



## REGION 4

ATLANTA, GA 30303

December 12, 2023

Ms. Jennifer Hughes  
Chief  
Bureau of Water  
SC Department of Health and Environmental Control  
2600 Bull Street  
Columbia, South Carolina 29201-1708

Dear Ms. Hughes:

The U.S. Environmental Protection Agency, Region 4, has completed its review of amendments to South Carolina's water quality standards (WQS) Regulations 61-68 *Water Classifications & Standards* and 61-69 *Classified Waters* adopted by South Carolina Department of Health and Environmental Control (SCDHEC or "Department"). These revisions were adopted as a result of South Carolina's triennial review of WQS, as required by section 303(c) of the Clean Water Act (CWA). The Department submitted the WQS revisions electronically by letter dated September 27, 2023, from Andrew J. Edwards, PE, Water Quality Standards Coordinator, SCDHEC, to Jeaneanne Gettle, Acting Regional Administrator, EPA Region 4. The submittal to the EPA was accompanied by certification from W. Marshall Taylor, Jr., the General Counsel for the Department, that the WQS revisions were duly adopted pursuant to the law of South Carolina and became effective for purposes of state law upon publication in the *State Register* on May 26, 2023.

As laid out in the enclosed document, titled *Decision Document of the United States Environmental Protection Agency Review of Amendments to South Carolina's Water Quality Regulations 61-68 Water Classifications & Standards and 61-69 Classified Waters Under Section 303(c) of the Clean Water Act*, the EPA is approving all new and revised WQS. These changes include new or revised criteria for bacteria criteria, as well as revisions to update and correct waterbody names and descriptions of 63 use classifications for 61 waterbodies.

In addition to the EPA's review pursuant to section 303(c) of the CWA, section 7(a)(2) of the Endangered Species Act requires federal agencies, in consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, to ensure that their actions are not likely to jeopardize the continued existence of federally listed species or result in the destruction or adverse modification of designated critical habitat of such species. The EPA has concluded that it had no

discretion to consult for provisions of the approved WQS because they were derived to protect human health or related to antidegradation, and the EPA has no discretion to revise an otherwise approvable human health criterion or antidegradation provision which meets the minimum regulatory requirements to benefit listed species.

We would like to commend you and your staff for your continued efforts to protect and enhance South Carolina's waters during this rulemaking. If you have questions regarding this action by the EPA, please contact me at 404-562-9345, or have a member of your staff contact Jamal Cooper at 404-562-9314.

Sincerely,

César Zapata, Acting Director  
Water Division

#### ENCLOSURES

1. R.61-68, Water Classifications & Standards
2. BR.61-69, Classified Waters

cc: Andrew Edwards, PE, SCDHEC