

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
Tuesday, November 27, 2012
PC#2012-23**

SUBJECT: Request for text amendments to the Florence County Code, Chapter 9.5, Drainage and Stormwater Management, Section 9.5-16 (b), Finding of Fact, Purpose of the amendment is to update the current ordinance to be compliant with the new NPDES General permit.

APPLICANT: Florence County Engineering Department

STAFF ANALYSIS:

South Carolina Department of Health and Environmental Control (SCDHEC) issued an update to the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities on October 15, 2012.

Chapter 9.5 Drainage and Stormwater Management the Florence County Code of Ordinances will need to be amended in order to be in compliance with the revised NPDES permit.

The Florence County Code, Chapter 9.5, Drainage and Stormwater Management, Section 9.5-16 (b), The text amendments shall read as follows:

Sec. 9.5-16. – Finding of fact.

- a) The county council finds and declares that the matters set forth in the recitals hereof are in all respects correct.
- b) The county is required by federal law [33 U.S.C 1342(p) and 40 CFR 122.261] to obtain a NPDES permit from the South Carolina Department of Health and Environmental Control (SCDHEC) for stormwater discharges from the Florence County Stormwater System. The NPDES permit requires the county 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. The permit should be in compliance with the following, except as modified by more stringent requirements of this chapter:
 - 1) Standards of Stormwater Management and Sediment Reduction Regulation 72-305 "Permit Application and Approval Process" and 72-307 "Specific Design Criteria, Minimum Standards, and Specifications".
 - 2) NPDES General Permit for Stormwater Discharges from ~~Large and Small~~ Construction Activities [Permit No. SCR100000].

3) NPDES General Permit for Stormwater Discharges from Regulated Small Municipal Separate Storm Sewer Systems (MS4s) [Permit. No. SCR03000].

- c) 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 48-14-10 et seq.] requires the county to obtain a permit for certain land-disturbing activities.

STAFF RECOMENDATION:

The Engineering Staff recommends approval of the amendment request by Florence County Planning Commission as presented.

FLORENCE COUNTY COUNCIL:

This item is tentatively scheduled to appear on the agenda for Introduction on Thursday, December 13, 2012 @ 9:00 a.m. in Room 803 of the City-County Complex, 180 N Irby Street, Florence.