

STATE ENVIRONMENTAL LAWS AFFECTING SOUTH CAROLINA AGRICULTURE

*(See NASDA's website for
Federal Environmental Laws Affecting U.S. Agriculture)*

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The Project Participants

National Association of State Departments of Agriculture Research Foundation

The National Association of State Departments of Agriculture (NASDA) is a nonprofit, nonpartisan association of public officials comprised of the Commissioners, Secretaries, and Directors of the fifty State Departments of Agriculture in the fifty states and the territories of Puerto Rico, Guam, American Samoa, and the Virgin Islands. NASDA's mission is to represent the State Departments of Agriculture in the development, implementation, and communication of sound public policy and programs which support and promote the American agricultural industry while protecting consumers and the environment. The NASDA Research Foundation is a 501(c)(3) nonprofit, tax-exempt corporation for educational and scientific purposes.

National Center for Agricultural Law Research and Information

The National Center for Agricultural Law Research and Information (NCALRI) was created in 1987 under Public Law 100-202, 101 Stat. 1329-30 to address the complex legal issues that affect American agriculture. The NCALRI focuses its efforts on research, writing, publishing, development of library services, and the dissemination of information to the public. The NCALRI is located at the University of Arkansas School of Law in Fayetteville, Arkansas.

Natural Resources Conservation Service

The Natural Resources Conservation Service (NRCS), formerly known as the Soil Conservation Service (SCS), is a federal agency within the U.S. Department of Agriculture (USDA). NRCS conservationists work with private landowners and operators to help them protect their natural resources.

U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (EPA) is a federal agency with primary responsibility for implementation of most federal laws designed to protect, enhance, and conserve the nation's natural resources.

Disclaimer

This guide is designed for use by farmers, ranchers, landowners, and their consultants in understanding the effect environmental laws have on agricultural operations. It is not a substitute for individual legal advice. Agricultural producers should always confer with their own attorneys, consultants, or advisors as well as federal, state, and local authorities responsible for the applicable environmental laws.

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The contents and views expressed in this guide are those of the authors and do not necessarily reflect the policies or positions of the United States Department of Agriculture (USDA) NRCS or EPA.

Although every effort has been made to ensure the accuracy of the information contained in this book, environmental statutes, regulations, and ordinances are constantly changing. In addition, the overwhelming complexity and extent of environmental law make it impossible for a single book to describe in complete detail and depth all of the environmental laws and regulations impacting agricultural operations. The following material is simply a basic primer on environmental law for agricultural producers. For these reasons, the utilization of these materials by any person constitutes an agreement to hold harmless the authors, the National Center for Agricultural Law Research and Information, the University of Arkansas, the United States Department of Agriculture, the National Association of State Departments of Agriculture Research Foundation, the Natural Resources Conservation Service, and the United States Environmental Protection Agency for any liability, claims, damages, or expenses that may be incurred by any person or organization as a result of reference to, or reliance on, the information contained in this book.

The background research and final documents were completed in June 2001. Updates of the information contained in the guide will occur on an as needed basis and be available on the internet.

Anyone with comments concerning the guide should contact the NASDA Research Foundation at 1156 15th Street, N.W., Suite 1020, Washington, D.C. 20005, or phone (202) 296-9680.

Quick Reference Guide

Producer Note: The following chart is intended as a quick reference guide to permits which may be necessary for a particular operation. If a permit is necessary, refer to the page numbers listed referencing this document for further information and contact the agencies listed in the final column for information on applications and procedures for securing a permit for an operation. A list of agencies and contact information is also provided in Appendix A.

Regulatory Area	Type of Activity	Permit Required	Agency
Water Quality <i>pp. 1-10</i>	Livestock and aquaculture operations, depending on size	National Pollutant Discharge Elimination System (NPDES) and state general permit or land disposal permit	Environmental Protection Agency (EPA) Regional Office and South Carolina Department of Health and Environmental Control (DHEC)
	Wetlands dredge and fill activity or dam, dike, or bridge building activities	Section 404 Clean Water Act (CWA) permit	U.S. Army Corps of Engineers with EPA and DHEC approval
	Water usage	Annual reports required for withdrawal of more than 100,000 gallons per day	DHEC and Clemson University Cooperative Extension Service (CES)
	Water well construction and use	No permit, but driller must be certified and driller's log may be required to be submitted	DHEC
Groundwater <i>pp. 11-13</i>	Groundwater protection	Generally no permit, but Best Management Practices (BMPs) must be followed in capacity use areas	HEC

Regulatory Area	Type of Activity	Permit Required	Agency
Air Quality <i>pp. 14-15</i>	Grain terminals and grain elevators	Permit required	EPA Regional Office or DHEC
	General agricultural operations including odor, dust, or flies	No permit, but may be subject to nuisance suits. Odor abatement plan required for certain livestock facilities	EPA Regional Office or DHEC
	Burning/Incineration of dead animals	Permit required in certain circumstances	Bureau of Air Quality of DHEC
Solid Waste and Hazardous Waste <i>pp. 15-18</i>	Storage, treatment, or disposal of hazardous or solid waste	Permit required for disposal, treatment, or storage activities	EPA Regional Office and DHEC
	Public notice of hazardous waste	No permit	Local Emergency Planning Committee and South Carolina Department of Labor (DOL)
	Application and use of pesticides	No permit, but a license may be required	EPA and Division of Regulatory and Public Services Programs within Clemson University (RPSP-CU)
Pesticides and Chemigation <i>pp. 18-20</i>	Use of pesticides around farmworkers	No permit, but training and notification is required	DHEC and RPSP-CU
	Record keeping	No permit, but all requirements must be met	DHEC, RPSP-CU and Department of Fertilizer and Pest Control (DFPC) for chemigation
	Taking of wildlife	Permit required if endangered or threatened species may be affected	U.S. Fish and Wildlife Service and Division of Wildlife & Marine Resources Division within the Department of Natural Resources
Wildlife Protection <i>pp. 20-21</i>			

STATE ENVIRONMENTAL LAWS AFFECTING SOUTH CAROLINA AGRICULTURE

Producer Note: Agricultural producers are faced with many challenges in today's rapidly changing world. Changes in industrialization, computer-based technology, market dynamics, and environmental regulation are affecting producers in a number of ways. Environmental regulation is a complex area with both federal and state government involvement. Staying informed is the producer's most useful instrument for meeting the challenges of today's agriculture. This information on environmental regulation is provided to educate producers of the breadth and scope of environmental laws which may impact production activities.

