BUREAU OF LAND & WASTE MANAGEMENT

SOUTH CAROLINA

HAZARDOUS WASTE CONTINGENCY FUND

ANNUAL REPORT

FISCAL YEAR **2024**

SC DEPARTMENT *of* ENVIRONMENTAL SERVICES

Myra Reece, Director

This Page Intentionally Left Blank

About this Report

The S.C. Hazardous Waste Contingency Fund Annual Report is submitted by the S.C. Department of Environmental Services (SCDES) in compliance with the S.C. Hazardous Waste Management Act (HWMA), S.C. Code of Laws § 44-56180. Additionally, Act 119 of 2005 mandates that agencies provide all reports to the General Assembly in an electronic format.

This report provides a summary of the activities and response actions conducted by SCDES's predecessor agency, the S.C. Department of Health and Environmental Control (DHEC), in Fiscal Year (FY) 2024 (July 1, 2023 to June 30, 2024) under the authority of the HWMA as well as the status of the Hazardous Waste Contingency Fund (HWCF). SCDES and DHEC are used interchangeably throughout the report.

A groundwater monitoring well being installed at the Columbus Industries Site in FY24.

Report Contributors

BUREAU OF LAND & WASTE MANAGEMENT

Bureau Chief .... **Juli Blalock**
Assistant Bureau Chief .... **Stacey French**
Assistant Bureau Chief .... **Mihir Mehta**
Director, Division of Waste Management .... **Kent Krieg**
Director, Division of Site Assessment, Remediation & Revitalization .... **R. Gary Stewart**
Manager, State Remediation Section .... **Carol Crooks**
State Remediation Section .... **Tim Wilbur**
Layout/Graphics .... **Gregg Glymph**

Table of Contents

Acronyms

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

FS – Feasibility Study

FY – Fiscal Year

HWCF – S.C. Hazardous Waste Contingency Fund

HWMA – S.C. Hazardous Waste Management Act

NCP – National Contingency Plan

NPL – National Priority List

PRP – Potential Responsible Party

PSF – Permitted Site Fund

RD/RA – Remedial Design/ Remedial Action

RI – Remedial Investigation

ROD – Record of Decision

RP – Responsible Party

RP VCC – Responsible Party Voluntary Cleanup Contract

USF – Uncontrolled Sites Fund

Photos

FRONT COVER: Containers of potentially hazardous material being staged for sampling at the Trebie Road Site in FY24.

BACK COVER: An "after" shot of Trebie Road Site after containers of hazardous waste were removed from the site.

SC DEPARTMENT of ENVIRONMENTAL SERVICES

Introduction

SECTION 1

The mission of SCDES is to improve the quality of life for all South Carolinians by protecting and promoting the health of the public and the environment.

SCDES accomplishes this mission, in part, by using the HWCF. The HWCF was established in the early 1980s pursuant to the 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.

In FY24:

- **SCDES'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 (Pinewood Facility) in Sumter County.
- **SCDES's Division of Site Assessment, Remediation and Revitalization (SARR) directed work at about 240 uncontrolled waste sites with funding support from the HWCF's Uncontrolled Sites Fund (USF).** While cleanup activities at most of these sites are funded and performed by responsible parties with oversight from SCDES staff [Potentially Responsible Party-lead (PRP) sites], most of the agency's expenditures from the USF 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.

Revenue for the USF is generated primarily by fees imposed on hazardous waste generators in South Carolina and state appropriations. In recent years, expenditures have greatly exceeded revenue and the USF balance has dropped to its lowest levels since the 1980s. SCDES relies heavily on the USF for contractual services and salaries of staff who oversee cleanup actions and to meet the state's statutory cost share obligations on certain sites being managed by the U.S. Environmental Protection Agency (EPA).

Without additional long-term funding, SCDES's capacity to respond to releases of hazardous substances will be severely limited. In turn, this results in potential risk to human health and the environment and hinders economic redevelopment of these properties. Given that, SCDES has requested additional recurring state appropriations.

Containers of hazardous materials at the Trebie Road site before being removed during FY24 removal operations.

