



Southern Reporting, Inc.

Transcript of Public
Hearing

September 22, 2009

Draft Air Synthetic Minor Construction Permit for
Johnson Controls, Inc.

COPY

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State of South Carolina)	
County of Florence)	
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Draft Air Synthetic Minor)	Transcript
Construction Permit for)	
Johnson Controls, Inc.)	of
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)	Public Hearing
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The within public hearing was taken before Stephen K. Tackett a notary public in and for the State of South Carolina, commencing at the hour of 7:40 p.m., Tuesday, September 22, 2009, at the office Southeastern Institute of Manufacturing and Technology (SIMT), 1951 Pisgah Road, Florence, South Carolina.

Reported by
Stephen K. Tackett

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APPEARANCES

Hearing Officer:

Nancy Whittle

2

DHEC officials present:

Karen Lee

Soraya Purvis

3

Rodney Wingard

Elizabeth Basil

4

James Myers

5

Speakers from the public:

Timothy J. Lafond, P.E.

6

Cindi Hudson

7

Lafayette Bailey

8

Lynne Brinkley

9

Robert Quick

10

Cathy Quick

11

David Hartman, Jr.

12

Dan Felker

13

JoAnne Ross

14

Mike King

15

Ben Gregg

16

John Ramsburgh

17

Nancy Cavie

18

Peggy Brown

19

Hampton Shuping

20

Rebecca Carr

21

Willis Glynn

22

Steven A. Vandenberg

23

Linda Strauss

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25

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1 P R O C E E D I N G S

2 MS. WHITTLE: Okay. We're going to go ahead and start
3 this formal part of this meeting. We call it at
4 DHEC a "formal public hearing," and we call it that
5 because we actually have a court reporter and we
6 record this -- this whole part of the meeting. And
7 I do have just a statement I need to read to kind
8 of set this up.

9 Again, good evening. It is now, looks like,
10 7:40 on Tuesday, September 22nd, 2009, and this
11 public hearing regarding the "Draft Air Synthetic
12 Minor Construction Permit for Johnson Controls" is
13 now called to order. For the record, this facility
14 will be located on Paper Mill Road in Florence,
15 South Carolina, here in Florence County.

16 Again, my name is Nancy Whittle. I'm
17 community liaison for DHEC Environmental Quality
18 Control Office, and I will be serving as the
19 hearing officer for this public hearing. And I
20 want to, again, welcome you and, on behalf of DHEC,
21 thank you for taking your time to come tonight.

22 Before I go any further, there are just a few
23 items we need to address, kind of the working of
24 this public hearing. First, I ask you to turn off
25 any cell phones or -- or switch to vibrate so that

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1 you do not disturb others during the hearing.

2 If you've not already done so, I would
3 encourage you to sign in. When you came in, we had
4 sign-in sheets in the back. By signing in, this
5 will ensure that DHEC has a complete record of all
6 attendees at this hearing. We also ask for your
7 mailing address or e-mail address on the sign-in
8 sheet. We ask that so that, if we have things we
9 want to send with you, we can notify you in writing
10 of any other information we're sending out. If we
11 have other meetings, which we will with that RCRA
12 permitting process, we'll send you notice of those
13 meetings.

14 Also, when you signed in, you should've
15 received a folder with information. It's a green
16 folder that has a lot of information pertaining to
17 this hearing. If you didn't get that, raise your
18 hand and we'll see that --

19 MS. LEE: I'm completely out.

20 MS. WHITTLE: Here's one, Karen, you can have. Right
21 there.

22 In there, there's a list of DHEC staff that
23 are present with our addresses and phone numbers
24 and e-mail. And if you didn't get one, if you see
25 us afterwards, we can get you the information.

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1 Next, I would also like to point out our court
2 reporter who is seated to my right. Now, he'll be
3 taking verbatim notes. He is responsible for
4 preparing a written record of the formal hearing --
5 or formal part of this hearing, and the transcript
6 will serve as the official record of this public
7 hearing. If at some time later you are interview
8 -- interviewing -- interested in reviewing this
9 record of tonight's hearing, you may request to see
10 it from -- from DHEC -- from the department.

11 The purpose of this hearing is to provide a
12 formal opportunity for you to give us your verbal
13 and written comments. Also, an opportunity for
14 DHEC staff and representatives of Johnson Controls
15 to present information to you about the draft
16 permit.

17 It's important that you know that the
18 requested air permit has not been approved and it's
19 still in draft form. The decision to grant or deny
20 this permit has not been made at the time of this
21 hearing. All comments received will be reviewed by
22 DHEC staff prior to making a permit decision so
23 your input is very important. A decision as to
24 whether or not the air permit will be approved,
25 modified, or denied will not be made tonight, not

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1 at this hearing.

2 We recognize many of you have concerns and
3 questions regarding the draft permit. The comments
4 you share may provide DHEC staff with additional
5 ideas or thoughts about the permit. Please
6 understand that this is not a question-and-answer
7 session. This is considered a formal hearing where
8 comments made will be recorded. And to be sure
9 that everyone has the opportunity to be heard,
10 questions -- we won't answer questions. We will
11 just be listening to your comments.

12 Please note that the draft permit has been
13 written to ensure that Johnson Controls can
14 construct and operate in compliance with state and
15 federal air quality regulations. These regulations
16 are in place to protect human health and welfare
17 and to ensure that air quality standards are
18 maintained.

19 We welcome your comments this evening. If you
20 plan to make oral comments, you should've noted
21 this on the sign-in sheet, and I have those listed.
22 If you were not sure when you came in that you
23 wanted to speak, you will be given a chance after
24 the people who've signed in. I will ask at the
25 end, "Does anyone else have comments?" So you will

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1 be given an opportunity to make comments if you
2 didn't sign in.

3 Can everybody hear me in the back? I see some
4 people who look like they're straining. Thanks.

5 Written comments are also welcome. If you
6 don't feel like coming up here and making a -- a --
7 a spoken comment, you can certainly write your
8 comment and send it to DHEC. And in the folder, it
9 gives you the address of where you need to send
10 those written comments.

11 All written comments must be received by DHEC
12 no later than close of business on September 29th,
13 2009. Again, that date is September 29th, 2009.
14 If you have questions related to submitting written
15 comments, please see us afterwards. See one of our
16 DHEC staff, and we all should be wearing our
17 badges.

18 In order for tonight's hearing to move forward
19 in a timely and orderly fashion, I'd like to just
20 go over just a brief -- few brief kind of ground
21 rules. There will be no cross-examinations or
22 questions and answers while a presentation or
23 comment is made. And I do reserve the right to ask
24 a speaker to clarify the -- a point. All comments
25 tonight will be made from this podium. So when I

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1 call your name, if you've signed in to make a
2 comment, you'll need to come up and speak into this
3 microphone.

4 So that everyone has an opportunity to speak,
5 your comment should not exceed more than five
6 minutes per individual. Please remember that the
7 quality of what each person is saying is what's
8 important tonight, not how many people say the same
9 thing.