I. WATER QUALITY

A. South Carolina Water Quality Laws and Regulations

Most states have enacted clean water legislation. While these statutes usually contain provisions similar to those found in parallel federal legislation, there may be significant differences. In fact, state statutes may impose requirements that are even more restrictive than the federal law. In all cases, federal Clean Water Act (CWA)¹ requirements must be followed and enforced along with the state enacted statutes and regulations implemented by the state administrative agencies. Under the CWA, the Environmental Protection Agency has delegated the National Pollutant Discharge Elimination System permit program to many states. South Carolina is one of those states that has assumed the responsibility for administering the NPDES permit program.

Caution: Because environmental laws and regulations change frequently, agricultural producers must stay in touch with both state and federal officials in order to remain in compliance and aware of changes in the law.

Producer Note: Often the specifics of environmental laws are found in state or federal agency regulations. In addition, agency regulations are likely to be amended frequently. As a result, agricultural producers must stay in touch with agency offices administering specific programs in order to keep up with all changes which may occur.

¹ 33 U.S.C. § 1251 *et seq.* (1994).

1. *South Carolina Pollution Control Act*

Producer Note: The Pollution Control Act is (PCA) the primary water quality legislation in South Carolina although PCA also addresses groundwater and air quality. The PCA is administered by the Department of Health and Environmental Control (DHEC).

The Pollution Control Act² (PCA) gives the DHEC authority to regulate the quality of surface and groundwaters in South Carolina. The PCA authorizes the DHEC to adopt rules and regulations for classifying waters of the state as to their beneficial uses and establishing standards of quality and purity for the classified waters. As a result, the DHEC has developed a regulatory scheme³ which guides classification of all surface and groundwaters in the state and promulgates water quality standards for those waters. In adopting the classifications and standards, the following factors are considered:

- The size, depth, surface area, volume, direction, rate of flow, stream gradient, and temperature of the water;
- The water's distinctive suitability for a particular use such as residential, agricultural, industrial, or recreational purposes as well as the character of adjacent water and the most appropriate use of adjacent lands;
- The actual uses which have been made, are being made, or may be made to the waters for transportation, domestic and industrial consumption, irrigation, bathing, fishing, fire prevention, or sewage disposal; and
- The extent of any present defilement or fouling of waters which occurred because of past discharges.

The standards are set forth as effluent limitations indicating the amount of waste that can be discharged into a stream, river, or lake without reducing the water quality below its classified usage. Consequently, the standards are readily interpreted and set limits for anyone wishing to discharge waste into a stream, river, or lake. Lawful discharging activities, of course, require a permit issued by DHEC prior to any discharge.

² S.C. CODE ANN. § 48-1-10 *et seq.* (Law Co-op. 1987 & Supp. 1998).

³ 25 S.C. CODE ANN. REGS. 61-68, 61-69 (SUPP. 1998).

2. *South Carolina NPDES Program*

Producer Note: The EPA has delegated the administration of the NPDES program in South Carolina to the DHEC. As a result, the DHEC, rather than the EPA, has primary responsibility for issuing permits for lawful point source discharges and for enforcing related sections of the CWA. However, the DHEC must administer the program in accordance with all federal statutes, regulations, and standards.

Under the PCA and the NPDES program, the DHEC's primary duty is issuing permits for the discharge of waste into surface waters of South Carolina. However, with cause, the DHEC can deny, terminate, suspend, or modify permits. The following are established causes for denying or terminating a permit:

- Noncompliance with any condition on a permit;
- Failure to disclose fully all relevant facts or misrepresentation of any relevant facts at any time in the permit application or during the permitting process;
- Determination that the discharge activity endangers human health or the environment and that the discharge can only be regulated to acceptable levels by modification or termination; or
- A change in any prior condition that requires a temporary or permanent reduction or elimination of any discharge controlled by the permit.⁴

3. *South Carolina Concentrated Animal Feeding Operations*

Producer Note: An animal feeding operation (AFO) may be required to obtain permits in addition to the NPDES permit. With some concentrated animal feeding operations (CAFOs), construction or operation permits may be required even when an NPDES permit is not required.

South Carolina has incorporated the federal regulatory scheme for concentrated animal feeding operations (CAFOs) into state regulations.⁵ Consequently, a NPDES permit will be required if:

⁴ 24 S.C. CODE ANN. REGS. 61-9.122.64 (Supp. 1998).

⁵ REGS. 61-9.122.23; see also Appendix B, REGS. 61-9.

- An operation will discharge animal waste into the waters of South Carolina;
- An operation will handle a specified number of animal units (AUs); or
- Following an on-site inspection by the DHEC, an operation is determined as being a significant contributor of pollution to the waters of the state.

Even when a NPDES permit is not required, South Carolina requires a permit for the operation, expansion, or construction of certain agricultural animal and swine facilities and for the disposal of associated wastes including land application (as discussed in the following section).

4. *South Carolina Permits for Agricultural Animal Facilities*

Producer Note: South Carolina has adopted regulations for permitting AFOs. Pursuant to statutory authority,⁶ however, the regulatory scheme has two parts, a confined swine feeding operation section and a confined agricultural animal feeding operation section.

a. *Animal Facilities*

An animal facility is defined as a lot, building, or structure where animals are confined, fed, or maintained for 45 or more days in a twelve-month period and where no crops, vegetation, or forage growth are sustained in the normal growing season over any portion of the facility. The regulations for animal facilities⁷ establish standards for:

- Management, maintenance, and proper operation of the facility;
- Use and disposal of animal waste generated from the facility including land application; and
- Monitoring and record-keeping procedures used by the facility.

Pursuant to these regulations, animal waste from an animal facility can only be lawfully generated, handled, stored, treated, processed, or land applied in South Carolina in accordance with a permit issued by DHEC. While existing facilities with permits are not required to apply for a new permit, any producer constructing a new animal facility or expanding an existing operation must apply for a permit. The application must include the following:

⁶ S.C. CODE ANN. § 47-20-165 (Law Co-op. Supp 1998).

⁷ 24A S.C. CODE ANN. REGS. 61-43.200.10 *et seq.* (Supp. 1998).