Uncontrolled Sites Fund: FY24 Actions

SECTION 2

The USF supported activities at about 240 sites in FY24. Activities included:

- **emergency response, removal and remedial actions**;
- **sampling and analysis**;
- **Technical reviews and oversight**;
- **project management**;
- **public participation and outreach**;
- **PRP searches**;
- **cost recovery**;
- **negotiation of voluntary cleanup contracts and other settlements**; and
- **support for the investigation and cleanup of contaminated sites**.

Site-specific expenses ranged from a few hundred dollars to hundreds of thousands in contractor costs for investigation and cleanup. A few FY24 highlights are described below. Table 1 lists some highlighted sites which received the most significant expenditures in FY24.

GALEY & LORD SLUDGE DISPOSAL

Located in Society Hill, Galey & Lord is a former textile mill and finishing facility from 1966 to 2016. During operations, sludge was routinely removed from wastewater treatment tanks and spread across approximately 10,000 acres in Darlington, Chesterfield and Marlboro Counties.

In 2018, testing performed indicated elevated concentrations of various per- and poly-fluoroalkyl substances (PFAS) present within the wastewater treatment system sludge. In 2019, DHEC conducted groundwater sampling from private drinking water wells in the vicinity of the fields where sludge was applied and the analytical results indicated elevated PFAS concentrations in some of the wells.

As part of a removal action, EPA installed granular activated carbon filtrations units on the private drinking water wells with unsafe levels of PFAS concentrations. After one year of operation and maintenance (O&M) by EPA, these systems are turned over to DHEC to continue O&M activities. Beginning in FY23, DHEC took over 15 filtration systems. In FY24, SCDES took over four additional systems. O&M of these systems is conducted using funds from the HWCF.

SCDES and EPA have partnered with Darlington County Water & Sewer Authority to extend water line service to the areas with impacted wells. The installation of these lines is not funded through the HWCF. Once an impacted residence is connected, HWCF funds will no longer be needed to maintain the filter installed at the residence.

Total costs for the site were approximately $17,341.60 in FY24.

TREBIE ROAD SITE

The Trebie Road Site in Orangeburg County is the location of a former recycling facility where the operator attempted to salvage value from large amounts of plastic material, mostly solid waste. The site was intended to be a transfer station where materials would be brought in before being shipped off to be made into marketable products.

Many containers of hazardous waste were also discovered on the dilapidated property, most in poor condition and with nearly all the labels faded. Site contaminants included but were not limited to arsenic, cadmium, chromium, lead, silver and tetrachloroethene.

In FY23, DHEC began to remove containers of hazardous waste from the site. During FY23, this was largely staging the hazardous containers and sampling the materials. Removal of the waste was completed in FY24.

Total costs for the site in FY24 were about $428,872.16.

PHILLIPS SERVICES CORPORATION

Located in York County, this site – previously known as ThermalKem – operated as an interim status hazardous waste treatment, storage and disposal facility until bankruptcy in 2003.

Beginning in 2003, DHEC conducted extensive investigations, upgraded and operated the interim groundwater treatment system, conducted community relations activities and continued settlement negotiations with the Philip Services Corporation Potentially Responsible Parties (PRP) group, which represents more than 1,700 PRPs.

In FY20, DHEC and the PRP Group reached a tentative settlement; however, it was not finalized due to objections from the U.S. Department of Justice (DOJ), which was representing federal agency PRPs.

A final settlement was approved by the court in December of 2022. In FY23 and FY24, DHEC/SCDES continued operating the groundwater pump and treat system and began transitioning management of remedial work to the PRP Group and its contractors. Total costs for the site were approximately $341,551.13 in FY24.

BREWER GOLD MINE (NPL SITE)

The Brewer Gold Mine Site is the location of a former gold mining operation in Chesterfield County. The facility was abandoned in 1999 and EPA took over onsite wastewater treatment operations to contain acid rock drainage that posed a continuing threat to Little Fork Creek and the Lynches River. The Site was added to EPA's National Priorities List (NPL) in 2005.

