water. The town engineering office will establish a water quality monitoring plan for the town's jurisdictional area in Dorchester County to be in compliance with its NPDES permit for stormwater discharges. This monitoring plan will address at a minimum the appropriate measures as outlined in the town's Phase II SWMP (when developed).
- (b) *Inspections.*
 - (1) The town engineer, or its designee, bearing proper credentials and identification, may enter and inspect all properties for regular inspections, periodic investigations, monitoring, observation measurement, enforcement, sampling and testing, to effectuate the provisions of this article that the SWMP promotes. The town engineering office will duly notify the owner of said property or the representative on-site and the inspection should be conducted at reasonable times.
 - (2) Upon refusal by any property owner to permit an inspector to enter or continue an inspection, the inspector may terminate the inspection or confine the inspection to areas concerning which no objection is raised. The inspector should immediately report the

refusal and the grounds to the town engineer. The town engineer will promptly seek the appropriate compulsory process.

- (3) In the event that the town engineering office appropriately credentialed designee, reasonably believes that discharges from the property into the town stormwater system may cause an imminent and substantial threat to human health or the environment, the inspection may take place at any time upon an initial attempt to notify the owner of the property or a representative on-site. The inspector should present proper credentials upon reasonable request by the owner or representative.
- (4) Inspection reports will be maintained in a permanent file located in the town engineering office.

(Ord. No. 07-0914, 10-10-2007)

Sec. 22-26. - Enforcement, penalties, and abatement.

- (a) *Violations.* Upon determination that a violation of any of the provisions of this article has occurred, the town engineering office may give timely actual notice at the property where the violation has occurred or at the address of the permit holder, and shall give written notice to the violator within 15 days. This notice will specify: the nature of the violation, the proposed penalty, and the amount of time in which to correct deficiencies. It should be sufficient notification to deliver the notice to the person to whom it is addressed, or to deposit a copy of such in the United States mail, properly stamped, certified and addressed to the address used for tax purposes.
- (b) *Civil penalties.* Any person or entity that violates any provision of this article shall be assessed either a minor violation or major violation as defined in [section 22-20](#). Fines for minor violations shall be \$250.00 per day and \$1,000.00 per day for major violations. Each separate day of a violation constitutes a new and separate violation.
- (c) *Additional legal measures.*
 - (1) Where the town is fined and/or placed under a compliance schedule by the state or federal government for a violation(s) of its NPDES permit, and the town can identify the person(s) who caused such violation(s) to occur, the town may pass through the penalty and cost of compliance to that person(s).
 - (2) The town attorney may institute injunctive, mandamus or other appropriate action or proceedings at law or equity, including criminal conviction, for the enforcement of this article or to correct violations of this article, and any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus or other appropriate forms of remedy or relief.
- (d) *Corrective action.* In the event a violation of this article has not been corrected within the applicable time period for correction, the town, or its contractor, may enter upon the lot or parcel of land and correct the violation, and the costs incurred as a result of such action (including inspection, administration, labor and equipment costs) will be collected from the bond, if in place and sufficient to cover such costs, or shall become a lien upon the property and should be collected in the same manner as town taxes are collected.
- (e) *Stop work.*
 - (1) A stop work order shall be issued by the town if, as determined by the town engineering office, one or more of the following violations have been committed:
 - a. Any person who proceeds with any work which requires a stormwater plan hereunder without first submitting a plan and obtaining a permit.
 - b. Violation(s) of the conditions of the stormwater management and sediment control plan approval.

- c. Construction not in accordance with the intent of the approved plans.
 - d. Noncompliance with correction notice(s).
 - e. The existence of an immediate danger in a downstream area in the judgment of the town engineer.
- (2) When one or more of these conditions are found, a written notice of violation will be served upon the owner of the property or an authorized representative. The time in which to correct the deficiencies will be specified in the notice of violation. The notice of violation will set forth the measures necessary to achieve compliance with the plan. Corrective actions must be started immediately or the owner will be deemed in violation of this article.
- (3) If appropriate remedial actions as outlined in the written notice are not completed within the specified time period, a stop work order will be issued within seven days. The stop work order will then be in force until the development is in compliance with this article.
- (4) If a violation of this article is occurring that the town engineer determines in his or her judgment, will cause significant damage to off-site property or structures, the town engineer can issue an immediate stop work order.
- (5) Prior to lifting of the stop work order, fees double the normal amount of applicable bond and fees, with a minimum of \$250.00, and payment of any other applicable penalties will be paid. The stop work order may allow or require correction of violations, but no other project related activities.
- (f) *Permit suspension and revocation.* A site grading permit may be suspended or revoked if one or more of the following violations have been committed:
- (1) Violations of the conditions of the stormwater plan approval.
 - (2) Construction not in accordance with the letter or intent of the approved plans.
 - (3) Noncompliance with correction notice(s) or stop work order(s).
 - (4) The existence of an immediate danger in a downstream area in the judgment of the department.
- Work authorized by permits issued under this article must be completed within five years after the date of issuance. The time limit may be extended for good cause showing that due diligence toward completion of the work has been made as evidenced by significant work progress. An extension only may be granted if the permitted project meets the policies and regulations in force when the extension is requested, or the permittee agrees to accept additional conditions which would bring the project into compliance. The time periods required by this subsection must be acted on during the pendency of an administrative or a judicial appeal of the permit issuance.
- (g) *Criminal penalties.* In addition to any applicable civil penalties, any person who negligently, willfully or intentionally violates any provision of this article will be guilty of a misdemeanor and shall be punished within the jurisdictional limits of magistrate's court per the Town of Summerville Code of Ordinances General Provisions.
- (h) *After-the-fact permits.* The town does not have authority to consider an after-the-fact application unless:
- (1) All fines are paid before application.
 - (2) The permit would legitimize an activity that is a routine permitting matter that will meet all the standards under this article.
 - (3) Mitigation for any damage caused by the activity has been completed.
 - (4) Any portion of the activity or structure that is in violation of the ordinance is corrected prior to the approval.