- A completed application form;
- A waste management plan prepared by qualified Natural Resources Conservation Service (NRCS) personnel or a South Carolina registered professional engineer;
- Groundwater monitoring with well details and a proposed groundwater monitoring program (if applicable);
- An odor abatement plan for the facility, lagoon, waste storage pond, and waste utilization areas;
- A vector abatement plan;
- A method of dead animal disposal;
- A soil monitoring plan;
- Plans and specifications for all other waste treatment or storage structures, holding tanks, or waste storage sheds;
- The *Notice of Intent to Build or Expand an Animal Facility* forms as provided by the DHEC from all owners of property within 1000 feet of the facility's location;
- A map to scale showing all neighboring property owners within 1000 feet and identifying inhabited dwellings;
- An emergency plan for facilities with a lagoon or waste storage pond;
- A written agreement for any reduction in setback distances from adjoining property owners (if applicable); and
- The proper fee.

While the above requirements are to be met for new or expanding facilities, there are some exceptions to the permitting process. These exceptions include:

- Existing animal facilities unless an expansion is proposed or new waste utilization areas are added;
- Animal facilities with only ranged animals having no lagoon or waste storage pond;

- Animal facilities having a capacity or normal production of 10,000 pounds or less of animal live weight at any one time; however, these facilities must implement a waste management plan that meets regulatory requirements; or
- Animal facilities having a capacity or normal production of more than 10,000 pounds but less than 30,000 pounds of animal live weight at any one time; however, these facilities must submit and implement a waste management plan that meets the regulatory requirements of the DHEC.

Producer Note: The waste management plans, odor abatement plans, vector abatement plans, dead animal disposal plans, soil monitoring plans, and emergency plans require detailed information; thus, agricultural producers should review the regulations or contact the DHEC for the specific requirements of each.

b. Swine Facilities

A swine facility is defined as a lot, building, or structure where swine are confined, fed, or maintained for 45 or more days in a twelve-month period and where no crops, vegetation, or forage growth are sustained in the normal growing season over any portion of the facility. As with the confined animal feeding facilities described above, DHEC regulations for swine facilities⁸ establish standards for management, maintenance, proper operation, monitoring, and record keeping procedures as well as use and disposal of animal waste generated from the facility including land application of waste.

Although most of the requirements of animal facilities described above are applicable to swine facilities, swine facilities have additional, more restrictive regulations. For example, before permitting new or expanded swine facilities, the DHEC must consider:

- Impacts from evaporation, storm water, and actual or potential nonpoint source pollution runoff;
- Nutrient levels in soils and nearby waterways; and
- Groundwater contamination.

Additionally, the public notice requirements for the construction or expansion of a swine facility are greater than those for an animal facility. Under DHEC regulations, the DHEC will, at the expense of the applicant:

- Publish a notice of intent to construct or expand a swine facility in a local newspaper of general circulation;

⁸ 24A S.C. CODE ANN. REGS. 61-43.100.10 *et seq.* (Supp. 1998).

- Notify persons residing on adjoining property;
- Notify the appropriate county commission;
- Notify the appropriate water supply district including any surface drinking water treatment plant located downstream from the proposed swine facility that could reasonably be affected by a significant problem; and
- Notify any person who has requested specific notification.

Public notice requirements also exist for new construction or expansion of existing small swine facilities. A small swine facility is a confined facility with a capacity or normal production of 420,000 pounds or less of swine live weight at any one time. Under the regulations, applicants of such small swine facilities must notify all adjoining property owners and all persons residing within 1000 feet of the facility location using a notice of intent form obtained from the DHEC.

Moreover, an operator of a swine facility, lagoon, waste storage pond, or waste utilization area must be certified under a program created by Clemson University on swine waste management. The certification must be obtained within one year of the date of an effective permit.

Even with the restrictive requirements for swine facilities, some operations are exempt from a permit requirement including:

- Swine facilities existing before July 1, 1996 and that have not expanded or constructed new facilities;
- Swine facilities with a lagoon, waste storage pond, or treatment system that have 70 or less finishing hogs and a DHEC-approved waste management plan;
- Swine facility with a lagoon, waste storage pond, or treatment system that have a capacity or normal production of 10,000 pounds or less of animal live weight at any one time and a DHEC-approved waste management plan;
- Swine facilities with a lagoon, waste storage pond or treatment system that have more than 70 but less than 210 finishing hogs and a DHEC-approved waste management plan;
- Swine facilities with a lagoon, waste storage pond, or treatment system that have more than 10,000 but less than 30,000 pounds of normal production animal live weight at any one time and a DHEC-approved waste management plan; and

- Ranged swine facilities where the range area is sufficient for natural disposal or utilization of the swine waste without any adverse impact on the environment.

Producer Note: The application process for a swine facility permit requires the submission, approval, and implementation of waste management plans, odor abatement plans, vector abatement plans, dead animal disposal plans, soil monitoring plans and emergency plans. These plans require detailed information; thus, agricultural producers should review the regulations or contact the DHEC for the specific requirements.

c. Innovative and Alternative Technologies

The following are examples of innovative or alternative technologies that agricultural facilities may consider when developing their waste management plans and which may be required by the DHEC in particular cases:

- Aerobic treatment systems or combination aerobic and anaerobic systems;
- Artificial wetlands use for treatment;
- Use of steel tanks;
- Use of separators for solids;
- Methane gas recovery systems; and
- Surface water discharge systems.

5. South Carolina Nonpoint Source Pollution Control

Producer Note: South Carolina has enacted legislation designed to reduce water pollution which results from stormwater runoff and sedimentation. Nonagricultural land-disturbing activities and certain agricultural activities are addressed by the legislation. Land-disturbing activities include any activity that changes the natural cover or topography and may cause erosion or contribute to sedimentation. This legislation provides that administration of any or all components of the stormwater management and sediment control programs can be delegated to a local governing body or conservation district .

The Stormwater Management and Sediment Reduction Act (SMSRA)⁹ requires any person prior to engaging in a land-disturbing activity to first submit a stormwater management and sediment control plan to the implementing agency (either the DHEC, the local governing

⁹ S.C. CODE ANN. § 48-14-10 *et seq.* (Law Co-op. Supp. 1998).

body, or the conservation district) and obtain a permit. Under the SMSRA, a land-disturbing activity is any use of land that changes the natural cover or topography and may cause erosion or contribute to sedimentation. Land-disturbing activities on agricultural lands performed for the production of plants and animals are exempt from the permitting process. However, the construction of an agricultural structure, e.g., a broiler house, machine shop, equipment, or storage shed, which requires a building permit and entails one or more acres must submit and receive approval of a stormwater management and sediment control plan prior to disturbing the land.

