

South Carolina

HAZARDOUS WASTE CONTINGENCY FUND

Annual Report

Fiscal Year 2018: July 1, 2017 — June 30, 2018



**Bureau of
Land and Waste
Management**

PURPOSE OF HWCF ANNUAL REPORT

The Hazardous Waste Contingency Fund Annual Report is submitted by the SC Department of Health and Environmental Control in compliance with S.C. Code Ann. Section 44-56-180. Additionally, Act 119 of 2005 mandates that agencies provide all reports to the General Assembly in an electronic format.

Cover Photograph:

Can City Road Site (Colleton County)

This photo shows abandoned industrial bulk containers (commonly referred to as “IBCs” or “totes”) and a few drums of waste material that were haphazardly stacked and abandoned at the Can City Road Site a few miles from Walterboro in Colleton County. DHEC completed a removal site evaluation in the latter part of FY18 and determined the waste includes liquid and sludge mixtures of hazardous substances, oils, and petroleum compounds. A DHEC contractor is finalizing the work plan for consolidating the waste materials and transporting them offsite for disposal at a properly licensed facility. The transportation and disposal activities are scheduled to begin in early 2019, pending disposal authorization from the disposal facilities. The estimated cost for the assessment and removal activities is \$406,000. This removal action will be funded by the Hazardous Waste Contingency Fund’s Uncontrolled Sites Fund.

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Introduction

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The mission of the South Carolina Department of Health and Environmental Control (DHEC or the Department) is to improve the quality of life for all South Carolinians by protecting and promoting the health of the public and the environment. DHEC accomplishes this mission in part with the support of the Hazardous Waste Contingency Fund (HWCF). The HWCF was established in the early 1980s by the SC Hazardous Waste Management Act (HWMA) to ensure the availability of funds for contingencies arising from necessary actions at permitted hazardous waste landfills and to defray the costs of governmental response actions at uncontrolled hazardous waste sites. This report provides information on the status of the HWCF and the activities and response actions carried out in Fiscal Year 2018 (FY18) under the authority of the HWMA.

In FY18, DHEC's Division of Waste Management, with funding support from the Permitted Site Fund, continued to support staff with responsibility for technical oversight, inspection, and compliance monitoring activities at the former commercial hazardous waste landfill located in Sumter County and known as the Pinewood facility (Pinewood).

In FY18, DHEC's Division of Site Assessment, Remediation, and Revitalization (SARR) directed work at approximately 314 uncontrolled waste sites with funding support from the HWCF's Uncontrolled Sites Fund. While cleanup activities at most of these sites are funded and performed by responsible parties with oversight from DHEC staff (PRP-lead sites), most of DHEC's expenditures from the Uncontrolled Sites Fund occur at a smaller number of State-lead sites where responsible parties may be bankrupt, defunct, or otherwise unwilling or unable to perform response actions.

Revenues for the Uncontrolled Sites Fund are generated primarily by fees imposed on generators of hazardous waste in South Carolina. Over the past few years, expenditures have greatly exceeded revenues and the balance in the Uncontrolled Sites Fund has dropped to its lowest level since the 1980s. As a result, DHEC is concerned about the future ability to quickly and effectively address threats to human health and the environment posed by uncontrolled waste sites in South Carolina. The Department relies heavily on the Uncontrolled Sites Fund for contractual services and salaries of staff who oversee cleanup actions and to meet the State's cost share obligations on certain sites being addressed by the US Environmental Protection Agency (EPA). Without an additional source of funds, the capacity to respond to releases of hazardous substances to protect human health and sensitive ecosystems will be severely limited. Additional resources are being sought to ensure future protection of the citizens and environment of South Carolina.

G. Kendall Taylor, P.G., Division Director
Division of Site Assessment, Remediation & Revitalization

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Uncontrolled Sites Fund's FY18 Accomplishments at a Glance

The Uncontrolled Sites Fund supported activities at approximately 314 sites across the state during FY18. These activities included sampling and analysis, removal actions, remedial actions, technical reviews and oversight, project management, public participation and outreach, potentially responsible party (PRP) searches, cost recovery activities, negotiation of voluntary cleanup contracts and other settlements, and many other activities to support the investigation and cleanup of contaminated sites. Site-specific expenses ranged from a few hundred dollars to approximately one-half million dollars in contractor costs for investigation and cleanup activities. A few of this year's highlights are described below:

Can City Road Site (Colleton County). The Can City Road Site is the location of a large quantity of abandoned wastes, including sludges, waste oils, and other liquids. In the spring of 2018, DHEC conducted a removal site evaluation that included an extensive sampling effort to characterize the waste and determine appropriate disposal methods. The consolidation of waste and offsite disposal is scheduled to begin in early 2019. The total estimated cost for the assessment and removal activities is \$406,000.