10 Before we listen to your comments, we do have
11 some presentations. James Myers, who is with our
12 DHEC's Bureau of Air Quality will explain the
13 department's draft permit. Liz kind of gave an
14 overview. He's going to go into more detail, and
15 he is the project engineer on the -- on this
16 particular site.

17 The second presentation will be given by
18 Johnson Controls' Mr. Tim Lafond, who was answering
19 questions earlier. And after those two
20 presentations, then I will start calling the names
21 of the people who've signed up to speak. Again,
22 anyone -- after they have spoken, I'll give you an
23 -- an opportunity, if you didn't sign up, if you
24 want to come up and make a comment.

25 Also, something very important that we need

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1 for the court reporter: Before making your
2 comment, I would ask that each of you clearly state
3 your name and group you are representing if for --
4 if any, for the court reporter. So if you're
5 representing a group, please state your name and
6 the group. If you're just here representing
7 yourself, state your name clearly. And also, if
8 you have your comments written, if you could leave
9 those with the court reporter, it makes it easier
10 sometimes for him to capture exactly what you said.

11 Should any statements digress from the intent
12 of this hearing, I may ask the speaker to: "Stop;
13 we need to move on." I ask that each speaker be
14 allowed to present his or her views without
15 interruption. I will not allow disruptions to
16 alter the intent of this hearing. Each person who
17 has requested to speak will be given a fair
18 opportunity to provide his or her -- her
19 presentation or statement.

20 So that kind of ends our formal statement, and
21 I'm going to call on Jim -- James Myers, who will
22 present from DHEC.

23 MR. MYERS: Good evening. My name is James Myers, and I
24 am a permit writer for the Bureau of Air Quality
25 within the South Carolina Department of Health and

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1 Environmental Control. I am here tonight to
2 present information regarding Johnsons [sic]
3 Controls' request to construct a lead-acid battery
4 recycling plant off of Paper Mill Road in Florence
5 County. I would like to briefly explain what the
6 facility has requested, what evaluations we have
7 done of their application, and what requirements
8 are contained in the draft air construction permit.

9 Next.

10 The facility has requested a permit to
11 construct a lead-acid battery recycling plant. The
12 proposed facility will have the capacity to produce
13 approximately 17 tons per hour of lead ingots,
14 which are basically blocks of lead; 2 tons per hour
15 or polypropylene pellets; and 5 tons per hour of
16 sodium sulfate from recycled car batteries and
17 marine batteries. These products will be reused by
18 Johnson Controls or resold.

19 The draft permit contains federal and state
20 standards. In this case the standards are for a
21 secondary lead smelting process, which is what the
22 facility will use to separate lead from other
23 material. The draft permit also limits the
24 facility's emissions so major source construction
25 permitting is not triggered. The federally

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1 enforceable permit will require the operation of
2 controlled devices at all times when the plant is
3 operating.

4 Once the facility completes construction, they
5 will request a Title V operating permit and will
6 have 12 months to submit a complete application.
7 The facility may operate under the construction
8 permit until the Title V operating permit is
9 issued. A 30-day public-review period will precede
10 the issuance of the operating permit.

11 Next.

12 The operation of the battery recycling
13 facility does cause air pollutants to be emitted.
14 Industrial operations are allowed to emit air
15 pollution in quantities that meet the state and
16 federal standards. The Bureau of Air Quality
17 reviewed the construction permit application for
18 the amount of pollution emitted by the plant during
19 its operation, and what federal and state
20 regulations will be required to be met at all times
21 during operation.

22 Let me tell you about these regulations, also
23 called "standards." The United States
24 Environmental Protection Agency, or EPA, use and
25 regularly reviews available scientific data to set

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1 primary ambient air quality standards for certain
2 air pollutants that are protective of health,
3 including the health of sensitive populations such
4 as asthmatics, children, and the elderly. "Ambient
5 air quality standards" means the amount of
6 pollution anyone can breathe. The EPA has also set
7 secondary ambient air quality standards that are
8 protective of the environment and ecology.

9 The EPA calls these pollutants "criteria air
10 pollutants" because it regulates them by developing
11 criteria for setting allowable levels based on
12 human health and environmental impacts. These
13 criteria pollutants are particulate matter less
14 than 10 microns in size, particulate matter less
15 than 2.5 microns in size, sulfur dioxide, nitrogen
16 dioxide, carbon monoxide, lead, and ozone.

17 The EPA has recently revised the standards for
18 lead, making it ten times lower than previous
19 levels. In addition to stricter levels, South
20 Carolina would be required to monitor the ambient
21 lead concentrations from the Johnson Controls
22 facility. This means the ambient lead monitor
23 would be installed and operated and would
24 physically measure the ambient concentrations near
25 the facility. The monitor will be placed where

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1 there is the highest expected impact from the
2 facility.

3 Next.

4 The New Source Performance Standards apply
5 specifically to the lead smelting furnaces. They
6 specify limits for opacity and particulate matter
7 emissions from the smelting furnaces and require
8 testing after construction to prove the emissions
9 from the furnaces can meet the limits.

10 The National Emission Standards for Hazardous
11 Air Pollutants requires the facility to use control
12 devices and enclosures to control process and
13 fugitive lead emissions from most of the battery
14 recycling processes. There is also a lead limit
15 for specific parts of the process that requires
16 initial testing after construction and then
17 additional testing every two years.

18 Next.

19 The EPA has not set ambient air quality
20 standards for air toxics; however, South Carolina
21 has set air quality standards for the air toxics.
22 This standard limits the amount of air toxics
23 pollutions from the facility. South Carolina's air
24 toxic standards are set to protect the health of
25 its residents. An example of an air toxic

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1 pollutant that will be emitted by this facility is
2 mercury. The amount of mercury the facility would
3 emit is 125 times lower than the standard's limit.

4 The Nitrogen Oxide Standards requires fuel
5 burning sources to be equipped with low NOX burners
6 capable of achieving a 30 percent reduction in
7 nitrogen oxides emissions.

8 Next.

9 There are several methods to determine whether
10 the plant will meet all the health-based standards:
11 computer air dispersion modeling, visual opacity
12 readings, and stack testing, to mention a few.

13 The facility has to show that it can meet all
14 federal and state ambient air quality standards
15 using the latest EPA-designed air dispersion
16 computer modeling program. Air dispersion modeling
17 uses the facility's maximum predicted emissions and
18 the area's actual weather conditions using five
19 years of data to predict the amount and path of the
20 pollutants as they are emitted from the source and
21 move through the air. The highest amounts of
22 pollutants outside the property's boundaries are
23 compared to the ambient air quality standards. For
24 a facility to receive an air permit, the highest
25 modeled concentrations must be at or below the

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1 standards. The facility has submitted the
2 modeling. The modeling was reviewed by the bureau,
3 and the results show that all criteria pollutants
4 and air toxic pollutants were below the standards.

