

South Carolina  
**DHEC**  
Department of Health and Environmental Control  
2600 Bull Street, Columbia, SC 29201

Interim Commissioner: Thomas E. Brown, Jr.

Board: John H. Burriss, Chairman  
Richard E. Jabbour, DDS, Vice Chairman  
Robert J. Stripling, Jr. Secretary

William E. Applegate, III,  
Toney Graham, Jr., MD  
Sandra J. Molander  
John B. Pate, MD

Promoting Health, Protecting the Environment

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RECEIVED  
AUG 04 1992

~~August 3, 1992~~

Ms. Susan B. Reese  
SCE&G  
Post Office Box 88  
Jenkinsville, South Carolina 29065

Re: Notice of Violation  
SCE&G/VC Summer Nuclear Station  
NPDES Permit #SC0030856  
Outfall 005  
Fairfield County

Dear Ms. Reese:

A review of the recently submitted Discharge Monitoring Reports for the above referenced facility for the period May 1991 through April 1992 revealed the following NPDES Permit violations:

- pH maximum limit exceeded and below minimum limit.
- Total suspended solids (average, maximum) limit exceeded.
- Biochemical oxygen demand limit exceeded.

Failure to comply with the conditions of the NPDES permit violates Sections 48-1-90 and 48-1-110 of the South Carolina Code of Laws, 1987, and makes you amenable to civil penalties.

You are requested to respond in writing within ten (10) days from receipt of this notice. Your answer should include the following: (a) the reasons for noncompliance, (b) what corrective measures will be taken, and (c) when the facility will be back in compliance.

In the future, please explain all noncompliance events in the comments section of your Discharge Monitoring Reports. Again, the explanation should include items a, b and c above. If additional space is needed, please attach a letter to include the full explanation.

Notice of Violation  
August 3, 1992  
Page Two

Failure to satisfactorily address the violation(s) within the ten (10) day response period, will result in further enforcement action.

Sincerely,



J. Robin Foy  
Environmental Quality Manager  
Water Quality Assessment and  
Enforcement Division

JRF/jh  
cc: Bill Galardi

Commissioner: Douglas E. Bryant

Board: Richard E. Jabbour, DDS, Chairman  
Robert J. Stripling, Jr., Vice Chairman  
Sandra J. Molander, Secretary

William E. Applegate, III,  
John H. Burris  
Tony Graham, Jr., MD  
John B. Pate, MD

Promoting Health, Protecting the Environment

July 29, 1994

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. John L. Skolds  
Senior Vice President, Nuclear Operations  
South Carolina Electric & Gas Company  
P.O. Box 88  
Jenkinsville, S.C. 29065

Re: Consent Order #94-045-W  
SCE&G/VC Summer Nuclear Station  
Fairfield County

Dear Mr. Skolds:

A duplicate original of the fully executed Consent Order #94-045-W affecting South Carolina Electric & Gas Company is enclosed. The Order is considered issued upon your receipt of this letter. If you have any questions in this matter, please call me at 803/734-5313.

Sincerely,



J. Robin Foy  
Environmental Quality Manager  
Water Quality Assessment and  
Enforcement Division

Enclosure  
JRF/lfm  
cc: Central Midlands EQC District, SCDHEC



**THE STATE OF SOUTH CAROLINA  
BEFORE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

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IN RE:    South Carolina Electric & Gas Company/  
          Virgil C. Summer Nuclear Station  
          Fairfield County

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**CONSENT ORDER  
94-045-W**

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South Carolina Electric & Gas Company (Respondent) owns and is responsible for the proper operation and maintenance of a waste disposal system (WDS) which serves its nuclear powered electric power generating facility near Jenkinsville in Fairfield County, South Carolina.

Through an administrative oversight, the National Pollutant Discharge Elimination System (NPDES) Permit was reissued without an interim limits page for an outfall which was included in the schedule of compliance.

In accordance with approved procedures and based upon discussions with the Respondent, the parties have agreed to the issuance of this Order to include the following Findings of Fact and Conclusions of Law.

**Findings of Fact**

1. The South Carolina Department of Health and Environmental Control (Department) issued NPDES Permit #SC0030856, effective November 1, 1993, to the Respondent which allows for the discharge of treated wastewater into Monticello Reservoir and Broad River in strict compliance with the terms, conditions,

THE STATE OF SOUTH CAROLINA  
BEFORE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

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IN RE: South Carolina Electric & Gas Company/  
Virgil C. Summer Nuclear Station  
Fairfield County

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CONSENT ORDER

94- -W  
045

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In accordance with approved procedures and based upon discussions with the Respondent, the parties have agreed to the issuance of this Order to include the following Findings of Fact and Conclusions of Law.

**Findings of Fact**

1. The South Carolina Department of Health and Environmental Control (Department) issued NPDES Permit #SC0030856, effective November 1, 1993, to the Respondent which allows for the discharge of treated wastewater into Monticello Reservoir and Broad River in strict compliance with the terms, conditions,

and requirements of the permit.

2. The schedule of compliance contained on page 25 of NPDES Permit #SC0030856 requires that the permittee (Respondent) shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedules:
  - A. A plan addressing the final limitations for lead, copper, zinc, and ammonia shall be submitted on or before January 1, 1994. This plan must include a proposed schedule for achieving compliance with the final effluent limitations.
  - B. The effluent shall be in compliance with all final limitations no later than January 1, 1995, unless otherwise approved by the Department upon review of the study plan noted in (A) above.
3. The Respondent submitted the final effluent limitations study plan on December 28, 1993. The plan was reviewed by Department staff and approved on June 6, 1994.
4. A review of Discharge Monitoring Reports (DMR's) submitted by the Respondent for the period November 1993 through April 1994 revealed apparent violations of effluent limitations at outfall 014.
5. A review of the records and files, including the NPDES Permit, for the WDS revealed that interim limits for outfall 014 were inadvertently omitted from the permit when it was reissued on September 13, 1993. The Department's intention was to include an interim limits page for outfall 014, to be effective Novem-

ber 1, 1993, through December 31, 1994.

6. During a telephone conversation on June 8, 1994, the Department advised the Respondent of the oversight.

#### Conclusions of Law

1. The Pollution Control Act, S.C. Code Ann. Section 48-1-20 (1987) authorizes the Department to abate , control, and prevent pollution.
2. Code Section 48-1-50(3) enumerates the powers of the Department and specifically establishes the Department's authority to make Orders.

NOW, THEREFORE, IT IS ORDERED, CONSENTED TO, AND AGREED that the Respondent shall:

1. Immediately provide for the proper operation and maintenance of the WDS so as to achieve optimum wastewater treatment efficiency.
2. By December 31, 1994, complete any upgrade necessary for the WDS to achieve compliance with final effluent limitations.
3. By January 1, 1995, achieve compliance with all final effluent limitations.

IT IS FURTHER ORDERED, CONSENTED TO, AND AGREED that failure to comply with any provisions of this Order shall be grounds for appropriate sanctions and further enforcement action.

THE SOUTH CAROLINA DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL CONTROL

BY: *Douglas E. Bryant*  
Douglas E. Bryant, Commissioner

BY: *Russell W. Sherer*  
Russell W. Sherer, Chief  
Bureau of Water Pollution Control

DATE: 7/28, 1994

*Bob Shouls*  
South Carolina Electric & Gas Company

DATE: 7/22/94

*William Stobert*  
Attorney for the Department

DATE: 28 Jul 94

*William T. Batten*  
Division of Water Quality Assessment  
and Enforcement

DATE: 7/27/94

APPROVED AS TO LEGALITY AND FORM <i>RRM</i> 7-12-94
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