EPA continued conducting water treatment activities at the site until June 2020. At that time, DHEC assumed the lead agency role for operation of the wastewater treatment system. SCDES is responsible for 10% of the costs and is refunded 90% of the costs by EPA. SCDES's contractor costs are currently funded by a special site-specific account. The USF continues to fund SCDES's personnel costs.

CONGAREE RIVER SITE

In 2010, DHEC and Dominion Energy (formerly SCE&G) began investigating the presence of tar-like material (TLM) that originated from an early 1900s manufacturing plant on Huger Street in downtown Columbia.

After numerous studies and an evaluation of cleanup alternatives, DHEC selected a remedy which included placing two coffer dams in the river, pumping out water and extracting TLM and impacted sediments. After longterm efforts to complete an Army Corps of Engineers permitting process, Dominion Energy began construction of the coffer dam late in FY22. Excavation activities began in FY23.

Excavation concluded in FY24. Due to the complexity of the project, agency staff spent a significant amount of time reviewing plans, overseeing work and updating the community on cleanup progress. These staff members were funded by the HWCF.

RESPONSIBLE PARTY VOLUNTARY CLEANUP CONTRACTS & CONSENT AGREEMENTS/ORDERS

During FY24, DHEC negotiated and executed:

- **Six Responsible Party Voluntary Cleanup Contracts** (RP VCCs); and
- **Three Certificates of Completion** (CoC). The CoC signifies a party has completed its obligations under the VCC and provides a covenant not to sue for work satisfactorily completed under the VCC.

Staff were actively negotiating two additional VCCs at the end of the FY. These contracts and agreements provide for SCDES oversight of activities funded by responsible parties and reimbursement of SCDES's past costs and future oversight costs.

EPA REMOVAL SITES

DHEC continued to provide support to EPA's Emergency Response and Removal Branch during federal lead removal actions at sites such as Galey & Lord Sludge Fields in Society Hill where water filters have been provided for impacted private drinking water wells. Beginning in FY23, DHEC took over the monitoring and maintenance of water filters for wells that have had a filtration system installed for one year. In FY24, SCDES took over the monitoring and maintenance of filters on two additional wells.

TABLE 1: Significant Site Expenditures forFY24 (including contractual and personnel costs)

SITE OF ACTIVITY	NUMBER
Trebie Road	$428,872.16
Phillip Services Corporation	$341,551.13
I-85 Distribution Center	$183,125.26
Elmore	$147,639.04
Palmetto Wood Preserving	$79,678.02
CSXT Bramlett Road Site	$51,558.02
Edison Mall-York	$47,304.13

Uncontrolled Sites Fund: History & Status

SECTION
3

The HWCF was established in the 1980s under the authority of the S.C. 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 initially was financed by fees on waste disposed at the Pinewood Hazardous Waste Landfill (Pinewood).

From its beginning, the USF portion of the HWCF grew to about $11 million at the close of FY90. Through the 1990s, revenue for the USF averaged roughly $2 to $3 million annually and the balance grew and briefly exceeded $25 million in 1998. The HWCF, however, 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 USF had a balance of about $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 USF. From FY99 to FY07, expenditures greatly exceeded revenues and the USF balance steadily declined.