5 Visual opacity readings are done by plant
6 personnel and DHEC inspectors on a regular basis
7 while the plant is operating. These readings are
8 visual observations of how much light can be seen
9 through particles formed by the plant and are an
10 indication of how much particle pollution is formed
11 on the plant site. This draft permit requires the
12 facility to limit all emission sources, including
13 dust particles, to 20 percent opacity.

14 The facility is also required to conduct
15 source performance testing or stack testing for
16 these pollutants: particulate matter, NOX, carbon
17 monoxide, sulfur dioxide, and lead. A stack test
18 shows what and how much is being emitted during the
19 operation of the plant. The stack test actually
20 collects and measures the pollutants coming from
21 the process.

22 Next.

23 This facility will have to conduct initial
24 stack tests and periodic stack tests to show that
25 they are meeting the state and federal limits.

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1 Records of the amount of emissions from the
2 facility will have to be kept and sent to DHEC for
3 review. The facility will be required to monitor
4 the performance of the control devices by
5 documenting the pressure change, flow rate, and
6 continuous temperature readings of each device.
7 The pressure drop and temperature ranges will be
8 determined during the required source test.

9 Additionally, after any permit is issued by
10 our bureau, we conduct unannounced comprehensive
11 inspections for compliance. These inspections are
12 documented regardless of findings. The inspection
13 reports are forwarded to the central office for
14 review and quality assurance. If permit conditions
15 are not being met, the facility may be sent through
16 the enforcement process.

17 If a citizen has a complaint, which can be
18 anonymous, DHEC regional staff will investigate as
19 soon as possible and document our findings. DHEC
20 staff will notify the facility of the complaint to
21 determine if anything unusual is occurring at the
22 plant. If DHEC staff find that the complaint is a
23 result of a violation of permit conditions, the
24 facility may be sent through the enforcement
25 process. If the citizen complains -- who complains

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1 chooses to leave their name and phone number, the
2 DHEC regional staff will call them back to discuss
3 their findings.

4 Next.

5 The contact information for the local DHEC
6 office is shown above. Thank you.

7 MS. WHITTLE: Next we'll have Tim Lafond from Johnson
8 Controls.

9 MR. LAFOND: Good evening. I'm Timothy Lafond, the
10 environmental manager from Johnson Controls. Our
11 primary purpose here tonight is to listen to you
12 and any questions or concerns you have, but we were
13 given the brief opportunity to talk about our
14 company and this project. I will be brief because
15 we want to get you to your -- get to your
16 statements. Can I have the first slide, please?

17 Johnson Controls is a very large,
18 multinational, global company. Our three primary
19 businesses are automotive materials, building
20 efficiency, and this project related to our power
21 solutions or battery business. You may not know,
22 but Johnson Controls is the world's largest
23 producer of automotive batteries. Some of our
24 customers are Wal-Mart, Kmart, Pep Boys, AutoZone,
25 Interstate Batteries, Pep -- I mentioned Pep Boys

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1 -- NAPA, and so we -- we're -- and also Ford,
2 General Motors, Chrysler. And that's the primary
3 nature of our business. Next slide, please.

4 As we -- as we mentioned before, we're going
5 to be locating this facility near the Smurfit
6 facility on Paper Mill Road right down the street
7 from the DuPont facility. Next slide.

8 I want to talk a little bit about battery
9 recycling capacity in the United States, and you'll
10 notice, on the map to the left, the reason why
11 Florence County is where we're looking to locate
12 this facility: Those blue balls represent where
13 there's existing recycling capacity today in the
14 United States for car batteries. So you can see
15 there's nothing in this part of the country. And
16 there's also -- you can see quite a void out in the
17 western part of the United States.

18 It's important to know that Johnson Controls
19 is talking about recycling our customers'
20 batteries. And I'll talk a little bit about the
21 closed-loop system that we -- that we use to
22 collect the batteries when you buy a new one. I'm
23 sure you're familiar with it.

24 But if you look closely at the graph on the
25 top, right corner, you'll see that the recycling

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1 demand in 2006 exceeded the capacity. So you can
2 ask yourself, Where do those batteries go to be
3 recycled? The answer is overseas. And I think
4 James mentioned -- or it hasn't been mentioned, but
5 with the U.S. EPA last year reducing the national
6 ambient air quality standard for lead by 90 percent
7 -- you may have heard that that was done last year
8 -- that has the potential of making many of these
9 blue balls disappear. And Johnson Controls, to
10 effectively service our customers and keep the
11 recycling loop in place, we need to build this new
12 facility.

13 The -- you may know that battery -- automotive
14 batteries are the most recycled consumer commodity
15 that we have. Over 97 percent of car batteries are
16 recycled in this country currently, which is more
17 than newspapers, glass, aluminum cans. So I'm sure
18 you can see the critical nature of us being able to
19 fill in this gap for our customers.

20 These batteries will come from this region.
21 We're not in the commercial business of collecting
22 from other -- our competitors, but these batteries
23 will be generated in the Carolinas, in the
24 Southeast United States. Next slide, please.

25 So let's talk a little bit about the closed

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1 loop I mentioned to you, okay? Basically, when you
2 -- your car needs a new car battery, you go to --
3 go to -- hopefully, to an Interstate store or -- or
4 a Wal-Mart store, you're required to bring back a
5 spent battery in -- and if you don't, you're
6 charged a deposit. And that keeps that --
7 basically, keeps that battery coming in to the
8 recycling infrastructure.

9 So when that -- when we go to our customers
10 and deliver new batteries, we pick up the spent
11 product. And then we will bring it to this
12 facility, and we'll convert it back into the raw
13 materials. And then we'll -- we'll bring that
14 material to our manufacturing facilities.

15 I think on our next slide we show where that
16 -- where those are. We'll talk a little bit about
17 on the next slide what -- what comes out of a car
18 battery. There's basically three major parts of
19 it. The lead, which is never destroyed or never
20 made, is totally recycled. The polypropylene, the
21 black plastic case, is basically chipped, and then
22 we take that plastic and we recycle that -- reuse
23 that in a facility near Oconee County, South
24 Carolina. The lead goes up to Winston-Salem or
25 also to Oconee, South Carolina, where new battery

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1 components are made. And then the -- the
2 electrolyte in the battery is converted into sodium
3 sulfate, which is used in the drywall industry or
4 -- or in -- in the chemical industry, and it's
5 totally recycled. So basically, car batteries have
6 been recycled for years and years, but those are
7 the main building blocks that come out of -- out of
8 the battery. Next slide.

9 A little bit about -- very briefly about the
10 recycling center. I know there's some curiosity
11 about, you know, the economic impact in the region.
12 We previously announced that this facility was
13 going to result in about 110/115 million dollars of
14 investment with 250 new jobs, of which 85 percent
15 will be skilled and production workers; we'll also
16 have 15 percent professional positions, which we
17 are looking to hire here locally. Next.