Enoree Mercury Site (Spartanburg County). In FY18, DHEC's Site Assessment and Remediation program was notified that elemental mercury, possibly from broken thermometers, had been found in the surface soil at an unoccupied home in Enoree. DHEC assigned a state contractor to provide lab services and excavate and dispose of the mercury-contaminated soils. Samples collected after the removal confirmed all mercury had been removed. DHEC expended \$16,923.95 in contractual costs.

Philip Services Corporation (ThermalKEM) Site (York County). This site is a former permitted hazardous waste treatment, storage, and disposal facility (TSD). Since 2003, DHEC has conducted extensive investigations, upgraded and operated the interim groundwater treatment system, conducted community relations activities, and conducted settlement negotiations with the PSC PRP Group, which represents over 1600 parties. In FY18, DHEC continued to operate the groundwater pump and treat system and reviewed additional investigation data collected by the PSC PRP Group. DHEC and the PRP Group also had technical discussions regarding the selected remedy and continued negotiating a settlement for implementation of the remedy and reimbursement of DHEC's past costs. In FY18, DHEC expended \$489,579 on the PSC Site.

Suffolk Chemical (Richland County). This site is the subject of a long-term cleanup action by DHEC. In FY18, DHEC conducted additional assessment and began a Five-Year Review of the remedy. Based on the results, DHEC will shut down the active groundwater treatment system in FY19 as the site transitions into monitored natural attenuation. Periodic monitoring will be conducted to ensure the continued effectiveness of the remedy. In FY18, DHEC expended \$84,248.74 on the Suffolk Chemical Site.

Frank Elmore Site (Spartanburg County). In FY18, DHEC continued with its obligation to fully fund long-term operation and maintenance of the groundwater treatment system. As part of a Five-Year Review of the remedy, DHEC and EPA inspected the system and conducted a comprehensive evaluation of data to ensure the continued protectiveness of the remedy. DHEC expended \$111,337.45 on the Frank Elmore Site in FY18.

South Lake Drive Site (Lexington County) This site includes a large area of groundwater contamination where DHEC has conducted extensive studies and funded the construction of several miles of water lines to provide safe drinking water to area residents. In FY17 and FY18, DHEC implemented a groundwater treatment remedy that included the injection of zero-valent iron (ZVI) to react with contaminants in groundwater and render them harmless. At the end of FY18, DHEC and its contractor were evaluating data to determine the effectiveness of the ZVI injections. In FY18, DHEC expended approximately \$640,000 in contractual costs. DHEC staff time was financed by the Uncontrolled Sites Fund, but contractual costs were paid out of a fund established through a settlement with responsible parties.

Eliskim Site (Anderson County) The site was a former RCRA-permitted TSD facility which was referred to SARR in the fall of 2016. SARR conducted sampling and a comprehensive review of the existing groundwater treatment system and determined it was minimally effective. The system was shut down early in FY18. Oxidant injections to treat groundwater occurred during the fall of 2018. DHEC expended \$82,000 in contractual costs in FY18. These expenses were paid out of a fund established through a financial assurance mechanism with a bankrupt responsible party.

Responsible Party Voluntary Cleanup Contracts (RP VCCs) and Consent Agreements/Orders. During FY18, DHEC actively negotiated and executed 12 RP VCCs, one RP VCC amendment, two letter agreements, and one consent agreement amendment. Staff were actively negotiating 12 additional VCCs at the end of the fiscal year. These contracts, agreements, and orders provide for DHEC oversight of activities funded by responsible parties and reimbursement of DHEC's past costs and future oversight costs.

EPA Removal Sites. DHEC provided support to the EPA for several sites where EPA's Emergency Response and Removal Branch initiated a removal action or evaluated a site for eligibility for an EPA-lead removal action. These sites include the Burlington Industrial Fibers Site in Cheraw where DHEC conducted extensive sampling efforts in 2016 and 2017 and provided input on soil and sediment removal actions conducted in 2017 and 2018. DHEC also provided pre-removal support and input to EPA on the Kaiser Aluminum Site in Anderson where EPA is planning to begin a soil removal in FY19 and the Welch Fairplay and Welch Belton Sites where EPA conducted additional removal assessment activities in FY18 and is conducting additional removal activities in late 2018.