A stormwater management and sediment control plan for land-disturbing activities of two or less acres must contain the following information:

- Anticipated starting and completion date of the land-disturbing activities and the expected date of final stabilization;
- Narrative description of the stormwater management and sediment control plan to be used during land-disturbing activities;
- General description of topographic and soil conditions of the tract from the local soil and water conservation district;
- General description of adjacent property and description of existing structures, buildings, and other fixed improvements on surrounding properties;
- Sketched plan containing:
 - A site location of the proposed project in relation to roadways, boundaries, streams and rivers;
 - The boundary lines of the work site;
 - A topographic map of the site (if required by the agency); and
 - The location of temporary and permanent vegetative and structural stormwater management and sediment control measures;
- Certification by the person responsible for the land-disturbing activity that the activity will be accomplished pursuant to the plan; and
- Certification by the person responsible for the land-disturbing activity that the administrative agency has a right to conduct on-site inspections.¹⁰

¹⁰ 26 S.C. CODE ANN. REGS. 72-307 (1997).

6. *South Carolina Best Management Practices*

South Carolina has incorporated best management practices (BMPs) into aspects of its water quality program. BMPs are practices which are the most effective, practical ways for controlling, reducing, or abating nonpoint source pollution.¹¹ In the case of livestock operations, DHEC regulations, as noted in an earlier section, reflect the implementation of BMPs in livestock waste management facilities.

7. *South Carolina Enforcement of Water Pollution*

Any person who directly or indirectly discharges a pollutant or contaminant into the waters of South Carolina without a discharge permit is in violation of the PCA.¹² Moreover, violators of any rule, regulation, permit, permit condition, final determination, or order of DHEC are subject to a civil penalty up to \$10,000 per day of the violation. A willful or negligent violation is deemed a misdemeanor; and upon conviction, a violator is punishable by a fine up to \$25,000 and/or imprisonment up to two years.¹³

Producer Note: Agricultural producers should contact their state DHEC or Regulatory and Public Service Programs within Clemson University to determine the current status of the regulation and the groundwater pesticide management plan for South Carolina.

¹¹ 25 S.C. CODE ANN. REGS. 61-68.

¹² S.C. CODE ANN. § 48-1-90 (Law. Coop 1987 & Supp. 1998).

¹³ §§ 48-1-320, -330.

II. GROUNDWATER

A. South Carolina Groundwater Laws and Regulations

1. *South Carolina Pollution Control Act*

As noted earlier, South Carolina's PCA¹⁴ gives the DHEC the authority to regulate the quality of surface water and groundwater. Pursuant to this authority, DHEC's goal for groundwater is to maintain or restore its quality to that of drinking water quality. At this time, all groundwater in South Carolina is considered to be, without any treatment, drinking water quality. As a result all groundwater has been classified as Class GB, which means it is water suitable for human consumption and contains fewer than ten thousand milligrams per liter of total dissolved solids. In order to maintain this classification, DHEC requires permits for all discharges to groundwater and may require BMPs for the control of stormwater runoff.

2. *South Carolina Water Resources*

Two legislative acts provide the DEHC with the authority to establish a comprehensive water resource policy and program for South Carolina, the South Carolina Water Resources Planning and Coordination Act (WRPCA)¹⁵ and the South Carolina Water Use Reporting and Coordination Act (WURCA).¹⁶ In developing the state water resource program, the need for adequate supplies of surface and groundwater of suitable quality for domestic, municipal, agricultural, and industrial uses is given great consideration.

Consequently, under the WURCA, any water user who diverts, withdraws, or obtains 100,000 or more gallons of water per day on any day must report such use to the DHEC. Reports of water for agricultural purposes must be submitted annually through the Clemson University Cooperative Extension Service; however, during periods of extremely low stream flow, quarterly reports may be required. The following information is required in a water usage report:

- Identification and location of any sites or facilities where water is used, withdrawn, diverted, obtained, or discharged;
- Identification and location of any sites or facilities where a water well is drilled;
- Location and source of the water used, obtained, diverted, or returned;

¹⁴ S.C. CODE ANN. § 48-1-10 *et seq.* (Law Co-op. Supp. 1998).

¹⁵ § 49-3-10 *et seq.*

¹⁶ § 49-4-10 *et seq.*

- Capacity and location of any intake, withdrawal, or diversion pumps or structures;
- Number and depth of any wells or underground sources from which water is withdrawn or to which it is returned and the capacity of pumps or structures used;
- Water storage and treatment capacity;
- Total amount of water used, diverted, withdrawn, or obtained during the reporting period and the largest amount of water used within a single day during each month;
- Method used to determine the amount of water used, withdrawn, obtained, or discharged;
- General nature of the use made of the water; any agricultural use must be further designated as for livestock or irrigation; and
- Percentage of the total amount of water used from surface water, groundwater, or other water.¹⁷

3. South Carolina State Safe Drinking Water Act

South Carolina's State Safe Drinking Water Act (SSDWA)¹⁸ primarily establishes standards and procedures for public drinking water supply facilities. However, in order to prevent the contamination of underground sources of drinking water, SSDWA authorizes the DHEC to promulgate regulations and standards for well construction. Under SSDWA, all well contractors must be certified by South Carolina Board of Certification of Environmental Systems Operators.

4. South Carolina Water Wells

Augmenting the SSDWA, the South Carolina Water Use Reporting and Coordination Act (WUCA)¹⁹ mandates that a driller's well log must be submitted to the DHEC for anyone drilling, boring, digging, altering, or changing any well that is four inches or greater in diameter and is to be used to withdraw, divert, or obtain water except a well for single family domestic use. The well log must be submitted within 30 days of completion of the well with the following information:

¹⁷ 27 S.C. CODE ANN. REGS. 121-10.1 *et seq.* (1991).

¹⁸ S.C. CODE ANN. § 44-55-10 *et seq.* (Law Co-op. 1985 & Supp. 1998).

¹⁹ § 49-4-60 (Law. Co-op. Supp. 1998).

- Character and depth of the formation passed through or encountered;
- Static water level of the completed well;
- Pumping test records, if any;
- Construction details including lengths, diameters, and thickness of casing along with screening and gravel packing; and
- Type of pumping equipment installed, if any.

5. *South Carolina Groundwater Use Act*

Pursuant to South Carolina’s Groundwater Use Act (GUA),²⁰ groundwater in a capacity use area may be regulated. A capacity use area is an area where the total use of groundwater is impairing or threatens to impair the renewal or replenishment of the water. In such areas, the DHEC can require:

- Monthly reports of quality and quantity of groundwater used, sources of water, water levels, and nature of the use;
- Restrictions on the timing of withdrawals to protect the well from saltwater encroachment;
- Limitations on well depths, well spacing, and pumping levels; or
- Restrictions on withdrawals to prevent sinkholes and land subsidence.

