



Overcash, Jo Cherie <overcajc@dhec.sc.gov>

Former SEACO, Inc., now Associated Asphalt, Inc. Asphalt Plant

16 messages

James Smith <james@jamesmith.com>

Sat, Jul 7, 2012 at 12:16 PM

To: overcajc@dhec.sc.gov, fulmerWA@dhec.sc.gov, lancaskf@dhec.sc.gov

Cc: carey@jamesmith.com, Sara Hummel Rajca <Sara@jamesmithpa.com>

<http://www.thestate.com/2012/07/07/2345149/columbia-asphalt-plant-plans-expansion.html>

My name is James Smith. I am grateful to represent the Rosewood Neighborhood Community in the South Carolina House of Representatives.

I have heard from some in the community who are concerned about plans for the expansion of the Asphalt Plant. I would like to arrange a meeting with the appropriate DHEC officials as soon as possible to discuss the current and potential environmental impact of the plant.

Thank you for your assistance.

Sincerely, James

Rep. James E. Smith, Jr.

SC House of Representatives

District 72

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[Overcash, Jo Cherie <overcajc@dhec.sc.gov>](mailto:overcajc@dhec.sc.gov)

Seaco, Inc

1 message

Alexander Butler <alexanderbutler@gmail.com>

Mon, Jul 9, 2012 at 10:17 AM

To: OVERCAJC@dhec.sc.gov, HODGESRF@dhec.sc.gov, FULMERWA@dhec.sc.gov

Ms. Overcash, Mr. Fulmer and Mr Hodges

I would like to voice my concerns with the proposed Voluntary Cleanup Contract / Brownfields site proposal for the Seaco Inc Site in Columbia SC. The area in question is located adjacent to a residential neighborhood, community farm and nearby to youth athletic fields. In addition a new retail development and restaurant have been proposed in the immediate area. By entering into the voluntary cleanup contract to allow the site to be expanded under the brownfields program the department would be putting those projects at risk. In addition the expanded operations could have a negative impact on the air quality in the area. I would like to note that fumes from the emulsion plant can often be overpowering throughout the Rosewood area.

I would also like to request that a public meeting be held to discuss the Brownfields proposal with members of the community (many of whom are just finding out about the proposed change). The area has an active community group (Rosewood Community Council) that could act as a point of contact to initiate such a meeting. I would also appreciate being copied on all future correspondence regarding the brownfields contact and site expansion. Thank you

Alex Butler
908 Elm Ave, Columbia SC 29205
803-315-9751



Overcash, Jo Cherie <overcajc@dhec.sc.gov>

(from MelJ) Public Comment regarding "Seaco" voluntary cleanup

3 messages

Mel Jenkins <greenpalmetto@yahoo.com>

Tue, Jul 10, 2012 at 4:27 PM

Reply-To: Mel Jenkins <greenpalmetto@yahoo.com>

To: "overcajc@dhec.sc.gov" <overcajc@dhec.sc.gov>

PUBLIC COMMENT STATEMENT

Regarding

Seaco, Inc. Site

2636, 2646, 2646R Commerce Drive and

2700 William H. Tuller Drive (aka Industrial Drive), Columbia, South Carolina

TO: SC-DHEC (the South Carolina Department of Health and Environmental Control)

Ms. Jo Cherie Overcash, Project Manager, overcajc@dhec.sc.gov, telephone (803) 896-4019

FROM: Mel Jenkins (Rosewood resident – 3324 Montgomery Ave., Columbia, SC 29205 and Executive Director, Environmentalists, Inc., 803-603-4351 greenpalmetto@yahoo.com)

DATE: 10th July 2012

REGARDING: Proposed Voluntary Cleanup Contract, 12-6100-NRP, affecting approximately 3 acres identified by tax map number R11215-08-01, R11211-06-96, R11211-06-24 and R11211-06-25.

While the operations of Seaco, Inc at the referenced site have been on-going, there have also been on-going concerns in the community relative to possible air and soil and ground-water pollution. Additionally, transport of materials through, or adjacent to, residential areas have also raised concerns regarding possible accidents and safety.

I, and others with whom I have spoken, do appreciate the possibility that improvements and information on the current condition of this site may be forthcoming.

Concerns have been elevated with the occasion of possible sale of this and other property in the immediate area. Expansion of industrial operations of a chemical processing nature in an urban area raises a number of issues that have not been, to public knowledge, addressed. Primary among these is environmental and economic justice related to the low-income and African-American residents near the present and potential chemical processing

and potential chemical processing.