18 The site, little bit of detail, and I've got a
19 -- I borrowed it outside to take a look at we're --
20 we're on the other side of the railroad tracks from
21 the Paper Mill Road and approximately one half mile
22 from the Pee Dee River.

23 Next slide.

24 And I'll just go back to that slide. We are
25 working with environmental groups and DNR to

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1 potentially look at habitat set-asides along the
2 Pee Dee and the land that we have no intentions to
3 develop, but there's quite a bit of parcel along
4 the river that we are looking to potentially set
5 aside as a -- as a wildlife refuge.

6 Next slide.

7 A little bit about our company. I mentioned
8 our building efficiency group. We are -- we help
9 our customers become LEED certified. "LEED"
10 basically means energy efficient. Recently, our
11 corporate headquarters in Milwaukee was granted the
12 first platinum LEEDS certification of any corporate
13 headquarters. One of the -- some of the things
14 that we'll be looking at, at our facility here in
15 Florence, we'll be looking at geothermal heating
16 and cooling. Instead of using electricity and
17 natural gas, the heat we'll actually -- looking to
18 see if we can't use the ground to help us with
19 that. We'll have green roofs on some of our
20 buildings, a base if the rain comes onto our roofs
21 the rain will be managed there. There's actually
22 growth that comes on top of the roof. We'll have
23 water reuse and recycling. Natural lighting
24 systems, instead of using electrical lights, we'll
25 have -- we'll have light be able to be diffuse

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1 through -- through, you know, glass in -- in the
2 ceilings.

3 I mentioned earlier, but waste water will be
4 discharged to the City of Florence public-owned
5 treatment works. And we will not discharge any
6 storm water to the Pee Dee River. I want to
7 stress: We'll also not take any water from the Pee
8 Dee River. We're -- our -- our plan from the very
9 beginning -- and we've talked to the environmental
10 folks and to the state, but we have no --
11 absolutely no storm water will leave this facility.
12 It will be managed on-site through engineered
13 wetlands we're really excited about -- about
14 building. So a little bit -- and as I mentioned
15 earlier, we'll have an on-site waste-water pre-
16 treatment plant that'll meet the local requirements
17 before discharge.

18 Next slide.

19 A little bit on safety and a little bit about
20 the recycling center. The question comes a little
21 bit of "Okay. How do you treat your employees?"
22 If you treat your employees right -- and -- and
23 we've got a strong health and safety program, it's
24 just -- it's as important as how we react to the
25 community, our neighbors. Johnson Controls leads

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1 the battery industry in terms of protecting our
2 employees. One of the keys for OSHA in looking at
3 our employees is: Are they impacted by lead,
4 working at the battery facilities around the
5 country? Ninety-eight percent of our employees are
6 below 25 micrograms per deciliter which is half of
7 the OSHA standard. It's very important to us that
8 we -- that when our employees come inside our
9 facility, they're not impacted by -- by what they
10 work with, so I think you can infer that we're --
11 we don't want to transfer that to our neighbors.
12 So in -- at the recycling center specifically --
13 and you heard James talk a little bit about it --
14 all exhaust and in-plant air ventilation systems
15 will be double filtered. We'll go through a bag-
16 house system, or a scrubber system, and then go
17 through what's called "a HEPA filter system."
18 Maybe some of you've seen that on a vacuum cleaner.
19 It's a very fine filter. It removes the tiniest
20 amounts of particulate, and it's -- it's basically
21 state of the art. So everything will be double-
22 filtered and monitored.

23 All the buildings will be kept under negative
24 pressure. What does that mean? If we open the
25 door to our building, the air comes in. So if you

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1 open the door, you'll feel a rush of air. So when
2 a truck goes into our facility, air will come in.
3 If a truck leaves our facility, air will come in.
4 And all of that air is filtered before it's
5 discharged, and that means even air from the
6 offices. Emissions, as -- as James said, all of
7 our emissions will meet state and federal
8 limitations. We'll have limited environmental
9 impact on our neighbors or the river. And we'll
10 have -- and it stresses, "No on-site disposal of
11 any residues." We're not going to work any
12 processing outside, store anything outside,
13 landfill anything outside, do anything outside.
14 Our safety policy is important to us. We're the
15 industry leader in safety. Our workers -- our --
16 our workers are well-protected. And -- and we will
17 continue that safety excellence in this facility.
18 Next slide.

19 A little bit about what we've done as Johnson
20 Controls. And I'm not going to go into this great
21 detail here, but I did want to point out that we've
22 had several public meetings. We've had a citizen's
23 advisory group that's met frequently since June.
24 We've had very good collaborative meetings with the
25 environmental folks that are listed here, and I

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1 wanted to thank Mayor Stephen Wukela who's
2 moderated those meetings. Thank you, Mr. Mayor,
3 for that. And we continue to have dialog with DHEC
4 and with -- with the environmental community and
5 with all of you. Encourage you to visit our Web
6 site or talk to anyone in our company if you have
7 any questions after tonight. I want to thank you
8 for your patience and look forward to hearing your
9 comments tonight. Thanks again for coming.

10 MS. WHITTLE: Thank you, Tim. So now we're going to
11 hear from the individuals who signed up, and I
12 wanted to say up front: We took these in order as
13 you signed up, so it was first come, first serve.
14 And I'll just go straight down that -- you couldn't
15 hear me. Now we're going to call the individuals
16 and first come, first serve. We'll call you as you
17 signed up. So please, if you could come forward
18 when I call your name and you try to limit your
19 comments to about five minutes. We've got somebody
20 kind of watching time over there, so when it gets
21 close, it's -- in the pink will be kind of giving
22 me a sign. But -- and if -- bear with me. I hope
23 I get the names right. Cindi Hudson.

24 MS. WHITTLE: (To the court reporter) Can you
25 get it from this microphone, or do I need to

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1 pull this one off?

2 THE COURT REPORTER: It's fine.

3 MS. WHITTLE: This one's fine? Okay.

4 MS. HUDSON: Thank you. I just wanted to make a couple
5 of comments. I am -- the injury here is no
6 reflection of Johnson Controls -- I am an employee
7 at Johnson Controls, and I just want to reassure
8 everyone that this company is very, very
9 conscientious about the safety and health and
10 welfare of their employees. And anything that you
11 could possibly think of that they should think
12 about or you have a concern, they will address it
13 and they will resolve it to your satisfaction.
14 It's a great company and it will be a huge asset to
15 this area and the people that live here. Thank
16 you.

17 MS. WHITTLE: Thank you. Lafayette Bailey.

18 MR. BAILEY: Good evening, everyone. My name is
19 Lafayette Bailey. I own property about a mile away
20 from the place where they plan to put this plant.
21 And I have family that lives in the area. And my
22 main concern was -- most of the question has
23 already been answered in that, and that is : What
24 type of harm could come to the people that are
25 living in that area? Like I say, I'm less than a

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1 mile away from Stone Container. I have property on
2 both side of the road -- I just want to say --
3 Paper Mill Road. And I -- that's my main concern:
4 I just wanted to know what harm could come to the
5 people in that area. And you -- basically y'all
6 answered most of the question in that. Thank you.