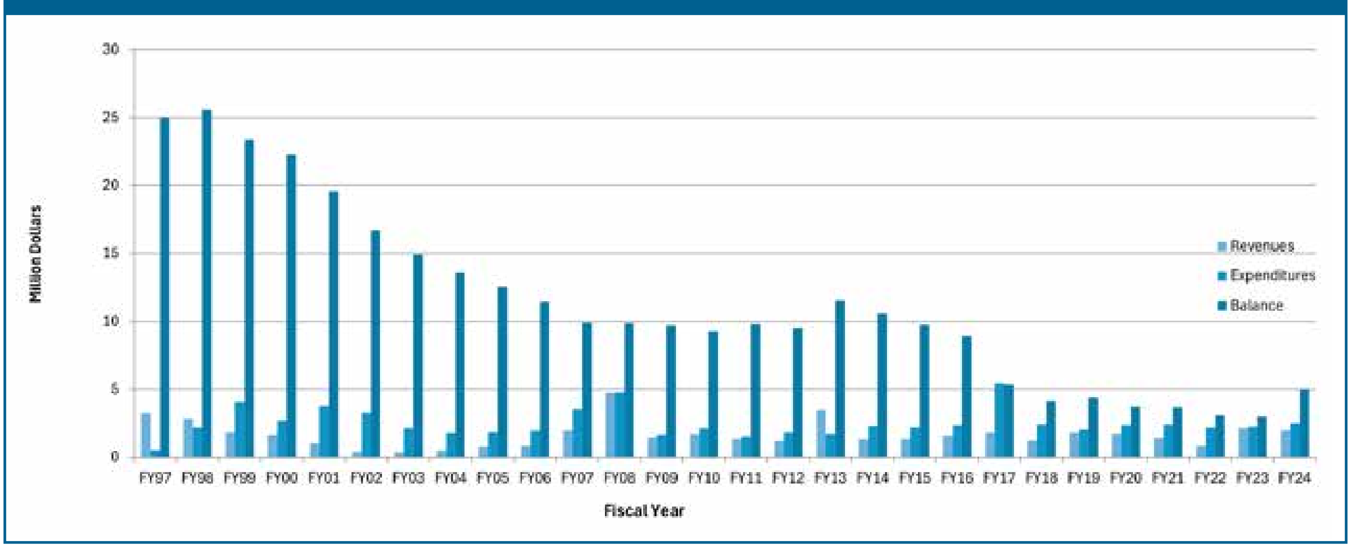
Beginning in 2000, establishing a continuing funding source for the HWCF was a budget priority for DHEC.

- 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:

- **Small-quantity generators** are assessed an annual fee of $500.
- **Large-quantity generators**, as determined by R.61 79.262 (S.C. Hazardous Waste Regulations), producing 100 tons, or less, of hazardous waste per year are assessed an annual fee of $1,000 per facility. If producing over 100 tons, the annual fee is $1,000 plus $1.50 per ton for all hazardous waste in a year that the company generates per Section 44-56-215. Fees collected shall not exceed an annual cap of $15,000 per generator.
- **In addition, there is a fee of $1 per ton** of hazardous waste in excess of 50 tons

CHART 2: HWCF's Uncontrolled Sites Fund



remaining in storage at the end of each quarter in accordance with S.C. Code Section 44-56-170(D). Companies subject to fees required by Section 44-56-170(F)(1)(1976) are exempt from these fees.

In recent years the interest and fees have provided about $1 million in new revenues per year. In FY24, the opening balance of the USF was $2,967,052.59. Revenues were $2,006,731.28 and expenditures were $2,472,876.96. The revenue figure does not include a one-time appropriation of $2,500,000.00.

The USF closed FY24 with a balance of $4,984,592.04. SCDES has obligated about $1,115,644 for FY25 response actions and $52,441.00 for EPA cost shares in addition to the annual personnel and operating costs of about $1.57 million.

For FY26, obligations increase to over $2,469,556 and $1.7 million for response activities and personnel/operating costs respectively. SCDES is seeking additional recurring funds to ensure resources are available to conduct future response actions.

Views of the Trebie Road Site before and after removal operations in FY24. Most of the hazardous substances were stored in the containers with much of the rest of the site covered by solid waste.

TABLE 3: Uncontrolled Sites Fund Financial Snapshot for FY24	
Opening Balance (07/01/23)	$2,967,052.59
Revenues*	$2,006,731.28
Total Expenditures (See Table below)	($2,472,876.96)
Adjustments – One-time transfer (Includes FY24 appropriation of $2.5 million)	$2,483,685.03
Closing Balance (06/30/24)	$4,984,592.04
FY25 Obligated as State Cost Share Match for NPL Sites**	($52,441.00)
FY25 Obligated for Site Response Activities (See the table on the following page)	($1,115,644.00)
FY25 Obligated for Supplies, Equipment, Travel, etc.	($55,000.00)
FY25 Obligated for Administrative Expenses (Salaries, Fringe Benefits & Agency Assessment)	($1,570,000.00)

* Includes hazardous waste generator fees, interest, reimbursement of oversight costs, cost recovery, $1,000,000 annual appropriation and other miscellaneous income.