History and Status of HWCF's Uncontrolled Sites Fund

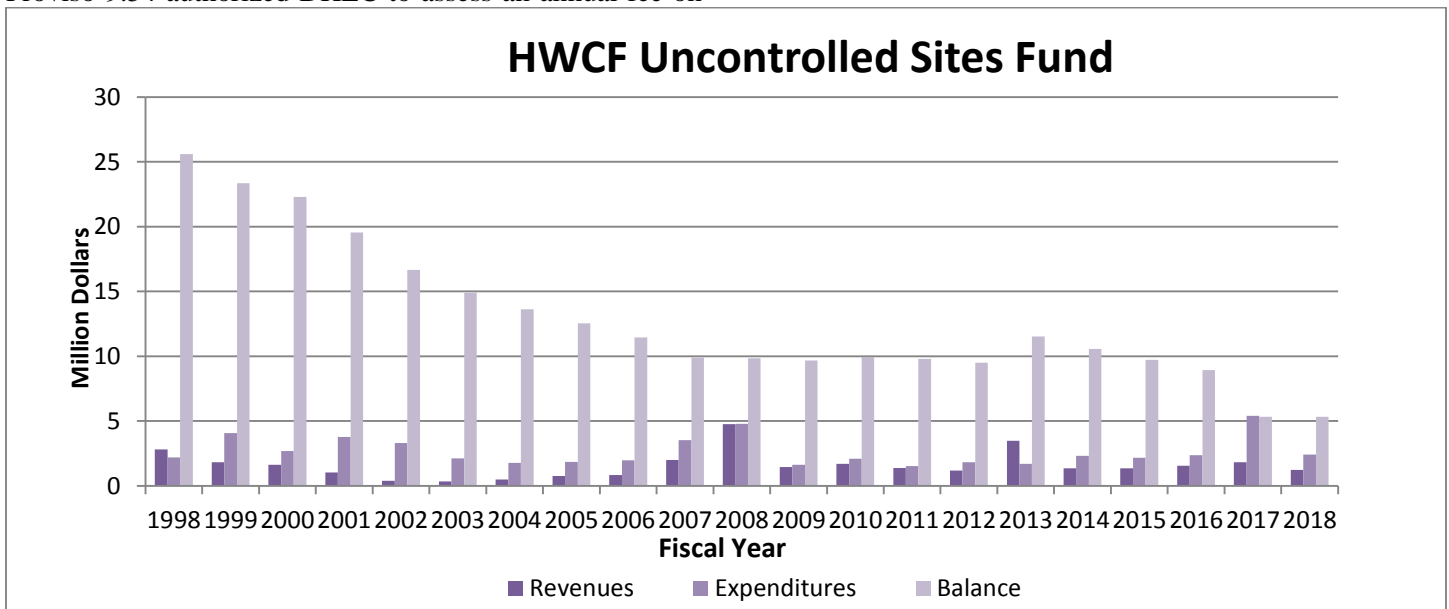
The HWCF was established in the 1980s under the authority of the Hazardous Waste Management Act to ensure the availability of funds for response actions at permitted hazardous waste disposal sites and at uncontrolled sites that do not qualify for federal assistance. The HWCF was initially financed by fees on waste disposed at the Pinewood Hazardous Waste Landfill (Pinewood). From its beginning in the 1980s, the Uncontrolled Sites Fund portion of the HWCF grew to a balance of approximately \$11 million at the close of FY90.

Through the 1990s, revenues for the Uncontrolled Sites Fund averaged approximately \$2 to \$3 million annually and the balance grew and briefly exceeded \$25 million in 1998. However, the HWCF lost its primary funding source in 2000 when Safety-Kleen filed for bankruptcy protection and shortly thereafter stopped receiving waste at Pinewood. At that time, the Uncontrolled Sites Fund had a balance of approximately \$22 million (see figure below). With the exception of monies from cost recovery efforts and the billing of private parties for DHEC's oversight of work performed under consent agreements and voluntary cleanup contracts, there were no new revenues for the Uncontrolled Sites Fund. From FY99 through FY07, expenditures greatly exceeded revenues and the Uncontrolled Sites Fund balance steadily declined.

Beginning in 2000, establishing a continuing funding source for the HWCF was a budget priority for DHEC. Budget Proviso 9.45, which was passed in 2006, allowed the HWCF to retain the interest on the Fund balance. In FY08, Budget Proviso 9.54 authorized DHEC to assess an annual fee on

hazardous waste generators and to levy a per ton fee on hazardous waste generated with the proceeds to be deposited into the HWCF. These provisos were codified in 2008. Specifically, large quantity generators, as determined by R.61-79.262 (South Carolina Hazardous Waste Regulations), producing greater than 100 tons of hazardous waste per year are assessed an annual base fee of \$1,000 per facility and a \$1.50 per ton fee for all hazardous waste the company generates. Small quantity generators are assessed an annual fee of \$500. Fees collected shall not exceed an annual cap of \$15,000 per generator. In addition, there remained a fee of \$1.00 per ton of hazardous wastes in excess of 50 tons remaining in storage at the end of each quarter per S.C. Code Ann. Section 44-56-170(D). Companies subject to fees required by S.C. Code Ann. Section 44-56-170(F)(1)(1976) are exempt from these fees. In recent years the interest and fees have provided approximately \$1.1 million in new revenues per year.

The opening balance of the Uncontrolled Sites Fund for FY18 was \$5,335,748.13. During FY18, revenues were \$1,226,644.00, and expenditures were \$2,421,420.71. Revenues included \$987,253.54 in generator fees and interest earnings. The Uncontrolled Sites Fund closed FY18 with a balance of \$4,140,661.92. DHEC has obligated approximately \$1,080,000 for FY19 and \$52,441 for EPA cost shares in addition to the annual personnel and operating costs of approximately \$1.35 million. The Uncontrolled Sites Fund FY18 closing balance is the lowest balance since the 1980s. Additional recurring funds are needed to ensure resources are available to conduct future response actions.