7 MS. WHITTLE: Lynne Brink -- Lynne Brinkley. Is Lynne
8 Brinkley? Lynne Brinkley? Robert Quick. No
9 comment? Cathy Quick.

10 MS. QUICK: Hi. My name's Cathy Quick, and I live on
11 Liberty Chapel Road which is only a couple miles
12 from -- only a couple of miles from where this
13 facility will be built.

14 MS. WHITTLE: (To the court reporter) Can you
15 hear? (To Ms. Quick) Can you speak into it a
16 little bit more so he can hear you?

17 MS. QUICK: (To Ms. Whittle) Okay.

18 Like the gentleman said before, most of our
19 families have lived here for a long time. Our
20 children, our grandchildren live here, and we're
21 very concerned about what effects all these
22 chemicals will have in the air or in the
23 groundwater. Jobs are nice but not at the cost of
24 our health and the health of our families. Also,
25 I'm not sure about this, but I wonder about whether

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1 they'll accept batteries from the public because we
2 already have a problem with the metal recycler,
3 running over things in the road, and we don't want
4 batteries all in the highway. One of the questions
5 that had been answered was why this location and
6 not the industrial park.

7 Also, I noticed in some of the permit
8 paperwork that some of the particulate matter will
9 escape through ventilation. And I know that a lot
10 of companies say that they will do certain things,
11 but once one of these accidents has happened, you
12 cannot take it back. I don't care what kind of
13 fine you pay. Also traffic. If one of these
14 trucks turns over -- I know they're supposed to be
15 enclosed, but once they turnover, they're no longer
16 enclosed, and what will it do to your property or
17 the area around there? Also, I kind of wonder
18 about what the -- all of these -- this facility and
19 the air quality will do to property values in this
20 area. This is just some of my concerns, and I hope
21 everybody else'll think about it and write their
22 comments to DHEC. Thank you.

23 MS. WHITTLE: David Hartmann, Jr.

24 MR. HARTMANN: Good evening. I hope everyone can hear
25 me. My name's David Hartmann; I've been with

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1 Johnson Controls for 10 years. And I just ask that
2 -- as we go through these proceedings for both
3 DHEC, state agencies, and the public-at-large here
4 that's come out to listen and understand more about
5 this process, that when we talk about this facility
6 and the opportunity it brings, it's not just about
7 bringing jobs to the region, but it's bringing jobs
8 to the region through a company that has
9 demonstrated outstanding social, ethical,
10 professional, and corporate levels of
11 responsibility. I don't say that as an employee of
12 Johnson Controls; I say that as an individual who,
13 through his work, has a very intimate knowledge of
14 the environmental management of our distribution
15 center and also as a father of two young boys, ages
16 two and one. We live on the southeast side of
17 Florence. We play in our parks; we go to our
18 library, and we drink our water straight from the
19 tap. We're very proud of this environment. We're
20 very proud of this area. I'm very proud of what
21 Johnson Controls has brought to this area.

22 I also want to speak in terms of Johnson
23 Controls' mission and what we value. Again, I
24 mentioned I've been with Johnson Controls for
25 10 years, and the driving purpose behind that is

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1 because Johnson Controls values its employees. We
2 recognize that our employees are members of the
3 community; our families live here; we share the
4 same resources. We share the same economic ups and
5 downs. We hope to bring more economic ups than
6 downs. But within our facilities -- and I've had
7 the pleasure of being at every single one of our
8 U.S. facilities and several of our Mexican
9 operations -- I can say that Johnson Controls has
10 been an outstanding supporter and developer of its
11 people, of its workforce and protecting our
12 employees, not by meeting expectations but
13 exceeding expectations. And that's a
14 responsibility we take very seriously. And I hope
15 that you have an -- or have the ability to learn
16 more about our company and understand why I speak
17 so firmly about that, again, not as an employee but
18 as a person who also lives in the same area that we
19 operate in here in the Pee Dee. Thank you.

20 MS. WHITTLE: Dan Felker.

21 MR. FELKER: Good evening. My name is Dan Felker. I'm
22 the president of Green Environment Energy
23 Solutions. And I would like to thank DHEC for
24 having this hearing tonight and also Johnson
25 Controls for having a presence here and everyone in

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1 the community that has an interest, pro or con, for
2 -- for this expansion. I can say from -- from my
3 background -- I've -- I've come from electrical
4 distribution and conservation, and I work with many
5 companies to help them reduce carbon footprint by
6 cutting energy demand and looking at better ways to
7 use our natural resources -- and I can say that
8 Johnson Controls has a tremendous reputation for
9 being a leader in the communities that they're in.
10 They have a tremendous reputation for their
11 products across a wide range of applications. And
12 I think it would be a great add to our community to
13 have a -- a -- an expansion of Johnson Controls in
14 the Florence and the Pee Dee area. Thank you.

15 MS. WHITTLE: Joanne -- Joanne Ross. Mike King.

16 MR. KING: I'm Mike King. I represent a little group on
17 the river called the "Great Pee Dee River
18 Watchers," concerned about the river and
19 environment. How many of you here tonight are not
20 with Johnson Controls or associated interests that
21 are interested in the environment of the river?
22 Could I see a show of hands? Would you please see
23 me after the meeting? I have more information for
24 you, please. For those who have not heard, this
25 industry, before it's treated, will put out 22 tons

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1 of volatile organic compounds: carbon monoxide,
2 96 tons per year; sulfur dioxide, 38 tons per year;
3 nitrogen oxide, 97 tons per year; hazardous air
4 pollutants, there's a question mark there, 11 tons
5 per year; lead, 6 tons per year; mercury, the
6 company originally said 70 pounds, now it's down to
7 12; arsenic, that's a question mark there, how much
8 arsenic; particulate matter, another question mark.
9 This process will smelt 33,000 pounds of lead
10 ingots an hour. That's astounding. And these
11 questions are redundant to DHEC and Johnson
12 Controls and I -- I honestly don't mean to vilify
13 you fellows; you're -- you're a fine company. I
14 know you are; I use your product.

15 I really take umbrage in the people who guided
16 you to this site. That's what I'm disturbed about:
17 our local representatives. If you don't need the
18 water from the river and you aren't going to
19 discharge into the river, why are you putting it on
20 the river for all these contaminants to waft into
21 the air, treated or not? And Johnson Controls and
22 DHEC, I have one more redundant question for you
23 about locating on the river when there're hundreds
24 of square miles of -- of land in South Carolina
25 away from the river where these contaminants could

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1 not be within, you say, a half a mile/2500 feet of
2 our Great Pee Dee River? Another redundant
3 question is: Johnson Controls, DHEC, have you
4 taken complete leave of your senses in putting this
5 on the river?