** At federal fund-lead NPL sites, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) requires the state to provide a 10 percent cost share for remedial actions. South Carolina currently has an outstanding cost share of $209,762 for the Palmetto Wood Preserving Site. This obligation is being paid in 10 annual payments, which SCDES began paying in FY20. SCDES expects potential cost shares in the next several years at two other sites – Barite Hill Mine and Cone Mills/Union Bleachery.

In FY24, SCDES made the ninth 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 from a special fund established for this site rather than the USF. Within the next few years, SCDES also may be required to pay a 10 percent cost share for a new treatment system at the Brewer Gold Mine Site as well as the associated annual operation and maintenance (O&M) costs for the treatment system. These O&M costs are estimated at more than $1.5 million per year.

TABLE 4: Breakdown of Total FY24 Expenditures	
Uncontrolled Sites (Contractual – Does not include about $7.8 million spent from site-specific settlement accounts and other SCDES funds.)	$1,058,575.84
Emergency Response	$0
Salaries, Fringe Benefits, Agency Administrative Assessment	$1,414,301.12
TOTAL EXPENDITURES	**$2,472,876.96**

FY25 & FY26 Contractual Obligations

This table shows site-specific obligations (about $1,115,644 for FY25 and $2,469,556 for FY26) that have been assigned to a state contractor, or which are planned to be assigned. These sites represent a very small portion of SCDES'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 USF in the tens of millions of dollars or more.

TABLE 5: Contractual Obligations for FY25 & FY26

OBLIGATION	DESCRIPTION	FY25 AMOUNT	FY26 AMOUNT
AVA Industries and Columbus Industries	Groundwater/Sampling	$17,590	$25,000
Bamberg Hwy. 301	Private Well Sampling, Filter Maintenance	$15,000	$12,000
Carolina Chemical	Soil Sampling, FY26 Soil Removal	$11,000	$75,000
Cary Avenue Mercury Site	FY25 Assessment, FY26 Removal	$55,000	$100,000
CE Taylor	RO Filter Maintenance and Sampling	$5,000	$5,000
Columbia Organic Chemical (Richland County)	Periodic Groundwater Sampling		$25,000
Columbia Organic Chemical (Kershaw County)	Soil and Groundwater Sampling		$55,000
Edison Mall	Site Characterization	$40,045	$25,000
Elmore Waste Disposal (NPL Site)***	Groundwater Remediation System, Operation and Maintenance	$150,000	$165,000
Exide – Greer	Groundwater Remediation		$350,000
Florence Steam Laundr	Initial Assessment, FY26 – Expanded Assessment	$13,000	$50,000
Fouke Fur	Assessment/Removal Action		$75,000
Galey & Lord	PW Sampling and Filter Maintenance	$200,000	$97,556
HealthTex	Groundwater and Surface Water Sampling		$30,000
I-85 Manufacturing & Distribution Center	Operation of Stream Sparging System, Groundwater sampling and Sediment Removal	$65,000	$1,145,000
Lexington County	PFAS Investigation Private Well and Limited Groundwater Assessment	$50,000	$100,000
Oneita Site	Investigation, Private Well	$60,250	
Palmetto Wood Preserving NPL Site)***	Annual Operation and Maintenance, Sampling	$15,844	$20,000
Philip Services Corp.	Groundwater Treatment System, Operation and Maintenance, Legal	$50,000	$25,000
Starmet	Fire Break Clearing, Site Security		$65,000
Suffolk Chemical	Groundwater Remediation Operation and Maintenance	$22,915	$25,000
Trebie Road Site	Removal Action and Environmental Assessment	$345,000	
TOTAL PLANNED CONTRACTUAL OBLIGATIONS		$1,115,644	$2,469,556

*** These obligations are related to SCDES's Long-Term Operation and Maintenance requirements for EPA Fund-Lead Remedial Actions at NPL Sites. These amounts do not include SCDES's outstanding cost share obligations which are shown in the "Uncontrolled Sites Fund Financial Snapshot for FY24" on the previous page. These total planned contractual obligations figures do not include State-lead activities funded by site-specific cleanup funds established through cost recovery activities.