Uncontrolled Sites Fund Financial Snapshot for FY18	
Opening Balance (07/01/17)	\$5,335,748.13
Revenues*	1,226,644.00
Total Expenditures <i>(See Table below)</i>	2,421,420.71
Closing Balance (06/30/18)	4,140,661.92
FY19 Obligated as State Cost Share Match for National Priorities List (NPL) Sites**	52,441.00
FY19 Obligated for Site Response Activities <i>(See Table on page 5)</i>	1,201,258
FY19 Obligated for Supplies, Equipment, Travel, Etc.	50,000.00
FY19 Obligated for Administrative Expenses (Salaries, Fringe Benefits & Agency Assessment)	1,350,000.00
Un-obligated Balance for Uncontrolled Sites Fund (06/30/18)***	1,486,962.92

* Includes hazardous waste generator fees, interest, reimbursement of oversight costs, and cost recovery.

** At federal fund-lead NPL sites, CERCLA requires the state to provide a 10% cost share for remedial actions. The State currently has an outstanding cost share of \$524,410 for the Palmetto Wood Preserving Site. This obligation will be paid over ten annual payments, which DHEC expects to pay beginning in FY19. DHEC is also awaiting EPA's final accounting and request for payment of an outstanding cost share (estimated at \$45,820) for the Geiger Site. DHEC expects to pay substantial cost shares in the next several years at two other sites, Barite Hill Mine and Cone Mills/Union Bleachery.

In FY19, DHEC will make the fourth annual payment for the existing interim groundwater treatment system at the Brewer Gold Mine Site (\$74,665 per year for 15 years). Beginning in FY18, these payments were made out of a special fund established for the Brewer Gold Mine Site rather than the Uncontrolled Sites Fund. Within the next 5-7 years, DHEC will also be required to pay a 10% cost share for construction of a new treatment system at the Brewer Gold Mine Site and will also be required to fund the associated annual operation and maintenance (O&M) costs for that treatment system. These costs are estimated at over \$1,500,000/year.

*** This figure does not account for upcoming assessment/cleanup activities that are in the planning stages and which have not yet been assigned to a contractor.

Breakdown of Total FY18 Expenditures	
Uncontrolled Sites*	1,042,126.67
Emergency Response	0.00
Salaries, Fringe Benefits, Agency Administrative Assessment	1,379,294.04
Total Expenditures	2,421,420.71

*Does not include approximately \$1,264,000 spent from site-specific settlement accounts.

Uncontrolled Sites Fund FY19 and FY20 Contractual Obligations for Future Site Response Activities

This table shows site-specific obligations (approximately \$1,201,258 for FY19 and \$790,000 for FY20) that have been assigned to a state contractor or which are planned to be assigned. These sites represent a very small portion of DHEC's inventory of known uncontrolled waste sites. Based on recent and historical averages, it is estimated the existing inventory of sites will present a liability to the Uncontrolled Sites Fund in the tens of millions of dollars or more.

Obligation	Description	FY19 Amount	FY20 Amount
Bamberg Hwy 301	Private Well sampling, Filter Maintenance	12,000	12,000
Can City Road	Removal Site Evaluation and Removal Action	406,000	NA
Columbia Organic Chemicals—Drake St	Monitoring Well Sampling	21,097	NA
Cone Mills/US Finishing	Annual Operation and Maintenance and Receiver Activities	20,000	20,000
Elmore Waste Disposal (NPL Site)***	Groundwater Remediation System, Operation and Maintenance	117,391	120,000
F.S. Royster Guano	Signage, misc.	10,000	NA
Fouke Fur	Removal Action	19,770	75,000
Palmetto Wood Preserving (NPL Site)***	Annual Operation and Maintenance, Sampling	25,000	20,000
Pelion Well Contamination	Maintenance and Sampling of Private Well Filters	20,000	20,000
Philip Services Corp.	Groundwater Treatment System Operation and Maintenance, Legal	500,000	500,000
Suffolk Chemical	Groundwater Remediation Operation and Maintenance	50,000	25,000
Total Planned Contractual Obligations		1,201,258	792,000

***These obligations are related to DHEC's Long-term Operation and Maintenance requirements for EPA Fund-lead Remedial Actions at National Priorities List (NPL) Sites.

Note—This figure does not include State-lead activities funded by site-specific cleanup funds established through cost recovery activities.