Due to a late awareness of this contract and the expansion of operations, there has not been opportunity for the general public and specifically interested business to be effectively informed.

It is requested that any actions which can be deferred, be so suspended until a well-advertised public hearing and information event can be held by SC-DHEC.



Overcash, Jo Cherie <overcajc@dhec.sc.gov>

Seaco, Inc. Site Voluntary Cleanup Contract Comments

3 messages

Jennifer Taraskiewicz <uscvsels@yahoo.com>

Tue, Sep 11, 2012 at 3:50 PM

Reply-To: Jennifer Taraskiewicz <uscvsels@yahoo.com>

To: "overcajc@dhec.sc.gov" <overcajc@dhec.sc.gov>, "hodgesrf@dhec.sc.gov" <hodgesrf@dhec.sc.gov>

Cc: Katie Mann <centralma@gmail.com>, Jenna Stephens <Jenna@rosewoodcommunity.com>, "skbenjamin@columbiasc.net" <skbenjamin@columbiasc.net>, "sdavis@columbiasc.net" <sdavis@columbiasc.net>, "tidevine@columbiasc.net" <tidevine@columbiasc.net>, "lkplaugh@columbiasc.net" <lkplaugh@columbiasc.net>, "bdnewman@columbiasc.net" <bdnewman@columbiasc.net>, "carunyan@columbiasc.net" <carunyan@columbiasc.net>, "mobaddourah@columbiasc.net" <mobaddourah@columbiasc.net>

I write these comments in response to DHEC's public notice regarding SEACO's Voluntary Cleanup Contract.

As a neighboring homeowner, while I applaud the effort to clean the pollutants from the site, I believe that the contract does not require enough from the new owners in return for the ability to continue the release of pollutants into a nearby flourishing residential community. My primary concern is that the contract does not adequately control volatile organic compounds (VOCs) released during the standard operation of the asphalt emulsion plant.

Known VOC releases from the asphalt's operations include Naphthalene, Tetrachloroethylene, and Trichloroethylene. Controls should be required to trap VOCs, not just odors. These VOCs are a known carcinogen to humans and precursors to ground level ozone. There are two elementary schools, several recreational parks, and numerous family homes within a one mile radius of this plant. Our continued exposure to VOCs from an asphalt facility should be limited; limited not just by adhering to the EPA minimum safety requirement, but by adding controls to ensure air quality that is adequate for small children running, playing, and breathing in the Rosewood community of Columbia.

Thank you for considering these comments.

Jennifer Taraskiewicz
706 Graymont Ave.
Columbia, SC 29205



Overcash, Jo Cherie <overcajc@dhec.sc.gov>

Public Comments re: Seaco expansion

1 message

Jenna Stephens <jenna@rosewoodcommunity.com>
To: overcajc@dhec.sc.gov, hodgesrf@dhec.sc.gov

Tue, Sep 11, 2012 at 4:23 PM

To: DHEC

Re: Public Comments in response to Seaco VCC

The Rosewood neighborhood opposes the expansion of the Seaco plant. We oppose the continued operation of this business and any other business that is polluting our air or water. Rosewood is a neighborhood of 8,000 people, four schools, and eight parks. This is not a place for heavy industry, and the risk posed by groundwater and air contamination is unacceptable.

While we greatly appreciate the efforts of the agency the past few weeks, I must point out that for years Rosewood neighbors have complained about the smell of the Seaco plant—a burning tar smell that forces our residents indoors. Neighbors reported these concerns, but our concerns went unaddressed by DHEC. Someone wasn't doing their job or wasn't given adequate resources to do it competently.

Furthermore, DHEC learned about the groundwater pollution on the Seaco site when this cleanup contract was first proposed but failed to proactively take any of the steps the agency took once this contract was made public. I am troubled to think that if

the agency took once this contract was made public. I am troubled to think that if Sammy Fretwell of The State newspaper hadn't notified us and the public, DHEC may not have tested residents and soil for dangerous contaminants.

This agency and state leaders allowed this pollution to go unregulated and untested, and would have allowed the opportunity for public comment to pass unnoticed. I find this unacceptable.

Going forward, the Rosewood neighborhood has a bright and vibrant future. We just joined with the City of Columbia to adopt a long-term strategic plan for the neighborhood. That vision includes sustainable and green businesses along the corridor of Commerce Drive. The plan celebrates Columbia's only urban farm and embraces future sustainable development. This business, this expansion, and this pollution put all of that in jeopardy.