Furthermore, in a capacity use area, a permit from DHEC is required for the withdrawal or utilization of water:

- In excess of 100,000 gallons each day on any day;
- One million gallons each month in any month; or
- Ten million gallons in any twelve consecutive months.

Also, any water wells with the above intended capacity must be permitted before constructing.

²⁰ S.C. CODE ANN. § 49-5-10 *et seq.* (Law Co-op. Supp. 1998).

III. AIR QUALITY

A. South Carolina Air Quality Laws and Regulations

1. *South Carolina Pollution Control Act*

Besides regulation of surface and groundwater, air quality is regulated in South Carolina under the PCA.²¹ Administration, regulation, and enforcement of air quality is in the hands of the DHEC. South Carolina has incorporated EPA air quality standards into its state standards.²²

There are specific requirements regarding air quality for agricultural operations using incinerators to dispose of dead animals. This activity must either be qualified for a permit exemption or be permitted by the Bureau of Air Quality within the DHEC. For incineration disposal activities, the following general conditions must be met to obtain an air quality permit:

- Incinerators must be properly operated and maintained pursuant to the owner's manual provided by the manufacturer of the incinerator;
- Owner's manual must be kept on site and made available to DHEC personnel upon request;
- Use of the incinerator to dispose waste oil, hazardous waste, or any other waste chemical is prohibited; and
- Use of the incinerator must be strictly limited to dead animal disposal.²³

In order to be exempt from the air permit requirement for dead animal incineration, the following criteria must be met:

- Emissions of particulate matter must be less than one pound per hour when the incinerator is operated at the maximum rated capacity;
- The incinerator must be a package incinerator (not one constructed on site), have a rated operation capacity of 500 pounds or less per hour, and burn only virgin fuels – specifically unused solid, liquid, or gaseous commercial fuels; and

²¹ S.C. CODE ANN. § 48-1-10 *et seq.* (Law. Co-op. 1987 & Supp. 1998).

²² 24 A S.C. CODE ANN. REGS. 61-62 *et seq.* (Supp. 1998).

²³ REGS. 61-43.

- Incinerator emissions may not exceed an opacity limit of 10% which means a limit to the degree that the emissions reduce light transmission and obscure the view of an object in the background.²⁴

2. *South Carolina Open Burning*

Generally, open burning is prohibited. However, there are exceptions, and it appears that most fires for agricultural purposes that are located on the farm would fall within an exception. For instance, fires purposely set for the agricultural control of diseases, weeds, pests, or other specific agricultural purposes fall within the exception to the general rule and are, thus, exempted from prohibition. Also, under certain conditions, the burning of materials for land clearing is also allowed. In the case of household trash, open burning is permitted when services for disposal are not available.²⁵

3. *South Carolina Odor*

Oftentimes complaints arise from concerns regarding odor from agriculture operations particularly where there are concentrations of livestock. South Carolina has statutorily addressed this issue regarding CAFOs by prohibiting the release of an undesirable level of odor unless certain preventative measures are taken to prevent or control the release.²⁶ Preventative measures to control odors may include:

- Removal or disposal of the odorous materials;
- Implementation of prescribed methods for the handling and storage of odorous materials to lessen the amount of odor released;
- Implementation of maintenance standards for the premises that will reduce the amount of odor released; or
- Implementation of BMPs to reduce the amount of odor released.

IV. **SOLID WASTE AND HAZARDOUS WASTE**

Producer Note: There are several laws which control the use, disposal, and cleanup of hazardous wastes. Producers who use hazardous chemicals, petroleum, or other products stored in storage tanks must be aware of the various requirements governing their actions.

²⁴ *Id.* See also REGS. 61-62 (Supp. 1998) (Regulations for air quality).

²⁵ REGS. 61-62.2.

²⁶ S.C. CODE ANN. § 47-20-70 (Law Co-op. Supp. 1998).

A. South Carolina Solid Waste and Hazardous Waste Laws and Regulations

Producer Note: While most agricultural producers are not generators, transporters, or disposers of hazardous waste, it is important to check with state officials concerning the definitions of solid waste and hazardous waste to determine whether an operation's activities would be regulated under state solid waste or hazardous waste statutes.

1. *South Carolina Solid Waste Policy and Management Act*

Solid waste is regulated in South Carolina under the Solid Waste Policy and Management Act of 1991 (SWMA).²⁷ The SWMA does not cover hazardous wastes. Solid waste is defined as:

[A]ny garbage, refuse, or sludge from a waste treatment facility, waster supply plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities.

The SWMA specifically addresses three solid waste items -- used oil, waste tires, and lead-acid batteries -- which agricultural producers need to be especially aware because of the frequent tendency for these items to accumulate on farm premises.

a. *Used Oil*

The proper disposal of used oil requires delivery to a used oil collection facility or to an agent for subsequent delivery to a used oil collection facility. Utilizing used oil for road oiling, dust control, weed abatement, or similar uses is prohibited. Furthermore, used oil cannot be knowingly disposed by:

- Placing used oil in municipal solid waste;
- Placing used oil in a solid waste disposal facility unless the facility is approved to receive such oil by the DHEC;
- Collecting, storing, or using used oil in a manner that may endanger public health and welfare or the environment;
- Discharging used oil into sewers, drainage systems, septic tanks, surface water, groundwater, or any other waters or onto the ground; or

²⁷ S.C. CODE ANN. § 44-96-10 *et seq.* (Law Co-op. Supp. 1998).

- Mixing or commingling used oil with hazardous substances that make it unsuitable for recycling.²⁸

b. Waste Tires

Specifically, the SWMA requires that all waste tires must be disposed at permitted solid waste disposal facilities, waste tire collection sites that are part of a permitted waste tire treatment facility, permitted waste tire treatment facilities, or permitted waste tire collection centers. Violators may be fined up to two hundred dollars per tire.²⁹

c. Lead-Acid Batteries

All lead-acid batteries must be disposed by being delivered to lead-acid battery retailers or wholesalers, collection, or recycling facilities that are registered to accept lead-acid batteries, or permitted secondary lead smelters. Violators may be fined up to two hundred dollars for each battery not properly disposed.³⁰

2. South Carolina Hazardous Waste and Underground Storage Tanks

Hazardous waste is regulated in South Carolina by the Hazardous Waste Management Act (HWMA).³¹ However, underground storage tanks (USTs) for petroleum or petroleum products are regulated by the State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERBA).³² Under the SUPERBA, an UST is defined as any tank along with its associated underground pipes that is ten percent or more by volume beneath ground surface. The following are excluded from USTs regulatory requirements:

- Farm or residential tanks with a capacity of 1100 gallons or less that are used for storing motor fuel for noncommercial purposes;
- Tanks used for storing heating oil for on-premise consumption;
- Septic tanks;
- Surface impoundments, pits, ponds, or lagoons;

²⁸ S.C. CODE ANN. § 44-96-160 (Law Co-op. Supp. 1998).