Primary Uses of the HWCF Uncontrolled Sites Fund

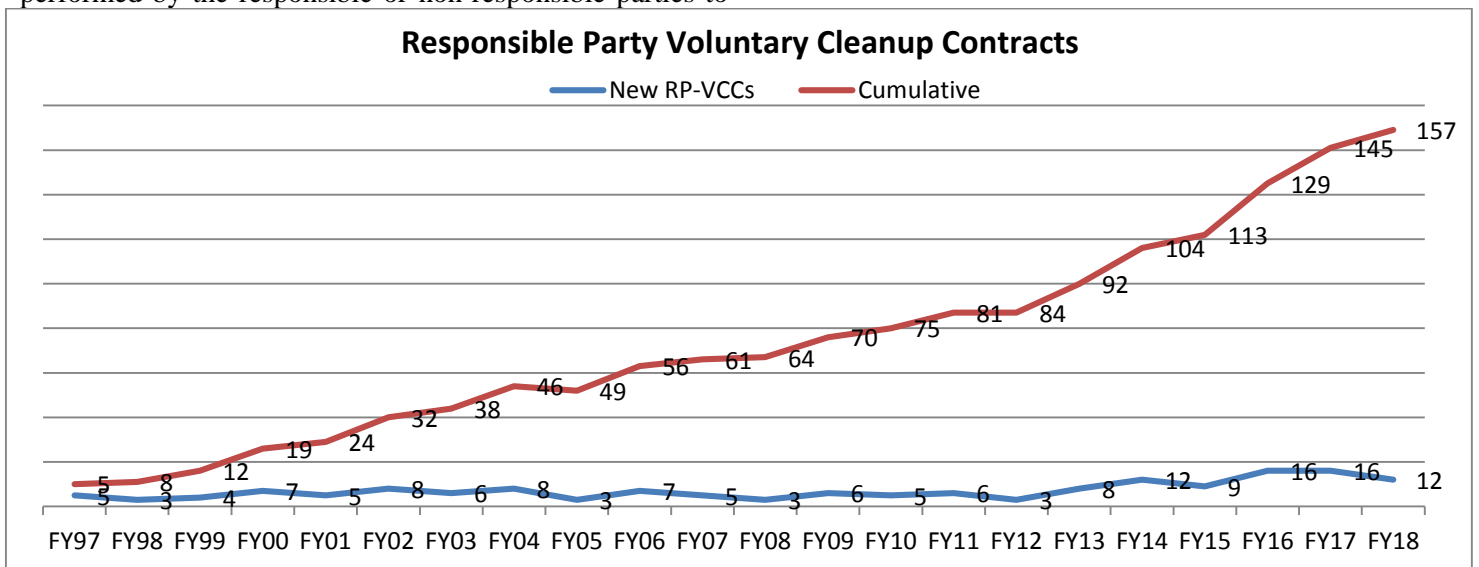
State-lead Response Actions. The primary uses of the Uncontrolled Sites Fund are to provide funds for contractual services to perform state-funded investigation and cleanup activities at sites where other funds are not available, to provide funds for personnel and operating costs to implement the program for conducting response actions, and to provide funds required to meet obligations to EPA for sharing costs at certain federal National Priorities List Superfund sites where there is no viable RP. The State Superfund Program evaluates and sets priorities for sites in order to address the worst cases first. Unless the Department deems an imminent threat exists or a criminal investigation is necessary, state-funded response actions are generally conducted only after the Department initiates the appropriate procedures to secure alternative funding. Considerable time and effort are expended to ensure that all available funds from the RPs and other sources are utilized before drawing on funds from the Uncontrolled Sites Fund.

In most cases, the Department attempts to negotiate voluntary cleanup contracts or other settlements with responsible and non-responsible parties. Various styles of settlements with responsible and non-responsible parties require settling parties to perform investigations to determine the source, nature, and extent of contamination and/or cleanup contaminated sites, to fund these response activities themselves, or, alternatively, to reimburse the Department's response costs when the Department performs cleanups of sites. With many of these settlements, the Department typically includes a covenant not to sue for the work performed by the responsible or non-responsible parties to

the Department's satisfaction, and contribution protection from other RPs who may seek reimbursement of all or a portion of costs of responding to environmental conditions at a site.

When a responsible or non-responsible party enters into an agreement or voluntary cleanup contract with the Department to pay for or perform response activities, DHEC staff must review and approve all investigation plans, environmental reports, sampling data, and other activities associated with the cleanup of contaminated sites to assure that public health and the environment are protected. Under these contracts and agreements, parties are required to reimburse DHEC's costs for oversight activities. The authority of DHEC to use the Uncontrolled Sites Fund and to seek cost recovery provides leverage that may encourage responsible parties to come forward voluntarily. Further, DHEC performs public participation/community involvement activities pursuant to CERCLA and the National Contingency Plan (NCP) to ensure that affected communities have knowledge of, and input into, the cleanup.

The chart below shows the number of responsible party voluntary cleanup contracts (RP-VCCs) executed and the cumulative total for each fiscal year since the first RP-VCC was executed in FY97. Twelve RP-VCCs, one VCC amendment, one consent agreement amendment, and two letter agreements were executed in FY18. Approximately 12 RP-VCCs were under negotiation at the end of FY18.



Note--These figures do not include any amendments to RP-VCCs.