On behalf of the Rosewood Community Council and our neighborhood, I ask that the agency:

- 1) deny the proposed expansion;
- 2) institute full and complete monitoring to discover the complete nature of the pollution at this site and others adjacent to our neighborhood;
- 3) institute surprise smoke-stack testing to discover the nature of the pollutants the Seaco plant is pumping into our air, instead of scheduled stack testing just every other year; and
- 4) apply the appropriate regulatory and punitive action against responsible polluters and make them pay for the cost of cleanup.

Thank you,

Jenna Stephens

Rosewood Community Council, President

803-240-2156

Telephone Comments Received:

July 9th – 10th

Leon Khoury, 2230 Commerce 803 360.9322 Lkhouryjr@sc.rr.com
His concerns / question was how the groundwater plume might affect his rug storage operations. He wants to know what we find; he asked to be kept informed.

Ruth Thomas 838.894.6305 – requested public meeting; we discussed the purpose of the Brownfields Program. I let her know that Representative James Smith has been in touch with us and has requested to meet.

Mel Jenkins 803.603.4351 – requested extension to the comment period; stated that the signs posted on the Property do not look “official”; also stated that the newspaper public notice is ineffective. He said that he would submit comments and recommendations. Written comment (email) received July 10, 2012.

July 26th – Beth Partlow (Ogletree Deakins Law Office) General questions about Seaco; she will call Ken Taylor.

-end-

Richard A. Harpootlian, P.A.

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July 10, 2012

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JAMIE L. HARPOOTLIAN*
OF COUNSEL

*admitted in Louisiana

Department of Health and Environmental Control
Bureau of Land and Waste Management
ATTN: Jo Cherie Overcash
2600 Bull Street
Columbia, South Carolina 29201

RECEIVED

JUL 10 2012

SITE ASSESSMENT,
REMEDICATION &
REVITALIZATION

In RE: Response to Invitation for Public Comments

Proposed Voluntary Cleanup Contracts between DHEC, AA Properties-Edisto, LLC, and Associated Asphalt Columbia LLC (Contract #s 12-6101-NRP, 12-6100-NRP)

Dear Ms. Overcash:

The Rosewood Community Council ("RCC") has retained my law firm to represent its interests pertaining to the proposed voluntary cleanup contracts referenced above. In response to the public notice issued by the Department of Health and Environmental Control, RCC provides the following comments for the Department's consideration.

In conjunction with these comments, the Council is submitting a demand for a public meeting pursuant to S.C. Code Section 44-56-750(E)(1) and a comprehensive Freedom of Information Act request pertaining to both these proposed voluntary cleanup contracts. The Department has provided RCC and the residents of the Rosewood community nothing more than the proposed contracts and the applications themselves to determine the propriety of continuing (and expanding) the existing asphalt operations located in the Rosewood neighborhood. Even with this limited information, RCC has several major concerns, listed below.

Absence of Documents and Records Pertaining to the Contracts

AA Properties-Edisto, LLC and Associated Asphalt Columbia, LLC (collectively, "AAC") have attested to a wide variety of representations in its "Non Responsible Party Application for Voluntary Cleanup Contract." AAC's application refers to the following documents that should have been attached to its application, but were not provided to the public. These documents include:

1. January 2012 Phase I Environmental Site Assessment
2. May 8, 2012 Phase II Environmental Site Assessment

These site assessments are designed to analyze the historical contamination of the sites in question, the possibility of future contamination by the processes to be utilized by the prospective purchasers, and the potential human and ecological risks posed by the existing contamination and future operations. Pursuant to S.C. Code Section 44-56-750(A), these documents must be provided to the Department as an integral part of the “Voluntary Cleanup Contract” approval process. Likewise, pursuant to S.C. Code Section 44-56-750(E)(1), the Department and the parties seeking the contract are required to engage the public in this process. Removing these site assessments from the applications made available to the public effectively prohibits the public from making a reasonable analysis of the applications or providing an informed response to the proposed contracts.