Primary Uses of the Uncontrolled Sites Fund

SECTION 4

STATE-LEAD RESPONSE ACTIONS

The primary uses of the USF are to provide funds for:

- **Contractual services** to perform state-funded investigation and cleanup activities at sites where other funds are not available;
- **Personnel and operating costs** to implement the program for conducting response actions; and
- **Obligations to EPA** for sharing costs at certain federal NPL Superfund sites where there is no viable responsible party.

The State Superfund Program evaluates and sets priorities for sites in order to address the worst cases first. Unless SCDES deems an imminent threat exists or a criminal investigation necessary, state-funded response actions generally are conducted only after SCDES initiates the appropriate procedures to secure alternative funding. Considerable time and effort are expended to ensure that all available funds from the responsible parties and other sources are used before drawing on the USF.

In most cases, SCDES 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 clean up contaminated sites, to fund these response activities themselves, or reimburse the agency's response costs.

With many of these settlements, SCDES typically includes a covenant not to sue for the work performed by the responsible or non-responsible parties to the agency's satisfaction and contribution protection from other responsible parties that 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 SCDES to pay for or perform response activities, program 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 SCDES's costs for oversight activities.

The authority of SCDES to use the USF and to seek cost recovery provides leverage that may encourage responsible parties to come forward voluntarily. Further, SCDES performs public participation/community involvement activities pursuant to CERCLA to ensure that affected communities have knowledge of, and input into, the cleanup.

CHART 6: Responsible Party Voluntary Cleanup Contracts

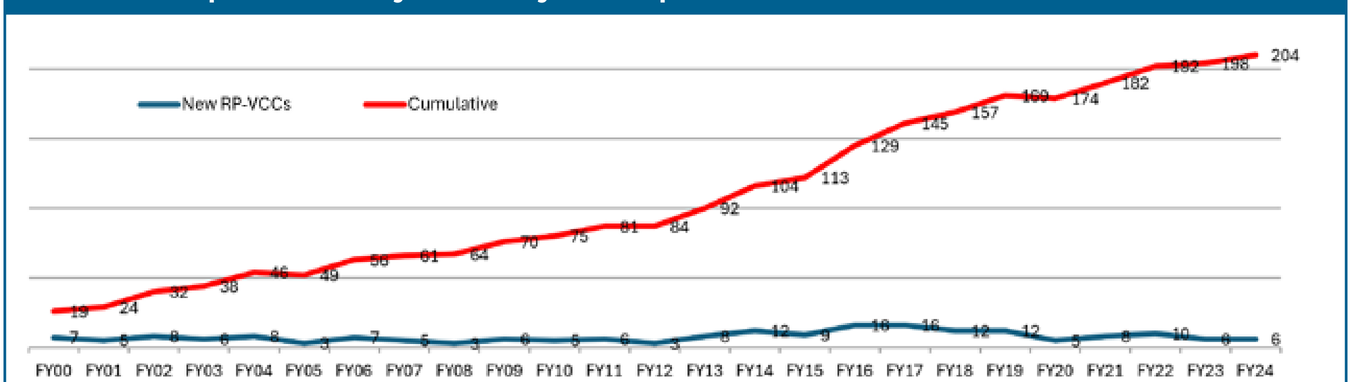


Chart 6 shows the number of responsible party voluntary cleanup contracts (RP VCCs) executed and the cumulative total for each fiscal year (FY) since the first RP VCC was executed in FY97 (July 1, 1996 to June 30, 1997). Six RP VCCs were executed and two RP- VCCs was under negotiation at the end of FY24.

EMERGENCY RESPONSE

SCDES's Environmental Response Program responds to accidental spills and other issues associated with the transportation of hazardous material as well as other incidents where hazardous material is spilled, illegally dumped, or otherwise abandoned on public property.