(Ord. No. 07-0914, 10-10-2007)

Sec. 22-27. - Variances.

Individuals submitting for a stormwater permit may submit to the town engineer for approval a variance from the requirements of this article if exceptional circumstances applicable to a site exist, such that adherence to the provisions of the ordinance will result in unnecessary hardship and will not fulfill the intent of the ordinance, as defined in subsection 22-21(d), "Purpose".

- (1) *Requests for variances.* A written request for a variance is required and shall state the specific variance sought and the reasons, with supporting data, a variance should be granted. The request should include all information necessary to evaluate the proposed variance. The applicant will address the three areas of consideration for variance approval as follows:
 - a. What exceptional circumstances to the site are evident.
 - b. What unnecessary hardship is being caused.
 - c. How will failure to grant the variance be inconsistent with the intent of the ordinance.
- (2) *Review of variances.* The town engineer will conduct a review of the request for a variance and issue a decision within 30 working days of receiving the request.

(Ord. No. 07-0914, 10-10-2007)

Sec. 22-28. - Charges and fees.

- (a) *Funding.* In addition to all other charges, fees, and penalties, the town has the right to develop and impose a stormwater service fee to fund implementation of this article and its associated programs and plans.
- (b) *Connection to conveyances.* The town council has the right to establish a schedule of appropriate fees for any person or property owner establishing a new discharge to waters of the state within the town, or to any part of the town stormwater system. Such fee should be payable as part of any permit application or submission, regulating the discharge of stormwater runoff. Permit fees will be established on the basis of land use classes relating to the quantity and quality of permitted discharge.
- (c) *Field inspection.* Costs associated with field inspection of land development or construction activities other than those routinely performed by the town engineering office, as part of compliance monitoring shall be assessed a fee representing the cost in labor, equipment, and materials expended in the conduct of the inspection. Such fees will be applied only to those activities covered under a previously submitted and approved stormwater plan.
- (d) *Permit fee development.* A nonrefundable permit fee will be collected at the time the stormwater management plan or application is submitted. The permit fee will provide for the cost of plan review, administration, and management of the permitting process, and inspection of all projects subject to this article. A permit fee schedule shall be established by the town council based upon the relative complexity of the project and may be amended from time to time.

(Ord. No. 07-0914, 10-10-2007)

Appendix E
The Town of Summerville
Dry Weather Screening and Field Investigations for Illicit Discharges Guidance Document

Appendix F
The Town of Summerville
Enforcement Response Plan

Appendix G
The Town of Summerville
Contract with Dorchester County for MMs# 1, 2, and 3

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

**INTERGOVERNMENTAL
AGREEMENT-STORMWATER
MANAGEMENT**

THIS AGREEMENT (Agreement) is made and entered into as of this 10th day of December, 2008, by and between the County of Dorchester, S. C. (the County) and the Town of Summerville, S. C. (the Town).

WHEREAS, the County and the Town are required by law to establish a stormwater management program pursuant to a National Pollutant Discharge Elimination System (NPDES) Permit recently issued by the South Carolina Department of Health and Environmental Control (DHEC), the purpose of which is to protect, maintain and enhance the environment of the County and Town and the short-term and long-term public health, safety and general welfare of the citizens of the County and Town by addressing discharges of pollutants to the stormwater drainage system; and

WHEREAS, the County has developed a Stormwater Management Program (SWMP) for the unincorporated areas of the County; and

WHEREAS, the County and Town believe it is in the best interest of their citizens to avoid duplication of services with respect to stormwater management by entering into an agreement for the County to administer and enforce a SWMP for the Town in order to provide for the effective and efficient handling of stormwater in the Town and within as much of the County as possible;

NOW THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the County and the Town hereby agree as follows:

A. Obligations of the Town

1. The Town agrees to enact ordinances (the "Ordinances") following input from County staff regarding their content. Such ordinances shall closely follow the content of the County's ordinances and shall authorize enforcement by Town and County representatives. Such ordinances shall conform to the requirements of the SWMP, the Dorchester County Stormwater Program Permitting Standards and Procedures Manual (the "Manual") prepared by the County, and all applicable stormwater permits (collectively the "Permit"), all as may be amended from time to time. The Town will enact the Town of Summerville Stormwater Program Permitting Standards and Procedures Manual that shall closely follow the content of the Dorchester County Stormwater Program Permitting Standards and Procedures Manual.
2. The Town agrees to cooperate with the County to enable the County to implement the SWMP, the Manual, Permit, and stormwater utility fees within the Town. The Town

agrees to educate its staff regarding the provisions of each, and will implement the operational measures necessary for compliance for Town property and operations.

3. The methodology for determining fees or charges for this program shall be determined by the County and Town independently. The Town and the County shall collect fees and charges independently for their respective jurisdictions. All costs of defending the ordinances adopted by the Town shall be borne by the Town.
4. The Town hereby delegates to the County the duties of development, implementation and enforcement of the SWMP, and the efforts of monitoring, recordkeeping and reporting which may be imposed by the Permit, subject to Section 4.4 thereof (as may be amended from time to time).
5. The Town shall implement and operate three (3) of the six (6) minimum control measures as identified in the NPDES Phase II MS4 General Permit. The Town shall operate the following sections of the NPDES General Permit: Section 4.2.4, Construction Site Runoff Control, Section 4.2.5, Post Construction Stormwater Management in New Development and Redevelopment, and Section 4.2.6, Pollution Prevention/Good Housekeeping for Municipal Operations. While the Town will be responsible for conducting and ensuring adequate plan review, inspections and enforcement activities for compliance with Sections 4.2.4 and 4.2.5 of the NPDES Permit, this does not exclude the County from assisting in these activities when deemed necessary or appropriate by the Town and County.

B. Obligations of the County

1. The County agrees to fulfill the responsibilities granted it by the Town pursuant to this Agreement.
2. The County hereby assumes the duties of development, implementation and enforcement of the SWMP, and the efforts of monitoring, recordkeeping and reporting which may be imposed by the Permit, subject to Section 4.4 thereof (as may be amended from time to time).
3. The County agrees to assist with information and non-legal advice regarding defense of any challenges to the Town's Ordinances and program compliance.

C. Miscellaneous

1. This Agreement will become effective upon execution by authorized representatives of both parties.
2. This Agreement may not be revised or modified except by written mutual agreement of the Town and the County.
3. The Town and County reserve the right to challenge any of the terms, conditions, or provisions of the Permit, its enabling laws, rules and regulations and/or interpretations thereof by authorities asserting jurisdiction.

4. If any section, subsection, sentence, clause, phrase, or portion of this Agreement is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such provision and such holding shall no affect the validity of the remaining portion of this Agreement.
5. Those rights and obligations under this Contract, which, by their nature should survive, shall remain in effect after termination, suspension or expiration hereof.
6. The failure of either Party to enforce at any time any of the provisions of this Contract shall in no way be construed as a waiver of such provision not in any way affect the right of either Party thereafter to enforce each and every provision of this Contract. There can be no assignment by either party of any rights or responsibilities hereunder without the consent of the other party.
7. All parties acknowledge that nothing under this agreement creates a right of action for any person or entity, and that this contract does not create or otherwise permit third party beneficiary rights or related causes of action. It is further acknowledged that the parties hereto are governmental entities providing these services in a governmental capacity. Accordingly, it is agreed that the parties are sovereigns that are, to the extent permitted by the South Carolina Tort Claims Act, and other applicable law, protected by sovereign immunity with respect to all acts and omissions related hereto.
8. The Town and County agree to enact, follow and enforce such ordinances, rules, policies, and regulations as may be necessary to carry out the terms of this Agreement.
9. Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been duly given as of the date and time the same are personally delivered or are deposited with the United States Postal Service, postage prepaid, and addressed as follows:

If to the County:

Attn: Stormwater Program, Dorchester County Public Works, 2120 E. Main Street, Dorchester, S. C. 29437

If to the Town:

Town Engineer, Town of Summerville, 200 S. Main Street, Summerville, S. C. 29483

10. This agreement shall be effective as of the date listed above, and shall continue from year to year unless terminated. Either party may terminate this agreement by delivering 12 months' advance written notice of termination to the other Party's address listed above.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, by and through the undersigned agents, this 10th day of December, 2008.

**SIGNED, SEALED & DELIVERED
IN THE PRESENCE OF:**

Sandy W. Lawley

DORCHESTER COUNTY

Ashley McDonald
(as to County)

By:

Larry Boyer

Its:

Chairman

Bonnie L. Van Etten

THE TOWN OF SUMMERSVILLE

Anna M. Scott

By:

Dennis P. Pieper

Its:

Town Administrator