²⁹ § 44-96-170.

³⁰ § 44-96-180.

³¹ § 44-56-10 *et seq.* (Law Co-op. 1985 & Supp. 1998).

³² § 44-2-10 *et seq.* (Law Co-op. Supp. 1998).

- Stormwater or wastewater collection systems; or
- Storage tanks in an overall underground area but positioned above the floor's surface.³³

Owners or operators of non-exempt USTs must register the tank with the DHEC and display the registration certificate. In the event a spillage or release occurs, immediate measures must be taken to contain, remove, and prevent further release.

V. PESTICIDES AND CHEMIGATION

Producer Note: Use of pesticides and other farm chemicals is regulated by federal and state statutes. Most states have some form of licensing or certification requirements controlling pesticide users. In addition, if an agricultural producer employs agricultural workers, there are regulations which address safety concerns about pesticide use by those workers or around those workers.

A. South Carolina Pesticide and Chemigation Laws and Regulations

Producer Note: South Carolina, like most states, has laws designed to control the use of pesticides. The laws are designed to closely monitor the distribution and ultimate use of these substances within the state.

1. *South Carolina Pesticide Control Act*

Sections of the South Carolina PCA³⁴ regarding pesticides fall under the authority of the State Crop Pest Commission (SCPC). The SCPC consists of several members including one representative each from the Department of Natural Resources' Wildlife or Marine Resources Division; the Forestry Commission, the Department of Agriculture, and the Department of Health and Environmental Control. The SCPC has delegated its authority to regulate injurious insects, plants pests, fertilizers, liming materials, pesticides, and honey bees to the Division of Regulatory and Public Service Programs, College of Agricultural Sciences, Clemson University. The PCA and its resultant regulatory scheme primarily provides for:

³³ 25A S.C. CODE ANN. REGS 61-92 (1997).

³⁴ S.C. CODE ANN. § 46-13-10 *et seq.* (Law. Co-op. 1987 & Supp. 1998).

- Registration of all pesticides and devices distributed in the state;
- Classification of restricted-use pesticides;
- Licensing of pesticide dealers;
- Certification and licensing of private applicators;
- Certification and licensing of commercial applicators;
- Certification and licensing of noncommercial applicators;
- Safe handling, storage, display, and disposal procedures for pesticides; and
- Enforcement.

Licensed private applicators may use or supervise the use of a restricted-use pesticide for the production of an agricultural commodity on property owned by the applicator or the applicator's employer and on property of another provided there is no compensation other than the trading of personal services. To become a licensed private applicator, a person must:

- Be over fifteen years old;
- Complete an application form supplied by the Plant Pest Regulatory Service;
- Complete a prescribed training program dealing with pesticides; and
- Pay the proper fee.³⁵

Improper use of a pesticide or use inconsistent with the pesticide label or state regulation is grounds for denial, suspension, or revocation of a license or certification. Additionally, a violator may be subject to both criminal and civil penalties.

2. *South Carolina Chemigation*

The Backflow Prevention, Chemigation Act (BPCA)³⁶ regulates the use of applying chemicals to land or agricultural commodities through an irrigation system. The Department of

³⁵ 23A S.C. CODE ANN. REGS. 27-1070 *et seq.* (Supp. 1994).

³⁶ S.C. CODE ANN. § 46-1-140 (Law. Co-op. 1987).

Fertilizer and Pesticide Control (DFPC) within Clemson University administers the provisions and ensuing regulations³⁷ of the BPCA.

Regulations provide for the proper installation of specific anti-siphon devices including: check valves, vacuum breakers, low pressure drains, and mechanical or electrical interlocks. Moreover, the regulations require:

- DFPC notification of any suspected contamination of any water source;
- Maintenance of records of chemigation applications; and
- Access to chemigation equipment by DFPC agents for inspection and sample-taking.

Producer Note: Agricultural producers must take special care in disposing pesticide containers. Although permits for disposal are not required under Federal Insecticide Rodenticide Act (FIFRA), the pesticide label will reflect requirements for disposal which must be met in order to prevent violations of the law. Clemson University through its Regulatory and Public Service Programs (RPSP) and Cooperative Extension Service (CES) sponsors container collection activities.

Producer Note: Agricultural producers are also required to take precautions to protect farm workers from pesticides. Producers must properly train and notify workers of pesticide dangers. Producers should refer to the EPA publication entitled *The worker protection Standard for Agricultural Producers-How to Comply; What Employers Need to Know* for specific explanations of the requirements. Contact the EPA or Clemson University Regulatory and Public Service Programs for the most current requirements.

VI. PROTECTION OF WILDLIFE

Producer Note: Agricultural producers also have responsibilities concerning wildlife and migratory birds which may have habitat on the producer's property. Federal and state laws contain measures designed to protect or enhance wildlife or wildlife habitat.

³⁷ 23A S.C. CODE ANN. REGS. 27-1090 to 27-1092 (Supp. 1991).

A. South Carolina Wildlife Protection Laws and Regulations

Producer Note: Many states have additional measures which either enhance protections under federal laws or address issues peculiar to wildlife found within the state. These states also may address common problems caused by wildlife. South Carolina has laws protecting wildlife.

The South Carolina Nongame and Endangered Species Conservation Act (NESCA)³⁸ provides state protection of species whose prospect of survival or recruitment within the state are in jeopardy as well as species listed as endangered or threatened under the federal Endangered Species Act (ESA).³⁹ The Wildlife and Marine Resources Divisions within the Department of Natural Resources (DNR) administers provisions of the NESCA.

Under the NESCA, the taking, possessing, transporting, exporting, processing, selling, offering for sale, or shipping of nongame wildlife deemed to be in need of management is prohibited. However, under certain conditions the taking, possessing, transporting, exporting, or shipping of listed species may be permitted for scientific, zoological, or educational purposes. Moreover, where good cause can be shown and when it is necessary for the protection of property and human health, an endangered species may be removed, captured, or destroyed pursuant to a DNR permit.