6 MS. WHITTLE: Ben Gregg. Ben here? John Ramsburgh.

7 MR. RAMSBURGH: Thank you, Nancy. I'd like to thank
8 DHEC, also Florence-Darlington Technical College
9 for hosting us here. I want to thank the folks at
10 Johnson Controls who, in sharp distinction to some
11 of the other permitting processes I've been a part
12 of, really reached out to me and other people in
13 the conservation community to educate us about what
14 they're doing. I think that's been a good faith
15 effort and, you know, I'm not just a
16 conservationist, I'm a -- a resident of Darlington
17 County. I care about public health in this area,
18 and I also care about economic development, and I
19 know that that's a serious priority for the people
20 of Pamplico and Kingsburg, of -- of Florence County
21 and of the entire Pee Dee region, though I would
22 like to second, I thought, your very important
23 comment, ma'am, that, you know, jobs are important,
24 but more important are the health of our children.
25 I'm really out of my depth, as I said earlier,

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1 with respect to the permit application. I've just
2 started looking at it. But I do want to make the
3 following comments. The -- the smelter meets the
4 numerical standard for lead emissions in the
5 federal regulations, but from what I've heard and
6 -- and had confirmed, they're not as stringent as
7 some existing secondary lead smelters. So while
8 I'm pleased to see the bag-house and -- and -- and
9 HEPA controls, I would like to see a deeper
10 examination of the feasibility of a wet,
11 electrostatic precipitator and also further
12 assurances that this equipment used to return
13 particulate matter from the bag-house to the
14 process quipment -- process equipment is a closed
15 system. You know, Florence County and a number of
16 regions in our state are at risk for falling out of
17 compliance for ozone on Clean Air Act. And if that
18 happens, we go into, like, a probationary period.

19 And if we fail to redress ozone, federal
20 funding for economic development, for roads, for
21 highways ceases as does, therefore, future economic
22 development. So I hope that they -- they look at
23 that, and also we have to consider that some of
24 this technology is in use elsewhere and therefore
25 will become part of the new rule-making process

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1 under the EPA. And as we saw with the coal plant,
2 trying to permit a plant while the -- the feds are
3 re-evaluating the regulations is a real good way to
4 end up with a lot of confusing back-and-forth in
5 the public eye and also with legal challenges. So
6 I'm hoping we can avoid that by going as swiftly as
7 possible to the strongest environmental control
8 technology.

9 And, on that note, DHEC has made some backed
10 determinations but has excluded others on the basis
11 that this facility does not qualify as a major
12 emitter. But for people in -- in the region, the
13 distinction between a major and a minor emitter,
14 especially with respect to public health in the
15 community, is semantic at best. Indeed, examining
16 the nitrate that goes into the smelting process may
17 raise questions about the minor-source
18 classification. And we've seen in North Carolina
19 the fight taking place now over a coal plant that
20 had been classified as a major emitter, and then --
21 thanks to the governor's pen, suddenly became a
22 minor emitter. And so I'm -- I want to caution
23 DHEC and -- and all of us here that we think less
24 about whether it's a major or minor emitter, but
25 what it's actually emitting and what those

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1 emissions may mean for the public health in the
2 community.

3 And then next, I appreciate that it's not
4 possible to run the facility during -- with the
5 pollution controls down. If there's a malfunction
6 or an accident, but I hope that the air permit
7 actually requires that shutdown. And I was pleased
8 to hear the comments tonight addressing that. I
9 think that's in the right direction. And then
10 finally, a -- Standard 8 of the South Carolina
11 regulations which we were addressing earlier during
12 the Q and A, requires the potential emissions of
13 air toxins must be evaluated before a new source
14 permit can be granted. And the state has evaluated
15 [sic] some of these contacts -- compounds but
16 there're a host of others that include chloroform
17 and beryllium and formaldehyde and nickel. And the
18 only reason I know these are bad is because the
19 last time I took a science class, which was in 11th
20 grade in high school, we had to wear protective
21 clothing when we were around those compounds. So
22 again, DHEC, having come under public pressure
23 recently for some of the permits that it's granted
24 and looking at the particular challenges that this
25 region faces with already high emission levels, I

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1 hope goes, sort of, above and beyond what the --
2 what the permits require. Thank you very much.

3 MS. WHITTLE: Nancy Cave.

4 MS. CAVE: Good evening and thank you, DHEC. My name is
5 Nancy Cave. I am with the Coastal Conservation
6 League. The Environmental Protection Agency has
7 determined that Johnson Controls will have to have
8 a Resource Conservation and Recovery Act Part B
9 Permitting Determination. And they've done this
10 because the proposed facility will reclaim lead-
11 acid batteries, and the batteries will then be
12 stored before regeneration. This RCRA permit will
13 likely take 9 to 12 months, and the good news is --
14 for the public is there will be chance for us to
15 again express our feelings about this plant and to
16 ask questions; so that will be good for all of us.

17 But because this permit -- this RCRA permit
18 will take 9 to 12 months, there's no reason to
19 expedite this air permit. And I am asking DHEC to
20 make no final decisions on the air permit until
21 this RCRA permit is complete. And so that the
22 community, along with DHEC, can understand the full
23 impacts of this plant on the public health -- our
24 public health, on the water, the air, and the land.
25 We do not have to rush this, and we need to make

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1 sure that what is being done is the best thing for
2 this community, is the best thing for this state,
3 so I would ask that you not make any decisions
4 until the RCRA permit is finalized. Thank you.

5 MS. WHITTLE: Peggy -- Peggy Brown.

6 MS. BROWN: My name is Peggy Brown. I'm with the League
7 of Women Voters and also with Sierra Club of South
8 Carolina. I'd like to thank DHEC for this public
9 comment period, and also I'd like to thank Johnson
10 Controls for wanting to locate in the Florence
11 area. However, the EPA's currently in the process
12 of revising the air quality standards for the
13 nation and -- to go to stricter requirements for
14 air emissions, and it may be wise for DHEC to delay
15 the permitting process until the new regulations
16 have been finalized. That way we could avoid some
17 of the back-and-forth that we experienced not too
18 long ago with the coal permit application.

19 In the original draft air permit, the emercury
20 -- mercury emission limits read "72 pounds a year."
21 Through a revision of the application with Johnson
22 Controls, the 72 pounds were reduced to 12 pounds
23 of annual mercury emissions. However, even Johnson
24 Controls feels like they can do better than that
25 and are saying that their mercury emissions will be

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1 four to six pounds a year. I think that this is a
2 satisfactory window. We'd like to see zero but
3 from 72 to 12, to 4 to 6, I mean, that shows an
4 effort. With permitting to allow 400 pounds of
5 arsenic emissions into the -- into the air annually
6 and Johnson Controls stating that they probably
7 will emit 26, I think that that window is way too
8 large. Some of the lead emissions -- with the lead
9 emissions, why permit any company to emit 7 tons of
10 lead or have the potential to do that when they're
11 saying that they can make do or their maximum
12 amount be around 450 pounds? I think that we need
13 to ask DHEC to have that permit to -- to show more
14 towards the actual instead of these large numbers
15 that they don't need.