The Environmental Response Program administers the Emergency Response Contract, which is used to secure, sample and properly dispose of waste. These activities are funded by the USF. In FY24, the Environmental Response Program expended $0 responding to 0 incidents. The Emergency Response Program typically seeks reimbursement from the National Pollution Funds Center and/or the responsible parties.

In FY24, no amount was recovered. The amount of reimbursement varies from year to year depending on the number and types of incidents that occur. All reimbursements are returned to the USF.

ADMINISTRATIVE COSTS/SALARIES

SCDES uses USF monies for salaries and program administration. The USF currently funds about 17 full-time equivalent (FTE) positions that perform site prioritization activities, project management, technical reviews, field oversight, cost recovery activities, public participation activities and other administrative activities.

During FY24, the USF provided $1,414,301.12 for salaries, fringe benefits, agency administrative assessments and other operating costs. These costs are included in SCDES's cost recovery efforts against responsible parties.

CRIMINAL INVESTIGATIONS

The State Superfund Program also assists SCDES'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, SCDES may perform or oversee additional cleanup activities.

CHART 7: Number of Sites Addressed/Supported by Hazardous Waste Contingency Fund by FY

FEDERAL-LEAD SUPERFUND SITES

Cleanup activities on most federal Superfund NPL sites are funded by private parties and most of SCDES's day-to-day costs to assist in oversight of these projects are funded through the Support Agency Cooperative Agreement with EPA. Where there is no existing viable responsible party and the site is listed on the NPL, the state must agree to share in the cleanup costs for EPA to encumber federal Superfund monies to implement a remedy at these types of sites – known as Federal Fundlead NPL sites.

At these sites, SCDES must agree to pay 10 percent of the remedial construction costs and, once a remedy is constructed and effectively working, 100 percent of the long-term operation and maintenance costs. These costs, as well as other costs SCDES 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 USF.

In FY24, the USF supported SCDES response actions at three federal fund-lead NPL sites – Elmore Waste Disposal, Palmetto Wood Site and Brewer Gold Mine.

- **Elmore Waste Disposal:** In November 2009, SCDES assumed responsibility for all the O&M costs for the existing groundwater pump and treatment system at the Elmore Waste Disposal Site in Greer. SCDES incurred $117,590.53 in contractor O&M costs in FY24. For FY25, SCDES' contractor costs are expected to be roughly $151,307.
- **Palmetto Wood Site:** Annual operations and maintenance costs have been about $12,000. FY25 O&M costs are anticipated to be about $13,470. In addition, SCDES is making annual payments of $52,441 toward an outstanding cost share of $209,762 for the Palmetto Wood Site. Two other NPL sites, Barite Hill Mine and Cone Mills/US Finishing/Union Bleachery may require cost shares in the next several years.
- **Brewer Gold Mine:** In FY16 and FY17, the USF was used to pay EPA for the first two of 15 annual payments of $74,665 for South Carolina'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 about 2031, South Carolina will be required to fund 10 percent of the cost of a cap and new wastewater treatment system at this site. SCDES's cost share for construction is expected to exceed $2 million while O&M costs are expected to be more than $1.5 million per year.

State Superfund Program

SECTION 5

The mission of the State Superfund Program is to protect human 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. SCDES focuses its attention and financial resources on the sites that pose the greatest risk.

SCDES'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.

Cleanups funded by the State Superfund program provide significant improvements to human and environmental health as well as benefits to the economy.

A hazardous waste container with acidic contents from the Winnsboro Excavation Site.

Response Process

The State Superfund process begins with site discovery or notification of possible releases of hazardous substances. SCDES'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, SCDES may perform an emergency response or removal action to address immediate threats.
- **Remedial Process** – If a site does not pose an imminent threat, it is screened to determine whether it warrants further evaluation for remedial (i.e., long term) measures. If a site does not qualify for placement on the EPA's NPL, then cleanup is addressed by the State Superfund Program.
- **RI/FS Phase** – A Remedial Investigation (RI) is an indepth 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 meeting is held to encourage community input and participation in the final remedy selection.
- **ROD Phase** – After the comment period, SCDES 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** – The matter will be closed if SCDES determines the cleanup is complete and no additional response action is required.