VII. ENFORCEMENT OF STATE ENVIRONMENTAL LAWS

As with federal environmental laws, violators of regulatory requirements of state environmental laws face substantial penalties. Specific penalties vary to some degree with each statute. However, penalties generally include both civil and criminal fines. Additional fines can be assessed for each day that a violation occurs. For severe or repeated violations, imprisonment may be imposed. State agencies may also bring court proceedings or proceedings before an administrative tribunal to enjoin prohibited activities and force violators to comply with the statute. In some cases, citizens may file lawsuits against violators to enforce the requirements of the environmental laws. As with the federal statutes, state laws afford agricultural producers the right to administrative and/or judicial review of agency decisions.

³⁸ S.C. CODE ANN. § 50-15-10 *et seq.* (Law-Co. Supp. 1998).

³⁹ 16 U.S.C. § 1531 *et seq.* (1994).

VIII. Other South Carolina Statutes Affecting Agriculture

Producer Note: Many other state statutes have the potential of impacting agricultural operations and their relationship to the environment. The following is a brief discussion of additional state laws in South Carolina.

A. South Carolina Farmland Preservation

1. South Carolina Zoning and Planning

Producer Note: Agricultural operations frequently are controlled by local planning or zoning board activities. Since it is not possible to outline each local area's requirements, agricultural producers must check with local boards to determine local planning and zoning regulations which may affect production activities.

Under zoning legislation,⁴⁰ municipalities and counties are authorized to regulate and issue permits regarding the uses of land and buildings according to designated zones within their jurisdiction. The agricultural use of land may be regulated as well as buildings and structures placed on that land.

2. South Carolina Conservation Easements

Producer Note: Many states have passed laws allowing preservation or conservation of agricultural land through the use of conservation easements. When conservation easements are used for these purposes, the law frequently has certain requirements relating to the creation, compensation, and enforcement of such easements.

South Carolina Conservation Easement Act of 1991 (CEA)⁴¹ was enacted in order to allow for conservation easements. Conservation easements are nonpossessory interests in real property which impose limitations or affirmative obligations on the use of the property. Holders of a conservation easement may be either a government body or a charitable, not-for-profit educational corporation, association, or trust. The conservation easement may be created, conveyed, recorded, assigned, released, or otherwise affected or altered in the same manner as other easements. Unless specified otherwise in the creation document, a conservation easement is perpetual. Functions of conservation easements are:

⁴⁰ S.C. CODE ANN. § 6-7-710 *et seq.* (Law Co-op. 1977 & Supp. 1998).

⁴¹ § 27-8-10 *et seq.* (Law Co-op. Supp. 1998).

- Retaining and protecting natural, scenic, or open-space aspects of real property;
- Ensuring the future availability of real property for agricultural, forest, recreational, educational, or open-space use;
- Protecting natural resources;
- Maintaining or enhancing air or water quality;
- Preserving the historical, architectural, archaeological, or cultural aspects of real property.

B. South Carolina Nuisance and Right-to-Farm

Producer Note: Many agricultural producers are confronted with complaints of local residents. These problems may originate due to odors, flies, rodents, or dust generated on or by the operation. Resulting lawsuits or court actions are usually based on a nuisance theory, and in some cases, a right-to-farm defense may apply.

1. South Carolina Nuisance

Generally, a nuisance is any activity or use of property that causes annoyance, harm, inconvenience, or damage to another. A nuisance is classified as a public nuisance when there is a danger to the public at large. It is classified as a private nuisance when the individual, as distinguished from the public, may be injured.⁴²

In the area of public health, regulations establish specific acts which are declared to be a public nuisance. Among these acts are the following:

- Maintenance of any barn, stable, chicken yard, manure pile, or garbage receptacle in a manner that flies are attracted and exist in excess of acceptable levels;
- Accumulation of water in which mosquito larvae may breed; or
- Accumulation of materials on any property to the extent and in such a manner as to create a harborage for rodents or other vectors that are dangerous to the public health.⁴³

⁴² Home Sales, Inc. v. City of North Myrtle Beach, 382 S.E.2d 463 (S.C. Ct. App. 1989).

⁴³ 24A S.C. CODE ANN. REGS. 61-46 (Supp. 1982).

2. *South Carolina Right-to-Farm*

In order to conserve, protect, and encourage development and improvement in its agricultural land and facilities, South Carolina has adopted legislation to lessen the loss of farmland caused by common law nuisance actions due to the expansion of nonagricultural uses into agricultural areas.⁴⁴ While this statute does not provide agricultural producers absolute protection, it does provide some protection. Under the statutory provisions, an established agricultural facility or agricultural operation may not become a private or public nuisance as a result of any changed condition in or about the locality of the facility/operation. Furthermore, an agricultural operation is deemed to be established on the date that the operation commenced and any subsequent expansion of the operation does not change its established date of operation.

However, an agricultural facility/operation is not protected by the statute if a nuisance lawsuit is the result of negligent, improper, or illegal operation. Additionally, the right-to-farm protections do not prevent the recovery of damages because of pollution or change in the conditions of the waters of a stream or due to an overflow or discharge onto neighboring lands.

C. **South Carolina Dead Animal Disposal**

Generally, any owner or tenant of the land where dead animals are found must immediately bury or burn the dead animal or poultry or dispose through an approved rendering process.⁴⁵ When buried, an animal must be placed at least three feet underground, and poultry must be placed at least one foot underground.⁴⁶

For agricultural animals or swine raised in confined feeding operations, dead animal or swine disposal must be specified in the DHEC approved waste management plan. Under the regulations,⁴⁷ disposal may be by the or incineration, as discussed earlier under the air quality section, or burial. In establishing the permit conditions for burial, DHEC considers:

- Proximity to the 100-year floodplain;
- Soil type;
- Depth to seasonal high water table; and
- Other relevant factors.

⁴⁴ S.C. CODE ANN. § 46-45-10 (Law Co-op. Supp. 1998).

⁴⁵ § 47-22-10 *et seq.*

⁴⁶ § 44-29-30 (Law Co-op. 1985).

⁴⁷ 24A S.C. CODE ANN. REGS. 61-43.100.130, 61-43.200.130 (Supp. 1998).

Dead animal burial sites may not be located in areas flooded with surface water or where the seasonal high groundwater level is within one foot of the surface of the ground. Furthermore, the animals placed in the burial site must be covered at all times with sufficient cover to prevent unearthing by scavengers. Finally, when full, the burial site must be covered with sufficient soil and grass to prevent erosion.