16 Johnson Controls is going to be able to avoid
17 having to install the best available control
18 technology which restricts facility emissions of
19 particulate matter and CO and SO just below
20 100 town -- just below the 100-ton threshold and
21 that's at 96 tons for CO and 97.5 for NO. I think
22 that that's a little bit close for this facility.
23 I mean, I don't feel comfortable with those
24 numbers. It -- it's too close for comfort. I
25 would like to see that DHEC slow down on granting

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1 the air permit until the RCRA and the hazardous
2 waste issues are cleared. I have concern for the
3 residents who live close to the facility. I've
4 voiced that with Johnson Controls. I've worried
5 about the well water. We've got residents there
6 who have well water. Who's going to test their
7 water? Florence County needs jobs. I'd like to
8 see if we couldn't try to get this permitting right
9 from the get-go. Thank you.

10 MS. WHITTLE: Hampton Shuping. I hope I pronounced that
11 right.

12 MR SHUPING: (To Ms. Whittle) You did better
13 than most.

14 MR. SHUPING: My name is Hampton Shuping, S-h-u-p-i-n-g.
15 I live in Conway and appreciate the opportunity to
16 speak tonight. And I want to thank Johnson
17 Controls for considering our area and coming here
18 and -- and wanting to be environmentally
19 responsible. No doubt in my mind, they're an
20 excellent company. In my previous life I did a lot
21 of instruction. One of those was in management.
22 And one of the things I always warned about was
23 folks saying "Yes, but," so I -- but I only have
24 one "yes, but" for you tonight. And I'm going to
25 limit my comments to mercury. I'm a -- I live in

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1 Conway; I live near the swamp, and I'm a fisherman.
2 And my son's fisherman; my grandchildren will be,
3 and mercury is a serious problem in our water.
4 Mercury in the air equals mercury in the fish. If
5 I -- if you don't know that process, it -- it comes
6 from air deposition. Local air deposition is a
7 reality. It's not coming from China; it's not
8 coming from other places; the majority are coming
9 from local deposition, and I'll talk -- be glad to
10 talk to anybody about a local case right upstream
11 in the Waccamaw River that it was documented by a
12 mercury-testing facility. Somebody mentioned one
13 of our -- the other area coming up. What I was
14 glad to hear tonight was that there is available
15 technology to remove all mercury; I believe I heard
16 that. There is technology available. I'm saddened
17 to hear that that technology is being -- is
18 considered too expensive to use, that our health
19 has become part of an economic equation. So I ask
20 this: I ask Johnson Controls and South Carolina
21 DHEC to reconsider that option and to place zero
22 mercury controls on this facility. Thank you very
23 much.

24 MS. WHITTLE: Rebecca Carr.

25 MS. CARR: My name's Rebecca Carr; I live in Effingham.

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1 I'm a member of Sierra Club and the League of Women
2 Voters, but I'm speaking for myself. I support
3 recycling. I support jobs coming to the area. I'm
4 impressed with Johnson Controls' presentation on
5 their environmental responsibility, but I'm
6 concerned that the limits they have requested for
7 many of the pollutants are much higher than what
8 they say they will -- they expect to emit. I think
9 these figures are too high. I'm also concerned
10 that they're not planning to use the best available
11 technology. It's a new plant; make the investment
12 to do it right, now.

13 I -- I also have some concerns about DHEC's
14 methodology. I took 24 hours of college chemistry
15 and the term "grains of lead per cubic foot" has no
16 meaning for me whatsoever. I think DHEC should use
17 metric measurements to report just like the rest of
18 the scientific community does. I think the 100-ton
19 per year limit on the pollutants, shown on page
20 7 of the permit, those numbers just seem completely
21 arbitrary to me. It just seems like a nice round
22 number. It doesn't seem like it can possibly be
23 science-based. I would also ask DHEC to wait for
24 the RCRA permit to be completed and to wait for the
25 revised EPA -- or limits to come out so that this

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1 process doesn't have to be revisited all over again
2 once it's approved. Thank you.

3 MS. WHITTLE: That was all the ones that had signed up.
4 Is there anyone else here who would like to speak?
5 If -- if so, please come forward. Anybody else?

6 MR. WILLIS: Good evening. I'm Glynn Willis. I'm here
7 to speak as a private citizen, but I -- I also want
8 to share with you over the last 13 years, I've
9 served on both Florence County Planning Commission
10 and Florence City Planning Commission. And during
11 those years, I've realized and understand that the
12 citizens throughout Florence County and -- and the
13 City of Florence appreciate and support economic
14 development and development. But in that process
15 they want to be -- they want to -- for us, in
16 government, to insure that their quality of life is
17 not impacted five years down the road, ten years
18 down the road and that environmental issues are --
19 are addressed as we move forward. And
20 understanding that, I've tried to make decisions
21 based upon, not only the importance of jobs to
22 Florence County, but the environmental impact and
23 quality of life issues. And -- and I found in
24 those 13 years in most instances -- in most
25 instances if it's addressed properly, it can be a

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1 happy balance. And we can -- we can achieve both.

2 Some months ago I was asked to serve on the
3 Johnson Controls' citizens advisory committee. And
4 I was very happy to agree to do so. In -- in one
5 of our first meetings -- I believe it was our first
6 meeting, I was asked and others were asked, "Well,
7 why are you here?"

8 And I said, "For two reasons: Number one, I'm
9 excited about the economic development
10 opportunities and to bring jobs to people in the
11 City of Florence, Florence County, and the Pee Dee
12 area. But equally as important, I don't understand
13 the details that -- that would be required to
14 operate a plant of this nature, but I want to be
15 directly involved, so I can understand the issues
16 that will impact the county, the community, and the
17 Pee Dee." And I will say this: I have been very
18 impressed how Johnson Controls has reached out to
19 the community, has reached out to the citizens'
20 advisory committee, and I want to assure you I'm
21 there to try to do what's right, to be a part of
22 the process to bring answers and solutions when
23 questions come up to the community. And I am
24 impressed with the leadership in this company.
25 They -- I think they're first class and from what

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1 I've seen, they're dedicated to try to make a
2 difference and to do what's right. And I just want
3 to say I look forward to continuing to work with
4 Johnson Controls on that citizens advisory
5 committee to keep the community informed, and I'm
6 excited about the opportunities that -- that --
7 that are here tonight. Thank you.

