

1979 WL 43179 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 15, 1979

***1** Mr. Douglas J. Fable
208 Planning Section
Programs Development Division
Bureau of Wastewater & Stream Quality Control
S. C. Department of Health and Environmental Control
Sims-Aycock Buildings
2600 Bull Street
Columbia, South Carolina 29201

Dear Mr. Fable:

You have requested an opinion as to whether-the South Carolina Water Resources Commission possesses the necessary legal authority to carry its assigned responsibilities in the Water Quality Management Plan developed by DHEC for the purpose of controlling non-point source water pollution in South Carolina, as required by Public Law 95-217.

The specific duty of the South Carolina Water Resources Commission in this regard is 'to implement a statewide management strategy to control or abate non-point source pollution resulting from hydrologic modification activity.' Section 49-3-40(a)(2) provides that the Commission shall assist in 'developing and establishing policies and proposals designed to meet and resolve special problems of water resource use and control within or affecting the State, . . .'

Based on the above broad grant of power, it is the opinion of this Office that the South Carolina Water Resources Commission possesses the necessary authority to carry out its assigned responsibilities in the plan.

Sincerely yours,

Kenneth P. Woodington
Assistant Attorney General

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