Primary Uses of Uncontrolled Sites Fund (Continued)

Emergency Response. DHEC’s Emergency Response Program responds to accidental spills and other problems associated with the transportation of hazardous materials as well as other incidents where hazardous materials are spilled, illegally dumped, or otherwise abandoned on public property. The Emergency Response Program administers the Emergency Response Contract, which is used to secure, sample, and properly dispose of wastes. These activities are funded by the Uncontrolled Sites Fund.

In FY18, there were no incidents resulting in expenditures of the Uncontrolled Sites Fund by DHEC’s Emergency Response Program.

Administrative Costs/Salaries. DHEC uses Uncontrolled Sites Fund monies for salaries and program administration. The Uncontrolled Sites Fund currently funds approximately 19.5 FTEs (full-time equivalent positions) that perform site prioritization activities, project management, technical reviews, field oversight, cost recovery activities, public participation activities, and other administrative activities. During FY18, the Uncontrolled Sites Fund provided \$1,353,272.94 for salaries, fringe benefits, agency administrative assessments, and other operating costs. These costs are included in DHEC’s cost recovery efforts against RPs.

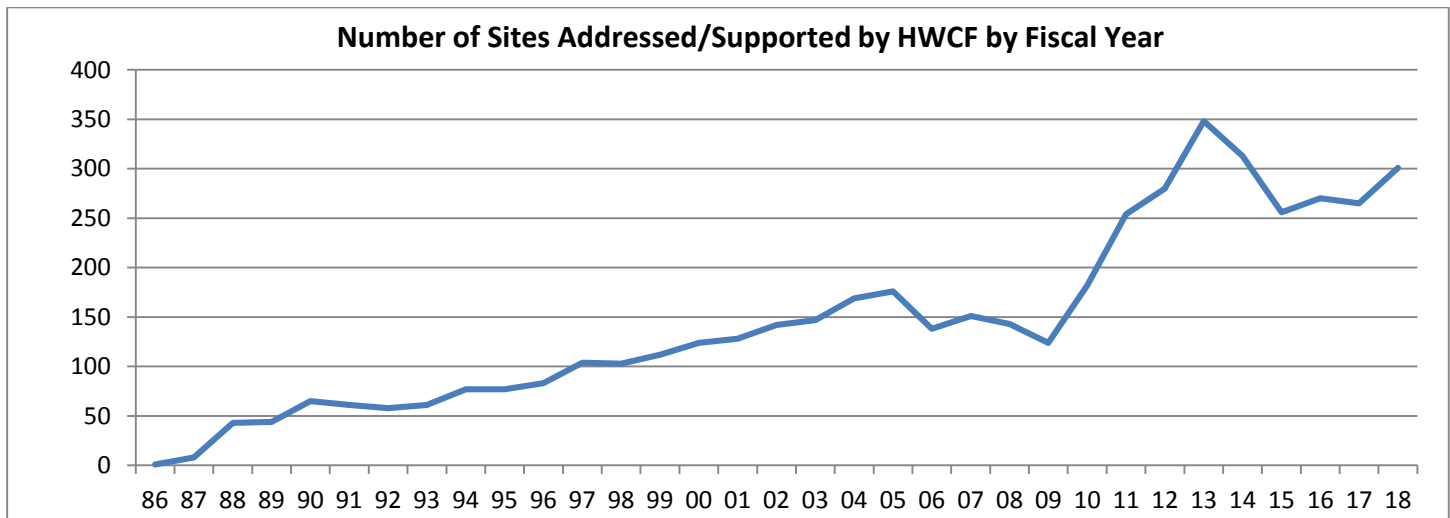
Criminal Investigations. The State Superfund Program also assists DHEC’s Office of Criminal Investigations by providing technical assistance and contractual services for gathering evidence for environmental crime cases. After the initial criminal investigation activities are completed, DHEC may perform or oversee additional cleanup activities.

Federal-lead Superfund Sites. Cleanup activities on most federal Superfund NPL sites are funded by private parties and most of DHEC’s day-to-day costs to assist in oversight of these projects are funded through the Support Agency Cooperative Agreement with EPA. However, where there is no existing viable RP and the site is ranked for listing as an NPL site, the state must agree to share in the costs in order for EPA to encumber federal

Superfund monies to conduct the investigation and remedy at these types of sites – known as Federal Fund-lead NPL sites. At these sites, DHEC must agree to pay 10% of the remedial construction costs, and, once a remedy is constructed and effectively working, 100% of the long-term operation and maintenance costs. These costs, as well as other costs DHEC may incur for activities such as natural resource damages assessments and support to EPA’s Emergency Response and Removal Branch, are outside the scope of the EPA cooperative agreement and are paid for by the Uncontrolled Sites Fund. In FY18, the Uncontrolled Sites Fund supported DHEC oversight activities at three federal Fund-lead NPL sites, Elmore Waste Disposal, Palmetto Wood, and Cone Mills/US Finishing/Union Bleachery.