8 MS. WHITTLE: Any -- any other comments? (To Mr.
9 Vandenberg) Don't forget to state your name.

10 MR. VANDENBERG: My name's Steve Vandenberg. I, too, am
11 a citizen of this community. My family lives here.
12 My kids work here. I work here. But I wanted also
13 to wait until the end, so I didn't get called up
14 too soon because I, too, like -- like Glynn, was
15 asked to be a member of the citizens' advisory
16 committee. And I, too, would also welcome your
17 comments, anything that you might want to -- to
18 have addressed within the citizens' advisory
19 committee to Johnson Controls, to DHEC, to whomever
20 is necessary to insure that they are meeting the
21 compliant processes that they've already laid out
22 and that we all fully expect them to adhere to. I
23 worked with Johnson Controls many, many years, not
24 necessarily in South Carolina, but in Michigan
25 where I'm from. And I can absolutely tell you that

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1 Johnson Controls, as a company, goes above and
2 beyond the efforts necessary to insure compliance
3 with safety, with health, with community
4 regulations, with state regulations, with the
5 regulations that are put before them. They do
6 whatever is necessary without regard to cost. They
7 make sure they maintain their facilities at a top-
8 notch level. I do welcome any comments, any
9 questions, whatever. I'll be in the back, as well,
10 afterwards if -- if anyone wants to address
11 anything with me, I'd be more than happy to do so.
12 Thank you.

13 MS. WHITTLE: Yes, ma'am. Will you come forward? State
14 your name.

15 MS. STRAUSS: My name is Linda Strauss. And I'm
16 president and CEO of -- of Coast to Coast
17 Environmental Solutions in Florence. I live in
18 Florence, been here 32 years. And every once in a
19 while, you'll see me on a kayak on the Pee Dee
20 River taking water samples because I live here, and
21 my sons live here, and someday I hope to have
22 grandchildren, so I test the water, the soil, and
23 the air at my own cost. And I have resources to do
24 that. And I'm offering my services to any of the
25 people here in Florence as citizens and to Johnson

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1 Control [sic]. I do specialized compliance for
2 EPA, DHEC; I did -- I've done spills for other
3 companies. And I have trained HAZMAT teams, and I
4 provide all kind of equipment, air equipment,
5 breathing equipment for employees or just citizens,
6 so I'm going to keep a eye on you guys. And I'm
7 looking forward to working with everyone in helping
8 to keep our environment clean because that's my
9 sole purpose. And if anybody would like to contact
10 me, I'm across from Time-Warner Cable in Florence,
11 and my cards are here, and I'll leave some if y'all
12 would like to contact me to do testing or anything
13 in that nature. Thank you. And thank you, DHEC.

14 MS. WHITTLE: Any final comments? Anybody else want to
15 comment?

16 MS. CARR: May I just add that I'm worried -- (To Ms.
17 Whittle) Do you want me to come up?

18 MS. WHITTLE: Well, if you can do it real quick and you
19 -- since you've already spoken but if you need to
20 add something real quick. You need to speak in
21 here, though, so he can -- and state your name
22 again please.

23 MS. CARR: Rebecca Carr. I just wanted to add that one
24 of my biggest concerns is the heavy metals. And I
25 think as -- as one other gentleman mentioned, if

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1 they do get into the air, they're going to get into
2 the water too. So -- and the last thing we need is
3 more mercury in our streams. Thank you.

4 MS. WHITTLE: One final call. Looks like I think we've
5 had all the comments then. I -- I have just a
6 little bit more that I need to let you know about
7 before we close this formal hearing.

8 First, on behalf of DHEC, I would like to
9 thank everyone for your comments. The comment
10 portion of this public hearing is now concluded.
11 Again, we will take written comments as well.
12 Before we adjourn this hearing, I would like to
13 explain the process DHEC will follow in making a
14 decision on the draft permit.

15 Following this public hearing and formal
16 comment period, D-hill -- DHEC will make a decision
17 to -- as to whether the draft permit should be
18 approved, approved with conditions, disapproved, or
19 modified. This decision will be based upon the
20 review and consideration of the applicable state
21 and federal air quality regulations, the review of
22 comments made at this hearing in the form of a
23 transcript, the review of all other comments
24 received within the required time frame, and the
25 consideration of any other pertinent information.

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1 As stated earlier tonight, written comments may be
2 submitted through close of business on
3 September 29th, 2009. All written comments
4 received on or before this date will be considered
5 as part of the decision-making process.

6 DHEC and the Environmental Protection Agency
7 have determined that the proposed Johnson Controls
8 facility will require a Resource Conservation and
9 Recovery Act, or RCRA, storage permit. A RCRA
10 permit outlines what a facility must do to properly
11 handle hazardous waste. The RCRA permit involves
12 at least two opportunities for the public to
13 participate throughout the process. If you want to
14 be notified about any future meetings or hearings,
15 please indicate so in the hearing sign-in sheet and
16 mention to you, if you haven't signed in, please do
17 so if you want to hear about these hearings or get
18 other correspondence from us. If you have any
19 questions or concerns about the RCRA permit
20 process, please contact DHEC's RCRA staff person,
21 Rodney Wingard. Rodney is here tonight. Stand,
22 Rodney, so they can see you. His number is
23 803-896-4249. That number, again, is 803-896-4249.

24 A copy of then notice-of-appeal procedures is
25 included in your hearing folder. These are the

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1 procedures that must be followed if a final review,
2 otherwise known as an appeal, is requested after a
3 permit decision has been made. Any person has the
4 right to request a final review, or appeal, of any
5 permit decision made by DHEC. This request must be
6 made in writing to DHEC's clerk of the board within
7 15 days after notice of DHEC's decision has been
8 mailed. In consideration of this requirement, if
9 you indicated on the hearing sign-in sheet that you
10 wanted to receive any further information about the
11 permit for Johnson Controls or if you have
12 submitted comments either before, during, or after
13 this hearing, you will receive notification of
14 DHEC's decision by standard U.S. mail. However, if
15 you wish to be notified of DHEC's decision by
16 certified mail, please see Karen Lee or Soraya
17 Purvis near the sign-in table. They're in --
18 they'll be in the back -- before you leave. If you
19 choose to make your certified mail request in
20 writing, you're asked to so by the close of comment
21 period on September 29th, 2009.

22 And finally, I would like to point out that in
23 the back of the folder, there is a public-
24 participation feedback survey. We are interested
25 in knowing your thoughts and suggestions on what

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1 you liked or didn't like about the hearing tonight
2 and the meeting so that we can improve our efforts.
3 And as the community liaison, I encourage you to
4 fill that out; we're always looking for suggestions
5 on ways to improve these kinds of meetings. So
6 please take a moment to complete this survey, and
7 as you leave -- it's anonymous -- just drop it on
8 the desk out back. Again, on behalf of DHEC I
9 would like to thank everyone for your attendance
10 and comments this evening. It's now -- looks like
11 8:50/8:51 and this hearing is officially adjourned.
12 No formal -- further formal recording of this
13 hearing will take place. And that concludes the
14 formal hearing.

15 (Whereupon, at 8:51 p.m., the meeting of the
16 above-entitled matter was concluded.)

17 (*This transcript may contain quoted material.
18 Such material is reproduced as read or quoted
19 by the speaker.)

20 (**Certificate accompanies sealed original only.)