Community Process

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

- **Establishes a community relations plan** for state-lead sites as appropriate;
- **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 SCDES'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;
- **Provides environmental reports, proposed contracts, public meetings and other information** on SCDES's website for the public;
- **Participates or assists in media releases**; and
- **Provides fact sheets** specifically written for local communities.

TABLE 8: Community Involvement in FY24

TYPE OF ACTIVITY	NUMBER
Community Meetings	**0**
Newspaper Notices	**5**
Public Comment Periods	**1**

Permitted Site Fund: History & Status

SECTION 6

The HWCF Permitted Site Fund (PSF) 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 PSF was established, the only permitted hazardous waste land disposal facility in South Carolina was Pinewood Landfill located in Sumter County. The PSF 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 PSF. Post-closure revenues are from interest accrued on the deposit.

The PSF 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 PSF, the General Assembly approved a proviso that authorizes SCDES to expend funds from the PSF for legal services related to environmental response, regulatory and enforcement matters including administrative proceedings and actions in state and federal courts.

SCDES used the PSF 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.

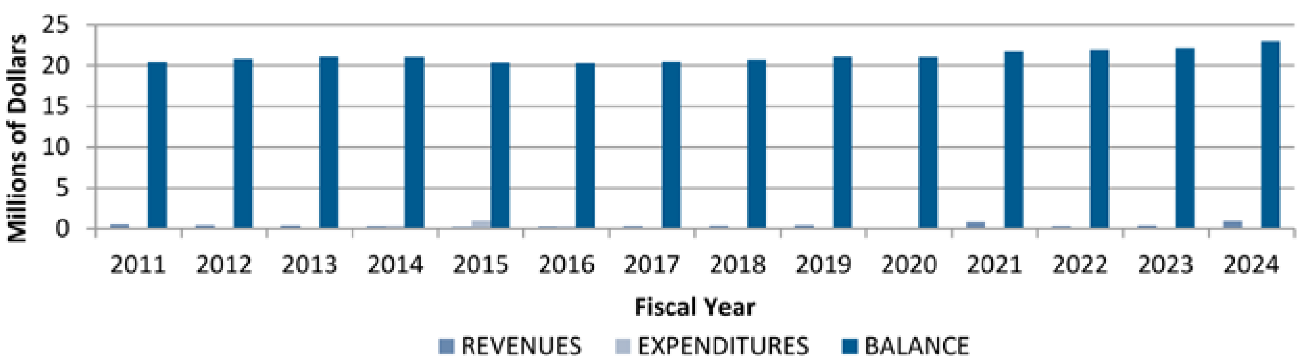
The manifest preservation project included scanning and auditing of the manifests, database creation and data entry and quality assurance/quality control. In addition, the PSF continues to provide partial support for staff who perform technical, enforcement and compliance activities at the Pinewood Facility.

TABLE 8: HWCF Permitted Site Fund Financial Snapshot (FY11* to FY24)

FY	REVENUES (Interest)	EXPENDITURES	BALANCE
2011	$537,807	$1,013	$20,453,774
2012	$426,479	$14,138	$20,866,115
2013	$389,855	$113,978	$21,141,992
2014	$287,993	$335,386	$21,094,599
2015	$236,614	$958,563	$20,372,650
2016	$257,198	$314,007	$20,315,841
2017	$279,203	$78,897	$20,516,147
2018	$324,746	$77,989	$20,762,904
2019	$420,034	$69,014	$21,113,925
2020	$94,537	$121,900.78	$21,086,561
2021	$807,612	$131,441	$21,762,732
2022	$308,918	$137,719	$21,933,931
2023	$382,986	$151,315	$22,165,602
2024	$915,623.13	$86,767.62	$22,994,457.92

* Information prior to FY11 is unavailable due to a change in accounting systems.

CHART 9: Permitted Site Fund by Fiscal Year



This Page Intentionally Left Blank

BUREAU OF LAND & WASTE MANAGEMENT

SC DEPARTMENT *of* ENVIRONMENTAL SERVICES

Printed on RECYCLED Paper OR-2268 2/26