In November 2009, DHEC assumed responsibility for 100% of the O&M costs for the existing groundwater pump and treat system at the Elmore Waste Disposal Site in Greer. DHEC incurred \$111,337.45 in O&M costs in FY18. For FY19, DHEC’s costs are expected to be approximately \$117,000. DHEC has also assumed responsibility at the Palmetto Wood Site where annual O&M costs have been approximately \$16,000. In addition, DHEC has an estimated outstanding cost share of \$45,820 for the delisted Geiger NPL Site and \$524,410 for the Palmetto Wood Site. Two other NPL sites, Barite Hill Mine and Cone Mills/US Finishing/Union Bleachery, are expected to require more substantial cost shares in the next several years.

In FY16 and FY17, the Uncontrolled Sites Fund was used to pay EPA for the first two of 15 annual payments of \$74,665 for the State’s cost share for the Interim Remedial Action at the Brewer Gold Mine Site. Beginning in FY18, this payment was made from a special site-specific account established for the Brewer Site. In approximately 2020, the State will be required to fund 10% of the cost of a cap and new wastewater treatment system at this site. DHEC’s cost share for construction is expected to exceed \$2 million and DHEC’s annual O&M costs are expected to exceed \$1.5 million



State Superfund Program's Response Process

The purpose of the State Superfund Program is:

To protect public health and the environment by requiring investigation and cleanup of abandoned and uncontrolled hazardous waste sites and by taking short-term actions to mitigate immediate threats to human health and the environment.

DHEC focuses its attention and financial resources on the sites that pose the greatest risk to human health and the environment. DHEC's Bureau of Land and Waste Management's Division of Site Assessment, Remediation, and Revitalization is responsible for managing state-lead response actions and supporting federal-lead response actions. The State Superfund process begins with site discovery or notification of possible releases of hazardous substances.

DHEC's site assessment and remediation process may include a short-term removal action or a complex and lengthy remedial investigation and long-term cleanup.

Removal Process. If a site requires immediate attention, DHEC may perform an emergency response action or a removal action to address immediate threats to the public health or the environment.

Remedial Process. If a site does not pose an imminent threat, it is screened to determine whether it warrants further evaluation for remedial (or long-term) measures. If a site does not qualify for placement on EPA's NPL, then cleanup is addressed by the State Superfund Program.

- **RI/FS Phase.** A Remedial Investigation (RI) is an in-depth investigation to determine the source, nature, and extent of contamination at a site. The Feasibility Study (FS) provides a comparison of various cleanup options that would make the site safe for the public and the environment.
- **Proposed Plan Phase.** From the information in the FS, a Proposed Plan is developed offering a preferred remedial option. The public is given a 30-day comment period during which a public meeting is held to encourage community input and participation in the final remedy selection.
- **ROD Phase.** After the comment period, DHEC formally documents the selected remedy in the Record of Decision (ROD).
- **RD/RA Phase.** After the ROD, the project enters the Remedial Design/Remedial Action (RD/RA) phase where the remedy is designed and implemented. Ongoing monitoring occurs to ensure that the remedy remains protective of public health and the environment.
- **Closure.** If DHEC determines the cleanup is complete and no additional response action is required, DHEC will close the matter.

State Superfund Program's Community Involvement

DHEC strives to inform the public of environmental impacts of contamination in their communities and to involve local communities in decision-making opportunities. Depending on specific needs of the community and state and federal law, DHEC:

- Provides fact sheets specifically written for local communities;
- Holds community meetings and availability sessions specific to site needs and various phases of response;
- Provides notice in a local newspaper of 30-day periods to comment on proposed cleanup activities and availability of the administrative record (which contains

decision-making documents and which is made available at a local library and at DHEC's Bureau of Land and Waste Management office);

- Provides notice of 30-day periods to comment on proposed settlements with responsible parties and publishes such notice in a local newspaper and/or the South Carolina State Register;
- Establishes a community relations plan for state-lead sites as appropriate;
- Participates or assists in media releases; and,
- Provides environmental reports, proposed contracts, public meetings and other information on DHEC's webpage for the public.