AAC also refers to Department files entitled “Seaco Groundwater Monitoring” that have not been made available for public review. The proposed Voluntary Cleanup Contract pertaining to the Seaco, Inc. Site make specific references to numerous instances of soil and groundwater contamination that, thus far, has not been disclosed to the public. This includes “numerous releases of asphaltic emulsion” that have occurred over the last 60 years. It appears that DHEC has been aware of the on-site contamination since June 26, 1990—yet there has been little to no involvement of the Rosewood community in clean-up or monitoring efforts on site. Likewise, the proposed Voluntary Cleanup Contract pertaining to the Bagnal Builders Site makes specific reference to several large underground storage tanks installed and then removed from the Site—presumably due to issues with leaking. Again, no other information pertaining to these tanks has been provided.

The clean-up and monitoring efforts described within the Voluntary Cleanup Contract pertaining to the Seaco Site appear to have been paltry. Six monitoring wells and two product recovery wells, as referenced within the contract, are woefully inadequate either to delineate the contaminant plume beneath the Site, to predict the migration of the contaminant plume, or to effectively remediate the groundwater contamination. These efforts appear to have been nominal, at best, rather than comprehensive attempts to discover the extent of and then solve the contamination problem.

Most disturbing, the proposed contract indicates that, in 2012, Arsenic was located in the groundwater beneath the Site in levels up to 495 micrograms per liter (ug/L). The EPA drinking water standard for arsenic is 10 micrograms per liter (ug/L). **This means that levels of arsenic in the groundwater beneath the Rosewood community are up to 50 times higher than acceptable levels.** Quite simply, this is unacceptable and the community is outraged that it has not been put on notice of this extreme threat. The 2012 study also revealed the presence of Tetrachloroethene (PCE) in groundwater in levels up to 7.9 ug/L, in excess of the EPA drinking water standard of 5 ug/L.

Misrepresentation of the Rosewood Community as “Industrial” in Nature

AAC represents that its proposed purchase of the land “[p]rovides for expansion of the current operations consistent with the industrial development in the surrounding area.” This is an inaccurate statement. The “surrounding area” includes thousands of private residents within walking distance of the Site proposed to be purchased by AAC. Residents have complained to the Department of concerns pertaining to air pollution, but thus far the Department has resisted all attempts to address potential health issues within the Rosewood community. Describing the surrounding area as “industrial” ignores the densely residential areas abutting AAC’s proposed area of operations.

Mischaracterization of Asphalt Emulsion as “Nonhazardous”

In describing the activities it intends to commence upon the Sites, AAC represents that the asphalt emulsion operation will result in “no generation of hazardous substances.” This representation is contradicted by the disturbing levels of petroleum, arsenic, and other types of contamination within the soil and the subsurface of the Sites. Furthermore, the Occupational Safety and Health Administration has indicated that “[h]ealth effects from exposure to asphalt fumes include headache, skin rash, sensitization, fatigue, reduced appetite, throat and eye irritation, cough, and skin cancer.” (<http://www.osha.gov/SLTC/asphaltfumes/index.html>) Asphalt production has also been found to produce polycyclic aromatic hydrocarbons (PAHs), which the Department of Health and Human Services has associated with possible reproductive difficulties, birth defects, lower body weight, and greater risk of contracting cancer. These PAHs are easily transmitted to humans via pollution in the air. RCC has, as recently as 2008, requested DHEC conduct a study of the air quality in its neighborhood but has been rebuffed due to an alleged “lack of sufficient funds” to maintain the study.

In sum, the Rosewood Community Council is greatly concerned by the imminent and substantial threat posed to the residents and environment of the Rosewood community by the existing contamination on site, the continuing operation of the asphalt plant, and any potential expansion of the asphalt emulsion operations. In response, RCC demands the following:

1. A full and complete response to RCC’s FOIA request for documentation pertaining to the existing contamination and proposed voluntary cleanup contracts;
2. A public meeting convened thirty (30) days after the Department’s production of all responsive documents; and
3. A more transparent process of consideration of the proposed contracts in which the Rosewood community residents are fully apprised of the contamination currently within their neighborhood and the potential risks posed by the continued operation and potential expansion of the asphalt emulsion plant.

The applications associated with the proposed voluntary clean up contracts state that approval of the contracts will result in the addition of “4 to 5 jobs.” The Council would note that hundreds—if not thousands—of South Carolinians are directly exposed to the environmental threats from these Sites. As a result, it is RCC’s sincere wish that DHEC would consider the health of the

Rosewood community as an equal, if not greater, priority than the alleged economic incentive to approve the contracts at issue.

With warmest personal regards, I am

Sincerely,

A handwritten signature in black ink, consisting of a short diagonal stroke followed by a long horizontal stroke that tapers to the right.

Richard A. Harpootlian

RAH:hal