D. South Carolina Noxious Weeds

The South Carolina Noxious Weed Act (NWA)⁴⁸ authorizes the South Carolina Department of Agriculture (DOA) to conduct operations necessary to detect, control, and prevent the spread of noxious weeds including seizure, quarantine, or destruction. A noxious weed is any living stage of any plant which is directly or indirectly injurious to public health, crops, livestock, or agriculture.

Under the NWA, the DOA may order any person in possession of a noxious weed to destroy it, export it, or return it to its original shipping point. Any person refusing to comply with the such an order may be found guilty of a misdemeanor and fined and/or imprisoned.

Additionally, the SCPC has promulgated regulations dealing with numerous plant pests. The SCPC may designate various plant pests and may take actions including quarantines and other methods to eradicate or otherwise control the plant pest. Violation of these regulations constitutes a misdemeanor.

E. South Carolina Livestock Health

The State Livestock-Poultry Health Commission's authority to regulate has been delegated to the Director of Livestock-Poultry Health Programs within Clemson University. The Livestock-Poultry Health Program addresses all matters pertaining to livestock health and inspections under the South Carolina Meat and Meat Food Regulations Inspection Law⁴⁹ and the Poultry Products Inspection Law.⁵⁰

⁴⁸ S.C. CODE ANN. § 46-23-10 *et seq.* (Law Co-op. 1987).

⁴⁹ § 47-17-10 *et seq.*

⁵⁰ § 47-19-10 *et seq.*

Appendix A - Agencies

Producer Note: State agencies are available to answer questions regarding environmental matters and compliance with environmental laws and regulations. The following is a list of agencies which should be able to answer questions or provide materials for an agricultural producer.

State Agencies:

Clemson Cooperative Extension Service

Clemson University
Clemson, SC 29634-3311
(803) 656-3382
(864) 656-5819 fax
<http://virtual.clemson.edu/groups/extension>

Clemson University (2 Program Divisions)

Division of Livestock-Poultry Health Programs

905 Clemson Road
Columbia, SC 29229 or
P.O. Box 102406
Columbia, SC 29224-2406
(803) 788-2260, ext. 268 State Veterinarian
(803) 788-8058 fax
no website, but see <http://www.Clemson.edu>

2 Departments (within DLPHP)

Department of Animal Health

(803) 788-8748
(803) 788-8114 fax

Department of Meat-Poultry Inspection

(803) 788-8747
(803) 788-8114 fax

Division of Regulatory and Public Service

Programs (within Clemson University)

511 Westinghouse Road
Pendleton, SC 29680
(864) 646-2120
(864) 646-2130 fax
<http://drpsp.clemson.edu/>

3 Departments (within RPSP)

Department of Pesticide Regulation

(864) 646-2150
(864) 646-2179 fax
<http://dpr.clemson.edu/>

Department of Fertilizer and Seed Certification

(864) 646-2140
(864) 646-2178 fax
<http://fscs.clemson.edu/>

Department of Plant Industry

(864) 646-2130
(864) 646-2178 fax
<http://dpi.clemson.edu/>

Department of Agriculture

State Capitol Complex
Wade Hampton Building, 57th Floor or
P. O. Box 11280
Columbia, SC 29211-1280
(803) 734-2210
(803) 734-2192 fax
<http://www.scd.a.state.sc.us>

Department of Health & Environmental Control

2600 Bull Street
Columbia, S.C. 29201
(803) 898-3432
(803) 898-0816 fax
Emergency 24 Hours
(803) 253-6488
<http://www.scdhec.net/eqc>

Bureau of Air Quality (within DHEC)

Same address as DHEC above
(803) 898-4123
(803) 898-4117 fax
<http://www.scdhec.net/eqc>

6 Divisions (within DHEC-Land and Waste Management)

Division of Waste Management

Same address as DHEC above
(803) 896-4000
(803) 896-4001 fax
<http://www.scdhec.net/eqc>

Division of Mining

Same address as DHEC above
(803)896-4000
(803) 896-4001 fax
<http://www.scdhec.net/eqc>

Division of Solid and Hazardous Waste Management

Same address as DHEC above
(803) 896-4000
(803) 896-4001 fax
<http://www.scdhec.net/eqc>

Division of Underground Storage Tanks

Same address as DHEC above
(803) 896-4350
(803) 896- 4330 fax
<http://www.scdhec.net/ust>

Division of Water

Same address as DHEC above
(803) 896-4300
(803) 896- 4215 fax
<http://www.scdhec.net/water>

Division of Ocean and Coastal Resource Management

1362 McMillan Avenue, Suite 400
Charleston, SC 29405
(843) 744-5838
(843) 744-5847 fax
<http://www.scdhec.net/ocrm>

Department of Labor, Licensing, and Regulation

Koger Office Park, Kingstree Building
110 Centerview Drive or
P.O. Box 11329
Columbia, SC 29210
(803) 896-4300
(803) 896-4393 fax
<http://www.llr.state.sc.us/>

2 Boards (within LLR)

Environmental Certification Board
(within LLR)

110 Centerview Drive, Suite 201 or
P.O. Box 11409
Columbia, SC 29210
(803) 896-4430
(803) 896-4424 fax
<http://www.llr.state.sc.us/POL/Environmental/>

Occupational Health & Safety Review Board (within LLR)

3600 Forest Drive or
P. O. Box 11324
Columbia, SC 29211
(803) 896-4339
(803) 896-4370 fax
<http://www.llr.state.sc.us/osha/osbrd.htm>

Department of Natural Resources

Rembert C. Dennis Building
1000 Assembly Street or
P. O. Box 167
Columbia, S.C. 29202
(803) 734-3888
(803) 734-3951 fax
<http://water.dnr.state.sc.us/>

3 Divisions (within DNR)

Land, Water, and Conservation Division

Same postal address as DNR above
(803) 737-0800
(803) 765-9080 fax
<http://www.dnr.state.sc.us/lwc/index.html>

Division of Marine Resources - Office of Fisheries Management

217 Fort Johnson Road
Charleston, SC 29422
(843) 762-5010
(843) 762-5412 fax

<http://www.dnr.state.sc.us/marine/index.html>

Division of Wildlife and Freshwater Fisheries

Same postal address as DNR above
(803) 734-3886
(803) 734-6020 fax
<http://water.dnr.state.sc.us/wild/>

Forestry Commission

5500 Broad River Road or
P. O. Box 21707
Columbia, SC 29212
(803) 896-8800
(803) 798-8097 fax
<http://www.state.sc.us/forest/>