Community Involvement in FY18

- Community Meetings 4
- Newspaper Notices 15
- Public Comment Periods 15

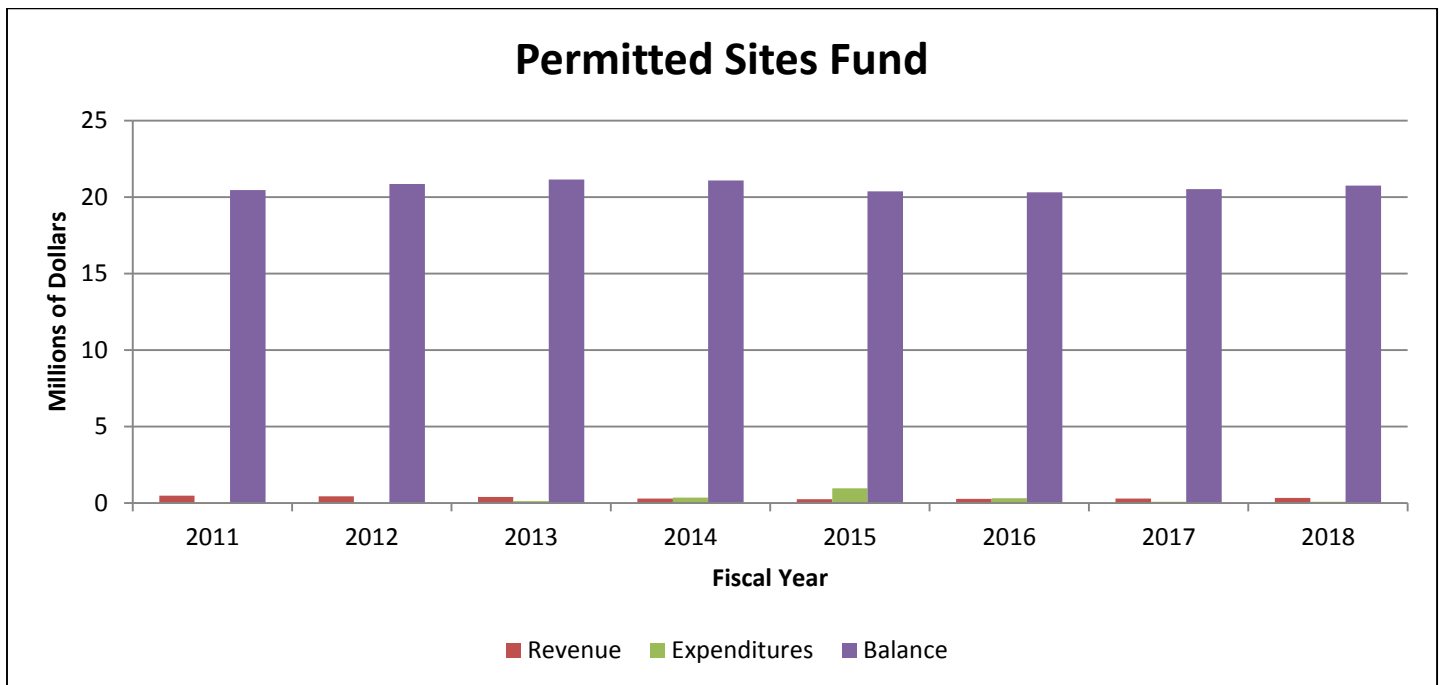
History and Status of HWCF's Permitted Site Fund

The HWCF Permitted Site Fund was established pursuant to Section 44-56-160(B)(1) of the HWMA to ensure the availability of funds for response actions arising from the operation of permitted land disposal facilities in South Carolina. At the time the Permitted Site Fund was established, the only permitted hazardous waste land disposal facility in South Carolina was Pinewood Landfill located in Sumter County. The Permitted Site Fund was funded by a portion of the fees imposed on generators who sent their hazardous wastes for disposal at the Pinewood facility. After Pinewood closed, no new revenue source to replace the generator fees was identified for the Permitted Site Fund. Post-closure revenues are from interest accrued on the deposit.

The Permitted Site Fund may be used for response actions arising from the operation of the Pinewood facility. The HWMA defines a “response action” as “any cleanup, containment, inspection, or closure of a site ordered by the director as necessary to remedy actual or potential damages to public health, the public welfare, or the

environment.” Subsequent to the creation of the Permitted Site Fund, the General Assembly approved a proviso that authorizes DHEC to expend funds from the Permitted Site Fund for legal services related to environmental response, regulatory, and enforcement matters, including administrative proceedings and actions in state and federal courts.

DHEC utilized funds from the Permitted Site Fund during 2014, 2015, and part of 2016 for the preservation of information contained on thousands of manifests which document waste disposal at and during the operation of Pinewood. These manifests provide critical information concerning the origin, type, volume, and description of hazardous wastes sent there. The manifest preservation project included scanning and auditing of the manifests, database creation and data entry, and quality assurance/quality control. In addition, the Permitted Site Fund continues to provide partial support for staff who perform technical, enforcement, and compliance activities at the Pinewood Facility.



**HWCF Permitted Site Fund
Financial Snapshot
(FY11* through FY18)**

FY	Revenues (Interest)	Expenditures	Balance
FY11	\$465,638	\$1,013	\$20,453,774
FY12	\$426,479	\$14,138	\$20,866,115
FY13	\$389,855	\$113,978	\$21,141,992
FY14	\$287,993	\$335,386	\$21,094,599
FY15	\$236,614	\$958,563	\$20,372,650
FY16	\$257,198	\$314,007	\$20,315,841
FY17	\$279,203	\$82,758	\$20,512,286
FY18	\$324,746	\$77,989	\$20,762,904

*Information prior to FY11 is unavailable due to a change in DHEC's accounting system.