De Minimis
40 CFR 125.94(c)(11)

• “De minimis rate of impingement. In limited circumstances, rates of impingement may be so low at a facility that additional impingement controls may not be justified.”
South Carolina Example

- Manufacturing facility that withdraws 26 MGD from the Saluda River.
- Standard 3/8” square screen openings.
- The average flow of the river is 2198 cfs (1420 MGD).
- Withdrawal is 1.8% of average river flow.
- Saluda River is classified as a Trout Stream.
Impingement Study

- One year
- One day per month for 24 hours
- Results:
  - 0 Fish
  - 67 Crawfish
  - 44 of those in November during flood conditions
Impingement Study

- Annualized Rate of Impingement
- Flow-weighted
- 1,986 Crawfish per year
- 5.4 Crawfish per day
- Disregarding data from November flood
- 699 Crawfish per year, 1.9 per day
Considerations

• Zero fish impinged
• Withdrawal is 1.8% of average river flow.
• 5.4 crawfish per day or 1.9 per day if exclude flood data
• 55 of 67 crawfish returned unharmed to river
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